IV

(Informações)

INFORMAÇÕES DAS INSTITUIÇÕES, ÓRGÃOS E ORGANISMOS DA UNIÃO EUROPEIA

PARLAMENTO EUROPEU

PERGUNTAS ESCRITAS E SUA RESPOSTA

Perguntas escritas apresentadas por deputados ao Parlamento Europeu e respetiva resposta dada por uma instituição da União Europeia

(2013/C 118 E/01)

Indice **Página**

(English version)

Question for written answer E-002985/12
to the Commission
Marina Yannakoudakis (ECR)
(19 March 2012)

Subject: EU ruling regarding the abolition of battery cages for egg production

In view of the recent EU ruling regarding the abolition of battery cages for egg production, could the Commission please comment on how it plans to ensure compliance by the 13 remaining EU Member States which have yet to transpose the legislation?

In accordance with its obligations as an EU Member State, the UK has successfully transposed the legislation, but now faces increases in egg costs and a loss of its competitive edge vis-à-vis industries in Member States which have yet to make the change to their market practices.

Answer given by Mr Dalli on behalf of the Commission
(30 April 2012)

The Commission would refer the Honourable Member to its answers to Written Questions E-001113/2012 and E-000815/2012 ([1]).

([1]) http://www.europarl.europa.eu/QP-WEB.

(English version)

Question for written answer E-002986/12
to the Commission
Marina Yannakoudakis (ECR)
(19 March 2012)

Subject: Resale Rights Directive (2001/84/EC)

Could the Commission please provide an update as to the measures it has implemented to protect the EU arts sector from certain aspects of the Resale Rights Directive (2001/84/EC) ([1]), which requires a quarterly levy to be imposed on any dealers or galleries involved in the secondary marketplace?

When drafting its response, could the Commission please consider the following points:

— Directive 2001/84/EC puts UK enterprise at a particular disadvantage, given that it accounts for 29 % of the global art and antiques market and that there are approximately 10 000 SMEs in this sector, which in turn employ up to 60 000 people.

— Competitors elsewhere in the world, for instance in the USA and China (which account for 30 % and 19 % of the global industry respectively), do not face the same burdensome and punitive legislation, making it easier for them to seize market share.

— Prior to the drafting of Directive 2001/84/EC, SME gallery sales were in decline on account of the dire economic recession facing the EU and the wider global economy.

Answer given by Mr Barnier on behalf of the Commission
(15 May 2012)

In 2011 the European Commission undertook an extensive stakeholder consultation prior to the publication of a report on the implementation and effects of the Resale Right Directive ([2]).

The report, published on 14 December 2011 ([3]), analysed available data on changes in global art market shares. It concluded that no clear patterns could be established to link the loss of the EU's share in the global market for modern and contemporary art with the coming into force of the directive on 1 January 2006. Neither could any clear patterns be established that would indicate systematic trade diversion within the EU away from Member States which introduced the right for living artists in 2006, such as the UK.

The report pointed to a wide range of factors affecting the development and competitiveness of art markets including changes in taste, in the perception of the investment value of art, taxation policies (including VAT), rates of commission and administrative costs, including those relating to the administration of the resale right. The report noted that primarily 'domestic' markets tend to see a high volume of low value sales, dominated by smaller businesses which are particularly vulnerable to regulatory burdens.

Recognising that there are pressures on European art markets, the report concluded that market developments should be kept under review. The Commission will report again in 2014. In the meantime, the Commission intends to establish a Stakeholder Dialogue, tasked with making recommendations for the improvement of the system of resale right collection and distribution in the EU.

([1]) OJ L 272, 13.10.2001, p. 32.
([2]) Directive 2001/84/EC, OJ L 272, 13.10.2001, p. 32.
([3]) COM(2011) 878 final, available at http://ec.europa.eu/internal_market/copyright/docs/resale/report_en.pdf

(English version)

Question for written answer E-002987/12
to the Commission
Marina Yannakoudakis (ECR)
(19 March 2012)

Subject: Markets and Financial Instruments Directive and improvements in transparency in the commodity markets

What has the Commission done, or what does it intend to do, through the Markets and Financial Instruments Directive, to improve transparency in the commodity markets with a view to protecting EU consumers and businesses against high food-price volatility caused by speculation?

Answer given by Mr Barnier on behalf of the Commission
(4 May 2012)

In its communication of February 2011 on commodity markets and raw materials, the Commission called for further action to improve integrity and transparency on these markets ([1]). There is a broad agreement that it is desirable to increase the integrity and transparency of commodity derivatives markets. In line with the globally agreed G20 principles and conclusions, the Commission has launched a number of regulatory initiatives in order to fulfil this objective.

One of the main aims of these reforms is to reduce systemic risk and improve transparency on all derivatives transactions, including commodity derivatives ([2]). To this end, mandatory central clearing for all OTC derivatives and mandatory reporting to trade repositories have been proposed in the framework of the so-called EMIR-legislation. EMIR was recently agreed by the co-legislators and will ensure transparency on all commodity derivatives trades for competent authorities.

Moreover, the Commission proposed in October 2011 in its review of the MiFID-Directive to improve the transparency of trades and prices in commodity derivatives. The revised framework also includes conditions for when commodity derivative products should trade exclusively on organised trading venues. Requirements for more systematic and detailed information on the trading activities of different types of market participants in commodity derivatives, and more comprehensive oversight of commodity derivative positions, including the requirement for platforms and the power for regulators to impose position limits where deemed necessary, have also been proposed ([3]). As recalled by the European Council in March 2011, it would be important to agree on this legislation before the end of the year.

([1]) Tackling the challenges in commodity markets and on raw materials, February 2011, COM(2011) 25 final.
([2]) COM(2010) 484, 15.9.2010.
([3]) COM(2011) 656 final, and COM(2011) 652 final, 20.10.2011.

(English version)

Question for written answer E-002988/12
to the Commission
Marina Yannakoudakis (ECR)
(19 March 2012)

Subject: Legal ivory trade worldwide

What strategies has the Commission adopted to put an end to the legal ivory trade worldwide? Would it not agree that ivory must be banned by all states, including China and Japan, so that elephants can be protected from insensitive and greedy profiteers?

Answer given by Mr Potočnik on behalf of the Commission
(30 April 2012)

International trade in ivory is prohibited under the CITES Convention, which is implemented within the EU through Council Regulation (EC) No 338/97 ([1]) on the protection of species of wild fauna and flora.

Despite this prohibition, the EU is concerned that illegal ivory trade continues to occur at a high level and has increased over the last years. To address that problem, the EU is actively supportive of the initiatives of the international community against elephant poaching and associated illegal trade. This is notably the case of the MIKE programme (Monitoring of Illegal Killing of Elephants), which is carried out by the CITES Secretariat and has been funded by the European Union for the last decade (EUR 10 million). The EU also supports the activities of the recently created International Consortium for Combating Wildlife Crime (ICCWC), which gathers five international organisations with expertise in law enforcement, wildlife trafficking and project management and is tasked to tackle transnational wildlife crime like illegal ivory trade ([2]).

In addition to enforcement action, the EU is assisting range States to establish and implement management and conservation schemes for fauna and flora, notably in protected areas in a number of regions which are particularly affected by poaching and illegal trade like Western and Central Africa.

Finally, the European Commission will be vigilant that any future decision within the CITES Convention fully takes into account the worrying situation of elephant populations in a number of range States and the need for strong measures to improve that situation.

([1]) OJ L 61, 3.3.1997.
([2]) The Secretariat of the CITES Convention, Interpol, the World Customs Organisation (WCO), the UN Office for Drugs and Crime (UNODC) and the World Bank.

(English version)

Question for written answer E-002989/12
to the Commission
Marina Yannakoudakis (ECR)
(19 March 2012)

Subject: Discrimination based on age and sex

EU legislation clearly states that discrimination based on any grounds, such as age and sex, is prohibited. With this in mind, could the Commission state whether it is discriminatory for a number of opera-singer competitions and young-artist programmes to stipulate a different cut-off age for men and women, especially given that there are various types of singing voice that mature at different times?

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

The Employment Equality Directive 2000/78/EC ([1]) prohibits, among others, discrimination on grounds of age in employment and occupation.

Article 4 of the directive provides for limited derogations in specific cases. Article 4(1) of the directive allows, under strict conditions, differences of treatment where, 'by reason of the nature of the particular occupational activities or of the context in which they are carried out' a particular characteristic related to a ground covered by the directive is a 'genuine and determining occupational requirement' for the job in question. In this case, it has to be ensured that the objective is legitimate and the requirement is proportionate.

According to the case-law of the Court of Justice of the European Union, exceptions to the principle of equal treatment, such as those in Article 4 of Directive 2000/78/EC, have to be interpreted narrowly.

The question, whether a different cut-off age for men and women taking place in opera-singer competitions is discriminatory, can not be decided at the level of the European Commission. First of all, it is not clear whether the rules of the competition fall under EC law. The competition might take place as a single event not leading to employment relations or an occupation. Even if it fell under EC law, the situation would have to be evaluated and analysed at national level, taking into account all details of the factual situation, the objective of the competition and the proportionality of the age requirements.

([1]) Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, OJ L 303, 2.12.2000, p. 16.

(English version)

Question for written answer E-002990/12
to the Commission
Marina Yannakoudakis (ECR)
(19 March 2012)

Subject: Discrimination on the grounds of nationality

EU legislation clearly states that any discrimination on grounds of nationality is prohibited. In the light of this, could the Commission please comment on allegations that British citizens who own holiday homes in northern Sweden are denied the right to basic local technological amenities, such as phone and Internet services, because they are from another EU Member State and are not Swedish citizens?

One of my London constituents has raised this matter with the Swedish Ombudsman against Discrimination, concerning communications company Tele2, but has the impression that such behaviour is deemed acceptable when it is, in fact, discriminatory and out of touch with existing EU rulings.

Answer given by Mrs Reding on behalf of the Commission
(10 May 2012)

The Commission has been made aware of difficulties met by nationals from other Member States who temporarily stay in Sweden and who allege having been denied access to various services, such as buying a fixed line subscription or a mobile phone or Internet subscription.

As the Commission understands it, EU citizens residing in other Member States who stay in Sweden for a few weeks or months (e.g. owners of a secondary residence or for short-term assignments) may not be considered to be eligible, under Swedish law, for registration with the Swedish Population Registry. A personal identity number (*personnummer*), which is attributed upon registration in this register, is allegedly necessary for any official act in Sweden, and often needed in order to access various services.

The Commission attaches great importance to ensuring that EU citizens do not face any undue obstacles in the exercise of their rights under the Treaty ([1]).

According to Article 20(2) of the Services Directive ([2]), Member States must ensure that service providers do not discriminate on grounds of nationality or place of residence of the recipient, but without precluding the possibility of providing for different conditions of access to services where those are directly justified by objective criteria.

This provision has been implemented in Sweden by means of 20 § Act (2009:1079) on services in the internal market. Any complaint for alleged violations of the Services Directive by Swedish service providers should therefore be addressed to the Swedish authorities. It is for the latter to assess whether any objective reasons could justify a refusal to contract on grounds of residence in the case referred to by the Honourable Member and to ensure that the service provider at stake comply with the provision in national law.

([1]) See the 2010 EU Citizenship Report 'Dismantling the obstacles to EU citizens' rights' of 27.10.2010, COM(2010) 603 final.
([2]) Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, OJ L 376, 27.12.2006.

(English version)

Question for written answer E-002991/12
to the Commission (Vice-President/High Representative)
Marina Yannakoudakis (ECR)
(19 March 2012)

Subject: VP/HR — Human rights defenders who are held in prison and tortured in China, with a particular focus on Christian lawyer Gao Zhisheng

Can the European External Action Service please state what political pressure it has exerted, or will exert, on the Chinese authorities to help human rights defenders who are being held in prison and tortured, with a particular focus on Christian lawyer Gao Zhisheng, who had been defending the rights of others and speaking out in support of religious minorities?

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

The EU follows closely the case of human rights defenders of concern in China such as the lawyer Gao Zhisheng.

Following a wave of arbitrary arrests and enforced disappearances of lawyers, writers, journalists, petitioners, artists and bloggers in China in spring 2011, the High Representative/Vice-President issued a statement on 12 April expressing her alarm at these developments, including the arrest of the artist Ai Weiwei. She underlined that arbitrary detention must cease, urged the Chinese authorities to clarify the whereabouts of all persons who had disappeared and called for the release all those who had been detained for exercising their right to freedom of expression. This was followed by the release of Ai Weiwei, which was welcomed by the High Representative/Vice-President on 24th June.

On 22 December 2011, the High Representative/Vice-President expressed her deep concern at the news that Gao Zhisheng, who had been missing for 20 months, had been sentenced again to a further three years in prison. HR/VP called for Mr Gao's immediate release and for information about his well-being and location. Furthermore, in a statement of 4 January 2012, the High Representative/Vice-President expressed regrets as to the decisions taken in December 2011 to sentence Chen Wei and Chen Xi to 9 and 10 years in prison respectively. HR/VP emphasised that these developments followed the recent sentencing of human rights lawyer Gao Zhisheng and that she remained particularly concerned about the case of human rights defender Ni Yulan.

The European Union will continue to follow these cases attentively and to raise its concerns with the Chinese authorities, including in the framework of the EU-China human rights dialogue.

(English version)

Question for written answer E-002992/12
to the Commission (Vice-President/High Representative)
Marina Yannakoudakis (ECR)
(19 March 2012)

Subject: VP/HR — Comprehensive African regional strategy to combat the militant Lord's Resistance Army

What efforts has the European External Action Service initiated, or what efforts will it initiate, to establish a comprehensive African regional strategy to combat the militant Lord's Resistance Army, which is currently committing widespread human rights violations in northern Uganda, South Sudan, the Democratic Republic of the Congo and the Central African Republic?

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

The EU supports the African Union's (AU) Regional Cooperation Initiative to strengthen regional efforts to combat the Lord's Resistance Army (LRA). It is providing financial assistance (EUR 1.2 million through the African Peace Facility/Early Response Mechanism) to the Office of the African Union Special Envoy including for the establishment of a Joint Operations Centre to enable the 5,000-strong Regional Task Force from Uganda, the Democratic Republic of Congo, the Central African Republic and South Sudan to act swiftly and effectively against the LRA.

The EU has provided humanitarian assistance to populations affected by LRA activities, as well as bilateral assistance to the four LRA-affected countries: to encourage defections from the LRA, protect villages, strengthen the rule of law and improve governance, and help the return and support of those displaced by the activities of the LRA. As co-chair of the International Working Group on the LRA, the EU is at the forefront of diplomatic efforts to keep the LRA issue on the international agenda.

The EU and its Member States are implementing a number of development assistance programmes in the LRA-affected countries, which aim at strengthening the rule of law, building local governance capacity and reintegrating former members of the LRA into their home communities.

In northern Uganda, the EU has supported a post-conflict development programme of EUR 87.6 million over five years, which has helped to facilitate the return of most of those displaced by LRA activities.

As part of its humanitarian aid programme in the region, the EU provides for basic needs of the populations, currently affected by the LRA. The EU contributed EUR 9 million for this purpose in 2011.

The EU supports a multi-faceted approach and has encouraged the UN and AU to develop a comprehensive strategy for combating LRA activities.

(English version)

Question for written answer E-002993/12
to the Commission (Vice-President/High Representative)
Marina Yannakoudakis (ECR)
(19 March 2012)

Subject: VP/HR — Belarusian authorities and the violation of civil liberties

What pressure can be brought to bear on the Belarusian authorities to put an end to violations of civil liberties, particularly murders of political opponents and journalists, and the ongoing destruction of representative government structures?

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

The HR/VP is gravely concerned about the continued lack of respect for human rights, democracy and rule of law in Belarus, and regrets that further repressive measures have been taken.

Against the background of the deterioration of the situation in Belarus since the 19 December 2010 Presidential elections, the EU has had no choice but to react. The EU has been vocal about its concerns. High Representative/Vice-President Ashton has made numerous statements and the Foreign Affairs Council has at several occasions adopted conclusion. The EU has also raised its concerns in various international fora.

In order to keep up the political pressure, the Council has adopted restrictive measures towards Belarus. The current restrictive measures allow the EU to designate persons or entities that are responsible either for the violations of electoral standards in the last Presidential elections, or for the subsequent crackdown. The Foreign Affairs Council in January decided to apply restrictive measures also on persons responsible for serious violations of human rights or the repression of civil society and democratic opposition in Belarus, as well as to persons or entities benefiting from or supporting the regime.

In the conclusions of 23 March 2012, the Council makes it clear that the restrictive measures remain open and under constant review and that the Council will designate further businessmen and companies benefitting from or supporting the regime at upcoming Council meetings if all Belarusian political prisoners are not released.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej P-002994/12
do Komisji (Wiceprzewodniczącej / Wysokiej Przedstawiciel)
Michał Tomasz Kamiński (ECR)
(19 marca 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Kuba: Nieustające represje reżimu wobec Damas de Blanco

W dniu 18 marca 2012 r. kubańska policja aresztowała dziesiątki działaczy opozycji. Najwięcej zatrzymanych to kobiety, członkinie ruchu Kobiety w Bieli (Damas de Blanco), które domagają się uwolnienia więźniów politycznych. Kobiety w Bieli zwykle uczestniczą wspólnie we mszy świętej, a następnie maszerują w milczeniu wzdłuż ulic Hawany. To właśnie podczas takiego marszu wiele z nich zostało aresztowanych.

Obecnie nadal nie jest jasne, gdzie są przetrzymywane. Ponadto według rzeczniczki Kobiet w Bieli 19 członkiń zostało zatrzymanych w sobotę wieczorem podczas próby organizacji marszu w centrum Hawany. Trzy zostały uwolnione i nie postawiono im zarzutów. W niedzielę rano policja aresztowała kolejnych 36 członkiń ruchu (w tym liderkę Bertę Soler), kiedy te udawały się na mszę. Po nabożeństwie aresztowano 22 kobiety i dwóch mężczyzn podczas marszu w kierunku centrum miasta. Represje komunistycznego reżimu wobec Kobiet w Bieli nastąpiły tydzień przed wizytą papieża Benedykta XVI, który ma poruszyć kwestię praw człowieka w rozmowach z władzami.

— Czy Wiceprzewodnicząca/Wysoka Przedstawiciel jest świadoma trwających obecnie brutalnych represji wobec ruchu Damas de Blanco?

— Jakie działania podejmie UE w celu obrony politycznych więźniów na Kubie?

— UE jest drugim po Wenezueli (30,6 %) partnerem Kuby pod względem wielkości wywozu (19 %) i drugim po Chinach (25,7 %) partnerem pod względem wielkości przywozu (20,7 %). Kuba korzysta z ogólnego systemu preferencji w wymianie handlowej z UE, która jest dla Kuby najważniejszym inwestorem. Ponadto szacunkowo jedna trzecia wszystkich turystów odwiedzających co roku wyspę pochodzi z UE. Biorąc powyższe pod uwagę, czy Wiceprzewodnicząca/Wysoka Przedstawiciel jest przekonana, że UE podejmuje wystarczające działania na rzecz wywierania dyplomatycznych i politycznych nacisków na reżim komunistyczny w celu uwolnienia więźniów politycznych?

Odpowiedź udzielona przez Wysoką Przedstawiciel i Wiceprzewodniczącą Komisji Catherine Ashton
w imieniu Komisji
(21 maja 2012 r.)

Wysoka Przedstawiciel i Wiceprzewodnicząca otrzymała informacje i uważnie śledziła doniesienia dotyczące sprawy Kobiet w Bieli. Prawa człowieka i podstawowe wolności leżą u podstaw stosunków UE z państwami trzecimi, w tym z Kubą. UE wielokrotnie podkreślała znaczenie, jakie ma kontynuowanie przez władze kubańskie działań zmierzających do pełnego poszanowania wszystkich praw politycznych i obywatelskich Kubańczyków, w tym wolności wyrażania opinii i zgromadzeń.

Sprawa więźniów politycznych jest jednym z głównych tematów poruszanych w dialogu politycznym prowadzonym między UE a Kubą, a także była podnoszona na wszystkich dwustronnych spotkaniach wysokiego szczebla z władzami kubańskimi. UE uważnie śledzi rozwój sytuacji dotyczącej więźniów politycznych na Kubie i w dalszym ciągu będzie podnosiła ten problem w stosunkach z władzami kubańskimi.

Unia Europejska nigdy nie nałożyła sankcji gospodarczych na Kubę, lecz zawsze podejmowała intensywne działania polityczne i dyplomatyczne mające na celu wspieranie praw człowieka na Kubie.

(English version)

Question for written answer P-002994/12
to the Commission (Vice-President/High Representative)
Michał Tomasz Kamiński (ECR)
(19 March 2012)

Subject: VP/HR — Cuba: ongoing repression by the regime against Damas de Blanco

On 18 March 2012, Cuban police arrested dozens of opposition activists, most of whom are women belonging to 'Ladies in White' (*Damas de Blanco*). They were calling for the release of political prisoners. The Ladies in White usually attend Mass together and then march in silence along an avenue in Havana. It was at this time that many of them were arrested.

It is still not clear where they are being held. Furthermore, a Ladies in White spokeswoman said that 19 of its members had been detained on Saturday evening while trying to stage a march in central Havana. Three have since been released without charge. On Sunday morning, police detained another 36 members of the group (including its leader, Bertha Soler) as they made their way to Mass. After the church service, 22 women and 2 men were arrested as they marched to the city centre. These repressive acts by the Communist regime against the Ladies in White come just a week ahead of a visit by Pope Benedict XVI, who is expected to raise the issue of human rights with the authorities.

— Is the Vice-President/High Representative aware of this ongoing brutal repression of the Ladies in White?

— What steps will the EU take to stand up for political prisoners in Cuba?

— The EU is Cuba's second-largest export partner (19 %) after Venezuela (30.6 %), and its second-largest import partner (20.7 %) after China (25.7 %). Cuba benefits from the Generalised System of Preferences in its trade exchanges with the EU, and the EU is Cuba's number one investor. Furthermore, approximately one third of all tourists visiting the island every year come from the EU. With this in mind, does the Vice-President/High Representative believe that the EU is doing enough to exert diplomatic and political pressure on the Communist regime with a view to securing the release of political prisoners?

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

The High Representative/Vice-President is aware and followed closely the case reported involving the Ladies in White. Human rights and fundamental freedoms are at the core of EU relations with third countries, including Cuba. The EU has reiterated on several occasions the importance for the Cuban authorities to continue to make progress towards full respect of all political and civil rights for the Cuban people, including freedom of expression and assembly.

The case of political prisoners has been one of the central topics of the EU-Cuba political dialogue and has been raised in all bilateral high level meetings with Cuban authorities. The EU follows closely developments on the issue of political prisoners in Cuba and will continue to raise the matter with the authorities of the country.

The EU has never imposed economic sanctions on Cuba but has always deployed intensive political and diplomatic actions to promote human rights in Cuba.

(Versão portuguesa)

Pergunta com pedido de resposta escrita P-002996/12
ao Conselho
Miguel Portas (GUE/NGL)
(20 de março de 2012)

Assunto: Tratado sobre a Estabilidade, Coordenação e Governação na União Económica e Monetária

O Tratado Intergovernamental, recentemente aprovado, prevê a introdução de um limite para o saldo estrutural, líquido de medidas irrepetíveis e temporárias. Como é do conhecimento do Conselho, este conceito, a sua definição e metodologias de cálculo são alvo de grande controvérsia científica no debate económico, sendo certo que esta é uma matéria eminentemente política. O conceito de saldo estrutural não decorre de forma direta das normas de contabilidade nacional. Assim, e sendo obviamente necessário que um critério de governação económica seja aplicado de forma igual a todos os Estados-Membros, pedimos os seguintes esclarecimentos ao Conselho:

1. Já está definida a metodologia que será utilizada para o cálculo deste indicador?

2. Como será concretizada em termos legais e qual a instituição responsável pela sua definição?

3. Quais os critérios utilizados para determinar o que são medidas «irrepetíveis» e «temporárias»?

Resposta
(19 de junho de 2012)

O Tratado de Estabilidade, Coordenação e Governação na União Económica e Monetária assinado pelos Chefes de Estado ou de Governo a 2 de março de 2012 é um tratado intergovernamental sujeito a ratificação pelas 25 partes signatárias e entrará em vigor logo que doze partes contratantes cuja moeda é o euro tenham depositado o seu instrumento de ratificação.

Por conseguinte, não compete ao Conselho interpretar o seu conteúdo ou tecer observações quanto à sua futura implementação.

(English version)

Question for written answer P-002996/12
to the Council
Miguel Portas (GUE/NGL)
(20 March 2012)

Subject: Treaty on Stability, Coordination and Governance in the Economic and Monetary Union

Under the newly adopted intergovernmental treaty a limit is to be applied to the structural balance, that is to say, the net balance of one-off and temporary measures. As the Council knows, this concept, its definition, and the methods for calculating it are the subject of major academic dispute in the economic debate, for this is undoubtedly a highly political issue. The concept of structural balance is not derived directly from national accounting standards. That being the case, and given that an economic governance criterion clearly needs to apply equally to all Member States:

1. Has the methodology to be used to calculate this indicator already been laid down?

2. How will this be translated into legal terms and which institution will be responsible for the decision?

3. According to what criteria are measures deemed to be 'one-off' and 'temporary'?

Reply
(19 June 2012)

The Treaty on Stability, Coordination and Governance in the Economic and Monetary Union signed by Heads of State or Government on 2 March 2012 is an intergovernmental treaty that is subject to ratification by the 25 signatory parties and will enter into force once the 12 contracting parties whose currency is the euro have deposited their instrument of ratification.

It is therefore not for the Council to interpret its content or to comment on its further implementation.

(Versión española)

Pregunta con solicitud de respuesta escrita E-002997/12
a la Comisión (Vicepresidenta/Alta Representante)
Francisco Sosa Wagner (NI)
(20 de marzo de 2012)

Asunto: VP/HR — Detención de decenas de «Damas de blanco»

Este pasado fin de semana fueron detenidas más de setenta «Damas de blanco» que se manifestaban para exigir el respeto a los derechos humanos y pedir la liberación de presos políticos. Noticias de última hora de hoy lunes diecinueve de marzo están informando de su posible liberación, así como de las contundentes declaraciones de condena de varios líderes políticos mundiales, entre los que no se menciona a ninguna autoridad representativa de la Unión Europea. Las «Damas de blanco» han insistido que en las últimas semanas se han incrementado las amenazas, agresiones, maltratos y otras acciones de hostigamiento.

Por ello me permito preguntar:

1. ¿No ha realizado la Alta Representante de la Unión Europea alguna declaración de condena?

2. ¿No considera la Sra. Asthon que debería facilitar un encuentro o entrevista, o trabar una relación especial con las «Damas de blanco», que merecidamente recibieron el Premio Sajarov del Parlamento Europeo en 2005?

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

La AR/VP sigue de cerca la situación de las Damas de blanco en Cuba. No se ha realizado ninguna declaración pública, pero el asunto de la oleada de detenciones temporales, especialmente de las Damas de blanco, se ha planteado a las autoridades cubanas, tanto en Bruselas como en La Habana. La Delegación de la UE en La Habana está en contacto directo con las Damas de blanco, así como con otros grupos de oposición pacífica en Cuba.

(English version)

Question for written answer E-002997/12
to the Commission (Vice-President/High Representative)
Francisco Sosa Wagner (NI)
(20 March 2012)

Subject: VP/HR — The detention of dozens of 'Ladies in White'

Last weekend saw the arrest of more than 70 'Ladies in White' demonstrators calling for human rights to be upheld political prisoners to be released. News reports on 19 March 2012 suggested that they might be released and world leaders wholeheartedly condemned the situation. There was, however, no mention of any authority representing the European Union. The 'Ladies in White' maintain that threats, assaults, mistreatment and other acts of harassment have increased in recent weeks.

With this in mind:

1. Has the European Union's High Representative made any statement of condemnation?

2. Does Baroness Ashton not think that she should arrange a meeting or interview, or establish a special relationship, with the 'Ladies in White', the deserved recipients of the European Parliament's Sakharov Prize in 2005?

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

The HR/VP follows closely the situation of the Ladies in White in Cuba. No public statement was made but the matter of the upsurge of temporary detentions, notably of the Ladies in White, was raised with the Cuban authorities both in Brussels and in Havana. The EU Delegation in Havana is in direct contact with the Ladies in White as well as with other peaceful opposition groups in Cuba.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002999/12
an die Kommission
Andreas Mölzer (NI)
(20. März 2012)

Betrifft: Demokratisierungsprozess in Libyen und Ägypten

Dass Gaddafi im Frühjahr 2011 der Rebellenhochburg Bengasi ein Massaker angedroht hat, war das Hauptargument für eine Intervention durch die Staatengemeinschaft. Obgleich die EU den Demokratisierungsprozess in Libyen mit massiven Subventionen fördert, begehen nun auch die neuen Machthaber Menschenrechtsverletzungen, ebenso wie die neuen Machthaber in Ägypten, dessen Demokratisierungsprozess seitens der EU ebenfalls finanziell gefördert wird.

1. Als Reaktion auf die Menschenrechtsverletzungen will die EU künftig die Förderung von Demokratisierungsprozessen entsprechend anpassen. Wurden schon konkrete Schritte gesetzt?

2. Falls ja, welche Änderungen haben sich ergeben?

3. Falls nein, wann sind konkrete Schritte zu erwarten?

Antwort von Frau Catherine Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(5. Juni 2012)

Die EU ist besorgt über die Menschenrechtsverletzungen in Libyen, insbesondere über die Misshandlung von Inhaftierten, die schutzbedürftigen Gruppen angehören, durch die Milizen. Es ist klar, dass die Übergangsregierung in wesentlichen Teilen des Landes nur eine begrenzte Kontrolle ausübt, so dass die Kommission der Einschätzung, dass „nun auch die neuen Machthaber Menschenrechtsverletzungen begehen“ nicht beipflichten würde.

Die EU hat dieses Thema bereits gegenüber den libyschen Behörden zur Sprache gebracht. Am 31. Januar 2012 hat die Hohe Vertreterin/Vizepräsidentin eine Erklärung veröffentlicht, in der sie die vollständige Achtung der Rechte von Inhaftierten fordert und die Behörden dazu aufruft, alle Haftanstalten unter ihre Kontrolle zu bringen und mutmaßliche Rechtsverletzungen von Gefangenen zu untersuchen. Die libysche Regierung hat auf diese Forderungen positiv reagiert und bemüht sich derzeit, die Haftanstalten unter ihre Kontrolle zu bringen.

Die EU hat schutzbedürftigen Menschen Soforthilfe geleistet und wird die Behörden dabei unterstützen, die Wahrung der Menschenrechte, der demokratischen Werte und der Rechtsstaatlichkeit sicherzustellen.

Die EU ist zudem nach wie vor besorgt über die Menschenrechtslage in Ägypten, insbesondere über die wiederholten Auseinandersetzungen zwischen Sicherheitskräften und Demonstranten, die verstärkte Anwendung des Notstandsgesetzes, die Aburteilung von Zivilisten durch Militärgerichte und das scharfe Vorgehen gegenüber NRO, die Finanzmittel aus dem Ausland erhalten. Die EU hat hervorgehoben, dass eine rasche Machtübergabe an eine demokratisch gewählte zivile Regierung erfolgen muss. Die Bedenken der EU wurden in mehreren Erklärungen der Hohen Vertreterin/Vizepräsidentin (vom 18. Dezember, 26. November, 20. November und 10. Oktober 2011) sowie in den Schlussfolgerungen des Rates „Auswärtige Angelegenheiten“ vom 1. Dezember 2011 und 27. Februar 2012 zum Ausdruck gebracht. Die EU führt in Ägypten derzeit ein mit 17 Mio. EUR dotiertes Programm zur Förderung von Demokratie und Menschenrechten durch und hat im März 2012 zwei Aufforderungen zur Einreichung von Vorschlägen zur Unterstützung der Zivilgesellschaft und der Menschenrechte veröffentlicht, die mit 2,5 Mio. EUR dotiert sind.

(English version)

Question for written answer E-002999/12
to the Commission
Andreas Mölzer (NI)
(20 March 2012)

Subject: Democratisation process in Libya and Egypt

In spring 2011, Gaddafi's threats of a massacre in the rebel stronghold of Benghazi were the main argument in favour of intervention by the international community. Although the EU is promoting the democratisation process in Libya by means of massive subsidies, the country's new rulers are now committing violations of human rights, as is also the case in Egypt, where the democratisation process is also being funded by the EU.

1. The EU intends in future to adapt the promotion of democratisation processes in response to these human rights violations. Have concrete steps in this direction already been taken?

2. If so, what changes have resulted?

3. If not, when can concrete steps be expected?

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

The EU is concerned about human rights violations in Libya, especially the ill-treatment by militias of detainees belonging to vulnerable groups. It is clear that the interim authority has limited control in significant parts of the country so the Commission would therefore not subscribe to the assessment that 'the country's new rulers are now committing violations of human rights'.

The EU has raised this issue with the Libyan authorities. The High Representative/Vice-President (HR/VP) issued a statement on 31 January 2012 calling for full respect of the rights of detainees and for the authorities to bring all places of detention under their control and to investigate allegations of violations of detainees' rights. The Libyan government has reacted positively to these calls and is in the process of taking over the control of detention facilities.

The EU has provided emergency assistance to people in need of protection and will support the authorities in their efforts to ensure respect for human rights, democratic values and the rule of law.

The EU also remains concerned about the human rights situation in Egypt, especially the recurrent clashes between security forces and demonstrators, the reactivation and extension of the emergency law, the military trials of civilians and the crackdown on NGOs receiving foreign funding. The EU has stressed the need for a swift transfer of power to a democratically elected civilian rule. EU concerns were raised in several HR/VP statements (notably on 18 December, 26 November, 20 November and 10 October 2011), as well as in the FAC conclusions of 1 December 2011 and 27 February 2012. In Egypt, the EU is currently implementing a EUR 17 million programme for the promotion of Democracy and Human Rights and has launched in March 2012 two calls for proposals worth EUR 2.5 million in support of Civil Society and Human Rights.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003001/12
an die Kommission
Andreas Mölzer (NI)
(20. März 2012)

Betrifft: Seltene Erden — Handelsstreit mit China

In der Vergangenheit hat sich China immer wieder nicht an internationale Handels- und Geschäftspraktiken gehalten. Probleme gibt es etwa beim Diebstahl geistigen Eigentums, aber auch bezüglich Handelsbeschränkungen. Die USA wollen die WTO auffordern, Druck auf Peking in Bezug auf die Exportbeschränkungen bei seltenen Erden auszuüben. Dieses Vorhaben wird von der EU und Japan unterstützt. In der Vergangenheit ist es bereits mehrfach gelungen, China via WTO zu Zugeständnissen zu bewegen.

1. Wie schätzt die Kommission die Erfolgschancen dieser WTO-Beschwerde ein?

2. Für wann werden erste Ergebnisse bzw. Entscheidungen erwartet?

3. Nachdem WTO-Verfahren inklusive Berufung Jahre in Anspruch nehmen können, wird parallel zum WTO-Verfahren versucht, auf Verhandlungsebene diesbezügliche Handelserleichterungen zu erreichen?

Antwort von Herrn De Gucht im Namen der Kommission
(24. April 2012)

Am 13. März 2012 ersuchte die Europäische Union gemeinsam mit den USA und Japan die Welthandelsorganisation (WTO) förmlich um eine Konsultation zur Beilegung des Streits mit China um die Ausfuhrbeschränkungen dieses Staates für Rohstoffe einschließlich seltener Erden sowie Wolfram und Molybdän. Ähnliche Beschränkungen für andere Rohstoffe wurden bei der WTO bereits erfolgreich angefochten. Das WTO-Berufungsgremium bestätigte mit seiner Entscheidung vom 30. Januar 2012 nämlich die Auffassung der EU, wonach China mit seinen Ausfuhrbeschränkungen für die strittigen Rohstoffe gegen WTO-Regeln verstößt. Diese Entscheidung ist eine solide Grundlage, auf der die neue, aufgrund ähnlicher Beschränkungen eingereichte Beschwerde aufbauen kann.

• in Konsultationsersuchen ist der erste in einem WTO-Streitbeilegungsverfahren erforderliche Schritt. Durch die Konsultation der WTO zur Streitbeilegung soll eine für alle Beteiligten zufriedenstellende Lösung erzielt werden. Falls dies nicht gelingt, können die EU und die Mitbeschwerdeführer die Einsetzung eines WTO-Panels beantragen. Die Konsultation wird Ende April 2012 stattfinden.

Die Kommission hat wiederholt versucht, mit China sowohl auf bilateraler als auch auf multilateraler Ebene in einen Dialog über Rohstoffe im Allgemeinen und über die konkrete Frage der Ausfuhrbeschränkungen einzutreten. Trotz dieser Bemühungen kam es zu keinerlei Fortschritten. Die Beschränkungen bestehen nach wie vor, einige wurden in diesem Jahr sogar verschärft. China lehnte es auch ab, globale Herausforderungen im Bereich der Rohstoffe im Rahmen der G20 zu erörtern. Allerdings laufen die Bemühungen um eine zufriedenstellende Lösung zur Beseitigung von Ausfuhrbeschränkungen und diskriminierenden Maßnahmen weiter, damit alle Unternehmen in der EU einen gleichberechtigten Zugang zu Rohstoffen erhalten.

(English version)

Question for written answer E-003001/12
to the Commission
Andreas Mölzer (NI)
(20 March 2012)

Subject: Rare earth elements: trade dispute with China

In the past, China has repeatedly failed to comply with international trade and business practices. Problems have arisen with the theft of intellectual property, but also with trade restrictions. The United States intends to call upon the World Trade Organisation (WTO) to put pressure on Beijing concerning the export restrictions for rare earth elements. This is supported by both the EU and Japan. In the past, China has successfully been persuaded to make concessions on many occasions through the WTO.

1. How does the Commission estimate the chances of success for this WTO complaint?

2. When are the first results and/or decisions expected?

3. Since the WTO process, including the appeal, may take years, are attempts being made in parallel with the WTO procedure to remove restrictions on trade through negotiation?

Answer given by Mr De Gucht on behalf of the Commission
(24 April 2012)

On 13 March 2012, the European Union, together with the United States (US) and Japan, formally requested dispute settlement consultations with China in the World Trade Organisation (WTO) with regard to China's export restrictions on raw materials, including rare earths, as well as tungsten and molybdenum. This dispute follows a successful challenge at the WTO of similar restrictions on other raw materials, in which the WTO Appellate Body issues its ruling on 30 January 2012, confirming EU claims that China's export restrictions on the raw materials under dispute are in breach of WTO rules. This ruling provides a solid basis for this new challenge on similar restrictions.

• request for consultation is the necessary first step in the WTO dispute settlement process. The objective of the WTO dispute settlement consultations is to arrive at a mutually satisfactory solution. If no satisfactory solution is found, the EU and co-complainants can request the establishment of a WTO Panel. The consultations will take place at the end of April 2012.

The Commission has made repeated attempts to engage with China in a dialogue on raw materials in general as well as on the specific issue of export restrictions at bilateral level as well as multilaterally. Despite these efforts, there has been no progress and the restrictions remain in place; some restrictions have even been tightened this year. China has also, among others, rejected to discuss global challenges of raw materials in the G20. However, efforts continue towards a satisfactory solution that would remove export restrictions and discriminatory measures, so as to ensure equal access for EU companies to raw materials.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003002/12
an die Kommission (Vizepräsidentin/Hohe Vertreterin)
Andreas Mölzer (NI)
(20. März 2012)

Betrifft: VP/HR — Zusammenlegung diplomatischer Vertretungen

Künftig sollen EU-Delegationen und nationale Diplomaten in gemeinsamen Europa-Häusern arbeiten. Dies soll zu Einsparungen führen und die Sichtbarkeit der EU erhöhen. Zudem soll der Europäische Auswärtige Dienst mehr Service für EU-Bürger im Ausland bieten.

1. Wie hoch ist nach Schätzung der Hohen Beauftragten für EU-Außenpolitik das Sparpotenzial?

2. Welcher Zusatznutzen/welche Zusatzdienste für EU-Bürger im Ausland sind im Gespräch bzw. geplant?

3. Welche EU-Staaten nehmen an der Zusammenlegung von Botschaften und/oder Vertretungsbehörden teil und welche halten die örtliche Eigenständigkeit aufrecht?

Antwort von Frau Catherine Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(4. Juni 2012)

Über dieses Thema wird mit den Mitgliedstaaten seit der Einrichtung des Europäischen Auswärtigen Dienstes (EAD) diskutiert. Es gibt einige Beispiele der gemeinsamen Nutzung von Räumlichkeiten durch die EU und die Mitgliedstaaten (z. B. Abuja, Dschuba, Daressalam). Am 19. und 20. März 2012 wurde in Den Haag eine technische Sitzung mit dem EAD und Infrastruktur-Experten aus allen EU-Mitgliedstaaten organisiert, durch die die Grundlage für eine systematische Zusammenarbeit auf diesem Gebiet geschaffen worden ist. Bei diesem Anlass wurde ein Netzwerk von Immobiliensachverständigen des EAD und der Außenministerien der Mitgliedstaaten eingerichtet. Es ist vorgesehen, eine IT-Plattform für den regelmäßigen Austausch von Informationen über Raumbedarf und -verfügbarkeit in den Botschaften und EU-Delegationen zu schaffen. Pilotprojekte sollen voraussichtlich in den nächsten Monaten festgelegt werden.

Es kann davon ausgegangen werden, dass die engere Zusammenarbeit in Gebäudeangelegenheiten und insbesondere die gemeinsamen Standorte von Botschaften zu Kosteneinsparungen und Größenvorteilen für die EU und die Mitgliedstaaten führen werden. Durch die Nutzung gemeinsamer Räume (z. B. Konferenzräume) können Synergieeffekte sowie Einsparungen bei verschiedenen Dienstleistungen für Gebäude (Instandhaltung und Reparaturen, Reinigung, Sicherheit etc.) erwartet werden.

Zudem gibt es zwischen einigen Mitgliedstaaten eine bilaterale oder trilaterale Zusammenarbeit in Bezug auf Gebäude und gemeinsame Nutzung von Räumlichkeiten. Diese Ad-hoc-Zusammenarbeit wird durch die Zusammenarbeit auf EU-Ebene ergänzt, aber nicht ersetzt.

(English version)

Question for written answer E-003002/12
to the Commission (Vice-President/High Representative)
Andreas Mölzer (NI)
(20 March 2012)

Subject: VP/HR — Merging of diplomatic representations

In future, EU delegations and national diplomats are to work together in Europe Houses. This is intended to save money and raise the EU's profile. In addition, the European External Action Service is to provide more services to EU citizens abroad.

1. What, as estimated by the High Representative, are the potential savings?

2. What additional benefits or additional services for EU citizens abroad are being discussed or planned?

3. Which EU Member States are merging embassies and/or representations, and which are keeping theirs locally autonomous?

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

Discussions with Member States on this topic have been ongoing since the creation of the European External Action Service (EEAS). There are some existing examples of co-location between the EU and Member States (e.g.: Abuja, Juba, Dar-es-salaam). A recent technical meeting between the EEAS and all EU Member States experts on infrastructure was organised in The Hague on 19 and 20 March 2012 setting the basis for a systematic cooperation on this matter. On this occasion, a network of real estate experts from the EEAS and the Ministries of Foreign Affairs of the Member States was set up. It is planned to set up an IT platform for the regular exchange of information on surface needs and availabilities in embassies and EU Delegations. Pilot projects are expected to be identified within the coming months.

It can be anticipated that closer collaboration on building matters and, in particular, a co-location of embassies will produce savings and economies of scale for both the EU and Member States. Synergies and savings can be expected through the use of common rooms (e.g. conference rooms) and for various services related to buildings (maintenance and repairs, cleaning, security, etc.).

In addition, some Member States are engaged in bilateral, or trilateral cooperation on buildings and co-location. Cooperation at EU level is a complement, and not a substitute, to this ad hoc cooperation.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003003/12
an die Kommission
Thomas Ulmer (PPE)
(20. März 2012)

Betrifft: Umweltzonen in Deutschland — Ausnahmeregelungen für den Reisebusverkehr

In Deutschland wurden Umweltzonen eingeführt, um die Feinstaubbelastung zu mindern. Seit geraumer Zeit ist in vielen Städten mit Umweltzonen eine grüne Umweltplakette (entspricht EURO 4 und höherwertiger) Voraussetzung für das Einfahren. Das schließt zurzeit 71 % des deutschen Omnibusbestands für diese Städte aus, davon alleine 23 000 EURO-3-Busse. Diese Busse wurden noch 2006 zum damals modernsten Stand der Technik angeschafft und sind heute noch nicht einmal steuerrechtlich abgeschrieben. Die Abschreibungsfrist beträgt für diese rund 200 000 bis 300 000 EUR teuren Busse im Normalfall 8 Jahre.

Eine Nachrüstung mit Partikelfiltern ist ebenso mit erheblichem finanziellem Aufwand verbunden wie auch mit einer Verschlechterung der Emissionswerte für Stickoxide. Da auch hier Verschärfungen der Grenzwerte vorgesehen sind, droht erneut ein baldiger Ausschluss aus den betreffenden Städten. Außerdem werden die erforderlichen Partikelfilter nicht für alle Modelle angeboten. Als Alternative bleibt somit für den Unternehmer, der weiter in die grünen Umweltzonen einfahren möchte, nur der Verkauf der ausgeschlossenen Busse unter Wert und die Investition in eine Fuhrparkerneuerung. Für die meisten Unternehmer des mittelständischen Reisebusgewerbes ist das schlicht nicht realisierbar. Folglich werden betroffene Unternehmer Städte wie Berlin, Stuttgart und Leipzig in Zukunft nicht mehr anfahren können — zu ihrem und dem Nachteil der Städte.

Ein weiteres Problem stellt die fehlende Harmonisierung der Ausnahmeregelungen für die Einfahrt in grüne Umweltzonen für Omnibusse dar. Einige Städte (wie Berlin) erlauben die Einfahrt trotz fehlender grüner Umweltplakette gegen eine nicht unerhebliche Gebühr. In Baden-Württemberg dagegen war bisher keine Ausnahmeregelung vorgesehen. Die nun dort eingeführte Fuhrparkregelung ist weitaus restriktiver als dies in anderen Bundesländern der Fall ist. In Berlin dürfen Busse mit gelber Plakette (EURO 3) nicht einfahren, ausländischen Bussen mit demselben Standard wird die Einfahrt jedoch nicht versagt. Ein solcher Flickenteppich bietet den mittelständischen Unternehmern keine Planungssicherheit und ist der Branche ebenso wie dem Tourismus abträglich.

— Ist diese Problematik der Europäischen Kommission bekannt?

— Welche Handlungsmöglichkeiten kommen hier infrage? Was könnten nächste Schritte sein?

Antwort von Herrn Potočnik im Namen der Kommission
(3. Mai 2012)

Gemäß der Richtlinie 2008/50/EG ([1]) sind die Mitgliedstaaten unter anderem verpflichtet, die Luftqualitätsgrenzwerte für PM_{10} und $PM_{2,5}$ einzuhalten, um die gesundheitlichen Folgen der Feinstaubbelastung zu mindern. Nach dem Subsidiaritätsprinzip entscheiden die Mitgliedstaaten, mit welchen Maßnahmen sie diese Normen erfüllen. Ein Beispiel für eine derartige Maßnahme ist die Einführung von Zonen mit geringem Emissionsniveau (*low emission zones*, LEZ). Was die LEZ in Berlin anbelangt, so stellt die Kommission fest ([2]), dass diese Niedrigemissionszone gemäß der Richtlinie 98/34/EG ([3]) mitgeteilt wurde.

Die Kommission nahm in ihrem Grünbuch über städtische Mobilität ([4]) zur Kenntnis, dass Zonen mit beschränktem Zugang immer häufiger werden und oft unterschiedliche Zugangsbedingungen gelten. Im Zuge des Aktionsplans für urbane Mobilität ([5]) hat die Kommission eine umfassende Studie über die Situation in Europa hinsichtlich der städtischen Zugangsbeschränkungen ([6]) veröffentlicht. Mit der Initiative 32 des jüngsten Weißbuchs über den „Fahrplan zu einem einheitlichen europäischen Verkehrsraum“ ([7]) wurde vorgeschlagen, eine EU-Rahmenregelung für städtische Zugangsbeschränkungen festzulegen. Die Einzelheiten und Vorteile einer solchen Rahmenregelung werden zurzeit von den Kommissionsdienststellen geprüft.

([1]) ABl. L 152 vom 11.6.2008.
([2]) Antwort auf die schriftliche Anfrage P-6493/2007 von Herrn Szymanski: http://www.europarl.europa.eu/QP-WEB/.
([3]) Richtlinie 98/34/EG über ein Informationsverfahren auf dem Gebiet der Normen und technischen Vorschriften, ABl. L 204 vom 21.7.1998.
([4]) KOM(2007)551 endgültig.
([5]) KOM(2009)490 endgültig.
([6]) http://ec.europa.eu/transport/urban/studies/urban_en.htm
([7]) KOM(2011)144 endgültig.

Auspuffnachrüstungen unterliegen derzeit dem Subsidiaritätsprinzip. Leistungsnormen für Nachrüstungen werden zurzeit auf UNECE-Ebene entwickelt. Dieser Prozess kann zu internationalen Nachrüstungsverordnungen führen. Solange der UNECE-Prozess nicht abgeschlossen ist, kann die Kommission keine Anhaltspunkte für etwaige weitere Schritte auf EU-Ebene geben.

(English version)

Question for written answer E-003003/12
to the Commission
Thomas Ulmer (PPE)
(20 March 2012)

Subject: Low-emission zones in Germany — derogations for coaches

Low-emission zones have been established in Germany to reduce the problem of fine dust particles in the air. For some time, many cities with low-emission zones require drivers entering these zones to display a green environmental sticker (corresponding to EUR 4 and higher). At present, this excludes 71 % of Germany's bus fleet from these towns, 23 000 are EUR 3 buses. These buses were purchased in 2006 and were state-of-the-art at the time, but are now to be written off under tax law. The amortisation period for these buses, which cost between EUR 200 000 and 300 000, is normally eight years.

Retrofitting with particle filters is a very expensive business, which also leads to higher emissions levels for nitrogen oxides. Because there are plans to tighten tolerances, there is a danger that these buses will soon be excluded from these towns altogether. Furthermore, the necessary particle filters are not available for all models. Thus, the only alternative for operators who wish to continue to enter the low emission zones is to sell the excluded buses at a loss and to invest in a new fleet. This is simply impossible for most medium-sized coach companies. As a consequence, the relevant companies will not be able to serve cities like Berlin, Stuttgart and Leipzig in the future — to their detriment and that of these cities.

Another problem is the lack of harmonisation in the derogations for buses entering the green low-emission zones. Some cities (like Berlin) allow vehicles to enter even if they do not carry the green environmental sticker, but levy a heavy charge. In Baden-Württemberg, however, no such derogation exists. The fleet regulations introduced there are far more restrictive than in other German regions. In Berlin, buses with a yellow sticker (EUR 3) are not allowed to enter, but foreign buses of the same standard are not turned away. This kind of patchwork approach offers no certainty to medium-sized enterprises and is detrimental to the industry and to tourism.

— Is the European Commission aware of this problem?

— What possible action could be taken here? What would the next steps be?

Answer given by Mr Potočnik on behalf of the Commission
(3 May 2012)

Directive 2008/50/EC ([1]) requires Member States to meet, *inter alia*, air quality limit values on PM_{10} and $PM_{2.5}$ that are set to reduce the impact of particulate matter on health. In line with the subsidiarity principle, it is for Member States to decide upon appropriate action to comply with these standards. 'Low Emission Zones' (LEZ) are an example of such measures. In respect of the LEZ established in Berlin, the Commission notes ([2]) that the zone was notified in accordance with Directive 98/34/EC ([3]).

The Commission noted in the Green Paper on urban mobility ([4]) that restricted access zones were increasingly common and were often established with different access requirements. Following the action plan on Urban Mobility ([5]), the Commission published a comprehensive study on the situation with urban access restrictions in Europe ([6]). Initiative 32 of the recent White Paper 'Roadmap to a Single European Transport Area' ([7]) proposed to develop an EU framework for urban access restriction schemes. The details and benefits of such a framework are now being evaluated by the Commission's services.

Exhaust retrofits are presently subject to subsidiarity. Retrofit performance standards are under development at the UNECE. This process may lead to international retrofitting regulations. Whilst the UNECE work is advanced the Commission cannot give an indication on further steps that may be taken at the EU level.

([1]) OJ L 152, 11.6.2008.
([2]) Reply to Written Question P-6493/2007 by Mr Szymanski, http://www.europarl.europa.eu/QP-WEB/
([3]) Directive 98/34/EC laying down a procedure for the provision of information in the field of technical standards and regulations, OJ L 204, 21.7.1998.
([4]) COM(2007) 551 final.
([5]) COM(2009) 490 final.
([6]) http://ec.europa.eu/transport/urban/studies/urban_en.htm
([7]) COM(2011) 144 final.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003004/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(20 Μαρτίου 2012)

Θέμα: Αποφάσεις της Επιτροπής και Ελληνική Επιτροπή Ανταγωνισμού

Σε ορισμένες περιπτώσεις συγχωνεύσεων ελληνικών εταιρειών, όπως σε αυτές των OlympicAir-Aegean και Vodafone-Wind, έχει γνωμοδοτήσει η Ευρωπαϊκή Επιτροπή, ενώ σε άλλες περιπτώσεις συγχωνεύσεων ή/και εξαγορών στην ελληνική αγορά, όπως αυτές στον κλάδο των πετρελαιοειδών, γνωμοδοτεί η Εθνική Επιτροπή Ανταγωνισμού. Ερωτάται η Επιτροπή:

Ποιος είναι ο κανόνας; Με βάση ποιον κανονισμό ή οδηγία, αποφασίζεται εάν μια συγχώνευση ή εξαγορά, π.χ. στην ελληνική αγορά, θα εξετάζεται από την Ελληνική Επιτροπή Ανταγωνισμού ή την Επιτροπή;

Απάντηση του κ. Almunia εξ ονόματος της Επιτροπής
(3 Μαΐου 2012)

Κανονισμός του Συμβουλίου αριθ. 139/2004 (ο επονομαζόμενος κανονισμός συγκεντρώσεων) θεσπίζει τους κανόνες σχετικά με την κατανομή των υποθέσεων ανάμεσα στην Επιτροπή και τα κράτη μέλη. Το άρθρο 1 προβλέπει ότι μια συγκέντρωση, όπως ορίζεται στο άρθρο 3, έχει διάσταση Ευρωπαϊκής Ένωσης (ΕΕ), και συνεπώς πρέπει να κοινοποιηθεί στην Επιτροπή, αν ο κύκλος εργασιών των εταιρειών που συγχωνεύονται υπερβεί το όριο που ορίζεται σ' αυτό.

Κανονισμός συγκεντρώσεων προβλέπει ότι η Επιτροπή μπορεί να αναπέμψει μια συγκέντρωση πίσω σε ένα κράτος μέλος αν υπάρχει περίπτωση αυτή να επηρεάσει σημαντικά τον ανταγωνισμό σε μια αγορά ενός κράτους μέλους η οποία παρουσιάζει όλα τα χαρακτηριστικά διακριτής αγοράς. Αυτή η διαδικασία παραπομπής μπορεί να κινηθεί μετά από αίτημα των ίδιων των κοινοποιούντων μερών πριν από την κοινοποίηση της συγκέντρωσης στην Επιτροπή (άρθρο 4 παράγραφος 4) ή μετά από αίτημα του κράτους μέλους μετά την κοινοποίηση (άρθρο 9).

Κανονισμός συγκεντρώσεων προβλέπει επίσης ότι συγκεντρώσεις χωρίς διάσταση ΕΕ μπορούν να παραπεμφθούν στην Επιτροπή από τα κράτη μέλη που είναι αρμόδια να αναθεωρήσουν την εκάστοτε συναλλαγή. Συγκεκριμένα, το άρθρο 4 παράγραφος 5 προβλέπει ότι, πριν από την κοινοποίηση στις αρμόδιες αρχές, τα κοινοποιούντα μέρη μπορούν να ζητήσουν από την Επιτροπή να εξετάσει μια υπόθεση χωρίς διάσταση ΕΕ η οποία δύναται να εξεταστεί με βάση την εθνική νομοθεσία τριών τουλάχιστον κρατών μελών. Επιπλέον, το άρθρο 22 παρέχει τη δυνατότητα σε ένα ή περισσότερα κράτη μέλη να ζητήσουν από την Επιτροπή να εξετάσει μια κοινοποιηθείσα συγκέντρωση που δεν έχει διάσταση ΕΕ η οποία όμως πάρα ταύτα επηρεάζει τις συναλλαγές μεταξύ κρατών μελών και υπάρχει το ενδεχόμενο να επηρεάσει σε σημαντικό βαθμό τον ανταγωνισμό εντός της επικρατείας των κρατών μελών που υποβάλλουν το αίτημα.

(English version)

Question for written answer E-003004/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(20 March 2012)

Subject: Decisions by the Commission and the Greek Competition Commission

In some cases of mergers between Greek companies, such as those between Olympic Air and Aegean and between Vodafone and Wind, the European Commission has been called upon to offer an opinion, whereas other cases of mergers and/or takeovers on the Greek market, such as those in the oil industry, have been referred to the national Competition Commission for an opinion. In view of this, will the Commission say:

What is the rule? On the basis of which regulation or directive is the decision made on whether a merger or takeover, for example on the Greek market, will be examined by the Greek Competition Commission or by the Commission?

Answer given by Mr Almunia on behalf of the Commission
(3 May 2012)

Council Regulation No 139/2004 (the so-called 'Merger Regulation') sets out the rules for the allocation of cases between the Commission and the Member States. Article 1 provides that a concentration, as defined in Article 3, has an European Union (EU) dimension, and should thus be notified to the Commission, if the turnover of the merging undertakings exceeds the thresholds set out therein.

The Merger Regulation also foresees that the Commission may refer a concentration with an EU dimension back to a Member State if it threatens to significantly affect competition in a market within a Member State which presents all the characteristics of a distinct market. This referral process can be initiated at the request of the notifying party/ies themselves prior to the notification of the concentration to the Commission (Article 4(4)) or at the request of the Member State after notification (Article 9).

The Merger Regulation also provides that concentrations without an EU dimension may be referred from the Member State(s) competent to review the transaction to the Commission. In particular, Article 4(5) stipulates that, prior to notification to the competent authorities, the notifying party/ies may request the Commission to examine a case without an EU dimension which is capable of being reviewed under the national laws of at least three Member States. Furthermore, Article 22 provides for the possibility of one or several Member States requesting the Commission to examine a notified concentration without an EU dimension that nevertheless affects trade between Member States and threatens to significantly affect competition within the territory of the Member State(s) making the request.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003007/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(20 Μαρτίου 2012)

Θέμα: Ανακεφαλαιοποίηση ελληνικών τραπεζών μετά τη διαδικασία του PSI

Στο δεύτερο πακέτο βοήθειας που εγκρίθηκε για την Ελλάδα υπάρχουν κεφάλαια που στοχεύουν στην ανακεφαλαιοποίηση των ελληνικών τραπεζών. Με δεδομένη την απάντηση της Επιτροπής (E-010629/2010) η οποία αναφέρεται στην «ιεράρχηση ενεργειών για τη χρηματοδότηση της ανακεφαλαιοποίησης» των τραπεζών, ερωτάται η Επιτροπή:

1. Έχουν δρομολογηθεί οι διαδιακασίες εξεύρεσης κεφαλαίων από «ιδιωτικές πηγές», στην περίπτωση των ελληνικών τραπεζών; Παρακράτησαν «κέρδη μέσω της μη διανομής μερισμάτων και πρόσθετων αποδοχών (bonus)»; Εξάντλησαν την επιλογή της «αντικατάστασης των υφιστάμενων υβριδικών μέσων από κεφαλαιακά μέσα υψηλότερης ποιότητας»; Είναι ικανοποιημένη η Επιτροπή από τις μέχρι τώρα ενέργειες για τη χρηματοδότηση της ανακεφαλαιοποίησης των ελληνικών τραπεζών;

2. Ποιες είναι οι ζημιές των ελληνικών τραπεζών από το κούρεμα των ελληνικών ομολόγων που κατείχαν; Τι ποσό πρόκειται να δοθεί σε αυτές για την ανακεφαλαιοποίησή τους; Πόσα οφείλονται στη συμμετοχή τους στη διαδικασία του PSI και πόσα στις ζημιές του δανειακού τους χαρτοφυλακίου; Ποια στοιχεία της έρευνας που διενέργησε η εταιρεία BlackRock για την κατάσταση κάθε ελληνικής τράπεζας, μπορούν να κοινοποιηθούν;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(7 Μαΐου 2012)

Οι ελληνικές αρχές, σε συνεργασία με την Ευρωπαϊκή Επιτροπή, την ΕΚΤ και το ΔΝΤ, έχουν διαθέσει άφθονους πόρους προκειμένου να διαμορφωθεί το πλαίσιο ανακεφαλαιοποίησης των ελληνικών τραπεζών. Όντως, εκτιμούμε ιδιαίτερα τις δεσμεύσεις που έχουν αναλάβει οι θεσμικοί ομόλογοί μας και άλλα ενδιαφερόμενα μέρη. Πρωταρχικός στόχος κατά τον σχεδιασμό του πλαισίου ανακεφαλαιοποίησης υπήρξε η βελτιστοποίηση των προϋποθέσεων για τη συμμετοχή των ιδιωτών επενδυτών στην κάλυψη των κεφαλαιακών αναγκών των τραπεζών. Η Τράπεζα της Ελλάδος θα ανακοινώσει στις τράπεζες, μέχρι το τέλος Απριλίου, συγκεκριμένες προθεσμίες για την αναζήτηση κεφαλαίων στην αγορά. Στη συνέχεια, οι τράπεζες θα κινήσουν τις πρακτικές διαδικασίες άντλησης κεφαλαίων, οι οποίες αναμένεται να ολοκληρωθούν έως το τέλος Σεπτεμβρίου.

Σύμφωνα με την απόφαση της Επιτροπής για την έγκριση των προνομιούχων μετοχών ως μέτρου κρατικής στήριξης των τραπεζών, οι τράπεζες που ωφελούνται από αυτά τα μέσα καλύπτονται από απαγόρευση διανομής μερισμάτων και δεν δύνανται να καταβάλουν πρόσθετες αποδοχές (bonus).

Οι τέσσερις μεγαλύτερες ελληνικές τράπεζες (Εθνική Τράπεζα Ελλάδος, Alpha Bank, EFG Eurobank και Τράπεζα Πειραιώς) έχουν ήδη διενεργήσει ή βρίσκονται στη διαδικασία να διενεργήσουν πράξεις διαχείρισης παθητικού, με τις οποίες εξαγοράζουν τα υβριδικά κεφαλαιακά τους μέσα, με αποτέλεσμα την ενίσχυση των κύριων βασικών κεφαλαίων (core tier 1). Δεν αποκλείεται, όμως, να υπάρξει κάποιο περιθώριο να προωθηθούν και περαιτέρω πράξεις αυτού του είδους.

Όσον αφορά τα ερωτήματά σας σχετικά με την κλίμακα και την έκταση του PSI και τις ζημίες του δανειακού τους χαρτοφυλακίου, οι ζητούμενες πληροφορίες παραμένουν εμπιστευτικές μέχρι τη δημοσίευση των οικονομικών καταστάσεων των τραπεζών για ολόκληρο το έτος 2011.

(English version)

Question for written answer E-003007/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(20 March 2012)

Subject: Recapitalisation of Greek banks following PSI

The second bailout for Greece includes capital for the purpose of recapitalising Greek banks. In light of the Commission's reply (E-010629/2010), which speaks of prioritising actions for financing the recapitalisation of the Bank, will the Commission answer the following:

1. Have procedures to raise capital from 'private sources' been set in motion for Greek banks? Are profits being retained by not distributing dividends and bonuses? Has the option of replacing existing hybrid instruments with higher-rated capital instruments been exhausted? Is the Commission satisfied with the action taken to date to finance the recapitalisation of the Greek banks?

2. What losses have the Greek banks sustained from the haircut to Greek bonds held by them? How much will they be given to recapitalise? How much is to be accounted for by PSI and how much is to be accounted for by losses on their loan portfolios? What information can be made public from the investigation carried out by BlackRock into the state of individual Greek banks?

Answer given by Mr Rehn on behalf of the Commission
(7 May 2012)

The Greek authorities, in cooperation with the European Commission, the ECB and the IMF, have been investing ample resources to elaborate a recapitalisation framework for Greek banks. Indeed, we appreciate the commitment of our institutional counterparts and other stakeholders. Optimising the conditions for participation of private investors in covering the banks' capital needs has been the overarching aim in designing the recapitalisation framework. The Bank of Greece will communicate to banks, by end-April, specific deadlines to seek capital in the market. Subsequently, the banks will launch the actual capital raising procedures, which should be completed by end-September.

According to the Commission decision on granting the preference shares as state support measure to banks, the banks benefitting from these instruments are covered by a dividend ban and they cannot pay bonuses.

The four largest Greek banks (NBG, Alpha Bank, EFG Eurobank and Piraeus Bank) have already carried out/are in the process of carrying out liability management exercises, whereby they buy back their hybrid capital instruments leading to the strengthening of core tier 1 capital. It is not excluded, however, that there will be some scope for further operations of this kind going forward.

Concerning your questions on the scale and scope of PSI and credit portfolio related losses, the requested information remains confidential until the publication of banks' financial statements for the full year 2011.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003008/12
προς την Επιτροπή
Ioannis A. Tsoukalas (PPE)
(20 Μαρτίου 2012)

Θέμα: Περιβαλλοντικοί όροι για τις υδατοκαλλιέργειες

Στην πρόταση της Ευρωπαϊκής Επιτροπής για την αναθεώρηση της Κοινής Αλιευτικής Πολιτικής, ιδιαίτερη σημασία δίνεται στον τομέα της υδατοκαλλιέργειας, ο οποίος αναγνωρίζεται ως εναλλακτική λύση για το πρόβλημα της αυξανόμενης ζήτησης και της ανάγκης περιορισμού της υπεραλίευσης.

Σύμφωνα με την πρόταση κανονισμού, η Επιτροπή θα θεσπίσει έως το 2013 προαιρετικές κατευθυντήριες γραμμές για τη θέσπιση κοινών στόχων κατά την ανάπτυξη των δραστηριοτήτων υδατοκαλλιέργειας, αφήνοντας ελεύθερα τα κράτη μέλη να θεσπίσουν, έως το 2014, σχετικά πολυετή στρατηγικά σχέδια. Ο μη δεσμευτικός, όμως, χαρακτήρας των προτάσεων ενέχει τον κίνδυνο της μη τήρησης περιβαλλοντικών και άλλων προϋποθέσεων. Πρόσφατα, στην Ελλάδα, η οποία βρίσκεται στις πρώτες θέσεις παραγωγής προϊόντων υδατοκαλλιέργειας στην Ευρώπη, απορρίφθηκε από τις αρμόδιες εθνικές αρχές, αίτημα αναστολής απόφασης για οριστική παύση λειτουργίας δύο μονάδων ιχθυοκαλλιέργειας, λόγω παραβίασης περιβαλλοντικών όρων.

Με βάση τα παραπάνω, ερωτάται η Επιτροπή:

1. Ποιοι περιβαλλοντικοί όροι πρέπει να τηρούνται κατά την κατασκευή και τη λειτουργία μονάδων υδατοκαλλιέργειας; Εκτός από τον κανονισμό (ΕΚ) αριθ.710/2009 που αφορά τη βιολογική υδατοκαλλιέργεια, υπάρχει σχετική ευρωπαϊκή νομοθεσία ή επρόκειτο να υπάρξει;

2. Πώς κρίνει τη μέχρι τώρα τήρηση των σχετικών κανόνων/συστάσεων;

3. Πώς κρίνει την μέχρι τώρα ανάπτυξη του τομέα της υδατοκαλλιέργειας από τα κράτη μέλη; Θεωρεί ότι υπάρχουν δυνατότητες, οι οποίες δεν έχουν εκμεταλλευθεί επαρκώς από τα κράτη μέλη;

Απάντηση της κ. Δαμανάκη εξ ονόματος της Επιτροπής
(4 Μαΐου 2012)

Η περιβαλλοντική νομοθεσία της ΕΕ εφαρμόζεται στις δραστηριότητες υδατοκαλλιέργειας όπως και σε άλλες οικονομικές δραστηριότητες. Τα καταλληλότερα ενωσιακά περιβαλλοντικά μέσα που μπορεί να αφορούν την κατασκευή και λειτουργία μονάδων υδατοκαλλιέργειας είναι η οδηγία για την εκτίμηση των επιπτώσεων στο περιβάλλον ([1]), η οδηγία-πλαίσιο για τα ύδατα ([2]), η οδηγία-πλαίσιο για τη θαλάσσια στρατηγική ([3]), και οι οδηγίες για τα ενδιαιτήματα ([4]) και τα πτηνά ([5]) (σε σχέση με τις περιοχές Natura 2000). Επιπλέον, η εισαγωγή στην υδατοκαλλιέργεια των ξένων ειδών διέπεται από τον κανονισμό (ΕΚ) αριθ. 708/2007 του Συμβουλίου για τη χρήση στην υδατοκαλλιέργεια ξένων και απόντων σε τοπικό επίπεδο ειδών. Η οδηγία περί της ποιότητος των γλυκών υδάτων που έχουν ανάγκη προστασίας ή βελτιώσεως για τη διατήρηση της ζωής των ιχθύων ([6]) και η οδηγία περί της απαιτούμενης ποιότητας των υδάτων για οστρακοειδή ([7]) μπορεί επίσης να είναι χρήσιμες.

Τα κράτη μέλη υποχρεούνται να εφαρμόζουν τις οδηγίες αυτές και την υπόλοιπη ενωσιακή νομοθεσία και να εξασφαλίζουν ότι η υδατοκαλλιέργεια αναπτύσσεται σε πλήρη συμφωνία με το νομικό πλαίσιο. Για τον σκοπό αυτό, οι αρμόδιες αρχές των κρατών μελών καθορίζουν ειδικούς περιβαλλοντικούς όρους που πρέπει να τηρούν οι μονάδες υδατοκαλλιέργειας.

([1]) Οδηγία 85/337/ΕΟΚ, της 27ης Ιουνίου 1985, για την εκτίμηση των επιπτώσεων ορισμένων σχεδίων δημοσίων και ιδιωτικών έργων στο περιβάλλον. ΕΕ L 175 της 5.7.1985, σ. 40.
([2]) Οδηγία 2000/60/ΕΚ, της 23ης Οκτωβρίου 2000, για τη θέσπιση πλαισίου κοινοτικής δράσης στον τομέα της πολιτικής των υδάτων. ΕΕ L 327 της 22.12.2000.
([3]) Οδηγία 2008/56/ΕΚ, της 17ης Ιουνίου 2008, περί πλαισίου κοινοτικής δράσης στο πεδίο της πολιτικής για το θαλάσσιο περιβάλλον (οδηγία-πλαίσιο για τη θαλάσσια στρατηγική). ΕΕ L 164 της 25.6.2008, σ. 19-40.
([4]) Οδηγία 92/43/ΕΟΚ, της 21ης Μαΐου 1992, για τη διατήρηση των φυσικών οικοτόπων καθώς και της άγριας πανίδας και χλωρίδας. ΕΕ L 206 της 22.7.1992.
([5]) Οδηγία 2009/147/ΕΚ (κωδικοποιημένη έκδοση που αντικαθιστά την οδηγία 79/409/ΕΟΚ), ΕΕ L 20 της 26.1.2010, σ. 7.
([6]) ΕΕ L 222 της 14.8.1978, σ. 1.
([7]) ΕΕ L 376 της 27.12.2006.

Η ενωσιακή παραγωγή υδατοκαλλιέργειας δεν ακολούθησε την παγκόσμια τάση ανάπτυξης και παρουσίασε στασιμότητα κατά τα τελευταία έτη. Η μεταρρύθμιση της Κοινής Αλιευτικής Πολιτικής έχει ως στόχο την προώθηση των δυνατοτήτων ανάπτυξης της υδατοκαλλιέργειας της ΕΕ με ανοικτή μέθοδο συντονισμού η οποία αποβλέπει στην κάλυψη πέραν των νομοθετικών σημείων που αναφέρονται ανωτέρω άλλων θεμάτων, όπως ο διοικητικός φόρτος, η χορήγηση αδειών, η χωροταξία, για τα οποία η στενή συνεργασία με τις πρωτοβουλίες των κρατών μελών είναι πολύ σημαντική. Για τον λόγο αυτό, οι προτεινόμενες ενωσιακές κατευθυντήριες γραμμές δεν έχουν δεσμευτικό χαρακτήρα. Η ανοικτή μέθοδος συντονισμού δεν θέτει σε καμία περίπτωση υπό αμφισβήτηση το υπάρχον ενωσιακό νομοθετικό πλαίσιο που θα διατηρηθεί για την εξασφάλιση της περιβαλλοντικής αειφορίας.

(English version)

Question for written answer E-003008/12
to the Commission
Ioannis A. Tsoukalas (PPE)
(20 March 2012)

Subject: Environmental preconditions for aquaculture

In the European Commission's proposal for a review of the common fisheries policy, particular importance is attached to the aquaculture sector, which is recognised as an alternative solution to the problem of increased demand and to the need for the imposition of limits on overfishing.

According to the proposal for regulation, by the year 2013, the Commission is to have implemented voluntary guidelines for the adoption of common objectives during the development of aquaculture activities, leaving the Member States free to adopt multiannual strategic plans by 2014. However, the non-binding character of the proposals entails a risk that environmental and other requirements will not be satisfied. The responsible national authorities in Greece, which is one of the leading producers of aquaculture products in Europe, recently rejected, on grounds of violation of environmental preconditions, an application for a stay of enforcement of the decision to close two aquaculture units.

In view of this, will the Commission say:

1. What environmental terms must be complied with during the construction and operation of aquaculture units? Apart from Regulation (EC) No 710/2009 on organic aquaculture production, is there any relevant European legislation in existence, or is any pending?

2. What view does it take of compliance to date with the relevant rules/recommendations?

3. What view does it take of the development to date of the aquaculture sector in the Member States? Does it consider that there is potential which is not being adequately tapped by the Member States?

Answer given by Ms Damanaki on behalf of the Commission
(4 May 2012)

EU environmental legislation applies to aquaculture activities as to other economic activities. The most relevant EU environmental instruments that may concern the construction and operation of aquaculture units are the Environmental Impact Assessment (EIA) Directive ([1]), the Water Framework Directive ([2]), the Marine Framework Strategy Directive ([3]), and the Habitats ([4]) and Birds ([5]) Directives (in relation to Natura 2000 areas). Furthermore, the introduction of aquaculture alien species is regulated by Council Regulation (EC) No 708/2007 concerning use of alien and locally absent species in aquaculture. In addition, the directive on the quality of fresh waters needing protection or improvement in order to support fish life ([6]) and the directive on the quality required of shellfish waters ([7]) may be relevant.

Member States are obliged to implement these directives and other EU legislation, and to ensure that aquaculture is developed in full compliance with the legal framework. In that context, specific environmental terms to be complied with by aquaculture units are determined by the Member State competent authorities.

([1]) Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, OJ L 175 5.7.1985, p. 40.
([2]) Directive 2000/60/EC of 23 October 2000 establishing a framework for Community action in the field of water policy, OJ L 327, 22.12.2000.
([3]) Directive 2008/56/EC of 17 June 2008 establishing a framework for community action in the field of marine environmental policy, OJ L 164, 25.6.2008, p. 19-40.
([4]) 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.
([5]) Directive 2009/147/EC (codified version replacing Directive 79/409/EEC), OJ L 20, 26.1.2010, p. 7.
([6]) OJ L 222, 14.8.1978, p. 1.
([7]) OJ L 376, 27.12.2006.

EU aquaculture production has not followed the global trend of growth and has rather stagnated during the last years. The reform of the common fisheries policy aims to promote the potential for growth of EU aquaculture through an open method of coordination which is intended to cover beyond the legislative items mentioned above other topics such as red tape, licensing, spatial planning, etc where close cooperation with Member States initiatives is crucial. This is why the proposed EU guidelines do not have a binding nature. The open method of coordination does not of course put in question the existing EU legislative framework that will remain in place to ensure environmental sustainability.

(English version)

Question for written answer E-003009/12
to the Commission
John Stuart Agnew (EFD)
(20 March 2012)

Subject: French halal meat

It is being suggested in the French presidential election campaign that halal meat must be labelled as such. Would this be permitted under EC law?

Answer given by Mr Dalli on behalf of the Commission
(30 April 2012)

Directive 2000/13/EC ([1]) allows Member States, in the absence of Union provisions regulating the labelling of specified foodstuffs, to provide for additional labelling requirements , subject to the specific notification procedure laid down in Article 19 thereof.

Therefore, if a Member State deems it necessary to adopt a new legislation, it shall notify the Commission and the Member States of the measures envisaged and justify them. The assessment of those measures is then carried out by the Commission. In particular, additional labelling requirements must be balanced with the functioning of the internal market, duly justified on one of the grounds listed in Directive 2000/13/EC, must not create disproportionate barriers to the free movement of goods and must respect the Charter of Fundamental Rights of the European Union (EU), in particular the freedom of religion and non-discrimination.

The current EU legislation does not require the indication 'halal' to be provided on foods. Should the French authorities consider it necessary to adopt such a requirement, they must notify the envisaged measure according to the abovementioned procedure. It is only under these circumstances that the Commission may assess its compliance with EC law.

The recently adopted regulation on the provision of food information to consumers ([2]) indicates, in its Recital 50, that a study on the opportunity to provide the consumer with information on the stunning of animals should be considered in the context of the Union strategy for the protection and welfare of animals. The Commission adopted this strategy in January 2012 ([3]) and the study in question is planned to be completed in 2013.

([1]) Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs, OJ L 109, 6.5.2000, p. 29.

([2]) Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004, OJ L 304, 22.11.2011, p. 18.

([3]) COM(2012) 6 final.

(English version)

Question for written answer E-003010/12
to the Commission
John Stuart Agnew (EFD)
(20 March 2012)

Subject: The Assad regime, the Internet and EU sanctions

Noting widespread reports of EU Internet shopping by the Assad regime, particularly by and on behalf of Mrs Assad, will the Commission:

1. indicate whether EU sanctions have been broken?

2. indicate, if so, what action will be taken?

3. indicate, if not, how and why sanctions would not apply?

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

The EU first took restrictive measures against Syria on 9 May 2011 on the basis of Council Decision 2011/273/CFSP. The decision includes a measure subjecting persons that are responsible for the repression against the civilian population in Syria, and persons and entities associated with them, to an asset freeze. Initially, the asset freeze included a small number of high ranking members of the regime. However, in view of the ongoing repression in Syria, others were added to the list of designated persons and entities in the course last year and this year. This includes President Assad, who was designated on 23 May 2011, and his wife, who was also added to the list of persons subject to an asset freeze on 23 March 2012.

The freezing of assets means that a person or entity subject to this measure can not make payments within the EU, except on the basis of an approval by the competent authority of a Member State and in order to satisfy basic needs. The prohibition includes making electronic payments.

In the area of asset freezes, it is the responsibility of the competent authorities of the EU Member States to take the necessary measures for the enforcement of this prohibition. The Commission does not have evidence that the asset freeze has been violated by any EU Member State.

(English version)

Question for written answer E-003011/12
to the Commission
John Stuart Agnew (EFD)
(20 March 2012)

Subject: Mrs Assad and EU sanctions

Does Mrs Assad have dual nationality and, if so, has she committed any offences, such as breaking EU sanctions?

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

The European Union first took restrictive measures against Syria on 9 May 2011 on the basis of Council Decision 2011/273/CFSP. The decision includes a measure subjecting persons that are responsible for the repression against the civilian population in Syria, and persons and entities associated with them, to an asset freeze. Initially, the asset freeze included a small number of high ranking members of the regime. However, in view of the ongoing repression in Syria, others were added to the list of designated persons and entities in the course last year and this year. Mrs Assad has been subject to the asset freeze since 23 March 2012.

The freezing of assets means that a person or entity subject to this measure cannot make payments within the EU, except on the basis of an approval by the competent authority of a Member State and in order to satisfy basic needs. For the implementation of this measure, the nationality of the person or entity involved is irrelevant.

In the area of the asset freeze measure, it is the responsibility of competent authorities of the EU Member States to take the necessary measures for the enforcement of this prohibition.

(English version)

Question for written answer E-003012/12
to the Commission
Sir Graham Watson (ALDE)
(20 March 2012)

Subject: European Research Council

The European Research Council (ERC) funds research in the European Union and has a guaranteed budget of EUR 7.51 billion for the period 2007-2013 under the EU's 7th Framework Programme.

— Is the Commission satisfied with the methodology and evaluation process used by the ERC when deciding which research projects to support?

— What mechanisms are in place to ensure this evaluation process is rigorous?

Answer given by Ms Geoghegan-Quinn on behalf of the Commission
(8 May 2012)

The scientific strategy of the European Research Council (ERC) is the responsibility of an independent Scientific Council, composed of 22 members who collectively represent Europe's scientific community. As well as establishing the ERC's strategy, it has full authority over decisions on the type of research to be funded, establishes the annual work programme and the peer review structure and process. It also monitors the quality of the programme's implementation from the scientific perspective.

The Scientific Council is supported by the Executive Agency (ERCEA), which is responsible for all aspects of administrative implementation and programme execution. The Executive Agency implements in particular the evaluation procedures, peer review and selection process according to the principles established by the Scientific Council and ensures the financial and scientific management of the grants.

Since its start in 2007, the ERC has received over 25 000 proposals out of which more than 2 500 have been selected for funding with a total commitment of almost EUR 4.2 billion. The ERC's processes have been positively evaluated during the independent review of the ERC's structures and mechanisms (July 2009), the independent interim evaluation of FP7 (November 2010), and most recently by the Task Force on the ERC's future (July 2011). Furthermore, the ERC enjoys very high levels of support from research stakeholders and from the scientific community. The Commission has proposed that the ERC receives a significant budget boost and be a key component of Horizon 2020, the comprehensive EU programme of support for research and innovation due to begin in 2014.

(English version)

Question for written answer E-003014/12
to the Commission (Vice-President/High Representative)
Daniel Hannan (ECR)
(20 March 2012)

Subject: VP/HR — European Union aid to Argentina

In 2001, Argentina had the largest debt default in history, turning its back on GBP 50 billion in loans from the international community. In 2005, she offered the lowest ever debt exchange offered to private creditors, and over half of foreign creditors refused to participate as a result. President Kirchner then refused to negotiate with Argentina's private bondholders and repudiated Argentina's outstanding debt obligations. The Argentine Government has subsequently refused to abide by international tribunal and court judgments, including those of the World Bank's own tribunal, the International Centre for Settlement of Investment Disputes. It is worth noting that with over GBP 30 billion in foreign reserves, the Argentine Government can comfortably afford to repay what it owes, but instead has consistently refused to take this responsible path. Countries which are receiving substantial assistance from the international community should be expected to recognise and abide by the rules and norms of the international community.

The Administration of President Obama recently amended US policy on international lending to Argentina in order to defend this important principle. In September 2011, the Obama Administration stated it would no longer support World Bank and Inter-American Development Bank loans to Argentina for as long as the current Argentine Government persists with its disregard for the international community. The US has since voted against such loans and called for other countries to follow suit. I feel that there is a very strong case for the EU to join the Obama Administration in making a clear statement that countries that flout internationally agreed financial norms and rules will not be rewarded with financial aid from countries that do follow those rules. I believe that Argentina should not be eligible for new EU funding for as long as the current government persists with its disregard for fundamental principles such as the rule of law, the right to self-determination, and the sanctity of contract.

Will the High Representative/Vice-President state whether, following the expiry of the Development Cooperation Instrument in 2013, there is any plan to renew EU aid to Argentina?

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

The Commission proposal for the new Development Cooperation Instrument (DCI) intends to limit EU bilateral development aid only to Least Developed Countries (LDCs), low income and lower middle income countries.

Argentina is an upper Middle Income Country. It would remain eligible for the regional and thematic programmes but, under the Commission proposal for the new DCI, it would no longer benefit from bilateral cooperation aid.

(Version française)

Question avec demande de réponse écrite E-003017/12
à la Commission
Tokia Saïfi (PPE)
(20 mars 2012)

Objet: Préférences commerciales d'urgence pour le Pakistan

La proposition de règlement introduisant des préférences commerciales autonomes d'urgence pour le Pakistan est en attente depuis des mois. Malgré l'autorisation donnée par l'OMC le 14 février dernier, son objectif principal (à savoir l'aide d'urgence) n'a pas été et ne pourra pas être atteint. Ne pouvant agir par le biais de préférences commerciales, la Commission européenne est intervenue via la DG ECHO, dont l'aide est mobilisable dans les 72 heures et a été portée au total à 98 millions d'euros.

Dans sa communication «Commerce, croissance et développement» (COM(2011)0022), elle admet que «l'expérience a montré que [l'octroi de préférences supplémentaires au Pakistan] n'a pas déclenché de réaction suffisamment rapide» et propose des pistes alternatives pour l'avenir. En particulier, elle souhaite utiliser les dérogations temporaires autorisées par les nouvelles règles d'origine du SPG.

— Puisque les mesures envisagées dans la proposition de règlement COM(2010)0552 ne coïncident pas avec celles autorisées par l'OMC quant à la durée et au champ d'application, et que ces mesures sont considérées comme inefficientes et obsolètes, la Commission ne devrait-elle pas envisager le retrait de cette proposition? Au vu de ces éléments, était-il utile d'adopter la proposition de décision du Conseil COM(2012)0024?

— Par ailleurs, comment, concrètement, la Commission pense-t-elle utiliser le système des règles d'origine du SPG pour aider les pays touchés par une catastrophe naturelle? Peut-elle donner un exemple basé sur le cas du Pakistan? A-t-elle pris en considération l'impact qu'une telle dérogation pourrait avoir sur les autres pays bénéficiaires du SPG?

Réponse donnée par M. De Gucht au nom de la Commission
(24 avril 2012)

La dérogation octroyée par l'Organisation mondiale du commerce (OMC) le 14 février 2012 fixe le niveau maximal de préférences que l'UE est autorisée à accorder au Pakistan en réponse aux inondations dévastatrices qui ont frappé le pays au cours de l'été 2010. Lorsque le Pakistan a subi une fois de plus des pluies torrentielles en été 2011, cet événement est passé presque inaperçu et le pays ne s'est pas encore remis de ses effets délétères.

Par conséquent, la Commission est d'avis que, malgré le temps qui s'est écoulé depuis la première catastrophe humanitaire et la décision de dérogation, il reste utile d'accorder les préférences commerciales prévues au Pakistan afin de contribuer au redressement économique du pays.

En ce qui concerne l'utilisation des dérogations autorisées par les nouvelles règles d'origine du système de préférences généralisées (SPG) afin de faire face aux graves difficultés provoquées par des catastrophes naturelles dans les pays bénéficiaires du SPG, la Commission sera en mesure d'accorder à ceux-ci une dérogation aux règles d'origine, de sa propre initiative ou à la demande d'un de ces pays qui se trouve confronté à de telles difficultés ([1]). Cette possibilité n'existait pas dans le cadre des précédentes règles d'origine. Le Pakistan pourrait éventuellement bénéficier de cette disposition.

Lorsqu'elle envisagera ce type de dérogation, la Commission déterminera: 1) si la catastrophe naturelle prive temporairement le pays concerné de la capacité à se conformer aux règles conférant l'origine, 2) les besoins spécifiques du pays concerné, notamment en ce qui concerne ses capacités de production et ses intérêts à l'exportation et 3) l'impact potentiel de cette dérogation sur les autres pays bénéficiaires et sur l'industrie de l'UE.

([1]) Règlement (UE) n° 1063/2010 de la Commission du 18 novembre 2010 portant modification du règlement (CEE) n° 2454/93 fixant certaines dispositions d'application du règlement (CEE) n° 2913/92 du Conseil établissant le code des douanes communautaire (JO L 307 du 23.11.2010).

(English version)

Question for written answer E-003017/12
to the Commission
Tokia Saïfi (PPE)
(20 March 2012)

Subject: Emergency trade preferences for Pakistan

The proposal for a regulation introducing emergency autonomous trade preferences for Pakistan has been pending for months. Despite the WTO giving its authorisation on 14 February 2012, the proposal's main objective — urgent assistance — has not been and cannot be achieved. Since it was unable to act via trade preferences, the Commission intervened through DG ECHO, because aid from that DG, which amounts to a total of EUR 98 million, can be mobilised within 72 hours.

In its communication entitled 'Trade, growth and development' (COM(2012) 0022), the Commission admits that 'experience has shown that [granting additional preferences to Pakistan] did not trigger a rapid enough reaction', and proposes alternative approaches for the future. In particular, it wishes to use temporary derogations authorised by new rules of origin under the GSP.

— Since the measures envisaged in the proposal for a regulation (COM(2010) 0552) are different from those authorised by the WTO in terms of duration and scope, and since these measures are considered to be inefficient and obsolete, should the Commission not consider withdrawing this proposal? In view of the above, would it be it worthwhile to adopt the proposal for a Council decision COM(2012) 0024?

— In addition, how specifically does the Commission intend to use the rules-of-origin system under the GSP to assist countries affected by natural disasters? Can it provide an example based on the case of Pakistan? Has it taken into consideration the impact that such a derogation could have on other GSP beneficiary countries?

Answer given by Mr De Gucht on behalf of the Commission
(24 April 2012)

The waiver granted by the World Trade Organisation (WTO) on 14 February 2012 sets the maximum level of preferences the EU is authorised to provide to Pakistan in response to the devastating floods that hit the country in summer 2010. When Pakistan suffered again from torrential rains in summer 2011 this passed almost unnoticed and the country is still recovering from the backlash.

The Commission is therefore of the view that despite the time that has elapsed since the humanitarian disaster first struck Pakistan and the waiver decision it is still opportune to provide the trade preferences to Pakistan in order to assist the country in its economic recovery.

Regarding the use of derogations included in the new Generalised System of Preferences (GSP) Rules of Origin to address hardship created by natural disasters in GSP beneficiaries countries, the Commission will be in a position to grant a derogation from Rules of Origin on its own initiative to GSP beneficiary countries or in response to a request from such a country which may be in such a situation ([1]). This possibility did not exist under the previous Rules of Origin. So Pakistan could potentially benefit from such a provision.

When considering such a derogation, the Commission will analyse: 1) if the natural disaster temporarily deprives the country involved of the ability to comply with the rules for conferral of origin; 2) the specific needs of the country involved, in terms among other things of capacity of production and export interests; and 3) potential impact of this derogation on other beneficiary countries and on the EU industry.

([1]) Commission Regulation (EU) No 1063/2010 of 18 November 2010 amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code, OJ L 307, 23.11.2010.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003018/12
alla Commissione
Elisabetta Gardini (PPE)
(20 marzo 2012)

Oggetto: Produzione falso prosecco brasiliano

Un'azienda vitivinicola veneta, che produce Prosecco, ha segnalato un preoccupante caso di concorrenza sleale. Nel 2011 era stato lanciato l'allarme riguardo la produzione in Brasile di un vino venduto come prosecco, il «Garibaldi», ma che nulla aveva a che fare con il vero prodotto DOP italiano.

A 9 mesi di distanza la situazione è peggiorata e ora si possono trovare in commercio numerose nuove etichette di falso prosecco, vendute con tanto di «fascetta di garanzia» rilasciata dal ministero brasiliano. Stiamo parlando di una produzione di decine di milioni di bottiglie all'anno. Non è la prima volta che vengono portate all'attenzione della Commissione produzioni illegali di questo genere ma mai di tale portata.

Ormai il «Prosecco» in Germania è una realtà come lo sono i finti prosecco prodotti in Nuova Zelanda o in Australia. La produzione di prosecco brasiliano però ha assunto livelli allarmanti.

Considerando che tale dinamica, in modo del tutto sleale, fa concorrenza al vero Prosecco DOP italiano può la Commissione precisare:

— come intende intervenire per tutelare i produttori italiani di Prosecco DOCG e DOC?

— Intende intervenire presso il governo brasiliano per fermare questa produzione del tutto illegittima?

Risposta data da Dacian Cioloş a nome della Commissione
(3 maggio 2012)

La Commissione europea entrerà in contatto con la Germania per garantire la corretta applicazione, da parte di quello Stato membro, della legislazione dell'Unione europea relativa alla tutela delle DOP e IGP italiane quali il Prosecco. I servizi interessati esamineranno attentamente la situazione esistente in Brasile, Nuova Zelanda e Australia e, se opportuno, solleveranno la questione presso le autorità competenti al fine di porvi rimedio.

(English version)

Question for written answer E-003018/12
to the Commission
Elisabetta Gardini (PPE)
(20 March 2012)

Subject: Production of fake Prosecco in Brazil

A winery in the Veneto region which produces Prosecco wine has voiced concerns about unfair competition. The alarm was raised in 2011 about the production of a wine in Brazil that was being sold as Prosecco under the 'Garibaldi' label, which had nothing to do with the genuine Italian PDO product.

Nine months have passed and the situation has worsened. Many new fake Prosecco labels can now be found on the market, and they are even sold with the 'guarantee strap' issued by the Brazilian ministry. The production in question amounts to tens of millions of bottles a year. This is not the first time that illegal production of this kind has been brought to the Commission's attention, but the scale involved is unprecedented.

So-called 'Prosecco' can now be found in Germany, and fake Prosecco-style wines are also being produced in New Zealand and Australia. Prosecco production in Brazil, however, has risen to alarming proportions.

Given this trend of totally unfair competition with genuine Italian PDO Prosecco:

— How will the Commission intervene to protect producers of Italian DOCG and DOC Prosecco?

— Will it approach the Brazilian Government with a view to halting this completely illegal production?

Answer given by Mr Cioloş on behalf of the Commission
(3 May 2012)

The European Commission will take contact with Germany in order to ensure that the Member State is correctly applying EU legislation for the protection of PDO and PGI like Italian Prosecco. The services concerned will closely study the situation in Brazil, New Zealand and Australia and if appropriate raise the issue with the relevant Authorities to seek to address the situation.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-003019/12
aan de Commissie
Ivo Belet (PPE)
(20 maart 2012)

Betreft: Gokfraude in het cricket

Onlangs kwam aan het licht dat het Engelse cricket geviseerd wordt door malafide gokaanbieders in o.a. India en Pakistan. Spelers en ploegen worden benaderd door bookies of tussenpersonen om wedstrijden te beïnvloeden. Er wordt daarbij niet enkel betaald om de einduitslag vast te leggen, maar evengoed om het spel te vertragen of om runs weg te geven. Het lijkt onmogelijk voor sportorganisatoren om alle bettingpatronen van de buitenlandse bookies te monitoren.

— Welke stappen zet de Commissie — eventueel via internationale samenwerking — om deze fraude tegen te gaan?

— Op welke manier zou het instrument voor de grensoverschrijdende aspecten van online-weddenschappen waaraan de Commissie momenteel werkt, kunnen bijdragen tot een oplossing in deze?

— Is het mogelijk dat een financiële bijdrage van de gokaanbieders voorzien wordt om een adequate monitoring op poten te zetten?

Antwoord van de heer Barnier namens de Commissie
(23 mei 2012)

De Commissie is zich ten volle bewust van de ernst van de problemen in verband met wedstrijdvervalsing ([1]). De resultaten van een Commissiestudie naar de wijze waarop sportfraudevergrijpen, en met name wedstrijdvervalsing, door het nationale recht van de lidstaten worden bestreken, moet de Commissie helpen uitmaken of een EU-optreden op dit gebied geboden is. In de binnenkort verwachte mededeling over onlinegokken op de interne markt zal de Commissie een aantal beleidsopties ter bestrijding van gokfraude, zoals onder meer met weddenschappen samenhangende wedstrijdvervalsing, bespreken.

Om ervoor te zorgen dat gokfraude ook buiten de EU wordt bestreden, werkt de Commissie nauw samen met het Internationaal Olympisch Comité en met de Raad van Europa. Onlangs hebben deze beide organisaties een reeks maatregelen aanbevolen die bedoeld zijn om dit verschijnsel op mondiaal niveau aan te pakken. Wat de grensoverschrijdende samenwerking op EU-niveau betreft, is de Commissie voornemens de lidstaten te vragen of en hoe de samenwerking tussen overheidsinstanties, met inbegrip van rechtshandhavingsinstanties, volgens hen kan worden aangemoedigd bij de bestrijding van met weddenschappen samenhangende wedstrijdvervalsing.

Aanbieders van weddenschappen, toezichthouders en grote sportfederaties hebben al systemen voor het monitoren van weddenschappen opgezet, maar de Commissie erkent dat een betere uitwisseling van informatie en inlichtingen tussen de betrokken partijen noodzakelijk is. Zij is dan ook bereid te overwegen haar steun te verlenen aan eventuele nuttige initiatieven op dit gebied.

Voor de financiering van sportintegriteitssystemen kunnen uiteenlopende benaderingen worden gevolgd. Het zou evenwel weinig uitmaken of wordt gekozen voor gokvergunninggelden, dan wel voor een wettelijke bijdrageplicht voor aanbieders van weddenschappen of voor bijdragen van de sportsector zelf: volgens de resultaten van de in 2011 gehouden raadpleging over het groenboek lijkt immers geen van de thans gevolgde benaderingen meer of minder efficiënt te zijn dan de andere.

([1]) De mededeling over de ontwikkeling van de Europese dimensie van de sport en het corruptiebestrijdingspakket, die allebei in 2011 door de Commissie zijn aangenomen.

(English version)

Question for written answer E-003019/12
to the Commission
Ivo Belet (PPE)
(20 March 2012)

Subject: Gambling fraud in cricket

It has recently been revealed that English cricket is being targeted by corrupt bookmakers in India and Pakistan, among other countries. Players and teams are approached by bookmakers or middlemen in order to influence the outcome of matches. Money is not only paid for fixing the end result, but also for slowing down the game or for conceding runs. It seems an impossible task for sports organisers to monitor all the betting patterns of foreign bookmakers.

— What steps are the Commission taking — possibly through international cooperation — in order to combat this fraud?

— In what way could the instrument for the cross-border aspects of online gambling, on which the Commission is currently working, contribute to solving the above situation?

— Can a financial contribution from bookmakers be envisaged to help set up an adequate monitoring system?

Answer given by Mr Barnier on behalf of the Commission
(23 May 2012)

The Commission fully acknowledges the seriousness of the problems related to match fixing ([1]). Results of a Commission study on how sporting fraud offences, and notably match fixing, are being covered by the national laws of the Member State should help the Commission to assess whether EU action in this field is necessary. In the upcoming Communication on Online Gambling in the internal market, the Commission will give consideration to a number of policy options as regards combating of gambling fraud including betting related match-fixing.

To make sure such goals are targeted beyond the EU, the Commission is working closely with the International Olympic Committee and the Council of Europe. A series of measures aiming at addressing this phenomenon in a global manner have been recently recommended by these two organisations. Concerning cross-border cooperation at EU level, the Commission intends to seek Member States views on whether and how to enhance cooperation amongst public authorities, including enforcement bodies, in fight against betting related match fixing.

Bet monitoring systems have been put in place either by betting operators, regulators or large sport federations, but the Commission recognises that a better exchange of information and intelligence between parties is necessary, and it is ready to consider supporting any useful initiatives in this respect.

Different approaches to financing of sports integrity systems exist. Whether from gambling licensing fees, through legal requirement on operators to contribute or by the sport sector itself, the evidence collected in the Green paper consultation undertaken in 2011 suggest that none of the approaches currently applied can be found more or less efficient than the others.

([1]) The communication on developing the European dimension in sport and the anti-corruption package, both adopted by the Commission in 2011.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-003020/12
aan de Raad
Ivo Belet (PPE)
(20 maart 2012)

Betreft: Coffeeshops Maastricht in horizontale drugsgroep

Op 27 september 2011 keurde de gemeenteraad van Maastricht de eerste fase van het spreidingsplan van coffeeshops goed, waarbij drie coffeeshops verhuizen vanuit het centrum van de stad naar een locatie in de onmiddellijke nabijheid van de Belgische grens.

In haar antwoord op parlementaire vraag E-0291/2008 benadrukte de Commissie dat eventuele ongewenste gevolgen van het nationale drugsbeleid voor de buurlanden zoveel mogelijk beperkt dienen te worden. Daartoe zijn er op Europees niveau mechanismen om dialoog en samenwerking tot stand te brengen. Zo wijst de Commissie in haar antwoord op parlementaire vraag E-012250/2011 op het bestaan van een horizontale drugsgroep in de Raad waar dergelijke vraagstukken kunnen worden behandeld.

— Is bovenstaande problematiek van de verplaatsing van de coffeeshops in Maastricht reeds aan de orde geweest in deze horizontale drugsgroep?

— Wat was de conclusie van de werkgroep in deze kwestie?

Antwoord
(23 mei 2012)

De Raad heeft deze kwestie niet besproken.

(English version)

Question for written answer E-003020/12
to the Council
Ivo Belet (PPE)
(20 March 2012)

Subject: Maastricht coffee shops and the Horizontal Drugs Group

On 27 September 2011, Maastricht's Municipal Council approved the first stage of the coffee shop dispersal plan, whereby three coffee shops will relocate from the city centre to a location in the immediate vicinity of the Belgian border.

In its answer to parliamentary Question E-0291/2008, the Commission stressed that possible undesirable consequences from the Dutch national drug policy must be limited as much as possible for neighbouring countries. For that purpose, there are mechanisms at European level through which dialogue and cooperation can take place. The Commission, in its answer to parliamentary Question E-012250/2011, points to the existence of a Horizontal Drugs Group in the Council, where such issues can be addressed.

— Has this Horizontal Drugs Group already discussed the above issue regarding the relocation of the coffee shops in Maastricht?

— What was the conclusion of the working party on this issue?

Reply
(23 May 2012)

The issue has not been discussed in the framework of the Council.

(Versión española)

Pregunta con solicitud de respuesta escrita E-003021/12
a la Comisión
Miguel Portas (GUE/NGL), Marisa Matias (GUE/NGL) y Ana Miranda (Verts/ALE)
(20 de marzo de 2012)

Asunto: Tratado de Estabilidad, Coordinación y Gobernanza en la Unión Económica y Monetaria

El Tratado intergubernamental, recientemente aprobado, prevé la introducción de un límite para el saldo estructural, excluidas las medidas puntuales y de carácter temporal. Como la Comisión ya sabe, este concepto, su definición y metodologías de cálculo generan una gran controversia científica en el debate económico, si bien es cierto que se trata de una materia eminentemente política. El concepto de saldo estructural no deriva directamente de las normas de contabilidad nacional. Por tanto, y dado que obviamente resulta necesario aplicar un criterio de gobernanza económica de forma igual a todos los Estados miembros, se solicitan las siguientes aclaraciones a la Comisión:

1. ¿El concepto de saldo estructural se definirá en relación con la tendencia del PIB o en relación con el PIB potencial?

2. Si el método fuese la tendencia del PIB, ¿cuál será el método de «suavizamiento»?

3. Si el método fuese la desviación en relación con el PIB potencial, ¿se basará en la determinación de la NAIRU? ¿Con qué metodología?

4. ¿Cuál será la institución responsable de definir qué son «acontecimientos inusuales que estén fuera del control de la parte contratante afectada»?

5. ¿Cuál será la institución responsable de supervisar la aplicación del criterio y de su coherencia?

Respuesta del Sr. Rehn en nombre de la Comisión
(27 de junio de 2012)

La Comisión no puede dar una interpretación auténtica de las disposiciones de un tratado intergubernamental entre Estados miembros. A su entender, el Tratado de Estabilidad, Coordinación y Gobernanza en la Unión Económica y Monetaria utiliza la misma terminología que el Pacto de Estabilidad y Crecimiento y se refiere a los mismos conceptos de objetivos presupuestarios a medio plazo, de desviaciones importantes con respecto a esos objetivos, o de trayectoria de ajuste para el cumplimiento de ellos. El Tratado de Estabilidad, Coordinación y Gobernanza en la Unión Económica y Monetaria no contiene, sin embargo, disposiciones específicas sobre el cálculo de los saldos estructurales. Por consiguiente, las Partes Contratantes no están obligadas por él a utilizar un método específico para calcularlo.

Al mismo tiempo, el marco de supervisión de la Unión contiene modalidades y conceptos operativos específicos para el cálculo de los saldos presupuestarios estructurales que han sido confirmados por la conclusiones del Consejo Ecofin. Esas modalidades y conceptos operativos seguirán siendo utilizados para aplicar el Pacto de Estabilidad y Crecimiento. La información sobre ello figura en el documento al que dirige el siguiente enlace: http://ec.europa.eu/economy_finance/publications/economic_paper/2010/pdf/ecp420_en.pdf

Incumbe en primer lugar a los Gobiernos y los parlamentos nacionales, asesorados por organismos independientes, concebir y aplicar las normas nacionales. Conforme al Tratado de Estabilidad, Coordinación y Gobernanza en la Unión Económica y Monetaria, la Comisión propondrá principios para los mecanismos nacionales de corrección que deberán activarse automáticamente en caso de que se produzcan desviaciones importantes con respecto a los objetivos presupuestarios a medio plazo o a la trayectoria de ajuste para el cumplimiento de esos objetivos, así como para las instituciones independientes que deban supervisar a nivel nacional el funcionamiento del mecanismo, incluida la aplicación de la cláusula de excepción.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003021/12
à Comissão
Miguel Portas (GUE/NGL), Marisa Matias (GUE/NGL) e Ana Miranda (Verts/ALE)
(20 de março de 2012)

Assunto: Tratado sobre a Estabilidade, Coordenação e Governação na União Económica e Monetária

O Tratado Intergovernamental, recentemente aprovado, prevê a introdução de um limite para o saldo estrutural, líquido de medidas irrepetíveis e temporárias. Como é do conhecimento da Comissão, este conceito, a sua definição e metodologias de cálculo são alvo de grande controvérsia científica no debate económico, sendo certo que esta é uma matéria eminentemente política. O conceito de saldo estrutural não decorre de forma direta das normas de contabilidade nacional. Assim, e sendo obviamente necessário que um critério de governação económica seja aplicado de forma igual a todos os Estados-Membros, pedimos os seguintes esclarecimentos à Comissão:

1. O conceito de saldo estrutural será definido em relação à tendência do PIB ou em relação ao PIB potencial?

2. Se o método for a tendência do PIB, qual será o método de «alisamento»?

3. Se o método for o desvio em relação ao PIB potencial, será com base no apuramento da NAIRU? Com que metodologia?

4. Qual será a instituição responsável pela definição do que são «eventos incomuns fora do controlo da parte contratante em causa»?

5. Qual será a instituição responsável pela fiscalização da aplicação do critério e da sua consistência?

Resposta dada por Olli Rehn em nome da Comissão
(27 de junho de 2012)

A Comissão não pode fornecer uma interpretação que faça fé das disposições de um tratado intergovernamental entre Estados-Membros. No entender da Comissão, o Tratado sobre Estabilidade, Coordenação e Governação na União Económica e Monetária (TECG) segue os termos do Pacto de Estabilidade e Crescimento (PEC) e refere-se aos mesmos conceitos de objetivos orçamentais de médio prazo (OMP) e de desvios significativos em relação a esses objetivos ou à trajetória de ajustamento com vista ao seu cumprimento. No entanto, o TECG não contém disposições específicas para o cálculo dos saldos estruturais. Por conseguinte, as partes contratantes não são obrigadas pelo TECG a utilizar um método específico para o seu cálculo.

Ao mesmo tempo, o quadro de vigilância da União prevê uma prática de utilização de modalidades e conceitos operacionais específicos para o cálculo dos saldos orçamentais estruturais que foi confirmada pelas conclusões do Conselho Ecofin. Essas modalidades e conceitos operacionais continuarão a ser utilizados para a execução do PEC. O documento para o qual remete o endereço a seguir indicado fornece informações pertinentes sobre essa matéria. (http://ec.europa.eu/economy_finance/publications/economic_paper/2010/pdf/ecp420_en.pdf)

Os governos e os parlamentos nacionais, com o apoio de instituições independentes, são os principais responsáveis pela conceção e aplicação das normas nacionais. Em concordância com o TECG, a Comissão irá propor princípios para os mecanismos nacionais de correção que devem ser desencadeados automaticamente em caso de desvios significativos observados em relação aos OMP ou às trajetórias de ajustamento com vista ao cumprimento desses objetivos, assim como para as instituições independentes responsáveis a nível nacional por monitorizarem o funcionamento do mecanismo, incluindo a aplicação da cláusula de exceção.

(English version)

Question for written answer E-003021/12
to the Commission
Miguel Portas (GUE/NGL), Marisa Matias (GUE/NGL) and Ana Miranda (Verts/ALE)
(20 March 2012)

Subject: Treaty on Stability, Coordination and Governance in the Economic and Monetary Union

The recently approved intergovernmental Treaty provides for the introduction of a limit for structural balance net of one-off and temporary measures. As the Commission is aware, there is a great deal of scientific controversy in the economic debate surrounding this concept, its definition and the methodologies for calculating it, making it clearly a fundamentally political issue. The concept of structural balance does not arise naturally from national Accountancy Standards. In light of this, and because there is a clear need for economic governance criteria to be applied equally to all Member States, we ask the Commission to clarify the following:

1. Will the concept of structural balance be defined in relation to the GDP trend or to potential GDP?

2. If the GDP trend is to be used, what 'smoothing' method will be applied?

3. If the method is the deviation from potential GDP, will this be based on the calculation of the Non-Accelerating Inflation Rate of Unemployment (NAIRU)? If so, what methodology will be used?

4. Which institution will be responsible for defining what constitutes an 'unusual event outside the control of the Contracting Party concerned'?

5. Which institution will be responsible for monitoring the application of the criteria and the consistency with which they are applied?

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

The Commission cannot provide an authentic interpretation of provisions of an intergovernmental treaty between Member States. The understanding of the Commission is that the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union (TSCG) is aligned to the language of the Stability and Growth Pact (SGP), and refers to the very same concepts of medium-term budgetary objectives (MTOs) and significant deviations from the MTO or the adjustment path towards it. However, the TSCG does not contain specific provisions on the calculation of structural balances. Hence, the Contracting Parties are not bound by the TSCG to use a specific method for its computation.

At the same time, the Union surveillance framework provides a practice of using specific operational modalities and concepts as to how calculate structural budget balances, which has been confirmed by Ecofin Council conclusions. These operational modalities and concepts will continue to be used for the implementation of the SGP. The paper at the link below provides the relevant information.

http://ec.europa.eu/economy_finance/publications/economic_paper/2010/pdf/ecp420_en.pdf

The primary responsibility for designing and implementing the national rule lies with governments and national Parliaments, supported by independent institutions. In line with the TSCG; the Commission will propose principles for the national correction mechanisms that should be triggered automatically in the event of significant observed deviations from the MTO or the adjustment path towards it, as well as for the independent institutions responsible at national level to monitor the working of the mechanism, including the implementation of the escape clause.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-003022/12
adresată Comisiei
Vasilica Viorica Dăncilă (S&D)
(20 martie 2012)

Subiect: Sistemul de irigații

Gestionarea apei este un aspect crucial, deoarece agricultura consumă 80% din apa potabilă disponibilă. Având în vedere situații de urgență, cum ar fi schimbările climatice, și care duc la o presiune suplimentară asupra resurselor de apă disponibile, consider necesare investiții suplimentare pentru sistemele de irigare și care ar trebui să fie disponibile pentru toate statele membre.

— Consideră Comisia oportună crearea unei strategii europene pentru adaptarea sistemelor de irigații naționale la provocările reprezentate de schimbările climatice?

— Ce fel de alte acțiuni prevede Comisia pentru a răspunde acestor provocări?

Răspuns dat de Cioloș în numele Comisiei
(11 mai 2012)

Comisia tratează cu maximă seriozitate problema gestionării durabile a apei în sectorul agriculturii, în contextul schimbărilor climatice. Multe zone din UE se confruntă cu problema resurselor limitate de apă sau cu presiuni mari asupra acestor resurse, iar sectorul agricol, un utilizator major de apă, trebuie să joace la rândul său un rol în identificarea de soluții, inclusiv în ceea ce privește eficiența irigațiilor. Acest aspect, dar și alte provocări de aceeași anvergură, vor fi abordate în Planul Comisiei pentru salvgardarea resurselor de apă ale Europei, care urmează să fie dat publicității la sfârșitul anului 2012.

În cadrul procesului de reformă a PAC, Comisia a propus ca, după 2013, politica de dezvoltare rurală a UE să ofere în continuare sprijin pentru investiții în irigații, în anumite condiții, cu accent pe îmbunătățirea eficienței sistemelor de irigații, în conformitate cu obiectivul creșterii durabile din Strategia Europa 2020.

Conform propunerilor Comisiei, politica de dezvoltare rurală ar putea oferi și alte forme de ajutor pentru agricultori în efortul acestora de adaptare la schimbările climatice, de exemplu prin sprijin pentru activități de formare și utilizarea de consultanță, practici mai bune de gestionare a solului, utilizarea instrumentelor de management al riscului și cooperare în ceea ce privește adaptarea la schimbările climatice.

Comisia nu este convinsă de utilitatea creării în momentul de față a unei strategii separate a UE de adaptare a sistemelor naționale de irigare la situațiile specifice generate de schimbările climatice. Statele membre se confruntă cu situații foarte diverse în ceea ce privește calitatea și cantitatea apei și utilizarea irigațiilor și, ca atare, ar trebui să aibă libertatea de a găsi soluții adaptate în conformitate cu legislația de mediu și cu orientările specifice și în funcție de problemele identificate pe teritoriile lor și de diferitele instrumente disponibile.

(English version)

Question for written answer E-003022/12
to the Commission
Vasilica Viorica Dăncilă (S&D)
(20 March 2012)

Subject: Irrigation systems

Water management is a crucial issue because 80 % of available drinking water is used in agriculture. Given emergency situations, such as climate change, that are placing additional pressure on available water resources, additional investments need to be made in irrigation systems that are available to all Member States.

— Would the Commission consider it appropriate to create a European strategy for adapting national irrigation systems to the challenges posed by climate change?

— What further actions is the Commission envisaging to respond to these challenges?

Answer given by Mr Cioloş on behalf of the Commission
(11 May 2012)

The Commission takes very seriously the issue of sustainable water management in the agricultural sector in a context of climate change. Many areas of the EU are affected by water scarcity/stress, and the agricultural sector — a major user of water — must play its part in solutions, including with regard to irrigation efficiency. This and related challenges will be addressed by the Commission's Blueprint to Safeguard Europe's Water Resources, which is due at the end of 2012.

In the CAP reform process the Commission has proposed that, after 2013, the EU's rural development policy will continue to offer support for investments in irrigation under certain conditions — with a focus on improving the efficiency of irrigation systems, in line with the 'sustainable growth' objective of the Europe 2020 strategy.

According to the Commission's proposals, rural development policy could also provide other forms of help to farmers to adapt to climate change — for example, through support for training and the use of advice, improved soil management practices, the use of risk management tools and cooperative approaches to climate change adaptation.

The Commission is not convinced that it would be useful at present to create a separate EU strategy for adapting national irrigation systems to the challenges posed by climate change. Member States face very varied situations with regard to water quality and quantity and their use of irrigation, and they should be free to mould their own appropriate responses — in line with environmental legislation and guidelines, the challenges identified with regard to their territory and the various instruments available.

(English version)

Question for written answer E-003023/12
to the Commission
James Nicholson (ECR)
(20 March 2012)

Subject: Indigenous fish

Given the conclusions reached by international scientists at the 'Salmon Summit' in La Rochelle, France, in October 2011 regarding wild Atlantic salmon stocks being threatened with extinction, could the Commission detail what action it has taken, or is planning to take, to address and perhaps reverse the decline identified in wild salmon stocks?

In a recent press release, the Northern Ireland Executive makes reference to research conducted in my own constituency by the Bushmills Salmon Station, which has found that the survival of salmon during the marine phase of their life cycle has fallen from 30 % in 1997 to the current level of less than 5 %. This is a startling fall in survival rates. In light of these figures, and of other research, what work has been conducted by the Commission to identify the likely causes of the increased death rate of salmon at sea? Furthermore, how has the Commission engaged with Member States, the fishing industry, anglers, the scientific community and other relevant stakeholders at an EU and international level to monitor wild salmon populations and identify ways to proactively address their decline and safeguard a sustainable fishing industry?

It is vital that more is known about this issue and that timely and appropriate action is taken to ensure that stocks of wild Atlantic salmon do not continue to fall below conservation limits. The downward trend in survival rates, as highlighted at the 'Salmon Summit', not only potentially threatens the long-term survival of wild Atlantic salmon but also damages the future of the fishing industry and of angling across the EU.

Answer given by Ms Damanaki on behalf of the Commission
(24 May 2012)

The Commission representing the EU, has been a contracting party of NASCO (North Atlantic Salmon Conservation Organisation), since 1983, supporting the objectives of NASCO, to contribute to the conservation, restoration, enhancement and rational management of salmon stocks. The Commission supports the ongoing NASCO work providing financial support of the SALSEA (Salmon at Sea) programme under the framework Programme 7. This scientific programme investigates the biology, the migration and distribution of salmon at sea and identifies factors affecting survival, so that relevant NASCO conservation measures can be adopted and implemented.

Recently NASCO has focused on reducing incidental catches of salmon in coastal fisheries, promotion of better management of the salmon fisheries, conservation in individual river systems and support of research as to the causes of salmon mortality during its migratory cycle at sea.

Under the NASCO Convention, there is a prohibition on fishing for wild Atlantic salmon in areas beyond 12 miles from the coast. In the absence of a directed fishery in high seas, the main emphasis has been on the management of coastal waters and river basins, which is the responsibility of national jurisdictions. NASCO's actions are mainly oriented towards habitat restoration in internal waters, which for the Commissions falls under the mandate of the Habitats Directive.

ICES work in 2004 and 2005 focused on issues impacting upon the survivability at sea of salmon stocks. The recent NASCO/ICES symposium (October 2011) has identified a number of factors which impact upon the survivability of salmon. The proceedings are to be published in June 2012 alongside a separate report dealing with the management implications. The Commission will consider this further when available.

(English version)

Question for written answer E-003024/12
to the Commission
Julie Girling (ECR)
(20 March 2012)

Subject: CAP — New post-2014 payment entitlements

The Commission is proposing a new set of post-2014 payment entitlements. England has already moved away from the historic model to a flat-rate payment model. This means that the new payment entitlements will be of a uniform unit value. Creating a new 'set' of entitlements for which a farmer would be allocated a number of entitlements equal to the number of hectares he declares in 2014 is likely to lead to speculation in the land market, with farmers seeking to gain hectares for 2014 to optimise the 'number' of entitlements they are allocated. The clause providing for activation of at least one entitlement in 2011 will go some way towards preventing this, but is not foolproof.

Therefore, as an alternative, would the Commission consider a derogation whereby those Member States who have adopted the flat-rate payment model could maintain their existing set of payment entitlements, the value of which would reflect the flat-rate value in operation beyond 2013 in those areas?

Answer given by Mr Cioloş on behalf of the Commission
(23 April 2012)

When preparing the legal proposal one of the main concerns has been to avoid, as much as possible, any potentially negative distortions in the land market. Therefore, as a main rule, the access to the allocation of entitlements in 2014 is foreseen for the beneficiaries in respect of the claim year 2011. The use of this historical reference year for eligible farmers should limit the risk that the 2014 reference year for the number of payment entitlements to be allocated would lead certain landowners to change their lease contract before 2014.

The 2014 reference year for the number of payment entitlements to be allocated is proposed in order to include all eligible areas in the basic payment scheme. This is linked to the move away from a historical reference for allocation of support towards an increased recognition of the farmer as a land manager, who provides public goods. It should also be seen in light of the objective of having a broad coverage of the greening measure.

Allowing Member States currently applying the regional model to keep the current payment entitlements would maintain a historical element in the distribution of support in the number of payment entitlements of the individual farmer, which would not necessarily reflect the number of eligible hectares he holds after the reform. Furthermore, though all eligible hectares in theory could have been allocated a payment entitlement in the regional model, there may still be areas without corresponding payment entitlements. Also additional eligible hectares, which would enter the system due to the enlarged definition of permanent grassland, would be without corresponding payment entitlements. This situation would risk interfering with the objective to include all eligible hectares in the basic payment scheme.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003025/12
alla Commissione
Mario Borghezio (EFD)
(20 marzo 2012)

Oggetto: Le banche italiane non investono i fondi ottenuti dalla BCE per sostenere lo sviluppo delle imprese

Come si evince dai dati pubblicati dal più recente bollettino di Bankitalia, le banche italiane nel periodo fra la fine del 2011 e il 31 gennaio 2012 risultano aver acquistato Btp e in generale titoli dello Stato italiano per complessivi 28 miliardi di euro; sempre nel gennaio 2012 risultano acquisti di bond bancari e riacquisto di obbligazioni proprie per 41 miliardi di euro.

In tal modo, le banche italiane realizzano, grazie ai fondi messi a loro disposizione dalla BCE, il differenziale fra il tasso dell'1 % e quello rappresentato dagli investimenti in titoli dello Stato italiano che vanno dal 4,5 al 5 %.

Come valuta la Commissione il comportamento delle banche italiane, che non risultano aver utilizzato in larga parte il cospicuo finanziamento della BCE per sostenere il sistema produttivo dell'economia reale italiana, basato principalmente sulle piccole e medie imprese? Quali provvedimenti intende attuare in merito?

Risposta data da Olli Rehn a nome della Commissione
(22 maggio 2012)

Secondo la BCE ([1]), l'obiettivo principale delle nuove operazioni di rifinanziamento con scadenza a tre anni (LTRO, operazioni di rifinanziamento a più lungo termine) consiste nell'alleviare le pressioni di finanziamento cui le banche sono sottoposte. La BCE non pone alcuna condizione circa la destinazione di tale credito. Nel quadro della propria valutazione rischio-rendimento, le banche possono pertanto scegliere liberamente come e dove impiegare tale liquidità Le condizioni per l'erogazione di crediti in Italia continuano ad essere severe, ma gli ultimi dati del gennaio 2012 evidenziano alcuni miglioramenti. La Commissione sta monitorando attentamente gli sviluppi al riguardo e ritiene che si stiano progressivamente instaurando le condizioni per il miglioramento dei mercati interbancari e obbligazionari, che agevolerà l'afflusso di credito all'economia reale.

Lo studio sui prestiti concessi dalle banche, condotto dalla BCE nell'aprile 2012, rivela una significativa diminuzione del ricorso a standard di crediti eccessivamente rigorosi, concludendo che ciò rispecchia con ogni probabilità l'impatto positivo dei due LTRO a tre anni sulle condizioni di finanziamento delle banche.

([1]) Fonte: http://www.ecb.int/press/key/date/2011/html/sp111219.en.html

(English version)

Question for written answer E-003025/12
to the Commission
Mario Borghezio (EFD)
(20 March 2012)

Subject: Italian banks are not investing the funds obtained from the ECB to support the development of enterprises

As seen in data published in the most recent Bank of Italy bulletin, in the period between the end of 2011 and 31 January 2012, Italian banks appear to have bought long-term treasury bonds and Italian State securities in general amounting to a total of EUR 28 000 000 000, while in January 2012 banking bonds and bond buyback transactions totalled EUR 41 000 000 000.

In this way, the Italian banks are profiting from the difference between the rate of 1 % and that represented by investments in Italian state securities, ranging from 4.5 to 5 %, thanks to the funds made available by the ECB.

How does the Commission view the behaviour of the Italian banks, which do not appear to have used a large part of the considerable ECB funding to support the production system of Italy's real economy, based mainly on small and medium-sized enterprises? What measures does it intend to take with regard to this situation?

Answer given by Mr Rehn on behalf of the Commission
(22 May 2012)

According to the ECB ([1]), the main objective of the new three-year refinancing operations (LTRO) is to ease the funding pressures that banks are experiencing. The ECB does not put any conditionality on how the credits should be used. It is in the banks' discretion to decide where and how they will apply the new liquidity, according to their assessment of investment risks and returns. Credit supply and conditions in Italy remain tight, but the latest financial data for January 2012 point to some improvement. The Commission is closely monitoring developments in this regard and is of the view that conditions are gradually being set for the improvement of interbank and bond markets, which will facilitate the flow of credit to the real economy.

The ECB Bank Lending Survey of April 2012 finds that euro area banks reported a significant decline in the net tightening of credit standards and concludes that this was likely to reflect the positive impact of the two three-year LTRO's on bank's funding conditions.

([1]) *Source:* http://www.ecb.int/press/key/date/2011/html/sp111219.en.html

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003026/12
alla Commissione
Sergio Berlato (PPE)
(20 marzo 2012)

Oggetto: In crescita il fenomeno del phishing

Negli ultimi tempi si è diffuso un fenomeno conosciuto con il termine phishing: un tipo di truffa via Internet attraverso la quale un aggressore (phisher) cerca di ingannare la vittima convincendola a fornire informazioni personali sensibili.

Si tratta di un'attività illegale che sfrutta una tecnica di ingegneria sociale: attraverso l'invio casuale di messaggi di posta elettronica contraffatti, che imitano la grafica di siti bancari o postali, un malintenzionato cerca di ottenere dalle vittime la password di accesso al conto corrente e le password che autorizzano i pagamenti oppure il numero della carta di credito.

Il fenomeno appena descritto è più diffuso di quanto si possa immaginare se si considera che anche il sottoscritto, ben più di una volta, ha ricevuto al suo indirizzo di posta elettronica del Parlamento europeo delle e-mail contraffatte.

Un'ulteriore forma di frode informatica, connessa al fenomeno del phishing, riguarda le e-mail con offerta di lavoro e/o di collaborazione da parte di false società gestite da truffatori.

Tutto ciò premesso, si interroga la Commissione per sapere quali misure urgenti intende intraprendere per tutelare i cittadini europei da queste pericolose truffe informatiche ed arginare, in tal modo, il fenomeno in costante crescita.

Risposta di Cecilia Malmström a nome della Commissione
(5 giugno 2012)

Per meglio affrontare il fenomeno del phishing e le altre minacce della criminalità informatica, nel settembre 2010 la Commissione europea ha proposto una direttiva relativa agli attacchi contro i sistemi di informazione ([1]). La direttiva, che dovrebbe essere adottata a breve, mira a facilitare la lotta contro i reati informatici (incluso il phishing) e a migliorare la cooperazione tra le autorità giudiziarie e le altre autorità competenti.

Il 28 marzo 2012 la Commissione ha anche adottato una comunicazione sull'istituzione di un Centro europeo per la lotta contro la criminalità informatica (EC3) presso l'Europol. Il Centro servirà a coordinare in maniera più efficace il flusso di informazioni e la cooperazione, consentendo pertanto una risposta più incisiva alle insidie della criminalità informatica, tra cui anche il phishing.

Inoltre, la direttiva 2002/58/CE relativa al trattamento dei dati personali e alla tutela della vita privata nel settore delle comunicazioni elettroniche proibisce l'invio di comunicazioni indesiderate (comunemente note come spam) che rappresentano una delle tattiche maggiormente utilizzate per il phishing. La direttiva prevede che i fornitori di servizi debbano adottare misure appropriate per salvaguardare la sicurezza dei servizi da essi offerti, per esempio nella lotta contro lo spam, e debbano informare gli abbonati sui particolari rischi di violazione della sicurezza della rete.

A seguito del riesame del pacchetto sulle comunicazioni elettroniche ([2]) nel 2009, il quadro giuridico per la reciproca assistenza tra le autorità dell'UE stabilito dal «regolamento sulla cooperazione per la tutela dei consumatori» (regolamento n. 2006/2004) può essere utilizzato a livello transnazionale per l'applicazione delle disposizioni relative allo spam. La Commissione segue attentamente i lavori del piano d'azione di Londra (LAP, London Action Plan), che promuove la cooperazione tra le autorità per l'applicazione della legge nell'affrontare i problemi relativi allo spam, compreso il phishing. La Commissione sta attualmente conducendo uno studio sulla portata del problema del furto d'identità, anche attraverso l'uso del phishing, e sulle eventuali misure per affrontare questo reato.

([1]) COM(2010)517.
([2]) Direttiva 2009/136/CE.

(English version)

Question for written answer E-003026/12
to the Commission
Sergio Berlato (PPE)
(20 March 2012)

Subject: Phishing on the rise

The phenomenon known as phishing has recently become widespread. This is a form of online scam whereby an aggressor (phisher) tries to trick victims into providing sensitive personal information.

This is an illegal activity which exploits a social engineering technique: by sending out bogus emails at random, and making them mimic the design of bank or post office websites, a criminal seeks to obtain victims' passwords giving access to their current accounts or authorising payments, or their credit card numbers.

The aforementioned phenomenon is more common than might be imagined: I myself have on numerous occasions received bogus emails at my European Parliament email address.

Another form of computer fraud related to phishing involves emails with employment and/or collaboration offers from non-existent companies apparently run by swindlers.

Given the above, what urgent measures will the Commission take to protect European citizens against these dangerous computer scams and thus stem this ever-growing phenomenon?

Answer given by Ms Malmström on behalf of the Commission
(5 June 2012)

To better tackle the phenomenon of phishing and other cybercrime threats, the European Commission proposed a directive on attacks against information systems ([1]) in September 2010. It aims to facilitate the fight against cybercrime (including phishing) and to improve the cooperation between the judicial and other competent authorities and should be adopted soon.

On 28 March 2012, the Commission also adopted a communication on a European Cybercrime Centre (EC3) within Europol. EC3 will serve to better coordinate information flows and cooperation and thus enable a more effective response to cybercrime threats, including phishing.

Furthermore, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in electronic communications prohibits the sending of unsolicited communications, commonly referred to as spam, which is one of the main avenues for phishing. It requires communication providers to take appropriate measures to safeguard the security of their services, for example, to fight spam and inform subscribers of existing security risks.

After the 2009 review of the electronic communications package ([2]), the framework for mutual assistance among EU authorities set forth by the 'Regulation on consumer protection cooperation' (2006/2004) can be used for cross-border enforcement of the spam provisions. The Commission follows the work of the London Action Plan (LAP), which promotes cooperation among enforcement authorities to address spam-related problems including phishing. The Commission is also currently conducting a study on the scope of the problem of identity theft, including the use of phishing, and on possible measures to address this issue.

([1]) COM(2010) 517.
([2]) Directive 2009/136/EC.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003027/12
alla Commissione
Sergio Berlato (PPE)
(20 marzo 2012)

Oggetto: Il Portogallo seguirà le sorti della Grecia

A pochi giorni dal salvataggio della Grecia, in Borsa aumentano i timori anche per un altro Stato membro: il Portogallo.

Il problema è rappresentato dalla grave situazione economica del Paese che quest'anno vedrà il Pil subire una contrazione del 3,3 % a causa delle austere misure varate dal suo Governo.

Secondo gli analisti di mercato, attualmente, Lisbona non possiede le premesse per tornare a crescere ed il piano di aiuti internazionali da 78 miliardi in vigore si rivelerà a breve insufficiente.

Fatte queste premesse, si interroga la Commissione per sapere se, nei limiti delle sue competenze, ritiene che il Portogallo potrebbe realmente seguire a breve termine le sorti della Grecia e se l'unica strada possibile per il suo salvataggio sia quella di un «fallimento controllato» con l'intervento dell'Unione europea e del Fondo monetario internazionale.

Risposta data da Olli Rehn a nome della Commissione
(29 maggio 2012)

La Commissione ha appena ultimato la terza verifica del programma di aggiustamento economico per il Portogallo. La verifica si conclude constatando che sono stati compiuti notevoli progressi e che le autorità portoghesi continuano ad impegnarsi nell'attuazione del programma. In base a tale relazione il Consiglio e la Commissione hanno deciso di procedere all'erogazione della quarta rata del prestito.

Le previsioni di crescita per il 2012 sono state solo lievemente riviste al ribasso: dal 3 %, previsto nella seconda verifica, la riduzione sarebbe attualmente del 3,3 %, a fronte di un andamento dell'economia nel 2011 migliore del previsto. Questa lieve revisione al ribasso non smentisce le premesse su cui si fonda il programma di aggiustamento e, contrariamente alla situazione in Grecia prima della partecipazione del settore privato, l'analisi della sostenibilità del debito indica che il debito dello Stato portoghese rimane sostenibile anche nelle ipotesi peggiori in materia di crescita.

I capi di Stato degli Stati membri dell'area dell'euro si sono impegnati a sostenere i paesi sottoposti a un programma di risanamento, sempreché questi attuino correttamente i programmi previsti, finché non abbiano nuovamente accesso al mercato.

(English version)

Question for written answer E-003027/12
to the Commission
Sergio Berlato (PPE)
(20 March 2012)

Subject: Portugal will suffer the same fate as Greece

The Greek rescue deal has been followed within the space of a few days by growing market fears for another Member State: Portugal.

The problem lies in Portugal's serious economic situation: this year Portuguese GDP is likely to fall by 3.3 % due to the government austerity measures.

According to market analysts, Lisbon does not at present satisfy the preconditions for a return to growth and the current EUR 78 billion international aid plan will soon prove to be insufficient.

Given the above, and without overstepping its remit, can the Commission say whether it believes that Portugal really could suffer the same fate as Greece in the short term and whether the only way to save it is by a 'controlled bankruptcy' with the intervention of the European Union and the International Monetary Fund?

Answer given by Mr Rehn on behalf of the Commission
(29 May 2012)

The Commission just finalised the Third Review of the Economic Adjustment Programme for Portugal. The conclusion of the review is that there is good progress and that Portuguese authorities remain committed to the implementation of the programme. On the basis of this report the Council and the Commission have decided to proceed with the disbursement of the fourth instalment of the loan.

Growth projections for 2012 have been revised downward only slightly from 3 % in the second review to 3.3 % now, against a better than expected performance of the economy in 2011. This small downward revision does not invalidate the underlying assumptions of the adjustment programme and, contrary to the situation that existed in Greece before the involvement of the private sector, the Debt Sustainability Analysis shows that the debt of the Portuguese state remains sustainable even under adverse assumptions regarding growth.

Heads of State of euro area Member States have committed to continue to provide support to countries under a programme until they have regained market access, provided they successfully implement their programmes.

(Tekstas lietuvių kalba)

Klausimas, į kurį atsakoma raštu, Nr. E-003028/12
Komisijai
Zigmantas Balčytis (S&D)
(2012 m. kovo 20 d.)

Tema: Baltijos jūros saugumas ir apsauga

Laivyba, kaip ir kita veikla Baltijos jūroje, kasmet aktyvėja. Prie Baltijos jūros yra nemažai didelių uostų, sparčiai vystoma laivyba, tanklaiviais gabenama vis daugiau naftos produktų, todėl daugėja avarijų. Dėl intensyvios laivybos Baltijos jūra – viena labiausiai užterštų jūrų pasaulyje. Būtinas didesnis dėmesys saugios laivybos ir jūrų taršos prevencijos srityse. Reikia imtis visų būtiniausių tvaraus Baltijos jūros naudojimo ir išsaugojimo veiksmų.

Viena iš Baltijos jūros regiono strategijos prioritetinių sričių – tapti pavyzdiniu jūrų saugumo ir apsaugos regionu.

— Noriu paklausti Komisijos, ar atliekamas oficialus suskystintų gamtinių dujų (SGD) gabenimo laivais Baltijos jūros regione rizikos vertinimas?

— Kiek lėšų reikėtų ir kiek jų šiuo metu skirta šiam projektui įgyvendinti?

— Kokios nustatytos galimos prevencinės priemonės ir taisyklės, susijusios su sauga ir saugumu?

— Ar atliktas Baltijos jūros pakrantės sargybos tinklo techninio pagrįstumo tyrimas? Kokie rezultatai gauti šiuo tyrimu?

— Kokia pažanga pasiekta kuriant jūrininkų rengimo kompetencijos centrų tinklą?

— Kas nuveikta siekiant tapti e. laivybos bandomuoju regionu?

— Kas įgyvendinta siekiant papildomai ištirti pagrindinius laivybos maršrutus ir uostus?

— Ar rengiamas žvejybos nelaimingų atsitikimų mažinimo planas? Kas bus nustatyta šiuo planu?

— Kas pasiekta siekiant tapti jūrų priežiūros sistemų integracijos bandomuoju regionu?

Komisijos nario J. Hahno atsakymas Komisijos vardu
(2012 m. gegužės 11 d.)

1. Pavyzdinio projekto Nr. 13.7 tikslas – įvertinti suskystintų gamtinių dujų (SGD) vežėjų Baltijos jūroje riziką. Projektas, kuriam vadovauja Lenkija, vis dar nefinansuojamas ir nepradėtas vykdyti.

2. Priklausomai nuo veiklos apimties ir būsimų išorės konsultacijų masto biudžetas yra nuo 45 000 EUR iki 450 000 EUR.

3. Atliekant formalų rizikos vertinimą visų pirma bus vertinami laivybos už teritorinių vandenų aspektai ir bus parengtas rekomendacijų rinkinys.

4. Pavyzdinis projektas Nr. 13.1 „Baltijos jūros priežiūros funkcionalumas“ baigtas įgyvendinti 2011 m. Įvykdžius projektą nustatyta būtinybė didinti informuotumą ir bendradarbiavimą.

5. Pavyzdiniam projektui Nr. 13.5 vadovauja Lenkijos Ščecino jūrininkystės universitetas, kuris padės įsteigti jūrininkų rengimo kompetencijos centrų tinklo sekretoriatą ir plėtoti projektą.

6. Vykdant pavyzdinį projektą Nr. 13.4, suprojektuotas, sukurtas ir išbandytas e. laivybos sistemos prototipas.

7. Pavyzdiniu projektu Nr. 13.3 siekiama papildomai ištirti laivybos maršrutus ir uostus. Dėl papildomo tyrimo politinio plano buvo susitarta su HELCOM, o jį vykdo Baltijos jūros hidrografijos komisija.

8. Nuo 2012 m. sausio mėn. šiam pavyzdiniam projektui vadovauja Baltijos jūros regioninė patariamoji taryba. Jį tikimasi pradėti 2012 m.

9. Pavyzdiniu projektu Nr. 13.2 siekiama integruoti jūrų priežiūros sistemas. Šį projektą baigus įgyvendinti 2012 m. pavasarį, buvo pateiktos tolesnės šio sektoriaus plėtotės rekomendacijos. Kalbant apie jūrų saugumą, keletas rekomendacijų yra susijusios su ES laivų eismo valdymo informacijos sistema, nustatyta Direktyva 2002/59/EB su pakeitimais.

(English version)

Question for written answer E-003028/12
to the Commission
Zigmantas Balčytis (S&D)
(20 March 2012)

Subject: Security and protection of the Baltic Sea

Shipping, like other activities in the Baltic Sea, is growing each year. There are many major ports on the Baltic Sea and shipping is developing rapidly, with an increasing amount of oil products being transported by tankers, therefore the number of accidents is rising. As a result of intensive shipping, the Baltic Sea is one of the most polluted seas in the world. There needs to be a greater focus on safe shipping and the prevention of marine pollution. All the necessary steps need to be taken for the sustainable use and protection of the Baltic Sea.

One of the priority areas of the strategy for the Baltic Sea Region is to become a leading region in maritime safety and security.

— Can the Commission state whether an official assessment of the risk posed by the transportation of liquefied natural gas (LNG) by tanker in the Baltic Sea Region has been carried out?

— How much money should be allocated to implement this project and how much is currently allocated?

— What possible preventative measures and rules relating to safety and security have been set?

— Has a technical feasibility study on a Baltic Sea Coastguard Network been conducted? What were the results of this study?

— What progress has been made in creating a network of centres of excellence for maritime training?

— What has been done to become a pilot region for e-navigation?

— What has been done to speed up the re-surveying of major shipping routes and ports?

— Is a plan to reduce the number of accidents in fisheries being developed? What will be determined by this plan?

— What has been achieved in terms of becoming a pilot region for the integration of maritime surveillance systems?

Answer given by Mr Hahn on behalf of the Commission
(11 May 2012)

1. The objective of Flagship Project 13.7 is a risk assessment for LNG carriers in the Baltic Sea Area. Led by Poland, this project still needs funding and has not yet started.

2. Depending on the scope of the work, and to which extent external consultants will be engaged, the budget ranges between EUR 45 000 and EUR 450 000.

3. A formal risk assessment will primarily assess navigational matters outside territorial waters and should result in a series of recommendations.

4. Flagship Project 13.1, 'Baltic Sea Maritime Functionalities', completed its work in 2011. The project identified a need to increase maritime awareness and cooperation.

5. Flagship Project 13.5 is led by the Maritime University of Szczecin, Poland and they will help with the establishment of the Network's Secretariat and the development of the project.

6. Flagship Project 13.4 resulted in the design, development and testing of a prototype of the e-Navigation infrastructure.

7. Flagship Project 13.3 aims to resurvey shipping routes and ports. A policy plan for the resurveying was agreed by Helcom, and is carried out in the Baltic Sea Hydrographic Commission.

8. In January 2012, the Baltic Sea Regional Advisory Council took the lead in this Flagship Project which is expected to start in 2012.

9. Flagship Project 13.2 addressed the integration of maritime surveillance. This project was completed in spring 2012 and resulted in recommendations for the continued sector development. In terms of maritime safety a number of recommendations relate to the EU Vessel Traffic Management Information System established by Directive 2002/59 as amended.

(Tekstas lietuvių kalba)

Klausimas, į kurį atsakoma raštu, Nr. E-003029/12
Komisijai
Zigmantas Balčytis (S&D)
(2012 m. kovo 20 d.)

Tema: Reagavimas į nelaimingus atsitikimus Baltijos jūroje

Dėl savo strateginės padėties Baltijos jūros regionu eina natūralūs naftos gabenimo, ypač iš Rusijos, keliai. Suaktyvėjęs jūrų transportas, naftos ir kitų pavojingų krovinių vežimo masto augimas padidino nelaimingų atsitikimų tikimybę ir užterštumo pavojų. Siekiant sumažinti ekstremalių situacijų riziką ir galimą jų poveikį jūros ekosistemai, būtina sukurti prevencines priemones, kurios pagerintų reagavimo išsiliejus naftai galimybes, siekiant išsaugoti Baltijos jūros aplinką ir sustiprinti bendradarbiavimą tarp šalių. Galiausiai regionas turi būti pasirengęs dažnesnėms ekstremalioms oro sąlygoms, kurios susidaro dėl klimato kaitos.

Remiantis Baltijos jūros regiono strategijos ketvirtojo ramsčio antrąja prioritetine sritimi, pagrindinis siekis yra stiprinti reagavimą į nelaimingus atsitikimus jūroje, siekti apsaugoti nepaprastosios padėties atvejais.

— Ar galėtų Komisija informuoti, ar nustatyti turimi reagavimo į jūros taršą gebėjimai ir parengti subregioniniai bendro tarpvalstybinio reagavimo planai?

— Kokia pažanga padaryta rengiant Baltijos jūroje gresiančių pavojų, įskaitant pūgas ir potvynius, scenarijus?

— Kokių rezultatų pasiekta vertinant savanorių būrių gebėjimus reaguoti į jūros taršą, dalyvauti paieškos ir gelbėjimo operacijose jūroje?

J. Hahno atsakymas Komisijos vardu
(2012 m. gegužės 14 d.)

1. ES lygmeniu Sprendimu 2007/779/EB padedama stiprinti Europos Sąjungos ir valstybių narių bendradarbiavimą civilinės saugos pagalbos teikimo srityje. Europos jūrų saugumo agentūra (EMSA) suteikia valstybėms narėms papildomų taršos prevencijos priemonių (trys EMSA laivai Baltijos jūroje). Be to, įgyvendinant ES Baltijos jūros regiono strategiją (ESBJRS), šiuo metu jau baigti įgyvendinti ES ir Šiaurės ministrų tarybos bendrai finansuoti projektai BRISK ir BRISK-RU, kuriuos vykdant atliktas laivybos avarijų rizikos vertinimas, nustatytas poreikis stiprinti reagavimo gebėjimus ir įvertintos būsimos su Baltijos jūra susijusios investicijos. Be kita ko, rekomenduota imtis specifinės rizikos mažinimo ir skubaus reagavimo iniciatyvų.

2. Pradėtas įgyvendinti kitas ESBJRS projektas, kuriuo siekiama „parengti scenarijus ir nustatyti trūkumus“ ir kurį vykdant bus rengiami tarpvalstybinio ir makroregioninio lygmens rizikos ir pavojaus scenarijai ir trūkumų analizė, išsamiai išnagrinėjant tris veiksnius: potvynius, miškų gaisrus ir branduolinę saugą. Bendrai Komisijos finansuojamame projekte, kuriam vadovauja Baltijos jūros valstybių tarybos (BJVT) sekretoriatas, dalyvauja 11 regiono partnerių. Projektas buvo pradėtas įgyvendinti 2012 m. sausio 1 d. ir bus baigtas 2013 m. birželio 30 d. Tolesnė veikla yra grindžiama esamu projektu.

3. Įgyvendinant ESBJRS pradėta partnerių paieška ir savanorių gebėjimų vertinimas ir nustatytos kelios partnerių organizacijos. Ateinančiais mėnesiais bus parengta išsamesnė informacija apie šį projektą. Projektą koordinuoja Danijos gynybos vadovybė, kuriai padeda BJVT sekretoriatas.

(English version)

Question for written answer E-003029/12
to the Commission
Zigmantas Balčytis (S&D)
(20 March 2012)

Subject: Emergency response in the Baltic Sea

Due to its strategic location, the Baltic Sea Region is crossed by natural routes for transporting oil, particularly from Russia. With the intensification of maritime transport and growth in the scale of the transportation of oil and other dangerous cargoes, there has been an increase in the chance of accidents and the danger of pollution. In order to reduce the risk of extreme situations and their potential impact on the ecosystem of the sea, preventative measures need to be established that would improve the capacities for response to oil spills in order to protect the environment of the Baltic Sea and strengthen cooperation between countries. Ultimately, the region must be prepared for more frequent extreme weather conditions caused by climate change.

According to the second priority area of the fourth pillar of the strategy for the Baltic Sea Region, the main objective is to reinforce protection from major emergencies at sea and on land.

— Can the Commission state whether the available capacities for response to marine pollution have been established and whether sub-regional plans for a single cross-border response have been drawn up?

— What progress has been made in preparing scenarios for threats in the Baltic Sea, including blizzards and floods?

— What results have been achieved in assessing the capacities of volunteer teams to respond to marine pollution and take part in search and rescue operations at sea?

Answer given by Mr Hahn on behalf of the Commission
(14 May 2012)

1. At EU level, Decision 2007/779/EC facilitates the reinforced cooperation between the Union and the Member States in civil protection assistance intervention. In addition, the European Maritime Safety Agency (EMSA) provides Member States with additional anti-pollution means (three EMSA vessels in the Baltic Sea). Moreover, as part of the EU Strategy for the Baltic Sea Region (EUSBSR), the work on risk assessment of shipping accidents and the need for improved response capacities and future investments in the Baltic Sea has now just been completed within the BRISK and BRISK-RU projects co-financed by the EU and the Nordic Council of Ministers. Among the recommendations are specific risk reducing initiatives as well as initiatives in the field of emergency response.

2. Another EUSBSR project called 'Develop scenarios and identify gaps' was launched which will develop risk and hazard scenarios and a gap analysis at the cross-border and macro-regional levels including three detailed case areas: floods, forest fires, and nuclear safety. Led by the Council of the Baltic Sea States Secretariat (CBSS) and co-financed by the Commission it brings together 11 partners from the area. The project started on 1 January 2012 and will finish by 30 June 2013. A follow-up process is built within the current project.

3. Thanks to the EUSBSR, a partner search and capacity assessment of volunteer teams started and a few partner organisations have already been identified. In the coming months, the details of this project will be finalised. The project will be coordinated by the Danish Defence Command, with assistance from the CBSS Secretariat.

(Tekstas lietuvių kalba)

Klausimas, į kurį atsakoma raštu, Nr. E-003030/12
Komisijai
Zigmantas Balčytis (S&D)
(2012 m. kovo 20 d.)

Tema: Tarpvalstybinio nusikalstamumo mažinimas Baltijos jūros regione

Valstybės narės turi imtis bendrų veiksmų vidaus saugumui užtikrinti, ypač dabar, kai panaikinta vidaus sienų kontrolė. Regiono nusikalstamumo situacijai daro įtaką jo geografinė padėtis, apmuitinamų prekių kainų skirtumai, nevienodos ekonominės ir socialinės sąlygos bei Baltijos jūros regiono vidinis atvirumas ir prieinamumas. Glaudesnis šalių bendradarbiavimas padės kovoti su tarptautiniu nusikalstamumu, valdyti migracijos srautus ir išlaikyti pusiausvyrą tarp saugumo užtikrinimo ir pagrindinių teisių apsaugos.

Viena iš Baltijos jūros regiono strategijos prioritetinių sričių – mažinti tarpvalstybinio nusikalstamumo mastą ir jo daromą žalą.

— Noriu paklausti Komisijos, kokių priemonių imtasi prekybos žmonėmis prevencijos srityje?

— Ar atliktas Baltijos jūros regiono grėsmių dėl organizuoto nusikalstamumo ir sienų saugumo vertinimas? Kokie rezultatai pasiekti?

— Kokia pažanga padaryta steigiant bendrą nacionalinį koordinavimo centrą, kuris nepertraukiamai koordinuotų visų išorės sienų kontrolės užduotis atliekančių nacionalinių institucijų darbą ir galėtų dalytis informacija su kitų valstybių narių centrais ir FRONTEX? Ar kuriama bendra nacionalinė sienų stebėjimo sistema?

— Kokia pažanga pasiekta sudarant Baltijos jūros darbo grupę 2010-2014 m. regioninei kovos su organizuotu nusikalstamumu strategijai rengti?

— Kokiomis priemonėmis numatoma telkti išteklius, reikalingus ryšių palaikymo pareigūnams komandiruoti į trečiąsias šalis ir tarptautines organizacijas?

C. Malmström atsakymas Komisijos vardu
(2012 m. gegužės 7 d.)

Prevencijos svarba pabrėžiama Direktyvoje 2011/36/ES dėl prekybos žmonėmis prevencijos, kovos su ja ir aukų apsaugos ([1]), ypač jos 18 straipsnyje. Be to, 2011 m. minint Europos Sąjungos kovos su prekyba žmonėmis dieną, septynios TVR agentūros pasirašė bendrą pareiškimą dėl būsimo bendradarbiavimo kovos su prekyba žmonėmis srityje ir tokios prekybos prevencijos. Daugiau informacijos pateikiama ES kovos su prekyba žmonėmis interneto svetainėje ([2]).

2011 m. gruodžio mėn. Komisija pateikė pasiūlymą dėl teisėkūros procedūra priimamo akto, kuriuo sukuriama Europos sienų stebėjimo sistema ([3]), pradėsianti veikti 2013 m. pabaigoje. Šiuo metu valstybės narės steigia reikiamus nacionalinius koordinavimo centrus. Bandomuoju etapu FRONTEX iki 2011 m. pabaigos prie EUROSUR ryšių tinklo prijungė pirmus šešis nacionalinius koordinavimo centrus, dar 12 nacionalinių koordinavimo centrų prie šio tinklo bus prijungti 2012 m.

Kalbant apie ryšių palaikymo pareigūnus, turėtų būti remiamasi 2003 m. vasario 27 d. Tarybos sprendimu 2003/170/TVR dėl ryšių palaikymo pareigūnų, valstybių narių teisėsaugos institucijų pasiųstų dirbti užsienyje, bendro naudojimo. Komisija prisideda rengiant atitinkamus susitikimus ir juose dalyvauja. Komisija remia bendrų ryšių palaikymo pareigūnų misijas į trečiąsias šalis pagal Nusikalstamumo prevencijos ir kovos su nusikalstamumu (ISEC) programą.

Komisija neturi išsamios informacijos apie Baltijos jūros darbo grupės (dvišalio ir daugiašalio bendradarbiavimo regione sprendžiant kovos su organizuotu nusikalstamumu klausimus struktūros) darbą.

([1]) 2011 m. balandžio 5 d. Europos Parlamento ir Tarybos direktyva 2011/36/ES dėl prekybos žmonėmis prevencijos, kovos su ja ir aukų apsaugos, pakeičianti Tarybos pamatinį sprendimą 2002/629/TVR (OL L 101, 2011 4 15, p. 1-11).
([2]) http://ec.europa.eu/anti-trafficking/.
([3]) EUROSUR; COM(2011) 873 final.

(English version)

Question for written answer E-003030/12
to the Commission
Zigmantas Balčytis (S&D)
(20 March 2012)

Subject: Reducing cross-border crime in the Baltic Sea Region

The Member States must take joint action to ensure internal security, particularly now that internal border controls have been abolished. The region's crime patterns are influenced by its geographical location, differences in prices of excisable products, differing economic and social conditions, and openness and ease of access within the Baltic Sea Region. Closer cooperation between countries will help to combat cross-border crime, manage migration flows and strike a balance between ensuring security and protecting fundamental rights.

Decreasing the volume of and harm done by cross-border crime is one of the priority areas of the strategy for the Baltic Sea Region.

— Can the Commission state what measures are being taken to prevent trafficking in human beings?

— Has an organised crime threat and border protection assessment for the Baltic Sea Region been carried out? What results have been achieved?

— What progress has been made in establishing one national coordination centre which would continuously coordinate the work of all national institutions carrying out external border control tasks and would be able to share information with the centres in other Member States and Frontex? Is one single national border surveillance system being established?

— What progress has been made in setting up the *Baltic Sea Task Force on Organised Crime Regional Strategy 2010-2014***?**

— By what means will the resources required to post liaison officers to third countries and international organisations be mobilised?

Answer given by Ms Malmström on behalf of the Commission
(7 May 2012)

The importance of prevention is reflected in the directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims ([1]) and more specifically in its Article 18. Additionally, during the 2011 European Union (EU) Anti-Trafficking Day, seven JHA agencies signed a joint statement on future cooperation on trafficking, including prevention. More information can be found on the EU Anti-trafficking website ([2]).

In December 2011, the Commission presented a legislative proposal for establishing a European Border Surveillance System ([3]), which shall become operational as of the end of 2013. Member States are currently setting up the required national coordination centres. Frontex has connected the first six national coordination centres to the Eurosur communication network on a pilot basis by the end of 2011 and will connect another 12 national coordination centres in the course of 2012.

In terms of liaison officers, the Council Decision 2003/170/JHA of 27 February 2003 on the common use of liaison officers posted abroad by the law enforcement agencies of the Member States, should be used as reference. The Commission contributes and participates at those meetings. The Commission has supported the deployment of common liaison officers to third countries via the Prevention of and Fight against Crime (ISEC) Programme.

The Commission is not in detail aware of the work of the Baltic Sea Taskforce (a framework for bilateral and multilateral cooperation in the region in the field of organised crime).

([1]) 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. 1-11.
([2]) http://ec.europa.eu/anti-trafficking/.
([3]) Eurosur; COM(2011) 873 final.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003031/12
an die Kommission
Franz Obermayr (NI)
(20. März 2012)

Betrifft: Europas Gourmets gefährden Asiens Frösche

Einer Studie zufolge gefährdet die Vorliebe der Europäer für Froschschenkel die Froschbestände in Asien. Jährlich importiert die EU ca. 4,5 Millionen kg Froschschenkel aus Asien — das sind in etwa 200 Millionen Frösche; laut Artenschutzorganisation Pro Wildlife sind die Folgen für das Ökosystem verheerend. So werden ganze Froschbestände ausgerottet, Insekten nehmen überhand und die Bauern sehen sich gezwungen, mehr Pestizide einzusetzen. Am beliebtesten ist die Froschschenkel-Delikatesse in Belgien, hier wurden nach der Studie von Pro Wildlife und zwei US-Organisationen im Jahr 2009 rund 3,6 Millionen kg Froschschenkel importiert. Es folgen Frankreich mit ca. 540 000 kg und Italien mit rund 300 000 kg. In Deutschland sind Frösche streng geschützt. Fast alle Froschschenkel, die in Europa auf den Tisch kommen, stammen aus Indonesien.

Das Land hat 2009 mit rund 3,8 Millionen kg die meisten Froschschenkel exportiert. Es folgen Vietnam mit rund 570 000 kg und die Türkei mit etwa 150 000 kg. Für ein Kilo Froschschenkel sterben etwa 20 bis 50 Frösche. Das Fleisch wird für etwa sechs Euro pro Kilo verkauft. Die Tiere werden nach Angaben von Pro-Wildlife-Unterstützer Stefan Marquard grausam getötet, denn den Tieren werden bei lebendigem Leib die Gliedmaßen abgetrennt. Berichten zufolge stammen nur etwa 15 Prozent der Froschlieferungen an die EU aus Zuchten, der Rest wird in der freien Wildnis eingesammelt. Daraus ergeben sich folgende Fragen:

1. Nachdem nur wenige der gehandelten Amphibienarten durch internationale Vereinbarungen wie das Washingtoner Artenschutzabkommen CITES geschützt werden, da schlichtweg noch zu wenig handelsspezifische Bedrohungsanalysen vorliegen, erhebt sich die Frage, ob die Kommission erwägt, dementsprechende handelsspezifische Bedrohungsanalysen in Auftrag zu geben?

2. Besteht neben der Gefahr der Übernutzung von Arten nicht auch die Gefahr Amphibienkrankheiten weltweit auf andere Populationen zu übertragen, wie steht die Kommission zu diesem Problem?

3. Welche Schritte plant die Kommission in diesem Zusammenhang, um nicht nur diese Tierquälerei, sondern auch eine gleichzeitige Ausbeutung der Dritten Welt zu verhindern?

4. Ist vielleicht ein Zertifikat angedacht — vergleichbar jenen für „sauber gewonnenes" Holz — um sicherzustellen, dass die nach Europa importierten „Delikatessen" nicht durch Quälerei zu Tode gekommen sind? Wären die Exporteure damit nicht gezwungen, Mindeststandards der Tierrechtsbestimmungen einzuhalten?

Antwort von Herrn Potočnik im Namen der Kommission
(3. Mai 2012)

Bestimmte Amphibienarten, deren Erhaltung durch den internationalen Handel gefährdet ist, sind in den Anhängen des Washingtoner Artenschutzabkommens (CITES) aufgeführt.

Die Kommission kennt den vom Herrn Abgeordneten angeführten Bericht, der Anfang 2012 mit den Mitgliedstaaten debattiert wurde. Die allgemeine Auffassung war, dass sich der internationale Handel zwar nachteilig auf die Lokalpopulationen von Amphibien, die zum Verzehr in die EU eingeführt werden, auswirken kann, dass es derzeit jedoch keine Daten über den Erhaltungsstatus dieser Arten gibt und Initiativen zur Aufnahme neuer Arten in die CITES-Anhänge von dem (den) betreffenden Staat(en) ausgehen sollten. Die Debatten führten zu dem Ergebnis, dass die französischen Behörden in Zusammenarbeit mit der Kommission die Lage weiter verfolgen werden, um zu ermitteln, ob auf künftigen CITES-Tagungen Initiativen eingeleitet werden sollten.

Nach den EU-Vorschriften für die Einfuhr von zum Verzehr bestimmten tierischen Erzeugnissen muss jede Sendung Froschschenkel zur Veterinärkontrolle einer zugelassenen EU-Grenzkontrollstelle gestellt werden, damit überprüft werden kann, ob die Einfuhrbedingungen der EU und der Mitgliedstaaten erfüllt sind.

Was den Tierschutzaspekt anbelangt, so gibt es auf EU-Ebene keine spezielle Regelung für Frösche; die Regelung dieser Frage fällt somit nach wie vor in die Zuständigkeit der Mitgliedstaaten. Im Januar 2012 hat die Kommission eine EU-Strategie für den Schutz und das Wohlergehen von Tieren 2012-2015 ([1]) angenommen. Eines der Hauptziele dieser Strategie besteht darin, die Tierschutzstandpunkte und -werte der EU im Rahmen bilateraler Handelsverhandlungen oder über internationale Organisationen auf der internationalen Bühne auch weiterhin zu verteidigen.

([1]) KOM(2012)6 endgültig.

(English version)

Question for written answer E-003031/12
to the Commission
Franz Obermayr (NI)
(20 March 2012)

Subject: Europe's gourmets are endangering Asia's frogs

According to a recent study, Europeans' fondness of frogs' legs is endangering frog stocks in Asia. The EU imports around 4.5 million kg of frogs' legs from Asia per year, representing approximately 200 million frogs. According to the species-protection organisation Pro Wildlife, the consequences for the ecosystem are disastrous. Entire frog populations are being wiped out, insects are becoming rampant and farmers feel obliged to use more pesticides. The delicacy of frogs' legs is most popular in Belgium, which imported around 3.6 million kg in 2009 according to the study by Pro Wildlife and two US organisations. France and Italy come next, with imports of some 540 000 kg and 300 000 kg respectively. In Germany, frogs are strictly protected. Almost all frogs' legs served in Europe come from Indonesia.

Indonesia was also the country that exported the most frogs' legs in 2009: some 3.8 million kg. Vietnam came next (about 570 000 kg), followed by Turkey (about 150 000 kg). Between 20 and 50 frogs are killed to produce one kilo of frogs' legs. The meat is sold for approximately EUR 6 per kg. According to information from Pro Wildlife supporter Stefan Marquard, the creatures are killed brutally, since the limbs are removed whilst the frog is still alive. According to reports, only about 15 % of frogs delivered to the EU come from bred stock, with the remainder being collected in the wild.

1. Since few traded amphibian species are protected by international agreements, such as CITES (the Washington Convention), because there are simply too few trade-specific threat analyses, is the Commission considering having such analyses carried out?

2. In addition to the danger of species overexploitation, is there not also the risk of transmitting amphibian diseases to other populations worldwide? What is the Commission's position on this problem?

3. What steps is the Commission planning to take in order to prevent both the torture of animals and simultaneous exploitation of the developing world?

4. Is thought possibly being given to a certificate (comparable to that for ethically sourced timber) to ensure that the 'delicacies' imported into Europe have not been tortured to death? Would this not force exporters to comply with minimum animal rights standards?

Answer given by Mr Potočnik on behalf of the Commission
(3 May 2012)

A number of amphibian species are included in the Appendices to the Convention on International Trade in Endangered Species (CITES), due to the threats posed by international trade to their conservation.

The Commission is aware of the report mentioned by the Honourable Member, which was discussed earlier in 2012 with the Member States. The general assessment was that, while the impact of international trade on the local populations of amphibians exported into the EU for consumption might be detrimental, there is currently a lack of data on their conservation status and any initiative to include new species into the CITES Appendices should be coming from the range of State(s) concerned. The result of those discussions was that the French authorities would follow-up the matter, together with the Commission, to see if any initiative should be taken in view of future CITES meetings.

The EU legislation on animal products imported into the EU for human consumption requires that each consignment of frogs' legs has to be presented to an EU approved border inspection post for veterinary checks to verify their compliance with the EU and Member State import conditions.

As regards the welfare of frogs, there is no EU provision on this issue and, therefore, the matter remains under Member States competences. The Commission has adopted in January 2012 a European Union Strategy for the Protection and Welfare of Animals 2012-2015 ([1]). One of the key elements of this strategy is to continue promoting EU views and values on animal welfare in different international arenas, either through bilateral trade negotiations, or via international organisations.

([1]) COM(2012) 6 final.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003032/12
an die Kommission
Franz Obermayr (NI)
(20. März 2012)

Betrifft: Unwiederbringliche Vernichtung des „europäischen Amazonas“ in Kroatien

Presseberichten zufolge soll der im Osten Kroatiens, im Naturpark Kopaki Rit gelegene Donauabschnitt in einen Schifffahrtskanal verwandelt werden. Mit der Umwandlung zu einem Schifffahrtskanal ist das gesamte Gebiet, das eines der wichtigsten Sumpf- und Altarmgebiete Europas ist, vom Austrocknen gefährdet. Damit wird der Lebensraum von rund 300 verschiedenen Vogelarten ebenso gefährdet wie der Lebensraum seltener Fische und Säugetiere. Dieser Teil des Unesco-Biosphärenparks, der unter Umweltschützern auch „europäischer Amazonas“ genannt wird, wäre damit unwiederbringlich zerstört. Daraus ergeben sich folgende Fragen:

1. Inwieweit verstoßen die Baumaßnahmen gegen geltende Wasser- und Naturschutzgesetze und einschlägige Richtlinien der EU?

2. Kann die Kommission mit einem Hinweis auf etwaige Verstöße gegen EU-Naturschutzbestimmungen den Erhalt des Gebietes erzwingen?

3. Welche anderen Möglichkeiten sieht die Kommission, um hier einzugreifen?

4. Waren Umweltschutzfragen Verhandlungsgegenstand der Beitrittsverhandlungen Kroatiens zur EU?

5. Hat die Kommission Möglichkeiten, die Zerstörung des einmaligen Gebietes aufzuhalten?

6. Was kann und will die Kommission in diesem Fall unternehmen?

7. Ist die Errichtung eines Schifffahrtskanals in diesem Donauabschnitt Teil der „Donauraumstrategie“?

Antwort von Herrn Füle im Namen der Kommission
(21. Mai 2012)

Der Kommission sind die Probleme im Zusammenhang mit dem Bau des Schifffahrtskanals im Naturpark Kopački Rit in Ostkroatien und die möglicherweise negativen Auswirkungen von Flussregulierungsprojekten auf die Ökosysteme in der Donau und anderen Flüssen in Kroatien bekannt.

Die Kommission hat das Problem gegenüber den kroatischen Umwelt- und Wasserbehörden und kürzlich auch gegenüber dem neuen Umweltminister angesprochen. Die Kommission hat betont, dass alle Projekte in Kroatien im Einklang mit den EU-Umweltvorschriften, insbesondere der Richtlinie über die Umweltverträglichkeitsprüfung und der Habitat-Richtlinie durchgeführt werden müssen. Die Kommission hat in diesem Zusammenhang auch NRO konsultiert.

Die kroatischen Behörden habe ihre Verpflichtung zur Umsetzung der EU-Umweltvorschriften bekräftigt und eine Überprüfung der Umweltstudien für diese Projekte angekündigt.

Die Kommission wird die Angleichung und Umsetzung des EU-Besitzstands und aller von Kroatien eingegangenen Verpflichtungen im Zusammenhang mit den Beitrittsverhandlungen in diesem Bereich durch regelmäßiges Monitoring einschließlich Bewertungsmissionen im Land weiterhin aufmerksam verfolgen.

(English version)

Question for written answer E-003032/12
to the Commission
Franz Obermayr (NI)
(20 March 2012)

Subject: Irrevocable destruction of the 'European Amazon' in Croatia

According to press reports, the section of the Danube in the Kopački Rit nature reserve in Eastern Croatia is to be turned into a shipping canal. As a result, the entire area — one of the most important wetland and oxbow areas in Europe — is at risk of drying out. This will endanger the habitats of around 300 bird species, as well as of rare fish and mammals. This part of the Unesco biosphere park, which conservationists also refer to as the 'European Amazon', would be irrevocably destroyed.

1. To what extent do the construction measures breach current water protection and nature conservation laws and the relevant directives of the EU?

2. Can the Commission force preservation of the area by citing possible breaches of EU nature conservation provisions?

3. What other options are available to the Commission to take action here?

4. Were environmental issues included in the negotiations on Croatia's accession to the EU?

5. What scope does the Commission have to stop this unique area from being destroyed?

6. What can the Commission do, and what does it intend to do, in this instance?

7. Is the construction of a shipping canal in this section of the Danube part of the 'strategy for the Danube region'?

Answer given by Mr Füle on behalf of the Commission
(21 May 2012)

The Commission is aware of the problems related to the building of the shipping canal in the Kopački Rit nature reserve in Eastern Croatia, and the potential negative impact this could have on the ecosystems of water regulation projects in the Danube river and other Croatian rivers.

The Commission has raised the issue with the Croatian environmental and water authorities and recently also with the newly appointed Croatian Minister for Environment. The Commission has underlined that all projects in Croatia need to be implemented in line with the EU environmental acquis, in particular the Environmental Impact Assessment Directive and the Habitats Directive. The Commission has also consulted NGOs on this matter.

The Croatian authorities have confirmed their commitment to implement the EU environmental *acquis* and announced a review of the environmental studies for these projects.

The Commission will continue monitoring closely Croatia's alignment with and implementation of the *acquis* and of all commitments undertaken by Croatia in the context of the accession negotiations in this field through its regular monitoring instruments, including peer assessment missions in the country.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-003034/12
aan de Commissie
Kartika Tamara Liotard (GUE/NGL)
(20 maart 2012)

Betreft: Gebruik van lichaamsscanners op EU-luchthavens

Overweging 7 van Verordening (EU) nr. 1141/2011 van de Commissie van 10 november 2011 tot wijziging van Verordening (EG) nr. 272/2009 ([1]) ter aanvulling van de gemeenschappelijke basisnormen op het gebied van de beveiliging van de burgerluchtvaart met betrekking tot het gebruik van beveiligingsscanners op EU-luchthavens bepaalt het volgende: „Door specifieke operationele voorwaarden vast te stellen voor het gebruik van beveiligingsscanners en door passagiers de mogelijkheid te bieden voor een alternatieve methode van beveiligingsonderzoek te kiezen, eerbiedigt deze verordening, samen met de overeenkomstig artikel 4, lid 3, van Verordening (EG) nr. 300/2008 vastgestelde specifieke toepassingsregels, de grondrechten en is zij in overeenstemming met de beginselen van het Handvest van de grondrechten van de Europese Unie, met inbegrip van de eerbiediging van de menselijke waardigheid, het privéleven en het familie- en gezinsleven, het recht op de bescherming van persoonsgegevens, de rechten van het kind, het recht op godsdienstvrijheid en het verbod op discriminatie. Deze verordening moet worden toegepast met inachtneming van deze rechten en beginselen".

Wat is volgens de Commissie het verband tussen bovengenoemde overweging en artikel 6 van Verordening (EG) nr. 300/2008 ([2]), die als volgt luidt: „De lidstaten mogen maatregelen toepassen die strenger zijn dan de in artikel 4 bedoelde gemeenschappelijke basisnormen. Zij gaan daarbij te werk op basis van een risicobeoordeling en handelen in overeenstemming met de communautaire regelgeving. Dergelijke maatregelen zijn relevant, objectief en niet-discriminerend en staan in verhouding tot het desbetreffende risico"?

— Kan de Commissie uitleggen onder welke omstandigheden dergelijke strenge maatregelen mogen worden genomen en kan zij verklaren hoe strengere maatregelen, die uitsluitend op niet-binnenlandse vluchten worden toegepast, het non-discriminatiebeginsel in acht nemen?

— Kan de Commissie richtlijnen verstrekken met betrekking tot de wijze waarop deze verordeningen worden toegepast op luchthavens waar beveiligingsscanners worden gebruikt in door de Commissie goedgekeurde tests?

— Worden de in bovenstaande verordeningen genoemde richtlijnen in acht genomen in goedgekeurde tests van deze lichaamsscanners?

Antwoord van de heer Kallas namens de Commissie
(4 mei 2012)

Beveiligingsscanners dienen te worden toegepast en gebruikt in overeenstemming met de voorwaarden die zijn aangegeven in Verordeningen 300/2008 ([3]), 1141/2011 ([4]) en 1147/2011 ([5]) en met inachtneming van de rechten en beginselen die zijn vastgelegd in het Handvest van de grondrechten van de Europese Unie.

Verordening 300/2008 bevat geen definitie van een „strengere maatregel", maar geeft bij artikel 6, lid 1, de voorwaarden waaronder een strengere maatregel door de lidstaten mag worden toegepast. Strengere maatregelen dienen te worden gebaseerd op een risicobeoordeling en in overeenstemming te zijn met de communautaire regelgeving. Deze maatregelen dienen relevant, objectief en niet-discriminerend te zijn en in verhouding tot het desbetreffende risico te staan. Over het algemeen worden maatregelen op nationaal niveau die veiligheidsmaatregelen vereisen als aanvulling op of uitbreiding van de minimumnormen in Verordening 300/2008 etc. beschouwd als „strengere maatregelen". Of de maatregelen in overeenstemming zijn met artikel 6, wordt van geval tot geval bekeken.

Een op risico gebaseerde aanpak kan een gerechtvaardigde differentiatie tussen maatregelen tot gevolg hebben.

Beveiligingsapparatuur is een vernieuwende technologie die onderworpen is aan goedgekeurde tests voorafgaand aan het aannemen en in werking treden van Verordening 1141/2011 en 1147/2011.

([1]) PB L 293 van 11.11.2011, blz. 22.
([2]) PB L 97 van 9.4.2008, blz. 72.
([3]) PB L 97 van 9.4.2008, blz. 72.
([4]) PB L 293 van 11.11.2011, blz. 22.
([5]) PB L 294 van 12.11.2011, blz. 7-11.

(English version)

Question for written answer E-003034/12
to the Commission
Kartika Tamara Liotard (GUE/NGL)
(20 March 2012)

Subject: Use of body scanners at EU airports

Recital 7 of Commission Regulation (EU) No 1141/2011 of 10 November 2011 amending Regulation (EC) No 272/2009 ([1]) supplementing the common basic standards on civil aviation security as regards the use of security scanners at EU airports states that 'By laying down specific operational conditions on the use of security scanners and by providing passengers with the possibility to undergo alternative screening methods, this regulation, together with the specific implementing rules adopted pursuant to Article 4(3) of Regulation (EC) No 300/2008, respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, including respect for human dignity and for private and family life, the right to the protection of personal data, the rights of the child, the right to freedom of religion and the prohibition of discrimination. This regulation must be applied according to these rights and principles'.

According to the Commission, what is the relation between the abovementioned recital and Article 6 of Regulation (EC) No 300/2008 ([2]), which states that 'Member States may apply more stringent measures than the common basic standards referred to in Article 4. In doing so, they shall act on the basis of a risk assessment and in compliance with Community law. Those measures shall be relevant, objective, non-discriminatory and proportional to the risk that is being addressed'?

— Can the Commission clarify under which circumstances such stringent measures may be taken and can it explain how more stringent measures, which are only applied to non-domestic flights, respect the non-discriminatory principle?

— Can the Commission provide guidelines on how these Regulations apply to airports where security scanners are being used in trials authorised by the Commission?

— Are the guidelines in the above regulations adhered to in authorised trials of these body scanners?

Answer given by Mr Kallas on behalf of the Commission
(4 May 2012)

Security scanners shall be deployed and used in accordance with the conditions indicated in Regulations 300/2008 ([3]), 1141/2001 ([4]) and 1147/2011 ([5]) as well as in compliance with the rights and principles recognised by the Charter of Fundamental Rights of the European Union.

Regulation 300/2008 does not provide a definition of 'a more stringent measure' but indicates, under Article 6(1), the conditions under which a more stringent measure can be applied by Member States. More stringent measures shall be based on a risk assessment and in compliance with Community law. They shall be relevant, objective, non-discriminatory and proportional to the risk that is being addressed. Generally, a national measure which requires security measures which are in supplement to or wider than the minimum standards laid down in Regulation 300/2008, etc. are considered 'more stringent measures'. The analysis of the compliance with Article 6 is done on a case by case basis.

A risk based approach may lead to a justified differentiation of measures.

Security equipment has been an innovative technology that has been subject to authorised trials before the adoption and the entry into force of Regulations 1141/2001 and 1147/2011.

([1]) OJ L 293, 11.11.2011, p. 22.
([2]) OJ L 97, 9.4.2008, p. 72.
([3]) OJ L 97, 9.4.2008, p. 72.
([4]) OJ L 293, 11.11.2011, p. 22.
([5]) OJ L 294, 12.11.2011, p. 7-11.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003035/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(20 marzo 2012)

Oggetto: VP/HR — Preoccupazioni in merito alla situazione in Papua occidentale

Verso la metà di febbraio 2010 il Consiglio mondiale delle Chiese (*World Council of Churches* — WCC) ha emanato una dichiarazione sull'escalation della violenza in Papua occidentale, esortando le autorità indonesiane a porre fine alle uccisioni di civili da parte delle forze armate. Il WCC sottolinea che la popolazione papuana ha subito privazioni economiche fin dai tempi del presidente Suharto, e che il governo indonesiano ha avviato anche una politica di «trasmigrazione» trasferendo in Papua occidentale persone non papuane provenienti da altre isole. Ciò significa che la popolazione autoctona è ora una minoranza. Nella sua dichiarazione il WCC osserva che negli ultimi anni il popolo papuano ha chiesto il riconoscimento della libertà di espressione e del diritto all'autodeterminazione, ma tali richieste di diritti legittimi sono costantemente represse dalle autorità indonesiane.

Oltre ai timori sollevati dal WCC, l'organizzazione internazionale di media «Reporter senza frontiere» ha criticato l'arresto l'8 febbraio 2012 del giornalista ceco Petr Zámečník — il quale è stato successivamente espulso — per aver scattato foto di una manifestazione a favore dell'indipendenza a Manokwari, in Papua occidentale. La manifestazione di protesta è stata organizzata in risposta ai processi di importanti personalità papuane per il loro ruolo nella convocazione del III Congresso nazionale papuano. Attualmente l'Indonesia applica agli stranieri che visitano Papua rigorose norme in materia di visti, le quali prevedono severe limitazioni nei confronti dei giornalisti stranieri che desiderano inviare reportage dalla regione. Nel 2010 sono stati espulsi da Papua due giornalisti francesi per aver filmato una manifestazione pacifica svoltasi al di fuori degli spazi autorizzati dal governo.

1. È il Vicepresidente/Alto Rappresentante consapevole delle proteste di numerose organizzazioni internazionali in merito alla situazione in Papua occidentale?

2. Quali iniziative hanno intrapreso i funzionari dell'UE in Indonesia per interagire con la popolazione della Papua occidentale? Quali sono le loro principali preoccupazioni?

3. Ha l'UE stanziato aiuti per la regione della Papua occidentale e, in caso affermativo, come vengono impiegati tali fondi?

4. Quali misure è disposto a prendere il Vicepresidente/Alto Rappresentante al fine di spingere, in collaborazione con altri partner internazionali, verso una soluzione della crisi della Papua occidentale?

Interrogazione con richiesta di risposta scritta E-003036/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(20 marzo 2012)

Oggetto: VP/HR — Ostacoli posti dalle autorità indonesiane all'opera delle ONG in Papua occidentale

L'ONG West Papua Advocacy Team nel marzo 2012 ha pubblicato una relazione che metteva in luce notizie recenti secondo le quali il governo centrale indonesiano avrebbe impedito a diverse ONG internazionali di monitorare gli sviluppi in materia di diritti umani in Papua occidentale. Ciò comprende la protezione degli operatori papuani del settore dei diritti umani e dei fornitori di servizi umanitari. Le autorità indonesiane avrebbero impiegato metodi burocratici come il rifiuto di rilasciare permessi di viaggio e l'alterazione dei requisiti per il visto. Verso la fine del 2010 l'organizzazione Peace Brigades, che si occupa della protezione dei sostenitori dei diritti umani nel mondo, ha cessato le sue attività in Papua occidentale dopo aver lottato per anni contro gli ostacoli creati dal governo di Giacarta per non rilasciare visti. L'organizzazione non è nemmeno riuscita a dotare di personale un ufficio in Papua occidentale.

Anche l'organizzazione umanitaria olandese Cordaid è stata costretta a porre fine alle proprie attività in Papua occidentale dopo l'emanazione nel luglio 2010 di una direttiva del governo indonesiano che ha determinato la sospensione della sua opera di sviluppo sociale e di emancipazione economica a favore delle persone povere. Il governo indonesiano ha inoltre sottoposto a vincoli un progetto per l'emancipazione femminile avviato da Oxfam, impedendo tra l'altro a consulenti non indonesiani dell'organizzazione di recarsi in Papua occidentale. Nel 2009 il governo di Giacarta ha costretto il Comitato internazionale della Croce Rossa a chiudere i propri uffici in Papua occidentale.

1. È il Vicepresidente/Alto Rappresentante consapevole delle notizie secondo le quali le autorità indonesiane limiterebbero notevolmente l'opera delle ONG in Papua occidentale?

2. Prevede il Vicepresidente/Alto Rappresentante di discutere la questione con il presidente indonesiano Susilo Bambang Yudhoyono e con le altre autorità indonesiane competenti?

3. Quali misure è disposto a prendere il Vicepresidente/Alto Rappresentante per incoraggiare le autorità indonesiane a consentire l'accesso in Papua occidentale ai gruppi umanitari?

4. Può il Vicepresidente/Alto Rappresentante confermare le misure adottate dai funzionari dell'UE in Indonesia per monitorare la situazione in Papua occidentale?

Risposta congiunta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione

(4 giugno 2012)

L'Alta Rappresentante/Vicepresidente segue da vicino gli sviluppi nelle province Papua e Papua occidentale, che rappresentano un importante elemento nelle relazioni globali dell'UE con l'Indonesia.

In diverse occasioni, tra cui il dialogo annuale sui diritti umani e le riunioni degli alti ufficiali, L'UE ha fatto presente al governo indonesiano la necessità di garantire che le organizzazioni credibili e imparziali e i diplomatici abbiano libero accesso alle province papuane.

Attraverso la sua delegazione in Indonesia, l'UE visita regolarmente Papua e Papua occidentale e resta in stretto contatto con le autorità indonesiane, i gruppi religiosi e le ONG in merito alle questioni legate ai diritti umani e allo sviluppo sociale, politico ed economico nelle province.

La delegazione dell'UE dialoga con le Brigate di Pace Internazionali (Peace Brigades International — PBI) in merito alle difficoltà incontrate da quest'ultime nell'ottenere un visto d'ingresso e di operare nella provincia di Papua.

L'UE sostiene i progressi compiuti dal governo indonesiano e dai rappresentanti papuani riguardo al futuro politico ed economico di Papua e Papua occidentale.

Il presidente Yudhoyono ha incontrato due volte gli esponenti ecclesiastici papuani esprimendo il proprio sostegno ad una soluzione pacifica, che preveda un dialogo tra il governo centrale e i leader papuani. Il presidente ha inoltre fondato l'«Unità per l'accelerazione dello sviluppo in Papua e Papua occidentale» (UP4B) che ha il compito di coordinare e valorizzare i programmi di sviluppo nelle due province.

L'Unità UP4B ha invitato i finanziatori a sostenere i programmi di sviluppo nelle province. Attualmente, l'UE fornisce assistenza in entrambe le località, nei campi del cambiamento climatico, dell'istruzione, della sanità e del rafforzamento della partecipazione democratica. In Papua occidentale è inoltre in corso un progetto di preparazione alle calamità che coinvolge le comunità locali.

(English version)

Question for written answer E-003035/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(20 March 2012)

Subject: VP/HR — Concerns about the situation in West Papua

In mid-February 2010, the World Council of Churches (WCC) issued a statement regarding an escalation of violence in West Papua. It urged the Indonesian authorities to ensure that the armed forces stop killing civilians. The WCC pointed out that the Papuan people have suffered from economic deprivation since the time of President Suharto, with the Indonesian Government also having launched a 'transmigration' policy, under which non-Papuans were transferred to West Papua from other islands. This means that the native population is now a minority group. The WCC notes in its statement that 'Over the past several years the Papuan people have been demanding freedom of expression and the right to self-determination, but the demands for their legitimate rights have been continuously suppressed by the Indonesian authorities'.

In addition to the concerns raised by the WCC, the international media group Reporters Without Borders criticised the arrest on 8 February of Czech journalist Petr Zamecnik for taking photos of a pro-independence demonstration in Manokwari, West Papua. He was later deported. The protest was held in response to the trial of prominent Papuans for their role in convening the Third Papuan National Congress. Indonesia currently imposes strict visa regulations on foreign visitors to Papua, and there are tight restrictions on foreign journalists wishing to report from the region. In 2010, two French journalists were deported from Papua for filming a peaceful demonstration outside government-approved areas.

1. Is the Vice-President/High Representative aware of the outcry on the part of many international organisations about the situation in West Papua?

2. What efforts have been made by EU officials in Indonesia to engage with West Papuans? What are their chief concerns?

3. Has the EU earmarked aid for the West Papuan region and, if so, how is it being used?

4. What steps is the Vice-President/High Representative prepared to take to work with other international partners in pushing for a resolution to the West Papuan crisis?

Question for written answer E-003036/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(20 March 2012)

Subject: VP/HR — Indonesian authorities prevent NGO work in West Papua

The NGO West Papua Advocacy Team issued a report in March 2012 which highlighted recent news that the Indonesian central government has prevented a number of international NGOs from monitoring human rights developments in West Papua. This includes protection for Papuan human rights workers and those providing humanitarian services. The Indonesian authorities have allegedly used bureaucratic methods such as refusing to issue travel permits and manipulation of visa requirements. In late 2010, the organisation Peace Brigades, which is an organisation devoted to protecting human rights advocates around the world, ended its activities in West Papua, after years of dealing with visa obstacles from Jakarta. The organisation also failed in its efforts to staff an office in West Papua.

The Dutch humanitarian organisation Cordaid was also forced to end its activities in West Papua after the release of a directive from the Indonesian Government in July 2010. This suspended Cordaid's work of social development and economic empowerment for poor people. In addition, a project intended to empower women launched by Oxfam has had to operate under constraints imposed by the Indonesian Government, including a refusal to allow non-Indonesian consultants of the organisation to travel to West Papua. In 2009, Jakarta forced the International Committee of the Red Cross to close its offices in West Papua.

1. Is the Vice-President/High Representative aware of reports of Indonesian authorities curtailing the work of NGOs in West Papua?

2. Is the Vice-President/High Representative planning to discuss this issue with Indonesian President Susilo Bambang Yudhoyono and other relevant Indonesian authorities?

3. What steps is the Vice-President/High Representative prepared to take to encourage the Indonesian authorities to allow humanitarian groups access to West Papua?

4. Can the Vice-President/High Representative confirm what measures EU officials in Indonesia are taking to monitor events in West Papua?

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

The High Representative/Vice-President follows developments in the provinces of Papua and West Papua closely. These are an important element in the EU's overall relationship with Indonesia.

The EU has raised with the Indonesian Government on several occasions (including at the annual human rights dialogue and senior officials meetings) the need for unobstructed access to the Papuan provinces for credible and impartial organisations as well as for diplomats.

The EU, through its Delegation in Indonesia, visits Papua and West Papua on a regular basis and maintains close contact with the Indonesian authorities, religious groups and NGO's on issues related to human rights and on social, political and economic developments in the provinces.

The EU Delegation has been in touch with Peace Brigades International (PBI) regarding difficulties encountered by PBI in obtaining visas and maintaining its operations in Papua.

The EU supports the steps taken by the Indonesian Government and Papuan representatives on the political and economic future of Papua and West Papua.

President Yudhoyono has met twice with Papuan church leaders expressing his support for a peaceful solution, including a dialogue between the central government and Papuan leaders. The President has also established the Unit for the Acceleration of Development in Papua and West Papua (UP4B) which is tasked with coordinating and enhancing development programmes in the two provinces.

The UP4B has invited donors to support the government's development programmes in Papua and West Papua. The EU currently provides assistance in both provinces in the fields of climate change, education, health, and enhancing democratic participation. A community-based disaster preparedness project in West Papua is currently being planned.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003037/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(20 marzo 2012)

Oggetto: VP/HR — Arresto di membri del gruppo di dissidenti cubane «Donne in bianco»

Il 19 marzo 2012 varie fonti di informazione hanno riferito che di recente 70 membri del gruppo di dissidenti cubane «Donne in bianco» sono stati arrestati e detenuti in seguito al tentativo di organizzare una marcia nel centro della capitale L'Avana, altri invece sono stati arrestati domenica 18 marzo, mentre si accingevano a recarsi alla messa nella chiesa cattolica di Santa Rita, prima di iniziare una marcia silenziosa lungo il viale principale. Un attivista per i diritti umani ha comunicato all'agenzia di stampa Reuters che, oltre alle 70 donne arrestate nella capitale, altri 12 dissidenti sono stati fermati in altre province.

Il gruppo si è costituito nel 2003, in seguito all'arresto di 75 oppositori del governo. Le «Donne in bianco», o «Damas de Blanco» in spagnolo, sono le mogli e le madri di queste persone. Benché i detenuti siano stati rilasciati, grazie all'accordo raggiunto nel 2010 con la mediazione della Chiesa cattolica romana, il gruppo ha continuato le sue marce settimanali per chiedere il rilascio di altri prigionieri politici. Sono autorizzate a marciare solamente lungo uno specifico tratto di strada e vengono subito arrestate non appena si allontanano dal percorso prestabilito. Tuttavia, si è appreso che domenica 18 marzo almeno alcune di queste donne sono state liberate.

Questi ultimi arresti si sono verificati alla vigilia della visita a Cuba di Papa Benedetto XVI, dal 26 al 28 marzo. Il capo del gruppo «Donne in bianco» ha espresso l'auspicio di incontrare brevemente il Papa per discutere la questione dei diritti umani. Nel marzo 2011 il Vicepresidente/Alto Rappresentante ha reso noto in una dichiarazione «l'intento dell'UE di proseguire il dialogo con le autorità cubane e di sostenere gli sforzi volti a migliorare le condizioni di vita della popolazione cubana».

1. Alla luce di quanto detto sopra, può il Vicepresidente/Alto Rappresentante rendere nota la sua posizione attuale in merito ai movimenti di dissidenti cubani come «las Damas de Blanco»?

2. Può il Vicepresidente/Alto Rappresentante fornire informazioni in merito alla natura del dialogo sui diritti umani tra Cuba e l'UE?

3. Ha il Vicepresidente/Alto Rappresentante recentemente avviato contatti con le autorità competenti sulla questione dei diritti umani, e, in caso affermativo, con quale esito?

4. Quali sono i principali motivi di preoccupazione dei funzionari dell'UE a Cuba inrelazione al modo in cui vengono trattati i dissidenti politici?

Risposta dell'Alta Rappresentante/Vicepresidente Ashton a nome della Commissione
(8 giugno 2012)

1. L'Alta Rappresentante e Vicepresidente Ashton è profondamente convinta del fatto che i diritti politici e civili degli oppositori pacifici debbano essere rispettati ovunque nel mondo.

2. Le questioni inerenti ai diritti umani sono discusse nell'ambito del dialogo politico UE-Cuba ripreso nell'ottobre 2008. L'UE ha ribadito in numerose occasioni l'importanza per le autorità cubane di continuare a realizzare progressi per pervenire al pieno rispetto di tutti i diritti politici e civili per il popolo cubano, compreso il diritto alla libertà di espressione e di assemblea dei dissidenti politici dal momento che si tratta di un punto che continua a destare preoccupazioni.

3. L'ultima riunione dell'Alto Rappresentante e Vicepresidente Ashton con il Ministro degli Affari esteri di Cuba si è svolta nel febbraio 2011. Nel corso dell'incontro è stata affrontata la questione dei diritti umani. Inoltre, i servizi dell'EEAS a Bruxelles e all'Avana sono impegnati in un dialogo aperto e franco con le autorità cubane che permette all'UE e a Cuba di scambiarsi pareri su questioni generali e specifiche, comprese quelle in cui i pareri divergono, e quindi anche sui diritti umani.

4. I funzionari dell'UE a Cuba sono incaricati di seguire attentamente e di riferire regolarmente su tutte le questioni inerenti ai diritti umani a Cuba, comprese quelle che concernono il trattamento dei dissidenti politici.

(English version)

Question for written answer E-003037/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(20 March 2012)

Subject: VP/HR — Arrest of members of Cuban dissident group Ladies in White

On 19 March, various media sources reported that 70 members of the Cuban dissident group Ladies in White had recently been detained. The members were arrested and detained after attempting to stage a march in the centre of the capital Havana, while others were detained on Sunday, 18 March, as they prepared to go to mass at Santa Rita Catholic church before staging a silent march along a main boulevard. One human rights activist told the Reuters news agency that in addition to the 70 women detained in the capital, another 12 dissidents had been arrested in other provinces.

The group was formed after the arrest of 75 government opponents in 2003. The Ladies in White, or Damas de Blanco in Spanish, are the wives and mothers of the 75. Although the detainees have been released, which was due to a 2010 agreement brokered by the Roman Catholic Church, the group has continued its weekly marches, in order to call for the release of other political prisoners. They are only allowed to march on a specific stretch of road, and are quickly detained when they stray from this prescribed route. However, it was reported that on Sunday, 18 March, at least some of the women had been freed.

These latest arrests come in advance of Pope Benedict XVI's visit to the island from 26 to 28 March. The leader of Ladies in White has expressed her wish to meet briefly with the Pope to discuss the issue of human rights. In March 2011, the Vice-President/High Representative announced in a statement the EU's 'intent to pursue its dialogue with the Cuban authorities and to support efforts aimed at improving the living conditions of the Cuban people'.

1. In light of the above news, what is the current position of the Vice-President/High Representative on Cuban dissident movements such as Ladies in White?

2. Could the Vice-President/High Representative provide some information on the nature of the human rights dialogue between Cuba and the EU?

3. Has the Vice-President/High Representative recently engaged with relevant Cuban authorities about the issue of human rights, and what were some of the outcomes?

4. What are some of the chief concerns of the EU officials in Cuba regarding the treatment of political dissidents?

Answer given by High Repressentative/Vice-President Ashton on behalf of the Commission
(8 June 2012)

1. The HR/VP's position is that political and civil rights of the peaceful oppositions must be respected anywhere in the world.

2. Human rights questions are discussed within the EU-Cuba political dialogue resumed in October 2008. The EU has reiterated on several occasions the importance for the Cuban authorities to continue to make progress towards full respect of all political and civil rights for the Cuban people, including freedom of expression and assembly of political dissidents as this question continues to be a source of concern.

3. The most recent meeting of the HR/VP with the MFA of Cuba was in February 2011. During that meeting human rights' questions were raised. Furthermore, the EEAS services in Brussels and in Havana maintain an open and frank dialogue on all questions with the Cuban authorities. This dialogue allows the EU and Cuba to exchange views on general or specific questions, including those where there are divergent views, including human rights.

4. EU officials in Cuba are mandated to follow closely and to report regularly all human rights issues in Cuba, including issues pertaining to the treatment of political dissidents.

(Version française)

Question avec demande de réponse écrite E-003038/12
à la Commission
Marc Tarabella (S&D)
(20 mars 2012)

Objet: Influence néfaste des techniques de marketing sur les consommateurs

Des recherches récentes menées par l'UCL (Université catholique de Louvain) sur les pratiques «marketing» et la consommation ont mis en évidence le fait que ces pratiques sont de plus en plus responsables de l'augmentation de l'obésité en Europe; il s'agit, par exemple, de la taille des portions de nourriture vendues, de la taille de la vaisselle, ainsi que des nouveaux emballages. Par ailleurs, certains contenus publicitaires peuvent poser problème vis-à-vis des enfants, ou lorsqu'ils font la promotion de produits à déconseiller sur le plan nutritionnel.

La Commission peut-elle faire savoir si et comment elle envisage de prendre des mesures en vue de clarifier les informations essentielles aux consommateurs, au-delà de la réglementation sur l'étiquetage, afin de limiter les dérives publicitaires dangereuses pour les enfants, ou trop superficielles, trompeuses ou simplistes pour les adultes?

Réponse donnée par M. Dalli au nom de la Commission
(2 mai 2012)

La «Stratégie européenne pour les problèmes de santé liés à la nutrition, la surcharge pondérale et l'obésité», adoptée par la Commission en 2007, a pour objet la publicité et le marketing alimentaires, ainsi que l'influence de ceux-ci sur le régime alimentaire, notamment chez les enfants.

C'est dans ce contexte que la Commission a créé la Plate-forme d'action de l'Union européenne sur l'alimentation, l'activité physique et la santé, dont elle encourage les différents participants à entreprendre des actions concrètes sur ces questions. Au sein de cette plateforme, un groupe de grandes sociétés du secteur de l'alimentation et des boissons se sont engagées à ne pas faire de publicité pour des aliments ou des boissons auprès des enfants âgés de moins de douze ans, que ce soit à la télévision, dans la presse ou sur l'internet, et à ne pas communiquer sur leurs produits dans les écoles primaires. Comme l'a souligné en décembre 2010 le rapport sur l'avancement de la mise en œuvre de la stratégie, cet «engagement de l'UE» («EU Pledge») a conduit chaque participant à réduire de plus d'un tiers sa publicité télévisée pour tous ses produits, sur toutes les chaînes et dans toutes les plages horaires.

La Commission a engagé en 2012 une procédure d'évaluation de cette stratégie en cours. Le rapport d'évaluation devrait être disponible au cours du premier trimestre 2013.

Dans le cadre de la directive «Services de médias audiovisuels» ([1]), les États membres et la Commission sont appelés à encourager les fournisseurs de services de médias à élaborer des codes déontologiques relatifs à la communication commerciale audiovisuelle inappropriée, incluse dans les programmes pour enfants, et concernant des denrées alimentaires ou des boissons, notamment celles riches en graisses, en sel et en sucres. Les mesures prises à cet égard feront l'objet d'un suivi et d'une évaluation par la Commission.

([1]) Directive 2010/13/UE, JO L 95 du 15.4.2010.

(English version)

Question for written answer E-003038/12
to the Commission
Marc Tarabella (S&D)
(20 March 2012)

Subject: Harmful effects of marketing techniques on consumers

Recent research conducted by the Université catholique de Louvain into marketing practices and consumption has highlighted the fact that these practices are increasingly responsible for the rise in obesity in Europe. The reasons for this include, for example, the portion sizes of food sold, plate sizes and new packaging. Furthermore, some advertising content may be problematic for children, or may promote products that are inadvisable in nutritional terms.

Can the Commission state whether and how it intends to take measures aimed at clarifying the information that must be provided to consumers, in addition to that stipulated in labelling regulations, in order to limit advertising excesses which are hazardous for children, or which are too superficial, misleading or simplistic for adults?

Answer given by Mr Dalli on behalf of the Commission
(2 May 2012)

The Commission 'Strategy for Europe on Nutrition, Overweight and Obesity-related health issues' adopted in 2007, addresses advertising and marketing of foods and their influence on diet, in particular those of children.

In this context, the Commission has created a EU Platform for Action on Diet, Physical Activity and Health in which it encourages stakeholders to take up concrete action in this area. Within this Platform, in 2009 a group of leading food and beverages companies have committed themselves not to advertise food and beverage products to children under the age of 12 on TV, print and Internet, and not to communicate about their products in primary schools. As highlighted in the Implementation Progress Report of December 2010, this so-called 'EU Pledge' led to over one third less TV advertising by pledge participants for all of their products on all channels at all times.

The Commission launched in 2012 an evaluation process for the current strategy. The evaluation report should be available in the first quarter of 2013.

In the framework of the Audiovisual Media Service Directive ([1]), Member States and the Commission are called to encourage media service providers to develop codes of conduct regarding inappropriate advertising included in children's programmes, for food and beverages, in particular those high in fat, salt and sugars. The actions taken will be further monitored and assessed by the Commission.

([1]) Directive 2010/13/EU, OJ L 95, 15.4.2010.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003040/12
à Comissão
Maria do Céu Patrão Neves (PPE) e Paulo Rangel (PPE)
(20 de março de 2012)

Assunto: Refinarias a 60 % da capacidade por falta de matéria-prima

Na campanha 2010/2011, foi notória a falta de açúcar no mercado europeu. Tal situação manteve-se no início da campanha 2011/2012, com um défice de início de campanha na ordem das 700 mil toneladas. Em ambos os casos, a situação foi causada pelas baixas exportações, nomeadamente, de rama de açúcar-de-cana para refinação das origens com acesso preferencial à União Europeia.

Na presente campanha, a Comissão adotou medidas com objetivo de equilibrar o mercado: reclassificação de 400 mil toneladas de açúcar fora de quota e abertura de um sistema de concursos parciais para atribuir licenças de importação a direito aduaneiro reduzido (média 260 euro/tonelada), que se traduziu no direito de importação de 190 mil toneladas de ramas de açúcar para refinação. Para os Refinadores a Tempo Inteiro, a situação não ficou equilibrada, de tal modo que as refinarias se encontram a trabalhar em média a 60 % da sua capacidade.

Em Portugal, estão localizadas três refinarias a tempo inteiro. Além dos graves impactos que a presente situação causa no rendimento e competitividade das refinarias, acrescem graves dificuldades ao nível social, laboral e económico da população.

Neste contexto, pergunta-se:

1. Tendo sido insistentemente alertada para o défice de importações de açúcar, considera a Comissão abrir um TRQ para repor a falta de ramas para refinação?

2. Em Portugal, o setor de refinação representa cerca de 600 postos de trabalho diretos, na União Europeia mais de 4 500. Adicionalmente, o setor cria riqueza e emprego a uma vasta rede de vendedores de produtos e serviços às refinarias. Reconhece a Comissão o desequilíbrio económico e social que resulta das medidas de gestão do mercado de açúcar adotadas?

3. Considera a Comissão a necessidade de implementar um sistema de normalização do mercado de açúcar, que seja ao mesmo tempo uma solução eficaz para a manutenção da indústria de refinação a tempo inteiro?

Resposta dada por Dacian Cioloş em nome da Comissão
(4 de maio de 2012)

Em 2010/2011, as importações de açúcar para a UE ascenderam ao nível inédito de mais de 4 milhões de toneladas: as importações preferenciais a partir de países APE(EPA)–TMA(EBA) (ou seja, afetos aos acordos de parceria económica e à iniciativa «Tudo menos armas») cifraram-se em 1 800 000 toneladas, a maior quantidade de sempre. Por outro lado, em 2011, importaram-se 2,6 milhões de toneladas de açúcar de cana bruto — também a maior quantidade de sempre.

Conforme os Senhores Deputados assinalam, várias refinarias da Europa estão a trabalhar abaixo da sua capacidade. A principal causa reside no aumento da capacidade de refinação e no acréscimo da concorrência na União Europeia.

No entender da Comissão, os investimentos num setor são decisões de natureza privada. Portanto, os investimentos destinados a aumentar a capacidade de refinação na UE em cerca de 2 milhões de toneladas, duplicando efetivamente a capacidade em relação a 2006, demonstram confiança por parte da indústria de refinação europeia.

Em novembro de 2011, a Comissão pôs em prática uma medida adicional com o fim de facilitar as importações: a abertura de um concurso permanente para importações a uma taxa reduzida de direito aduaneiro ([1]).

Em quatro rondas do concurso, foram já aceites 191 000 toneladas de rama de açúcar, podendo ser realizadas novas rondas em 2012.

Estas medidas deverão permitir à indústria de refinação aumentar a sua oferta, no âmbito do quadro jurídico vigente.

([1]) Regulamento de Execução (UE) n.° 1239/2011 da Comissão — JO L 318 de 1.12.2011, p. 4.

(English version)

Question for written answer E-003040/12
to the Commission
Maria do Céu Patrão Neves (PPE) and Paulo Rangel (PPE)
(20 March 2012)

Subject: Refineries operating at 60 % capacity due to lack of raw material

The lack of sugar in the European market was well-known in the 2010/11 season. This situation has continued at the start of the 2011/12 season, with a shortfall at the beginning of the season of the order of 700 000 tonnes. In both cases, the situation was caused by falls in exports, specifically of raw sugar cane for refining originating from countries with preferential access to the European Union.

The Commission has taken measures in the current season with the objective of restabilising the market: reclassifying 400 000 tonnes of out-of-quota sugar and introducing a system of partial competition to allocate the right to reduced tariffs to import licences (average of EUR 260/tonne), which translates to the right to import 190 000 tonnes of raw sugar for refining. The situation, however, has not been stabilised for full-time refiners, such that the refineries are only operating at an average of 60 % of their capacity.

Portugal has three full-time refineries. In addition to the serious impact this situation has on the revenue and competitiveness of the refineries, the population is experiencing increasing hardship at social, employment, and economic levels.

1. Having been alerted to the urgency of the problem of the lack of sugar imports, will the Commission consider introducing a Tariff Rate Quota to address the lack of raw sugar for refining?

2. The refining sector represents about 600 direct jobs in Portugal and more than 4 500 in the European Union. In addition, the sector creates wealth and employment for a vast network of suppliers of products and services to the refineries. Does the Commission recognise the economic and social instability that has resulted from the sugar market management methods adopted?

3. Will the Commission consider the need to implement a system for normalising the sugar market that will also provide an effective solution for keeping the full-time refining industry operational?

Answer given by Mr Cioloş on behalf of the Commission
(4 May 2012)

In 2010/2011 worldwide imports of sugar into the EU reached the unprecedented level of more than 4 million tonnes: preferential sugar imports from EPA-EBA countries in 2010/2011 were 1 800 000 tonnes, the highest level ever. Furthermore, imports of raw cane sugar were 2.6 million tonnes in calendar year 2011, the highest imports ever.

As the Honourable Member indicate, several refineries in Europe have unused refining capacity. This is mainly caused by increased refining capacity and greater competition within the Union.

The Commission is of the opinion that investments in a sector are decisions of a private nature. Therefore, investments to increase refining capacity in the EU, by approximately 2 million tonnes, effectively doubling capacity since 2006, show confidence of the EU refining industry.

In November 2011, the Commission implemented an additional measure aiming at facilitating imports, by opening a standing invitation to tender for imports at a reduced import duty ([1]) .

On this basis, so far 191 000 tonnes of raw sugar were accepted in four tenders; further tenders may follow in 2012.

These measures should allow the refining industry to increase their supply, under the current legal framework.

([1]) Commission Implementing Regulation (EU) No 1239/2011, OJ L 318, 1.12.2011, p. 4.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003048/12
an die Kommission
Franz Obermayr (NI)
(21. März 2012)

Betrifft: Selbstbestimmungsrecht und Verleihung der doppelten Staatsbürgerschaft für Südtiroler und Südtirolerinnen

In Artikel 1 jeder der beiden Menschenrechtspakte der Vereinten Nationen, die 1976 in Kraft getreten sind, ist das Selbstbestimmungsrecht erstmals in der Geschichte der Völker, des Völkerrechts und der Menschenrechte ausdrücklich festgeschrieben worden, und zwar als ius cogens, das heißt als zwingendes Recht.

Auf dem Weg zur Selbstbestimmung ist die doppelte Staatsbürgerschaft der Herzenswunsch vieler Südtiroler, die sich als Österreicher fühlen und Österreich als ihr Heimatland ansehen und nicht Italien, obwohl man ihnen gegen ihren Willen die österreichische Staatsbürgerschaft genommen hat. Nach derzeitiger Rechtslage in Österreich ist der Erwerb der österreichischen Staatsbürgerschaft durch Südtiroler — unter gleichzeitiger Beibehaltung der italienischen Staatsangehörigkeit und ohne das Erfordernis eines Wohnsitzes in Österreich — nicht möglich. Die Ermöglichung eines derartigen erleichterten Staatsbürgerschaftserwerbes würde unter anderem aufgrund der völkerrechtlichen, verfassungsrechtlichen und innerstaatlichen Rahmenbedingungen Rechtsänderungen in Österreich erforderlich machen. Italien selbst ermöglicht seinen Minderheiten bereits seit 2006 eine Doppelstaatsbürgerschaft. Dadurch wurden kroatische (Nicht-EU-)Staatsangehörige aus Dalmatien zu EU-Bürgern gemacht. Die Möglichkeit einer freiwilligen doppelten Staatsbürgerschaft wäre für die deutsche und ladinische Minderheit ein Zeichen der Verbundenheit zu Österreich und ihren österreichischen Wurzeln.

1. Ergreift die EU Maßnahmen gegen die Ausdünnung von Autonomierechten bei europäischen Minderheiten? Wenn ja, welche; wenn nein, warum nicht?

2. Wie werden diese Minderheiten gesetzlich geschützt?

3. Gedenkt die EU europaweit einheitliche Regelungen für Minderheiten einzurichten?

4. Sieht die Kommission in der Lage der Südtiroler, die in einem fremden Staat leben müssen, eine Verletzung des Selbstbestimmungsrechts der Völker? Wenn nein, warum nicht?

Antwort von Frau Reding im Namen der Kommission
(23. Mai 2012)

Die Europäische Kommission sorgt dafür, dass die Mitgliedstaaten bei der Umsetzung der EU-Rechtsvorschriften die in der Charta der Grundrechte der Europäischen Union verankerten Rechte, unter anderem das Verbot der Diskriminierung aus Gründen der Zugehörigkeit zu einer nationalen Minderheit, wahren. Die EU-Rechtsvorschriften tragen ferner dazu bei, bestimmte Schwierigkeiten, denen sich die einer Minderheit angehörenden Personen gegenübersehen können, wie Diskriminierung aus Gründen der Rasse, ethnischen Herkunft oder Religion und Aufstachelung zu rassistischer oder fremdenfeindlicher Gewalt bzw. zu Rassen- und Fremdenhass, zu überwinden ([1]).

Die Kommission besitzt allerdings, wie in ihrer Antwort auf die schriftliche Anfrage E-001067/2012 erläutert, in Bezug auf Minderheiten keine allgemeine Handlungsbefugnis. So hat sie insbesondere keine Befugnis für die Definition dessen, was eine nationale Minderheit ausmacht, für die Anerkennung des Status von Minderheiten, ihre Selbstbestimmung und Autonomie oder die Regelung für die Verwendung von Regional- oder Minderheitensprachen.

Diese Fragen fallen in den Zuständigkeitsbereich der Mitgliedstaaten, die alle ihnen zur Verfügung stehenden rechtlichen Instrumente nutzen müssen, um zu gewährleisten, dass die Grundrechte entsprechend ihrer verfassungsmäßigen Ordnung und ihren völkerrechtlichen Verpflichtungen, einschließlich der diesbezüglichen Instrumente des Europarats, wirksam geschützt werden. Aus diesem Grund kann die Kommission in der vom Herrn Abgeordneten in seinen Fragen 3 und 4 angesprochenen Problematik weder tätig werden noch dazu Stellung nehmen.

([1]) Näheres hierzu finden Sie auf der Website der GD Justiz: http://ec.europa.eu/justice/fundamental-rights/racism-xenophobia/index_de.htm.

(English version)

Question for written answer E-003048/12
to the Commission
Franz Obermayr (NI)
(21 March 2012)

Subject: Right to self-determination and granting of dual nationality for the people of South Tyrol

As laid down in each case in Article 1, the two United Nations human rights covenants that came into force in 1976 have expressly established the right of self-determination — for the first time in the history of humankind, international law, and human rights — as *ius cogens*, i.e. a peremptory, or binding, norm.

Dual nationality, as a step towards self-determination, is a cherished wish of many South Tyroleans, who feel Austrian and regard Austria, and not Italy, as their homeland, despite having been deprived of their Austrian nationality against their will. The current legal position in Austria is that South Tyroleans cannot acquire Austrian citizenship if they remain Italian nationals and they do not satisfy the Austrian residence requirement. Because of the position in international law and of constitutional considerations and domestic circumstances, any procedure to facilitate the acquisition of nationality would necessitate changes to the law in Austria. Italy has allowed its minorities to hold dual nationality since as long ago as 2006 and thus enabled Croatian, i.e. non-EU, nationals from Dalmatia to become EU citizens. For the German and Ladin minorities, the option of dual nationality would be a sign of an attachment to Austria and their Austrian roots.

1. Is the EU seeking to prevent the autonomy that European minorities should enjoy from being watered down? If so, how? If not, why not?

2. How are these minorities protected in law?

3. Does the EU intend to lay down standard Europe-wide arrangements for minorities?

4. Does the Commission consider that the situation of the South Tyroleans, who are being obliged to live in a foreign country, violates the right of peoples to self-determination? If not, why not?

Answer given by Mrs Reding on behalf of the Commission
(23 May 2012)

The European Commission ensures that Member States, when implementing EC law, respect the rights enshrined in the EU Charter of Fundamental Rights, including the prohibition of discrimination based on a membership of a national minority. Furthermore, EU legislation contributes to addressing certain difficulties which are likely to affect persons belonging to minorities, such as discrimination on the grounds of racial or ethnic origin or religion, and incitement to violence or hatred based on race or national or ethnic origin ([1]).

However, as explained in its reply to Written Question E-001067/2012, the Commission has no general powers as regards minorities. In particular, the Commission has no competence over matters concerning the definition of what is a national minority, the recognition of the status of minorities, their self-determination and autonomy or the regime governing the use of regional or minority languages.

These matters fall under the responsibility of the Member States, which must use all legal instruments available to them in order to guarantee that fundamental rights are effectively protected in accordance with their own constitutional orders and their obligations under international law, including the relevant instruments of the Council of Europe. It is for this reason that the Commission cannot act or comment on the issues raised by the Honourable Member in questions 3 and 4.

([1]) For further information, please see DG Justice website at http://ec.europa.eu/justice/fundamental-rights/racism-xenophobia/index_en.htm

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003049/12
an die Kommission
Jörg Leichtfried (S&D), Daniel Caspary (PPE) und Elisabeth Köstinger (PPE)
(21. März 2012)

Betrifft: Chinesische Industriespionage und Diebstahl geistigen Eigentums

Es gibt immer wieder Vermutungen über Probleme im Hinblick auf chinesische Industriespionage. Dies hat die Vergangenheit immer wieder gezeigt. Jetzt wurde ein konkreter Fall bekannt, diesmal eines österreichischen Unternehmens, eines Entwicklers von Antriebssoftware für Windräder.

Durch gezielte Industriespionage und Anstiftung eines Mitarbeiters zu kriminellen Machenschaften kam es zu illegaler Erlangung geistigen Eigentums. Durch den Diebstahl geistigen Eigentums ist ein chinesischer Hersteller von Windkraftanlagen jetzt in der Lage, die produzierten Windräder eigenständig anzutreiben. Dies verursachte dem Hersteller der Antriebssoftware einen Schaden in Millionenhöhe. Der dadurch entstandene Schaden betrifft jedoch nicht nur das Unternehmen selbst, sondern diese Industriespionage hat auch Auswirkungen auf den gesamten europäischen Energie- und Klimasektor, zumal die Windkraft für die EU eine Schlüsselindustrie darstellt.

1. Sind der Kommission die geschilderte Situation und das grundsätzliche Problem bekannt?

2. Welche Vorkehrungen kann die Europäische Union treffen, um zukünftige Spionagefälle zu unterbinden?

3. Wie kann politisch gegen die geringe Rechtssicherheit in der Volksrepublik China vorgegangen werden, um den chinesischen Markt somit für europäische Unternehmen attraktiver zu gestalten?

Antwort von Herrn De Gucht im Namen der Kommission
(15. Mai 2012)

1. Der Kommission ist der Sachverhalt bekannt und sie teilt die Auffassung, dass dies eine ernste Angelegenheit darstellt. Die Kommission steht in engem Kontakt mit dem betroffenen Unternehmen und verfolgt den Rechtsstreit des Unternehmens in China. Im Februar 2012 brachte die Kommission auf höchster Ebene, vertreten durch das Kommissionsmitglied mit Zuständigkeit für den Handel, ihre ernsthafte Besorgnis in dieser Angelegenheit gegenüber der Regierung Chinas zum Ausdruck. Die Frage des Diebstahls geistigen Eigentums wurde auch im März 2012 im Rahmen der Sitzung der „Arbeitsgruppe über geistiges Eigentum" der EU und Chinas in Anwesenheit der Vertreter des Unternehmens erörtert. Die Kommission gibt der Hoffnung Ausdruck, dass China diesen Fall als eine Gelegenheit nutzen wird, die vollständige Umsetzung der Rechtssicherheit auch für ausländische Unternehmen zu gewährleisten.

2. Die Kommission ist seit 2004 an einem Dialog zwischen der EU und China über die Rechte des geistigen Eigentums beteiligt und hat 2005 eine Arbeitsgruppe zum Thema geistiges Eigentum mit dem Ziel eingerichtet, Informationen zu diesem Thema auszutauschen und Lösungen für spezifische Probleme zu finden. Nach Auffassung der Kommission bilden die Stärkung des Vertrauens zwischen der EU und China sowie das Beharren auf der Einhaltung der Rechte des geistigen Eigentums die Schlüsselelemente bei der Verringerung des Risikos künftiger Diebstähle europäischen geistigen Eigentums.

3. Die Kommission ist daher der festen Überzeugung, dass die EU in Fällen, in denen China seine internationalen Verpflichtungen nicht einhält, auf das Streitbeilegungsverfahren der Welthandelsorganisation (WTO) zurückgreifen kann. Darüber hinaus veranstaltet die Kommission regelmäßig bilaterale Treffen mit China auf politischer und fachlicher Ebene, in deren Rahmen die Bedeutung der Rechtssicherheit und der Rechtsstaatlichkeit im Hinblick darauf erörtert werden, China davon zu überzeugen, dass diese Prinzipien auch für Chinas eigene Entwicklungsziele von Vorteil seien.

(English version)

Question for written answer E-003049/12
to the Commission
Jörg Leichtfried (S&D), Daniel Caspary (PPE) and Elisabeth Köstinger (PPE)
(21 March 2012)

Subject: Chinese industrial espionage and theft of intellectual property

Chinese industrial espionage constantly gives rise to suspicions, as experience has repeatedly shown. Another case has come to light, this time involving an Austrian developer of drive software for wind turbines.

Intellectual property was acquired illegally through targeted industrial espionage and by inciting an employee to commit criminal acts. Because of its theft of intellectual property, a Chinese producer of wind energy systems is now capable of independently operating the wind turbines that it produces. This has inflicted damage on the drive software producer amounting to millions of euros. However, the resulting damage is not confined to that company; this industrial espionage has implications for the entire European energy and climate sector, particularly as wind energy is a key industry for the EU.

1. Is the Commission aware of the situation described and of the underlying problem?

2. What measures can the European Union take to prevent future cases of espionage?

3. What political action can be taken to counteract the inadequate legal certainty in China so as to make the Chinese market more attractive to European businesses?

Answer given by Mr De Gucht on behalf of the Commission
(15 May 2012)

1. The Commission is aware of the situation and agrees that it is a grave matter. The Commission is in close contact with the company concerned and is following its dispute in China. The Commission raised its serious concerns with the Chinese Government at the highest level, by the Commissioner responsible for Trade in February 2012. The issue of theft of intellectual property rights was also discussed during the EU-China Intellectual Property Working Group meeting in March 2012 in the presence of representatives of the company. The Commission hopes that China uses this case to demonstrate full implementation of legal security also for foreign companies.

2. The Commission is engaged since 2004 in a Dialogue on intellectual property with China and has established in 2005 an intellectual property Working Group with the aim to exchange information on intellectual property matters and find solutions to specific problems. In the view of the Commission, building confidence between EU and China and insisting on respect for intellectual property is a key asset to reduce the risk of future theft of European intellectual property rights.

3. The Commission strongly believes that using dispute settlement as provided by the World Trade Organisation (WTO) rules is a tool available for the EU in case of non-compliance by China of its international obligations. Furthermore, the Commission has regular bilateral political and technical meetings with China where the importance of enhancing the legal security and the rule of law are discussed, with a view to convincing China that this would also be beneficial for their own development goals.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003050/12
an die Kommission
Angelika Werthmann (NI)
(21. März 2012)

Betrifft: Klimaschutz in Österreich

In Österreich wurden im Jahr 2009 insgesamt 12,7 Mrd. EUR für den Umweltschutz ausgegeben.

Dies war doppelt so viel wie im Jahr 1995, als in Österreich hierüber erstmals eine Statistik geführt wurde. Der Großteil der Ausgaben entfiel 2009 mit 61,5 % auf heimische Unternehmen, gefolgt von den privaten Haushalten mit 27,3 %.

Die Zuwendungen des öffentlichen Sektors und privater Organisationen sanken mit nur 9 % um mehr als 20 % im Vergleich zu 1995. Über 50 % des Geldes flossen in Abfallwirtschaft und Gewässerschutz. Für Luftreinhaltung und Klima wurden nur 8,2 % der Summe bereitgestellt.

1. In welchem Umfang fließen Mittel aus dem EU-Haushalt nach Österreich, die dem Bereich Umweltschutz zuzurechnen sind?

2. Welche Verzahnungsmechanismen wendet die Kommission an, um eine nachhaltige Industrie- und Wirtschaftspolitik mit effizientem Klimaschutz zu verknüpfen?

3. Welche künftigen Maßnahmen im Bereich Klimaschutz plant die Kommission?

Antwort von Frau Hedegaard im Namen der Kommission
(10. Mai 2012)

1. Im Zeitraum 2007-2010 flossen 8 537 000 EUR im Rahmen der Komponente „Umweltpolitik und Verwaltungspraxis“ aus LIFE+, dem Finanzierungsinstrument für die Umwelt, an fünf österreichische Projekte. Der LIFE+-Kofinanzierungsanteil pro Jahr belief sich auf 1 700 000 EUR im Jahr 2007, 323 000 EUR im Jahr 2008, 2 580 000 EUR im Jahr 2009 und 3 934 000 EUR im Jahr 2010.

2. Dank des Klima- und Energiepakets verfügt die EU über umfassende Maßnahmen, mit denen die EU ihre Zielvorgabe einer Treibhausgasreduktion um 20 % bis 2020 erreichen wird. Das EU-Emissionshandelssystem (EHS) — eine wesentliche Stütze der EU-Klimapolitik — ist aus wirtschaftlicher Sicht kosteneffizient, da es gleiche Rahmenbedingungen für Maßnahmen in ganz Europa schafft und den Wirtschaftsbeteiligten Flexibilität bei der Einhaltung der Obergrenze einräumt. Das EHS umfasst außerdem spezielle Maßnahmen, um dem potenziellen Risiko der CO_2-Verlagerung in energieintensiven Sektoren zu begegnen. Zu den aus wirtschafts- und industriepolitischer Sicht wichtigen Klimaschutzmaßnahmen gehören u. a. die Erneuerbare-Energien-Richtlinie, die Rechtsvorschriften für CO_2 und Kraftfahrzeuge, die Reserve für neue Marktteilnehmer (Demonstrationsprogramm „NER 300“) und das Siebte Rahmenprogramm zur Förderung des technologischen Fortschritts bei entscheidenden CO_2-armen Technologien.

3. Um die Mitgliedstaaten beim Erreichen ihrer Zielvorgaben zu unterstützen, fördert die Kommission weiterhin EU-weite Maßnahmen, die derzeit durchgeführt werden oder sich in Planung befinden, darunter der Vorschlag für die Energieeffizienzrichtlinie, die Erhöhung der Ausgaben für den Klimaschutz auf mindestens 20 % des EU-Haushalts 2014-2020, der Vorschlag für die Verordnung über ein Überwachungssystem für Treibhausgasemissionen, die Festsetzung von Emissionsnormen für Fahrzeuge für das Jahr 2020, die Überarbeitung der F-Gas-Verordnung und die Umsetzung des Demonstrationsprogramms „NER 300“.

(English version)

Question for written answer E-003050/12
to the Commission
Angelika Werthmann (NI)
(21 March 2012)

Subject: Climate protection in Austria

A total of EUR 12.7 billion was spent on environmental protection in Austria in 2009.

This was twice as much as in 1995, the first year in which Austria recorded such statistics. The greatest proportion of expenditure in 2009 — 61.5 % — was accounted for by domestic companies, followed by private households with 27.3 %.

Spending by the public sector and private organisations dropped by more than 20 % in comparison with 1995, representing just 9 % overall. Over 50 % of the money was spent on waste management and water protection. Only 8.2 % of the money was spent on clean air and climate-related activities.

1. How much funding does Austria receive from the EU budget for environmental protection?

2. What mechanisms does the Commission use to link sustainable industrial and economic policy with efficient climate protection measures?

3. What future measures is the Commission planning in the area of climate protection?

Answer given by Ms Hedegaard on behalf of the Commission
(10 May 2012)

1. LIFE+, the Financial Instrument for the Environment, has contributed in the frame of the strand 'Environmental Policy and Governance' with EUR 8 537 000 to five Austrian projects during the period 2007-2010. The share per year of the LIFE+ co-financing is as follows: 2007: EUR 1 700 000; 2008: EUR 323 000; 2009: EUR 2 580 000; 2010: EUR 3 934 000.

2. With the climate and energy package, the EU has a comprehensive set of measures which will enable the EU to meet its 20 % greenhouse gas reduction target for 2020. The EU Emissions Trading System (ETS) — the central pillar of EU climate policy, is cost-effective from an economic point of view, as it creates a level playing field for action across Europe and gives flexibility to economic operators in how to meet the cap. The ETS also has specific measures to prevent the potential risk of carbon leakage for energy intensive sectors. Other climate measures important from an economic and industrial perspective are, among others the Renewable Energy Directive, the CO_2 & cars legislation, the 'NER 300' Demonstration programme and the Seventh Framework Programme to accelerate technological progress in key low-carbon technologies.

3. In order to help Member States reach their targets, the Commission continues to support EU-wide measures that are currently being implemented or are in preparation, such as the proposal for the Energy Efficiency Directive, the increase of EU climate-related expenditure to at least 20 % of the 2014-2020 EU budget, the proposal for the Monitoring Mechanism Regulation, the emission performance standards for vehicles for 2020, the review of the F-Gas regulation and the implementation of the 'NER 300' demonstration programme.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003051/12
an die Kommission
Renate Sommer (PPE)
(21. März 2012)

Betrifft: Gesundheitsbezogene Angaben zu Mineralstoffen bei Mineralwässern

Entsprechend der Liste der zugelassenen Health Claims dürfen Angaben über die positive Wirkung von Mineralstoffen nur gemacht werden, wenn sie den Bedingungen der nährwertbezogenen Angabe „(Mineralstoffe)-Quelle" im Anhang der Health-Claims-Verordnung (EG) Nr. 1924/2006 entsprechen. Dies setzt wiederum voraus, dass der Mineralstoff in einer Menge enthalten sein muss, die im Anhang der Richtlinie 90/496/EWG über die Nährwertkennzeichnung von Lebensmitteln als signifikante Menge festgeschrieben ist. Da sich die signifikante Menge im Anhang der Richtlinie 90/496/EWG jedoch auf die Bezugsgröße von 100 ml bezieht, müssten Mineralwässer für eine gesundheitsbezogene Angabe z. B. einen Calciumgehalt erzielen, der fast zehn Mal so hoch ist, wie es für die in der Mineralwasserrichtlinie (2009/54/EG) vorgesehene Nährwertangabe „calciumhaltig" (= 150 mg/ml) erforderlich ist. Selbst das würde einen Mindestverzehr von 2 Liter Wasser pro Tag voraussetzen. Allerdings gilt die Richtlinie 90/496/EWG gemäß Artikel 1 Absatz 2 nicht für natürliche Mineralwässer.

Kann die Kommission dazu folgende Fragen beantworten:

1. Inwieweit wäre eine Liste zugelassener Health Claims auf Mineralwässer anwendbar?

2. Plant die Kommission für den Fall, dass die Liste keine Anwendung findet, den Anhang der Mineralwasserrichtlinie zu überarbeiten, um gesundheitsbezogene Angaben auch auf natürlichen Mineralwässern zu ermöglichen?

3. Wie will die Kommission einen unfairen Wettbewerb zwischen natürlichen Mineralwässern und Tafelwässern, die die signifikante Menge durch künstliche Anreicherung erzielen könnten, vermeiden?

4. Ist gegebenenfalls eine Überarbeitung der Mineralwasserrichtlinie geplant?

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

Die Richtlinie 80/777/EWG des Rates (neu gefasst mit der Richtlinie 2009/54/EG ([1])) über die Gewinnung von und den Handel mit natürlichen Mineralwässern wird von der Verordnung (EG) Nr. 1924/2006 über nährwert- und gesundheitsbezogene Angaben über Lebensmittel ([2]) nicht berührt. Das bedeutet, dass Angaben, die gemäß der genannten Richtlinie zulässig sind, nicht in den Geltungsbereich der genannten Verordnung fallen, auch wenn sie normalerweise als nährwert- und gesundheitsbezogene Angaben gelten würden. Gemäß Anhang III der Richtlinie sind mineralwasserspezifische Nährwertangaben sowie die gesundheitsbezogenen Angaben „abführend" und „harntreibend" zulässig.

Gemäß Artikel 9 der Richtlinie dürfen die Mitgliedstaaten außerdem nationale Vorschriften für bestimmte andere Angaben erlassen, sofern sie den dort festgelegten Bedingungen und ausdrücklich genannten Kriterien genügen. Diese besonderen Bestimmungen stellen eine Lex Specialis für die Verwendung von Angaben auf natürlichen Mineralwässern dar und gelten daher ungeachtet der Verordnung. Sie ließen sich daher auch nicht durch eine Maßnahme wie eine Liste zulässiger nährwert- und gesundheitsbezogener Angaben im Rahmen der Verordnung ändern.

In Bezug auf Tafelwässer weist die Kommission darauf hin, dass gemäß der Verordnung (EG) Nr. 1925/2006 über den Zusatz von Vitaminen und Mineralstoffen sowie bestimmten anderen Stoffen zu Lebensmitteln ([3]) u. a. unverarbeiteten Lebensmitteln keine Vitamine und Mineralstoffe zugesetzt werden dürfen. Unverarbeitete Tafelwässer dürfen daher nicht angereichert werden, so dass kein unfairer Wettbewerb zwischen diesen beiden Wasserarten (natürliches Mineralwasser und Tafelwasser) entstehen kann.

([1]) Richtlinie 2009/54/EG des Europäischen Parlaments und des Rates über die Gewinnung von und den Handel mit natürlichen Mineralwässern, ABl. L 164 vom 26.6.2009, S. 45.
([2]) Verordnung (EG) Nr. 1924/2006 des Europäischen Parlaments und des Rates vom 20. Dezember 2006 über nährwert- und gesundheitsbezogene Angaben über Lebensmittel, ABl. L 404 vom 30.12.2006, S. 9.
([3]) Verordnung (EG) Nr. 1925/2006 des Europäischen Parlaments und des Rates vom 20. Dezember 2006 über den Zusatz von Vitaminen und Mineralstoffen sowie bestimmten anderen Stoffen zu Lebensmitteln, ABl. L 404 vom 30.12.2006, S. 26.

Die Kommmission betrachtet eine Überarbeitung der Rechtsvorschriften für natürliche Mineralwässer derzeit nicht als Priorität.

(English version)

Question for written answer E-003051/12
to the Commission
Renate Sommer (PPE)
(21 March 2012)

Subject: Health information on minerals contained in mineral water

According to the list of permissible health claims, claims may only be made in relation to the positive effects of mineral water if these comply with the conditions of the 'mineral' nutrition-related claim contained in the annex to the Health Claims Regulation ((EC) No 1924/2006). This in turn requires that the mineral must be present in significant amounts as defined in the annex to the directive (90/496/EEC) on nutrition labelling for foodstuffs. Given that the significant quantity in the annex to Directive 90/496/EEC is related to a reference quantity of 100 ml, in order for a health claim to be made mineral water would require, for example, a calcium content almost 10 times higher than that required for the 'contains calcium' claim (= 150 mg/ml) provided for in the Mineral Water Directive (2009/54/EC). Even that would require a minimum consumption of 2 litres of water per day. However, according to Article 1(2), Directive 90/496/EEC does not apply to natural mineral waters.

1. To what extent would it be possible to apply a list of permissible health claims to mineral waters?

2. In the event that the list is not applicable, does the Commission plan to revise the annex of the Mineral Water Directive in order to allow health claims to be made for natural mineral waters too?

3. How does the Commission intend to prevent unfair competition between natural mineral water and table water, which can achieve the significant quantity through artificial enrichment?

4. Are there any plans to revise the Mineral Water Directive?

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

Regulation (EC) No 1924/2006 on nutrition and health claims made on foods ([1]) applies without prejudice to Council Directive 80/777/EEC (recast as Directive 2009/54/EC ([2])) relating to the exploitation and marketing of natural mineral waters. This means that where the directive allows what would otherwise qualify as a nutrition or health claim, it would not fall within the scope of the regulation. Annex III of the directive allows nutrient content claims with conditions of use relevant to mineral waters, and the two health related claims, 'laxative' and 'diuretic' effect.

Article 9 of the directive allows Member States to have national rules for certain other claims meeting the conditions specified and the explicit criteria therein. These specific provisions constitute a *lex specialis* for the use of claims for natural mineral water and therefore apply independently of the regulation. Consequently, they could not be modified by a measure such as a list of permitted nutrition or health claims, made under the regulation.

Furthermore, regarding table water, the Commission notes that regulation (EC) No 1925/2006 on the addition of vitamins and minerals and of certain other substances to foods ([3]) states that vitamins and minerals may not be added to — *inter alia* — unprocessed foodstuffs. Table water, in so far as it is unprocessed, may not therefore be enriched and unfair competition between the two kinds of waters (natural mineral water and table water) cannot take place.

The Commission does not consider a review of the natural mineral water legislation as a priority.

([1]) Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods, OJ L 404 30.12.2006, p. 9-25.

([2]) Directive 2009/54/EC of the European Parliament and of the Council relating to the exploitation and marketing of natural mineral waters, OJ L 164 26.6.2009, p. 45-58.

([3]) Regulation (EC) No 1925/2006 of the European Parliament and of the Council of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to foods, OJ L 404 30.12.2006, p. 26-38.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003052/12
an die Kommission (Vizepräsidentin/Hohe Vertreterin)
Jürgen Klute (GUE/NGL)
(21. März 2012)

Betrifft: VP/HR — Die wahren Hintergründe der Landrückgabe an die Opfer von Gewalt in Kolumbien

Das Gesetz über die Landrückgabe an die Opfer von Gewalt in Kolumbien (Gesetz Nr. 1448, 2011) gehört zu den wichtigsten Projekten der Regierung Santos und betrifft unmittelbar die Bereiche der Zusammenarbeit zwischen der EU und Kolumbien.

Im August 2011 veröffentlichte das Amt des Präsidenten der Republik eine Erklärung, laut der das Ziel, im ersten Jahr 350 000 ha an die Opfer von Gewalt zurückzugeben, überschritten worden war, obwohl offiziellen Angaben zufolge Opfern von Gewalt lediglich 14 208 ha Land zurückgegeben wurden. Die meisten Flächen, die an die Bauern, an die indigenen Bevölkerungsgruppen und an die Afro-Kolumbianer „zurückgegeben" wurden, gehörten bereits dem Staat oder wurden Drogenhändlern weggenommen, und es handelte sich bei diesen Flächen nicht um die, die auch wirklich gestohlen worden waren.

In ihrem Jahresbericht über die Lage der Menschenrechte in Kolumbien haben die Vereinten Nationen ihre Zweifel daran geäußert, ob überhaupt eine Landrückgabe stattgefunden hat. Die Kompetenz und Ehrlichkeit der Richter müsse auch gewährleistet sein. Wenn diese Richter ihren Pflichten nicht angemessen nachkämen, könnten die Mechanismen dazu führen, dass die Opfer erneut zu Opfern würden, und es würde die Gefahr bestehen, dass den Opfern durch das Gesetz keine Gerechtigkeit zuteilwürde, sondern dass dadurch vielmehr die illegale Landnahme legalisiert würde.

Es bestehen daher ernsthafte Bedenken, ob Landrückgabe tatsächlich erfolgt ist, und die Kommission plant, in den kommenden zwei Jahren zusätzliche 39 Mio. EUR in Kolumbien zu investieren, unter anderem um das neue Gesetz über Opfer und Landrückgabe zu unterstützen.

1. Über welche genauen Angaben verfügt die Vizepräsidenten/Hohe Vertreterin, was die Flächen betrifft, die den Opfern gestohlen und später zurückgegeben wurden (handelt es sich dabei um dieselben Flächen)?

2. Welche Maßnahmen ergreift die Vizepräsidentin/Hohe Vertreterin, um zu überprüfen, dass es sich bei den Grundstücken, die den Opfern zurückgegeben wurden, auch wirklich um die handelt, die ihnen zuvor weggenommen wurden?

3. Wie will die Vizepräsidentin/Hohe Vertreterin sicherstellen, dass dieses Gesetz nicht dazu führt, dass die Opfer erneut zu Opfern werden (…) und dass nicht die Gefahr besteht, dass die illegale Landnahme legalisiert wird, anstatt dass den Opfern Gerechtigkeit widerfährt?

Antwort von Frau Catherine Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(4. Juni 2012)

Die EU verfügt nicht über die notwendigen Mittel, um die Angaben zur Rückgabe von Land nach Kolumbiens Gesetz über Opfer und Landrückgabe eigenständig zu überprüfen. Der Prozess der Landrückgabe wird jedoch von der Mission zur Unterstützung des Friedensprozesses der Organisation der amerikanischen Staaten (OAS) überwacht, gemäß einer Zusatzvereinbarung zum Mandat der Mission zwischen der OAS und der kolumbianischen Regierung. Durch diese Überwachung soll sichergestellt werden, dass die Landrückgabe sicher und im Einklang mit den im Gesetz festgelegten Grundsätzen erfolgt. Die EU verfolgt diese Überwachung genau über ihre Delegation in Bogotá sowie über die diplomatischen Vertretungen der Mitgliedstaaten, nicht zuletzt in Hinblick auf ihre eigene Absicht, die Umsetzung des Gesetzes mit EU-Mitteln für die Zusammenarbeit zu unterstützen.

Was die von dem Herrn Abgeordneten erwähnten Zahlen anbelangt, wird darauf hingewiesen, dass offiziell erst am 1. Januar 2012 mit der Umsetzung des Gesetzes begonnen wurde. Außerdem sieht das Gesetz vor, dass als Alternative zur Rückgabe des ursprünglichen Landbesitzes Grundstücke in anderen Teilen des Landes bereitgestellt werden. Diese Alternative, in deren Rahmen Grundstücke angeboten werden können, die näher an städtischen Zentren oder in Gebieten mit besseren Sicherheitsbedingungen liegen, könnte sich in einigen Fällen als attraktiv für die Opfer herausstellen. Die EU geht davon aus, dass bei einem solchen Ersatz die Zustimmung der betroffenen Opfer eingeholt wird.

(English version)

Question for written answer E-003052/12
to the Commission (Vice-President/High Representative)
Jürgen Klute (GUE/NGL)
(21 March 2012)

Subject: VP/HR — The real restitution of land to the victims of violence in Colombia

The Law on Land Restitution to the Victims of Violence in Colombia (Law 1448, 2011) is one of the main projects of the Santos Government and is directly linked to the EU-Colombia areas of cooperation.

In August 2011, the Presidency of the Republic published a statement entitled 'Government exceeded the goal of handing over, in its first year, 350 000 hectares to victims of violence', when only 14 208 of the stated total were restitutions to victims of violence, according to official figures. Most of the pieces of land 'restored' to the peasants, indigenous people and Afro-Colombians already belonged to the state or were taken from drugs traffickers, and were not the ones stolen in the first place.

The United Nations has underlined in its annual report on the human rights situation in Colombia its concerns about the reality of land restitution. 'Their (the judges') competence and honesty should also be ensured. If these judges do not perform their duties adequately, the mechanisms may have a re-victimising effect and the law would run the risk of legalising illegal land appropriation, rather than providing justice for victims".

There are therefore serious concerns about the reality of land restitution, and the Commission plans to spend an additional EUR 39 million in Colombia in the next two years, *inter alia* in support of the new Law on Victims and Land Restitution.

1. What precise figures does the Vice-President/High Representative have concerning the pieces of land that were stolen from the victims and later given back to them (the very same pieces of land)?

2. What actions is the Vice-President/High Representative undertaking in order to verify that the pieces of land given back to the victims are really the very same ones that were stolen from them in the first place?

3. How will the Vice-President/High Representative guarantee that this law does not allow of a 're-victimising effect (…) and a risk of legalising illegal land appropriation, rather than providing justice for victims'?

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

The EU does not dispose of the necessary means to independently verify the figures regarding the restitution of land under Colombia's Law on Victims and Land Restitution. However, the process of land restitution is being monitored by the Peace Support Mission of the Organisation of American States (OAS-MAPP by its Spanish acronym), under an addendum to the Mission's mandate that has been agreed between the OAS and the Colombian government. The aim of this monitoring is to ensure that land restitution takes place in safety and in accordance with the principles established by the Law. The EU, through its Delegation in Bogotá, as well as through the diplomatic missions of Member States, is following this monitoring closely, not least in view of its own intention to support the implementation of the Law through EU cooperation funds.

As regards the figures mentioned by the Honourable Member, attention is drawn to the fact that the implementation of the Law has officially only started on 1 January 2012. Moreover, it should be noted that the Law foresees, as an alternative to the return of the original landholdings, the provision of land in other parts of the country. This alternative, which can involve lands located closer to urban centres or in areas where improved security conditions may exist, could, in some cases, reveal attractive to victims. It is the understanding of the EU that such substitution is subject to the assent of the victims in question.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003053/12
an den Rat
Jürgen Klute (GUE/NGL)
(21. März 2012)

Betrifft: FHA EU-Kolumbien und das Risiko der Verschärfung sozialer Konflikte

Das Unternehmen EMGESA, eine Tochtergesellschaft des multinationalen spanischen Unternehmens ENDESA und der italienischen ENEL, errichtet derzeit ein Wasserkraftwerk in Huila (Kolumbien). Mittlerweile sind bereits 7 500 Hektar eines Schutzgebietes im Regenwald des Amazonas zerstört worden; außerdem ist die Umleitung des großen Flusses Magdalena geplant. Die betroffene Bevölkerung ist nicht zu dem Projekt konsultiert worden. Die Menschen leben vom Fischfang und anderen Tätigkeiten, deren Grundlage der Fluss und der Wald ist. (Die Regierung hat mit der betroffenen Bevölkerung vereinbart, eine öffentliche Anhörung zum Thema durchzuführen, doch diese Zusage wurde nicht eingehalten). Die betroffene Bevölkerung hat im Februar 2012 friedlich gegen das Projekt demonstriert; der Protest wurde von den kolumbianischen Regierungsstellen gewaltsam niedergeschlagen.

Obwohl es Aufnahmen von Gewalthandlungen gibt, erklärte Präsident Santos: „Die Räumung wurde normal — unter strenger Einhaltung der Menschenrechtsbestimmungen — durchgeführt". Bei der Räumung wurden sieben Menschen verletzt; eine Person verlor ihr Augenlicht. Der Hersteller der Videoaufnahme, auf der die Räumung zu sehen ist, hat bereits Todesdrohungen erhalten. Ziel des Freihandelsabkommens EU-Kolumbien ist es, die Investitionen europäischer Unternehmen in Kolumbien zu steigern.

1. Über welche Garantien verfügt der Rat, dass das FHA die sozialen Konflikte nicht verschärfen wird und dass die Regierung wirklich damit beginnen wird, vor der Durchführung solcher Megaprojekte die Bevölkerung zu konsultieren?

2. Wie kann sichergestellt werden, dass die Regierung nicht erneut mit repressiven Maßnahmen gegen die Bevölkerung vorgeht und die Bestimmungen des Völkerrechts über friedliche Proteste achtet (Artikel 19 der Allgemeinen Erklärung der Menschenrechte)?

Antwort
(22. Juni 2012)

Das Handelsübereinkommen zwischen der EU, Kolumbien und Peru enthält Anforderungen zum Sozial- und Umweltschutz und zielt dabei — durch einen speziellen Titel „Handel und nachhaltige Entwicklung" — auf einen hohen Schutzstandard ab. Die Bestimmungen des Titels sind ein Zeichen dafür, dass der Handel für die EU kein Selbstzweck ist, und dass Handelsbeziehungen nicht losge-löst von sozialen und umweltpolitischen Zielen der Vertragsparteien unterhalten werden sollten.

Die Anwendung des genannten Titels wird von den Parteien überwacht. Darüber hinaus ist eine wichtige institutionelle Entwicklung im Hinblick darauf vorgesehen, operative Kanäle für die Kon-sultation der Zivilgesellschaft zu gewährleisten: In Artikel 281 des Übereinkommens werden die Aufgaben interner Beratungsausschüsse oder -gruppen festgelegt, die aus Vertretern der Zivil-gesellschaft bestehen, und in denen wirtschaftliche, soziale und umweltpolitische Interessen in einem ausgewogenen Verhältnis vertreten sind. Die betreffenden Ausschüsse oder Gruppen sind zu konsultieren und können auch von sich aus Empfehlungen abgeben.

Ferner sind die Achtung der Menschenrechte, Demokratie und Rechtsstaatlichkeit Voraussetzung dafür, in den Genuss der Vorteile des Übereinkommens zu kommen. Nach Artikel 1 ist die Achtung der grundlegenden Menschenrechte, wie sie in der Allgemeinen Erklärung der Menschenrechte nie-dergelegt sind, ein „wesentlicher Bestandteil" des Übereinkommens.. Eine Missachtung der Men-schenrechte und demokratischen Grundsätze würde die Gegenpartei berechtigen, geeignete Maß-nah-men zu ergreifen, wozu auch die Möglichkeit gehört, das Übereinkommen ganz oder teilweise auszusetzen.

Das Übereinkommen ist zudem vor dem Hintergrund der allgemeineren Beziehungen zwischen der EU und Kolumbien zu sehen, bei denen die Menschenrechte eine wichtige Rolle spielen. Menschenrechtsfragen werden durch die bestehenden Mechanismen für den politischen Dialog wie den Menschenrechtsdialog mit Kolumbien regelmäßig zur Sprache gebracht.

(English version)

Question for written answer E-003053/12
to the Council
Jürgen Klute (GUE/NGL)
(21 March 2012)

Subject: EU-Colombia Free Trade Agreement and the risk of increasing social conflict

EMGESA, a subsidiary of the Spanish energy multinational ENDESA and the Italian utility company ENEL, is building a hydroelectric project in Huila (Colombia). It has already destroyed 7 500 hectares of the Amazon forest reserve and plans to divert the Magdalena River. The affected population, which was not consulted about the project, lives from fishing and other activities connected with the river and forest. The Colombian Government agreed with the community to organise a public hearing on the issue, but did not respect its promise. The affected communities held a peaceful protest in February 2012, which was violently repressed by the Colombian authorities.

Although images of violence were filmed, President Santos said that 'this eviction was carried out in the normal way, strictly observing the protocols on human rights'. Seven people were injured in the eviction, and one of them lost an eye. The person who filmed the eviction has already received death threats. The EU-Colombia Free Trade Agreement (FTA) aims to increase investment by European companies in Colombia.

1. What guarantees does the Council have that the FTA will not increase social conflict and that the government really will start consulting with the population before undertaking such mega-projects?

2. How can we be sure that the Colombian Government will refrain from using repression against the people and will respect the international protocols relating to peaceful protests (Article 19, Universal Declaration of Human Rights)?

Reply
(22 June 2012)

The EU/Colombia-Peru Trade Agreement addresses social and environmental protection requirements, aiming at a high level of protection, through a specific Title of the Agreement on 'trade and sustainable development'. The provisions in the Title are a signal that for the EU trade is not an end in itself, and that trade relations should not be conducted in isolation from the social and environmental objectives of the Parties.

The implementation of this Title will be monitored by the parties. Moreover, there will be an important institutional development in order to ensure operational channels for consultation with civil society: Article 281 of the Agreement lays down the functions of domestic advisory committees or groups composed of civil society representatives, with a balanced representation of economic, social and environmental interests. Those committees or groups must be consulted and can also make recommendations on their own initiative.

Benefits under the Agreement are, moreover, premised on respect for human rights, democracy and the rule of law. Article 1 provides that respect for fundamental human rights, as laid down in the Universal Declaration of Human Rights, constitutes an 'essential element' of the Agreements. Failure to respect human rights and democratic principles would entitle the other party to adopt appropriate measures — including the possibility of suspending the Agreement partially or totally.

The Agreement also needs to be seen in the context of the broader relations between the EU and Colombia, where human rights are very high on the agenda. Human rights issues are regularly raised through the existing mechanisms for political dialogue such as the human rights dialogue with Colombia.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003054/12
an die Kommission
Jürgen Klute (GUE/NGL)
(21. März 2012)

Betrifft: FHA EU-Kolumbien und das Risiko der Verschärfung sozialer Konflikte

Das Unternehmen EMGESA, eine Tochtergesellschaft des multinationalen spanischen Unternehmens ENDESA und der italienischen ENEL, errichtet derzeit ein Wasserkraftwerk in Huila (Kolumbien). Mittlerweile sind bereits 7 500 Hektar eines Schutzgebietes im Regenwald des Amazonas zerstört worden; außerdem ist die Umleitung des großen Flusses Magdalena geplant. Die betroffene Bevölkerung ist nicht zu dem Projekt konsultiert worden. Die Menschen leben vom Fischfang und anderen Tätigkeiten, deren Grundlage der Fluss und der Wald ist. (Die Regierung hat mit der betroffenen Bevölkerung vereinbart, eine öffentliche Anhörung zum Thema durchzuführen, doch diese Zusage wurde nicht eingehalten). Die betroffene Bevölkerung hat im Februar 2012 friedlich gegen das Projekt demonstriert; der Protest wurde von den kolumbianischen Regierungsstellen gewaltsam niedergeschlagen.

Obwohl es Aufnahmen von Gewalthandlungen gibt, erklärte Präsident Santos: „Die Räumung wurde normal — unter strenger Einhaltung der Menschenrechtsbestimmungen — durchgeführt". Bei der Räumung wurden sieben Menschen verletzt; eine Person verlor ihr Augenlicht. Der Hersteller der Videoaufnahme, auf der die Räumung zu sehen ist, hat bereits Todesdrohungen erhalten. Ziel des Freihandelsabkommens EU-Kolumbien ist es, die Investitionen europäischer Unternehmen in Kolumbien zu steigern.

1. Über welche Garantien verfügt die Kommission, dass das FHA die sozialen Konflikte nicht verschärfen wird und dass die Regierung wirklich damit beginnen wird, vor der Durchführung solcher Megaprojekte die Bevölkerung zu konsultieren?

2. Wie kann sichergestellt werden, dass die Regierung nicht erneut mit repressiven Maßnahmen gegen die Bevölkerung vorgeht und die Bestimmungen des Völkerrechts über friedliche Proteste achtet (Artikel 19 der Allgemeinen Erklärung der Menschenrechte)?

Antwort von Herrn De Gucht im Namen der Kommission
(24. April 2012)

1. Die Kommission legt großen Wert darauf, dass das Urteil des kolumbianischen Verfassungsgerichts T-769 über die Konsultierung indigener Gemeinschaften vor der Erkundung und Nutzung natürlicher Ressourcen in indigenen Gebieten befolgt wird. Die EU unterstützt die Entwicklung solcher Strukturen der vorherigen Konsultierung mithilfeder Programme, die über das Europäische Instrument für Demokratie und Menschenrechte wie auch über ihre Haushaltslinie für nichtstaatliche Akteure finanziert werden.

Außerdem ist die Kommission der Meinung, dass das vom Herrn Abgeordneten genannte Handelsabkommen adäquate Anreize zur Verbesserung des Schutzes der Menschenrechte in Kolumbien enthält, insbesondere der Rechte indigener Völker und deren Vertreter. Die Zivilgesellschaft, und somit auch die Vertreter indigener Organisationen, wird von den Vertragsparteien im Rahmen der Konsultationsstrukturen nach Titel IX des Handelsabkommens (Handel und nachhaltige Entwicklung) regelmäßig gehört werden.

2. Die Kommission ist ferner der Ansicht, dass die einseitig durchsetzbare Menschenrechtsklausel im Handelsabkommen und die bindenden Verpflichtungen, grundlegende Arbeitsnormen effektiv anzuwenden und das nationale Arbeitsrecht wirksam durchzusetzen, wirkungsvolle Mechanismen sind, mit denen die kolumbianische Regierung an ihre Zusagen gebunden werden kann, die Unversehrtheit von Gewerkschaftsvertretern und den Schutz der Menschenrechte zu gewährleisten.

(English version)

Question for written answer E-003054/12
to the Commission
Jürgen Klute (GUE/NGL)
(21 March 2012)

Subject: EU-Colombia Free Trade Agreement and the risk of increasing social conflict

EMGESA, a subsidiary of the Spanish energy multinational ENDESA and the Italian utility company ENEL, is building a hydroelectric project in Huila (Colombia). It has already destroyed 7 500 hectares of the Amazon forest reserve and plans to divert the Magdalena River. The affected population, which was not consulted about the project, lives from fishing and other activities connected with the river and forest. The Colombian Government agreed with the community to organise a public hearing on the issue, but did not respect its promise. The affected communities held a peaceful protest in February 2012, which was violently repressed by the Colombian authorities.

Although images of violence were filmed, President Santos said that 'this eviction was carried out in the normal way, strictly observing the protocols on human rights'. Seven people were injured in the eviction, and one of them lost an eye. The person who filmed the eviction has already received death threats. The EU-Colombia Free Trade Agreement (FTA) aims to increase investment by European companies in Colombia.

1. What guarantees does the Commission have that the FTA will not increase social conflict and that the government really will start consulting with the population before undertaking such mega-projects?

2. How can we be sure that the Colombian Government will refrain from using repression against the people and will respect the international protocols relating to peaceful protests (Article 19, Universal Declaration of Human Rights)?

Answer given by Mr De Gucht on behalf of the Commission
(24 April 2012)

1. The Commission is keen to uphold the Colombian Constitutional Court's Judgment T-769 on the consultation of indigenous communities prior to the exploration for and exploitation of natural resources in native territories. It should be noted that the EU, through the programmes financed under the European Instrument for Democracy and Human Rights, as well as under its budget line for Non-State Actors, supports the development of such prior consultation mechanisms.

In addition, the Commission believes that the Trade Agreement referred to by the Honourable Member contains adequate incentives to improve the protection of human rights in the country and notably for indigenous leaders and peoples. Inputs from civil society including the representatives of indigenous organisations will regularly be heard by the Parties in the framework of the consultation mechanisms established under Title IX (Trade and Sustainable Development) of the Trade Agreement.

2. The Commission takes the view that the unilaterally enforceable human rights clause of the Trade Agreement together with the binding commitments to effectively implement core labour standards and effectively enforce domestic labour laws will be effective mechanisms to hold the Colombian government to its commitments on the integrity of trade unionists and the protection of human rights.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003055/12
an die Kommission
Burkhard Balz (PPE)
(21. März 2012)

Betrifft: Zukünftiger Vorschlag über eine Richtlinie zur Errichtung eines Rahmens für die Rettung und Auflösung von Kreditinstituten und Investmentunternehmen

Auf den G20-Gipfeln von 2008, 2009 und 2010 wurde die Überarbeitung des Rechtsrahmens für die Auflösung und Rettung von Kreditinstituten und Investmentunternehmen beschlossen bzw. bekräftigt. Die Kommission hat zwischen 2008 und 2011 mehrmals Anhörungen zu diesem Thema organisiert und eine Folgenabschätzung durchgeführt.

Dennoch ist dem Europäischen Parlament und dem Rat der Europäischen Union bis heute kein Legislativvorschlag vorgelegt worden. Mitglieder des Europäischen Parlaments haben die Kommission wiederholt zum Handeln aufgerufen, zuletzt in zahlreichen Änderungsanträgen zur Eigenkapitalverordnung und zur Eigenkapitalrichtlinie.

Vertreter der Kommission einschließlich des für den Binnenmarkt zuständigen Kommissionsmitglieds Michel Barnier persönlich haben zwar immer wieder eine kurz bevorstehende Veröffentlichung dieses Vorschlags angekündigt. Geschehen ist jedoch bis heute nichts.

Warum verzögert die Kommission diesen Vorschlag?

Sieht die Kommission keine inhaltliche Verknüpfung dieses Dossiers mit anderen, derzeit im Gesetzgebungsprozess befindlichen Dossiers? Wenn ja, wie soll nach Meinung der Kommission die Gesetzgebung in inhaltlich verwandten Dossiers weitergehen, solange kein Vorschlag zur Rettung und Auflösung von Kreditinstituten und Investmentunternehmen vorliegt?

Hält es die Kommission nicht für angemessen, zur Vervollständigung des aktuell entstehenden Regulierungsrahmens einen Vorschlag zur Rettung und Auflösung von Finanzinstituten und Investmentunternehmen vorzulegen? Wenn doch, wann gedenkt die Kommission, diesen Vorschlag endlich vorzulegen?

Antwort von Michel Barnier im Namen der Kommission
(14. Mai 2012)

Die Kommission ist sich der Bedeutung des geplanten Vorschlags für einen Rechtsrahmen für die Sanierung und Abwicklung von Kreditinstituten und Wertpapierfirmen bewusst.

Mit den künftigen Regelungen wird bezweckt,

(1) die Prävention von und die Vorbereitung auf Krisensituationen zu verbessern, damit Banken bereits in guten Zeiten die Maßnahmen planen, die im Falle einer Verschlechterung ihrer finanziellen Lage zu ergreifen sind;

(2) die Aufsichts- und Abwicklungsbehörden mit einem ausreichenden Instrumentarium für die Bewältigung von Bankenkrisen auszustatten sowie

(3) sicherzustellen, dass ausfallende Banken ordnungsgemäß abgewickelt oder liquidiert werden können, und dabei die Auswirkungen auf das Finanzsystem als Ganzes und auf die Realwirtschaft wie auch die Notwendigkeit einer öffentlichen Unterstützung zu begrenzen.

Die Kommission beabsichtigt, den betreffenden Vorschlag in Kürze vorzulegen. Zurzeit arbeitet sie noch an den technischen Details des Vorschlags, um jegliche unbeabsichtigten Folgen für den Finanzsektor und die Realwirtschaft zu vermeiden.

(English version)

Question for written answer E-003055/12
to the Commission
Burkhard Balz (PPE)
(21 March 2012)

Subject: Future proposal for a directive on the establishment of a framework for rescuing and winding up financial institutions and investment companies

It was decided and confirmed at the G20 summits held in 2008, 2009 and 2010 that the legal framework for the winding up and rescue of financial institutions and investment companies was to be revised. The Commission held several hearings on this matter between 2008 and 2011 and has conducted an impact assessment study.

Nonetheless, there have been no legislative proposals presented to the European Parliament and the Council of the European Union to date. Members of the European Parliament have repeatedly called on the Commission to take action, most recently in numerous amendments to the Capital Requirements Regulation and the Capital Requirements Directive.

Despite the fact that representatives of the Commission, including Commissioner Barnier himself, who is responsible for the internal market, have repeatedly announced that publication is imminent, nothing has happened to date.

Why is the Commission delaying this proposal?

Does the Commission not recognise a link between the content of this proposal and that of others currently in the legislative process? If so, how, in the opinion of the Commission, is legislation to proceed in related proposals while there is no proposal for the winding up and rescue of financial institutions and investment companies?

Does the Commission not think it appropriate that a proposal for the winding up and rescue of financial institutions and investment companies should be presented to complete the regulatory framework which is currently being developed? If so, when does the Commission finally intend to present this proposal?

Answer given by Mr Barnier on behalf of the Commission
(14 May 2012)

The Commission is fully aware of the importance of the upcoming proposal for a legal framework for the recovery and resolution of credit institutions and investment firms.

The future legislation on resolution will aim at:

(1) improving prevention and preparation of crisis situations, so that in good times banks already plan the measures they would take in case of a deterioration of their financial situation;

(2) providing supervisory and resolution authorities with a sufficient toolbox for the management of bank crises and;

(3) making sure that failing banks can be orderly resolved or liquidated while limiting the impact on the financial system as a whole and the real economy, as well as the call for public support.

It is the Commission's intention to present this proposal shortly. The Commission is currently fine-tuning the technical details of the proposal in order to avoid any unintended effects on the financial sector and the real economy.

(České znění)

Otázka k písemnému zodpovězení E-003056/12
Komisi
Jan Březina (PPE)
(21. března 2012)

Předmět: Nejnovější poznatky o neutralitě sítě

Nejnovější poznatky o neutralitě sítě dokazují, že mobilní operátoři pravidelně blokují technologie „voice over IP" (dále jen VoIP) a nedovolují službám, jako je např. Skype, aby využívaly jejich sítě. Tyto poznatky vyplývají z průzkumu zakládajícího se na informacích, které byly získány od 250 provozovatelů pevných linek a 150 mobilních operátorů z celé Evropy. Kromě služeb VoIP, jako je Skype, které jsou blokovány zejména mobilními operátory, zpomalují či blokují provozovatelé pevných linek i mobilní operátoři často také provoz „peer-to-peer" sítí, jež umožňují výměnu dat mezi internetovými uživateli.

Jaký postoj zaujímá Komise k těmto poznatkům?

Brání tyto postupy hospodářské soutěži v rámci vnitřního trhu?

Jak hodlá Komise zajistit, aby internetoví uživatelé měli přístup k obsahu a službám a mohli spouštět aplikace dle svého výběru kdekoli v Evropě?

Odpověď pana Almunii jménem Komise
(10. května 2012)

Vážený pan odkazuje na předběžná zjištění úřadu BEREC týkající se praktik při řízení datového provozu, které by za jistých okolností mohly představovat narušení hospodářské soutěže na vnitřním trhu. Hospodářskou soutěž by mohly poškodit tehdy, pokud by se na nich soutěžitelé dohodli. O porušení pravidel hospodářské soutěže by se dále jednalo tehdy, pokud by takové praktiky uplatňoval dominantní provozovatel a pokud by tyto praktiky byly s to omezit hospodářskou soutěž. Bylo by třeba posoudit, zda takové jednostranné postupy mohou být objektivně odůvodněné, například potřebou zachovat integritu sítě či chránit ostatní uživatele.

V případě rizika, že by některé praktiky mohly narušovat hospodářskou soutěž, Komise na základě článků 101 (zakázané dohody) a/nebo 102 SFEU (zneužití dominantního postavení) neprodleně zasáhne. Takový zásah zajistí koncovým uživatelům rovné podmínky přístupu k obsahu a dalším internetovým službám a zároveň zohlední oprávněné zájmy operátorů pevných a mobilních sítí.

Postupy řízení provozu týkající se technologie mobilní VoIP Komise aktivně sleduje. V letech 2008-2009 provedla antitrustové šetření údajného blokování mobilních služeb VoIP a snižování jejich kvality provozovateli mobilních sítí v několika členských státech. Úřad BEREC také v prosinci 2011 rozeslal operátorům pevných a mobilních sítí dotazník o postupech řízení datového provozu. Komise očekává, že konečné vyhodnocení tohoto dotazníku obdrží do poloviny května 2012. V závislosti na zjištěných problémech pak Komise rozhodne o dalším postupu.

(English version)

Question for written answer E-003056/12
to the Commission
Jan Březina (PPE)
(21 March 2012)

Subject: Recent findings on Internet neutrality

Recent findings on Internet neutrality show that mobile telecom companies regularly block voice over IP (VoIP) and prevent services such as Skype from functioning on their networks. The findings seem to be the result of a survey based on information gathered from 250 fixed-line and 150 mobile operators across Europe. Besides VoIP services such as Skype that are mainly blocked by mobile operators, peer-to-peer traffic, which allows exchange of files between Internet users, is also regularly slowed down or blocked by both fixed-line and mobile operators.

What is the Commission's position on these findings?

Do these practices hamper competition in the internal market?

How will the Commission ensure that Internet users anywhere in Europe can access the content and services and run the applications of their choice?

Answer given by Mr Almunia on behalf of the Commission
(10 May 2012)

The Honourable Member refers to the BEREC preliminary findings regarding traffic management practices, which could, under certain circumstances, be detrimental to competition in the internal market. They may harm competition if they were agreed among competitors. There could also be a violation of competition rules if such practices were implemented by a dominant operator and were capable of restricting competition. It would have to be assessed whether such unilateral practices may be objectively justified, for instance by the need to preserve network integrity or the need to protect other users.

Where there is a risk of anti-competitive practices, the Commission will not hesitate to intervene based on Articles 101 (prohibited agreements) and/or 102 TFEU (abuses of dominance). Such intervention will ensure the level playing field in access to content and other Internet-based services for end users whilst taking into account the legitimate interests of the fixed and mobile operators.

The Commission has been actively monitoring traffic management practices concerning mobile VoIP. In 2008-2009 it conducted an antitrust inquiry into the alleged blocking and degrading of mobile VoIP services by mobile network operators in several Member States. Also, the BEREC sent out a questionnaire on traffic management practices to fixed and mobile operators in December 2011. The Commission expects to receive the final results of this questionnaire by mid-May 2012. Depending on the identified problems the Commission will decide on the way forward.

(English version)

Question for written answer E-003057/12
to the Commission
Roger Helmer (EFD)
(21 March 2012)

Subject: Lufthansa's proposed sale of BMI

The Commission will be aware that Lufthansa is seeking to sell its loss-making subsidiary BMI to British Airways. There is a possibility that part of the airline, BMI Baby, may be sold to a separate purchaser.

Staff at BMI are concerned that a Commission investigation into the competition implications of the proposed sale may delay completion of the deal. In these circumstances, Lufthansa has threatened to cut its losses and close BMI at the end of March. This may be an empty threat, but naturally the 3 000 employees of BMI, including 700 pilots, are very concerned that their jobs are at risk.

I should be glad of an assurance that the Commission is aware of this concern, and that it will use its best efforts to ensure that any regulatory delays do not prejudice the continuing viability of the airline.

Answer given by Mr Almunia on behalf of the Commission
(11 May 2012)

On 30 March 2012 ([1]), the Commission cleared the proposed acquisition of British Midlands Limited (bmi) by International Consolidated Airlines Groups (IAG), the holding company of British Airways and Iberia, subject to conditions.

The Commission found that this proposed transaction raised competition concerns. However, the Commission was able to clear the transaction at the end of the first phase investigation because the commitments offered by IAG adequately addressed these concerns.

In its review, the Commission took into consideration the financial situation of bmi to the extent that it was relevant to the assessment of the effects of the transaction on competition.

([1]) Press release IP/12/338.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-003058/12
aan de Commissie
Ivo Belet (PPE)
(21 maart 2012)

Betreft: Bankinformatie EU-burgers

In de lidstaten van de Europese Unie worden meer en meer maatregelen getroffen om belastingontduiking en fraude strenger te controleren en te bestraffen. Het gevolg hiervan is dat er een steeds grotere kapitaalvlucht ontstaat naar andere lidstaten en landen buiten de EU om de controles in de eigen lidstaat te ontlopen.

De Verenigde Staten kampen met gelijkaardige problemen. Academici menen echter dat de VS veel betere akkoorden met derde landen hebben afgesloten dan de EU. Bovendien verplicht de Amerikaanse wetgeving — zoals de Foreign Account Tax Compliance Act — Europese banken om bankinformatie van VS-onderdanen te delen.

Overweegt de Commissie op basis van het principe van wederkerigheid dezelfde verplichtingen op te leggen aan VS-banken met betrekking tot rekeningen van Europese burgers?

Antwoord van de heer Šemeta namens de Commissie
(3 mei 2012)

De Commissie hecht er zeer aan de wederkerigheid van de zijde van Verenigde Staten (VS) te garanderen als het gaat om in de VS aangehouden rekeningen van EU-onderdanen.

Sinds de vaststelling van de Amerikaanse Foreign Account Tax Compliance Act (FATCA) is de Commissie met de steun van de lidstaten de dialoog aangegaan met de VS over de vraag hoe de FATCA zodanig kan worden uitgevoerd dat de wet ondernemersvriendelijk is, verenigbaar is met de wetgeving van de lidstaten en zowel de EU-lidstaten als de VS ten goede komt.

De dialoog tussen de EU en de VS is nog altijd gaande, maar de VS hebben zich onlangs bereid verklaard samen te werken met derde landen om de doelstellingen van de FATCA te verwezenlijken via automatische informatie-uitwisseling tussen de belastingdiensten in plaats van door het verplichten van financiële instellingen om de informatie rechtstreeks aan de VS-belastingdienst te verstrekken. De VS hebben dit bekendgemaakt in ontwerpregelgeving tot uitvoering van de FATCA en in een gezamenlijke verklaring die door vijf EU-lidstaten is medeondertekend ([1]). In het kader van deze bilaterale intergouvernementele benadering committeren de VS zich aan het wederkerigheidsbeginsel, dat wil zeggen dat zij de informatie automatisch verzamelen en rapporteren aan de lidstaten die deze aanpak met betrekking tot de in de VS aangehouden rekeningen van hun ingezetenen onderschrijven. De vraag hoe de VS de wederkerigheid precies zullen garanderen, inclusief om wat voor soort informatie het gaat en hoeveel informatie het betreft, zal aan de orde komen in toekomstige gesprekken in het kader van de dialoog tussen de EU en de VS.

De VS hebben daarnaast in de bovengenoemde documenten ook een algemene toezegging gedaan om met buitenlandse rechtsgebieden samen te werken in een gezamenlijk streven de transparantie en informatie-uitwisseling op mondiaal niveau te verbeteren.

([1]) Zie: http://www.irs.gov/newsroom/article/0,,id=254068,00.html en http://www.treasury.gov/press-center/press-releases/Documents/020712 %20Treasury%20IRS%20FATCA%20Joint%20Statement.pdf

(English version)

Question for written answer E-003058/12
to the Commission
Ivo Belet (PPE)
(21 March 2012)

Subject: Banking data of EU citizens

More and more measures are being adopted in the Member States of the European Union in order to more tightly monitor and punish tax evasion and fraud. The result is an ever increasing flight of capital to other Member States and to countries outside the EU in order to avoid checks in the home Member State.

The United States is grappling with similar problems. However, academics believe that the US has achieved much better agreements with third countries than the EU. Furthermore, US legislation — such as the Foreign Account Tax Compliance Act — compels European banks to share the banking data of US nationals.

Is the Commission considering, given the principle of reciprocity, subjecting US banks to the same kind of obligations regarding accounts held by EU citizens?

Answer given by Mr Šemeta on behalf of the Commission
(3 May 2012)

The Commission considers it very important to ensure reciprocity on the part of the United States (US) with respect to US accounts held by European Union (EU) residents.

Since the adoption of the Foreign Account Tax Compliant Act (FATCA), the Commission has, with the support of the Member States, been engaged in a dialogue with the US on how to implement FATCA in a way that is business-friendly and compatible with Member States' laws and that would benefit EU Member States as well as the US.

The EU-US dialogue is still ongoing but the US has recently announced its willingness to work with third countries on achieving the objectives of FATCA through automatic information exchange between tax administrations instead of through the imposition of direct US reporting obligations on financial intermediaries. The US made this announcement in draft FATCA regulations and in a joint statement signed with five EU Member States ([1]). As part of this government to government approach, the US would commit to reciprocity i.e. to collecting and reporting information automatically to the Member States that sign up to this approach on the US accounts of their residents. The details of how the US would ensure reciprocity, such as the type and amount of information to be reported, will be the subject of further discussions in the context of the EU-US dialogue.

Moreover, the US has also made a general commitment in the above documents to working cooperatively with foreign jurisdictions on multilateral efforts to improve transparency and information exchange on a global basis.

([1]) See : http://www.irs.gov/newsroom/article/0,,id=254068,00.html and http://www.treasury.gov/press-center/press-releases/Documents/020712 %20Treasury%20IRS%20FATCA%20Joint%20Statement.pdf

(Versión española)

Pregunta con solicitud de respuesta escrita E-003059/12
a la Comisión
Willy Meyer (GUE/NGL)
(21 de marzo de 2012)

Asunto: Prospecciones petrolíferas en Canarias

El pasado viernes 16 de marzo de 2012, el Consejo de Ministros de España autorizó a la empresa Repsol a realizar prospecciones petrolíferas en aguas canarias a través de un Real Decreto que convalida un otorgamiento original del año 2001, que fue paralizado por el Tribunal Supremo en 2004 por no incluir referencia a las labores de protección medioambiental.

Como consecuencia, Repsol llevará a cabo operaciones en el lecho marino a unos 3 500 m de profundidad y a unos escasos 60 km de las costas de Lanzarote y Fuerteventura. Esta decisión ha sido tomada en contra del criterio del Gobierno de Canarias y del cabildo de ambas islas y genera un gran temor popular, así como el rechazo de numerosas organizaciones vecinales y ecologistas, por suponer una amenaza al medio ambiente y poner en peligro el alto valor ecológico de la zona ante el elevado riesgo de contaminación, de accidentes y de incremento de la actividad sísmica en una Comunidad Autónoma con los niveles más altos de paro de España y fuertemente dependiente del sector turístico. Y es que, únicamente en Lanzarote y Fuerteventura, se verían seriamente amenazados por cualquier vertido 30 000 puestos de trabajo directos.

Además, las propias técnicas de perforación generan diferentes tipos de contaminación que afectan a la pesca y a la biología marina. El incremento de tráfico marino multiplicaría el riesgo de accidentes y de mareas negras en una región de altísimo valor ecológico, lo cual queda demostrado por los numerosos LIC y ZEPA en las Islas Canarias, así como por la declaración de la isla de Lanzarote como parte de la Red Mundial de Reservas de la Biosfera y del archipiélago como la séptima Área Marina Especialmente Sensible por la Organización Marítima Internacional.

Teniendo en cuenta tanto la negativa del Gobierno de Canarias y de los cabildos de Fuerteventura y Lanzarote como el rechazo de las organizaciones ecologistas y de numerosos ciudadanos canarios, ¿qué postura tiene la Comisión ante la decisión unilateral del Gobierno de España? ¿Ha investigado la Comisión si la autorización cumple la Directiva 94/22/CE sobre las condiciones para la concesión y el ejercicio de las autorizaciones de prospección de hidrocarburos? ¿Piensa hacer valer la Comisión su competencia para aplicar el principio de precaución ante posibles violaciones de la normativa comunitaria relativa a la protección del medio ambiente y un posible incumplimiento de la Directiva 2008/1/CE relativa a la prevención y al control de la contaminación y la Directiva 2004/35/CE sobre responsabilidad medioambiental?

Respuesta del Sr. Potočnik en nombre de la Comisión
(4 de mayo de 2012)

La Comisión remite a Su Señoría a su respuesta a la pregunta escrita P-2548/2012 formulada por el Sr. López Aguilar ([1]).

Como actualización de dicha respuesta, la Comisión desea añadir que ya se ha iniciado una investigación en el marco del proyecto EU Pilot.

El objetivo de esta investigación es garantizar que las actividades previstas por las autoridades españolas cumplan plenamente con la legislación de la UE aplicable.

([1]) http://www.europarl.europa.eu/QP-WEB/.

(English version)

Question for written answer E-003059/12
to the Commission
Willy Meyer (GUE/NGL)
(21 March 2012)

Subject: Oil exploration in the Canary Islands

On Friday, 16 March 2012, the Council of Ministers of Spain authorised the Repsol company to undertake oil exploration in Canary Islands waters by means of a Royal Decree validating an original grant of permission made in 2001 but suspended in 2004 by the Supreme Court because it did not include a reference to environmental protection tasks.

As a result, Repsol will conduct operations on the seabed, at a depth of about 3 500 m and just 60 km from the coast of Lanzarote and Fuerteventura. This decision, which has been taken against the advice of the Canary Islands Government and both island councils, is generating great fear among the people and is opposed by many community and environmental organisations as it poses a threat to the environment and endangers the high ecological value of the area due to the high risk of pollution, accidents and increased seismic activity. All of this in an Autonomous Community which has the highest levels of unemployment in Spain and is heavily dependent on tourism. In Lanzarote and Fuerteventura alone, some 30 000 direct jobs would be seriously threatened by any spill.

Furthermore, the drilling techniques themselves generate different types of pollution affecting fisheries and marine biology. The increase in maritime traffic would multiply the risk of accidents and oil spills in a region that is of high ecological value, as demonstrated by the many SCIs and SPAs in the Canary Islands, and by the declaration of the island of Lanzarote as part of the World Network of Biosphere Reserves and of the archipelago as the seventh Particularly Sensitive Sea Area by the International Maritime Organisation.

Given the negative response of the Canary Islands and the island councils of Fuerteventura and Lanzarote and the opposition from environmental organisations and many Canary Islands citizens, what is the Commission's position with regard to the Government of Spain's unilateral decision? Has the Commission investigated whether this authorisation complies with Directive 94/22/EC on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons? Does the Commission intend to exercise its powers to apply the precautionary principle in the face of possible violations of Community rules on protecting the environment, and a possible breach of Directive 2008/1/EC concerning integrated pollution prevention and control and of Directive 2004/35/EC on environmental liability?

Answer given by Mr Potočnik on behalf of the Commission
(4 May 2012)

The Commission would like to refer the Honourable Member to its reply to Written Question P-2548/2012 by Mr López Aguilar ([1]).

As an update to what was stated in that reply, the Commission would like to add that an investigation under the EU PILOT scheme has already been launched.

The objective of this investigation is to ensure that the activities envisaged by the Spanish authorities fully comply with applicable EC law.

([1]) http://www.europarl.europa.eu/QP-WEB/.

(Versión española)

Pregunta con solicitud de respuesta escrita E-003060/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(21 de marzo de 2012)

Asunto: Morosidad

Según ha recogido la prensa ([1]), hay muchos municipios catalanes que están al corriente de pago, como, por ejemplo, la ciudad de Sant Cugat del Vallès. En cambio, unos pocos, como por ejemplo la ciudad de Sabadell, y según los datos oficiales que ha presentado, deben más de 24 millones de euros a proveedores. Así, la Directiva 2000/35/CE, por la que se establecen medidas de lucha contra la morosidad en las operaciones comerciales, y la Directiva 2011/7/UE, que la refunde, se aplican a todos los pagos efectuados como contraprestación en operaciones comerciales entre empresas, o entre empresas y poderes públicos, que den lugar a la entrega de bienes o la prestación de servicios.

Dado que, como muy bien describe la Comisión Europea, la morosidad incide en el activo líquido de las empresas, complica su gestión financiera y acaba afectando a la competitividad y viabilidad de las PYME y, por lo tanto, a la destrucción de empleo, y, si bien la Directiva 2011/7/UE, cuyo plazo de transposición finaliza el 16 de marzo de 2013, no está en vigor, pero vistos los datos presentados:

1. ¿Está la Comisión satisfecha con estos datos descritos anteriormente?

2. ¿No cree la Comisión que la cultura del pago a plazo, como lo describe en su respuesta a la pregunta E-000531/2012, podría ser aplicada correctamente en el futuro próximo en ciudades como Sabadell, de modo que no se destruyan más empleos en las PYME?

3. ¿No cree la Comisión que debería instar a algunos Estados miembros, como el Estado español, a aplicar antes la Directiva 2011/7/UE, aunque la fecha límite sea el 16 de marzo de 2013?

Respuesta del Sr. Tajani en nombre de la Comisión
(3 de mayo de 2012)

La Comisión es consciente de los problemas a los que se enfrentan los operadores económicos europeos en toda la Unión a causa de la morosidad. Entre las razones principales de la refundición de la Directiva 2000/35/CE, por la que se establecen medidas de lucha contra la morosidad en las transacciones comerciales, está la de hacer frente a esta situación.

La Directiva 2011/7/UE armoniza el plazo de pago de las autoridades públicas, que se verán alentadas a mejorar sus sistemas de gestión. Tan solo con esta disposición podrían las empresas conseguir una liquidez adicional por valor de 179 100 millones de euros y se podría contribuir a crear una cultura respetuosa de la puntualidad en los pagos.

Como ya se ha mencionado en una respuesta anterior ([2]), la Directiva 2011/7/UE tendrá que ser incorporada por los Estados miembros a más tardar el 16 de marzo de 2013. Sin embargo, teniendo en cuenta el significativo impacto de la morosidad en la competitividad de las empresas europeas, el Vicepresidente Antonio Tajani pidió personalmente a los Estados miembros, mediante carta de 24 de octubre de 2011, que intensificaran sus esfuerzos a nivel nacional para transponer la Directiva y aplicarla a principios de 2012, con carácter voluntario.

Con vistas a prestar apoyo a los Estados miembros ante el estimulante reto de una transposición rápida, la Comisión convocó una primera reunión del grupo de expertos sobre morosidad el 3 de febrero de 2012, a la que invitó a todos los Estados miembros. Durante esta reunión, algunos Estados miembros ya anunciaron su intención de transponer la Directiva antes de finales de 2012. Por lo que se refiere al Reino de España, su representante en el grupo de expertos informó a la Comisión de que los trabajos preparatorios están ya en curso con vistas a transponer la Directiva al Derecho nacional a más tardar en marzo de 2013.

([1]) http://www.elpuntavui.cat/noticia/article/1-territori/13-serveis/519524-deutes-al-descobert.html?cks_mnu_id=212.
([2]) Respuesta a la pregunta E-00533/2012; véase: http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-003060/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(21 March 2012)

Subject: Late payment

Press reports suggest ([1]) that many councils in Catalonia are up to date with their payments. These include the town council in Sant Cugat del Vallès. On the other hand, there are a few, such as the City of Sabadell, that owe more than EUR 24 million to suppliers, according to official data. Directive 2000/35/EC on combating late payment in commercial transactions and Directive 2011/7/EU, that consolidates it, apply to all payments that are made as remuneration for operations between companies, or between companies and public authorities, leading to the delivery of goods or services.

As the Commission has stated very clearly, late payments impinge on the liquid assets of businesses, complicate their financial management and ultimately affect the competitiveness and viability of SMEs, thereby destroying employment. Directive 2011/7/EU, which has to be transposed into national law by 16 March 2013, is not currently in force. Despite this, however, and bearing in mind the points made above:

1. Is the Commission satisfied with the situation described above?

2. Does the Commission think that the culture of 'payment in time', as referred to in the answer to Question E-000531/2012, could be correctly applied in future in cities like Sabadell, in order to safeguard jobs in SMEs?

3. Does the Commission think that it should urge certain Member States, such as Spain, to apply Directive 2011/7/EU earlier, even though the deadline is 16 March 2013?

Answer given by Mr Tajani on behalf of the Commission
(3 May 2012)

The Commission is aware of the problems faced by European economic operators throughout the Union due to late payment. Addressing this situation was one of the main reasons for the recast of Directive 2000/35/EC on combating late payment in commercial transactions.

Directive 2011/7/UE harmonises the payment period for public authorities who will be encouraged to upgrade their management systems. Only this provision would suppose an additional liquidity for businesses that amounts to EUR 179.1 billion and could contribute to a culture of timely payment.

As already mentioned in previous correspondence ([2]), Directive 2011/7/EU will have to be transposed by Member States at the latest by 16 March 2013. However, considering the significant impact of late payments on the competitiveness of European enterprises, Vice-President Antonio Tajani personally invited Member States, by letter of 24 October 2011, to step up their efforts at a national level for transposition and implementation of the directive by early 2012, on a voluntary basis.

With a view to assisting Member States in the challenging task of an early transposition, the Commission called a first meeting of the Late Payment Expert Group on 3 February 2012, to which all Member States were invited. During this meeting some Member States already announced their intention to transpose the directive by the end of 2012. As regards the Kingdom of Spain, its representative in the Expert Group informed the Commission that preparatory work is already ongoing with a view to transposing the directive into national law by March 2013.

([1]) http://www.elpuntavui.cat/noticia/article/1-territori/13-serveis/519524-deutes-al-descobert.html?cks_mnu_id=212.
([2]) Answer to Question E-00533/2012, see at: http://www.europarl.europa.eu/QP-WEB/home.jsp

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003061/12
an die Kommission
Bernd Lange (S&D)
(21. März 2012)

Betrifft: Blendung von Verkehrsteilnehmern durch neue Beleuchtungseinrichtungen an Kfz

Heutzutage sind viele Kraftfahrzeuge (Kfz) mit sehr unterschiedlichen Beleuchtungseinrichtungen auf den Straßen unterwegs. Der Grund dafür sind zahlreiche unterschiedliche Zulassungsbestimmungen für neue Arten von Scheinwerfern in den letzten Jahrzehnten. Es werden vermehrt Klagen über Blendung anderer Verkehrsteilnehmer laut.

1. Welche Auswirkungen der unterschiedlichen Beleuchtungssysteme, insbesondere Xenon, auf andere Verkehrsteilnehmer sind der Kommission bekannt?

2. Sieht die Kommission ein erhöhtes Blendungsrisiko für andere Verkehrsteilnehmer durch unterschiedliche Beleuchtungssysteme?

3. Welche Maßnahmen wird die Kommission ergreifen, um Risiken dieser Art auszuschließen?

Antwort von Herrn Kallas im Namen der Kommission
(11. Mai 2012)

In modernen Kraftfahrzeugen werden statt Glühlampen zunehmend Gasentladungslampen, häufig als Xenonlampen bezeichnet, oder Leuchtdioden verwendet. Diese neuen Technologien bieten im Vergleich zu Glühlampen eine größere Leuchtkraft. Sie verbessern damit die Sicht des Fahrers bei Nacht und führen zu mehr Sicherheit im Straßenverkehr. Wegen ihrer höheren Energieeffizienz tragen diese Technologien außerdem zu CO_2-Einsparungen bei.

Um Streulicht zu vermeiden, ist in der Richtlinie 1999/17/EG ([1]) zur Änderung der Richtlinie 76/761/EWG über die Betriebserlaubnis für Kraftfahrzeugscheinwerfer vorgeschrieben, dass Fahrzeuge mit Xenonlampen mit einer automatischen Höheneinstellung und Reinigungsanlagen für die Scheinwerfer ausgerüstet sein müssen.

Tatsächlich verursachen manche Kraftfahrzeuge, obwohl sie eine gültige Betriebserlaubnis haben, eine Blendung des entgegenkommenden Verkehrs. Mögliche Ursachen hierfür sind eine unzureichende Wartung der Beleuchtungsanlage, die Verwendung nicht zugelassener Ersatzteile oder ein unsachgemäßer Austausch defekter Scheinwerfer. Deshalb hat die Kommission durch eine Anpassung der Richtlinie 2009/40/EG ([2]) über die technische Überwachung von Kraftfahrzeugen an den technischen Fortschritt dafür gesorgt, dass die Scheinwerfereinstellung, Betätigungsschalter sowie optischer Wirkungsgrad, Zustand und Betrieb der Scheinwerfer kontrolliert werden müssen.

Schließlich ist darauf hinzuweisen, dass die Blendungsempfindlichkeit individuell unterschiedlich ist. Aufgrund der vorgenannten Maßnahmen ist die Kommission aber der Ansicht, dass dieser Aspekt durch die EU-Rechtsvorschriften hinreichend abgedeckt ist.

([1]) ABl. L 97 vom 12.4.1999, S. 45.
([2]) ABl. L 141 vom 6.6.2009, S. 12.

(English version)

Question for written answer E-003061/12
to the Commission
Bernd Lange (S&D)
(21 March 2012)

Subject: Dazzling of road users by new types of lights on cars

At present there are many cars on the road with very different types of lights. The reason for this can be found in the many different authorisation provisions for new types of headlight in recent decades. There are more and more complaints that road users are being dazzled.

1. What effects of the various types of lights, in particular xenon headlights, on road users are known to the Commission?

2. Does the Commission consider that there is an increased risk of dazzle for road users because of different types of lights?

3. What action will the Commission take to eliminate such risks?

Answer given by Mr Kallas on behalf of the Commission
(11 May 2012)

In modern vehicles filament lamps are more and more replaced by gas discharge lamps, often called xenon lamps or by light emitting diodes. These new technologies provide a higher luminance than filament lamps and therefore increase the vision of the driver during night time and improve road safety. Furthermore, since these new technologies are more energy efficient they contribute to CO_2 saving.

To prevent light scatter, Directive 1999/17/EC ([1]) amending Directive 76/761/EEC relating to the type-approval of vehicle headlamps requires that vehicles with xenon lamps shall be equipped with automatic headlamp levelling devices and with headlamp cleaning devices.

It is true that some vehicles on the road, although correctly type-approved, do cause glare to oncoming traffic. This might be due to lack of proper maintenance of the lighting equipment, use of not type approved after market equipment, incorrect replacement of damaged headlamps. This is the reason why the Commission has — by its amendment to technical progress of Directive 2009/40/EC ([2]) relating to roadworthiness testing of vehicles — made mandatory the testing of the headlamp alignment, switches, visual efficiency, condition and operation.

It should be reminded that glare is a subjective criterion which depends on each individual sensibility. However, with all the measures mentioned above, the Commission believes that the issue of glare is correctly addressed by the EU legislation.

([1]) OJ L 97, 12.4.1999, p. 45.
([2]) OJ L 141, 6.6.2009, p.12.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003062/12
an die Kommission
Jutta Steinruck (S&D), Knut Fleckenstein (S&D), Thomas Mann (PPE), Petra Kammerevert (S&D), Werner Kuhn (PPE) und Michael Cramer (Verts/ALE)
(21. März 2012)

Betrifft: Revision der Richtlinie 96/67/EG über den Zugang zum Markt der Bodenabfertigungsdienste auf den Flughäfen der Gemeinschaft

Die Kommission hat in der Sitzung des Verkehrsausschusses vom 24.1. das „Airport Package" vorgestellt. Zum Vorschlag für eine Neuregelung der Bodenverkehrsdienste hat die Kommission erläutert, dass hier Bedarf besteht, weil Qualität und Effizienz verbessert werden müssen. Dafür soll eine weitere Liberalisierung vorgenommen und mehr Dienstleister zugelassen werden. Zu der notwendigen Verbesserung der Qualität hat die Kommission ausgeführt, dass 3 von 4 Verspätungen von den Bodenverkehrsdiensten verursacht werden.

Von den deutschen Flughäfen ist die Information eingegangen, dass Verspätungen nur zu einem sehr geringen, teilweise zu vernachlässigenden, Teil von den Bodenverkehrsdiensten verursacht werden. So sind es am Flughafen Hamburg zwischen 0,6 und 0,8 %, am Flughafen Frankfurt — mit nochmals deutlich komplexeren Verhältnissen — zwischen 3 und 4 %.

Kann die Kommission dazu folgende Fragen beantworten:

— Beruhen die Aussagen der Vertreter der Kommission auf Studien, und kann die Kommission diese zur Verfügung stellen? Dabei kann es sich nicht um die in Ziffer 1.2. des VO-Vorschlags genannten „neueren Statistiken" handeln. Diese weisen aus, dass 70 % der Verspätungen auf Bodenzeiten (Turnarounds) auf den Flughäfen zurückgehen. Damit sind demnach nicht Bodenverkehrsdienste gemeint. Dies ergibt sich auch aus der Mitteilung der Kommission vom 1. Dezember 2012 über die Flughafenpolitik in der Europäischen Union (s. Ziffer 13).

— Welchen Anteil an Verspätungen verursachen die Bodenverkehrsdienste in anderen europäischen Ländern, insbesondere in England und den Niederlanden?

— Hat damit das deutsche Modell mit zwei Anbietern von Bodenverkehrsdiensten am Flughafen eine höhere (Service-)Qualität als die Modelle an anderen europäischen Flughäfen?

— Stimmt die Kommission der Auffassung zu, dass das Parlament bei dieser widersprüchlichen Lage eine eigene Folgenabschätzung anstreben sollte?

Antwort von Herrn Kallas im Namen der Kommission
(7. Mai 2012)

— Nach aktuellen Informationen der Kommission gehen 70 Prozent der Verspätungen im Luftverkehr auf Bodenzeiten (Turnarounds) auf den Flughäfen zurück. Wie im Folgenabschätzungsbericht der Kommission ([1]) ausgeführt, zeigt diese Zahl, dass die Leistungsfähigkeit des Luftverkehrs nicht nur an Bord, sondern auch am Boden verbessert werden muss, wenn das „Gate-to-Gate"-Konzept des einheitlichen europäischen Luftraums verwirklicht werden soll. Diese Daten stammen von Eurocontrol, einer zwischenstaatlichen Organisation, der 39 Mitgliedstaaten und die Europäische Union angehören. Die Daten erstrecken sich über den Zeitraum 2006 bis 2009 und sind öffentlich verfügbar ([2]). Der Kommission liegen keine Daten zu Verspätungen vor, die speziell auf die Bodenabfertigungsdienste zurückzuführen sind.

— Der Kommission liegen weder für die EU noch auf Ebene der Mitgliedstaaten Daten zu Verspätungen vor, die speziell auf die Bodenabfertigungsdienste zurückzuführen sind.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011SC1439:EN:NOT.
([2]) Siehe „Performance Review Report" (Bericht zur Leistungsüberprüfung) 2010, S. 46, abrufbar unter: http://www.eurocontrol.int/sites/default/files/content/documents/official-documents/performance-review/prc-performance-review-report-2010.pdf

— Der Kommission liegen keine Informationen vor, welche die Schlussfolgerung erlauben würden, dass deutsche Flughäfen mit zwei Bodenabfertigungsdienstleistern eine bessere Qualität böten. Die Kommission möchte die Damen und Herren Abgeordneten auf die Schwierigkeiten hinweisen, die ein direkter Leistungsvergleich zwischen den Bodenabfertigungsdiensten unterschiedlicher Flughäfen birgt, wie der Folgenabschätzungsbericht näher erläutert. Allerdings benötigen Fluggesellschaften, die in einem globalen und äußerst wettbewerbsorientierten Umfeld operieren, größere Auswahlmöglichkeiten bei den Bodenabfertigungsdienstleistern.

— Im Rahmen der Vorbereitungen ihres Verordnungsvorschlags über Bodenabfertigungsdienste hat die Kommission unter Ausschöpfung der aktuellen Informationsquellen eine umfangreiche und gründliche Folgenabschätzung vorgenommen, u. a. durch die Anhörung der Betroffenen über die Funktion der Bodenabfertigungsdienste sowie etwaige Möglichkeiten einer Änderung der Richtlinie 96/67/EG ([3]) des Rates.

([3]) http://ec.europa.eu/transport/air/consultations/2010_02_12_directive_96_67_ec_en.htm

(English version)

Question for written answer E-003062/12
to the Commission
Jutta Steinruck (S&D), Knut Fleckenstein (S&D), Thomas Mann (PPE), Petra Kammerevert (S&D), Werner Kuhn (PPE) and Michael Cramer (Verts/ALE)
(21 March 2012)

Subject: Revision of Directive 96/67/EC on access to the groundhandling market at Community airports

The Commission unveiled the 'Airport Package' at the meeting of the Committee on Transport on 24 January 2012. On the proposal for new measures to regulate groundhandling services, the Commission explained that this was necessary because quality and efficiency needed to be improved. This required further liberalisation and the opening up of the market to more service providers. On the need to improve quality, the Commission stated that three out of four delays were caused by groundhandling services.

Information has been received from the German airports indicating that only a very small, in some cases negligible, share of delays are caused by groundhandling services. The figure for Hamburg Airport is between 0.6 % and 0.8 % and for Frankfurt Airport, where conditions are considerably more complex, between 3 % and 4 %.

Can the Commission answer the following questions:

— Are the statements from the Commission representatives based on specific studies and can the Commission make these available? These studies cannot be the 'recent statistics' mentioned in section 1.2. of the proposal for a regulation ([1]), which indicate that 70 % of delays are generated by turnarounds at airports. This does not refer to groundhandling services, as is evident from the communication from the Commission of 1 December 2011 on Airport Policy in the European Union ([2]) (see paragraph 13).

— What proportion of delays are caused by the groundhandling services in other European countries, in particular in the United Kingdom and the Netherlands?

— Does the German model with two groundhandling service providers in the airport offer better (service) quality than the models used at other European airports?

— Does the Commission agree that, in this contradictory situation, Parliament should seek to conduct its own impact assessment ?

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

— Recent data at the Commission's disposal show that 70 % of the delays affecting aviation are generated by turnarounds at airports. As explained in the Impact assessment report (IA) of the Commission ([3]), this figure shows that there is a need to address aviation performance not only in the air but also on the ground, if the gate-to-gate approach of the Single European Sky is to be achieved. The source of the data is Eurocontrol, an intergovernmental organisation made up of 39 Member States and the EU. The data cover the period 2006-2009 and are publicly available ([4]). The Commission has no data at its disposal on delays caused specifically by groundhandling services.

— The Commission has no data at its disposal on delays caused specifically by groundhandling services neither at EU nor at Member State level.

— The Commission does not have any information at its disposal that would allow it to conclude that German airports with two groundhandling services providers at the airport would offer better quality. The Commission draws the Honourable Members' attention to the difficulty to compare directly performance between different airports when it comes to groundhandling services, as explained in detail in the IA. However, there is a need for airlines which operate in a worldwide, very competitive environment to have more choice in terms of groundhandling providers.

([1]) COM(2011) 824.
([2]) COM(2011) 823.
([3]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011SC1439:EN:NOT.
([4]) See Performance Review Report 2010, p.46, available at: http://www.eurocontrol.int/sites/default/files/content/documents/official-documents/performance-review/prc-performance-review-report-2010.pdf

— In the preparation of its proposal for a regulation on groundhandling services the Commission has carried out an extensive and thorough impact assessment, including a stakeholders' consultation on the functioning of the groundhandling services and possible options for revising Council Directive 96/67/EC ([5]), and exhausted current information sources.

([5]) http://ec.europa.eu/transport/air/consultations/2010_02_12_directive_96_67_ec_en.htm

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003063/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(21 Μαρτίου 2012)

Θέμα: Αποδοτικότητα συλλογής εσόδων από ΦΠΑ στην Ελλάδα

Σύμφωνα με την πρόσφατα δημοσιοποιημένη «Έκθεση της Τράπεζας της Ελλάδος για τη Νομισματική Πολιτική 2011-2012», η φορολογική αποδοτικότητα του ΦΠΑ (VAT tax efficiency) μειώθηκε από το 0.51 % για το 2008 (Έκθεση του ΟΟΣΑ) στο 0.45 % για το 2011. Η πτώση αυτή του δείκτη αποδοτικότητας στη συλλογή εσόδων από ΦΠΑ συνεπάγεται μειωμένες εισπράξεις για το Δημόσιο σε μια περίοδο που έχει ουσιαστικά εξαντληθεί η φοροδοτική ικανότητα των Ελλήνων πολιτών. Ως βασικοί παράγοντες της εν λόγω εξέλιξης αναφέρονται η ανεπάρκεια του φοροεισπρακτικού-φοροελεγκτικού μηχανισμού καθώς και η εκτεταμένη φοροδιαφυγή. Σημαντική διαφοροποίηση στο φορολογικό καθεστώς μεταξύ του 2008 και του 2011 αποτελούν και οι αυξήσεις των συντελεστών ΦΠΑ το 2010 από το 19 στο 23 % και από το 9 στο 13 %.

Με δεδομένη και την γενικότερη οικονομική παραδοχή για ευθεία διασύνδεση της φοροδιαφυγής με τις διακυμάνσεις των φορολογικών συντελεστών -ειδικότερα στις περιπτώσεις που δεν υπάρχει αξιόπιστος φοροελεγκτικός μηχανισμός-, ερωτάται η Επιτροπή:

— Με βάση τα παραπάνω στοιχεία και ως μέλος της Τρόικα, επεξεργάζεται ή πρόκειται να επεξεργαστεί ένα σχέδιο αποκλιμάκωσης των συντελεστών ΦΠΑ που ενδέχεται να ενισχύσει σημαντικά τα δημόσια έσοδα -μέσω της αύξησης της αποδοτικότητας συλλογής εσόδων από ΦΠΑ- ανακουφίζοντας παράλληλα την αγορά και την πραγματική οικονομία;

— Διαθέτει στατιστικά στοιχεία για τα ποσοστά αποδοτικότητα της συλλογής εσόδων από ΦΠΑ στα κράτη μέλη και τη διακύμανσή τους ανάλογα με την εξέλιξη των τιμών του ΦΠΑ;

— Προτίθεται να προωθήσει την ανταλλαγή βέλτιστων πρακτικών μεταξύ των κρατών μελών σε θέματα που σχετίζονται με την αποτελεσματικότητα των φοροελεγκτικών και φοροεισπρακτικών μηχανισμών;

Απάντηση του κ. Šemeta εξ ονόματος της Επιτροπής
(11 Μαΐου 2012)

Η φορολογική μεταρρύθμιση αποτελεί μέρος των συζητήσεων μεταξύ της Τρόικας και της ελληνικής κυβέρνησης το τελευταίο έτος. Η μεταρρύθμιση έχει ως στόχο να κάνει το φορολογικό σύστημα πιο φιλικό προς την ανάπτυξη και την απασχόληση. Στόχος της μεταρρύθμισης είναι η απλούστευση του φορολογικού συστήματος, η εξάλειψη των απαλλαγών και των προτιμησιακών καθεστώτων περιλαμβανομένης και της διεύρυνσης των βάσεων, ούτως ώστε να καταστεί δυνατή η σταδιακή μείωση των φορολογικών συντελεστών καθώς θα αυξάνονται τα φορολογικά έσοδα. Ωστόσο, η ελληνική κυβέρνηση δεσμεύτηκε να μη μειώσει το σχετικό φορολογικό βάρος από τους έμμεσους φόρους, καθώς αυτοί οι φόροι προκαλούν λιγότερες οικονομικές στρεβλώσεις συγκριτικά με τους άμεσους φόρους ή τις κοινωνικές εισφορές. Το Αξιότιμο Μέλος του Κοινοβουλίου καλείται να συμβουλευτεί το τμήμα 2 παράγραφος 3 (φορολογική πολιτική) του Μνημονίου Συνεννόησης που έχει συνάψει η Ελλάδα με την Επιτροπή (εξ ονόματος των κρατών μελών της ευρωζώνης).

Με βάση τα ανωτέρω, δεν υπάρχουν στοιχεία σύμφωνα με τα οποία η μείωση των συντελεστών ΦΠΑ στην Ελλάδα και μόνο θα μπορούσε να αυξήσει τα δημόσια έσοδα.

Η Επιτροπή δεν είναι επί του παρόντος σε θέση να παρέχει στατιστικά δεδομένα για την αποδοτικότητα συλλογής εσόδων από ΦΠΑ στα κράτη μέλη και την εξέλιξή τους ανάλογα με τις μεταβολές των τιμών του ΦΠΑ.

Προς το παρόν, η Επιτροπή μαζί με τα κράτη μέλη και το Διεθνές Νομισματικό Ταμείο (ΔΝΤ) παρέχει τεχνική στήριξη στην Ελλάδα στον τομέα της φορολογικής διοίκησης. Στόχος είναι η δημιουργία αποτελεσματικότερης φορολογικής διοίκησης, κυρίως στον τομέα της είσπραξης εσόδων από ΦΠΑ. Η στήριξη αυτή παρέχεται στο πλαίσιο του προγράμματος Fiscalis 2007-2013. Το εν λόγω πρόγραμμα διευκολύνει την ανταλλαγή βέλτιστων πρακτικών σε θέματα φορολογικής διοίκησης μεταξύ διεθνών εμπειρογνωμόνων από διάφορα κράτη μέλη, σε συνδυασμό με τη συνεργασία μεταξύ των φορολογικών υπαλλήλων με στόχο την εφαρμογή βέλτιστων πρακτικών ώστε να ανταποκρίνονται στις ειδικές ανάγκες του κάθε κράτους μέλους.

(English version)

Question for written answer E-003063/12
to the Commission
Konstantinos Poupakis (PPE)
(21 March 2012)

Subject: VAT collection efficiency in Greece

According to the Bank of Greece's recently published *Report on Monetary Policy 2011-2012*, VAT tax efficiency fell from 0.51 % in 2008 (OECD report) to 0.45 % in 2011. This drop in the VAT collection efficiency indicator involves a loss of earnings for the government during a period in which it has largely exhausted the taxpaying capacity of the Greek citizen. The key factors in these developments are the inadequacy of the tax collection/tax inspection mechanism as well as widespread tax evasion. Significant variations in the fiscal regime between 2008 and 2011 have resulted in increases in VAT rates in 2010 from 19 % to 23 % and from 9 % to 13 %.

Given the general economic acceptance of the direct link between tax evasion and fluctuations in tax rates, especially in cases where there are no reliable tax inspection mechanisms:

— Based on the above information and as a member of the Troika, is the Commission drawing up or does it intend to draw up a plan for reducing VAT rates which could significantly boost government income (through improving VAT collection efficiency), at the same time providing relief for the market and the real economy?

— Does it have statistical data on VAT collection efficiency percentages in Member States and their development in relation to changes in VAT?

— Does it intend to promote the exchange of best practices between Member States on issues relating to the efficiency of tax inspection and tax collection mechanisms?

Answer given by Mr Šemeta on behalf of the Commission
(11 May 2012)

Tax reform has been part of the discussions between the Troika and the Greek Government since last year. The objective of the reform is to make the tax system more growth- and employment-friendly. The reform aims at simplifying the tax system, eliminating exemptions and preferential regimes, broadening bases, thus allowing a gradual reduction in tax rates as revenue performance improves. However, the Greek Government committed not to reduce the relative tax burden from indirect taxes, as these taxes create less economic distortions than direct taxes or social contributions. The Honourable Member of Parliament is invited to consult Section 2.3 (tax policy) of the memorandum of understanding agreed between Greece and the Commission (on behalf of the euro-area Member States).

Having said this, there is no evidence according to which a reduction in VAT rates in Greece would, by itself, increase government receipts.

The Commission is not currently in a position to provide statistical data on VAT collection efficiency in Member States and their development in relation to changes in VAT.

At present, the Commission together with Member States and the IMF is providing technical assistance to Greece in the area of tax administration. The aim is to develop a more efficient tax administration, notably in the field of collection of VAT. This assistance is being provided through the framework of the Fiscalis 2007-2013 programme. This programme facilitates information sharing of best practices on tax administration issues between national experts from various Member States, in addition to cooperation between tax officials in order to apply best practices to each Member State's specific needs.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003064/12
προς το Συμβούλιο
Eleni Theocharous (PPE)
(21 Μαρτίου 2012)

Θέμα: A la carte ενταξιακή διαδικασία Τουρκίας

Ποια είναι η θέση του Συμβουλίου έναντι της δεδηλωμένης τουρκικής απόφασης ότι η Άγκυρα δεν θα συζητά με την προεδρεύουσα Κυπριακή Δημοκρατία; Θεωρεί ορθό το Συμβούλιο να συνεχίσει η Τουρκία την ενταξιακή της διαδικασία à la carte, δηλαδή να συζητά με το Ευρωπαϊκό Κοινοβούλιο και την Ευρωπαϊκή Επιτροπή, από τη μια, και να αρνείται να συζητήσει με την προεδρεύουσα χώρα της ΕΕ, δηλ. την Κυπριακή Δημοκρατία;

Απάντηση
(8 Μαΐου 2012)

Το αξιότιμο μέλος του Κοινοβουλίου θα πρέπει να ανατρέξει στην απάντηση του Συμβουλίου για τη γραπτή ερώτηση E-007295/2011.

(English version)

Question for written answer E-003064/12
to the Council
Eleni Theocharous (PPE)
(21 March 2012)

Subject: Turkey's à la carte accession process

What is the Council's position on the stated decision by Turkey that Ankara will not hold talks with the Republic of Cyprus, currently holding the EU Presidency? Does the Council consider it right for Turkey to continue its accession process *à la carte*, in other words, to hold talks with the European Parliament and the European Commission, on one hand, and, on the other, to refuse talks with a country holding the EU Presidency, i.e. the Republic of Cyprus?

Reply
(8 May 2012)

The Honourable Member should refer to the Council's reply to Written Question E-007295/2011.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003065/12
προς την Επιτροπή
Eleni Theocharous (PPE)
(21 Μαρτίου 2012)

Θέμα: Τριάντα οκτώ σκελετοί στις φυλακές του Ντιάρ Μπακίρ

Πριν από λίγες εβδομάδες δημοσιεύθηκε στον τουρκικό Τύπο ότι είχαν ανευρεθεί στις φυλακές του Ντιάρ Μπακίρ τριάντα οκτώ ανθρώπινοι σκελετοί με σφαίρες εννέα χιλιοστών στο κεφάλι, γεγονός που παραπέμπει σε εκτελέσεις. Με βάση τις εξετάσεις DNA, οι τριάντα οκτώ σκελετοί δεν ανήκουν ούτε σε Τούρκους ούτε σε Κούρδους πολίτες. Δεδομένου ότι υπάρχουν πληροφορίες πως στις συγκεκριμένες φυλακές είχαν μεταφερθεί Ελληνοκύπριοι αιχμάλωτοι, μετά τον πόλεμο του 1974, το γεγονός αυτό έχει προκαλέσει αναστάτωση στην Κύπρο.

Ερωτάται η Επιτροπή αν σκοπεύει να προβεί σε διερεύνηση του ζητήματος και να ζητήσει διευκρινίσεις από την τουρκική κυβέρνηση, ώστε να συμβάλει στη διαλεύκανση της ανθρωπιστικής υπόθεσης των αγνοουμένων; Προτίθεται η Επιτροπή να ζητήσει από την Τουρκία να ανοίξει στρατιωτικά έγγραφα που παραμένουν σφραγισμένα και σχετίζονται με την υπόθεση των αγνοουμένων του 1974;

Απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(11 Μαΐου 2012)

Η Επιτροπή γνωρίζει το θέμα που θίγει το Αξιότιμο Μέλος. Έχει ενημερωθεί ότι το συμβούλιο της ιατροδικαστικής υπηρεσίας της Τουρκίας έχει ολοκληρώσει την αρχική εξέταση των κρανίων και των οστών τα οποία βρέθηκαν πρόσφατα κατά τη διάρκεια εκσκαφών στο Ντιάρ Μπακίρ και τα οποία θεωρούνται ότι ανήκουν σε 38 άτομα. Επιπλέον, σχετικά με τα αποτελέσματα αυτής της εξέτασης, η Επιτροπή ενημερώθηκε ότι το συμβούλιο της ιατροδικαστικής υπηρεσίας, μετά την ολοκλήρωση της αρχικής έρευνας, θεωρεί ότι τα λείψανα που ανευρέθηκαν έχουν υποστεί ορισμένες μορφολογικές αλλαγές που σχετίζονται με τη συλλογική παραμονή τους μέσα στο χώμα για τουλάχιστον 100 χρόνια.

Η Επιτροπή, επίσης, ενθαρρύνει την Τουρκία να συνεχίσει να στηρίζει τις προσπάθειες της δικοινοτικής επιτροπής αγνοουμένων στην Κύπρο.

(English version)

Question for written answer E-003065/12
to the Commission
Eleni Theocharous (PPE)
(21 March 2012)

Subject: 38 skeletons found in Diyarbakir prisons

A few weeks ago, it was reported in the Turkish press that 38 human skeletons had been found in prisons in Diyarbakir with 9 mm bullet wounds to the head, which are consistent with executions. DNA tests show that the 38 skeletons are not Turkish or Kurdish citizens. Given that information exists showing that Greek Cypriot captives were brought to these prisons following the 1974 war, this news has caused a stir in Cyprus.

Does the Commission intend to investigate the matter and request clarification from the Turkish Government so that the latter can clear up the humanitarian aspects related to those persons reported 'missing in action'? Does the Commission intend to ask Turkey to allow access to military records which remain sealed and which are related to the cases of persons who went missing in action in 1974?

Answer given by Mr Füle on behalf of the Commission
(11 May 2012)

The Commission is aware of the issue raised by the Honourable Member. It has been informed that the Turkish Council of Forensic Medicine Institute has completed its initial work on the skulls and bones which have recently been found during excavations in Diyarbakır and which are assumed to belong to 38 persons. Furthermore, as regards the outcome of this work, the Commission has learnt that the Council of Forensic Medicine Institute, following completion of initial research, assesses that the remains found have undergone certain morphological changes associated with remaining collectively under earth for at least 100 years.

The Commission also encourages Turkey to continue to support the efforts of the bi-communal committee for missing persons (CMP) in Cyprus.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003066/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(21 Μαρτίου 2012)

Θέμα: Εξωδικαστικός συμβιβασμός με την εταιρία Siemens

Το ελληνικό δημόσιο, μετά από εξωδικαστικό συμβιβασμό, έναντι χρηματικού ποσού και μιας «δημόσιας συγνώμης», «παραιτείται από τις αστικές και διοικητικές αξιώσεις και πρόστιμα κατά της Siemens, σε σχέση με τις υποθέσεις που αφορούν δραστηριότητες διαφθοράς, πληρωμών ή υποσχέσεων πληρωμών προς τρίτους ή άλλες παράνομες δραστηριότητες από την πλευρά της Siemens ως το έτος 2007».

Τα σκάνδαλα της εταιρίας Siemens αποτελούν εδώ και αρκετά χρόνια παγκόσμιο ανάγνωσμα και έχουν κατατεθεί εκατοντάδες ερωτήσεις ευρωβουλευτών, μεταξύ των οποίων και δικές μου, με τις οποίες ζητούμε επίμονα από την Ευρωπαϊκή Επιτροπή, να παρέμβει. Απέναντι σε αυτά τα αιτήματα, η Ευρωπαϊκή Επιτροπή αρκείται σε γενικόλογες διατυπώσεις περί: «κατανόησης των ανησυχιών», «επικάλυψης αρμοδιοτήτων» και «παρακολούθησης του ζητήματος», χωρίς να λάβει καμία συγκεκριμένη πρωτοβουλία. Την ίδια στιγμή, η δικαστική έρευνα (ΗΠΑ, Γερμανία και αλλού) έχει αποκαλύψει τις ευθύνες της εταιρίας και την έχει καταδικάσει για διαφθορά και δωροδοκία. Ο εξωδικαστικός συμβιβασμός και η δημόσια συγνώμη της εταιρίας αποτελούν ομολογία ενοχής, που σε καμία περίπτωση δεν μπορεί να παραγράψει την τεράστια απώλεια που ενδεχομένως έχει υποστεί ο προϋπολογισμός της ΕΕ. Με δεδομένο, επίσης, ότι η Ευρωπαϊκή Επιτροπή προωθεί στην Ελλάδα τη μείωση ακόμα και των ισχνών επιδομάτων ανεργίας και πρόνοιας, ενώ δεν διερευνά τα μεγάλα αυτά σκάνδαλα, τα οποία έχουν επιβαρύνει σημαντικά τα ελλείμματα και το δημόσιο χρέος της οικονομίας της, ερωτάται η Επιτροπή:

1. Μπορεί ρητά να βεβαιώσει ότι ο συμβιβασμός αυτός, δεν δεσμεύει την Επιτροπή για την μη διερεύνηση των συγκεκριμένων υποθέσεων παραβίασης της κοινοτικής νομοθεσίας περί δημοσίων συμβάσεων και προμηθειών και ότι θα απαιτήσει επιστροφή κονδυλίων από συγχρηματοδοτούμενα προγράμματα, όταν αποδειχθεί παράνομη συμπεριφορά;

2. Με δεδομένο ότι η έρευνα για την τήρηση της κοινοτικής νομοθεσίας περί δημοσίων συμβάσεων και προμηθειών ασκείται σε μεγάλο βαθμό από εθνικές αρχές, είναι συμβατή με την κοινοτική νομοθεσία η ρήτρα του εξωδικαστικού συμβιβασμού ότι η Ελλάδα θα απέχει από την περαιτέρω διερεύνηση των σκανδάλων και των ευθυνών της Siemens;

3. Πώς μπορεί η Επιτροπή να πείσει τους ευρωπαίους φορολογούμενους ότι η παράλειψη διερεύνησης, εκ μέρους της, των συγκεκριμένων σκανδάλων της Siemens δεν αποτελεί προκλητική αδιαφορία για την τύχη των χρημάτων τους και ότι η απραξία που έχει επιδειχθεί δεν συνδέεται και με την εθνική προέλευση της Siemens, καθώς μέχρι τώρα έχει την ίδια στάση για πολυάριθμα σκάνδαλα στα οποία εμπλέκονται γερμανικές εταιρίες;

Απάντηση του κ. Barnier εξ ονόματος της Επιτροπής
(24 Μαΐου 2012)

Με βάση τις διαθέσιμες πληροφορίες σχετικά με τον εξωδικαστικό συμβιβασμό μεταξύ του Ελληνικού Δημοσίου και της Siemens, η Επιτροπή δεν είναι σε θέση να προβεί σε δήλωση ως προς τη συμβατότητα με τους ισχύοντες κανόνες της ΕΕ.

Εν πάση περιπτώσει, ο εν λόγω συμβιβασμός δεν εμποδίζει την Επιτροπή να διερευνήσει τυχόν παραβιάσεις των ενωσιακών κανόνων για τις δημόσιες συμβάσεις ή τα διαρθρωτικά ταμεία και το Ταμείο Συνοχής εάν της υποβληθεί σχετική καταγγελία ή εάν η Επιτροπή διαπιστώσει παραβίαση των κανόνων για τις δημόσιες συμβάσεις στο πλαίσιο αυτεπάγγελτης έρευνας. Βάσει των κανόνων της επιμερισμένης διαχείρισης, τα κράτη μέλη φέρουν κατά κύριο λόγο την ευθύνη για την υλοποίηση των προγραμμάτων, την επιλογή των έργων και τη διαχείρισή τους, συμπεριλαμβανομένης της διαδικασίας ανάθεσης, λογιστικών και λοιπών ελέγχων. Τα κράτη μέλη υποχρεούνται να διαβιβάζουν στην Επιτροπή ενδελεχείς πληροφορίες σχετικά με τις διαπιστωθείσες παρατυπίες εντός ορισμένων χρονικών ορίων ανάλογα με τον τομέα των δαπανών. Σε περίπτωση ποινικών ερευνών, εφόσον εθνικές διατάξεις προβλέπουν την εμπιστευτικότητα, η κοινοποίηση των πληροφοριών υπόκειται στην έγκριση του αρμόδιου δικαστηρίου.

Σύμφωνα με τα άρθρα 99 έως 102 του κανονισμού (ΕΚ) αριθ. 1083/2006 ([1]), η Επιτροπή μπορεί να αποφασίσει να προβεί σε δημοσιονομικές διορθώσεις, ακυρώνοντας το σύνολο ή μέρος της κοινοτικής συνεισφοράς σε επιχειρησιακό πρόγραμμα σε περίπτωση που καταλήξει στο συμπέρασμα ότι οι δαπάνες που περιέχονται στην πιστοποιημένη δήλωση δαπανών είναι παράτυπες και δεν έχουν διορθωθεί από το κράτος μέλος. Επιπλέον, δημοσιονομική διόρθωση μπορεί να αποφασιστεί όταν υπάρχουν σοβαρές ελλείψεις στο σύστημα διαχείρισης και ελέγχου του προγράμματος, που έχουν θέσει σε κίνδυνο την κοινοτική συνεισφορά η οποία έχει ήδη καταβληθεί στο κράτος μέλος.

([1]) Κανονισμός (ΕΚ) αριθ. 1083/2006 του Συμβουλίου, της 11ης Ιουλίου 2006, περί καθορισμού γενικών διατάξεων για το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης, το Ευρωπαϊκό Κοινωνικό Ταμείο και το Ταμείο Συνοχής και την κατάργηση του κανονισμού (ΕΚ) αριθ. 1260/1999, ΕΕ L 210 της 31.7.2006, σ. 25.

(English version)

Question for written answer E-003066/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(21 March 2012)

Subject: Out-of-court settlement with Siemens

Following an out-of-court settlement, the Greek Government, in return for financial compensation and a public apology, is waiving the civil and judicial claims and penalties against Siemens relating to cases of corrupt activities, payments or promises of payments to third parties or other illegal activities carried out by Siemens until 2007.

The scandals at the Siemens company have been the subject of stories all over the world for many years and hundreds of questions by MEPs have been submitted, including my own, constantly seeking intervention by the Commission. In response to these requests, the Commission uses generic phrases such as: 'understanding concerns', 'overlapping responsibilities' and 'monitoring the situation' without taking any specific initiatives. At the same time, court investigations (in the United States, Germany and elsewhere) where the company has been found guilty of corruption and bribery have revealed its wrongdoing. The out-of-court settlement and the public apology made by the company constitute an admission of guilt which can in no way make up for the huge loss the EU budget may have suffered. Given that the European Commission is now pushing for the reduction of meagre unemployment benefits and allowances in Greece, while neglecting to investigate these major scandals, which have significantly aggravated its deficits and public debt burden:

1. Can the Commission explicitly confirm that this settlement does not prevent it from investigating these specific breaches of Community legislation regarding government contracts and procurement and that it will call for the return of sums from co-financed programmes where illegal activity has been proven?

2. Given that the investigation into compliance with Community legislation on government contracts and procurement is carried out to a large extent by national authorities, is the out-of-court settlement clause stating that Greece will refrain from further investigation into the Siemens scandals and its responsibilities compatible with Community legislation?

3. How can the Commission convince European taxpayers that the absence of an investigation on its part into the Siemens scandals does not display outright indifference for what has become of their money and that the lack of action demonstrated is not related to Siemens' national origin, as it has taken the same position to date on numerous scandals involving German companies?

Answer given by Mr Barnier on behalf of the Commission
(24 May 2012)

On the basis of the information available about the out-of-court settlement between the Greek Government and Siemens, the Commission is not in a position to make any statement as to its compatibility with applicable EU rules.

This settlement at any rate, does not prevent the Commission from investigating any violations of EU public procurement or structural and cohesion funds rules should a complaint in this respect be brought to its attention or should the Commission detect violation of public procurement rules in an ex officio investigation. Under rules of shared-management, Member States are responsible in the first instance for the implementation of the programmes, the selection of projects and their management, including the procurement procedure, audit and controls. Member States have an obligation to transmit detailed information on detected irregularities to the Commission within certain time limits depending on the domain of expenditure. In the case of criminal investigations, if national provisions provide for their confidentiality, the communication of the information is subject to the authorisation of the competent court.

In accordance with Article 99-102 of Council Regulation (EC) No 1083/2006 ([1]), the Commission may decide to make financial corrections by cancelling all or part of the Community contribution to an operational programme where it concludes that expenditure contained in a certified statement of expenditure is irregular and has not been corrected by the Member State. In addition, a financial correction may be decided if there is a serious deficiency in the management and control system of the programmes which have put at risk the Community contribution already paid to the Member State.

([1]) Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999, OJ L 210/25, 31.7.2006.

(English version)

Question for written answer E-003067/12
to the Commission
Bill Newton Dunn (ALDE)
(21 March 2012)

Subject: Proper rest for coach drivers

Following two recent very tragic coach accidents, it has been brought to my attention that many long-distance coach drivers are forced to share a hotel room whilst working away from home, sometimes with a complete stranger. Neither driver gets an uninterrupted rest period, being disturbed by another person in the room. Also these same drivers are then expected to remain on duty for up to 21 hours through the night with no proper resting place built into the coach body, as there used to be before 1986, except for a most uncomfortable crew seat on which they are obliged to try to rest.

Is it not time to revisit the regulations governing drivers' rest to take into account the health and safety not only of the drivers but also of the travelling public, before more lives are lost?

Answer given by Mr Kallas on behalf of the Commission
(26 April 2012)

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 ([1]) provides that professional drivers have to take an uninterrupted period of at least nine hours of daily rest. This rest period, during which a driver may freely dispose of his time, shall not be under any circumstances interrupted by either driving or working. The situation that the Honourable Member is referring to is beyond the scope of the regulation.

The current text of the regulation is the result of years of discussions between the Council and the European Parliament. The Commission is not intending to revise this legislation in the near future.

([1]) OJ L 102, 11.4.2006, p. 1-14.

(English version)

Question for written answer E-003069/12
to the Commission
Diane Dodds (NI)
(21 March 2012)

Subject: Horizon 2020

The Commission has stated that it will make a major effort under Horizon 2020 to recognise and promote excellence across Europe.

What form will this major effort take and what mechanisms does the Commission have in place to ensure that all regions of Member States have equal access?

Answer given by Ms Geoghegan-Quinn on behalf of the Commission
(3 May 2012)

As the Honourable Member states, Horizon 2020 will focus on excellence in research, and innovation. Its investments will target excellence in science including ERC, addressing societal challenges and fostering industrial competitiveness, with special attention to SMEs.

However the proposal includes also measures to overcome the research and innovation divide in Europe (specific challenge on 'Inclusive, innovative and secure societies') such as institutional Twinning (teaming of excellent research institutions and less developed regions, twinning of staff (exchanges), expert advice and assistance and the development of joint strategies for the establishment of centres of excellence that might be supported by cohesion policy funds in less developed regions in the framework of research and innovation strategies for smart specialisation), supporting networking e.g. through COST, improving information exchange and providing policy planning support to Member States for their smart specialisation strategies.

Strengthening research and innovation has been earmarked as the most important investment priority for the European Regional Development Fund ([1]), notably developing research infrastructures and capacity building as a driver for socioeconomic development. The CSF for Cohesion will play a key role in developing synergies with Horizon 2020, putting emphasis on building a 'staircase to excellence' for less developed regions of the Union in accordance with Europe 2020 and its flagship initiatives, especially the Innovation Union.

([1]) COM(2011) 614.

(Version française)

Question avec demande de réponse écrite E-003070/12
à la Commission (Vice-Présidente/Haute Représentante)
Patrick Le Hyaric (GUE/NGL)
(21 mars 2012)

Objet: VP/HR — Accès des Palestiniens aux sources d'eau en Cisjordanie

Une enquête publiée tout récemment par le Bureau de la coordination des affaires humanitaires (OCHA) des Nations unies montre que les Palestiniens sont de plus en plus coupés des sources d'eau en Cisjordanie parce que les colons israéliens prennent le contrôle des points d'eau à coup d'intimidations, de menaces et de violence.

Selon l'enquête, 56 sources d'eau se trouvent à proximité de colonies israéliennes, dont une majorité sont situées dans la «zone C», qui couvre environ 60 % de la Cisjordanie où Israël garde le contrôle sans partage en matière de planification et de construction, et sur des terres qui appartiennent à des personnes privées palestiniennes.

L'étude montre que la perte d'accès aux sources et aux terres avoisinantes a réduit les revenus des agriculteurs affectés, qui sont obligés soit d'abandonner la culture de leurs terres soit de voir disparaître une partie considérable des récoltes.

A Genève, la haute commissaire des Nations unies aux Droits de l'homme, Navi Pillay, a rappelé le lundi 19 mars 2012 que l'expansion des colonies illégales et la violence commise par les colons israéliens contre les Palestiniens constituent le plus grand problème lié aux Droits de l'homme dans les territoires palestiniens occupés.

— La Vice-présidente/Haute Représentante est-elle au courant de cette étude?

— La Vice-présidente/Haute Représentante n'estime-t-elle pas que l'article 2 de l'accord d'association UE/Israël devrait être appliqué avec rigueur?

— Quelles ont été jusqu'à ce jour les différents messages envoyés au gouvernement israélien afin de respecter les Droits de l'homme et cesser l'expansion des colonies? Y a-t-il eu des résultats?

Réponse donnée par la Vice-présidente/Haute Représentante Mme Ashton au nom de la Commission
(21 mai 2012)

L'Union européenne est consciente des difficultés auxquelles est confrontée la zone C de la Cisjordanie, en particulier en ce qui concerne les violences commises par les colons, l'expansion des colonies et l'accès aux ressources en eau. C'est pour cette raison qu'au cours des derniers mois, l'UE a concentré tous ses efforts sur cette zone et fait tout son possible pour contribuer à une amélioration sur le terrain dans la zone C.

En ce qui concerne, en particulier, la question de l'expansion des colonies, l'UE soutient que la colonisation est illégale au regard du droit international, qu'elle constitue un obstacle à la paix et menace de rendre impossible une solution à deux États. Elle appelle continuellement le gouvernement d'Israël à cesser immédiatement la colonisation, à Jérusalem-Est ainsi que dans le reste de la Cisjordanie, notamment l'expansion naturelle, et à démanteler toutes les colonies de peuplement sauvages installées depuis mars 2001. L'UE a exprimé ces positions dans diverses conclusions du Conseil «Affaires Étrangères», dans de nombreuses déclarations faites par la haute représentante ainsi que dans le cadre de ses contacts bilatéraux avec le gouvernement d'Israël.

L'accord d'association UE-Israël constitue la base juridique du dialogue permanent avec les autorités israéliennes, notamment sur les questions politiques et internationales, ainsi que sur le respect des Droits de l'homme. L'engagement à l'égard d'Israël est, pour l'UE, le moyen le plus efficace de faire comprendre à ses homologues les préoccupations qui sont les siennes en ce qui concerne les questions des Droits de l'homme. L'UE saisit toutes les occasions que lui offre le dialogue qui se tient à différents niveaux dans le cadre de l'accord d'association pour soulever les préoccupations évoquées dans la présente question.

(English version)

Question for written answer E-003070/12
to the Commission (Vice-President/High Representative)
Patrick Le Hyaric (GUE/NGL)
(21 March 2012)

Subject: VP/HR — Access for Palestinians to water springs in the West Bank

A study recently published by the UN Office for the Coordination of Humanitarian Affairs reveals that in the West Bank Palestinians are being denied access to a growing number of water springs by acts of intimidation, threats and violence perpetrated by Israeli settlers.

The study states that 56 water springs are located close to Israeli settlements, most of them in 'Area C', which covers around 60 % of the West Bank, where Israel maintains full control over planning and construction, and on land privately owned by Palestinians.

The study shows that the loss of access to springs and to neighbouring land has reduced the income of affected farmers, who are obliged either to abandon farming their land or lose a considerable portion of their crops.

On Monday 19 March 2012 in Geneva, the UN High Commissioner for Human Rights, Navi Pillay, reiterated that the expansion of illegal settlements and the violence committed by Israeli settlers against Palestinians constitute the most serious human rights problem in occupied Palestinian territory.

— Is the Vice-President/High Representative familiar with this study?

— Does the Vice-President/High Representative not believe that Article 2 of the EU-Israel Association Agreement should be strictly applied?

— What messages have been sent to the Israeli Government to urge it to respect human rights and halt the expansion of settlements? What has been their outcome?

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

The EU is aware of the difficulties prevalent in Area C of the West Bank particularly with regard to settler violence, settlement expansion and access to water resources. It is for this reason that in the past months, the EU has intensified its focus on this area and is doing its utmost to contribute to an improvement on the ground in Area C.

Concerning the issue of settlement expansion in particular, the EU holds that settlements are illegal under international law, constitute an obstacle to peace and threaten to make a two-state solution impossible. The EU constantly urges the government of Israel to immediately end all settlement activities, in East Jerusalem and the rest of the West Bank and including natural growth, and to dismantle all outposts erected since March 2001. The EU has expressed these positions in various Foreign Affairs Council conclusions, in numerous statements issued by the High Representative as well as in its bilateral contacts with the government of Israel.

The EU-Israel Association Agreement is the legal basis of the ongoing dialogue with the Israeli authorities, including on political and international issues, as well as on respect of human rights. Engagement with Israel is the most effective way to convey to our counterpart the EU's concerns on matters of human rights. The EU uses all opportunities afforded by the dialogue that takes place at different levels within the framework of the Association Agreement to raise the issues raised in this question.

(Version française)

Question avec demande de réponse écrite E-003071/12
à la Commission (Vice-Présidente/Haute Représentante)
Patrick Le Hyaric (GUE/NGL)
(21 mars 2012)

Objet: VP/HR — Expansion des colonies israéliennes en territoires occupés

La haute commissaire aux Droits de l'homme, Navanethem Pillay, a dénoncé dans un rapport, le 19 mars 2012, les «graves violations» commises par Israël, les autorités de fait de la bande de Gaza et les autorités palestiniennes en Cisjordanie.

Côté israélien, le rapport déplore l'expansion continue des colonies israéliennes et l'impunité pour les actes de violence perpétrés par des colons, et demande au gouvernement de cesser immédiatement de transférer sa population civile dans le territoire occupé.

— La Vice-présidente/Haute Représentante a-t-elle connaissance du rapport présenté par la haute commissaire aux Droits de l'homme?

— Quelles mesures l'Union européenne compte-t-elle prendre en tant que partenaire «actif» du Quartet pour exiger du gouvernement israélien de cesser immédiatement l'expansion des colonies dans les territoires occupés?

Réponse donnée par la Vice-présidente/Haute Représentante Ashton au nom de la Commission
(19 juin 2012)

La Vice-présidente/Haute Représentante Ashton a en effet connaissance du rapport mentionné dans la question. Il a été présenté par la Haut Commissaire aux Droits de l'homme Navi Pillay au Conseil des Droits de l'homme le 19 mars 2012. L'UE a fait une déclaration dans le cadre du débat général sur la situation des Droits de l'homme en Palestine et dans les autres territoires arabes occupés qui a suivi la présentation du rapport.

L'UE a appelé les deux parties à faire des propositions globales sur les frontières et la sécurité, comme prévu dans la déclaration du Quatuor du 23 Septembre 2011. Elle a pleinement soutenu la demande adressée par le Quatuor aux parties de s'abstenir de toute provocation et de respecter leurs obligations dans le cadre de la feuille de route.

L'UE estime que les mesures israéliennes sur le terrain accentuent la séparation de Jérusalem-Est du reste du territoire palestinien occupé et ébranlent le droit des Palestiniens à l'autodétermination et à la création d'un état viable et contigu. Les colonies de peuplement et la barrière de séparation, dès lors qu'elles sont construites sur les territoires occupés, sont illégales au regard du droit international, représentent un obstacle à la paix et risquent de rendre impossible une solution fondée sur la coexistence de deux états.

Les événements survenus dans la région au cours de l'année écoulée confirment que la stabilité et la sécurité à long terme ne sont viables que si les Droits de l'homme et le droit humanitaire international sont pleinement respectés par tous.

L'UE soulève sans relâche la problématique des colonies de peuplement dans ses contacts bilatéraux avec Israël.

(English version)

Question for written answer E-003071/12
to the Commission (Vice-President/High Representative)
Patrick Le Hyaric (GUE/NGL)
(21 March 2012)

Subject: VP/HR — Expansion of Israeli colonies in occupied territories

In a report on 19 March 2012, the UN High Commissioner for Human Rights, Navi Pillay, spoke out against 'grave violations' committed by Israel, the de facto authorities in the Gaza Strip and the Palestinian authorities in the West Bank.

The report condemns the continued expansion of Israeli settlements and impunity for acts of violence perpetrated by settlers and requests that the Israeli Government immediately stop moving its civilian population into occupied territory.

— Is the Vice-President/High Representative aware of the report presented by the High Commissioner for Human Rights?

— What measures does the European Union plan to take in its capacity as an 'active' partner of the Quartet to demand that the Israeli Government immediately halt the expansion of settlements into occupied territories?

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

High Representative/Vice-President Ashton is indeed aware of the report mentioned in the question. It was presented by High Commissioner for Human Rights Navi Pillay to the Human Rights Council on 19 March 2012. The EU delivered a statement in the general debate on the human rights situation in Palestine and Other Occupied Arab Territories which followed the presentation of the report.

The EU called on both parties to come forward with comprehensive proposals on borders and security, as envisaged in the Quartet statement of 23 September 2011. It fully supported the Quartet's call on the parties to refrain from provocative actions and to respect the obligations of both parties under the Roadmap.

The EU holds the view that Israeli measures on the ground aggravate the separation of East Jerusalem from the rest of the occupied Palestinian territory and undermine the right of the Palestinians to self-determination and the establishment of a viable and contiguous state. Settlements and the separation barrier, where built on occupied land, are illegal under international law, constitute an obstacle to peace and threaten to make a two state solution impossible.

Events in the region over the past year confirm that long-term stability and security are only sustainable if human rights and international humanitarian law are fully respected by all.

The EU consistently raises the issue of the settlements in its bilateral contacts with Israel.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003072/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE) e Raffaele Baldassarre (PPE)
(21 marzo 2012)

Oggetto: Inchiesta sul Centro direzionale di Bari

Nel quartiere San Paolo di Bari è stato realizzato un Centro direzionale inaugurato nel maggio del 2009 e costato circa 50 milioni di euro, 15 dei quali provenienti da fondi europei attraverso i Por. Nei giorni scorsi sono stati tratti in arresto i titolari della società che ha realizzato l'opera.

Secondo quanto riportato da molti quotidiani che stanno seguendo l'inchiesta giudiziaria, vi sarebbero conclamate irregolarità nell'ambito dell'affidamento dei lavori e della realizzazione stessa del centro direzionale. La società vincitrice del bando avrebbe fatturato ben 10 milioni di euro in più rispetto agli effettivi costi di realizzazione, utilizzando quindi materiali scadenti e più economici rispetto a quelli dichiarati.

Il Comune avrebbe anche modificato più volte il bando per evitare che l'impresa aggiudicatrice dei lavori pagasse eventuali maggiorazioni negli oneri di esproprio, facendo di conseguenza ricadere i costi aggiuntivi sul Comune di Bari ovvero sul denaro pubblico. Inoltre, ci sarebbero state pressioni da parte di alcuni dirigenti comunali verso alcuni dirigenti della Regione per far sì che i 15 milioni di euro fossero messi a disposizione del Municipio barese e non destinati a altre opere attraverso una riprogrammazione dei Por, stante il ritardo nelle procedure di aggiudicazione.

Alla luce dei fatti sopraesposti, può la Commissione far sapere:

1. se è a conoscenza della vicenda,

2. se intende avviare una inchiesta per verificare eventuali utilizzi impropri dei fondi europei?

Risposta data da Johannes Hahn a nome della Commissione
(15 maggio 2012)

La Commissione è a conoscenza degli eventi menzionati dagli onorevoli deputati e ha già chiesto informazioni all'autorità di gestione del programma «Puglia 2000-2006».

Sulla base delle informazioni fornite dall'autorità di gestione la Commissione ha deciso di sospendere l'importo di 6 353 971,49 euro relativo al progetto n. 501A000172 «Aree integrate per servizi urbani al S. Paolo» dal pagamento finale del programma. Tale sospensione sarà mantenuta fino a quando saranno note le conclusioni dell'inchiesta giudiziaria. In seguito a ciò la Commissione deciderà se disimpegnare o pagare l'importo in questione.

(English version)

Question for written answer E-003072/12
to the Commission
Sergio Paolo Frances Silvestris (PPE) and Raffaele Baldassarre (PPE)
(21 March 2012)

Subject: Inquiry into Bari Business Centre

A business centre has been built in the San Paolo area of Bari. It opened in May 2009 and cost around EUR 50 million, EUR 15 million of which came from EU funding through the Regional Operational Programme (ROP). Recently, the owners of the company that carried out the work were arrested.

As reported by many of the newspapers following the judicial inquiry, irregularities are alleged to have taken place when awarding the works contract and in building the business centre. The company awarded the works contract appears to have made a profit of as much as EUR 10 million on the actual construction costs, having therefore used poor quality and less expensive materials in place of those declared.

The municipal authority also appears to have amended the works contract a number of times to prevent the awarding company from having to pay any increases in expropriation charges, with the result that the additional costs were borne by the Municipality of Bari and the public purse. In addition, some council leaders appear to have put pressure on regional leaders to agree to the EUR 15 million being made available to the Municipality of Bari rather than being put towards other works through a reprogramming of the Regional Operational Programme (ROP), given the delay in contract award procedures.

1. Is the Commission aware of this situation?

2. Does it intend to launch an inquiry to ascertain whether there has been any improper use of EU funds?

Answer given by Mr Hahn on behalf of the Commission
(15 May 2012)

The Commission is aware of the matter raised by the Honourable Members and had already requested information from the managing authority of the programme 'Puglia 2000-2006'.

On the basis of the information provided by the managing authority, the Commission has decided to suspend the sum of EUR 6 353 971.49 related to project n. 501A000172 'Aree integrate per servizi urbani al S. Paolo' from the final payment of the programme. This suspension will be maintained until the final outcome of the judicial proceedings. Subsequently, the Commission will decide either to de-commit or to pay the amount concerned.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003073/12
alla Commissione
Mario Borghezio (EFD)
(21 marzo 2012)

Oggetto: Istituzione della giornata europea della memoria delle vittime della strage di Tolosa

A seguito della strage di Tolosa, la decisione del Governo francese di ricordare in tutte le scuole di Francia con un minuto di silenzio le vittime del mostruoso eccidio coinvolge valori comuni a tutti i cittadini dell'UE.

Poiché è necessario che un ricordo e una riflessione sulle origini e sulle cause di questa ondata di fanatismo antisemita venga estesa in tutta Europa intende la Commissione intervenire affinché, a fianco di tante altre commemorazioni, venga istituita a livello europeo la Giornata di ricordo e commemorazione delle vittime della strage di Tolosa, anche come «occasione per mostrare davvero che l'Europa non è solo una moneta, ma anche una comunità di valori e di memorie»? (La Stampa, 21.3.2012)

Risposta data da Viviane Reding a nome della Commissione
(14 maggio 2012)

La Commissione condanna vigorosamente tutte le forme di odio e di violenza basate sull'origine etnica o nazionale o sulla religione, indipendentemente dalle motivazioni degli autori, nonché tutte le manifestazioni di antisemitismo, razzismo o xenofobia, indipendentemente da dove si verifichino e da chi ne sia l'autore.

La decisione quadro 2008/913/GAI del Consiglio ([1]) fa obbligo agli Stati membri dell'UE di sanzionare l'incitamento intenzionale del pubblico alla violenza o all'odio in base alla razza, al colore della pelle, alla religione, all'ascendenza o all'origine nazionale o etnica, e di considerare la motivazione razzista o xenofoba di ogni altro reato quale circostanza aggravante o che possa presa in considerazione dal giudice all'atto della determinazione della pena.

Gli Stati membri dovevano recepire la decisione quadro nel loro ordinamento nazionale entro il 28 novembre 2010. La Francia ha notificato le proprie misure di attuazione che la Commissione sta analizzando.

La Commissione non è autorizzata dai trattati a avviare procedimenti di infrazione sulla base delle decisioni quadro fino al 1° dicembre 2014. Essa sta però monitorando il più attentamente possibile il recepimento di questa decisione quadro e presenterà una relazione a tal fine nel 2013.

Spetta ai tribunali nazionali determinare, tenendo conto delle circostanze e del contesto del caso, se una situazione individuale sia sanzionabile in quanto reato a carattere razzista, xenofobo o antisemita.

La Commissione sostiene inoltre le attività e le organizzazioni impegnate a mantenere viva la memoria delle vittime delle politiche antisemite e razziste del passato e a trasmettere tale memoria alle giovani generazioni europee.

([1]) Decisione quadro 2008/913/GAI del Consiglio, del 28 novembre 2008, sulla lotta contro talune forme ed espressioni di razzismo e xenofobia mediante il diritto penale, GU L 328 del 6.12.2008.

(English version)

Question for written answer E-003073/12
to the Commission
Mario Borghezio (EFD)
(21 March 2012)

Subject: Establishment of a European Day in memory of the victims of the Toulouse massacre

Following the Toulouse massacre, the French Government's decision to remember the victims of this monstrous slaughter with a minute's silence in all schools across France involves values that are common to all EU citizens.

Since the origins and causes of this wave of anti-Semitic fanaticism need to be remembered and debated in all EU Member States, will the Commission take action to ensure that, alongside so many other commemorations, a European Day in memory of the victims of the Toulouse massacre is established, also to 'provide an opportunity to show that Europe really is not just a currency, but also a community of values and memories' (*La Stampa*, 21 March 2012)?

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

The Commission strongly condemns all forms of hatred and violence based on ethnic or national origin or religion, regardless of the motivation of those involved, as well as any manifestation of anti-Semitism, racism or xenophobia, wherever it happens and whomever it comes from.

Council Framework Decision 2008/913/JHA ([1]) obliges all EU Member States to penalise the intentional public incitement to violence or hatred based on race, colour, religion, descent or national or ethnic origin, and to take the racist or xenophobic motivation of any other offence into consideration as an aggravating circumstance or in the determination of the penalties.

The Member States were obliged to transpose the framework Decision into their national laws by 28 November 2010. France has notified its implementing measures, which the Commission is analysing.

The Commission is not authorised by the Treaties to launch infringement proceedings on the basis of Framework Decisions until 1 December 2014. However, it is monitoring as closely as possible the transposition of this framework Decision and will deliver a report to this end in 2013.

It is for the national courts to determine, according to the surrounding circumstances and context, whether an individual situation is punishable as a racist, xenophobic or anti-Semitic offence.

The Commission also supports activities and organisations engaged in keeping alive the memory of victims of anti-Semitic and racist policies in the past and passing this memory on the young generation of Europeans.

([1]) 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-003074/12
alla Commissione
Giovanni La Via (PPE)
(21 marzo 2012)

Oggetto: Ripristino del potenziale produttivo delle aziende agricole a seguito di calamità naturali (venti ciclonici in Sicilia)

La Sicilia è stata colpita, lo scorso 9 e 10 marzo, da venti ciclonici di portata estremamente intensa che hanno arrecato danni ingenti alle strutture produttive delle imprese agricole del Ragusano dedite alla produzione agricola in serra.

I venti ciclonici hanno, inoltre, investito le aziende agrumicole della provincia di Siracusa e Ragusa e determinato la cascola della produzione e la defogliazione degli impianti arborei.

Per effetto di tale evento le strutture produttive risultano irrimediabilmente compromesse con pesanti ricadute sull'attività e sui redditi degli agricoltori colpiti.

Considerato che:

la Misura 126 del PSR Sicilia 2007/2013 «Recupero del potenziale di produzione agricola danneggiato da disastri naturali e introduzione di adeguati strumenti di prevenzione» di cui all'articolo 20, lettera b), punto vi) del regolamento (CE) n. 1698/2005 ha l'obiettivo di prevenire le calamità naturali e di compensare i danni provocati dalle stesse;

tale misura prevede un aiuto agli investimenti volti alla prevenzione delle calamità naturali (80 %) o alla compensazione dei danni causati dalle stesse calamità (100 %);

gli investimenti per la prevenzione e quelli volti alla compensazione dei danni devono riguardare le «calamità naturali» così come definite dagli Orientamenti per gli aiuti di Stato nel settore agricolo e forestale 2007/2013 di cui al sottocapitolo V.B.2, cioè: terremoti, valanghe, frane e inondazioni, senza riferimento alcuno al vento ciclonico;

può la Commissione far sapere:

1. se l'elenco suddetto sia da intendersi solo a fini esemplificativi e non esaustivi;

2. nel caso in cui le calamità naturali siano solo quelle esplicitate, se sia possibile modificarlo per includere tra i danni oggetto di compensazione anche quelli causati dai venti ciclonici;

3. qual è la procedura da seguire per una rapida modifica del contesto normativo?

Interrogazione con richiesta di risposta scritta E-003169/12
alla Commissione
Giovanni La Via (PPE)
(23 marzo 2012)

Oggetto: Ripristino del potenziale produttivo delle aziende agricole a seguito di calamità naturali (grandinate in Sicilia)

Premesso che:

— la misura 126 del Programma di sviluppo rurale (PSR) Sicilia 2007-2013, concernente il «recupero del potenziale di produzione agricola danneggiato da disastri naturali e l'introduzione di adeguati strumenti di prevenzione» di cui all'articolo 20, lettera b), punto vi) del regolamento (CE) n. 1698/2005, ha l'obiettivo di prevenire le calamità naturali e di compensare i danni provocati dalle stesse;

— tale misura prevede un aiuto agli investimenti volti alla prevenzione delle calamità naturali (80 %) o alla compensazione dei danni causati da tali calamità (100 %);

— sia gli investimenti per la prevenzione che quelli volti alla compensazione dei danni devono riguardare le «calamità naturali» così come definite dagli Orientamenti per gli aiuti di Stato nel settore agricolo e forestale 2007-2013 al sottocapitolo V.B.2, e pertanto: terremoti, valanghe, frane e inondazioni senza riferimento alcuno alla grandine;

— secondo la prassi costante della Commissione, avverse condizioni atmosferiche quali gelo, grandine, ghiaccio, pioggia o siccità non possono essere considerate, di per sé, calamità naturali ai sensi dell'articolo 87, paragrafo 2, lettera b), del trattato. Tuttavia, a causa dei danni che tali eventi possono arrecare alla produzione agricola o ai mezzi di produzione agricoli, tali eventi possono essere assimilati a calamità naturali se il danno raggiunge una determinata soglia della produzione normale;

considerato che:

— in alcune aree circoscritte della Sicilia, nel marzo 2012 si sono verificate grandinate di intensa portata che hanno provocato danni agli impianti arborei di agrumeti, frutteti, ecc.;

si interroga la Commissione per sapere:

— se sia possibile estendere la misura 126 del PSR Sicilia 2007-2013 anche alla calamità riconducibile alla grandine;

— in caso affermativo, se sia consentito compensare le imprese agricole colpite dalla grandine attraverso l'erogazione di contributi per la realizzazione di interventi finalizzati a recuperare il potenziale produttivo delle strutture arboree danneggiate.

Risposta congiunta data da Dacian Cioloş a nome della Commissione
(15 maggio 2012)

La Commissione ricorda che gli eventi menzionati nell'interrogazione non sono esplicitamente elencati tra le calamità naturali riportate nel PSR della Sicilia ai fini della misura 126.

In tale contesto, le autorità regionali hanno dimostrato interesse per una modifica del PSR allo scopo di introdurre, nella definizione di calamità naturali, riferimenti espliciti alla grandine intensa e ai venti forti.

Su presentazione di una richiesta ufficiale di modifica del PSR, i servizi della Commissione valutano la conformità della modifica proposta con i regolamenti dell'UE sullo sviluppo rurale e con il Piano strategico nazionale per lo sviluppo rurale 2007-2013 e informano lo Stato membro dei risultati della valutazione effettuata.

Inoltre, in deroga alla norma generale in materia di ammissibilità delle spese, conformemente all'articolo 10, paragrafo 2, del regolamento (CE) n. 1974/2006 ([1]) della Commissione, le misure di emergenza dovute a calamità naturali possono essere ammissibili al sostegno a decorrere dalla data in cui si è verificata la calamità.

Per quanto riguarda la domanda dell'onorevole parlamentare relativa all'esaustività degli Orientamenti per gli aiuti di Stato nel settore agricolo e forestale 2007-2013, va osservato che le avverse condizioni atmosferiche non costituiscono di per sé calamità naturali, dato che rappresentano rischi inerenti all'attività agricola. Esse possono essere assimilate a calamità naturali soltanto quando sono all'origine di perdite superiori a una determinata soglia (30 %), ma sono coperte da specifiche norme in materia di aiuti di Stato, leggermente diverse da quelle applicabili alle calamità naturali vere e proprie.

([1]) GU L 368 del 23.12.2006.

(English version)

Question for written answer E-003074/12
to the Commission
Giovanni La Via (PPE)
(21 March 2012)

Subject: Restoring the production potential of agricultural holdings in the wake of natural disasters (cyclonic winds in Sicily)

On 9 and 10 March 2012, Sicily was hit by extremely strong cyclonic winds which caused extensive damage to production facilities on farms in the Ragusa area specialising in growing crops under glass.

The cyclonic winds also hit citrus farms in the provinces of Syracuse and Ragusa causing fruit to fall to the ground prematurely and trees to be stripped of their leaves.

The winds have left production facilities irreparably jeopardised, seriously impacting the businesses and incomes of the farmers affected.

Measure 126 of Sicily's Rural Development Programme 2007-2013 'Restoring agricultural production potential damaged by natural disasters and introducing appropriate prevention actions' (see Article 20(b)(vi) of Regulation (EC) No 1698/2005) is aimed at preventing natural disasters and compensating the damage they cause.

This measure provides support for investments to prevent natural disasters (80 %) or provide compensation for damage caused by these disasters (100 %).

Investments in prevention and damage compensation must be for 'natural disasters' as defined in the Guidelines for state aid in the agriculture and forestry sector 2007 to 2013, sub-Chapter V.B.2, i.e.: earthquakes, avalanches, landslides and floods, but there is no reference here to cyclonic winds.

1. Can the Commission confirm whether the aforementioned list is intended for illustrative purposes only or whether it is exhaustive?

2. In the event that only the natural disasters listed are covered, will it be possible to amend the list to include cyclonic winds among the disasters eligible for compensation for damages?

3. What procedure should be followed to obtain agreement to such a change and a rapid amendment to the rules?

Question for written answer E-003169/12
to the Commission
Giovanni La Via (PPE)
(23 March 2012)

Subject: Restoring agricultural production potential following natural disasters (hailstorms in Sicily)

Measure 126 in Rural Development Programme (RDP) Sicily 2007-2013, on 'restoring agricultural production potential damaged by natural disasters and introducing appropriate prevention actions' as referred to in Article 20(b)(vi) of Regulation (EC) No 1698/2005 aims to forestall natural disasters and provide compensation for any damage caused.

This measure provides for aid to investment seeking to forestall natural disasters (80 %) or provide compensation for damage caused by these disasters (100 %).

Investment to prevent damage and investment to compensate for it must both relate to 'natural disasters' as defined by the guidelines for state aid in the agricultural and forestry sector 2007-2013 in sub-chapter (5)(b) 2. The disasters listed are earthquakes, avalanches, landslides and floods; there is no reference to hailstorms.

According to the Commission's consistent practice, adverse atmospheric conditions such as frost, hail, ice, rain or drought cannot be considered, in themselves, natural disasters pursuant to Article 87(2)(b) of the Treaty. Nevertheless, because of the damage that such events can cause to agricultural production or to the means of production, these events can be considered equivalent to natural disasters if the damage affects a specific level of normal production.

In view of the fact that in March 2012, a number of extremely violent hailstorms caused damage to citrus groves, orchards, etc. in certain areas of Sicily, can the Commission say:

— Whether it is possible to extend measure 126 in RDP Sicily 2007-2013 to disasters caused by hail?

— If so, is it admissible to compensate farms affected by the hail in the form of funding for action to be taken to restore production capacity following damage to trees?

Joint answer given by Mr Cioloş on behalf of the Commission
(15 May 2012)

The Commission recalls that the abovementioned events are not explicitly listed among the natural disasters of the Sicily RDP, for the purposes of Measure 126.

Against this background, the regional authorities have shown interest in modifying the RDP in order to introduce explicit references to intensive hail and strong winds within the definition of natural disasters.

Upon submission of an official RDP modification request, Commission services assess the compliance of the proposed amendment with EU rural development regulations and with the National Strategy Plan for Rural Development 2007-2013 and duly inform the Member State of the results of this assessment.

Moreover, as an exception to the general rule on the eligibility of expenditure, in accordance with Article 10(2) of Commission Regulation (EC) No 1974/2006 [1], emergency measures due to natural disasters may be eligible for support starting from the date when the calamities occurred.

As regards the Honourable Member's question on whether the Guidelines for state aid in the agriculture and forestry sector 2007-2013, are exhaustive, it should be noted that adverse weather conditions are not natural disasters *per se* because they represent risks inherent to the farming activity. They can only be assimilated to natural disasters when they cause losses above a certain threshold (30 %) but they are covered by specific state aid rules, slightly different from those applicable to pure natural disasters.

[1] OJ L 368, 23.12.2006.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003075/12
alla Commissione
Claudio Morganti (EFD) e Matteo Salvini (EFD)
(21 marzo 2012)

Oggetto: Problematiche relative alle dogane europee

Una recente analisi pubblicata in Italia dimostra come negli ultimi anni nel nostro paese siano aumentate vertiginosamente le importazioni di merci provenienti dai Paesi Bassi, tra cui, ad esempio, calzature e prodotti tessili. Questo risultato non è sicuramente dovuto ad un incremento di produzione olandese, ma deriva dal fatto che buona parte delle merci provenienti dall'esterno dell'UE (Asia e Cina in particolare) giunga nei porti dei Paesi Bassi, e da qui venga poi smistata nei diversi paesi dell'Unione.

Il dato potrebbe forse non essere considerato così problematico, se non venisse però analizzato insieme ad altri indicatori, che dimostrano ad esempio come, a fronte di importazioni di prodotti cinesi in Italia stimabili attorno all'8-9 % del totale UE, ben un quarto della quantità di merce cinese contraffatta sequestrata in Europa sia avvenuto nelle dogane italiane. A questo punto si dovrebbe pensare o che le dogane italiane siano particolarmente efficienti, oppure che altrove vi siano controlli più blandi. Questo potrebbe anche spiegare come mai i porti del Mediterraneo subiscano una contrazione delle attività a vantaggio dei porti del Nord Europa: forse altrove gli spedizionieri sono attratti, oltre che dalla perfetta logistica, anche dai controlli compiacenti.

— Considerando che, secondo gli articoli 206 e 207 TFUE, la politica commerciale comune è di competenza esclusiva dell'Unione, la quale dovrebbe quindi garantire principi di applicazione uniformi per tutti gli Stati membri, quali misure intende prendere la Commissione europea per accertare se vi siano anomalie nelle attività di controllo doganale compiute dagli Stati membri?

— Quali interventi di stimolo intende essa porre in essere per giungere, in tutti gli Stati membri, ad un livello omogeneo di controlli per la ricerca di merci contraffatte o di prodotti pericolosi per i consumatori? Ritiene che lo strumento FISCUS, recentemente presentato al Parlamento europeo, possa essere uno strumento utile per risolvere questo tipo di problemi?

— Non ritiene, infine, che un'applicazione disomogenea delle norme doganali, in particolare dal punto di vista fiscale, oltre che creare danni alle entrate dell'Unione, possa creare distorsioni al mercato, giungendo anche ad alterare il principio di libera concorrenza all'interno dell'UE?

Risposta data da Algirdas Šemeta a nome della Commissione
(14 maggio 2012)

1. A differenza della legislazione sull'unione doganale, di competenza esclusiva dell'UE, l'esecuzione dei controlli e la riscossione dei dazi doganali sulle merci in entrata nel territorio dell' UE competono agli Stati membri. La Commissione verifica ad intervalli regolari i sistemi di riscossione nazionali e può ritenere gli Stati membri finanziariamente responsabili qualora la mancata riscossione dei dazi doganali sia loro imputabile. Dal 2009, nel corso delle ispezioni della Commissione viene posta maggiore attenzione ai sistemi di controllo doganale applicati dagli Stati membri. A tal proposito, attualmente la Commissione controlla le azioni intraprese degli Stati membri per ovviare alle carenze rilevate.

2. Nell'UE, i controlli doganali sono basati sull'analisi dei rischi, affinché sia possibile concentrarsi sulle partite particolarmente rischiose e, nello specifico, individuare merci contraffatte o prodotti pericolosi per i consumatori. Nel 2009 la Commissione ha definito una serie di criteri e norme di rischio comuni in seno all'UE al fine di garantire un livello uniforme di controlli. Inoltre, la Commissione avvia e coordina controlli rafforzati simultanei, effettuati per un periodo di tempo limitato in tutta l'UE, per settori che di comune accordo sono considerati a rischio elevato. Per quanto concerne in particolare la sicurezza dei prodotti, le autorità responsabili del controllo dei prodotti che entrano nel mercato interno sono dotate degli strumenti necessari per l'espletamento dei loro compiti. Vengono altresì sviluppate attività congiunte per garantire controlli adeguati sulle importazioni da parte delle autorità doganali e di sorveglianza del mercato a livello nazionale.

La proposta del programma FISCUS, che succede al programma Dogana 2013, costituisce uno strumento particolarmente importante per continuare a sostenere le attività volte a garantire controlli doganali di elevato livello ed equivalenti.

3. Il principio dell'applicazione uniforme della normativa doganale dell'UE è esplicitamente sancito dall'articolo 2 del codice doganale comunitario. La Commissione ritiene che su tale principio si basi il corretto funzionamento dell'Unione doganale dell'UE e del mercato unico.

(English version)

Question for written answer E-003075/12
to the Commission
Claudio Morganti (EFD) and Matteo Salvini (EFD)
(21 March 2012)

Subject: Problems relating to European customs

A recent study published in Italy shows how imports into Italy of goods from the Netherlands, such as footwear and textile products, have risen dramatically in recent years. This trend is certainly not the result of an increase in Dutch production, but instead stems from the fact that a large proportion of goods from outside the EU (for example Asia, and China in particular) arrive at Dutch ports, from where they are sent on to other EU countries.

This statistic would not perhaps be so problematic were it not for the fact that it has been analysed in conjunction with other indicators, which show, for example, that although imports of Chinese goods into Italy are estimated at around 8 to 9 % of the EU total, a quarter of Chinese counterfeit goods confiscated in Europe are seized by Italian customs. This might seem to suggest that the Italian customs are particularly efficient, or that checks are less strict elsewhere. This could also explain why Mediterranean ports are seeing a decline in activity to the benefit of ports in northern Europe. Perhaps, in addition to perfect logistics, carriers are also attracted by lax customs supervision.

— Given that, in accordance with Articles 206 and 207 of the Treaty on the Functioning of the European Union, the common commercial policy falls within the Union's exclusive area of competence, which should guarantee uniform application principles for all Member States, what measures does the Commission intend to take to determine whether there are anomalies in the customs checks carried out by the Member States?

— What incentives does it intend to introduce in order to achieve, in all Member States, a uniform level of checks designed to identify counterfeit goods or products that are hazardous to consumers? Does it believe that the FISCUS instrument, recently presented to Parliament, could be a useful tool to resolve this kind of problem?

— Finally, does it not take the view that the non-uniform application of customs rules, particularly in terms of tax, in addition to depriving the EU of revenue, might also create market distortions, perhaps even undermining the principle of free competition within the EU?

Answer given by Mr Šemeta on behalf of the Commission
(14 May 2012)

1. While the customs union legislation is an exclusive EU competence, applying controls and the collection of customs duties on goods entering the EU is the Member States' responsibility . The Commission checks, on a regular basis, the national collection systems and can hold Member States financially liable in case a non-collection of customs duties is attributable to them. Since 2009, inspections put more focus on the customs control systems applied by the Member States. In this respect, the Commission currently monitors Member States' action to remedy the weaknesses observed.

2. In the EU, customs controls are based on risk analysis in order to focus on main risky consignments, notably to identify counterfeit goods or products that are hazardous to consumers. In 2009, the Commission established a set of EU common risk criteria and standards in order to ensure uniform level of checks. Furthermore, the Commission initiates and coordinates simultaneous reinforced controls carried out for a time limited period throughout the EU on agreed high risk profile areas. For the area of product safety in particular, authorities in charge of the control of products entering the Community market are provided with the necessary tools to carry out their duties. Joint activities are developed to ensure appropriate import controls by national customs and market surveillance authorities.

The FISCUS proposal, successor of the Customs 2013 programme, is a relevant tool to continue supporting activities which aim at ensuring high and equivalent standards in customs checks.

3. The principle of uniform application of EU customs rules is directly enshrined in Article 2 of the Community Customs Code. The Commission takes the view that this principle underpins the proper functioning of the EU Customs Union and of the single market.

(Tekstas lietuvių kalba)

Klausimas, į kurį atsakoma raštu, Nr. E-003076/12
Komisijai
Vilija Blinkevičiūtė (S&D)
(2012 m. kovo 21 d.)

Tema: Skurdo pasekmės vaikų sveikatai

Skurdas gali turėti sunkių pasekmių vaikų sveikatai. Susirūpinimą kelia tai, kad 2009 m. spalio 20 d. Komisijos komunikate „Solidarumas sveikatos srityje: skirtumų sveikatos priežiūros srityje mažinimas ES“ nepakankamai dėmesio skiriama vaikų sveikatos priežiūrai.

Ar Komisija nemano, kad būsimoje rekomendacijoje dėl kovos su vaikų skurdu reikėtų pabrėžti vaiko sveikatos, įskaitant protinę sveikatą, gerinimo svarbą? Būtinos ne tik bendros pastangos mažinti sveikatos skirtumus, bet ir tikslinės, į vaikus orientuotos pastangos, ir turėtų būti užtikrintas visuotinis sveikatos priežiūros prieinamumas neturtingoms ir į socialinę atskirtį patekusioms grupėms, taip pat ir visiems vaikams.

L. Andoro atsakymas Komisijos vardu
(2012 m. gegužės 11 d.)

Komisija sutinka, kad sveikatos būklė yra labai svarbus veiksnys, nulemiantis vaiko raidą ir suteikiantis galimybių pradėti gyvenimą geriausiomis sąlygomis, ir kad išlieka daug kliūčių (neretai susijusių su socialiniais aspektais) vaikams gauti sveikatos priežiūros paslaugas.

Todėl 2009 m. komunikate dėl sveikatos priežiūros skirtumų ([1]) vaikai buvo pripažinti pažeidžiama ir tiksline grupe. Pagal šį komunikatą numatyta tolesnė priemonė yra sveikatos priežiūros padėties ES pažangos ataskaita, kurią ketinama parengti iki 2012 m. pabaigos. Ši ataskaita bus grindžiama sero Michaelio Marmoto vadovaujamos ekspertų grupės Komisijos vardu vykdoma veikla. Ataskaitoje bus nagrinėjama valstybių narių sveikatos priežiūros skirtumų mažinimo politika, taip pat turėtų būti pateikta naudingos neoficialios informacijos šia tema.

Kaip pabrėžta 2012 m. Komisijos darbo programoje, rekomendacija dėl kovos su vaikų skurdu bus siekiama paremti ES ir valstybių narių pastangas sprendžiant vaikų skurdo problemą ir nustatyti bendrus veiksmingos politikos priemonių įgyvendinimo principus šiose pagrindinėse srityse: parama šeimoms (galimybės tėvams patekti į darbo rinką, tinkamų pajamų užtikrinimas), paslaugos (vaikų priežiūra, švietimas, sveikatos priežiūra, būstas, socialinės paslaugos) ir dalyvavimas visuomeniniame gyvenime.

Taigi šioje rekomendacijoje galimybėms gauti sveikatos priežiūros paslaugas bus skiriamas didelis dėmesys.

([1]) Komisijos komunikatas Europos Parlamentui, Tarybai, Europos ekonomikos ir socialinių reikalų komitetui ir Regionų komitetui „Solidarumas sveikatos srityje. Sveikatos priežiūros skirtumų mažinimas ES“, COM/2009/0567 galutinis.

(English version)

Question for written answer E-003076/12
to the Commission
Vilija Blinkevičiūtė (S&D)
(21 March 2012)

Subject: The impact of poverty on children's health

Poverty can have a devastating impact on children's health. It is a concern that, according to the Commission communication 'Solidarity in health: reducing health inequalities in the EU' of 20 October 2009, there is a limited focus on children's access to healthcare.

Does the Commission believe that the importance of improving children's health, including mental health, should be emphasised in the future Recommendation on fighting child poverty? Children should be specifically targeted within broader efforts to reduce health inequalities, and universal access to healthcare for poor and socially excluded groups should be assured and include all children.

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

The Commission agrees that health status plays a determining role in defining children's future life chances and giving them the best start in life and that many obstacles remain in children's access to healthcare, which often bear a strong social component.

Children were thus acknowledged as a vulnerable age group and therefore as a target group of the 2009 Communication on Health Inequalities ([1]). As a follow-up measure of this communication, a progress report on the health inequalities situation in the EU is planned for end 2012. This report will be informed by work currently being undertaken on behalf of the Commission by a consortium led by Sir Michael Marmot. It will review health inequalities policies across Member States and should also bring useful informal information on that topic.

As outlined in the Commission Work Programme 2012, the recommendation on fighting child poverty will aim at supporting the EU and Member States' efforts to tackle child poverty and set out common principles for effective policy intervention in the following key areas: support to families (access to labour market for parents, income support), services (childcare, education, healthcare, housing, social services), participation in society.

Access to healthcare will thus be an important focus of the recommendation.

([1]) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — Solidarity in health: reducing health inequalities in the EU, COM(2009) 0567 final.

(Tekstas lietuvių kalba)

Klausimas, į kurį atsakoma raštu, Nr. E-003077/12
Komisijai
Vilija Blinkevičiūtė (S&D)
(2012 m. kovo 21 d.)

Tema: Rekomendacija dėl kovos su vaikų skurdu

Džiugu, kad Europos Komisija planuoja dar šiais metais paskelbti rekomendaciją dėl kovos su vaikų skurdu ir dėl vaikų gerovės kėlimo. Deja, bet šiuo metu Europoje, viename turtingiausių pasaulio regionų, apie 20 milijonų vaikų skursta arba susiduria su skurdo rizika.

Ar Komisija nemano, kad valstybės narės ir Komisija turėtų susitarti dėl bendrų ES standartų arba parengti suderintą metodiką, pagal kurią būtų nustatomos išlaidos vienam vaikui ir numatoma pakankamai išteklių kovai su skurdu ir skurdo prevencijai?

Kada galime tikėtis Komisijos rekomendacijos dėl kovos su vaikų skurdu?

L. Andoro atsakymas Komisijos vardu
(2012 m. gegužės 14 d.)

Socialinės apsaugos sistemų kūrimas – visų pirma valstybių narių atsakomybė, todėl šioje srityje nustatyti privalomuosius ES standartus nėra galimybių. Tačiau bendradarbiaujant vaikų skurdo srityje (konkrečiai socialinės apsaugos ir socialinės atskirties srityje taikant atvirąjį koordinavimo metodą) pavyko geriau suprasti pagrindines vaikų skurdo priežastis ir įvairius jo pasireiškimo būdus visoje Europoje. Be to, siekiant geriau suvokti vaikų padėtį, buvo bendradarbiaujama toliau plėtojant esamus socialinės įtraukties rodiklius.

Priėmus Komisijos komunikatą „Ankstyvasis ugdymas ir priežiūra“ ([1]) buvo įsteigta teminė darbo grupė, kurios tikslas – parengti Europos orientacines priemones, susijusias su galimybėmis gauti kokybiškas ankstyvo ugdymo ir priežiūros paslaugas, įskaitant pakankamus išteklius, sudarančius sąlygas visiems vaikams lankyti ankstyvojo ugdymo ir priežiūros įstaigas.

2012 m. Komisijos darbo programoje numatyta priimti rekomendaciją dėl kovos su vaikų skurdu, kuria siekiama paremti ES ir valstybių narių pastangas sprendžiant vaikų skurdo problemas ir nustatomos gairės ir aiškios stebėsenos priemonės svarbiausiose srityse, pvz., parama šeimoms, galimybė naudotis svarbiausiomis paslaugomis (įskaitant vaikų priežiūrą, būstą, sveikatos priežiūrą ir švietimą) ir vaikų dalyvavimas.

([1]) Komisijos komunikatas „Ankstyvasis ugdymas ir priežiūra. Kaip padėti mūsų vaikams kuo geriau pasirengti ateičiai“, COM(2011) 66 galutinis.

(English version)

Question for written answer E-003077/12
to the Commission
Vilija Blinkevičiūtė (S&D)
(21 March 2012)

Subject: Recommendation to fight child poverty

I am pleased that the European Commission plans to publish a recommendation to fight child poverty and promote child well-being before the end of the year. Sadly, however, approximately 20 million children are currently in, or at risk of, poverty in Europe, one of the richest regions in the world.

Does the Commission believe that Member States and the Commission should agree on common EU standards, or establish an agreed methodology for determining the costs of a child and for defining adequate resources to prevent and combat child poverty?

When can we expect the Commission's recommendation on combating child poverty?

Answer given by Mr Andor on behalf of the Commission
(14 May 2012)

The responsibility for the design of social protection systems lies primarily with Member States, which excludes the possibility of defining binding EU standards in this field. However, cooperation on child poverty (through in particular the Open Method of Coordination on Social Protection and Social exclusion) has helped to develop a better understanding of the root causes of child poverty and its multiple faces across Europe. This included further developing existing social inclusion indicators to better reflect children's situation.

As a follow-up to the adoption of the Commission's communication on early childhood education and care (ECEC) ([1]) a thematic working group was set up to develop European reference tools on accessibility and quality of ECEC, including on adequate resources to provide access for all children to ECEC.

The Commission's Work Programme for 2012 foresees the adoption of a recommendation on child poverty for supporting the EU and Member States' efforts to tackle child poverty, by providing guidance and clear monitoring instruments in key areas such as support to families, access to essential services (including childcare, housing, health and education) as well as children's participation.

([1]) Communication from the Commission: Early childhood education and care: providing all our children with the best start for the world of tomorrow, COM(2011) 66 final.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-003078/12
do Komisji (Wiceprzewodniczącej / Wysokiej Przedstawiciel)
Filip Kaczmarek (PPE)
(21 marca 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Sytuacja na Malediwach

Po tym jak na początku lutego na Malediwach doszło do zamachu stanu, pod znakiem zapytania stanęła dalsza demokratyzacja tego kraju. Obecna sytuacja polityczna jest niestabilna, a mieszkańcy kraju prowadzą liczne protesty, w wyniku których wiele osób zostało rannych.

Zwracam się do Wiceprzewodniczącej / Wysokiej Przedstawiciel z pytaniem, czy, oprócz wystosowanego już oświadczenia nr 6836/1/12 REV 1, planuje podjąć konkretne działania prowadzące do przyspieszenia wyborów na Malediwach? Czy mieszkańcy kraju mogą liczyć na pomoc ze strony UE w stabilizacji sytuacji politycznej?

Odpowiedź udzielona przez Wysoką Przedstawiciel i Wiceprzewodniczącą Komisji Catherine Ashton
w imieniu Komisji
(5 czerwca 2012 r.)

Już przed wyborami w 2008 r. UE wspierała demokratyczne przemiany na Malediwach i jest nadal aktywnie zaangażowana w kwestie związane z demokratycznymi rządami w tym kraju.

Szef delegatury UE na Sri Lance, który reprezentuje UE również na Malediwach, wraz z misjami UE i państw o podobnych poglądach, jest w stałym kontakcie ze wszystkimi partiami politycznymi i apeluje o zachowanie spokoju oraz o przywrócenie procesów demokratycznych, w tym o przeprowadzenie wcześniejszych wyborów i niezależnego dochodzenia w sprawie przekazania władzy. Takie podejście do problemu obejmuje też wizyty terenowe na wyspach i częste spotkania z działaczami politycznymi, którzy regularnie odwiedzają Kolombo.

Równocześnie Europejska Służba Działań Zewnętrznych (ESDZ) skontaktowała się z ONZ i z przedstawicielami Wspólnoty Narodów w celu ustalenia skoordynowanego i skutecznego podejścia do powyższego zagadnienia. ESDZ utrzymuje również regularnie kontakt z ambasadorem Malediwów przy UE w Brukseli.

W dniu 20 marca 2012 r. Wysoka Przedstawiciel i Wiceprzewodnicząca Komisji Catherine Ashton wydała w imieniu UE deklarację w tej sprawie.

(English version)

Question for written answer E-003078/12
to the Commission (Vice-President/High Representative)
Filip Kaczmarek (PPE)
(21 March 2012)

Subject: VP/HR — Situation in the Maldives

The further democratisation of the Maldives has been called into question following the coup in early February 2012. The current political situation is unstable and numerous protests are being staged, as a result of which many people have been injured.

I would like to ask the Vice-President/High Representative whether she is planning to take any specific action, in addition to her Declaration No 6836/1/12 REV 1, to bring forward elections in the Maldives. Can the Maldivian people count on assistance from the EU in stabilising the political situation?

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

The EU has been supporting democratic transition in Maldives since before 2008 elections and continues to engage actively on the issue of democratic governance in the Maldives.

The EU Head of Delegation in Sri Lanka, also accredited to the Maldives, together with the EU Missions and those of like-minded countries, is in constant contact with all the political parties and continues to call for calm and for the restoration of the democratic process, including early elections and an independent inquiry into the transfer of power. This approach includes field visits to the islands and frequent meetings with political actors who come regularly to Colombo.

In parallel, the European External Action Service (EEAS) has contacted UN and Commonwealth representatives in order to ensure a coordinated and effective approach. The EEAS is also regularly in touch with the Maldives' Ambassador to the EU in Brussels.

High Representative/Vice-President Ashton has issued a Declaration on behalf of the EU on 20 March 2012.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003079/12
à Comissão
João Ferreira (GUE/NGL) e Inês Cristina Zuber (GUE/NGL)
(21 de março de 2012)

Assunto: Combate ao racismo e à xenofobia na União Europeia

Assinala-se no dia 21 de março o Dia Internacional para a Eliminação da Discriminação Racial. Em 21 de março de 1960, na África do Sul, a polícia matou 69 pessoas numa manifestação pacífica, em Sharpeville, contra uma lei de segregação racial do regime do «apartheid». Em 1966, a Assembleia-Geral da ONU proclamou este dia, apelando à comunidade internacional para que redobrasse esforços para eliminar todas as formas de discriminação racial.

Esta não pode deixar de ser mais uma oportunidade para relembrar as consequências profundamente nefastas do racismo. O racismo compromete a paz, a segurança, a justiça e o progresso social. É uma violação dos Direitos do Humanos que dilacera indivíduos e destrói o tecido social.

Alimentando-se da ignorância e do preconceito, racismo e discriminação social têm sido usados como armas para instigar o medo e o ódio, e para promover as mais ignóbeis formas de exploração.

Em face do exposto, e tendo em conta que nalguns países da UE têm vindo a recrudescer inquietantes manifestações de racismo e de xenofobia, perguntamos à Comissão:

1. Que instrumentos — existentes ou a criar — estão previstos para prevenir e erradicar o racismo, a discriminação racial, a xenofobia e a intolerância na UE?

2. Que ações têm vindo a ser desenvolvidas com este objetivo?

3. Que ações serão desenvolvidas no futuro? Considera a Comissão a necessidade de intensificar as ações a desenvolver neste domínio?

4. Que tratamento merecerão estas questões no próximo Quadro Financeiro Plurianual (2014/2020)?

Resposta dada por Viviane Reding em nome da Comissão
(14 de maio de 2012)

A Comissão condena firmemente todas as formas e manifestações de racismo e de xenofobia, que são incompatíveis com os valores em que a UE assenta. A Comissão está empenhada na luta contra estes fenómenos através de todos os meios disponíveis por força dos Tratados.

A Comissão está a acompanhar de perto a execução da Decisão-Quadro 2008/913/JAI ([1]) do Conselho, que obriga todos os Estados-Membros a criminalizar a incitação pública intencional à violência ou ao ódio racista ou xenófobo e a considerar a motivação racista ou xenófoba de qualquer outro crime como circunstância agravante na determinação das sanções. Os Estados-Membros deveriam ter transposto a referida decisão-quadro até 28 de novembro de 2010. A Comissão está a avaliar as comunicações sobre as medidas de transposição dos Estados-Membros e preparará um relatório sobre o tema em 2013.

Além disso, a Diretiva 2000/43/CE em matéria de igualdade racial ([2]) proíbe a discriminação em razão da raça ou origem étnica em domínios como o emprego, a educação, os cuidados de saúde, a proteção social e a habitação. Todos os Estados-Membros transpuseram esta diretiva para a legislação nacional e a Comissão controlou rigorosamente a conformidade das legislações nacionais com a mesma.

([1]) Decisão-Quadro 2008/913/JAI do Conselho, de 28 de novembro de 2008, relativa à luta por via do direito penal contra certas formas e manifestações de racismo e xenofobia, JO L 328.
([2]) Diretiva 2000/43/CE do Conselho, de 29 de junho de 2000, que aplica o princípio da igualdade de tratamento entre as pessoas, sem distinção de origem racial ou étnica, JO L 180.

A Comissão presta assistência financeira às partes interessadas com atividades nesses domínios ([3]). A luta contra o racismo e a xenofobia é um dos objetivos do atual Programa dos Direitos Fundamentais ([4]) e este tema deve continuar a ser abordado no período de 2014 a 2020 pelo futuro Programa Cidadania e Direitos Fundamentais.

([3]) Para mais informações sobre a legislação aplicável e os programas de financiamento, consultar (http://ec.europa.eu/justice/fundamental-rights/racism-xenophobia/index_en.htm).

([4]) Decisão do Conselho de 19 de abril de 2007 que cria, para o período de 2007 a 2013, o programa específico «Direitos fundamentais e cidadania» no âmbito do programa geral «Direitos fundamentais e justiça».

(English version)

Question for written answer E-003079/12
to the Commission
João Ferreira (GUE/NGL) and Inês Cristina Zuber (GUE/NGL)
(21 March 2012)

Subject: Combating racism and xenophobia in the European Union

The International Day for the Elimination of Racial Discrimination is observed on 21 March. On 21 March 1961, the police in South Africa killed 69 people in Sharpeville at a peaceful demonstration against a racial segregation law of the apartheid regime. In 1966, the UN General Assembly proclaimed the International Day and called on the international community to redouble its efforts to eliminate all forms of racial discrimination.

This opportunity for remembering the profoundly damaging effects of racism should not pass unnoticed. Racism undermines peace, security, justice and social progress. It is a violation of human rights that harms individuals and destroys the fabric of society.

Feeding on ignorance and prejudice, racism and social discrimination have been used as weapons to instil fear and hatred, and to promote the most ignoble forms of exploitation.

In the light of the foregoing, and given that increasingly disturbing instances of racism and xenophobia have been occurring in some EU countries:

1. What means — whether already in place or to be provided — are to be employed to prevent and eradicate racism, racial discrimination, xenophobia and intolerance in the EU?

2. What actions have been pursued with that end in view?

3. What measures will be taken in the future? Does the Commission consider it necessary to intensify activities in this area?

4. What provision will be made in the next multiannual financial framework (2014-2020)?

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

The Commission strongly condemns all forms and manifestations of racism and xenophobia as they are incompatible with the values on which the EU is founded. The Commission is committed to fighting against these phenomena by all means available to it under the Treaties.

The Commission is monitoring closely the implementation of Council Framework Decision 2008/913/JHA ([1]) which obliges all Member States to penalise the intentional public incitement to racist or xenophobic violence or hatred and to take the racist or xenophobic motivation of any other offence into consideration as an aggravating circumstance or in the determination of the penalties. The Member States were obliged to transpose this framework Decision by 28 November 2010. The Commission is assessing the notifications on Member States' implementing measures and will prepare a report to this end for 2013.

In addition, Directive 2000/43/EC on Racial Equality ([2]) prohibits discrimination on the basis of racial or ethnic origin in such areas as employment, education, healthcare, social protection and housing. All Member States have transposed the directive into national law and the Commission has closely monitored the conformity of national laws with the directive.

([1]) 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.
([2]) Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, OJ L 180.

The Commission provides financial assistance to stakeholders' activities in these areas ([3]). Fighting against racism and xenophobia is an objective of the current Fundamental Rights Programme ([4]) and it should continue to be addressed in the 2014-2020 period by the future Rights and Citizenship Programme currently.

([3]) For further information on relevant legislation and financing programmes, please see http://ec.europa.eu/justice/fundamental-rights/racism-xenophobia/index_en.htm

([4]) Council Decision of 19 April 2007 establishing for the period 2007-2013 the specific programme Fundamental Rights and Citizenship as part of the general programme Fundamental Rights and Justice.

(English version)

Question for written answer P-003080/12
to the Commission
Paul Nuttall (EFD)
(21 March 2012)

Subject: EU and Lebanese Ministry of Education materials

In the light of last month's decision by Lebanon's Minister of Education to make the teaching of 'Resistance' compulsory at the Lebanese University and in all public schools, will the Commission resolve to cancel its financial assistance to the Lebanese Ministry of Education?

Answer given by Mr Füle on behalf of the Commission
(26 April 2012)

Education is an important sector for EU-Lebanon bilateral cooperation. With a current portfolio of EUR 38.8 million, including education projects for Palestine refugees, the EU is a major partner and donor in this sector in Lebanon. Furthermore, support to the implementation of the National Education Strategy is among the identified priorities for the new European Neighbourhood Policy (ENP) Action Plan, presently under negotiation between the EU and Lebanon. Current EU cooperation with the Lebanese Ministry of Education focuses primarily on (1) reducing student drop-out rates and (2) citizenship education.

Given the willingness of the authorities to increase cooperation with the EU and given successful existing EU involvement in the education sector, the EU will use the opportunity to further promote an education system based on the principles of universal and inclusive education for the benefit of all the communities in the country. Withdrawing support from the public education system, which in large part aims at fostering citizenship concepts and peaceful co-existence, would be counterproductive.

The EU is also supporting projects aimed at peace, justice and reconciliation, not least with a view to promoting a better common understanding of the past in Lebanon and enabling the various communities to deal with the legacy of the civil war.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-003082/12
alla Commissione
Cristiana Muscardini (PPE)
(21 marzo 2012)

Oggetto: Ipotesi elettorale e sue conseguenze

Un candidato alle elezioni presidenziali in Francia ha dichiarato che in caso di vittoria opererà per modificare il Fiscal Compact già firmato dai governi. Nel caso in cui la vittoria di questo candidato si avverasse, può la Commissione precisare:

1. quali dovrebbero essere le conseguenze procedurali di una scelta simile;

2. se accadrebbe quanto è già accaduto con il «no» di Francia e Paesi Bassi al progetto di costituzione europea;

3. se, in tal caso, l'approvazione e quindi l'entrata in vigore del Fiscal Compact comporterebbero tempi lunghi;

4. quali potrebbero essere le conseguenze per la stabilità della zona euro, dato che il Fiscal Compact è stato concepito per far fronte il più presto possibile agli attacchi della speculazione e combattere il debito pubblico;

5. se sia concepibile una road map alternativa per neutralizzare il ritardo prevedibile nella strategia di tutela della zona euro?

Risposta data da Olli Rehn a nome della Commissione
(16 aprile 2012)

La Commissione non si pronuncia in merito alle opinioni espresse informalmente e riportate dalla stampa né sulle relative ipotetiche implicazioni, soprattutto per quanto riguarda un testo che non fa parte del diritto dell'Unione.

Le parti contraenti del trattato sulla stabilità, sul coordinamento e sulla governance nell'unione economica e monetaria hanno definito il processo di entrata in vigore del trattato nell'articolo 14, paragrafo 2 che recita: «Il presente trattato entra in vigore il 1º gennaio 2013, a condizione che dodici parti contraenti la cui moneta è l'euro abbiano depositato il loro strumento di ratifica, o, se precedente, il primo giorno del mese successivo al deposito del dodicesimo strumento di ratifica di una parte contraente la cui moneta è l'euro.»

(English version)

Question for written answer P-003082/12
to the Commission
Cristiana Muscardini (PPE)
(21 March 2012)

Subject: Electoral hypothesis and its consequences

A candidate in the French presidential election has stated that if he wins, he will strive to amend the Fiscal Compact already signed by governments. In the event that this candidate does win, can the Commission say:

1. What the procedural consequences would be of a decision of this kind?

2. Would the outcome be the same as it was with the 'No' votes by France and the Netherlands to the EU draft Constitutional Treaty?

3. Would, in this case, the approval and thus the entry into force of the Fiscal Compact be a long drawn-out process?

4. What consequences might this have on stability in the eurozone, given that the Fiscal Compact has been designed to tackle speculative attacks and public debt as soon as possible?

5. Is an alternative road map conceivable to counteract the predictable delay to the strategy to protect the euro area?

Answer given by Mr Rehn on behalf of the Commission
(16 April 2012)

The Commission does not comment on press reporting about views expressed informally by others and their hypothetical implications, especially when it concerns a text which is not part of Union law.

Contracting parties to the Treaty on Stability, Coordination, and Governance in the European Monetary Union (TSCG) have defined the process for the entry into force of the TSCG in the second paragraph of its Article 14 which reads: 'This Treaty shall enter into force on 1 January 2013, provided that twelve Contracting Parties whose currency is the euro have deposited their instrument of ratification, or on the first day of the month following the deposit of the twelfth instrument of ratification by a Contracting Party whose currency is the euro, whichever is the earlier.'

(Versión española)

Pregunta con solicitud de respuesta escrita E-003083/12
a la Comisión
Izaskun Bilbao Barandica (ALDE)
(21 de marzo de 2012)

Asunto: Organismos reguladores de la energía y las telecomunicaciones en España

El pasado viernes, el Gobierno español anunció su intención de fusionar en una sola comisión todos los consejos reguladores sectoriales que vigilaban hasta ahora las condiciones de libre competencia en mercados tan sensibles como el de las telecomunicaciones o la energía. De acuerdo con los primeros borradores del proyecto que se están dando a conocer, esta gran Comisión Nacional de Regulación y Competencia fusionaría las funciones de regulación ex —ante y ex-post para asignar algunas de las primeras al Ministerio de Industria y agrupar el resto en el nuevo ente.

Las numerosas disposiciones comunitarias que se refieren a los organismos reguladores inciden en la necesidad de preservar e incrementar su independencia frente a los poderes políticos para fomentar así su eficacia, imparcialidad, previsibilidad y rapidez a la hora de emitir sus dictámenes. De ese modo, se mejora la seguridad jurídica y económica para los consumidores y los operadores. Por ello, la mayor parte de los Estados de la Unión siguen las instrucciones emanadas de la normativa comunitaria y están dando lugar a modelos de desconcentración opuestos al que se dibuja en ese nuevo proyecto. La tendencia que en él se anuncia es similar a la aplicada en Rumanía, expresamente rechazada por la Comisión.

A la vista de la importancia que los sectores de las telecomunicaciones y la energía tienen en el PIB español y de la relevancia que reviste el buen funcionamiento de ambos sectores estratégicos para la reactivación y el desarrollo de la economía productiva, quisiéramos saber:

¿Tiene la Comisión datos sobre la reforma de los organismos reguladores en España?

¿Considera que los principios que la inspiran y los contenidos de la misma que se han adelantado son coherentes con la normativa comunitaria?

Respuesta del Sr. Almunia en nombre de la Comisión
(16 de mayo de 2012)

La Comisión está al corriente de la reciente propuesta del Gobierno español destinada a fusionar la autoridad española de la competencia y los distintos órganos reguladores sectoriales nacionales en un solo organismo.

Al amparo del Derecho de la UE, los Estados miembros gozan de un alto grado de autonomía a la hora de decidir cómo organizar sus órganos reguladores sectoriales y de la competencia, y asignarles las distintas competencias, siempre que cumplan todos los requisitos impuestos por el Derecho de la UE (por ejemplo, principios y objetivos reguladores aplicables). Los Estados miembros han de velar por que las autoridades designadas puedan aplicar efectivamente las normas de competencia de la UE, de conformidad con lo dispuesto en el artículo 35 del Reglamento (CE) n° 1/2003 ([1]). Las Directivas de la UE pertinentes relativas al marco regulador de las comunicaciones electrónicas (en especial el artículo 3 de la Directiva 2002/21/CE) ([2]) contienen disposiciones específicas sobre la independencia de las autoridades reguladoras, la ausencia de instrucciones de otros órganos y la necesidad de contar con recursos financieros y humanos adecuados. Los Estados miembros deben garantizar también que las autoridades reguladoras tengan al menos las atribuciones y obligaciones establecidas por las Directivas del tercer paquete sobre el mercado de la energía ([3]).

La lógica de la reforma propuesta, que crea un nuevo organismo en España, es racionalizar y crear sinergias en relación con el diseño y la supervisión de estructuras de mercado competitivas. Es importante garantizar que este organismo cumpla plenamente todo requisito impuesto por el Derecho de la UE y cuente con un marco institucional adecuado y recursos suficientes para garantizar el ejercicio independiente y eficaz de sus funciones reguladoras y de supervisión.

La Comisión hará un seguimiento de dicha reforma y verificará que las propuestas finales cumplen el Derecho de la UE.

([1]) DO L 1 de 4.1.2003.
([2]) Modificada por la Directiva 2009/140/CE, DO L 337 de 18.12.2009.
([3]) DO L 211 de 14.8.2009 y DO L 211 de 14.8.2009.

(English version)

Question for written answer E-003083/12
to the Commission
Izaskun Bilbao Barandica (ALDE)
(21 March 2012)

Subject: Regulatory bodies for energy and telecommunications in Spain

Last Friday, the Spanish Government announced its intention to merge into a single commission all the sector-based regulatory councils which have until now monitored the conditions of free competition in such sensitive markets as telecommunications and energy. According to the first drafts of the plan to be made known, this large National Commission on Regulation and Competition will merge the functions of *ex ante* and *ex post* regulation, assigning some of the former to the Ministry of Industry and bringing the rest together in the new entity.

The numerous Community provisions relating to regulatory bodies emphasise the need to preserve and increase their independence from political power, thus promoting efficiency, impartiality, predictability and speed in issuing their opinions. Thus, legal certainty and economic security are improved for consumers and operators. The majority of European Union countries are following instructions emanating from Community legislation, producing decentralised models that are the opposite of what is pictured in this new project. The trend underlying it is similar to that followed in Romania, which has been expressly rejected by the Commission.

In view of the importance of the telecommunications and energy sectors to Spanish GDP, and the importance of the proper functioning of both strategic sectors to the revival and development of the productive economy, we would like to know:

Does the Commission have any information concerning the reform of regulatory bodies in Spain?

Does it consider that the principles underlying this reform and the content of the reform that has been made known so far are consistent with Community law?

Answer given by Mr Almunia on behalf of the Commission
(16 May 2012)

The Commission is aware of the Spanish Government's recent proposal to merge the Spanish competition authority and different national sector regulatory bodies into a single organisation.

Under EC law Member States have a considerable degree of autonomy in deciding how to set up their competition and sector regulatory bodies and to allocate functions between them, provided that any requirements imposed by EC law (e.g. applicable regulatory principles and objectives) are met. Member States must ensure that the designated authorities can effectively apply EU competition rules as required by Article 35 of Regulation (EC) 1/2003 ([1]). The relevant EU Directives on the regulatory framework for electronic communications (in particular Article 3 of Directive 2002/21/EC) ([2]) contain specific provisions about independence of the regulatory authorities, the absence of instructions from other bodies and the need for adequate financial and human resources. Member States must also ensure that regulatory authorities have at least the powers and duties required by the directives of the Third Energy Market Package ([3]).

The rationale of the proposed reform creating a new body in Spain is to streamline and create synergies in designing and overseeing competitive market structures. It is important to ensure that this body fully complies with any requirement imposed by EC law, and is provided with an adequate institutional framework and sufficient resources to guarantee an independent and effective exercise of its regulatory and supervisory functions.

The Commission will monitor the reform and compliance with EC law of the final proposals.

([1]) OJ L 1, 04.01.2003.
([2]) as amended by Directive 2009/140/EC, OJ L 337, 18.12.2009.
([3]) OJ L 211, 14.08.2009 & OJ L 211, 14.08.2009.

(English version)

Question for written answer E-003085/12
to the Commission
Vicky Ford (ECR)
(21 March 2012)

Subject: Commission catalogue for smartphones

Research In Motion (RIM), the maker of Blackberry handsets, is a major employer and manufacturer in the EU. The company has brought to my attention concerns regarding the procurement process for smartphones within the Commission. Specifically, RIM has informed me that DG DIGIT has a 'catalogue' of hand-held devices which it allows Commission services to choose from when procuring smartphones. Whilst the catalogue is not officially public, it is apparently well known amongst those who purchase devices both inside and outside the EU. RIM has informed me that the fact it does not appear in this catalogue of Commission-approved devices is causing it to lose sales opportunities.

RIM believes that its device meets all the necessary criteria (price range, energy efficiency, data security, etc.) for inclusion in this catalogue, but DG DIGIT has not responded to its queries as to how it could apply for its product to be considered. RIM also point outs that the Blackberry device is the handset of choice for many national administrations around the globe, as well as for Commissioners and many MEPs, so there is clearly a demand for these products within the institutions. As I understand it, the Blackberry device is the only smartphone being manufactured in Europe, and it is therefore clearly unfortunate for there to be a perception of a non-level playing field weighted against an EU manufacturer by the Commission.

— Please could you investigate this matter and provide a full explanation of how the Commission's procurement processes operate in this area? Please can you also confirm the exact steps needed for companies to be included in this 'catalogue', and explain the reasons why such a document is not made public?

Answer given by Mr Šefčovič on behalf of the Commission
(20 April 2012)

The Commission always respects the legal framework applicable to procurement ([1]). It acquires smartphones mainly through a framework contract resulting from an open call for tenders ([2]), in which Research In Motion (RIM) did not participate in any capacity, and which was aimed at selecting a re-seller of mobile equipment.

When choosing specific models, the Commission must observe the principle of sound financial management, including economy, efficiency and effectiveness ([3]). Because supporting a platform has a cost, the Commission cannot support all devices on the market. In the case of smartphones, an evaluation was conducted 3 years ago, following which it was concluded that other types of smartphones were the best fit for the Commission's operational needs.

While the market offering evolves constantly and products improve, sound financial management requires such choices to have some stability over time. The Commission does, however, review its product choices periodically.

The Commission does not publish the list of products it uses as it wishes to avoid any misperception of support for specific providers. This is also why its standard contractual clauses do not allow suppliers to advertise the fact that the Commission uses their products, except subject to prior authorisation. This applies to RIM and its competitors alike; RIM is therefore unlikely to lose any sales opportunities because of this.

RIM have already been made aware of this background information by the relevant Commission service during a number of face-to-face meetings.

([1]) See, for further details, the Commission's reply to a recent Written Question (P-002871/2012).
([2]) Reference PO/2008/032 MEQ-2009. Another framework contract, also resulting from an open call for tenders (Reference PO/2010/032 MTS-II), may be used under certain circumstances. See http://ec.europa.eu/dgs/informatics/procurement/index_en.htm for further details.
([3]) Article 27(1) of the Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1).

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003087/12
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(21 Μαρτίου 2012)

Θέμα: Εγκαταστάσεις αποθήκευσης πετρελαιοειδών στην Επτακώμη

Δεκατρείς τουρκοκυπριακές συνδικαλιστικές οργανώσεις και υποστηρικτές της πρωτοβουλίας «Όχι στις εγκαταστάσεις αποθήκευσης πετρελαιοειδών» διαμαρτυρήθηκαν πρόσφατα κατά της ανέγερσης εγκαταστάσεων αποθήκευσης πετρελαιοειδών στο κατεχόμενο τμήμα της Κυπριακής Δημοκρατίας, επικρίνοντας το γεγονός ότι η ανέγερση των εγκαταστάσεων πραγματοποιείται σε περιοχή αρχαιολογικού ενδιαφέροντος. Ο Ahmet Kaptan, πρόεδρος της αποκαλούμενης συνδικαλιστικής οργάνωσης τουρκοκυπρίων δημοσίων υπαλλήλων (KTAMS), κατηγόρησε το κατοχικό καθεστώς ότι κυβερνά κατευθυνόμενο, χωρίς να λαμβάνει υπόψη του αξίες και αρχές, και ότι συνεχίζει να λαμβάνει αποφάσεις οι οποίες επιτρέπουν την καταστροφή της φυσικής ομορφιάς της περιοχής στα κατεχόμενα. Κατά τη διάρκεια διαμαρτυρίας μπροστά από το «πρωθυπουργικό» κτίριο, στις 14 Μαρτίου, παραδόθηκαν στον λεγόμενο πρωθυπουργό οι υπογραφές που συγκέντρωσαν οι διαδηλωτές κατά της ανέγερσης των εν λόγω εγκαταστάσεων αποθήκευσης πετρελαιοειδών.

Στο πλαίσιο αυτό, η Επιτροπή παρακαλείται να απαντήσει στις ακόλουθες ερωτήσεις:

1. έχει ενημερωθεί για τις προαναφερθείσες διαμαρτυρίες των Τουρκοκυπρίων;

2. ποια μέτρα προτίθεται να λάβει προκειμένου να αποτραπεί η ανέγερση εγκαταστάσεων αποθήκευσης πετρελαιοειδών σε περιοχή αρχαιολογικού ενδιαφέροντος της κατεχόμενης Κύπρου;

3. γιατί επιτρέπει μια τόσο προκλητική συμπεριφορά από μια χώρα που είναι υποψήφια προς ένταξη (Τουρκία), η οποία όχι μόνο παραβιάζει όλες τις ευρωπαϊκές αξίες αλλά επίσης καταστρέφει την πολιτιστική κληρονομιά της ΕΕ στην Κύπρο;

Απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(11 Μαΐου 2012)

Η Επιτροπή είναι ενήμερη για τις τρέχουσες διαμαρτυρίες σχετικά με τις εγκαταστάσεις αποθήκευσης πετρελαιοειδών.

Η Επιτροπή συμμερίζεται τις ανησυχίες για τις ενδεχόμενες επιπτώσεις που μπορεί να έχει για το περιβάλλον η προτεινόμενη δεξαμενή καυσίμων.

Η Επιτροπή θέτει και θα συνεχίσει να θέτει το ζήτημα στην τουρκοκυπριακή κοινότητα με στόχο να ληφθεί σοβαρά υπόψη το θέμα της προστασίας του περιβάλλοντος.

(English version)

Question for written answer E-003087/12
to the Commission
Antigoni Papadopoulou (S&D)
(21 March 2012)

Subject: Oil storage installations in Eptakomi

Thirteen Turkish-Cypriot trade unions and supporters of the 'No to the Oil Storage Installations' Initiative protested recently against the building of oil storage installations in the occupied part of the Republic of Cyprus, criticising the fact that they are being built in an area containing antiquities. Ahmet Kaptan, chairman of the so-called Turkish Cypriot civil servants' trade union (KTAMS), accused the occupation regime of governing by 'remote control', disregarding all values and principles, and of continuing to take decisions which allow the extinction of the natural beauties of the occupied area. During a protest held on 14 March in front of the 'Prime Ministry' building, the signatures collected by the protestors against the building of these oil storage installations were submitted to the self-styled prime minister.

Against this background, could the Commission answer the following questions:

1. Is it aware of the above protests by Turkish Cypriots?

2. What steps does it intend to take in order to prevent the establishment of oil storage installations in an area of occupied Cyprus containing antiquities?

3. Why does it allow such provocative behaviour by a candidate country (Turkey) which not only violates all European values, but is also destroying EU cultural heritage in Cyprus?

Answer given by Mr Füle on behalf of the Commission
(11 May 2012)

The Commission is aware of the ongoing protest against the oil storage installations.

The Commission shares the concerns over potential impact on the environment that the proposed fuel depot might have.

The Commission has been raising the issue with the Turkish Cypriot community and will continue to do so with the aim that the question of the protection of the environment is taken seriously.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003088/12
alla Commissione
Cristiana Muscardini (PPE)
(21 marzo 2012)

Oggetto: Accordo CETA

La Commissione sta negoziando per l'Unione Europea l'accordo CETA con il Canada i cui obiettivi includono la più ampia liberalizzazione in beni e servizi mai considerata con un paese del G8. I potenziali impatti di quest'accordo non sono chiari. Il Trade Sustainability Assessment (SIA) del 2011 dedica poco spazio all'analisi degli impatti ambientali. Il benessere animale non è neanche menzionato, nonostante questo sia un obiettivo rilevante nella politica estera dell' UE. Valutazioni d'impatto più specifiche, come la SEA (Strategic Environmental Assessment) e altre, si rendono necessarie per comprendere l'effettivo impatto del testo in negoziazione. Questo anche in considerazione del fatto che le potenziali Parti Contraenti hanno legislazioni e standard molto differenti sulla protezione dell'ambiente, le specie e il benessere animale. Per esempio, la legislazione canadese ha adottato una formulazione del principio di precauzione che è molto più limitata di quella vigente nell'UE e è anche poco integrata orizzontalmente nelle varie politiche in Canada.

Tale fatto si può constatare chiaramente dato che il Canada ha chiesto l'apertura di un panel all'OMC sul regolamento UE sulle foche del 2009.

Può la Commissione chiarire:

1. se l'accordo CETA dovesse essere adottato, quali misure sono state messe in atto al fine di evitare che gli standard UE sul benessere animale non siano elusi a vantaggio del commercio internazionale;

2. quali misure sono state messe in atto al fine di assicurare che la valutazione degli impatti ambientali sia svolta in base al principio di precauzione, così come introdotto dal Trattato UE;

3. quali misure ha essa intrapreso in considerazione dell'ambizioso progetto CETA e i potenziali benefici a favore della pesca canadese per legare la conclusione del negoziato con l'impegno da parte del Canada di mettere fine alla richiesta di costituzione di un panel all'OMC sul regolamento UE sulle foche?

4. se può avallare la tesi che sono necessarie ulteriori valutazioni di impatto ambientale e sul benessere animale?

Risposta data da Karel De Gucht a nome della Commissione
(3 maggio 2012)

La legislazione UE in tema di benessere degli animali non si applica, in linea generale, ai paesi terzi. Tuttavia, qualora paesi terzi esportino carne verso l'UE, si devono rispettare standard equivalenti in tema di benessere degli animali all'atto della macellazione. L'attuazione della legislazione UE sul benessere degli animali rientra nella responsabilità degli Stati membri e detta legislazione non sarebbe influenzata dall'adozione dell'Accordo economico e commerciale globale (CETA) tra l'UE e il Canada.

L'approccio cautelativo alla politica ambientale è un elemento importante del processo decisionale UE. La Commissione intende integrare tale elemento nel CETA, conformemente ai pertinenti strumenti internazionali. La Commissione ritiene che la propria valutazione d'impatto per la sostenibilità in campo commerciale (SIA) relativa ai negoziati del CETA ([1]) copra in modo sistematico gli impatti ambientali in ciascuno dei settori del CETA.

La legislazione UE che disciplina il commercio dei prodotti derivanti dalle foche è ben rodata (regolamento (CE) n. 1007/2009 e rispettivo regolamento d'attuazione ([2])). Istituire una correlazione tra i negoziati del CETA con l'impugnazione, in sede di OMC, della legislazione UE sulle foche ad opera del Canada non sarebbe appropriato e non farebbe gli interessi dell'UE. Come risposto alle interrogazioni E-002592/11 e E-003975/11 ([3]) la Commissione difenderà vigorosamente tale legislazione come lo fa per tutta la legislazione dell'UE.

([1]) Relazione pubblicata nel giugno 2011: http://ec.europa.eu/trade/analysis/sustainability-impact-assessments/assessments/.
([2]) GU L 286 del 31.10.2009.
([3]) http://www.europarl.europa.eu/QP-WEB/home.jsp

Ciascun membro dell'OMC ha il diritto di chiedere una procedura di composizione delle controversie se ritiene che i suoi diritti in forza dell'accordo OMC non siano stati rispettati. Il ricorso del Canada all'organismo di conciliazione dell'OMC per trattare della legislazione sulle foche è legittimo in forza della legislazione dell'OMC, anche se l'UE ritiene che la propria misura sia pienamente conforme alla legislazione OMC.

(English version)

Question for written answer E-003088/12
to the Commission
Cristiana Muscardini (PPE)
(21 March 2012)

Subject: CETA Agreement

The Commission is negotiating the CETA Agreement with Canada on behalf of the European Union. Its objectives include the broadest liberalisation of goods and services ever contemplated with a G8 country. The potential impact of the Agreement is not clear. The 2011 Trade Sustainability Assessment (TSA) does not devote much attention to analysing environmental impact. Animal welfare is not even mentioned, despite the fact that it is an important aim of the EU's foreign policy. More specific impact assessments, such as the SEA (Strategic Environmental Assessment) and others, are required in order to understand what impact the text under negotiation will actually have. This is particularly true because the legislation and standards of the potential contracting parties on the protection of the environment, animal species and animal welfare differ considerably. For example, Canadian law has adopted a form of precautionary principle that is much more restrictive than that applicable in the EU and which has not been mainstreamed into the various policies in force in Canada.

This can be clearly seen from the fact that Canada requested that the WTO set up a panel on the 2009 EU Regulation on seals.

Can the Commission please clarify:

1. were the CETA Agreement to be adopted, what measures have been set in motion to prevent EU standards on animal welfare being circumvented to benefit international trade;

2. what measures have been set in motion to ensure that the environmental impact assessment is carried out on the basis of the precautionary principle as laid down in the EU Treaty;

3. what steps it has taken, in view of the ambitious CETA plans and the potential benefits for Canadian fisheries, to link the conclusion of negotiations with a commitment by Canada to withdraw its request for the establishment of a WTO panel on the EU Regulation on seals;

4. whether it does not subscribe to the view that further environmental and animal welfare impact assessments are necessary?

Answer given by Mr De Gucht on behalf of the Commission
(3 May 2012)

EU animal welfare legislation does, in general, not apply in third countries. However, in case third countries are exporting meat to the EU, equivalent animal welfare standards on slaughter of animals must be respected. The implementation of EU legislation on animal welfare is the responsibility of the Member States and this legislation would not be affected by the adoption of the Comprehensive Economic and Trade Agreement (CETA) between the EU and Canada.

The precautionary approach to environmental policy is an important element in the EU decision-making process. The Commission aims at integrating this element in the CETA, in accordance with relevant international instruments. The Commission believes its Trade Sustainable Impact Assessment (SIA) on the CETA negotiations ([1]) covers in a systematic way environmental impacts in each of the sectors of the CETA.

EU legislation regulating trade in seal products is well established (Regulation (EC) No 1007/2009 and its Implementing Regulation ([2])). Linking the CETA negotiations with the Canadian WTO challenge against the EU seal legislation would not be appropriate and would not benefit the interest of the EU. As replied to Question E-002592/11 and E-003975/11 ([3]), the Commission will vigorously defend the legislation, as it does with all EU legislation.

([1]) Report published June 2011: http://ec.europa.eu/trade/analysis/sustainability-impact-assessments/assessments/.
([2]) OJ L 286, 31.10.2009.
([3]) http://www.europarl.europa.eu/QP-WEB/home.jsp

Each WTO Member has the right to recourse to dispute settlement if it deems that its rights under the WTO Agreements have not been respected. Canada's recourse to the WTO dispute to address the seal legislation is legitimate under WTO law, even if the EU believes that its measure is fully in compliance with WTO law.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003089/12
alla Commissione
Cristiana Muscardini (PPE)
(21 marzo 2012)

Oggetto: Giocattoli «tossici» fabbricati in Cina

Soltanto nel 2011 la Guardia di Finanza italiana ha sequestrato 11 milioni di pezzi realizzati con sostanze tossiche o cancerogene, mentre nel 2010 l'Agenzia delle Entrate ne ha requisito 950 mila. Il valore di questo business del falso in Italia è calcolato a 30 milioni di euro, a parte i rischi che comporta per la salute dei più piccoli. Gli specialisti parlano di soffocamento perché i giocattoli contraffatti sono facilmente frantumabili, provocando irritazione della pelle per l'uso di vernici scadenti, ferite da pistole e fucili difettosi, tossicità in caso di ingerimento di pezzi del giocattolo. Per non finire nelle maglie delle forze dell'ordine i clan dei trafficanti usano i paesi dell'Est come basi logistiche o fanno triangolazioni con i porti del Nord Europa o del Nord Africa. Nel 2009 dalla Cina è passato per l'Italia il 31,4 % dell'interscambio mondiale dei giocattoli, mentre nel 2010 la percentuale è salita al 52,7 %. Questo aumento spettacolare si è avuto anche in tempo di crisi, con un calo di vendite del 3 %.

Le aziende leader spostano la loro produzione lontano dall'Italia e intensificano le loro politiche di marketing. Ma i prezzi dei loro prodotti sono elevati, e ciò lascia spazio al traffico dei contrabbandieri che prendono di mira il mondo dell'infanzia. I clan della criminalità organizzata gestiscono questo mercato del falso, con profitti enormi nonostante i sequestri.

È la Commissione:

1. in possesso di dati relativi a questo settore forniti eventualmente da Frontex, Europol, Cepol e Olaf;

2. in grado di definire una strategia per il medio termine per far fronte a questo fenomeno criminale;

3. in condizione di sostenere che sia una via percorribile una possibile tracciabilità dei prodotti, come si fa per certi alimentari;

4. disposta a fornire un sostegno per realizzare questa ipotesi: regolamentare, operativo o finanziario;

5. in misura di perfezionare le norme sulla contraffazione per annullare il vantaggio acquisito dai clan nell'importazione di giocattoli «tossici» provenienti dalla Cina?

Risposta data da Antonio Tajani a nome della Commissione
(30 maggio 2012)

La Commissione è consapevole della problematica costituita dai giocattoli contraffatti pericolosi. Dalle statistiche disponibili ([1]) risulta un costante aumento del numero di casi legati a prodotti che si sospetta violino i diritti di proprietà intellettuale. La questione è affrontata nel seguente modo:

La sicurezza dei giocattoli è assicurata dalla direttiva 2009/48/CE ([2]) che si applica a tutti i giocattoli immessi sul mercato europeo, indipendentemente dalla loro origine, dal loro prezzo o dalla loro natura. La responsabilità di verificare che i giocattoli siano conformi alle pertinenti regole in tema di sicurezza compete essenzialmente agli Stati membri. Essi hanno l'obbligo di controllare se i giocattoli sono sicuri e di prendere le misure appropriate contro i giocattoli non sicuri. Per facilitare i compiti delle dogane sono state recentemente sviluppate linee guida per i controlli delle importazioni nel campo della sicurezza dei prodotti.

Per quanto concerne le contraffazioni, le autorità doganali degli Stati membri dell'UE hanno i poteri per intercettare i prodotti sospettati di violare i diritti di proprietà intellettuale in forza del regolamento (CE) n. 1383/2003 ([3]). La direttiva 2004/48/CE ([4]) offre ai detentori dei diritti la possibilità di ricorrere a provvedimenti del diritto civile allorché i loro diritti sono violati all'interno dell'UE. Per accrescere la protezione dei diritti di proprietà intellettuale la Commissione sta attualmente riesaminando la direttiva. Una delle opzioni possibili consisterebbe nell'affrontare le violazioni dei diritti di proprietà intellettuale che avvengono online già alla fonte concentrandosi sugli intermediari coinvolti e interrompendo i flussi di denaro associati alle presunte violazioni.

([1]) http://ec.europa.eu/taxation_customs/customs/customs_controls/counterfeit_piracy/statistics/index_en.htm
([2]) GU L 170 del 30.6.2009.
([3]) GU L 196 del 2.8.2003.
([4]) GU L 153 del 30.4.2004.

Per quanto concerne la tracciabilità, la direttiva sulla sicurezza dei giocattoli fa già obbligo agli operatori economici di indicare il loro nome e indirizzo e il numero dell'articolo. La direttiva sui diritti di proprietà intellettuale sollecita gli Stati membri a incoraggiare l'uso di sistemi di tracciabilità.

La protezione garantita dal quadro giuridico sopra descritto è tributaria però di un'attuazione efficace. Il modo più efficace per evitare l'immissione sul mercato di giocattoli non sicuri e contraffatti consiste nell'effettuare adeguati controlli all'importazione.

(English version)

Question for written answer E-003089/12
to the Commission
Cristiana Muscardini (PPE)
(21 March 2012)

Subject: 'Toxic' toys manufactured in China

In 2011 alone, the Italian finance police seized 11 million articles manufactured using toxic or carcinogenic substances, while in 2010 the Italian revenue agency confiscated 950 000 such articles. The value of this counterfeiting business in Italy is estimated to be EUR 30 million, quite apart from the risks entailed to the health of young children. Experts speak of suffocation due to counterfeit toys easily disintegrating into pieces, skin irritation through the use of poor-quality paint, injuries from defective pistols and rifles, and toxicity in the event of pieces of the toy being ingested. To evade the police, trafficking gangs use eastern European countries as logistics bases or set up triangular traffic with the ports of northern Europe or North Africa. In 2009, 31.4 % of world trade in toys passed from China through Italy, while in 2010 the percentage rose to 52.7 %. What is more, this spectacular rise occurred during a period of crisis, when sales fell by 3 %.

The leading firms are relocating their production facilities far from Italy and are stepping up their marketing efforts. The prices of their products are high, however, and that leaves room for trafficking by counterfeiters, who are targeting the children's market. Organised crime gangs are managing this counterfeit market, and are making enormous profits despite the seizures.

1. Is the Commission in possession of the facts regarding to this sector, supplied, as the case may be, by Frontex, Europol, CEPOL (European Police College) and Olaf?

2. Is the Commission able to establish a strategy for the medium term tackling this criminal phenomenon?

3. The industry affected is talking about possible traceability of products, as is done for certain foods. Is this a path that could be pursued?

4. What support could the Commission provide to bring this idea about, whether regulatory, operational or financial?

5. How can the Commission improve the rules on counterfeiting in order to eliminate the advantages obtained by criminal gangs in importing 'toxic' toys from China?

Answer given by Mr Tajani on behalf of the Commission
(30 May 2012)

The Commission is aware of the issue of dangerous counterfeited toys. Available statistics ([1]) show a steady rise in the number of cases related to goods suspected of violating intellectual property rights (IPR). This issue is addressed as follows:

The safety of toys is assured by Directive 2009/48/EC ([2]), applying to all toys placed on the European market, regardless their origin, price or nature. The responsibility to verify that toys comply with the applicable safety rules lies primarily with Member States. They have the obligation to check if toys are safe, and take appropriate measures against unsafe toys. To facilitate Customs tasks, Guidelines for import controls in the area of product safety have recently been developed.

As regards counterfeiting, the customs authorities of the EU Member States are empowered to intercept products suspected of infringing IPR under Regulation (EC) No 1383/2003 ([3]). Directive 2004/48/EC offers ([4]) to right holders the possibility to apply for civil measures when their rights are infringed within the EU. To enhance IPR protection, the Commission is currently reviewing the directive. One of the possible options would be to tackle online IPR infringements at the source by focusing on the intermediaries involved and by disrupting the money flows associated to alleged infringements.

As for traceability, the toy safety Directive already requires economic operators to indicate their name, address and item number. The IRP Directive requires Member States to encourage the use of traceability systems.

([1]) http://ec.europa.eu/taxation_customs/customs/customs_controls/counterfeit_piracy/statistics/index_en.htm
([2]) OJ L 170, 30.6.2009.
([3]) OJ L 196, 2.8.2003.
([4]) OJ L 153, 30.4.2004.

However, the protection guaranteed by the described legal framework is conditional upon effective implementation. The most effective way to avoid the placing on the market of unsafe and counterfeited toys is to carry out adequate checks at imports.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003090/12
à Comissão
Diogo Feio (PPE)
(21 de março de 2012)

Assunto: Cabo Verde: convergência com a União Europeia

Em resolução aprovada em 14 de dezembro de 2011 acerca da Política Europeia de Vizinhança, o Parlamento Europeu, no número 76, instou a UE a reforçar o diálogo e a convergência política com os países insulares atlânticos vizinhos das regiões ultraperiféricas da UE adjacentes ao continente europeu, nomeadamente Cabo Verde, e a apoiar os seus esforços para consolidar as reformas políticas, sociais e económicas.

Assim, pergunto à Comissão:

— De que modo pretende pôr em prática a resolução do Parlamento Europeu e reforçar o diálogo e a convergência política já em curso?

— Como avalia o seu atual estado?

— Está disponível para alargar o diálogo e a convergência política a outras matérias? Quais?

— Atendendo às questões especiais de proximidade geográfica, afinidade histórica e cultural e segurança mútua, e aos elevados níveis de liberdade, democracia e segurança que vem apresentando consistentemente, crê que Cabo Verde poderia participar em outras iniciativas e programas da União? Quais?

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

A Parceria Especial entre a UE e Cabo Verde existe desde 2007. Trata-se de um quadro de interesses comuns com uma forte dimensão política, que se distingue de tradicional relação dador-beneficiário.

Os seis setores prioritários da parceria especial são a governação, a segurança, a sociedade da informação, a integração regional, a convergência normativa e técnica com as regras da UE e a luta contra a pobreza.

Alcançaram-se progressos significativos em vários domínios e o diálogo político entre as duas partes é de elevada qualidade.

A parceria tem um caráter dinâmico, havendo portanto margem para ampliar ou aprofundar o seu âmbito. Uma prova recente foi a conclusão da negociação dos acordos de facilitação de vistos e de readmissão entre as duas partes.

Cabo Verde participa ativamente em programas de cooperação com a UE, como o Programa de Cooperação Transnacional — Madeira — Açores, Canárias (MAC) 2007/2013, que conta com 47 projetos, de um total 56, em que participam parceiros de países terceiros. Cabo Verde beneficia dos projetos de cooperação regional com os PALOP, bem como do programa temático «Intervenientes não estatais e autoridades locais no processo de desenvolvimento».

A Parceria Especial, que está integrada e é compatível com o Acordo de Cotonu, constitui uma excelente plataforma para aprofundar a cooperação com Cabo Verde. Estão a ser ponderadas novas iniciativas em setores como a segurança regional, a energia e a convergência técnica e normativa.

(English version)

Question for written answer E-003090/12
to the Commission
Diogo Feio (PPE)
(21 March 2012)

Subject: Cape Verde: convergence with the European Union

In paragraph 76 of its resolution of 14 December 2011 on the review of the European Neighbourhood Policy, Parliament urges the EU to strengthen dialogue and policy convergence with the Atlantic island countries neighbouring the EU outermost regions adjacent to the European continent, including Cape Verde, and to support their efforts to consolidate political, social and economic reforms.

— How will the Commission implement Parliament's resolution and strengthen the dialogue and policy convergence already under way?

— What is its assessment of the current state of play?

— Is it prepared to extend dialogue and policy convergence to cover other areas? If so, which ones?

— Does it believe that Cape Verde could take part in other EU initiatives and programmes, in view of the special considerations of geographical proximity, cultural and historical affinity, and mutual security, and of the high level of freedom, democracy and security that it has consistently enjoyed? If so, in which ones?

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

The EU and Cape Verde Special Partnership has been in existence since 2007. It is a framework of mutual interests with a major political dimension, rather than a traditional donor-recipient relationship scheme.

The six priority sectors of the Special Partnership are governance, security, information society, regional integration, normative and technical convergence towards EU standards and fight against poverty.

Significant progress has been achieved so far in several areas and the political dialogue between the two parties is of the highest quality.

The Partnership has a dynamic nature and opportunities to further extend or deepen its scope do exist; one proof is the recent conclusion of negotiation of visa facilitation and readmission agreements between the two parties.

Cape Verde actively participates in cooperation programmes with the EU such as the Transnational Cooperation Programme Madeira — Açores — Canárias (MAC) 2007-2013 with 47 projects out of 56 involving non-EU partners. Cape Verde benefits from the regional PALOP cooperation projects. The country also benefits from the Non State Actors and Local Authorities in development programme as well as the Migration thematic programme.

The Special Partnership, which is integrated and coherent with the Cotonou Agreement, provides an excellent Framework for further cooperation with Cape Verde; new initiatives in sectors such as regional security, energy, technical and normative convergence are currently being considered.

(English version)

Question for written answer P-003091/12
to the Commission (Vice-President/High Representative)
Marina Yannakoudakis (ECR)
(21 March 2012)

Subject: VP/HR — India breaking its moratorium on the death penalty by executing Balwant Singh

Could the Vice-President/High Representative say what urgent measures are being taken to prevent India breaking its moratorium on the death penalty by executing Balwant Singh at 9.00 a.m. on 31 March 2012, in Central Jail, Patiala?

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

The execution of Balwant Singh, previously scheduled for 31 March, has been put on hold pending a decision on the mercy plea presented to the President of India by the Chief Minister of Punjab.

The European Union has been active in ensuring that the EU's position on the death penalty is well known to the Indian Government. It is following the case of Balwant Singh very closely and is approaching the Indian Government on it.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse P-003092/12
til Kommissionen
Morten Messerschmidt (EFD)
(22. marts 2012)

Om: Chaterine Ashtons udtalelser om drabene i Toulouse

EU's højtstående repræsentant for udenrigsanliggender og sikkerhedspolitik, Catherine Ashton, er i en række medier citeret for på et møde med unge palæstinensere at have udtalt: »When we think about what happened today in Toulouse, we remember what happened in Norway last year, we know what is happening in Syria, and we see what is happening in Gaza and other places«.

— Finder Kommissionen det rimeligt, at dens næstformand og højtstående repræsentant for udenrigsanliggender og sikkerhedspolitik, Catherine Ashton, sammenligner de tragiske drab på jødiske børn i Toulouse med børn, der ulykkeligvis dræbes i Gaza og massemordene på Utøya i Norge sidste år? Står den samlede Kommission bag disse udtalelser?

— Er Kommissionen enig i, at der såvel juridisk som moralsk er forskel på utilsigtede drab på børn i Gaza og på en gerningsmands bevidste drab på børn og unge i Frankrig og Norge — eller på en kynisk regerings overgreb mod sin egen befolkning i Syrien?

— Er det Kommissionens opfattelse at Israel — som det logisk må følge af den høje repræsentants udtalelser — bevist dræber børn i Gaza?

— Har Kommissionen i forlængelse heraf ændret politik, således at Kommissionen ikke længere anerkender Israels ret til at forsvare sig mod terror, i hvilken sammenhæng børn kan være utilsigtede ofre?

— Finder Kommissionen det værdigt og acceptabelt, at dens fremmeste diplomat udnytter en tragisk hændelse, der har hensat hele Frankrig i chok, til at tækkes palæstinenske unge, der tilfældigvis mødes samme dag med den høje repræsentant?

— Agter Kommissionens formand at skride ind, enten ved at beklage sin næstformands udtalelser eller ved at kræve, at udtalelserne trækkes tilbage med en beklagelse?

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

Den højtstående repræsentant og næstformand Catherine Ashtons holdning til den chokerende forbrydelse i Toulouse har været meget klar og konsekvent.

I sin åbningserklæring til Europa-Parlamentets Udenrigsudvalg den 20. marts 2012 fordømte den højtstående repræsentant og næstformand uforbeholdent de forfærdelige mord på Ozar Hatorah-skolen i Toulouse og udtrykte også sin medfølelse med ofrenes familier og venner, med det franske folk og med det jødiske samfund.

Desuden afgav den højtstående repræsentant og næstformands talsmand den 20. marts en udtalelse, hvori det blev præciseret, at den højtstående repræsentant på det skarpeste fordømmer gårsdagens drab på Ozar Hatorah-skolen i Toulouse og udtrykker sin medfølelse med ofrenes familier og venner samt med det franske folk og det jødiske samfund.

Dette blev gjort klart, fordi hendes udtalelse ved UNRWA-eventet blev groft fordrejet af ét af nyhedsbureauerne.

I sine bemærkninger henviste den højtstående repræsentant til, at tragedier tager børns liv i hele verden og drog på ingen måde nogen parallel mellem omstændighederne ved overfaldet i Toulouse og situationen i Gaza.

Den højtstående repræsentant og næstformand ønsker på ny at tilkendegive, hvor dybt hun beklager fordrejningen af hendes udtalelse ved UNRWA-eventet den 19. marts 2012.

(English version)

Question for written answer P-003092/12
to the Commission
Morten Messerschmidt (EFD)
(22 March 2012)

Subject: Catherine Ashton's remarks about the killings in Toulouse

The High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, has been quoted in a number of media sources as making the following remarks at a meeting with young Palestinians: 'When we think about what happened today in Toulouse, we remember what happened in Norway last year, we know what is happening in Syria, and we see what is happening in Gaza and other places'.

— Does the Commission consider it appropriate that its Vice-President, the High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, is comparing the tragic killings of the Jewish children in Toulouse with children unfortunately killed in Gaza and the mass murders committed on Utøya in Norway last year? Does the whole Commission support these remarks?

— Does the Commission agree that there is a difference, both legally and morally, between the unintentional killing of children in Gaza and a perpetrator's deliberate killing of children and young people in France and Norway, or a cynical government's atrocities against its own population in Syria?

— Does the Commission hold the view, as must logically follow from the High Representative's remarks, that Israel kills children in Gaza deliberately?

— Has the Commission, in light of this, changed policy so that it no longer recognises Israel's right to defend itself against terrorism, in connection with which children may be unintentional victims?

— Does the Commission consider it dignified and acceptable that its top diplomat is using a tragic event that has shocked the whole of France to please Palestinian young people who happened to be meeting the High Representative on the same day?

— Is the President of the Commission thinking of intervening, either by deploring his Vice-President's remarks or by asking for the remarks to be retracted with an apology?

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

High Representative/Vice-President (HR/VP) Ashton position on the shocking crime in Toulouse has been very clear and consistent.

In the opening statement to the Foreign Affairs Committee of the European Parliament on 20 March 2012, the HR/VP condemned unreservedly the terrible murders at the Ozar Hatorah School in Toulouse and extended her sympathy to the families and friends of the victims, to the people of France and to the Jewish community.

Also on the 20 March, the spokesperson of the HR/VP issued the following statement:

'The High Representative strongly condemns the killings at the Ozar Hatorah School in Toulouse yesterday and extends her sympathies to the families and friends of the victims and to the people of France and the Jewish community.

We want to make this clear, because her words yesterday at the UNRWA event were grossly distorted by one of the news agencies.

In her remarks, the High Representative referred to tragedies taking the lives of children around the world and drew no parallel whatsoever between the circumstances of the Toulouse attack and the situation in Gaza.'

The HR/VP wishes to reiterate how deeply she had been saddened by the distortion of her remarks at the UNRWA event on 19 March 2012.

(Version française)

Question avec demande de réponse écrite P-003093/12
à la Commission
Christine De Veyrac (PPE)
(22 mars 2012)

Objet: Évaluation des allégations de santé

Alors que règlement (CE) nº 1924/2006 concernant les allégations nutritionnelles et de santé portant sur les denrées alimentaires ([1]) prévoyait la mise en place d'une liste communautaire d'allégations de santé génériques autorisées à être utilisées au sein de l'UE (article 13, paragraphe 1), l'Autorité européenne de sécurité des aliments (EFSA) a rendu un avis négatif sur près de 95 % des allégations qui lui étaient soumises par les États membres.

Le processus d'harmonisation et de rationalisation des allégations de santé engagé par la Commission est souhaitable mais de sérieux doutes subsistent quant à la méthodologie adoptée par l'EFSA, qui aurait abouti au rejet d'allégations soutenues par de fortes preuves scientifiques. Ainsi, la Commission pourrait-elle détailler plus avant les principes qui ont prévalu dans ces évaluations et qui ont abouti à la validation de seulement 222 allégations sur les 2 758 examinées? Dans la mesure où les acteurs du secteur émettent des doutes sur la clarté de certaines allégations retenues, pourrait-elle également préciser quels critères ont été pris en compte afin de définir des «allégations qui soient bien comprises du consommateur moyen».

Par ailleurs, le règlement (CE) nº 1924/2006 prévoit l'existence d'une procédure parallèle (i) permettant d'évaluer les allégations de santé relatives à la réduction d'un risque de maladie (article 14) et (ii) laissant la possibilité aux demandeurs d'autorisation de soumettre à l'EFSA de nouvelles allégations de santé pour un produit spécifique (article 13, paragraphe 5).

— La Commission pourrait-elle expliquer la différence entre les deux procédures?

— Pourrait-elle également préciser pourquoi les allégations de santé relatives à la réduction d'un risque de maladie (article 14) ont été exclues du processus d'établissement de la liste communautaire?

Réponse donnée par M. Dalli au nom de la Commission
(23 avril 2012)

L'article 13 du règlement (CE) nº 1924/2006 ([2]) prévoit une procédure simplifiée pour les allégations ne faisant pas référence à la réduction d'un risque de maladie et au développement et à la santé infantiles. Ces allégations peuvent être faites sans être soumises aux procédures établies aux articles 15 à 19, qui s'appliquent aux demandes visées à l'article 13, paragraphe 5, et à l'article 14 du règlement. En vertu de la procédure simplifiée, les allégations de santé doivent être justifiées par des références à des preuves scientifiques généralement admises, être accompagnées des conditions qui leur sont applicables et être bien comprises par le consommateur moyen. La procédure applicable aux demandes requiert des dossiers individuels spécifiques, assortis d'une analyse de la justification scientifique étayée par une copie des études réalisées.

Les allégations relatives à la réduction d'un risque de maladie ne peuvent pas se rapporter à la prévention d'une maladie, car la législation alimentaire de l'Union européenne ne le permet pas. Les allégations visées à l'article 14, paragraphe 1, point a), doivent faire référence à la réduction d'un facteur de risque de développement d'une maladie. Ces allégations ont été autorisées et ajoutées à la liste des allégations de santé relevant de l'article 14 qui sont permises ([3]).

([1]) JO L 404 du 30.12.2006 et rectificatif JO L 12 du 18.1.2007.
([2]) Règlement (CE) n° 1924/2006 du Parlement européen et du Conseil du 20 décembre 2006 concernant les allégations nutritionnelles et de santé portant sur les denrées alimentaires (JO L 404 du 30.12.2006, p. 9). http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:404:0009:0025:FR:PDF
([3]) http://ec.europa.eu/nuhclaims/

(English version)

Question for written answer P-003093/12
to the Commission
Christine De Veyrac (PPE)
(22 March 2012)

Subject: Assessment of health claims

While Regulation (EC) No 1924/2006 on nutrition and health claims made on foods ([1]) provided for the adoption of a Community list of general health claims that are permitted in the EU (Article 13(1)), the European Food Safety Authority (EFSA) has issued unfavourable opinions on almost 95 % of claims referred to it by Member States.

The Commission's procedure for harmonising and justifying health claims is desirable but serious doubts exist regarding the methodology adopted by EFSA, which could have led to the rejection of health claims supported by strong scientific evidence. Therefore, could the Commission provide additional information about the principles governing these assessments, which led to the authorisation of only 222 claims of the 2 758 claims assessed? Given that operators in the sector are expressing doubts about the clarity of some of the authorised claims, could the Commission also specify which criteria were taken into account in order to define the claims that are 'well understood by the average consumer'?

In addition, Regulation (EC) No 1924/2006 establishes a parallel procedure that (i) provides for the assessment of health claims relating to the reduction of a disease risk (Article 14) and (ii) allows those requesting authorisation to refer additional health claims for a specific product to EFSA (Article 13(5)).

— Could the Commission explain the difference between these two procedures?

— Could it also specify why claims that a given product reduces the risk of disease (Article 14) have been excluded from the procedure for establishing the Community list?

Answer given by Mr Dalli on behalf of the Commission
(23 April 2012)

Article 13 of Regulation (EC) 1924/2006 ([2]) provides a simplified procedure for claims not referring to the reduction of disease risk and to children's development and health. These claims need not undergo the procedures laid down in Articles 15 to 19, which apply to the individual applications under Articles 13(5) and 14 of the regulation. Under the simplified procedure, health claims should be substantiated with references to generally accepted scientific evidence, conditions applying to them, and be well understood by the average consumer. The procedure for individual applications requires specific individual dossiers with an analysis of the scientific justification supported by copies of studies.

Reduction of a risk of disease claim cannot be about the prevention of a disease, which is not permitted under European Union food law. Article 14(1)(a) claims must refer to the reduction of a risk factor in the development of a disease. Such claims have been authorised and added to the list of permitted Article 14 health claims ([3]).

([1]) OJ L 404, 30.12.2006 and corrigendum, OJ L 12, 18.1.2007.
([2]) Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods, OJ L 404, 30.12.2006, p. 9-25.
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:404:0009:0025:EN:PDF
([3]) http://ec.europa.eu/nuhclaims/

(Versión española)

Pregunta con solicitud de respuesta escrita E-003095/12
a la Comisión
Willy Meyer (GUE/NGL)
(22 de marzo de 2012)

Asunto: Conflictos de intereses y desregulación en el sector de las agencias de calificación: creación de una agencia pública europea de calificación

Las actuales agencias de calificación son empresas privadas que funcionan bajo la lógica de los beneficios resultantes de las operaciones que realizan. Esto conlleva un conflicto de intereses: las entidades emisoras contratan a la agencia que califica sus productos, y ésta, en muchos de los casos, exagera la calificación otorgada para conseguir, por un lado, satisfacer a su cliente, y, por otro, incrementar los beneficios que recibe por comisiones.

Además, los analistas de estas agencias no tienen responsabilidad alguna por los pronósticos que realizan, por lo que, opiniones y falsos juicios económicos están castigando impunemente a millones de ciudadanos y ciudadanas de los países afectados por la crisis, que ven cómo muchos de sus derechos y servicios públicos son recortados a consecuencia del descenso injustificado de la nota de calificación de las deudas soberanas de sus Estados.

La ausencia de regulación de la actividad de estas agencias conlleva que sus argumentos estén amparados únicamente por la empresa que las contrata, lo cual les otorga una impunidad total respecto a las consecuencias económicas y sociales.

Las nefastas consecuencias de esta ausencia de responsabilidades y del conflicto de intereses se podrían impedir a través de una estricta regulación y de la creación de agencias públicas de calificación que no actuarían movidas por el criterio de rentabilidad.

Por todo ello:

— ¿No considera necesario la Comisión regular estrictamente la actividad de las agencias de calificación?

— ¿Piensa la Comisión Europea iniciar los trámites oportunos para la creación de una agencia pública europea de calificación?

— ¿Piensa la Comisión Europea investigar las irregularidades cometidas por las agencias de calificación que han acarreado dramáticas consecuencias económicas y sociales para millones de ciudadanos y ciudadanas de Europa?

Respuesta del Sr. Barnier en nombre de la Comisión
(16 de mayo de 2012)

El Acta de adhesión de 2003 dispone que Hungría podrá mantener en vigor, por un periodo de siete años desde la adhesión, restricciones a la adquisición de tierras agrícolas por parte de personas físicas que no sean residentes o nacionales de Hungría y por parte de personas jurídicas. Ello supone una excepción temporal a la libre circulación de capitales, que está garantizada por los artículos 63 a 66 del Tratado de Funcionamiento de la Unión Europea. Aunque la expiración de ese periodo se fijó para el 30 de abril de 2011, se previó la posibilidad de una prórroga de tres años. A petición formulada por Hungría el 10 de septiembre de 2010 y previa evaluación de los motivos alegados al respecto, la Comisión decidió prorrogarle por otros tres años el periodo transitorio, que expirará el 30 de abril de 2014. Con posterioridad a esa fecha, dejará de restringirse la adquisición de tierras agrícolas en Hungría por ciudadanos de la UE.

(English version)

Question for written answer E-003095/12
to the Commission
Willy Meyer (GUE/NGL)
(22 March 2012)

Subject: Conflicts of interest and deregulation affecting rating agencies: establishment of a European public rating agency

Rating agencies are private companies that operate by making profit from the operations they carry out. This entails a conflict of interests: securities issuers hire the agency to rate their products, and the agency, in many cases, exaggerates the rating given with the dual aim of keeping its customers happy and increasing the profits it receives as commissions.

In addition, these agencies' analysts accept no liability for the forecasts they make, and their opinions and erroneous economic judgments thus punish with impunity millions of citizens in the countries affected by the crisis, who see their entitlements and public services curtailed as a result of the unwarranted downgrading of the credit rating of their country's sovereign debt.

The lack of regulation of these agencies' activities means that their statements are only endorsed by the company that hires them, meaning that they have no responsibility whatsoever for any economic and social consequences.

The dire consequences of this lack of liability, and of conflicts of interest, could be prevented by strict regulation and the establishment of public rating agencies, whose actions would not be coloured by the search for profits.

— Does the Commission not consider it necessary to regulate strictly the activity of rating agencies?

— Does the European Commission intend to take steps to create a European public rating agency?

— Does the European Commission intend to investigate infringements committed by rating agencies that have had dramatic social and economic consequences for millions of European citizens?

Answer given by Mr Barnier on behalf of the Commission
(16 May 2012)

The 2003 Act of Accession provides that Hungary may maintain in force, for a 7-year period following the accession, restrictions on the acquisition of agricultural land by natural persons who are non-residents or non-nationals of Hungary and by legal persons. This is a temporary derogation from the free movement of capital as guaranteed by Articles 63 to 66 of the Treaty on the Functioning of the European Union. This transitional period was set to expire on 30 April 2011, but foresaw the possibility of an extension for an additional 3 years. Upon Hungary's request of 10 September 2010 and after assessing the justification of this request, the Commission granted Hungary an extension of the transitional period for an additional 3 years, which will expire on 30 April 2014. After this date, restrictions on the acquisition by EU citizens of agricultural land in Hungary are no longer allowed.

(Versión española)

Pregunta con solicitud de respuesta escrita E-003096/12
a la Comisión (Vicepresidenta / Alta Representante)
Raül Romeva i Rueda (Verts/ALE)
(22 de marzo de 2012)

Asunto: VP/HR — Detención ilegal y tortura de Israel Arzate Meléndez

El 3 de febrero de 2010 Israel Arzate Meléndez fue detenido en México de forma ilegal por el ejército y torturado en las instalaciones militares de Ciudad Juárez. Como no existía ninguna razón para detenerlo, se le atribuyó el delito de posesión de una camioneta robada. De forma irregular fue retenido en las instalaciones militares hasta el 5 de febrero de 2010, cuando, bajo amenazas y torturas, fue obligado a declararse culpable del homicidio de los jóvenes de Villas de Salvárcar (cometido el 30 de enero de 2010). Israel lleva más de dos años privado de libertad en Ciudad Juárez (México). En su opinión 67/2011, el Grupo de Trabajo sobre la Detención Arbitraria de las Naciones Unidas declara arbitraria la detención del Sr. Israel Arzate Meléndez y observa, que mientras que Israel fue detenido en la calle el 3 de febrero de 2010, los militares declararon, de manera inverosímil, que había sido detenido en flagrante el día 4 del mismo mes.

También se destaca que el propio fiscal decidió retirar el cargo de posesión de vehículo robado por falta de pruebas, pero se retractó y siguió con la acusación. El Grupo de Trabajo considera que la acusación subsiste ya que «era la única manera de poder justificar la flagrancia y cubrir la detención con una cierta apariencia de formalidad legal». Además, la Comisión Nacional de los Derechos Humanos (CNDH) afirma en la recomendación 48/2011 que hay pruebas médicas de que Israel fue torturado. Organizaciones internacionales como Human Rights Watch y Amnistía Internacional han denunciado la detención ilegal y las torturas sufridas.

En el marco del Acuerdo de Asociación UE-México y considerando que el derecho a un juicio justo es un derecho fundamental y un principio general de los Tratados de la UE, que a esta le corresponde respetar y defender; visto que las líneas de actuación de la UE sobre la tortura la consideran una de violaciones de los derechos humanos más detestables y que su prevención y erradicación es uno de los principales objetivos de la Unión Europea, preguntamos a la Vicepresidenta/Alta Representante:

— ¿Va a pedir que el Estado mexicano disponga la libertad inmediata del Sr. Israel Arzate Meléndez?

— ¿Va a exigir una investigación de las denuncias de torturas?

— ¿Va a recomendar una reforma de la legislación para acabar con el abuso de la figura de flagrancia?

— ¿Adoptará medidas para prevenir la vulneración de los derechos humanos en México tanto respecto a las torturas como al derecho a un proceso y juicio justos?

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

Fomentar el Estado de Derecho y proteger los derechos humanos son prioridades de la acción exterior de la UE. En este contexto, la AR/VP sigue con especial interés la aplicación de la reforma del sistema de justicia penal, que México inició en 2008. Esta reforma, apoyada y consolidada por la reforma constitucional sobre los derechos humanos de 2011, permitirá, una vez aplicada en su integridad, un mejor funcionamiento del sistema de justicia mexicano, mayor eficacia y la garantía de los derechos de los ciudadanos. Por lo tanto, la UE considera que esta reforma es fundamental para la evolución de los derechos humanos en México.

La aplicación de la reforma del sistema de justicia penal está previsto que se complete en todos los estados mexicanos en 2016. Este tema es una de las prioridades de la UE en el marco del diálogo de alto nivel sobre derechos humanos con México, que tiene lugar una vez al año desde 2010. Por otra parte, la UE se ha comprometido a cooperar con las autoridades mexicanas tanto a nivel federal como de los estados federados, así como con la sociedad civil, con el fin de consolidar las capacidades y preparar al sistema judicial y a la sociedad para que se beneficien de todo el potencial que presenta la reforma. Este compromiso se reiteró en la VI Cumbre UE-México de 17 de junio de 2012 celebrada en Los Cabos, México.

En este contexto, la UE prestará especial atención a los progresos de casos como el de la detención de Israel Arzate Meléndez, máxime cuando la UE ha mostrado un interés permanente sobre la situación de Chihuahua, particularmente en Ciudad Juárez.

(English version)

Question for written answer E-003096/12
to the Commission (Vice-President/High Representative)
Raül Romeva i Rueda (Verts/ALE)
(22 March 2012)

Subject: VP/HR — Illegal detention and torture of Israel Arzate Meléndez

On 3 February 2010, Israel Arzate Meléndez was detained illegally by the army in Mexico and was tortured at military facilities in Ciudad Juárez. Since there were no lawful grounds to hold him, he was accused of being in possession of a stolen van. He was illegally detained at the military facilities until 5 February 2010, when, under threats and torture, he was forced to plead guilty to the Villas de Salvárcar student murders (committed on 30 January 2010). Mr Arzate Meléndez has been now been detained for over two years in Ciudad Juárez (Mexico). In its opinion No 67/2011, the United Nations Working Group on Arbitrary Detention declared the detention of Mr Arzate Meléndez to be arbitrary and noted that, whereas he was arrested in the street on 3 February 2010, the military had declared, implausibly, that he had been caught committing a crime on 4 February.

The UN opinion also highlighted the fact that the prosecutor had decided to drop the charge of possession of a stolen vehicle due to lack of evidence, but had then reversed this decision and continued with the prosecution. The Working Group considered that the charge had been upheld because it 'was the only way to justify flagrancy and give the detention a certain appearance of legality'. In addition, recommendation No 48/2011 of the Mexican National Commission of Human Rights (CNDH) states that there is medical evidence that Mr Arzate Meléndez was tortured. International organisations like Human Rights Watch and Amnesty International have spoken out against the illegal detention and torture of Mr Arzate Meléndez.

In the context of the EU-Mexico Association Agreement and given that the right to a fair trial is a fundamental right and a general principle of the EU Treaties, which the Union must respect and uphold; since the EU's lines of action on torture consider it to be one of the most abhorrent violations of human rights, and since the prevention and eradication of torture is one of the European Union's main objectives, we would like to ask the Vice-President/High Representative:

— If she will call on the Mexican Government to immediately release Mr Israel Arzate Meléndez.

— If she will demand an investigation into the claims of torture?

— If she will recommend a reform of legislation to put an end to abusive use of the concept of 'flagrancy'?

— If she will take steps to prevent human rights violations in Mexico, with regard to both torture and the right to a fair trial?

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

The promotion of the rule of law and the protection of human rights are priorities of the EU's external action. In this context, the HR/VP is following with particular interest the implementation of the reform of the criminal justice system, which Mexico launched in 2008. This reform, as supported and consolidated by the 2011 constitutional reform on human rights, will allow — when fully implemented — for a better functioning of the Mexican justice system, improving its effectiveness and guaranteeing the rights of the citizens. Therefore, the EU deems this reform as essential to the human rights outlook in Mexico.

The implementation of the reform of the criminal justice system is foreseen to be completed in 2016 in all Mexican States. This topic is one of the EU's priorities in the framework of the high-level dialogue with Mexico on human rights, which takes place once a year since 2010. Moreover, the EU is committed to providing cooperation to the Mexican authorities at federal and State level, as well as to the Mexican civil society, with a view to strengthen capacities and prepare both the judicial system and the society to benefit form the reform's full potential. This commitment was reiterated at the VI EU-Mexico Summit of 17 June 2012 in Los Cabos, Mexico.

In this context, the EU will be paying specific attention to the progress of cases such as the detention of Israel Arzate Melendez, all the more since the EU has showed continued interest about the situation in Chihuahua, particularly in Ciudad Juarez.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003097/12
προς την Επιτροπή
Charalampos Angourakis (GUE/NGL)
(22 Μαρτίου 2012)

Θέμα: Εργαζόμενοι δούλευαν εκτεθειμένοι στον υδράργυρο

Εκτεθειμένοι σε 300 γραμμάρια υδράργυρο βρέθηκαν στις 13 Μαρτίου 2012 οι 220 εργαζόμενοι στο εργοτάξιο του Μετρό Θεσσαλονίκης στη στάση Βενιζέλου. Οι εργαζόμενοι υποβλήθηκαν σε εξειδικευμένες αιματολογικές και άλλες εργαστηριακές εξετάσεις, προκειμένου να διαπιστωθούν οι επιπτώσεις στην υγεία τους, καθώς ο υδράργυρος είναι ιδιαίτερα τοξικός.

Όπως καταγγέλλουν οι εργαζόμενοι, είχαν εντοπίσει υδράργυρο από το καλοκαίρι του 2011, ενώ τις τελευταίες είκοσι μέρες είχε αυξηθεί πολύ. Το γεγονός ήταν σε γνώση της κατασκευάστριας κοινοπραξίας η οποία όμως δεν πήρε κανένα μέτρο για την προστασία των εργαζομένων. Δεδομένου ότι το συγκεκριμένο έργο χρηματοδοτείται από το ΕΣΠΑ, ερωτείται η Επιτροπή αν καταδικάζει την εγκληματική αμέλεια της κοινοπραξίας και των αρμόδιων ελληνικών αρχών που έχουν αφήσει τόσο μεγάλο χρονικό διάστημα εκτεθειμένους τους εργαζόμενους στο τοξικό υδράργυρο.

Απάντηση του κ. Hahn εξ ονόματος της Επιτροπής
(15 Μαΐου 2012)

Η κατασκευή και λειτουργία του μετρό της Θεσσαλονίκης αποτελεί μεγάλο έργο που συγχρηματοδοτείται από τα Διαρθρωτικά Ταμεία. Σύμφωνα με τις διατάξεις του κανονισμού (ΕΚ) αριθ. 1083/2006 του Συμβουλίου ([1]), οι ελληνικές αρχές έπρεπε να υποβάλουν ανάλυση κόστους/οφέλους και ανάλυση των περιβαλλοντικών επιπτώσεων μαζί με την αίτηση χρηματοδότησης του εν λόγω μεγάλου έργου. Σε συνέχεια της έγκρισης του μεγάλου έργου, οι ελληνικές αρχές ανέλαβαν την υποχρέωση να υποβάλλουν έκθεση σε ετήσια βάση στην Επιτροπή σχετικά με την πρόοδο του έργου.

Η ισχύουσα κοινοτική νομοθεσία για την υγεία και την ασφάλεια στον χώρο εργασίας προβλέπει το πλαίσιο για την προστασία των εργαζομένων από τους κινδύνους που ενέχει για την υγεία και την ασφάλειά τους η έκθεση στον υδράργυρο. Στο πλαίσιο αυτό, η Επιτροπή βρίσκεται στο στάδιο θέσπισης μιας οριακής τιμής για την επαγγελματική έκθεση στον υδράργυρο. Τα κράτη μέλη θα είναι αρμόδια για τη μεταφορά της οριακής αυτής τιμής στο εθνικό δίκαιο. Συνεπώς, προς το παρόν για το θέμα αυτό είναι αποκλειστικά αρμόδιες οι οικείες εθνικές αρχές.

Ωστόσο, η Επιτροπή προειδοποίησε τη διαχειριστική αρχή του προγράμματος για το θέμα που έθιξε ο κ. βουλευτής με σκοπό τη διεξαγωγή περαιτέρω έρευνας. Οι ελληνικές αρχές ενημέρωσαν την Επιτροπή ότι υπήρξε άμεση αντίδραση μόλις διαπιστώθηκε η ύπαρξη υδραργύρου και ότι λήφθηκαν τα κατάλληλα μέτρα τα οποία αναμένεται να επιτρέψουν τη συνέχιση των εργασιών με το υψηλότερο δυνατό επίπεδο ασφάλειας.

([1]) Κανονισμός (ΕΚ) αριθ. 1083/2006 του Συμβουλίου, της 11ης Ιουλίου 2006, περί καθορισμού γενικών διατάξεων για το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης, το Ευρωπαϊκό Κοινωνικό Ταμείο και το Ταμείο Συνοχής και την κατάργηση του κανονισμού (ΕΚ) αριθ. 1260/1999, ΕΕ L 210/25 της 31.7.2006.

(English version)

Question for written answer E-003097/12
to the Commission
Charalampos Angourakis (GUE/NGL)
(22 March 2012)

Subject: Workers exposed to mercury

On 13 March 2012, 220 construction workers were exposed to 300g of mercury at Venizelos metro station in Thessaloniki. The workers were given specific blood tests, and other laboratory tests, to establish the effects on their health as the mercury was particularly toxic.

The workers claim that they had noticed the mercury in the summer of 2011, but that in the last 20 days, it had increased considerably. The construction consortium was aware of this fact, but they did not take any action to protect workers. Given that this specific project has been funded by the NSRF, will the Commission say whether it condemns the criminal negligence of the consortium and of the Greek authorities who left the workers exposed to the toxic mercury for such a long period of time?

Answer given by Mr Hahn on behalf of the Commission
(15 May 2012)

The construction and operation of the Thessaloniki metro is a major project co-financed by the Structural Funds. In line with the provisions of Council Regulation 1083/2006 ([1]), the Greek authorities were required to submit a cost benefit analysis and an analysis of the environmental impact with the major project application. Following the approval of the major project, the Greek authorities are subsequently required to report on an annual basis to the Commission on the project's progress.

The existing Community legislation on health and safety at work provides the framework to protect workers against risks to their health and safety from exposure to mercury. Under this framework, the Commission is developing an occupational exposure limit value for mercury. The Member State will be responsible for transposing this into national law. Consequently, at this moment the question is a matter solely for the national authorities concerned.

However, the Commission alerted the managing authority of the programme to the matter raised by the Honourable Member for further investigation. The Greek authorities informed the Commission that immediate action and relevant measures were taken upon discovery of the mercury which they expect will enable the works to proceed with the highest level of safety possible.

([1]) Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999, OJ L 210/25, 31.7.2006.

(English version)

Question for written answer E-003099/12
to the Commission
Charles Tannock (ECR)
(22 March 2012)

Subject: Follow-up question to Question No E-8296/2010: Alleged plans by Hungary to extend the derogation enabling it to ban the purchase of farmland by non-Hungarian citizens

In light of the reported rise of nationalism and economic protectionism in Hungary, is the Commission still satisfied that the Hungarian Government will continue to keep its commitment to 'free up' farm land and by 2014 make it available for sale to non-Hungarian citizens on the open market, in keeping with the promise it has already made to the EU?

Answer given by Mr Barnier on behalf of the Commission
(7 May 2012)

The 2003 Act of Accession provides that Hungary may maintain in force, for a seven-year period following the accession, restrictions on the acquisition of agricultural land by natural persons who are non-residents or non-nationals of Hungary and by legal persons. This is a temporary derogation from the free movement of capital as guaranteed by Articles 63 to 66 of the Treaty on the Functioning of the European Union. This transitional period was set to expire on 30 April 2011, but the possibility of an extension for an additional three-year period was foreseen. Upon Hungary's request of 10 September 2010 and after assessing the justification of this request, the Commission granted Hungary an extension of the transitional period for three years, which will expire on 30 April 2014. After this date, restrictions on the acquisition by EU citizens of agricultural land in Hungary are no longer allowed.

(Version française)

Question avec demande de réponse écrite E-003100/12
à la Commission
Anne Delvaux (PPE)
(22 mars 2012)

Objet: Baisse de la TVA sur les fruits et légumes et taxe sur la «malbouffe»

De plus en plus de voix s'élèvent au niveau européen pour promouvoir, dans un but de prévention, des modifications des habitudes alimentaires. Les propositions abondent, comme taxer ce que l'on appelle la «malbouffe» ou baisser la TVA sur les fruits et légumes.

L'article 100 de la directive 2006/112/CE du Conseil du 28 novembre 2006 relative au système commun de taxe sur la valeur ajoutée ([1]) dispose que, sur la base d'un rapport de la Commission, le Conseil réexamine tous les deux ans, le champ d'application des taux réduits.

— La Commission pourrait-elle indiquer ce qu'elle pense de ces propositions?

— La Commission va-t-elle préparer une proposition appropriée visant à modifier la fiscalité en conséquence?

Réponse donnée par M. Šemeta au nom de la Commission
(30 avril 2012)

La législation de l'Union européenne (UE) sur la TVA ([2]) prévoit l'application d'un taux normal de 15 % au minimum sur les opérations imposables et autorise les États membres, sans les y obliger, à appliquer un ou deux taux réduits de 5 % au minimum aux livraisons de biens et prestations de services figurant sur une liste exhaustive, dont notamment les denrées alimentaires ([3]).

Dans ce cadre de base et conformément au principe de subsidiarité, chaque État membre est libre de fixer ses taux, sans autorisation préalable, compte tenu de sa politique budgétaire et fiscale et d'autres priorités nationales.

La directive TVA ne contient aucune disposition obligeant les États membres qui appliquent un taux réduit de TVA à l'appliquer à tous les éléments mentionnés dans une catégorie de biens admissibles au bénéfice d'un tel taux. Toutefois, dans plusieurs arrêts, la Cour de justice de l'Union européenne a déclaré que cette pratique n'est autorisée que dans la mesure où la différenciation des taux est compatible avec le principe de neutralité fiscale inhérent au système commun de TVA, qui s'oppose à ce que des biens similaires qui, par conséquent, sont en concurrence directe les uns avec les autres, soient traités différemment aux fins de la TVA.

Étant donné que la directive TVA de l'UE autorise déjà les États membres à appliquer, dans certaines conditions, un taux réduit de TVA sur certaines denrées alimentaires considérées comme saines, la Commission n'a pas l'intention de proposer une modification de la législation en vigueur.

([1]) JO L 347 du 11.12.2006, p. 1.
([2]) Directive 2006/112/CE du Conseil du 28 novembre 2006 relative au système commun de taxe sur la valeur ajoutée (JO L 347 du 11.12.2006, p. 1).
([3]) Annexe III, point 1, de la directive 2006/112/CE du Conseil.

(English version)

Question for written answer E-003100/12
to the Commission
Anne Delvaux (PPE)
(22 March 2012)

Subject: Reduction in VAT on fruit and vegetables and tax on junk food

There are growing calls at European level for measures to promote changes in our eating habits, to improve prevention. There are numerous proposals, including a tax on so-called junk food or reduced VAT on fruit and vegetables ([1]). Article 100 of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax stipulates that, based on a report from the Commission, the Council shall review the scope of the reduced VAT rates every two years.

— Could the Commission tell us what it thinks of these proposals?

— Does the Commission intend to prepare an appropriate proposal to amend the tax rates accordingly?

Answer given by Mr Šemeta on behalf of the Commission
(30 April 2012)

The European Union (EU) VAT law ([2]) provides for the application of a standard rate of a minimum of 15 % to taxable operations and allows, but does not oblige, Member States to apply one or two reduced rates of a minimum of 5 % to an exhaustive list of supplies of goods and services which notably covers foodstuffs ([3]).

Within this basic framework and in conformity with the principle of subsidiarity, it is up to each Member State to set its rates, without prior authorisation, in accordance with its fiscal or budgetary policy and other national priorities.

There is no provision in the VAT Directive obliging those Member States that apply a reduced VAT rate to apply it to all the elements mentioned in a category of goods eligible for a reduced VAT rate. However, in different judgments the Court of Justice of the European Union has stated that this is permissible only insofar as the rates differentiation is consistent with the principle of fiscal neutrality, inherent in the common system of VAT, which precludes treating similar goods, which are therefore in direct competition with each other, differently for VAT purposes.

Since the EU VAT Directive currently already allows Member States to apply, under certain conditions, a reduced VAT to certain foodstuffs considered healthy, the Commission does not intend proposing a change in the current legislation.

([1]) OJ L 347, 11.12.2006, p. 1.
([2]) Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax, OJ L 347, 11.12.2006, p. 1.
([3]) Category (1) in Annex III to Council Directive 2006/112/EC.

(Version française)

Question avec demande de réponse écrite E-003101/12
à la Commission
Marc Tarabella (S&D)
(22 mars 2012)

Objet: Règles européennes relatives au bien-être animal

Les règles européennes relatives au bien-être animal sont les plus rigoureuses au monde, tellement strictes qu'elles ne sont pas appliquées en dehors de l'Union européenne.

Cette situation pose évidemment des problèmes de concurrence déloyale, dans le cadre de la libre circulation, entre les agriculteurs européens soumis à une forte conditionnalité et les agriculteurs des pays tiers.

Cette problématique est encouragée par le fait que les normes relatives au bien-être animal ne peuvent, selon l'OMC, «pas être considérées comme un critère commercial pertinent pour faire obstacle à l'importation de produits animaux».

— Quelles solutions la Commission entend-elle mettre en place pour contrecarrer cette disposition de l'OMC?

— N'y aurait-il pas lieu d'inclure ces normes dans les accords bilatéraux qu'elle conclut avec les pays tiers?

Réponse donnée par M. De Gucht au nom de la Commission
(27 avril 2012)

La Commission n'est pas d'avis que «le bien-être animal ne peut pas être considéré comme un critère valable pour faire obstacle à l'importation de produits animaux». En réalité, l'Organisation mondiale du commerce (OMC) autorise des mesures commerciales permettant d'appliquer des critères de bien-être animal, pour autant que ces mesures satisfassent aux dispositions pertinentes de l'OMC (telles que celles de l'accord sur les mesures sanitaires et phytosanitaires (SPS) ou celles des articles III, XI ou XX de l'accord général sur les tarifs douaniers et le commerce (GATT), selon la nature des mesures envisagées). Dans le même temps, ces mesures demeurent controversées par de nombreux partenaires commerciaux et la jurisprudence est limitée en la matière.

En ce qui concerne l'inclusion d'exigences relatives au bien-être animal dans les accords commerciaux bilatéraux conclus avec des pays tiers, la Commission œuvre depuis plusieurs années à accroître la sensibilisation et à favoriser une convergence de vues sur les questions du bien-être animal avec les principaux partenaires commerciaux de l'UE. Une collaboration technique a en outre été mise en place avec un certain nombre d'entre eux afin de définir des objectifs communs, de traiter les principales questions liées au bien-être animal sur la base d'une approche commune et d'échanger les connaissances et les compétences techniques permettant de contribuer ensemble à l'amélioration du bien-être des animaux.

Parallèlement, la Commission a activement collaboré et apporté son soutien aux travaux de normalisation menés par l'Organisation mondiale de la santé animale (OIE), ce qui a abouti à des progrès importants dans le domaine du bien-être animal.

Le 19 janvier 2012, la Commission a adopté une nouvelle stratégie de l'UE pour le bien-être des animaux dans laquelle elle a fait part de son intention de continuer à inclure des exigences relatives au bien-être animal dans les accords commerciaux bilatéraux.

(English version)

Question for written answer E-003101/12
to the Commission
Marc Tarabella (S&D)
(22 March 2012)

Subject: European rules relating to animal well-being

The European rules on animal welfare are the world's most rigorous, so strict, in fact, that they are not applied outside the European Union.

With regard to the issue of free movement, this obviously raises issues of unfair competition between EU farmers subject to stringent requirements and farmers in third countries.

This problem is exacerbated by the fact that, according to the WTO, animal welfare rules cannot be considered a pertinent trade criterion for restricting the import of animal products.

— What solutions does the Commission intend to put in place to counteract this WTO provision?

— Should these rules not be included in the bilateral agreements that the Commission concludes with third countries?

Answer given by Mr De Gucht on behalf of the Commission
(27 April 2012)

The Commission does not consider that 'animal welfare cannot be considered as a valid criterion to restrict imports of animal products'. In fact the World Trade Organisation (WTO) allows for trade measures to apply animal welfare criteria as long as the relevant WTO provisions (such as Sanitary and Phytosanitary (SPS) Agreement, General Agreement on Tariffs and Trade (GATT) Articles III, XI or XX, depending on the type of measures) are met. At the same time, these measures remain controversial with many trading partners and there is limited case-law on the issue.

As regards the inclusion of animal welfare in bilateral trade agreements with third countries, the Commission has been working for years with the aim of raising awareness and promoting shared understanding on animal welfare with the main EU trading partners. Technical collaboration with a number of trading partners has also been put in place to set up common objectives, address main animal welfare issues with a common approach and exchange knowledge and technical expertise to jointly contribute to the improvement of animal welfare.

In parallel, the Commission has actively collaborated and supported the standarisation work carried out by the World Organisation for Animal Health (OIE), which has resulted in important achievements in the animal welfare field.

The Commission adopted, on 19 January 2012, a new EU strategy for animal welfare in which it announced its intention to continue to include animal welfare in bilateral trade agreements.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003102/12
alla Commissione
Sergio Berlato (PPE)
(22 marzo 2012)

Oggetto: Delirio antisemita su Internet

Il giorno della strage di Tolosa, in cui sono stati assassinati tre bambini ebrei ed un rabbino, è apparsa su un sito Internet di propaganda neonazista una vera e propria anagrafe, stilata in ordine alfabetico, di «intellettuali amici di Israele»: scrittori, professori universitari, deputati italiani ed europei, giornalisti, filosofi e studiosi. Il sito holywar.org — che in inglese significa «guerra santa» — specifica che queste persone «sono da considerare molto pericolose».

All'interno di questo sito si trova un'intera sezione dedicata all'Italia accanto a quelle di molti paesi europei. In particolare, per quanto riguarda l'Italia, è stata pubblicata un'altra lista antisemita che contiene 1650 cognomi, da cui si può risalire a circa 10mila famiglie di origine ebraica, persino divise per provincia di residenza.

Alla luce dell'esplosione di ferocia razzista che si è registrata in Francia e con il timore che si verifichino atti di emulazione in tutta Europa, può la Commissione far sapere:

— se è a conoscenza dell'esistenza di questa tipologia di siti Internet?

— quali azioni ritiene più opportuno intraprendere per individuare chi gestisce il portale Internet ed evitare la pericolosa diffusione della propaganda antisemita?

— se non ritenga opportuno che a livello internazionale vengano concertati meccanismi per impedire il proliferare in Internet di fenomeni di incitamento all'odio razziale, così come avviene per la pedo-pornografia?

Risposta data da Viviane Reding a nome della Commissione
(25 maggio 2012)

La Commissione condanna ogni manifestazione di antisemitismo, in quanto incompatibile con i valori su cui si fonda l'Unione europea, e si impegna a combattere contro l'incitamento antisemitico in linea con le sue competenze. La decisione quadro sulla lotta contro il razzismo e la xenofobia proibisce espressamente l'istigazione pubblica e intenzionale alla violenza o all'odio nei confronti di un gruppo di persone, o di un suo membro, definito in riferimento alla razza, al colore, alla religione, all'ascendenza o all'origine nazionale o etnica. La decisione quadro proibisce inoltre la negazione dell'Olocausto e la sua banalizzazione grossolana in modo atto a istigare alla violenza o all'odio nei confronti di un gruppo di persone, o di un suo membro, come definiti sopra ([1]). La Commissione segue con la massima attenzione il corretto recepimento di questo strumento.

La Commissione è altresì preoccupata dalla propaganda terroristica ed estremista, che spesso incita all'odio razziale e promuove l'uso della violenza e di mezzi terroristici per raggiungere i propri fini. Tale questione rientra tra le priorità della rete dell'UE per la sensibilizzazione in materia di radicalizzazione ([2]). Ulteriori iniziative della Commissione sono state illustrate nelle risposte alle interrogazioni parlamentari E-5494/10, 4510/10 e 4249/10. Inoltre, anche la corretta attuazione della decisione quadro sulla lotta contro il terrorismo è volta a contrastare la propaganda terroristica sui media e su Internet ([3]).

La direttiva 2000/31/CE ([4]) sul commercio elettronico stabilisce che i prestatori intermediari di servizi in rete che ospitano siti con contenuti illeciti, non appena vengano a conoscenza di tali contenuti, devono agire immediatamente per rimuoverli o per disabilitarne l'accesso, altrimenti verranno ritenuti responsabili degli stessi.

([1]) Decisione quadro 2008/913/GAI del Consiglio, del 28 novembre 2008, sulla lotta contro talune forme ed espressioni di razzismo e xenofobia mediante il diritto penale, GU L 328 del 6.12.2008, pag. 55.
([2]) http://ec.europa.eu/home-affairs/news/intro/news_201109_en.htm#20110909.
([3]) Decisione quadro 2008/919/GAI del Consiglio, del 28 novembre 2008, che modifica la decisione quadro 2002/475/GAI sulla lotta contro il terrorismo, GU L 330, del 9.12.2008, pag. 21.
([4]) Direttiva 2000/31/CE del Parlamento europeo e del Consiglio, dell'8 giugno 2000, relativa a taluni aspetti giuridici dei servizi della società dell'informazione, in particolare il commercio elettronico, nel mercato interno, GU L 178 del 17.7.2000, pag. 1.

(English version)

Question for written answer E-003102/12
to the Commission
Sergio Berlato (PPE)
(22 March 2012)

Subject: Anti-Semitic hysteria on the Internet

On the day of the massacre in Toulouse, in which three Jewish children and a Rabbi were killed, a kind of 'register' appeared on a neo-Nazi propaganda website, listing the 'intellectuals friendly to Israel' in alphabetical order: writers, university professors, Italian MPs and MEPs, journalists, philosophers and scholars. The site holywar.org states that these people 'are to be considered very dangerous'.

Within the site there is an entire section dedicated to Italy, alongside sections about many other European countries. In the case of Italy, in particular, another anti-Semitic list containing 1 650 surnames has been published; these surnames can be traced back to around 10 000 families of Jewish origin, and have even been separated into province of residence.

In view of the ferocious racism witnessed in France and the fear that copycat incidents may take place across the whole of Europe, can the Commission state:

— whether it is aware of the existence of such websites?

— what actions it considers most appropriate to take in order to identify the administrator of the Internet portal and prevent the dangerous spread of anti-Semitic propaganda?

— whether it does not consider it appropriate to agree mechanisms at an international level, as in the case of child pornography, in order to prevent the incitement of racial hatred spreading on the Internet?

Answer given by Mrs Reding on behalf of the Commission
(25 May 2012)

The Commission condemns all manifestations of antisemitism, as these are not compatible with the EU values, and is committed to fighting against anti-Semitic hate speech in line with its powers. The framework Decision on combating racism and xenophobia specifically bans the intentional public incitement to violence or hatred targeted against a group of people or a member of a group defined by reference to race, colour, religion, descent or national or ethnic origin. It also bans public Holocaust denial and gross trivialisation when they are carried out in a manner likely to incite to violence or hatred against the mentioned group or its member ([1]). The Commission is following very closely the correct transposition of this instrument.

The Commission is also concerned with terrorist and extremist propaganda, which often incites to racial hatred and promotes the use of violence and terrorist means to achieve the stipulated goals. This issue is one of the priorities for the EU Radicalisation Awareness Network ([2]). Past initiatives from the Commission were described in its answers to Written Questions E-5494/10, 4510/10 and 4249/10. In addition, the correct implementation of the framework Decision on combating terrorism also pursues the fight against terrorist propaganda in the media and on the Internet ([3]).

The E-Commerce Directive 2000/31/EC provides that Internet intermediaries hosting illegal content have to act expeditiously to remove the content or to disable access to it, once they become aware of it, if not, they are held liable for it ([4]).

([1]) 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, p. 55.
([2]) http://ec.europa.eu/home-affairs/news/intro/news_201109_en.htm#20110909.
([3]) Council Framework Decision 2008/919/JHA of 28 November 2008 amending Framework Decision 2002/475/JHA on combating terrorism, OJ L 330, p. 21.
([4]) Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the internal market, OJ L 178, p.1.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-003103/12
do Komisji
Tadeusz Zwiefka (PPE)
(22 marca 2012 r.)

Przedmiot: Zakończenie porgramu PHARE 2003

PHARE (ang.: Poland and Hungary Assistance for Reconstructing their Economies) jest funduszem przedakcesyjnym, którego założeniem jest przygotowanie nowych państw do członkostwa w Unii Europejskiej oraz pomoc w wyrównaniu różnic gospodarczych. To najważniejszy program bezzwrotnej pomocy Unii Europejskiej dla krajów Europy Środkowej i Wschodniej. Praktycznie wszystkie regiony w Polsce korzystały z tego funduszu – także województwo Kujawsko-Pomorskie. Jeden z programów miał za zadanie dofinansowanie rozwoju tzw. Vistula Park w Świeciu – PHARE 2003-004-379.05.09. Program sam w sobie został już zakończony. Obecnie odbywa się proces jego oceny i oficjalnego rozliczenia w Komisji Europejskiej.

Ponieważ brak ostatecznego zakończenia programu przez Komisję Europejską utrudnia dalszy rozwój i inwestowanie na tym terenie, chciałbym zwrócić się z zapytaniem o szacowaną datę zakończenia programu PHARE 2003-004-379.05.09 dla obszaru Vistula Park w Świeciu.

Odpowiedź udzielona przez komisarza Štefana Füleg w imieniu Komisji
(11 maja 2012 r.)

Projekt 2003/004-379.05.09 jest częścią Krajowego Programu dla Polski Phare 2003 część I.

Wszystkie memoranda finansowe oraz wynikające z nich umowy podlegają nadzorowi i kontroli finansowej Komisji oraz kontrolom Trybunału Obrachunkowego.

W przypadku, gdy uzgodnione zobowiązania są niewypełnione z przyczyn zależnych od władz polskich, Komisja może według własnego uznania dokonać zmiany danego programu w celu anulowania jego całości lub części lub ponownego przyznania niewykorzystanych środków na inne cele zgodnie z celami programu.

Po zakończeniu wdrożenia Komisja przeprowadziła ocenę końcowej deklaracji wydatków przedłożonej przez władze polskie, w celu stwierdzenia prawidłowości wydatków oraz, po wszystkich stosownych korektach, poinformowała je o zakończeniu działań następczych. Jednak w celu zakończenia rozliczenia rachunków i zakończenia programu konieczne jest rozwiązanie wszystkich otwartych kwestii (np. wniosków kontroli, nieprawidłowości itd.).

W przypadku przedmiotowego programu nadal występują nieprawidłowości (niezwiązane z omawianym projektem), wobec których należy podjąć działania następcze. Po rozwiązaniu tej kwestii, program może zostać zamknięty. Umów nie można zamykać indywidualnie, ale jedynie jako całość, w momencie gdy zamknięty zostanie już odnośny program.

Zamknięcie programu nie powinno mieć jednak w zasadzie wpływu na inne inwestycje realizowane w obszarach uprzednio finansowanych w ramach programu.

(English version)

Question for written answer E-003103/12
to the Commission
Tadeusz Zwiefka (PPE)
(22 March 2012)

Subject: Conclusion of Phare 2003 programme

Phare (Poland and Hungary: Assistance for Reconstructing their Economies) was originally a pre-accession fund aimed at preparing the new Member States for European Union membership and helping to reduce economic disparities. It has been the European Union's largest programme of non-repayable financial assistance for the countries of Central and Eastern Europe. Practically all Polish regions have benefited from this fund, including the Kujawsko-Pomorskie province. The aim of one of the programmes under the fund (Phare 2003-004-379.05.09) was to subsidise the development of the Vistula Park investment area in Świecie. The programme itself has now been completed. At present, the Commission is in the process of evaluating it and settling the official accounts.

Since the lack of any final conclusion of the programme by the Commission is making it difficult to invest in this area and develop it further, I would like to ask what the estimated date of conclusion is for Phare programme 2003-004-379.05.09 and the Vistula Park investment area in Świecie.

Answer given by Mr Füle on behalf of the Commission
(11 May 2012)

The project 2003/004-379.05.09 is part of the 2003 Phare National Programme for Poland, Part I.

All Financing Memoranda as well as the resulting contracts are subject to supervision and financial control by the Commission and audits by the Court of Auditors.

In the event that agreed commitments are not met for reasons which are within the control of the Government of Poland, the Commission may review the Programme with a view, at its discretion, to cancelling all or part of it and/or to reallocating unused funds for other purposes consistent with the objectives of the programme.

Following completion of implementation, the Commission evaluated the Final Declaration of Expenditure submitted by the Polish authorities, with a view to ascertaining the regularity of expenditure and, after all appropriate corrections, informed them that its follow-up was completed. However, for finalising the clearance of accounts and closing the Programme, all pending issues (i.e. audit findings, irregularities etc), must be addressed.

In the case of this Programme, there are still irregularities (not related to the project referred) that need further follow-up. Once this has been completed, the programme can be closed. It is not possible to close contracts individually, but only as a whole when the pertaining programme is closed.

Nonetheless, closure of a programme should as a general rule not influence other investments in areas previously financed through it.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003104/12
à Comissão
Diogo Feio (PPE)
(22 de março de 2012)

Assunto: Institucionalização da Democracia — critérios e resultados

A União Europeia vem acompanhando e participando ativamente em diversos processos de transição democrática e de institucionalização da Democracia por todo o mundo. Estes processos de transição são complexos e envolvem muito mais do que apenas os aspetos formais do exercício do sufrágio, do seu escrutínio, da composição dos órgãos políticos e seu funcionamento ou dos sistemas partidários. Entidades dedicadas à avaliação dos graus de institucionalização da Democracia em diferentes países têm-se socorrido de variados critérios para o fazer, os quais nem sempre são absolutamente coincidentes.

Assim, pergunto à Comissão:

— Em que medida e por que formas se encontra envolvida em processos tendentes à institucionalização da Democracia?

— Através de que instrumentos procura influenciar positivamente estes processos?

— Qual o montante empregado pela União Europeia neste tipo de iniciativas?

— Que países destaca pela positiva e quais assinala pela negativa quanto à evolução dos seus processos de transição para — e de institucionalização da — Democracia?

— Em seu entender, quais são as principais falhas e os principais desafios que encontra, ao envolver-se em processos de institucionalização da Democracia?

— Que critérios concretos emprega para avaliar o grau de institucionalização da Democracia num país e a sua «qualidade»?

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

Pode afirmar-se que uma democracia está institucionalizada quando já não corre o risco de ser derrubada por um sistema político diferente.

Para o efeito, são precisas instituições políticas adequadas, processos participativos inclusivos, um controlo e equilíbrio efetivos entre as instituições, o respeito pelos direitos humanos e as liberdades fundamentais, bem como uma distribuição eficaz dos bens públicos.

O apoio à democracia tem vindo a ganhar gradualmente importância nas relações externas e na cooperação para o desenvolvimento da UE. A nossa abordagem tornou-se mais abrangente, indo além do mero apoio às eleições, para reforçar o lado da procura da democracia, através dos nossos diferentes instrumentos de apoio à sociedade civil, apoiar a sociedade política, reforçar a liberdade de expressão e dos meios de comunicação social e intensificar o diálogo político com os parceiros.

Nos últimos anos a UE tem gasto anualmente cerca de 1, 8 mil milhões de euros ([1]) em apoio à governação. São também utilizados vários mecanismos de incentivo, como por exemplo, oportunidades comerciais e o aumento da ajuda, para aprofundar processos de transição democrática iniciados localmente. A Comunicação sobre o apoio a transições democráticas duradouras está em fase de conclusão e irá apresentar as experiências e abordagens da UE para aprofundar o seu trabalho nesta área.

A UE mede o impacto e os progressos realizados utilizando várias instrumentos disponíveis: as estratégias e os relatórios por país sobre os direitos humanos, a Freedom House, o V— Dem e o Estado da Democracia, o método de análise criado pelo IDEA. Nenhum deles constitui um enquadramento institucional democrático bem definido, mas a União faz uso de todos eles, em graus diferentes, para tomar decisões fundamentadas.

([1]) Ver relatórios anuais de 2007 a 2010 do EuropeAid.

A UE não faz comparações entre países. A apropriação é intrínseca à mudança, pelo que as avaliações são mais fiáveis se, com o tempo, forem feitas pelo próprio país. Os conceitos de «mais por mais» e de «aprofundamento da democracia» estão a ser desenvolvidos.

(English version)

Question for written answer E-003104/12
to the Commission
Diogo Feio (PPE)
(22 March 2012)

Subject: Institutionalised democracy — criteria and outcomes

The European Union has been closely monitoring and actively participating in various processes towards democratic transition and institutionalised democracy all over the world. These transition processes are complex and involve a lot more than just the formal aspects of the exercise of voting rights, the counting of votes, the composition of political bodies or party systems and how these bodies and systems operate. Organisations with the task of assessing the various degrees of institutionalised democracy in different countries have used a range of criteria to do this that are not always entirely consistent.

Can the Commission answer the following questions:

— To what extent and in what way is it involved in processes towards institutionalised democracy?

— What mechanisms are being used to try to influence these processes positively?

— How much does this kind of initiative cost the European Union?

— With regard to progress made towards democratic transition and institutionalised democracy, which countries are ahead and which ones are behind?

— In the Commission's view, what are the main pitfalls and challenges involved in processes towards institutionalised democracy?

— What specific criteria are in place to assess the various degrees and 'quality' of institutionalised democracy in a country?

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

A democracy can be said to be institutionalised, when it is no longer under threat of being overthrown by a different political system.

This requires the establishment of relevant political institutions, inclusive participatory processes, effective checks and balances, respect for fundamental freedoms and human rights as well as the efficient delivery of public goods.

Democracy support has gradually gained in importance in the EU's external relations and development cooperation. Our approach has become more comprehensive, going well beyond support to elections alone, to reinforcing the demand side for democracy via our different civil society support instruments, supporting political society, strengthening freedom of expression and media and reinforcing political dialogue with partners.

In recent years, the EU has been spending annually around EUR 1.8 billion [1] on Democratic Governance support. Different incentive mechanisms such as trade opportunities and increased aid are also used to further locally initiated democratic transition processes. A communication on 'Supporting Sustainable Change in Democratic Transitions' is being finalised and will showcase the EU's experiences and approaches for further work in this area.

The EU is measuring impact and progress by using various existing tools such as the Country Human Rights strategies and reports, Freedom House, V- Dem and IDEAs State of Democracy. Neither corresponds to a defined democratic institutional set up and the EU uses all of them, to various degrees, to make informed decisions.

The EU does not make cross country comparisons. Ownership is key to change, so measuring is best done over time in the country itself. Work is developing on the concepts of more-for-more and deep democracy.

[1] See Europaid Annual reports 2007 to 2010.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003105/12
à Comissão
Diogo Feio (PPE)
(22 de março de 2012)

Assunto: Daltonismo: Dia Europeu

O daltonismo (também chamado discromatopsia ou discromopsia) é uma perturbação da perceção visual caracterizada pela incapacidade de diferenciar todas as cores, ou algumas delas, manifestando-se muitas vezes pela dificuldade em distinguir o verde do vermelho.

Esta perturbação tem normalmente origem genética, mas pode também resultar de lesão nos órgãos responsáveis pela visão, ou de lesão de origem neurológica.

A perceção pública acerca deste problema tem sido diminuta, não sendo conhecidas iniciativas ou políticas públicas que particularmente o contemplem, não obstante o incómodo e o constrangimento social que causa àqueles que dele enfermam. Urgiria alterar este estado de coisas.

A União Europeia poderia ter, a este propósito, um papel de primazia na consciencialização pública para o problema.

Assim, pergunto à Comissão:

— Está disponível para ponderar o estabelecimento de um Dia Europeu do Daltonismo?

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

A Comissão está ciente do incómodo e dos constrangimentos sociais que o daltonismo causa às pessoas que dele enfermam. O daltonismo é uma deficiência que afeta cerca de 10 % da população masculina e para a qual não existe tratamento ou cura.

O diagnóstico do daltonismo é feito mediante um exame de rotina (teste Ishihara) no âmbito dos exames médicos normais feitos durante a infância. A gestão dos sistemas de cuidados de saúde é da responsabilidade dos Estados-Membros e a Comissão não tem competências para atuar nesta matéria.

A problemática da deficiência, a qual abrange também o daltonismo, é tratada pela Comissão na sua Estratégia Europeia para a Deficiência 2010/2020 ([1]), a qual sublinha que as pessoas com deficiência têm o direito de participar de forma plena e igual na sociedade e na economia. Recusar a igualdade de oportunidades é uma violação dos direitos humanos.

Por outro lado, a problemática do daltonismo é abordada no *Information Providers Guide* (guia dos fornecedores de informação) ([2]) concebido para quem desenvolve e publica material nos sítios Web da União Europeia. As regras que este guia estabelece visam assegurar aos utilizadores um serviço coerente e convivial. Está disponível em inglês no site Europa e trata-se de um documento sujeito a regular atualização.

A Comissão não tem previstas mais ações neste domínio para além das acima referidas.

([1]) (http://ec.europa.eu/justice/discrimination/disabilities/disability-strategy/index_en.htm).
([2]) (http://ec.europa.eu/ipg/index_en.htm).

(English version)

Question for written answer E-003105/12
to the Commission
Diogo Feio (PPE)
(22 March 2012)

Subject: European Day for Colour Blindness

Colour blindness, also called dyschromatopsia, is a sight disorder, characterised by the inability to perceive differences between all or some colours, often with difficulty in distinguishing green from red.

This disorder is normally hereditary, but it can also result from damage to the visual organs from neurological damage.

Public awareness of this issue has been minimal, and despite the discomfort and social constraints faced by people suffering from this disorder, there do not appear to be any public initiatives or policies specifically targeting this subject. There is an urgent need to change this state of affairs.

In this regard, the European Union could take a leading role in raising public awareness of the issue.

Is the Commission prepared to consider declaring a European Day for Colour Blindness?

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

The Commission is aware of the discomfort and social constraints faced by people with colour blindness. Colour blindness is a handicap, which is affecting about 10 % of the male population. There is no treatment or cure available for colour blindness.

The diagnosis of the disability is routine (Ishihara Test) and belongs to normal childhood physical examinations. The management of healthcare systems is the responsibility of Member States and the Commission does not have any competence to act in this field.

The Commission is addressing disabilities, which also covers colour blindness, in its European Disability Strategy 2010-2020 ([1]). It stresses that persons with disabilities have the right to participate fully and equally in society and in the economy. Denial of equal opportunities is a breach of human rights.

In addition, the issue of colour blindness is addressed in the Information Providers Guide ([2]), designed for everyone who develops and publishes material on European Union websites. The rules set out in the Guide aim at ensuring a coherent and user-friendly service to users. It is freely available on Europa in English and is a living document which is regularly updated.

The Commission is not considering taking further actions beyond the initiatives set out above.

([1]) http://ec.europa.eu/justice/discrimination/disabilities/disability-strategy/index_en.htm
([2]) http://ec.europa.eu/ipg/index_en.htm

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003106/12
à Comissão
Diogo Feio (PPE)
(22 de março de 2012)

Assunto: Daltonismo: «código colorADD»

O «código colorADD» é um código monocromático, sustentado em conceitos universais de interpretação e desdobramento de cores, que permite aos daltónicos a sua correta identificação.

Este código visa proporcionar aos daltónicos independência aquisitiva, uma mais fácil integração social em situações em que a opção e a escolha da cor é relevante e a minimização do sentimento de perda gerado pela deficiência, com o consequente aumento de bem-estar e autoconfiança.

O sistema foi desenvolvido com base nas cores primárias, representadas através de símbolos gráficos em que o código assenta num processo de associação lógica e de fácil memorização.

Foi construído através de um processo de associação lógica e compreensão direta, no qual o uso de cores primárias, representadas através de símbolos simples, permite a sua rápida inclusão no «vocabulário visual» do usuário.

Este conceito faz da adição da cor um jogo mental, que permite que o daltónico relacione os símbolos entre si com as cores que representam, sem ter de decorá-los individualmente.

Foi já testado em diversas atividades e indústrias e surge como uma ferramenta de elevado potencial à disposição de todos aqueles que padecem de daltonismo.

Assim, pergunto à Comissão:

— Dispõe de informações acerca do «código colorADD» e das experiências bem-sucedidas da sua aplicação?

— Considera que a aposição de semelhante código nos mais diversos materiais poderia constituir uma significativa melhoria da qualidade de vida dos daltónicos?

— Estaria disponível para adotar internamente o «código colorADD» e para recomendar a sua adoção?

Resposta dada por John Dalli em nome da Comissão
(2 de maio de 2012)

A Comissão não tem conhecimento do sistema de codificação de cores «ColorADD» e não tem experiência de aplicação do mesmo. Consequentemente, não pode avaliar se a inclusão de um tal sistema de codificação de cores constituiria uma melhoria significativa da qualidade de vida dos daltónicos e não considera a adoção do código «ColorADD» para uso interno.

(English version)

Question for written answer E-003106/12
to the Commission
Diogo Feio (PPE)
(22 March 2012)

Subject: Colour blindness: 'ColorADD code'

The 'ColorADD code' is a monochromatic code that allows colour-blind people to correctly identify colours. It is based on universal concepts of colour interpretation and differentiation.

This code aims to allow colour-blind people to access information independently, to facilitate social integration when colour options and selection are relevant, and to reduce the sense of loss the disability invokes, thus increasing wellbeing and self-confidence.

The system is based on the primary colours, which are represented using graphical symbols that connect logically in an easily remembered code.

The code was built through a process of logical association and direct understanding, in which the use of primary colours, represented by simple symbols, allows it to be quickly assimilated into the 'visual vocabulary' of the user.

This concept makes the addition of colour a mental game, where the colour-blind person associates the combined symbols with the colours they represent, without having to memorise each of them individually.

It has already been tested in a wide range of activities and industries and has gained favour as a tool with great potential for use by anyone who suffers from colour blindness.

Can the Commission answer the following questions:

— Does it have any information about the 'ColorADD code' and the successful trials of its use?

— Does it agree that the lives of colour-blind people could be significantly improved by the use of such a code on a wide range of materials?

— Would it be prepared to recommend adoption of the 'ColorADD code' and use it internally?

Answer given by Mr Dalli on behalf of the Commission
(2 May 2012)

The Commission is not aware of the colour coding system 'Code ColorAdd', and does not have experience with the applications of the system.The Commission cannot therefore judge whether or not the inclusion of such a colour coding system would make a significant improvement in the quality of life of colour-blind people. The Commission is not considering to adopt the 'Code colorADD' system for internal use.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003107/12
à Comissão
Diogo Feio (PPE)
(22 de março de 2012)

Assunto: Daltonismo: números europeus

O daltonismo (também chamado discromatopsia ou discromopsia) é uma perturbação da perceção visual caracterizada pela incapacidade de diferenciar todas as cores, ou algumas delas, manifestando-se muitas vezes pela dificuldade em distinguir o verde do vermelho.

Esta perturbação tem normalmente origem genética, mas pode também resultar de lesão nos órgãos responsáveis pela visão, ou de lesão de origem neurológica.

Muitas situações do quotidiano implicam que os daltónicos recorram a ajuda: desde a identificação de um lápis de cor, de uma tinta, das bandeiras da praia, à compra de vestuário, orientação em interpretação de mapas de rede de transportes, sinais de trânsito, ou de qualquer tipo de produto ou serviço onde a cor seja fator de decisão.

Assim, pergunto à Comissão:

— Dispõe de informações acerca do número total e da percentagem de daltónicos existentes na União Europeia?

— Realizou algum estudo acerca das dificuldades diárias que os daltónicos enfrentam? Está disponível para considerar a sua realização?

— Considera que a sinalização pública e nos meios de transporte europeus é adequada aos portadores desta perturbação da perceção visual?

Resposta dada por Viviane Reding em nome da Comissão
(16 de maio de 2012)

Os dados de que a Comissão dispõe não permitem distinguir, entre as pessoas que indicaram ter dificuldades de visão, subgrupos mais específicos como o dos daltónicos. A Comissão remete o Senhor Deputado para a resposta à pergunta escrita E-002106/2012 ([1]), na qual encontrará mais informações sobre o número de pessoas que indicaram ter dificuldades de visão, em inquéritos do Eurostat.

A Comissão gostaria ainda de remeter o Senhor Deputado para a resposta à pergunta escrita E-002106/2012 ([2]), sobre o sistema Color ADD como ferramenta potencialmente útil para as pessoas daltónicas.

([1]) (http://www.europarl.europa.eu/QP-WEB/application/home.do?language=PT).
([2]) (http://www.europarl.europa.eu/QP-WEB/application/home.do?language=PT).

(English version)

Question for written answer E-003107/12
to the Commission
Diogo Feio (PPE)
(22 March 2012)

Subject: Colour blindness: European statistics

Colour blindness, also called dyschromatopsia, is a sight disorder, characterised by the inability to perceive differences between all or some colours, often green and red.

This impairment is normally hereditary, but it can also result from damage to the visual organs or from neurological damage.

People with colour blindness need help in many everyday situations: from identifying the colour of a crayon, the colour of ink, or the colour of beach safety flags, to purchasing clothing, reading transport network maps and road signs, or any kind of goods and services where colour is involved as a decision-making factor.

Can the Commission answer the following questions:

— Does it have any information on the total number and percentage of people with colour blindness living in the European Union?

— Has a study been conducted on the problems people with colour blindness face on a daily basis? Is the Commission prepared to consider conducting one?

— Does it believe that public signs and signs on transport networks throughout the EU meet the requirements of people with this visual impairment?

Answer given by Mrs Reding on behalf of the Commission
(16 May 2012)

The data at the disposal of the Commission do not allow for disaggregation of persons who reported difficulties in seeing into further subgroups, such as the colour-blind. The Commission would refer the Honourable Member to its answer to Written Question E-002106/2012 ([1]) for the number of persons who reported difficulties in seeing in the surveys managed by Eurostat.

The Commission would also refer the Honourable Member to its answer to his Written Question E-002106/2012 ([2]) on the subject of the Color ADD code as a potential tool for colour-blind people.

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN.
([2]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003108/12
à Comissão
Diogo Feio (PPE)
(22 de março de 2012)

Assunto: Serviço Eletrónico Europeu de Portagem (SEEP): ponto da situação

Em 30 de outubro de 2009, o Comissário Antonio Tajani, em resposta à minha pergunta E-5059/09, declarou que «o SEEP é complementar dos serviços nacionais de teleportagem dos Estados-Membros e de adesão voluntária. Os utentes podem optar pelo serviço da sua preferência.» Mais declarou que «o estabelecimento e a implantação do SEEP envolvem várias partes interessadas, entre as quais as portageiras e os fornecedores do serviço, que contribuirão para a otimização do SEEP com as suas competências técnicas e saber-fazer.»

Assim, pergunto à Comissão:

— Em que fase de implantação se encontra o SEEP?

— Como avalia o seu atual funcionamento?

— Quantos condutores aderiram ao serviço?

— Mantém o seu compromisso quanto à complementaridade do serviço e à interoperabilidade dos sistemas de teleportagem já utilizados nos Estados-Membros ou a introduzir no futuro?

Resposta dada por Siim Kallas em nome da Comissão
(21 de maio de 2012)

Embora o quadro legislativo necessário para a introdução do SEEP ([1]) tenha evoluído nos Estados-Membros, continuam a faltar diversos elementos essenciais à implantação e à aplicação do SEEP. Estes incluem a criação de órgãos de conciliação nacionais que promovam a mediação e a resolução de diferendos entre os concessionários rodoviários e as empresas fornecedoras de serviços de portagem, bem como a conclusão do quadro para o registo dos fornecedores de SEEP. Os Estados-Membros envidam esforços no sentido de disporem dos seus quadros legislativo e regulamentar nacionais até 8 de outubro de 2012. A partir desta data, serão intentados processos de infração contra os Estados-Membros que continuam a não dar cumprimento aos requisitos do SEEP.

Até à data, não foi oficialmente registado nenhum fornecedor de SEEP, não obstante cerca de dez organizações terem manifestado vontade de o fazerem, aderindo à AETIS (Associação de Serviços Eletrónicos de Portagem e de Serviços Interoperáveis), recentemente criada no âmbito do direito belga. As organizações que podem tornar-se fornecedores de SEEP invocam, cada vez mais, as dificuldades colocadas por certos concessionários nos seus contactos preliminares. Nestas circunstâncias, e na ausência de fornecedores de SEEP registados até à data, não será possível dispor, até outubro de 2012, de um verdadeiro SEEP que cubra toda a Europa.

A Comissão tentou acelerar a aplicação do SEEP, contribuindo para o lançamento de modelos regionais de interoperabilidade dos sistemas de portagem entre diversos Estados-Membros. Estes modelos, que envolvem inicialmente um subconjunto de Estados-Membros, poderão ser alargados a toda a UE.

A complementaridade do SEEP em relação aos sistemas eletrónicos de portagem já utilizados nos Estados-Membros ou àqueles que ainda serão introduzidos está consagrada no artigo 1.°, n.° 3, da Diretiva relativa à interoperabilidade dos sistemas electrónicos de portagem rodoviária.

([1]) Diretiva 2004/52/CE relativa à interoperabilidade dos sistemas electrónicos de portagem rodoviária na Comunidade, JO L 166 de 30.4.2004, p. 124, e Decisão da Comissão relativa à definição do serviço electrónico europeu de portagem (SEEP), JO L 268 de 13.10.2009, p. 11.

(English version)

Question for written answer E-003108/12
to the Commission
Diogo Feio (PPE)
(22 March 2012)

Subject: European electronic toll service (EETS): state of play

On 30 October 2009, in reply to my Question E-5059/09, Commissioner Tajani stated that 'EETS is complementary to the national electronic toll services of the Member States and of voluntary subscription. The users can decide which service they prefer to subscribe to'. However, he added that the 'implementation and deployment of the EETS involve various stakeholders, among which the toll chargers and service operators, who will bring in their technological expertise and know-how in view of EETS optimisation'.

— What stage has been reached in the deployment of EETS?

— What is the Commission's assessment of the current operation of the service?

— How many drivers have subscribed to the service?

— Will the Commission keep to its commitment as regards the complementarity of the service and the interoperability of the toll systems already in use in the Member States or of those still to be introduced?

Answer given by Mr Kallas on behalf of the Commission
(21 May 2012)

Although the legislative framework necessary for the introduction of EETS ([1]) has progressed in the Member States, a number of elements essential to EETS deployment and implementation are still missing. These include the establishment of national Conciliation Bodies to facilitate mediation and dispute settlement between the road concessionaires and toll service companies as well as completion of the framework for the registration of EETS Providers. Member States endeavour to have their national legislative and regulatory frameworks ready by 8 October 2012. Infringement procedures will be launched as from that date against Member States which still do not comply with EETS requirements.

As of now, no EETS Provider has been officially registered although some ten organisations have manifested their willingness to become registered by adhering to the professional Association of Electronic Toll & Interoperable Services (AETIS) recently established under Belgian law. Organisations eligible to become EETS Provider are increasingly invoking the difficulties raised by some concessionaires in their preliminary contacts. Under these circumstances, with no registered EETS Provider at this point in time, a fully-fledged EETS with full European coverage will not be available by October 2012.

The Commission has attempted to accelerate the implementation of EETS by helping to start regional tolling interoperability show-cases between several Member States. These show-cases involving first a sub-set of Member States could then be extended to cover the entire EU.

The complementarity of EETS relative to the electronic toll systems already in use in the Member States or of those still to be introduced is enshrined in Article 1(3) of the directive on the interoperability of electronic road tolling systems.

([1]) Directive 2004/52/EC on the interoperability of electronic road toll systems in the Community and Commission Decision on the definition of the European Electronic Toll Service (EETS), OJ L 166. 30.4.2004, p. 124.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003109/12
à Comissão
Diogo Feio (PPE)
(22 de março de 2012)

Assunto: Alimentos tradicionais — derrogações ao Regulamento (CE) n.° 852/2004 (lista, descrição e requisitos): ponto da situação

Em 21 de dezembro de 2009, a Comissária Androulla Vassiliou, em resposta à minha pergunta E-5574/2009, declarou: «A Comissão não recebeu nenhuma notificação de derrogações nos termos do Regulamento (CE) n.° 2074/2005 da parte de Portugal, da França, da Itália, da Hungria ou da Roménia.»

Assim, pergunto à Comissão:

— Esta situação alterou-se desde a data da resposta anterior? Que países notificaram a Comissão quanto a derrogações?

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

O pacote «higiene» e em especial o artigo 7.° do Regulamento (CE) n.° 2074/2005 ([1]) autorizam os Estados-Membros a conceder derrogações aos estabelecimentos que fabricam alimentos com características tradicionais. Estas derrogações podem dizer respeito às instalações, à conceção dos locais e ao equipamento utilizado.

Os Estados-Membros que optem por fazer uso desta possibilidade devem notificar a Comissão e os outros Estados-Membros dessa decisão nos doze meses seguintes à concessão da derrogação.

Até à data, a Comissão recebeu as seguintes notificações:

— Finlândia: Dezembro de 2006 — instalações de produção de carne de rena fumada;

— Suécia: Dezembro de 2006 — instalações de produção de carne de rena fumada;

— Bulgária: Janeiro de 2007 — instalações e conceção dos locais de produção de carne fumada;

— Espanha: Janeiro de 2008 — instalações e conceção dos locais de produção de queijo, pão e farinha; *nougat*, azeite, *pepperoni*, bebidas alcoólicas;

— Alemanha: Abril de 2008 — instalações e conceção dos locais de produção de salsichas, laticínios, pão;

— Polónia: Maio de 2008 — instalações e conceção dos locais de produção de queijo, laticínios, salsichas, pão;

— Polónia: Novembro de 2008 — requisitos veterinários para a produção de laticínios tradicionais;

— França: Agosto de 2008 — requisitos veterinários para a produção de laticínios e produtos de carne tradicionais;

— República Checa: Outubro de 2008 — requisitos veterinários para a produção de produtos tradicionais;

A Comissão não recebeu de Portugal, da Itália, da Hungria ou da Roménia quaisquer notificações relativas a derrogações em conformidade com o Regulamento (CE) n.° 2074/2005.

([1]) JO L 338 de 22.11.2005, p. 27.

(English version)

Question for written answer E-003109/12
to the Commission
Diogo Feio (PPE)
(22 March 2012)

Subject: Traditional foods — Derogations from Regulation (EC) No 852/2004 (list, description, and requirements): current situation

On 21 December 2009, Commissioner Androulla Vassiliou answered my Question E-5574/2009 by stating that: 'The Commission has not been notified of any derogations from Regulation (EC) No 2074/2005 by Portugal, France, Italy, Hungary or Romania.'

I ask the Commission:

— Has the situation changed since the date of that answer? Which countries have notified the Commission of derogations?

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

The hygiene package and in particular Article 7 of Regulation (EC) No 2074/2005 ([1]) enables Member States to grant derogations to establishments which produce traditional products. These derogations may concern the premises, the layout and the equipment used.

Member States who choose to apply this possibility must notify the Commission and other Member States of their decision within twelve months following the granting of the derogation.

To date, the Commission has received the following notifications:

— Finland: December 2006 — production premises of smoked reindeer meat;

— Sweden: December 2006 — production premises of smoked reindeer meat;

— Bulgaria: January 2007 — premises and layout for the production of smoked meat;

— Spain: January 2008 — premises and layout for the production of cheese, bread, flour, nougat, olive oil, pepperoni, alcoholic beverages;

— Germany: April 2008 — premises and layout for the production of sausages, dairy products, bread;

— Poland: May 2008 — premises and layout for the production of cheese, dairy products, sausages, bread;

— Poland: November 2008 — veterinary requirements for the production of traditional dairy products;

— France: August 2008 — veterinary requirements for the production of dairy and meat products;

— Czech Republic: October 2008 — veterinary requirements for the production of traditional products.

The Commission has not received any notifications concerning derogations in accordance with Regulation (EC) No 2074/2005 from Portugal, Italy, Hungary or Romania.

([1]) OJ L 338, 22.11.2005, p. 27.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003110/12
à Comissão (Vice-Presidente / Alta Representante)
Diogo Feio (PPE)
(22 de março de 2012)

Assunto: VP/HR — Ação Conjunta para o Futuro (ACF) Angola-UE: ponto da situação

Em 22 de fevereiro de 2010, a Vice-Presidente/Alta Representante da União para os Negócios Estrangeiros e a Política de Segurança, em resposta à minha pergunta E-6236/2009, declarou que: «A fim de reforçar o diálogo e de se empenhar numa cooperação política mais ativa, a UE apresentou aos seus congéneres angolanos, em dezembro de 2009, uma proposta de projeto de Ação Conjunta para o Futuro (ACF) Angola-UE. A ACF visa elevar as nossas relações para um novo patamar através de um diálogo intenso norteado pelos princípios fundamentais da apropriação e da responsabilidade conjunta e pela interdependência entre a África e a Europa num mundo em globalização. O texto desse documento está atualmente a ser estudado pelas autoridades angolanas. Prevê-se que o processo conducente ao texto final da ACF culmine numa reunião de alto nível em Luanda, cujas modalidades e composição específicas serão definidas em consulta entre as duas partes.»

Assim, pergunto à Vice-Presidente/Alta Representante:

— Que avaliação fez as autoridades angolanas do documento apresentado?

— Em que fase se encontra o processo de adoção da ACF?

— Pode adiantar, concretamente, de que modo o projeto da ACF procura «elevar as nossas relações para um novo patamar»?

— Para quando está prevista a sua versão final?

— Já se encontram definidas as modalidades e composição específicas da reunião de alto nível que teria/terá lugar em Luanda?

— A ACF será debatida aquando da próxima ida do Presidente da Comissão a Angola?

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

A proposta de Ação Conjunta para o Futuro (ACF) foi avaliada pelas autoridades angolanas e foi objeto de contactos entre a UE e Angola entre fevereiro e março de 2012.

Durante a visita oficial a Angola, que decorreu entre 19 e 21 de abril de 2012, o Presidente da Comissão, José Manuel Barroso, e o Presidente de Angola, José Eduardo dos Santos, deram o seu aval político à Ação Conjunta para o Futuro. Prevê-se que a ACF seja formalmente assinada nos próximos meses, aquando de uma visita ministerial angolana a Bruxelas.

As mudanças ocorridas em Angola nos últimos anos justificam também uma mudança nas relações da UE com o país. A Ação Conjunta para o Futuro abre, assim, caminho à intensificação do diálogo político sobre as questões bilaterais, regionais e internacionais e à abertura de novos domínios de cooperação. A ACF traça um novo rumo para as relações entre a União Europeia e Angola, mas assegurará a compatibilidade com a Estratégia Conjunta África-UE.

(English version)

Question for written answer E-003110/12
to the Commission (Vice-President/High Representative)
Diogo Feio (PPE)
(22 March 2012)

Subject: VP/HR — Angola-EU Joint Way Forward: state of play

On 22 February 2010, in reply to my Question E-6236/2009, the Vice-President/High Representative of the Union for Foreign Affairs and Security Policy stated that, 'with a view to reinforcing our dialogue and engaging in more active political cooperation, the EU presented to its Angolan counterparts in December 2009 a proposal for a draft Angola-EU Joint Way Forward (JWF). The JWF aims to take our relations to a new level, through an intensive dialogue guided by the fundamental principles of ownership and joint responsibility, and the interdependence between Africa and Europe in a globalising world. The text is currently being considered by the Angolan authorities. The process leading to the final JWF is expected to culminate in a high-level meeting in Luanda, the specific modalities and composition of which will be determined in consultation by the two sides.'

— What assessment have the Angolan authorities made of the document submitted?

— What stage has been reached in the adoption of the JWF?

— Could she be more specific as to how the draft JWF aims 'to take our relations to a new level'?

— When is the final version expected to be concluded?

— Have the 'specific modalities and composition' of the high-level meeting in Luanda already been determined?

— Will the JWF be discussed when the Commission President next visits Angola?

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

The proposed Joint Way Forward (JWF) was assessed by Angolan counterparts, and was the subject of EU-Angola contacts during February-March 2012.

During his official visit to Angola on 19-21 April 2012, President Barroso together with the Angolan President José Eduardo dos Santos gave political endorsement to the Joint Way Forward. It is expected that it will be formally signed, in the coming months, on the occasion of an Angolan ministerial visit to Brussels.

The changes in Angola in recent years warrant a change in EU relations with the country. The JWF thus paves the way for enhanced political dialogue on bilateral, regional and international matters and the opening of new areas of cooperation. The JWF will set a new direction to EU relations with Angola, while remaining compatible with the existing Joint Africa-EU Strategy.

(българска версия)

Въпрос с искане за писмен отговор E-003111/12
до Комисията
Мария Неделчева (PPE)
(22 март 2012 г.)

Относно: Права на пчеларите за продажба на продукция

Пчеларският сектор в Европейския съюз е изправен пред редица предизвикателства — висока смъртност на пчелите, финансови затруднения, липса на директни плащания, регламенти, които да определят статута на пчеларите, както и недостиг на правна информация.

По данни на българските пчелари те имат право да продават директно 40 % от произведения от тях мед. Останалите 60 % от продукцията те са задължени да продават на преработватели. Това води до негативни последици както за самите пчелари, така и за целия сектор — последици, свързани с прекупуването на меда на ниски цени от производителите, а след това изкуствено увеличаване на цените на продукцията и създаване на изкуствен монопол.

В тази връзка съществува ли подобно процентно разграничение на правата на продажба на мед според европейското законодателство?

Разполага ли Европейската комисия с правни текстове, които да регламентират правата на пчеларите на директна продажба и правата на продажба на преработватели?

Отговор, даден от г-н Чолош от името на Комисията
(2 май 2012 г.)

Не съществува правна разпоредба на ЕС, ограничаваща количеството пчелен мед, което пчеларите могат да продават директно на потребителите или на търговците на дребно. На Комисията не са известни законодателни актове в държавите членки, които да предвиждат такова ограничение.

По отношение на България, националната програма по пчеларство за периода 2011-2013 г., съобщена на Комисията в съответствие с Регламент (ЕО) № 1234/2007 на Съвета от 22 октомври 2007 г. за установяване на обща организация на селскостопанските пазари и относно специфични разпоредби за някои земеделски продукти (Общ регламент за ООП) ([1]), съдържа някои статистически данни за българския пазар на пчелен мед. Тези данни показват, че през 2009 г. пчеларите са продали 43 % от националното производство директно на потребителите и търговците на дребно, като в същото време количеството, продадено на преработвателите и промишлеността, възлиза на 30 %. Останалите 27 % са били предназначени за собствено потребление (включително за подхранване на пчелите) или не са били реализирани на пазара.

([1]) ОВ L 299, 16.11.2007 г., стр. 1.

(English version)

Question for written answer E-003111/12
to the Commission
Mariya Nedelcheva (PPE)
(22 March 2012)

Subject: Rights of beekeepers to sell their produce

The beekeeping industry in the European Union is facing a number of challenges — a high bee mortality rate, financial difficulties, an absence of direct payments, regulations aiming to determine the status of beekeepers and a lack of information concerning entitlements.

The statistics relating to Bulgarian beekeepers show that they are entitled to sell directly 40 % of the honey they produce. They are required to sell the remaining 60 % of their produce to processors. This has adverse consequences both for the beekeepers themselves and for the industry as a whole, entailing the wholesale purchase of honey from producers at low prices, and hence the artificial inflation of product prices and the formation of an artificial monopoly.

Does EU legislation provide for such a percentage delimitation of sales rights for honey?

Is the Commission aware of any legislative acts which regulate the direct sales rights of beekeepers and the sales rights of processors?

Answer given by Mr Ciolos on behalf of the Commission
(2 May 2012)

There is no EU legislation fixing a limit on the quantity of honey that beekeepers can sell directly to consumers or to retailers. The Commission is not aware of legislative acts in Member States which provide for such a limit.

As regards Bulgaria, the national apicultural programme for the period 2011-2013 notified to the Commission in compliance with Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) [1], includes some statistics concerning the Bulgarian honey market. These figures show that in 2009 direct sales from beekeepers to consumers and retailers amounted to 43 % of the national production, while sales to processors and the industry amounted to 30 %. The remaining 27 % was intended for own consumption (including bees feeding) or unmarketed.

([1]) OJ L 299, 16.11.2007, p. 1.

(English version)

Question for written answer E-003113/12
to the Commission
Glenis Willmott (S&D)
(22 March 2012)

Subject: Roadworthiness tests and Directive 2010/48/EU

Directive 2010/48/EU, adopted in accordance with the regulatory procedure with scrutiny, made changes to the criteria to be used in vehicle roadworthiness tests. The deadline for transposition of this directive into national law was 31 December 2011.

I have been contacted by a constituent concerned that their family car will no longer pass the roadworthiness test, given the new, more stringent criteria. In particular, my constituent has been told that the car will not pass because of an electronic malfunction indicator lamp that remains lit even though no actual fault with the car can be found, and even though a car with no electronic malfunction indicators at all may pass, even if it is older or in poorer condition.

Will the Commission explain the rationale behind the changes made by Directive 2010/48/EU, and in particular the need to include criteria on the status of electronic malfunction indicator lamps?

Answer given by Mr Kallas on behalf of the Commission
(14 May 2012)

The attention of the Honourable Member is drawn to the fact that electronic safety systems are an important contributor to road safety of vehicles. Electronic malfunction indicator lamps signal a disfunctioning of a safety device in the vehicle. Thus they contribute to the reliability of these safety components throughout the lifetime of a vehicle. It is in fact a possible serious danger to ignore a lit malfunction indicator lamp, even if the actual fault in the vehicle is not yet identified. A faulty indicator lamp would moreover not alert the car owner if a fault were to develop. This problem does not arise for older vehicles that are not equipped with electronic safety devices, such as for instance electronic stability control (ESC), airbags and others. Retrofitting of older vehicles with such devices would have been disproportionate and even in several cases technically not feasible.

Commission Directive 2010/48/EU ([1]) included the checking of electronic safety components into periodic roadworthiness tests by using the in-built self-control system of the vehicle, namely the malfunction indicator lamp, for verifying the functionality of this system.

([1]) OJ L 173, 8.7.2010, p. 47.

(English version)

Question for written answer E-003114/12
to the Commission
William (The Earl of) Dartmouth (EFD)
(22 March 2012)

Subject: EEAS staff — holiday

Does the Commission have any plans to modify the 14 weeks of holiday to which European External Action Service staff are currently entitled?

Answer given by Mr Šefčovič on behalf of the Commission
(29 May 2012)

Within the framework of the current review of the Staff Regulations, the Commission has not proposed any changes to the leave regime of Annex X to the Staff Regulations which contains special and exceptional provisions applicable to officials serving in a third country.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-003115/12
aan de Commissie
Marietje Schaake (ALDE)
(22 maart 2012)

Betreft: Vaststelling prijzen kunstvoorwerpen in Turkije

Turkije heeft naar verluidt ([1]) maatregelen genomen waarmee het mogelijk wordt cultuurobjecten in de toekomst te verkopen als ze niet door musea worden benut. Het Turkse ministerie voor cultuur en toerisme heeft de nieuwe wet verdedigd als poging om het beheer van oude kunstvoorwerpen te verbeteren, maar tegenstanders vrezen dat de wet ertoe zal leiden dat de financiële waarde van kunstobjecten boven hun historische waarde komt te staan.

1. De EU verwacht van Turkije als kandidaat-lidstaat dat het land het culturele erfgoed van Europa bevordert en beschermt. Is de Commissie op de hoogte van de genomen maatregelen? Is zij het er niet mee eens dat de wijziging van de wetgeving ongelukkig is, vooral gezien in het licht van het toenemende aantal diefstallen van kunstvoorwerpen uit Turkse moskeeën en musea ([2])?

2. Volgens het antwoord van de Commissie op vraag E-010719/2011 ([3]) voorziet het EU-programma voor Turkije in financiële bijstand ten bedrage van 10 miljoen euro voor de aanpak van een duurzaam beheer van cultureel erfgoed. Is een deel van deze steun gericht op het intomen van de handel in oude kunstvoorwerpen? Zo neen, waarom niet? Stroken de door de Turkse regering genomen maatregelen met het hulpprogramma en met de waarden en het *acquis communautaire* van de EU?

3. Wat voor follow-up maatregelen overweegt de Commissie ter verbetering van de bescherming van het cultureel erfgoed en van kunstvoorwerpen in Turkije? Welke aanbevelingen zal de Commissie Turkije doen?

Antwoord van de heer Füle namens de Commissie
(24 mei 2012)

Volgens artikel 167 van het VWEU dienen de Unie en de lidstaten „de samenwerking met derde landen en met de inzake cultuur bevoegde internationale organisaties, met name met de Raad van Europa", te bevorderen.

Volgens de informatie waarover de Commissie beschikt, bepaalt de nieuwe Turkse wetgeving dat eigendom die naar musea wordt gebracht en niet binnen het jaar door de eigenaars ervan wordt opgehaald, door musea mag worden gehouden, als hun eigendom mag worden geregistreerd of verkocht mag worden door de staat. De verkoopprijs dient door een team van experten te worden vastgelegd. De verkoop van dergelijke kunstvoorwerpen gaat echter met verschillende aspecten gepaard die tot negatieve prikkels bij de verkopende autoriteit of bij de betrokken personen kunnen leiden indien ze niet expliciet worden behandeld. De nieuwe wetgeving belicht deze aspecten onvoldoende.

De huidige financiële EU-steun voor het culturele erfgoed in Turkije werd vóór de nieuwe wetgeving goedgekeurd en houdt niet rechtstreeks verband met de kwesties die het geachte Parlementslid aanhaalt. Binnen de EU werd in het kader van het Werkplan voor cultuur 2011-2014 een werkgroep met open coördinatiemethode voor de mobiliteit van collecties in de EU opgericht waarin experten van de lidstaten — onder andere — de waardebepaling van kunstwerken behandelen. De Commissie zal zowel de resultaten van de werkgroep (een pakket instrumenten dat tegen eind 2012 dient te worden voorgesteld) en een studie over dit onderwerp aan haar Turkse gesprekspartners bezorgen indien deze beschikbaar zijn.

([1]) http://www.todayszaman.com/news-272221-controversy-over-price-tagging-of--artifacts-continues.html
([2]) http://www.eurasianet.org/node/64800.
([3]) http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2011-010719&language=EN.

(English version)

Question for written answer E-003115/12
to the Commission
Marietje Schaake (ALDE)
(22 March 2012)

Subject: Price-tagging of artefacts in Turkey

Turkey has reportedly ([1]) taken measures that will allow cultural artefacts to be sold in the future if they are not being used by museums. The Turkish Ministry of Culture and Tourism has defended the new law as an attempt to improve the management of ancient artefacts, but opponents fear that, under the new law, the financial value of artefacts will take precedence over their historical value.

1. As a candidate for membership of the EU, Turkey is expected to promote and protect Europe's cultural heritage. Is the Commission aware of the measures that have been taken? Does the Commission agree that this change to the law is unfortunate, particularly in the context of the growing scourge of art thefts from Turkish mosques and museums ([2])?

2. According to the Commission's answer to Written Question E-010719/2011 ([3]), the EU programme for Turkey includes financial assistance (to the tune of EUR 10 million) to address the issue of the sustainable management of cultural heritage. Is part of this support aimed at curbing the trade in ancient artefacts? If not, why not? Are the measures taken by the Turkish Government in line with the aid programme and with the EU's values and *acquis communautaire*?

3. What kind of follow-up action will the Commission take to improve the protection of cultural heritage and artefacts in Turkey? What recommendations will the Commission make to Turkey?

Answer given by Mr Füle on behalf of the Commission
(24 May 2012)

According to Article 167 of the TFEU, the EU and the Member States shall foster 'cooperation with third countries and the competent international organisations in the sphere of culture, in particular the Council of Europe'.

According to the information available to the Commission, the new Turkish legislation says that property brought to museums and not reclaimed by its owners within a year may be kept by museums, registered as their property or sold by the state. The selling price is to be fixed by a body of experts. However, the process of selling such artefacts contains various aspects which, if not addressed explicitly, may give rise to adverse incentives on the part of the selling authority as well as the individuals involved. The new legislation does not sufficiently address these concerns.

Current EU financial support for cultural heritage in Turkey was decided prior to the new legislation and does not directly address the issues raised by the Honourable Member. Within the EU, an open method of coordination working group on the mobility of collections in the EU has been set up in the framework of the Work Plan for Culture 2011-2014 with experts from Member States, which — among other things — is also looking at the issue of valuation of works of art. The Commission will share both the results of the working group (a tool kit to be produced by the end of 2012) and a study on this topic with Turkish counterparts when available.

([1]) http://www.todayszaman.com/news-272221-controversy-over-price-tagging-of--artifacts-continues.html
([2]) http://www.eurasianet.org/node/64800.
([3]) http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2011-010719&language=EN.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-003117/12
aan de Commissie
Ivo Belet (PPE)
(22 maart 2012)

Betreft: Concentratie en gebrek aan transparantie op de voetbalmakelaarsmarkt

Resultaten van een nieuwe studie van het CIES Football Observatory (Annual Review of the European football players' labour market) over voetbalmakelaars in de grootste vijf Europese voetbalmarkten wijzen op het blijvend gebrek aan transparantie in de sector. Aangezien het vaak niet duidelijk is wie wie vertegenwoordigt, is er een groot risico op zwarte handel en fraude.

De sector van de voetbalmakelaars wordt bovendien gekenmerkt door een grote concentratie. 50 % van de markt is in handen van een vijfde van de makelaars. De onderzoekers stellen dat de poging (waarop de Europese Commissie bij FIFA aandrong) om concurrentie in de markt van vertegenwoordigers te vergroten door het verkrijgen van een licentie te vergemakkelijken, niet gewerkt heeft.

De studie toont verder aan dat heel wat makelaars tijdens hun carrière een aandeel in de transferrechten van de spelers hebben. Dit is een pijnpunt, omdat het niet denkbeeldig is dat een agentschap een monopoliepositie verwerft op een bepaalde nationale markt, door een merendeel van de belangrijkste spelers te controleren.

Wat is de stand van zaken van de werkzaamheden van de Commissie met betrekking tot voetbalmakelaars?

Welke initiatieven overweegt de Commissie om meer transparantie en minder concentratie te bewerkstelligen?

Meent de Commissie dat haar eerdere inspanningen om door middel van zelfregulering orde op zaken te stellen, al vruchten afgeworpen heeft?

Antwoord van mevrouw Vassiliou namens de Commissie
(25 mei 2012)

De Commissie verwijst het geachte Parlementslid naar haar antwoord op schriftelijke vraag E-002575/2012, waarin wordt aangegeven hoe de Commissie de problematiek van de activiteiten van sportmakelaars in de EU voornemens is aan te pakken.

(English version)

Question for written answer E-003117/12
to the Commission
Ivo Belet (PPE)
(22 March 2012)

Subject: Concentration and lack of transparency in the football agent market

The results of a new study by the CIES Football Observatory (Annual Review of the European football players' labour market) concerning football agents in the five largest football markets in Europe show a continued lack of transparency in the sector. Given that it is often unclear who represents whom, there is a major risk of fraud and dubious trade.

The football agent sector is also characterised by the fact that it is highly concentrated. One-fifth of the agents control 50 % of the market. The researchers suggest that the attempt, which the European Commission pressed upon FIFA to increase competition in the agents market by making it easier to obtain a licence, has not worked.

The study also points out that a large number of agents have a share in the transfer rights of the players during their careers. That is a problem because it is not inconceivable that an agency could obtain a monopoly on a specific national market by controlling a majority of the key players.

What is the status of the Commission's activities with regard to football agents?

What initiatives is the Commission considering in order to bring about greater transparency and less concentration?

Does the Commission believe that its past efforts to improve matters through self-regulation have borne fruit?

Answer given by Ms Vassiliou on behalf of the Commission
(25 May 2012)

The Commission would like to refer the Honourable Member to its answer to Written Question E-002575/2012 for an overview of how the Commission intends to address the issues related to the activities of sports agents in the EU.

(Version française)

Question avec demande de réponse écrite P-003118/12
à la Commission
Younous Omarjee (GUE/NGL)
(22 mars 2012)

Objet: Enveloppe destinée à compenser les surcoûts des RUP dans le cadre de la future politique de cohésion

La proposition de la Commission pour la future politique de cohésion propose que l'enveloppe prévue en tant que financement supplémentaire pour les RUP visées à l'article 349 du traité et les régions de niveau NUTS 2 répondant aux critères fixés à l'article 2 du protocole nº 6 annexé à l'acte d'adhésion de l'Autriche, de la Finlande et de la Suède soit portée pour la période 2014-2020 à 925 680 000 euros.

Cette proposition consiste en une baisse très significative, de près de 40 %, par rapport à l'enveloppe destinée à compenser les handicaps et les surcoûts dans l'ensemble de ces régions sur la période 2007-2013, qui était établie sur la base d'un montant de 35 euros par habitant et par an.

Les contraintes particulières que connaissent les RUP et les régions isolées ou faiblement peuplées de l'Autriche, de la Finlande et de la Suède, n'ont pas changé. Il s'agit de contraintes permanentes. Le récent rapport de l'ancien ministre espagnol Pedro Solbes indique que, dans les RUP, les surcoûts liés aux contraintes particulières et permanentes qu'elles connaissent sont élevés et contraignent fortement leurs économies. Les récents soulèvements contre la vie chère dans les RUP françaises l'attestent aussi.

La Commission peut-elle dès lors détailler les raisons qui motivent sa décision de diminuer le montant de cette enveloppe de près de 40 %, ainsi que les raisons qui la conduisent à supprimer la fixation de cette enveloppe sur la base d'un montant attribué à chacune de ces régions de 35 euros par an et par habitant?

Par ailleurs, la Commission peut-elle préciser la manière dont elle entend répartir cette enveloppe sur la période 2014-2020 entre les différentes RUP visées à l'article 349 du traité et les régions de niveau NUTS 2 répondant aux critères fixés à l'article 2 du protocole nº 6 annexé à l'acte d'adhésion de l'Autriche, de la Finlande et de la Suède?

Réponse donnée par M. Hahn au nom de la Commission
(20 avril 2012)

La réduction du financement pour les régions ultrapériphériques est liée à la diminution globale du budget destiné à la cohésion. La Commission est bien consciente des problèmes qui limitent le développement des régions ultrapériphériques. C'est la raison pour laquelle la Commission a proposé un ensemble cohérent de mesures pour remédier à ces problèmes dans le cadre de la réforme de la politique de cohésion. Celles-ci comprennent notamment, outre les dotations du FEDER et du FSE attribuées à toutes les régions de l'UE, une dotation financière spécifique pour les régions ultrapériphériques, des taux préférentiels de cofinancement pour ces dernières, indépendamment de leur niveau de PIB, ainsi qu'une dotation supplémentaire de 50 millions d'euros dans le domaine de la coopération.

Comme l'a demandé le Conseil le 14 juin 2010, la Commission a l'intention d'adopter, dans le courant de l'été 2012, une communication qui exposera les grandes lignes d'une nouvelle stratégie de l'Union européenne pour les régions ultrapériphériques dans le cadre des priorités de la stratégie Europe 2020.

Pour ce qui est des critères de répartition du montant disponible au titre de la dotation spéciale pour les régions ultrapériphériques et les régions les moins densément peuplées sur la période de financement 2014-2020, la Commission propose de répartir la dotation spécifique au prorata de la population de ces régions.

(English version)

Question for written answer P-003118/12
to the Commission
Younous Omarjee (GUE/NGL)
(22 March 2012)

Subject: Budget to offset the Outermost Regions' (OR) additional costs as part of the future cohesion policy

The Commission's proposal for the future cohesion policy recommends that the planned budget for additional funding for the ORs identified in Article 349 of the Treaty and the NUTS level 2 regions fulfilling the criteria given in Article 2 of Protocol No 6 of the Treaty of Accession of Austria, Finland and Sweden to be paid for the period 2014-2020 should total EUR 925 680 000.

This proposal entails a considerable decrease of almost 40 % in relation to the budget for offsetting the disadvantages and additional costs facing these regions for the period 2007-2013, which was based on an amount of EUR 35 per inhabitant per year.

The specific challenges facing the ORs and the isolated or sparsely populated regions of Austria, Finland and Sweden have not changed. They are permanent constraints, which, according to a recent report by former Spanish Minister Pedro Solbes, cause the ORs to incur sizeable additional costs that significantly impair their economic development. The recent unrest in protest against the high cost of living in the French ORs also bears witness to this.

Can the Commission therefore state the reasons for its decision to reduce this budget by almost 40 % and its decision to no longer base it on the fixed amount of EUR 35 per inhabitant per year?

Can the Commission also say how it intends to allocate this budget over the 2014-2020 period between the different ORs identified in Article 349 of the Treaty and the NUTS level 2 regions fulfilling the criteria in Article 2 of Protocol No 6 of the Treaty of Accession of Austria, Finland and Sweden?

Answer given by Mr Hahn on behalf of the Commission
(20 April 2012)

The reduction in the funding of the outermost regions is related to the overall decrease of the cohesion budget. The Commission is well aware of the problems which restrain the development of the outermost regions. This is the reason why the Commission has proposed a coherent set of measures to address those problems in the context of the reform of cohesion policy. These include, *inter alia*, a special financial allocation for the outermost regions on top of the ERDF and ESF allocations given to all EU regions and preferential co-financing rates for the outermost regions irrespective of their GDP level as well as an extra allocation of EUR 50 million in the field of cooperation.

As requested by the Council on 14 June 2010, the Commission plans to adopt a communication in the summer of 2012 outlining a renewed EU strategy for the outermost regions within the priorities of the Europe 2020 strategy.

As for the criteria to distribute the amount under the heading of the special allocation for the outermost and most sparsely populated regions for the 2014-2020 financial period, the Commission proposes to distribute the specific allocation pro-rata according to the population of these regions.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord P-003119/12
aan de Commissie
Ria Oomen-Ruijten (PPE)
(22 maart 2012)

Betreft: Wederzijdse erkenning van recepten

In richtlijn 2011/24/EU wordt bepaald dat door de Europese Commissie uiterlijk op 25 oktober 2012 maatregelen vastgesteld worden ter bevordering van de correcte identificatie van in de ene lidstaat voorgeschreven en in de andere lidstaat verstrekte geneesmiddelen. De Commissie neemt daarbij o.a. de dosering van geneesmiddelen specifiek in overweging.

In Nederland zijn bedrijven actief in de zogeheten postorderfarmacie. Hierbij worden recepten die voorgeschreven zijn in Duitsland, geleverd vanuit Nederland. In Duitsland bestaat niet de verplichting om de dosering van de geneesmiddelen te vermelden op het recept. In Nederland bestaat deze verplichting wel. Volgens de Nederlandse Inspectie voor de Gezondheidszorg zijn bedrijven die vanuit Nederland geneesmiddelen verstrekken aan de Duitse markt, op basis van een Duits recept, in strijd met de Nederlandse regelgeving vanwege het ontbreken van de dosering op het recept.

1. Deelt de Commissie de mening dat, gezien het principe van wederzijdse erkenning van recepten, het ontbreken van een dosering van geneesmiddelen op een recept geen obstakel mag zijn voor bedrijven die geneesmiddelen vanuit de ene EU-lidstaat willen leveren aan een andere EU-lidstaat?

2. Op welke manier gaan de maatregelen die de Commissie uiterlijk op 25 oktober vast gaat leggen een bijdrage leveren aan de oplossing van bovengenoemd probleem?

Antwoord van de heer Dalli namens de Commissie
(12 april 2012)

Artikel 11, lid 1, van Richtlijn 2011/24/EU van 9 maart 2011 betreffende de toepassing van de rechten van patiënten bij grensoverschrijdende gezondheidszorg ([1]) bepaalt dat beperkingen op de erkenning van individuele recepten onder meer zijn toegestaan als deze beperkingen „beperkt zijn tot hetgeen noodzakelijk en evenredig is om de menselijke gezondheid te beschermen en zij niet discriminerend zijn". Daarom kan de Commissie niet uitsluiten dat beperkingen op de erkenning van in een andere lidstaat verstrekte recepten van toepassing kunnen zijn als deze recepten geen voorgeschreven doseringen bevatten, op voorwaarde dat deze beperkingen beperkt zijn tot hetgeen noodzakelijk en evenredig is.

De Commissie bevestigt dat zij bij de voorbereiding van de uitvoeringshandelingen overeenkomstig artikel 11, lid 2, onder c), van Richtlijn 2011/24/EU onder meer het gebruik van de internationale generieke benaming en de dosering van geneesmiddelen in overweging zal nemen. Er zal met name een niet-uitputtende lijst van op recepten te vermelden gegevens worden voorgesteld als onderdeel van de algemene vaststelling van de uitvoeringshandelingen overeenkomstig artikel 11, lid 2, onder a), c) en d), van Richtlijn 2011/24/EU. Aangezien de bovengenoemde uitvoeringshandelingen op dit ogenblik nog niet zijn voltooid, kan de Commissie nog niet inschatten welke gevolgen zij zullen hebben voor de erkenning van het type medische recepten waarnaar het geachte Parlementslid verwijst.

([1]) PB L 88 van 4.4.2011.

(English version)

Question for written answer P-003119/12
to the Commission
Ria Oomen-Ruijten (PPE)
(22 March 2012)

Subject: Mutual recognition of prescriptions

Directive 2011/24/EU stipulates that the European Commission must adopt measures no later than 25 October 2012 to facilitate the correct identification of medicines prescribed in one Member State and dispensed in another Member State. In so doing, the Commission must specifically consider, among other things, the dosage of medicines.

There are companies active in the Netherlands in the so-called mail-order pharmacy sector. They supply prescriptions from the Netherlands to Germany, where there is no obligation to state the dosage of the medicines on the prescription. This obligation exists in the Netherlands. The Dutch Health Care Inspectorate (IGZ) believes that companies from the Netherlands that supply medicines to the German market based on German prescriptions are breaking Dutch law due to the lack of the dosage on the prescription.

1. Does the Commission agree that, given the principle of mutual recognition of prescriptions, the lack of marked dosage for medicines on a prescription should not be an obstacle for companies seeking to supply these medicines from one EU Member State to a different EU Member State?

2. How are the measures that the Commission is to establish by 25 October going to help solve the above problem?

Answer given by Mr Dalli on behalf of the Commission
(12 April 2012)

Article 11 (1) of Directive 2011/24/EU ([1]) of 9 March 2011 on the application of patients' rights in cross-border healthcare states that restrictions on the recognition of individual prescriptions are allowed — among other — if such restrictions are 'limited to what is necessary and proportionate to safeguard human health, and non-discriminatory'. In view of this, the Commission cannot exclude that restrictions may apply to the recognition of prescriptions issued in another Member State when said prescriptions do not contain prescribed dosages, provided that these restrictions are limited to what is necessary and proportionate.

The Commission confirms that it will consider, *inter alia*, using the International Non-proprietary Name and the dosage of medicinal products in preparation of the implementing acts under Article 11 (2)(c) of Directive 2011/24/EU. More precisely, a non-exhaustive list of elements to be included in medical prescriptions will be proposed as part of the overall adoption of implementing acts under Article 11 (2)(a), (c) and (d) of Directive 2011/24/EU. As the said implementing acts have not been finalised at present, the Commission cannot yet assess what their impact will be on the recognition of the type of medical prescriptions to which the Honourable Member refers.

([1]) OJ L 88, 4.4.2011.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003121/12
an die Kommission
Franz Obermayr (NI)
(22. März 2012)

Betrifft: Wilderer bejagen den Afrikanischen Elefanten in Kamerun

Zum Zwecke der Verwertung von Elfenbein, das auf dem Schwarzmarkt enorme Preise erzielt, werden in Kamerun im großen Stil Elefanten von Wilderern bejagt. Selbst der im Norden Kameruns gelegene Bouba-Ndjida-Nationalpark bietet den Tieren hier keinen ausreichenden Schutz. So sollen seit Anfang des Jahres bereits 500 Elefanten von Wilderern zum Zweck der Elfenbeinausbeutung geschossen worden sein. Obwohl die Population des Afrikanischen Elefanten seit Jahrzehnten stark rückläufig ist, ist die dortige Regierung scheinbar nicht gewillt, wirksam gegen die Wilderer vorzugehen. Daraus ergeben sich folgende Fragen:

1. Fließen Entwicklungshilfegelder aus EU-Mitteln nach Kamerun? Wenn ja, in welcher Höhe?

2. Gibt es sonstige Transferzahlungen oder -leistungen an Kamerun?

3. Sind diese Entwicklungshilfegelder bzw. Transferzahlungen in irgendeiner Hinsicht an die Einhaltung internationaler Tier- und Naturschutzstandards geknüpft?

4. Sieht die Kommission Möglichkeiten, die afrikanischen Regierungen und hier im Besonderen die Regierung Kameruns zu wirksamerem Vorgehen gegen Wilderer zu bewegen?

Antwort von Herrn Piebalgs im Namen der Kommission
(15. Mai 2012)

Im Zeitraum 2008-2013 steht für Kamerun eine Länderzuweisung von rund 250 Mio. EUR aus dem 10. EEF bereit. Darüber hinaus erhält das Land von der EU thematische Unterstützung in Bereichen wie Menschenrechte, Zivilgesellschaft, Ernährungssicherheit und Umwelt sowie Unterstützung aus regionalen Programmen und von der Europäischen Investitionsbank.

Die Länderzuweisungen und die einzelnen Projekte sind in der Tat an Umweltkriterien geknüpft. Die Auszahlungen unterliegen in der Regel keiner Konditionalität, werden jedoch im Fall der Nichteinhaltung rechtsverbindlicher Vereinbarungen eingestellt oder ausgesetzt.

Die EU hat ein bedeutendes Regionalprogramm mit der Bezeichnung „ECOFAC“ aufgelegt, um Schutzgebiete in Zentralafrika zu unterstützen. Das neue ECOFAC-Projekt sieht eine spezifische Maßnahme zugunsten des Bouba-Ndjida-Nationalparks vor, die in den kommenden Monaten anlaufen soll.

Darüber hinaus werden diese Fragen im politischen Dialog zwischen der EU und der kamerunischen Regierung regelmäßig erörtert. Als das jüngste Massaker an Elefanten im Bouba-Ndjida-Nationalpark bekannt wurde, richtete der Leiter der EU-Delegation im Namen aller Leiter von EU-Missionen in Kamerun unverzüglich ein Schreiben an den Premierminister, in dem die kamerunische Regierung aufgefordert wurde, sofortige Maßnahmen zur Beendigung des Massakers zu ergreifen. Die Regierung entsandte Elitetruppen der Armee in den Park, um die Wilderer zu verfolgen.

Die Kommission ruft die kamerunische Regierung nachdrücklich auf, mit internationalen Organisationen zusammenzuarbeiten, die auf den Schutz wild lebender Arten spezialisiert sind. Die EU-Delegation in Kamerun verfolgt diese Problematik aufmerksam und arbeitet mit den Delegationen Frankreichs, Deutschlands und der USA sowie den EU-Delegationen in Tschad und Sudan zusammen. Die EU unterstützt eine Initiative der USA, die am 3. April 2012 in Libreville eine Konferenz veranstaltet haben, um ein regionales Vorgehen zu fördern ([1]).

([1]) http://photos.state.gov/libraries/cameroon/231771/PDFs/Wildlife%20Trafficking%20Workshop%20Chair%20Summary%20Final%20FRENCH.pdf

(English version)

Question for written answer E-003121/12
to the Commission
Franz Obermayr (NI)
(22 March 2012)

Subject: Hunting of elephants in Cameroon

Elephants are widely hunted by poachers in Cameroon, who can sell the ivory they obtain at huge prices on the black market. Even in the Bouba Ndjida National Park in northern Cameroon, the animals are not afforded adequate protection. Reports indicate that 500 elephants have already been shot by poachers for their ivory since the beginning of the year. Although the African elephant population has been in sharp decline for decades, the country's government seems unwilling to take effective action against the poachers. This gives rise to the following questions:

1. Does Cameroon receive development aid from EU funds? If so, how much?

2. Are there any other cases of transfer payments or assistance to Cameroon?

3. Are these development aid funds or transfer payments in any way linked to compliance with international animal and nature conservation standards?

4. Does the Commission see any way of mobilising African governments, in particular the government of Cameroon, to take more effective action against poachers?

Answer given by Mr Piebalgs on behalf of the Commission
(15 May 2012)

For the period 2008-2013, Cameroon receives a national envelope of around EUR 250 million from the 10th EDF. Cameroon also benefits from EU support in thematic areas such as human rights, civil society, food security and environment but also regional programmes and from the European Investment Bank.

National allocations and individual projects are indeed subject to criteria on environmental standards. Disbursements are not normally subject to conditionality but in case of non-respect of the legal agreement, disbursements are stopped or delayed.

The EU has a very important regional programme called 'ECOFAC' for supporting Protected Areas in Central Africa. The new ECOFAC project foresees a specific intervention on the Bouba N'Djida Park that is scheduled to start in the coming months.

Further, the EU political dialogue with the Government of Cameroon regularly addresses these issues. In the case of the recent massacre of elephants in the Bouba N'Djida Park, the EU Head of Delegation on behalf of all Heads of EU Missions in Cameroon wrote a letter to the Prime Minister immediately after the news of the events to call on the Government of Cameroon to take urgent action to stop the massacre. The Government of Cameroon deployed elite army troops to the park in order to pursue the poachers.

The Commission strongly encourages the Government of Cameroon to cooperate with international organisations specialised in wildlife protection. The EU Delegation in Cameroon is following this issue closely, coordinating with the French, German and American Delegations, as well as the EU delegations in Chad and Soudan. The EU supports an initiative of the USA who organised a conference on the subject in Libreville on 3 April 2012 to further a regional approach ([1]).

([1]) http://photos.state.gov/libraries/cameroon/231771/PDFs/Wildlife%20Trafficking%20Workshop%20Chair%20Summary%20Final%20FRENCH.pdf

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003122/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(22 Μαρτίου 2012)

Θέμα: Το ζήτημα της απελευθέρωσης του επαγγέλματος των ταξί στην Ελλάδα

Χωρίς αμφιβολία η απελευθέρωση του κλάδου των επιβατικών αυτοκινήτων δημοσίας χρήσης (Ταξί, Αγοραία) στην Ελλάδα πρέπει να γίνει μέσα από ένα νέο νομικό καθεστώς συμβατό με την ευρωπαϊκή νομοθεσία και με συγκεκριμένα πληθυσμιακά, συγκοινωνιακά και περιβαλλοντικά κριτήρια -όπως ισχύουν πλέον στην πλειονότητα των χωρών της Ευρωζώνης- που αφενός θα σέβεται το συνταγματικό δικαίωμα στην ιδιοκτησία, διασφαλίζοντας τα μέγιστα δυνατά οφέλη για τους καταναλωτές, και, αφετέρου, θα εγγυάται τη βιωσιμότητα του συγκεκριμένου κλάδου και των επαγγελματιών του.

Στο πλαίσιο προσαρμογής της Ελληνικής Νομοθεσίας στην οδηγία 2006/123/ΕΚ του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου διεξήχθη στη χώρα μας εκτενής διάλογος μεταξύ των εκπροσώπων του κλάδου των «ταξί» και του αρμόδιου Υπουργείου (Υπουργείο Μεταφορών & Δικτύων) που κατέληξε σε ένα κοινά αποδεκτό σχέδιο Προεδρικού Διατάγματος απ' όλους τους εμπλεκόμενους φορείς, το οποίο είχε εγκριθεί και από την Τρόικα.

Μετά την αλλαγή ηγεσίας, όμως, στο Υπουργείο (Ανασχηματισμός της Κυβέρνησης 17.6.2011), ο νέος Υπουργός αγνοώντας την προγενέστερη συμφωνία προώθησε νέες ρυθμίσεις εκ διαμέτρου αντίθετες με το συνολικό πνεύμα του σχεδίου Προεδρικού Διατάγματος, γεγονός που οδήγησε σε αδιέξοδα και πυροδότησε νέες αντιπαραθέσεις με δυσμενείς συνέπειες για την ελληνική Κοινωνία και Οικονομία. Αξίζει να σημειωθεί πως μετά το σχηματισμό της κυβέρνησης Παπαδήμου, η επίλυση του εν λόγω ζητήματος έχει ανατεθεί πλέον στην καινούργια ηγεσία του Υπουργείου Μεταφορών και Δικτύων Σε αυτήν την κατεύθυνση και με δεδομένη τη συμμετοχή της στην Τρόικα, ερωτάται η Επιτροπή:

Η αθέτηση της συμφωνίας από τον τότε Υπουργό Μεταφορών και Δικτύων και η υπαναχώρηση της τότε κυβέρνησης από το σχέδιο Προεδρικού Διατάγματος πραγματοποιήθηκε καθ' υπόδειξη της Τρόικα ή ήταν αποτέλεσμα πρωτοβουλίας του συγκεκριμένου Υπουργού;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(7 Μαΐου 2012)

Το Μνημόνιο Συνεννόησης μετά την πέμπτη αναθεώρησή του τον Οκτώβριο 2011 περιλαμβάνει αναφορά στην άρση των εμποδίων για τα επιβατικά αυτοκίνητα δημοσίας χρήσης (ταξί, αγοραία). Συνεπώς, δεν υπήρξε συμφωνία μεταξύ των ελληνικών αρχών και της Τρόικα ή πολιτική δέσμευση στον εν λόγω τομέα πριν τον κυβερνητικό ανασχηματισμό τον Ιούνιο 2011.

Η Επιτροπή γνωρίζει ότι το νομοσχέδιο που είχε καταρτιστεί το φθινόπωρο του 2011 υπέστη σημαντικές τροποποιήσεις μετά την αλλαγή της κυβέρνησης τον Νοέμβριο 2011. Η αναθεώρηση του νομοσχεδίου το φθινόπωρο του 2011 δεν αποτελεί αποτέλεσμα πρωτοβουλίας της Επιτροπής ή των υπόλοιπων εταίρων στην Τρόικα.

(English version)

Question for written answer E-003122/12
to the Commission
Konstantinos Poupakis (PPE)
(22 March 2012)

Subject: Liberalising the taxi sector in Greece

Without a doubt, liberalisation of the service provided by passenger vehicles for public use (taxi sector) in Greece must occur within a new legal framework which is compatible with European legislation and specific demographic, traffic and environmental criteria — currently in force in Member States of the euro area — which will, on the one hand, respect the constitutional right to property, ensuring the greatest possible benefit for consumers and, on the other hand, safeguard the viability of the sector and its professionals.

As part of the transposition into Greek law of Directive 2006/123/EC of the European Parliament and of the Council, lengthy discussions were held in Greece between practitioners in the taxi sector and the competent ministry (Ministry of Infrastructure, Transport and Networks) concluding in a mutually acceptable draft presidential decree for all parties concerned, which was also approved by the Troika.

However, after the change in leadership at the ministry (cabinet reshuffle on 17 June 2011), the new minister, ignoring the previous agreement, made new arrangements diametrically opposed to the spirit of the draft presidential decree, leading to deadlock and fresh confrontations, with unfortunate consequences for Greek society and the economy. It is worth pointing out that, after the formation of the Papademos Government, the responsibility for solving the problem in question has since been given to the new Minister for Infrastructure, Transport and Networks. To this end and given its participation in the Troika, will the Commission answer the following:

Did the breach of the agreement by the former Minister for Infrastructure, Transport and Networks and the former government's withdrawal from the draft presidential decree occur on the Troika's recommendation or was it the result of an initiative taken by the minister responsible?

Answer given by Mr Rehn on behalf of the Commission
(7 May 2012)

The Memorandum of Understanding has included a reference to the removal of barriers to the passenger vehicles for public use (taxi sector) since its fifth review of October 2011. Therefore, there was no agreement between the Greek authorities and the Troika or policy commitment on that sector before the government reshuffle of June 2011.

The Commission is aware that a draft law which had been prepared in the autumn 2011 was significantly changed after the change of government in November 2011. The initiative of revising the draft law of autumn 2011 was not launched by the Commission or the other Troika partners.

(Version française)

Question avec demande de réponse écrite E-003123/12
à la Commission
Robert Goebbels (S&D)
(22 mars 2012)

Objet: Application du principe de parité du pouvoir d'achat de tous les fonctionnaires européens

Les fonctionnaires européens travaillant auprès des institutions établies à Luxembourg se plaignent de la perte de leur pouvoir d'achat par rapport à leurs pairs affectés à Bruxelles. Cette disparité du pouvoir d'achat n'encourage pas de jeunes fonctionnaires à choisir Luxembourg comme lieu d'affectation.

Si l'on a considéré, dans les premières décennies du fonctionnement des institutions européennes, qu'il y avait parité de pouvoir d'achat entre Bruxelles et Luxembourg, il est apparu, au cours de la première décennie du nouveau millénaire, que cette parité a disparu au détriment de Luxembourg. En effet, une étude de 2006 indiquait un indice de parité de pouvoir d'achat pour Luxembourg de 105,8 par rapport à 100 pour Bruxelles. D'autres indications de 2010 montrent que cet indice a augmenté à 107,7 pour Luxembourg. En outre, le prix des logements est nettement supérieur à Luxembourg, comparé à Bruxelles. Les organisations syndicales proposent une indemnité de logement pour redresser la parité de pouvoir d'achat. Par ailleurs, il convient de noter que les agents contractuels de l'Union européenne à Luxembourg ont un niveau de rémunération aux grades inférieurs qui se situe au niveau du salaire minimum luxembourgeois.

— Qu'entend faire la Commission pour respecter l'équivalence de pouvoir d'achat des fonctionnaires entre les différents lieux d'affectation, tel que prévu par l'article 64 du statut des fonctionnaires?

— Ne faudrait-il pas instaurer un coefficient correcteur spécifique, tenant compte du coût de la vie plus chère à Luxembourg?

Réponse donnée par M. Šefčovič au nom de la Commission
(7 mai 2012)

Jusqu'en 1971, le coefficient correcteur fixé pour Luxembourg était inférieur à celui applicable à Bruxelles. En 1971, il a été décidé, au profit du personnel employé au Luxembourg, que les salaires du personnel des deux sièges des institutions de l'UE seraient payés selon l'échelle salariale, avec le coefficient correcteur égal à 100.

Actuellement, il n'existe pas d'études statistiquement fiables qui prouvent l'existence d'une augmentation sensible et durable du coût de la vie à Luxembourg par rapport à Bruxelles. Néanmoins, afin de prendre en compte d'éventuelles différences dans l'évolution du coût de la vie à Luxembourg, la Commission a proposé (dans sa proposition du 13 décembre 2011 de modifier le règlement du personnel) que toute évolution intervenant dans le coût de la vie à Luxembourg soit prise en compte.

Selon cette proposition, une parité économique commune serait calculée pour la Belgique et le Luxembourg afin de mesurer le changement du coût de la vie dans les deux États membres. À cet effet, l'inflation de ces deux pays serait pondérée en fonction de la répartition du personnel en service, qui est actuellement de 79 % en Belgique et de 21 % au Luxembourg. Par conséquent, l'inflation luxembourgeoise représenterait 21 % de la parité. Quant à l'inflation belge, elle serait de 79 % de la parité.

(English version)

Question for written answer E-003123/12
to the Commission
Robert Goebbels (S&D)
(22 March 2012)

Subject: Application of the principle of purchasing power parity amongst all European civil servants

European civil servants working in the institutions located in Luxembourg are complaining about the loss of their purchasing power as compared with their counterparts in Brussels. This disparity in purchasing power does not encourage young civil servants to choose Luxembourg as a place of employment.

While it was considered that there was purchasing power parity between Brussels and Luxembourg during the first decades of the European institutions' operation, it emerged that this parity disappeared during the first decade of the new millennium, to the detriment of Luxembourg. A 2006 study revealed a purchasing power parity index of 105.8 in Luxembourg as compared with 100 in Brussels. Other indications from 2010 show that this index has increased to 107.7 in Luxembourg. Furthermore, the price of accommodation is markedly higher in Luxembourg than in Brussels. Trade union organisations are proposing an accommodation allowance to restore purchasing power parity. In addition, it should be noted that EU contract staff in Luxembourg are in the lower pay grades, which are similar to the country's minimum wage.

— What does the Commission intend to do to respect the equivalence of purchasing power for civil servants across the different places of employment, as outlined in Article 64 of the Staff Regulations of Officials of the European Communities?

— Would it not be necessary to establish a specific corrective coefficient, taking into account the higher cost of living in Luxembourg?

Answer given by Mr Šefčovič on behalf of the Commission
(7 May 2012)

Until 1971, the correction coefficient for Luxembourg was lower than for Brussels. In 1971 it was decided, to the benefit of staff employed in Luxembourg, that salaries of staff in both seats of EU institutions would be paid according to the salary scale, with the correction coefficient equal to 100.

Currently there are no statistically reliable studies that would prove the existence of an appreciable and sustainable increase in the cost of living in Luxembourg, by comparison with Brussels. Nevertheless, in order to take any possible differences in the change of the cost of living in Luxembourg into account, the Commission suggested (in its proposal of 13 December 2011 to modify the Staff Regulations) that any change in the cost of living in Luxembourg be taken into account.

According to this proposal, a joint economic parity would be calculated for Belgium and Luxembourg to measure the change in the cost of living in both Member States. For this purpose, the inflation in those countries would be weighted according to the distribution of staff serving in those countries, which currently is 79 % in Belgium and 21 % in Luxembourg. Therefore, Luxembourgish inflation would account for 21 % of the parity and Belgian inflation would account for 79 % of the parity.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-003124/12
aan de Commissie
Marietje Schaake (ALDE)
(22 maart 2012)

Betreft: Standpunt van de Commissie in de Vaste Commissie auteursrecht en aanverwante rechten van de WIPO

Na de 21e zitting van de Vaste Commissie auteursrecht en aanverwante rechten (SCCR) van de WIPO is overeengekomen dat er zou worden gestreefd naar een passend internationaal rechtsinstrument inzake auteursrechtelijke beperkingen en uitzonderingen voor bibliotheken en archieven. Er zijn teksten voorgesteld door de Afrikaanse Groep ([1]) en door Brazilië, Ecuador en Uruguay ([2]).

De 23e zitting van de SCCR is afgesloten met een akkoord om verder te werken aan het voorlopige werkdocument met commentaren op en tekstvoorstellen voor een passend internationaal rechtsinstrument (in welke vorm ook) inzake beperkingen en uitzonderingen voor bibliotheken en archieven (SCCR/23/8 Prov.). Dit document bevat een lijst met 11 onderwerpen die betrekking hebben op bibliotheken en archieven, zoals: instandhouding, het recht om kopieën te maken en te bewaren, wettelijke deponering, uitlenen door bibliotheken, parallelle invoer, grensoverschrijdend gebruik, weeswerken, teruggenomen en ingetrokken werken, aansprakelijkheid van bibliotheken en archieven, technische beschermingsmaatregelen, contracten en het recht om werken te vertalen.

De lidstaten hadden tot 29 februari 2012 de tijd om commentaren bij het WIPO-secretariaat in te dienen met het oog op opneming in het document, dat zal worden behandeld op de 24e zitting van de SCCR in juli 2012.

1. Kan de Commissie haar standpunt inzake de voorstellen van de Afrikaanse Groep en van Brazilië, Ecuador en Uruguay publiceren en toelichten? Zo niet, waarom niet?

2. Waar is de bijdrage van de Commissie ten behoeve van het voorlopige werkdocument SCCR/23/8 Prov. te vinden? Als de bijdrage van de EU vertrouwelijk is, kan de Commissie dan de redenen daarvoor toelichten?

3. Wat voor overleg heeft de Commissie met de belanghebbenden gevoerd met het oog op de voorbereiding van haar standpunt inzake bovengenoemde voorstellen? Als er geen voorbereidende vergaderingen hebben plaatsgevonden, waarom is dat niet gebeurd?

Antwoord van de heer Barnier namens de Commissie
(4 juni 2012)

De EU en haar lidstaten hebben aan de werkzaamheden van de Vaste Commissie auteursrecht en aanverwante rechten van de WIPO (SCCR) actief en constructief deelgenomen en hebben over de verschillende tot dusver besproken onderwerpen input verstrekt. Bij de betogen tijdens het debat is ook rekening gehouden met de voorstellen van de Afrikaanse landen, de VS en Brazilië, Ecuador en Uruguay. Na de 23e zitting van de SCCR hebben de EU en haar lidstaten in voorkomend geval schriftelijke bijdragen geleverd voor het voorlopige werkdocument dat het resultaat was van de werkzaamheden tijdens die zitting. Voorts hebben de EU en haar lidstaten ook met het oog op de 24e zitting van de SCCR verdere bijdragen voor deze besprekingen geleverd.

1. en 2. Alle bijdragen van WIPO-leden worden publiek gemaakt zodra zij door het WIPO-secretariaat (http://www.wipo.int/meetings/en/topic.jsp?group_id=62) overeenkomstig de vaste praktijk zijn verzameld en in alle WIPO-werktalen zijn vertaald.

3. De Commissie heeft over deze materie regelmatig contact met de verschillende belanghebbenden en zal in de aanloop naar de SCCR 24-vergadering in juli 2012 met hen allen verdere contacten hebben.

([1]) Ontwerp van Verdrag van de WIPO betreffende uitzonderingen en beperkingen voor personen met een handicap, onderwijs- en onderzoeksinstellingen, bibliotheken en archieven (SCCR/22/12).

([2]) Voorstel inzake beperkingen en uitzonderingen voor bibliotheken en archieven (SCCR/23/5).

(English version)

Question for written answer E-003124/12
to the Commission
Marietje Schaake (ALDE)
(22 March 2012)

Subject: The Commission's position in the WIPO Standing Committee on Copyright and Related Rights

At the conclusion of the 21st session of the World Intellectual Property Organisation (WIPO) Standing Committee on Copyright and Related Rights (SCCR) in November 2010, an agreement was reached to work towards an appropriate international legal instrument for copyright limitations and exceptions for libraries and archives. Texts were proposed by the African Group ([1]), and by Brazil, Ecuador and Uruguay ([2]).

The 23rd session of the SCCR in November 2011 concluded with an agreement to carry out further work on the 'Provisional Working Document containing comments on and textual suggestions towards an appropriate international legal instrument (in whatever form) on exceptions and limitations for Libraries and Archives' (SCCR/23/8 Prov.). This document contains a list of 11 topics relating to libraries and archives: preservation, right of reproduction and safeguarding copies, legal deposit, library lending, parallel importations, cross-border uses, orphan works, retracted and withdrawn works, liability of libraries and archives, technological measures of protection, contracts, and the right to translate works.

Member States had until 29 February 2012 to submit written comments to the WIPO Secretariat for inclusion in the document, which will be discussed at the 24th session of the SCCR in July 2012.

1. Can the Commission publish and clarify its position on the proposals made by the African Group and by Brazil, Ecuador and Uruguay? If not, why not?

2. Where can the Commission's submission for Provisional Working Document SCCR/23/8 Prov. be found? If the EU's submission is confidential, can the Commission clarify why?

3. What consultation has the Commission undertaken with stakeholders to prepare its position on these proposals? If no preparatory meetings took place, why was this?

Answer given by Mr Barnier on behalf of the Commission
(4 June 2012)

The EU and its Member States have participated actively and constructively in the work of the WIPO Standing Committee on Copyright and Related Rights (SCCR) and have provided input on the different topics discussed so far. Interventions in the debate have also taken account of the proposals made by the African countries, by the USA, and by Brazil, Ecuador and Uruguay. Following the 23rd SCCR session, the EU and its Member States made written contributions where needed to the Provisional Working Document which was the result of the work at that session. Furthermore, the EU and its Member States have also submitted further contributions to these discussions in view of the 24th session of the SCCR.

1 and 2. All WIPO member contributions will be made public once they are compiled and translated in all WIPO working languages by the WIPO Secretariat (http://www.wipo.int/meetings/en/topic.jsp?group_id=62), in accordance with established practice.

3. The Commission is regularly in contact on this matter with the different stakeholders and will have further contacts with all of them in the run up to SCCR 24 meeting in July 2012.

([1]) Draft WIPO Treaty on Exceptions and Limitations for the Persons with Disabilities, Educational and Research Institutions, Libraries and Archives (SCCR/22/12).

([2]) Proposal on Limitations and Exceptions for Libraries And Archives (SCCR/23/5).

(Version française)

Question avec demande de réponse écrite E-003125/12
à la Commission
Younous Omarjee (GUE/NGL)
(22 mars 2012)

Objet: Les RUP françaises et le programme Natura 2000

Pour bénéficier du programme Natura 2000, les sites concernés doivent respecter la directive 92/43/CEE habitats-faune-flore du 21 mai 1992. Pour s'y conformer, encore faut-il que cette directive puisse être appliquée dans toutes les régions européennes. L'article 2 de la directive précise bien que la directive a pour but de contribuer à assurer la biodiversité par la conservation des habitats naturels sur le territoire européen des États membres où le traité s'applique, et que les particularités régionales et locales sont prises en compte.

Force est pourtant de constater que l'annexe I répertoriant les habitats et les espèces à protéger ne concerne que ceux de l'Europe continentale. Les espèces et types d'habitats des RUP françaises n'y figurent pas. De ce fait, la directive 92/43/CEE est inapplicable dans ces régions. Les sites et espèces prioritaires des RUP françaises ne peuvent donc pas intégrer le programme Natura 2000.

L'annexe I de la directive a été établie sur base du programme européen Corine initié en 1988. Pourquoi ce programme n'a-t-il jamais répertorié les habitats et les espèces des RUP françaises? Quelle disposition justifie que les régions ultrapériphériques françaises en aient été exclues? Pourquoi la classification des sites des régions ultrapériphériques françaises n'a-t-elle toujours pas été réalisée à ce jour? Quand la Commission a-t-elle prévu de répertorier les habitats, les faunes et les flores prioritaires des RUP françaises?

Par ailleurs, la directive 92/43/CEE considère, notamment dans son article 5, que les sites susceptibles d'être désignés comme zones spéciales de conservation sont proposés par les États membres, mais qu'une procédure est prévue pour permettre la désignation dans des cas exceptionnels d'un site non proposé par un État membre, et qu'à cette fin une procédure de concertation entre cet État membre et la Commission est engagée.

La Commission a-t-elle, depuis 1992, effectué des démarches pour demander la classification de certains sites des régions ultrapériphériques françaises? Si de telles démarches n'ont pas été entreprises, la Commission peut-elle justifier pourquoi? Si de telles démarches ont été entreprises, quand, et pourquoi ont-elles échoué?

Réponse donnée par M. Potočnik au nom de la Commission
(30 mai 2012)

L'article 2 de la directive 92/43/CE (directive «Habitats») ([1]) et l'article 1er de la directive 2009/147/CE (directive «Oiseaux») ([2]) prévoient que ces deux directives s'appliquent sur le territoire européen des États membres où le traité s'applique. Toutefois, les régions ultrapériphériques de la France n'entrent pas dans le champ d'application desdites directives et il n'existe pas d'obligation légale de constituer un réseau Natura 2000 dans ces régions.

En conséquence, la Commission n'envisage pas de modifier l'annexe I de la directive «Habitats» pour y faire figurer les habitats et espèces des régions ultrapériphériques de la France, ni d'appliquer les dispositions de l'article 5 de la directive «Habitats» en l'espèce.

([1]) JO L 206 du 22.7.1992, p. 1.
([2]) JO L 20 du 26.1.10, p. 1.

(English version)

Question for written answer E-003125/12
to the Commission
Younous Omarjee (GUE/NGL)
(22 March 2012)

Subject: French outermost regions (ORs) and the Natura 2000 programme

In order to benefit from the Natura 2000 programme, the sites concerned must comply with Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. To achieve compliance, it must also be possible to apply this directive in all European regions. Article 2 of the directive states that the aim of the directive is to contribute towards ensuring bio-diversity through the conservation of natural habitats in the European territory of the Member States to which the Treaty applies and that regional and local requirements shall be taken into account.

However, it must be pointed out that Annex I, which lists the habitats and species that are to be protected, concerns only those within continental Europe. The species and types of habitat found in French ORs are not included. Consequently, Directive 92/43/EEC cannot be applied in these regions. The priority sites and species of the French ORs therefore cannot be integrated into the Natura 2000 programme.

Annex I to the directive was established on the basis of the European Corine programme, launched in 1988. Why did this programme never list the habitats and species of the French ORs? What provision justifies the exclusion of French outermost regions from this programme? Why has the classification of the sites in the French outermost regions still not been completed to this day? When does the Commission plan to list the priority habitats, fauna and flora of the French ORs?

Furthermore, Directive 92/43/EEC, particularly in Article 5 thereof, considers that suitable sites for designation as special conservation areas should be proposed by Member States, but also states that there is a procedure to permit the designation of sites not proposed by a Member State in exceptional cases and that, to this end, a consultation procedure shall take place between this Member State and the Commission.

Has the Commission taken any steps to request the classification of certain sites in French outermost regions since 1992? If such steps have not been taken, could the Commission please explain why not? If such steps have been taken, when did this happen and why have they failed?

Answer given by Mr Potočnik on behalf of the Commission
(30 May 2012)

Article 2 of the Habitats Directive 92/43/EC ([1]) and Article 1 of the Birds Directive 2009/147/EC ([2]) state that both directives apply to the European territory of the Member States to which the Treaty applies. However the Outermost Regions of France fall out of the scope of both Directives and no legal obligation exists to set up a Natura 2000 network in these regions.

Therefore the Commission does not plan to amend Annex I of the Habitats Directive to list the habitats and species of the French Outermost Regions, neither to apply the provisions of Article 5 of the Habitats Directive in this case.

([1]) OJ L 206, 22.7.1992.
([2]) OJ L 20, 26.1.2010.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003127/12
à Comissão
Nuno Teixeira (PPE)
(22 de março de 2012)

Assunto: A reformulação das regras no Espaço Schengen

Tendo em conta que:

— A proposta do Conselho de 23 e 24 de junho do ano transato, após os acontecimentos entre a França e a Itália, quando Roma deu vistos de residência temporários a milhares de refugiados do norte de África que chegavam às costas meridionais italianas, solicita à CE que, «sem comprometer o princípio da livre circulação de pessoas (…)», crie «um mecanismo destinado a reagir a circunstâncias excecionais que ponham em risco o funcionamento global da cooperação Schengen»;

— O Presidente francês Nicolas Sarkozy afirmou que, se «nos próximos 12 meses não houver progressos sérios neste sentido, a França irá suspender a sua participação nos acordos de Schengen, até que as negociações estejam concluídas», referindo-se também à imposição de sanções aos Estados-Membros que não protejam adequadamente as suas fronteiras, semelhantes às sanções aplicadas ao incumprimento das metas orçamentais;

— Nos termos atuais do Código das Fronteiras Schengen, um Estado-Membro pode excecionalmente reintroduzir o controlo de fronteiras internas «em caso de ameaça grave para a ordem pública ou a segurança interna» e tendo em conta o debate no PE sobre o projeto de relatório (2011/0242 (COD)) para o estabelecimento de regras comuns sobre a reintrodução temporária do controlo nas fronteiras internas em circunstâncias excecionais;

Pergunta-se à Comissão:

1. Terão as declarações do Presidente francês tido implicações no diálogo que está a decorrer sobre a alteração ao Regulamento (CE) n.° 562/2006? Estará a imposição de sanções, semelhantes às sanções económicas, a ser equacionada pela CE?

2. Quais as principais dificuldades e pontos em desacordo para a aprovação da alteração quanto ao estabelecimento de regras comuns sobre a reintrodução temporária do controlo nas fronteiras internas em circunstâncias excecionais?

3. Implicitamente, esta ideia de que as fragilidades do espaço Schengen se devem à migração e aos fluxos migratórios anormais, apresentada na Comunicação da CE COM(2011)0560 sobre a Governação Schengen, não criará sentimentos antimigração e o desejo de se regressar a uma Europa fortificada?

Resposta dada por Cecilia Malmström em nome da Comissão
(30 de maio de 2012)

Na sequência do pedido do Conselho Europeu a que o Senhor Deputado faz referência, bem como da resolução adotada pelo Parlamento em julho de 2011, a Comissão adotou propostas em setembro de 2011 para reforçar a governação do espaço Schengen, em especial no que diz respeito ao modo como os Estados-Membros estão a cumprir as suas obrigações em matéria de proteção das fronteiras externas da União, permitindo assim uma rápida resolução dos problemas, se necessário com apoio técnico ou financeiro.

Em circunstâncias excecionais, nos casos em que não for possível solucionar de outro modo falhas graves e persistentes, a Comissão propôs a introdução de um mecanismo de proteção (coordenado a nível da União) que prevê a possibilidade de reintrodução temporária de alguns controlos nas fronteiras internas, a fim de facilitar a resolução dos problemas referidos. O mecanismo não deve ser utilizado unicamente para resolver problemas relacionados com os fluxos migratórios, a menos que tais fluxos ameacem seriamente a segurança interna ou a ordem pública.

As propostas estão a ser objeto de intensas negociações no Parlamento Europeu e no Conselho e, em paralelo, os Estados-Membros estão a apresentar as suas observações sobre os vários aspetos das propostas da Comissão. Neste contexto, a Comissão tomou nota das observações do Presidente francês Nicolas Sarkozy a que o Senhor Deputado se refere. A Comissão recorda que a intenção que esteve na origem da proposta do mecanismo de proteção não é sancionar os Estados-Membros, excluí-los ou suspender a sua participação no espaço Schengen, mas ajudá-los a cumprir as suas obrigações, de molde a salvaguardar os interesses de toda a União.

(English version)

Question for written answer E-003127/12
to the Commission
Nuno Teixeira (PPE)
(22 March 2012)

Subject: Recasting the Schengen Area rules

The Council proposal of 23 and 24 June 2011 called on the European Commission to create a mechanism 'in order to respond to exceptional circumstances putting the overall functioning of Schengen cooperation at risk, without jeopardising the principle of free movement of persons', following the events between France and Italy, when Rome gave temporary residence visas to thousands of refugees from north Africa who arrived on Italy's southern coast.

The French President, Nicolas Sarkozy, said that if there was no serious progress in this area in the next 12 months, France would suspend its participation in the Schengen Agreements until the negotiations had been completed. He also suggested that sanctions be imposed on Member States that did not adequately protect their borders, similar to the sanctions applied for failure to meet budgetary targets.

Under the current terms of the Schengen Borders Code, a Member State may exceptionally reintroduce internal border control 'where there is a serious threat to public policy or internal security'. The European Parliament debate on the draft report (2011/0242 (COD)) on providing for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances should also be taken into account.

1. Have the comments by the French President had an impact on the ongoing discussions on amending Regulation (EC) No 562/2006? Is the imposition of sanctions, similar to economic sanctions, being considered by the Commission?

2. What are the main obstacles and points of disagreement as regards approving the amendment to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances?

3. Is it not likely that this idea that the weaknesses of the Schengen Area arise from abnormal migration and migratory flows, as presented in Commission communication COM(2011) 0560 on Schengen governance, implicitly fuels anti-migration sentiment and the desire to return to a fortress Europe?

Answer given by Ms Malmström on behalf of the Commission
(30 May 2012)

Following the request by the European Council to which the Honourable Member refers, and the resolution adopted by the Parliament in July 2011, the Commission adopted proposals in September 2011 to strengthen the governance of the Schengen area, particularly as to how Member States are fulfilling their obligations regarding the protection of the Union's external borders, thereby enabling problems to be promptly resolved, if necessary with technical or financial support.

In exceptional circumstances, where it is not possible to remedy persistent serious deficiencies in any other way, the Commission has proposed that a safeguard mechanism (coordinated at Union level) should be put in place allowing for the possibility of a temporary reintroduction of some internal border controls in order to facilitate the resolution of these problems. The mechanism should not be resorted to as a means of dealing with migratory flows alone, except insofar as such movements pose a serious threat to internal security or public policy.

The proposals are currently the subject of an intensive negotiation in the European Parliament and in the Council, and Member States are putting forward their views regarding many aspects of the Commission's proposals. In that regard, the Commission has taken note of the comments of the French President Sarkozy to which the Honourable Member refers. The Commission points out that the intention underpinning the proposed safeguard mechanism is not to sanction Member States, or to exclude or suspend them from Schengen membership, but to assist them in complying with their obligations, so that the interests of the whole of the Union can be safeguarded.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-003128/12
alla Commissione
Marco Scurria (PPE)
(22 marzo 2012)

Oggetto: Proprietà dell'euro

Alla precedente interrogazione E-000302/2012 con richiesta di risposta scritta intitolata «Natura giuridica della proprietà dell'euro» con la quale è stato chiesto alla Commissione di chiarire il concetto della proprietà dell'euro, quest'ultima ha risposto citando l'articolo 128 del Trattato sul funzionamento dell'Unione europea che, riporta testualmente: «La Banca Centrale Europea e le banche centrali nazionali possono emettere banconote».

Considerato che la Commissione si è riferita alla sola facoltà di emettere banconote senza specificarne il concetto di proprietà al momento dell'emissione, ma soltanto in seguito con il trasferimento delle banconote stesse e stante che non sempre chi emette è proprietario, può la Commissione precisare se la facoltà di emettere banconote corrisponda alla proprietà delle stesse?

Risposta data da Olli Rehn a nome della Commissione
(24 aprile 2012)

L'articolo 128 del trattato sul funzionamento dell'Unione europea rappresenta la base giuridica per la disciplina dell'emissione di banconote in euro da parte dell'Eurosistema (costituito dalla Banca centrale europea e dalle banche centrali nazionali) e di monete in euro da parte dei singoli Stati membri. In assenza di una normativa armonizzata al livello dell'Unione, la proprietà delle banconote e monete in seguito all'emissione è soggetta alla legge nazionale applicabile nel momento in cui avviene il trasferimento al nuovo detentore. Alcuni paesi ritengono che il legittimo detentore delle banconote e delle monete in euro ne sia anche proprietario, altri considerano il contante in euro come un bene pubblico e limitano di conseguenza i diritti di proprietà del detentore (ad es. il diritto di danneggiare o distruggere deliberatamente il bene).

(English version)

Question for written answer P-003128/12
to the Commission
Marco Scurria (PPE)
(22 March 2012)

Subject: Euro ownership

In its reply to the previous question for written answer E-000302/2012 entitled 'Legal nature of euro ownership', in which the Commission was asked to clarify the concept of ownership of the euro, the Commission responded by citing Article 128 of the Treaty on the Functioning of the European Union which states that: 'The European Central Bank and the national central banks may issue such notes'.

In view of the fact that the Commission has referred only to the right to issue banknotes, without clarifying the concept of property specifically at the time of issue but only after the actual transfer of the banknotes themselves, and given that not everyone who issues them actually owns them, can the Commission specify whether the right to issue banknotes equates to ownership of the same?

Answer given by Mr Rehn on behalf of the Commission
(24 April 2012)

Article 128 of the Treaty on the Functioning of the European Union is the legal basis governing the issuance of euro banknotes by the Eurosystem (European Central Bank and the national central bank) and euro coins by Member States. In the absence of harmonised rules under EC law, the ownership of the euro banknotes and coins after issuance is governed by the national law applying at the moment of transfer of the banknotes and coins to the new holder. Some countries consider the legitimate holder of euro notes and coins as their owner, while some other consider euro cash as a public good and limit as a consequence the ownership rights of the holder (e.g. prohibition to deliberately damage or destroy it).

(Versión española)

Pregunta con solicitud de respuesta escrita E-003129/12
al Consejo
Willy Meyer (GUE/NGL)
(22 de marzo de 2012)

Asunto: Bloqueo de la prohibición de la entrada en el mercado comunitario de materias primas muy contaminantes para la elaboración de combustibles

El pasado 23 de febrero de 2012 tuvo lugar una reunión en el Consejo Europeo para decidir la imposición de una prohibición definitiva de la entrada en el mercado común de materias primas muy contaminantes para la elaboración de combustibles, tal y como ha solicitado la Comisión Europea.

La decisión de impedir la entrada de estas materias, entre las que se encuentran las arenas bituminosas, de gran impacto contaminante, se postergó debido al bloqueo de una minoría de países que votaron en contra, entre los que se encontraba España.

Los combustibles fabricados a partir de arenas bituminosas producen la emisión de un 23 % más de CO_2 que los combustibles elaborados a partir de petróleo crudo, pues son una de las materias primas más perjudiciales en términos medioambientales para la elaboración de combustibles.

Este bloqueo pone en serio riesgo el objetivo de disminuir en un 6 % las emisiones de CO_2 en la Unión Europea a través de la aplicación de la Directiva europea sobre calidad de los combustibles.

La posición adoptada por el Gobierno español presidido por Mariano Rajoy se debe a su alineamiento con las compañías petroleras y el *lobby* del refinado, anteponiendo así los intereses de esta industria a los objetivos de mejora de la salud pública y lucha contra el cambio climático perseguidos por la Unión Europea.

Muchas ciudades españolas violan flagrante e impunemente la Directiva 2008/50/CE relativa a la calidad del aire y a una atmósfera más limpia en Europa, y la entrada de este tipo de materias primas para combustible conduciría al empeoramiento de esta situación.

¿Piensa el Consejo investigar la continua violación de la Directiva 2008/50/CE y exigir al Gobierno español la adopción de medidas efectivas?

¿Ha informado el Consejo al Gobierno español del daño que la entrada en el mercado comunitario de arenas bituminosas puede causar a la salud y al medio ambiente y de su efecto contraproducente para la lucha contra el cambio climático?

En caso de que continúe el bloqueo en la próxima votación, en junio de 2012, ¿qué medidas piensa tomar el Consejo para que se respete todo el acervo comunitario relativo a la calidad del aire, la salud pública y la lucha contra el cambio climático y la contaminación?

Respuesta
(6 de junio de 2012)

El Consejo desea llamar la atención de Su Señoría sobre el hecho de que, según el artículo 17 del Tratado de la Unión Europea, corresponde a la Unión Europea supervisar la aplicación del Derecho de la Unión bajo el control del Tribunal de Justicia de la Unión Europea.

(English version)

Question for written answer E-003129/12
to the Council
Willy Meyer (GUE/NGL)
(22 March 2012)

Subject: Blocking of the ban on highly polluting raw materials for the manufacture of fuels entering the Community market

On 23 February 2012, the European Council met to decide whether to impose a permanent ban on highly polluting raw materials for the manufacture of fuels entering the common market, as had been called for by the Commission.

The decision to ban the entry of these materials, including tar sand, which have a major impact in terms of pollution, was postponed because it was blocked by a minority of countries that voted against, including Spain.

Fuels made from tar sand produce 23 % more CO_2 emissions than crude oil-based fuels: tar sand is one of the most environmentally damaging raw materials used to manufacture fuels.

The abovementioned obstructionism seriously jeopardises the objective of reducing CO_2 emissions in the EU by 6 % through the implementation of the European Fuel Quality Directive.

The reason for stance of the Spanish Government, headed by Mariano Rajoy, is that he is choosing to side with the oil companies and the refining lobby, in other words he is placing that industry's interests above the goals being pursued by the EU with a view to improving public health and combating climate change.

Many Spanish cities are — flagrantly and with impunity — violating Directive 2008/50/EC on ambient air quality and cleaner air for Europe. The entry of raw materials of this kind for the manufacture of fuel would exacerbate this situation.

Will the Council investigate the continual violation of Directive 2008/50/EC and insist that the Spanish Government adopt effective measures?

Has the Council informed the Spanish Government of the potential damage to health and the environment entailed in the entry of tar sand onto the Community market may cause and of its counter-productive effect in terms of combating climate change?

If the obstructionism continues when the matter is next put to the vote in June 2012, what measures will the Council take to ensure compliance with the entire *acquis communautaire* relating to air quality, public health and combating climate change and pollution?

Reply
(6 June 2012)

The Council would like to draw the Honourable Member's attention to the fact that, pursuant to Article 17 of the Treaty on European Union, it is the European Commission that oversees the application of Union law under the control of the Court of Justice of the European Union.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003133/12
an die Kommission
Angelika Werthmann (NI)
(22. März 2012)

Betrifft: Landwirtschaft und Umweltschutz in Österreich

Laut Aussagen des österreichischen Außenministeriums ist „Umweltschutz für Österreich immer mehr zu einem vorrangigen gesellschaftlichen und wirtschaftlichen Anliegen geworden". Aus diesem Grund wurden ökologische Kriterien verstärkt.

Im Bereich der Landwirtschaft hat Österreich Grenzwerte für Luftschadstoffe, Chemikalien- und Fluoridemissionen festgesetzt. In Österreich hat der Schutz der Gesundheit der Bevölkerung einen hohen Stellenwert.

Problematisch ist aber weiterhin, dass in die EU und in der Folge nach Österreich viele Lebensmittel importiert werden, bei denen keinerlei derartige Grenzwerte oder befriedigende ökologische Maßnahmen für den Umweltschutz sichergestellt sind.

1. Welche Maßnahmen hat die Kommission ergriffen, um die Bürgerinnen und Bürger vor Nicht-EU-Nahrungsmittelimporten zu schützen, die aufgrund mangelnder heimischer Regelungen gesundheitsschädlich sind?

2. Inwieweit dringt die Kommission zum Beispiel bei Verhandlungen mit Drittländern über EU-Fördermittel darauf, dass dort Umweltschutz und Nahrungsmittelsicherheit die gleiche Bedeutung erlangen wie innerhalb der Union?

Antwort von Herrn Dalli im Namen der Kommission
(29. Mai 2012)

1. Nach Artikel 11 der Verordnung (EG) Nr. 178/2002 ([1]) müssen in die EU eingeführte Lebensmittel die EU-Anforderungen oder von der EU als zumindest gleichwertig anerkannte Bedingungen erfüllen. Die Mitgliedstaaten sind für die Durchsetzung des EU-Lebensmittelrechts verantwortlich und daher verpflichtet, durch amtliche Kontrollen zu überprüfen, dass die Unternehmen den einschlägigen Anforderungen auf allen Produktions-, Verarbeitungs- und Vertriebsstufen gerecht werden. Die amtlichen Kontrollen, mit denen überprüft wird, ob die importierten Lebensmittel die Lebensmittelvorschriften erfüllen, umfassen Dokumenten-, Nämlichkeits- und Warenkontrollen, die an geeigneter Stelle durchzuführen sind. Darüber hinaus müssen bei bestimmten mit hohem Risiko behafteten Waren in speziell hierfür benannten Anlagen bei der Einfuhr in die EU Kontrollen vorgenommen werden. In diesen Fällen kann die Überführung in den freien Verkehr nur bewilligt werden, wenn die Kontrollen zufriedenstellend ausgefallen sind.

Die Kommission überwacht laufend, ob die Mitgliedstaaten ihren Kontrollaufgaben nachkommen, z. B. durch Vor-Ort-Prüfungen des Lebensmittel- und Veterinäramts.

2. Die EU-Sicherheitsanforderungen gelten unabhängig von Abschluss eines Abkommens für alle aus Drittländern eingeführten Produkte. Im Jahr 2013 wird eine Mitteilung ausgearbeitet, die sich mit Aspekten der Umweltfreundlichkeit und der Ressourceneffizienz von nachhaltigen Lebensmitteln beschäftigt.

([1]) ABl. L 31 vom 1.2.2002.

(English version)

Question for written answer E-003133/12
to the Commission
Angelika Werthmann (NI)
(22 March 2012)

Subject: Agriculture and environmental protection in Austria

According to statements by the Austrian Foreign Ministry, environmental protection has increasingly become a primary social and economic concern for Austria. For this reason, environmental criteria have been tightened up.

In agriculture, Austria has set thresholds for air pollutants, as well as chemical and fluoride emissions. Protection of public health is a very high priority in Austria.

However, it continues to be a problem that many foods are imported into the EU, and subsequently into Austria, for which no such thresholds exist and for which there are no satisfactory environmental protection measures.

1. What steps has the Commission taken to protect citizens from non-EU food imports that are harmful due to the lack of domestic regulations?

2. When negotiating with third countries on EU funding, for example, to what extent does the Commission demand that environmental protection and food safety should be given the same significance as within the European Union?

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

1. As regards food imported into the EU, Article 11 of Regulation 178/2002 ([1]) requires that it complies with EU requirements or conditions recognised by the EU to be at least equivalent thereto. Member States are responsible for the enforcement of EU food law and as such are obliged to verify, through official controls, that requirements thereof are fulfilled by operators at all stages of production, processing and distribution. The official controls necessary to verify the compliance of imported food include documentary, identity and physical checks to be carried out at an appropriate place. Moreover, for certain high risk goods, checks must occur upon entry into the EU in facilities designated specifically for this purpose. In such cases, release for free circulation can only occur if the results of the checks are satisfactory.

The Commission constantly monitors delivery by the Member States of their control duties, including through on-the-spot audits by its Food and Veterinary Office.

2. EU food safety requirements are fully applied to products imported from third countries regardless of whether an agreement has been concluded. A communication will be prepared in 2013 which will look at the environmental and resource efficiency aspects of sustainable food.

([1]) OJ L 31, 1.2.2002.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003134/12
an die Kommission
Angelika Werthmann (NI)
(22. März 2012)

Betrifft: Bio-Produkte

Bio-Lebensmittel und Bio-Produkte finden sich immer mehr in österreichischen Märkten, und die Umsätze von Biobetrieben steigen kontinuierlich an. Dieses Phänomen ist auf das gestiegene Gesundheitsbewusstsein der österreichischen Bevölkerung zurückzuführen.

Die wirtschaftliche Attraktivität des Bio-Marktes (Bio-Produkte erzielen gemeinhin höhere Preise) hat dazu geführt, dass Händler immer häufiger konventionell angebaute Produkte als „Bio" deklarieren oder mit falschen Bio-Zeichen vermarkten. Derartige Produkte gelangen auch aus Nicht-EU-Staaten in den Binnenmarkt. Deswegen ist es notwendig, die Verbraucher für echte Bio-Produkte und zugelassene Bio-Zeichen zu sensibilisieren. In Österreich beispielsweise werden die Schüler im Rahmen von sogenannten „Bio macht Schule"-Projekten hierüber unterrichtet.

1. Welche Maßnahmen hat die Kommission gegen diese Art der Falschdeklarierung und zum Schutz der Bürger sowie der ehrlichen Produzenten ergriffen?

2. In der Verordnung (EU) Nr. 271/2010 wird das EU-Bio-Logo der Europäischen Union für ökologische/biologische Produkte festgelegt. Inwieweit hat die Kommission die Mitgliedstaaten bei der Umsetzung und Anwendung dieser Verordnung unterstützt?

3. Inwieweit kontrolliert die Kommission die Einhaltung der Vorschrift sowie die ordnungsgemäße Verwendung des in Ziffer 2 genannten Bio-Logos?

Antwort von Herrn Cioloş im Namen der Kommission
(16. Mai 2012)

Zur ersten Frage: Das Kontrollsystem für den ökologischen/biologischen Landbau gewährleistet eine hohe Integrität der ökologischen/biologischen Erzeugnisse, und die Verbraucher haben Vertrauen in Erzeugnisse mit dem EU-Bio-Label. Bei jedem an der Lebensmittelkette ökologischer/biologischer Erzeugnisse beteiligten Unternehmer werden jährlich Inspektionen durchgeführt, bei denen die Einhaltung der in der Verordnung (EG) Nr. 834/2007 ([1]) festgeschriebenen ökologischen/biologischen Vorschriften bescheinigt wird. Es wird festgehalten, für welche Erzeugnisse der Unternehmer als Bio-Erzeuger anerkannt wird. Nur dann darf er das EU-Bio-Label verwenden. In Artikel 23 Absatz 1 der Verordnung (EG) Nr. 834/2007 ist die Verwendung von Bezeichnungen mit Bezug auf die ökologische/biologische Produktion geregelt. Die Mitgliedstaaten treffen die erforderlichen Maßnahmen, um den Missbrauch dieser Bezeichnungen zu verhindern.

Zur zweiten Frage: Unmittelbar nach der Einführung des EU-Bio-Labels führte die Kommission eine Informationskampagne durch, um die Öffentlichkeit für das EU-Bio-Label zu sensibilisieren. Auch auf der Europa-Website für ökologische/biologische Landwirtschaft sind unter „Häufig gestellte Fragen" weitere Informationen über das Bio-Label und die damit verbundene Kennzeichnungspflicht zu finden.

Zur dritten Frage: Die Kommission misst der Überwachung der Einhaltung der Bestimmungen der EU-Verordnung über die ökologische/biologische Produktion durch die Mitgliedstaaten große Bedeutung bei. Dazu gehört auch die ordnungsgemäße Verwendung des EU-Bio-Logos. Das Lebensmittel- und Veterinäramt überprüft die ökologische/biologische Produktion gemäß der Verordnung (EG) Nr. 882/2004 ([2]). Bei diesen Kontrollen wird auch die Verwendung von Bezeichnungen für die ökologische/biologische Produktion geprüft. Außerdem überwacht die Kommission die Beachtung der Vorschriften im Wege besonderer Berichterstattungspflichten der Mitgliedstaaten, die in der horizontalen Verordnung (EG) Nr. 882/2004 und in der Verordnung über den ökologischen/biologischen Landbau festgelegt sind.

([1]) Verordnung (EG) Nr. 834/2007 des Rates vom 28. Juni 2007 über die ökologische/biologische Produktion und die Kennzeichnung von ökologischen/biologischen Erzeugnissen (EWG) Nr. 2092/91 (ABl. L 189 vom 20.7.2007).

([2]) Verordnung (EG) Nr. 882/2004 des Europäischen Parlaments und des Rates vom 29. April 2004 über amtliche Kontrollen zur Überprüfung der Einhaltung des Lebensmittel- und Futtermittelrechts sowie der Bestimmungen über Tiergesundheit und Tierschutz (ABl. L 191 vom 28.5.2004, S. 1).

(English version)

Question for written answer E-003134/12
to the Commission
Angelika Werthmann (NI)
(22 March 2012)

Subject: Organic products

Organic foods and organic products are an increasingly common sight in Austrian markets and the turnover of organic businesses is rising continuously. This phenomenon is attributable to greater health awareness among the Austrian population.

The economic attractiveness of the organic market (organic products generally command higher prices) has led more and more producers to declare conventionally produced goods to be 'organic', or to market them using false organic labelling. Such products also reach the internal market from non-EU Member States. That is why it is necessary to increase consumer awareness of genuine organic products and approved organic labels. In Austria, for example, schoolchildren are taught about the issue in so-called 'Organics in the Classroom' projects.

1. What measures has the Commission put in place to prevent such false declarations and to protect the public and honest producers?

2. Commission Regulation (EU) No 271/2010 defines the EU organic logo for environmentally-friendly/organic products. To what extent has the Commission provided assistance to Member States in implementing and applying this regulation?

3. To what extent does the Commission monitor compliance with the rules and the proper use of the organic logo mentioned in paragraph 2 above?

Answer given by Mr Cioloş on behalf of the Commission
(16 May 2012)

As regards the first question, the control system for organic production ensures high integrity of organic products and consumers trust in products bearing the EU organic logo. Each operator in the organic chain is subject to annual inspection during which compliance with the EU organic rules established by Regulation (EC) No 834/2007 ([1]) is certified. Certificates of inspection attest for which products they are recognised as organic operator. Only then can they use the EU organic logo. Article 23(1) of Regulation (EC) No 834/2007 provides with the rules in the use of terms referring to organic production. Member States shall take the measures and action to prevent fraudulent use of such indications.

As regards the second question, an information campaign to increase the knowledge about the EU organic logo was carried out by the Commission immediately after the EU organic logo was introduced. The Europa organic farming website also contains a section with frequently asked questions on the logo and related compulsory labelling.

As regards the third question, the Commission attaches great importance to the monitoring the Member States' compliance with the provisions of the EU organic regulation, including proper use of the EU organic logo. The Food and Veterinary Office carries out audits on organic production in the Member States under Regulation 882/2004 ([2]). Controls on the use of the terms referring to organic production are part of the audits. Furthermore, the Commission monitors the compliance through specific reporting from the Member States which is required both under the horizontal Regulation 882/2004 and the organic farming regulation.

([1]) Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products (OJ L 189, 20.07.2007).
([2]) Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 191, 28.5.2004, p. 1).

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003135/12
an die Kommission
Angelika Werthmann (NI)
(22. März 2012)

Betrifft: Globaler Waffenhandel

Gemäß dem aktuellen Bericht des schwedischen Friedensforschungsinstitutes SIPRI stieg der weltweite Waffenhandel zwischen 2002 und 2006 um 24 % an. Zu großen Waffenimporteuren zählen zum Beispiel Indien, Pakistan und China.

1. Sind der Kommission Fälle bekannt, in denen EU-Mittel, welche Nicht-Mitgliedstaaten zugeflossen sind, für Waffenkäufe verwendet wurden? Wenn ja, kann sie dazu eine detaillierte Aufstellung liefern?

2. Falls ja, welche Maßnahmen hat die Kommission daraufhin ergriffen?

3. Mit welchen Mitteln stellt die Kommission sicher, dass ein derartiger Missbrauch von EU-Mitteln ausgeschlossen wird?

Antwort von Frau Catherine Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(5. Juni 2012)

Die Regeln für die Verwendung der EU-Entwicklungsgelder verhindern, dass die Mittel von den Empfängerdrittländern direkt für den Kauf von Waffen verwendet werden.

Im EU-Rahmen zur Regelung der Waffenexporte (Gemeinsamer Standpunkt 2008/944/GASP des Rates) wird darauf verwiesen, dass die Waffen einführenden Länder bei der Erfüllung ihrer legitimen Sicherheits- und Verteidigungsbedürfnisse möglichst wenige Arbeitskräfte und wirtschaftliche Ressourcen für die Rüstung einsetzen sollten. Bei der Prüfung der Anträge auf Waffenausfuhrgenehmigungen müssen die EU-Mitgliedstaaten jedwede EU- oder bilaterale Hilfe berücksichtigen, bevor sie darüber entscheiden, ob die Ausfuhr genehmigt wird oder nicht.

(English version)

Question for written answer E-003135/12
to the Commission
Angelika Werthmann (NI)
(22 March 2012)

Subject: Global arms trading

According to the latest report from the Stockholm International Peace Research Institute, the worldwide trade in armaments rose by 24 % between 2002 and 2006. Major arms importers include, for example, India, Pakistan and China.

1. Is the Commission aware of any cases in which EU funding given to non-Member States has been spent on the purchase of arms? If so, can it provide a detailed list?

2. If so, what steps has the Commission taken in response?

3. By what means does the Commission ensure that such an abuse of EU resources is prevented?

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

Rules governing the use of EU development funds prevent their direct use in purchasing arms by the beneficiary third countries.

The EU framework regulating arms exports (Common Position 2008/944/CFSP) refers to the desirability that arms importing countries should meet their legitimate security and defence needs with the least diversion of human and economic resources for armaments. When reviewing arms export applications, EU Member States have to take into account any EU or bilateral aid before making a decision on whether or not the exportation can be authorised.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003136/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(22 Μαρτίου 2012)

Θέμα: Χρήση της πλαστικής σακούλας

Η Επιτροπή είχε θέσει προς διαβούλευση με το έγγραφο IP/11/580 τη χρήση της πλαστικής σακούλας και τους τρόπους περιορισμού της. Δεδομένου ότι κάθε χρόνο καταναλώνονται στην Ευρώπη δισεκατομμύρια πλαστικές σακούλες με καταστροφικά αποτελέσματα για το περιβάλλον και ότι σύμφωνα με τα συμπεράσματα της διαβούλευσης, η πλειοψηφία των συμμετεχόντων τάχθηκε υπέρ της άμεσης λήψης δραστικών μέτρων σε ευρωπαϊκό επίπεδο για τον περιορισμό της χρήσης της, ερωτάται η Επιτροπή:

— Σε τι ενέργειες προτίθεται να προβεί για να προωθηθεί η δραστική μείωση της χρήσης πλαστικής σακούλας; Προς ποια κατεύθυνση προτίθεται να κινηθεί (απαγόρευση χρήσης, φορολόγηση χρήσης, κίνητρα για χρήση εναλλακτικών συσκευασιών); Ποιο είναι το χρονοδιάγραμμα των ενεργειών;

Απάντηση του κ. Potočnik εξ ονόματος της Επιτροπής
(30 Απριλίου 2012)

Η Επιτροπή αξιολογεί επί του παρόντος διάφορες διαθέσιμες επιλογές για να μειωθούν οι περιβαλλοντικές επιπτώσεις της πλαστικής σακούλας. Οι επιλογές που εξετάζονται περιλαμβάνουν οικειοθελή δράση καθώς και κανονιστικά μέτρα. Επειδή η εκτίμηση αυτή είναι σε εξέλιξη, η Επιτροπή δεν μπορεί στο παρόν στάδιο να κάνει νύξη για το χρονοδιάγραμμα ή το περιεχόμενο των πιθανών μελλοντικών μέτρων.

(English version)

Question for written answer E-003136/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(22 March 2012)

Subject: Use of plastic bags

In Document IP/11/580, the Commission consulted the public on ways to reduce the use of plastic bags. Given that one billion plastic bags are used each year in Europe, with catastrophic results for the environment, and that, according to the conclusions of the consultation, the majority of participants supported immediate, drastic action on a European level to reduce their use, will the Commission answer the following:

— What action does it intend to take to achieve a drastic reduction in the use of plastic bags? What line does it intend to take (banning their use, taxing their use, use of alternative packaging)? What is the timetable for these actions?

Answer given by Mr Potočnik on behalf of the Commission
(30 April 2012)

The Commission is currently assessing various options available to reduce the environmental impacts of plastic bags. The options under consideration include voluntary action as well as regulatory measures. As this assessment is ongoing, the Commission cannot indicate at this stage the timetable or content of possible future measures.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003138/12
an die Kommission
Angelika Werthmann (NI)
(22. März 2012)

Betrifft: Freihandelsabkommen zwischen der EU und Lateinamerika

Gewerkschaften, Menschenrechtsorganisationen und andere argumentieren, dass die EU als der stärkere Akteur bei den Freihandelsabkommen zwischen der EU und Lateinamerika Bedingungen auferlegen kann, die ihre eigenen Interessen fördern, indem sie der Gegenseite Vorschriften aufzwingt, die den politischen Handlungsspielraum der betroffenen Länder zur Bestimmung ihrer eigenen Entwicklungsmodelle einschränken.

1. Wie will die Kommission angesichts der beträchtlichen Unterschiede im Hinblick auf den Stand der wirtschaftlichen Entwicklung und den Lebensstandard zwischen Europa und Mittelamerika, Kolumbien und Peru den Grundsatz des „fairen Handels" in Abkommen zwischen der EU und Lateinamerika umsetzen?

2. Angesichts der gegenwärtigen Wirtschafts- und Finanzkrise in Europa muss die EU mehr als je zuvor ihre Rolle und ihre Position auf dem Weltmarkt stärken. Welche Abkommen hat die EU zur Sicherstellung der Versorgung mit Rohstoffen mit Entwicklungsländern in Mittelamerika sowie mit Peru und Kolumbien abgeschlossen?

3. Auf welche Weise unterrichtet die Kommission die europäischen Bürger über die Entwicklung der Handelsverhandlungen zwischen der EU und Lateinamerika?

Antwort von Karel De Gucht im Namen der Kommission
(26. April 2012)

In den Handelsabkommen mit Lateinamerika wurde kein Versuch unternommen, den Begriff „fairen Handel" zu definieren. Diese Abkommen sind einerseits ambitioniert und umfassend sowie andererseits ausgewogen; ferner wird darin den unterschiedlichen Entwicklungsniveaus unserer Partnerländer entsprechend Rechnung getragen. Zugeständnisse wurden unter Berücksichtigung der speziellen Bedürfnisse aller Beteiligten ausgehandelt.

Für einen nachhaltigen Handel mit Rohstoffen einigten sich alle Vertragspartner sowohl im Freihandelsabkommen mit Zentralamerika als auch im Freihandelsabkommen mit Kolumbien und Peru darauf, keine neuen oder bestehenden Ausfuhrsteuern oder -zölle auf unter das Abkommen fallende Waren, z. B. Rohstoffe, zu erheben.

In Anbetracht des Entwicklungsbedarfs unserer Handelspartner wird ihnen in einer speziellen Erklärung im Zusammenhang mit dieser Bestimmung die Möglichkeit geboten, Ausfuhrzölle auf bestimmte Rohstoffe beizubehalten. Spätestens 10 Jahre nach Inkrafttreten des Abkommens wird geprüft, ob diese Maßnahmen weiter aufrecht bleiben sollen.

Während der Verhandlungen informierte die Kommission die Zivilgesellschaft, die Mitgliedstaaten und das Parlament regelmäßig über deren Verlauf. Auch nach Abschluss der Verhandlungen wird dieser Informationsprozess fortgeführt: Auf der Website der Kommission (http://ec.europa.eu/trade/) sind die Texte der Abkommen sowie weitere ausführliche Informationen abrufbar.

(English version)

Question for written answer E-003138/12
to the Commission
Angelika Werthmann (NI)
(22 March 2012)

Subject: Free trade agreements between the EU and Latin America

Trade unions, human rights organisations and others argue that the EU, being the stronger party to free trade agreements between itself and Latin America, can secure conditions beneficial to its own interests by imposing regulations that restrict the scope for countries to define their own development models.

1. Bearing in mind the substantial differences in economies and living standards between Europe and Central America, Colombia and Peru, how does the Commission approach the concept of 'fair trade' in agreements between the EU and Latin America?

2. Taking into account the current economic and financial crisis in Europe, the EU needs more than ever to strengthen its role and position in the global market. What agreements has the EU entered into with developing countries such as those in Central America, Peru and Colombia in order to secure supplies of raw materials?

3. By what means does the Commission inform European citizens about the development of EU-Latin America trade negotiations?

Answer given by Mr De Gucht on behalf of the Commission
(26 April 2012)

While the trade agreements with Latin America do not attempt to provide a definition of 'fair trade', these agreements, while being ambitious and comprehensive, are also balanced and take due account of the different levels of development of our partner countries. Concessions were negotiated taking into account each Party's sensitivities.

To facilitate sustainable trade in raw materials, in both the Free Trade Agreement with Central America and with Colombia and Peru, the Parties agreed not to impose new export taxes or duties, nor to maintain existing ones for products covered by the agreement; this would include on exports of raw materials.

However, taking into account our trade partners' development needs, a specific Declaration related to that provision allows them to maintain export duties on certain raw materials. At the latest, 10 years after the entry into force of the Agreement the need for maintaining such measures will be reviewed.

During the negotiations, the Commission regularly informed civil society, Member States and the Parliament about the discussions. This information process continues after the conclusion of the negotiations. The texts of the Agreements are made public, and extensive information is produced and made available on the Commission's website (http://ec.europa.eu/trade/).

(English version)

Question for written answer E-003139/12
to the Commission
Struan Stevenson (ECR)
(22 March 2012)

Subject: Number of MEPs for Scotland

The Scottish First Minister, Alex Salmond, recently announced that the SNP would be holding a referendum on Scottish independence in October 2014.

It is evident that if the outcome of the vote is 'yes', many negotiations on a wide array of national and international issues will need to take place. The division of Czechoslovakia in 1992, which required 30 treaties and 12 000 legal agreements, has shown that this would not be an easy task.

For instance, the number of MEPs assigned to Scotland as a new EU Member State could potentially differ from the current number.

In the event that Scotland were to become independent in 2014, could the Commission say how many MEPs it would most likely be entitled to? As a relatively small Member State, does the Commission expect that the number of its MEPs would be comparable to that of Malta, Cyprus, or perhaps even Denmark?

Answer given by Mr Barroso on behalf of the Commission
(11 April 2012)

The Commission would refer the Honourable Member to its answer to Written Question E-000395/2012 ([1]).

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003140/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Sergio Paolo Frances Silvestris (PPE)
(22 marzo 2012)

Oggetto: VP/HR — Militari maliani golpisti sospendono la costituzione

I militari maliani golpisti hanno annunciato alla tv di stato di aver preso il potere e di aver sospeso la costituzione. Il loro portavoce, il tenente Amadou Konaré, ha affermato di voler agire per fronteggiare l'incapacità del regime del presidente Amadou Toumani Tourè e ha dichiarato che dal 22 marzo è in vigore il coprifuoco. I militari golpisti dichiarano che il governo non è stato capace di gestire la crisi del nord del Paese, che da gennaio risulta essere in preda ad una ribellione tuareg e alle attività dei gruppi islamici.

Il tenente Konarè ha giustificato il golpe anche con la mancanza di materiale adeguato alla difesa del territorio nazionale e con l'incapacità del potere di lottare contro il terrorismo.

Alla luce dei fatti sopraesposti, si interroga il Vicepresidente/Alto Rappresentante per sapere:

1. se è a conoscenza della situazione e quali misure la delegazione europea in Mali ha intenzione di adottare per ripristinare l'ordine e smantellare il potere militare, nonché per proteggere i cittadini di uno Stato conosciuto da tempo in Africa per essere una delle più stabili democrazie.

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

L'Alta Rappresentante/Vicepresidente Catherine Ashton è pienamente consapevole dell'attuale situazione nel Mali e segue gli avvenimenti con grande preoccupazione. Il giorno successivo al colpo di Stato ha rilasciato una dichiarazione in cui ha condannato quanto avvenuto e ha chiesto di ristabilire l'ordine costituzionale e di tenere quanto prima elezioni democratiche. L'UE sostiene l'impegno delle organizzazioni regionali, della Comunità economica degli Stati dell'Africa occidentale (ECOWAS) e dell'Unione africana per giungere ad una soluzione consensuale che ristabilisca istituzioni elette democraticamente. Per aumentare la pressione sull'amministrazione militare e in aggiunta alle sanzioni dell'ECOWAS sono state adottate rapidamente delle misure cautelative relative alla cooperazione allo sviluppo. L'UE ha accolto favorevolmente l'accordo raggiunto il 6 aprile 2012 per ristabilire istituzioni legittime e, nella speranza che le elezioni abbiano luogo il prima possibile, resta in stretto contatto con l'ECOWAS per discutere sulle modalità di sostegno alla transizione.

L'Unione è inoltre consapevole dell'estrema precarietà della situazione alimentare e per tale motivo ha esortato i paesi vicini e le autorità maliane a garantire libero accesso al nord del paese agli operatori umanitari e ai rifornimenti, proseguendo l'opera di aiuto umanitario e di sostegno diretto alla popolazione. In termini più generali, l'UE ha inoltre risposto all'emergenza umanitaria nel Sahel (123 milioni di EUR stanziati dalla DG Aiuto umanitario e protezione civile oltre al sostegno del Fondo europeo di sviluppo) e si è occupata del caso specifico dei rifugiati provenienti dal Mali (stanziamento di 9 milioni di EUR).

(English version)

Question for written answer E-003140/12
to the Commission (Vice-President/High Representative)
Sergio Paolo Frances Silvestris (PPE)
(22 March 2012)

Subject: VP/HR — Malian rebel troops suspend the constitution

Malian rebel troops have announced on state television that they have seized power and suspended the constitution. Their spokesperson, Lieutenant Amadou Konaré, confirmed that they wanted to take action to tackle the incompetence of President Amadou Toumani Touré's regime, and declared that a curfew would be in force from 22 March 2012. The rebel troops claim that the government has been incapable of dealing with the crisis in the north of the country, which, since January, has been ravaged by a Tuareg rebellion and the activities of Islamic groups.

Lieutenant Konaré also justified the coup by the lack of adequate resources to defend the country and by the administration's inability to fight terrorism.

In view of the above, could the Vice-President/High Representative state:

1. Whether she is aware of the situation, and what measures the European delegation in Mali intends to take to restore order and dismantle the military administration, as well as to protect the citizens of a state long regarded as one of the most stable democracies in Africa?

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

The HR/VP is well aware of the current situation in Mali and follows it with great concern. The day following the coup d'état, she made a declaration condemning the coup and calling for the reestablishment of the constitutional order and the holding of democratic elections as soon as possible. The EU position is to support the efforts of regional organisations, the Economic Community of West African States (Ecowas) and African Union, to find an agreed solution to restore democratically elected institutions. In order to put more pressure on the military administration and in addition to Ecowas sanctions, precautionary measures were rapidly taken on development cooperation. The EU has welcomed the agreement found on 6 April 2012 to restore legitimate institutions and hopes the elections will take place as soon as possible. We are in close contact with Ecowas about how to support the transition.

In addition, the EU is aware that the food situation remains extremely fragile. That is why the EU has called on neighbouring countries and authorities in Mali to allow full access for humanitarian workers and supplies to the North while humanitarian and direct aid to the population is maintained. More broadly, the EU also responded to the humanitarian urgency in the Sahel (ECHO EUR 123 million plus EDF support), plus the specific case of the refuges from Mali (EUR 9 million).

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003141/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(22 marzo 2012)

Oggetto: Operazione anti-droga a Brindisi

Utilizzavano nicchie ricavate nei muretti a secco per nascondere la droga che veniva poi spacciata — dopo un'ordinazione fatta rigorosamente per telefono — sempre nelle campagne, lontani da sguardi indiscreti. Ma le sei persone coinvolte, tutte con precedenti penali, sono state scoperte ed arrestate dai carabinieri della Compagnia di Fasano per detenzione e concorso nello spaccio di sostanze stupefacenti, soprattutto hascisc e marijuana.

Gli inquirenti hanno intuito che non si trattava di episodi sporadici e, dopo una serie di intercettazioni ambientali e telefoniche, hanno scoperto che ad Ostuni in particolare, ma anche a Cisternino, Brindisi, Martina Franca e Lecce, c'era una vasta attività di spaccio. Uno degli arrestati — secondo quanto accertato — svolgeva il ruolo di grossista per approvvigionare gli altri spacciatori e, quando questi non erano puntuali nei pagamenti, avrebbe preteso in più occasioni gli interessi sul dovuto.

Alla luce dei fatti sopraesposti, può la Commissione far sapere:

1. se è a conoscenza dell'operazione anti-droga condotta dai carabinieri nel Brindisino,

2. se può fornire un quadro generale, con dati e statistiche, del traffico illecito di stupefacenti negli Stati membri,

3. come intende combattere il fenomeno del traffico di sostanze stupefacenti?

Risposta di Cecilia Malmström a nome della Commissione
(31 maggio 2012)

La Commissione è a conoscenza della brillante operazione condotta dall'Arma dei carabinieri a Brindisi e in altre città.

I dati richiesti sono reperibili nelle varie relazioni pubblicate dall'OEDT, l'Osservatorio europeo delle droghe e delle tossicodipendenze, talvolta insieme all'Europol (cocaina ([1]), anfetamine ([2]) e metamfetamina ([3])) ([4]). Nel 2013, per iniziativa della commissaria Cecilia Malström, le due agenzie, che rientrano sotto la sua responsabilità, pubblicheranno una nuova relazione sulle reti della droga che comprenderà un'approfondita analisi delle varie fasi del commercio di tutte le droghe illegali, dalla produzione al traffico di stupefacenti, un'analisi del mercato e un'indicazione delle probabili future tendenze.

La lotta al traffico degli stupefacenti resta fondamentalmente di competenza degli Stati membri. Nel quadro dell'elaborazione delle politiche dell'UE, per il periodo 2011-2013 il Consiglio ha adottato 8 priorità fondamentali, di cui 4 riguardanti il traffico di droga, che sono in fase di attuazione con il sostegno della Commissione. La Commissione ha attualmente allo studio o ha recentemente proposto altre iniziative fondamentali volte a migliorare il libero flusso e la costante condivisione delle informazioni a tutti i livelli (modello di scambio di informazioni, regolamento Europol), a lottare contro il riciclaggio di denaro (quarta direttiva antiriciclaggio), a combattere la corruzione (pacchetto anticorruzione), a potenziare le competenze investigative nel settore finanziario o ad agevolare il compito delle autorità competenti in materia di confisca (direttiva relativa alla confisca dei proventi di reato). La Commissione prevede inoltre di presentare, nel 2013, una proposta legislativa per la revisione della decisione quadro 2004/757/GAI ([5]) sul traffico di stupefacenti per un più efficace ravvicinamento delle norme sui reati concernenti il traffico di stupefacenti e delle relative sanzioni in tutti i paesi dell'UE.

([1]) http://www.emcdda.europa.eu/publications/joint-publications/cocaine.
([2]) http://www.emcdda.europa.eu/publications/joint-publications/amphetamine.
([3]) http://www.emcdda.europa.eu/publications/joint-publications/methamphetamine.
([4]) http://www.emcdda.europa.eu/publications/annual-report/2011.
([5]) Decisione quadro 2004/757/GAI del Consiglio, del 25 ottobre 2004, riguardante la fissazione di norme minime relative agli elementi costitutivi dei reati e alle sanzioni applicabili in materia di traffico illecito di stupefacenti (GU L 335 dell'11.11.2004, pagg. 8-11).

(English version)

Question for written answer E-003141/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(22 March 2012)

Subject: Anti-drugs operation in Brindisi

They used recesses in dry stone walls to hide the drugs that they then sold somewhere in a rural location, far from prying eyes, following receipt of a strictly telephone-based order. However, the six people involved, who were all previous offenders, were found and arrested by the Carabinieri police department in Fasano for possession and dealing in drugs, in particular hashish and marijuana.

The investigators felt that these were not isolated incidents and, after repeatedly bugging their surroundings and tapping their phones, they discovered that there was a wide dealing network in Ostuni in particular, but also in Cisternino, Brindisi, Martina Franca and Lecce. The police found that one of the people arrested had taken on the role of wholesaler to the other dealers and, when they were not prompt with their payments, interest was often demanded on the amount due.

In view of this, can the Commission state:

1. whether it is aware of the police operation to combat drugs in Brindisi;

2. whether it can provide a scoping paper, with data and statistics, on the illegal trade of drugs in Member States;

3. how it intends to combat the illegal drugs trade?

Answer given by Ms Malmström on behalf of the Commission
(31 May 2012)

The Commission is aware of the successful operation led by the Carabinieri in Brindisi and other cities.

The EMCDDA has published various reports, some jointly with Europol (cocaine [1], amphetamine [2] and methamphetamine [3]), were data can be found [4]. In 2013, at the initiative of Commissioner Malmström, these two agencies falling under her responsibility will publish a new line of drug report. This report will comprise an in-depth analysis of all illicit drug trades from production to trafficking, market analysis and possible future trends.

The fight against drug trafficking remains primarily the competence of the Member States. The Council within the EU policy cycle has adopted 8 key priorities for 2011-2013 among which 4 concern drug trafficking. They are being implemented with the support of the Commission. Other key initiatives aiming to improve the free flow and enrichment of information and intelligence (exchange of information model, Europol Regulation), the fight against money laundering (4th anti-money laundering Directive), corruption (anti-corruption corruption package), financial investigation expertise, or confiscation are being developed or have recently been proposed (Directive on confiscation of proceeds of crime) by the Commission. Furthermore, the Commission is planning to present, in 2013, a legislative proposal revising the framework Decision 2004/757/JHA [5] on drug trafficking, to ensure a more effective approximation of rules on drug trafficking offences and sanctions across the EU.

---

[1] http://www.emcdda.europa.eu/publications/joint-publications/cocaine.
[2] http://www.emcdda.europa.eu/publications/joint-publications/amphetamine.
[3] http://www.emcdda.europa.eu/publications/joint-publications/methamphetamine.
[4] http://www.emcdda.europa.eu/publications/annual-report/2011.
[5] Council Framework Decision 2004/757/JHA of 25 October 2004 laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking, OJ L 335, 11.11.2004, pp 8-11.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003142/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(22 marzo 2012)

Oggetto: Autostrade a pannelli solari

Le autostrade europee potrebbero diventare il nuovo paradiso del fotovoltaico grazie ad un brevetto italiano che va a coniugare due vantaggi: energia a costi contenuti e recupero di terreni marginali. Considerato che la sola rete autostradale italiana è lunga più di 6 mila chilometri la potenzialità di questa nuova scoperta sembra essere molto elevata.

In precedenza si erano prospettati problemi di sicurezza in caso di incidenti, ma con questa nuova generazione di fotovoltaico con le cellule a film sottile CGIS (una lega a base di rame — indio — gallo — selenio), tutto cambia. Le celle fotovoltaiche hanno spessore di pochi micron e possono essere stese come una pellicola sui blocchi di cemento armato che separano le carreggiate andando quindi a coprire tutti i guard-rail autostradali.

L'illuminazione, le biglietterie, le casse automatiche dei caselli autostradali e il telepass sarebbero alimentati a energia solare. La società che gestisce l'autostrada potrebbe utilizzare l'energia prodotta per alimentare i pannelli di segnalazione di velocità e vendere l'energia in eccesso alla rete elettrica. Il brevetto è del luglio 2011.

Si tratta quindi di una soluzione che andrebbe, da una parte, a tutto ristoro dell'ecosistema, abbattendo al massimo le sostanze inquinanti immesse nell'ambiente e, dall'altra, contribuirebbe ad affrancarci dal petrolio.

Alla luce dei fatti sopraesposti, può la Commissione far sapere se è a conoscenza di tale brevetto e se ritiene che esista una possibilità di estendere la sperimentazione tramite progetti pilota nel bilancio 2013?

Risposta data da Johannes Hahn a nome della Commissione
(15 maggio 2012)

La Commissione non era a conoscenza del brevetto descritto nell'interrogazione dell'onorevole deputato e ritiene che prototipi UE della tecnologia innovativa descritta potrebbero essere supportati dal Programma quadro di ricerca, sviluppo tecnologico e dimostrazione (FP7), nel contesto degli ambiti prioritari identificati nel Piano strategico europeo per le tecnologie energetiche (piano SET).

Informazioni addizionali sono reperibili su:

Il piano SET : ec.europa.eu/energy/technology/set_plan/set_plan_en.htm

Inviti a presentare proposte : ec.europa.eu/energy/grants/index_en.htm

CORDIS : cordis.europa.eu/home_en.html

Nel caso di un eventuale sfruttamento commerciale del brevetto è possibile esplorare le opportunità di finanziamento UE all'indirizzo: cordis.europa.eu/eu-funding-guide/home_en.html.

I Fondi strutturali, gestiti dagli Stati membri, potrebbero offrire a loro volta delle opportunità sulla base delle priorità identificate dai programmi regionali in uno Stato membro o in una regione specifici. L'autorità di gestione del paese o delle regioni in cui il detentore del brevetto prevede di estendere il progetto potrebbe fornire informazioni addizionali.

Altre informazioni sono disponibili all'indirizzo: ec.europa.eu/regional_policy/manage/authority/authority_en.cfm

(English version)

Question for written answer E-003142/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(22 March 2012)

Subject: Solar-power on motorways

European motorways could become a new photovoltaic haven thanks to an Italian patent that amalgamates two advantages: low-cost energy and the recovery of marginal land. Considering that the Italian motorway network alone is more than 6 000 kilometres in length, this new discovery seems to have significant potential.

Previously, there appeared to be safety issues in the event of accidents, but with the new generation of photovoltaic cells with a thin film of CIGS (an alloy made of copper, indium, gallium and selenium), everything changes. Photovoltaic cells only a few micrometres thick can be used stretched out as a film on reinforced concrete blocks that separate the carriageways, thus covering all the motorway crash barriers.

Lighting, ticket machines, automated toll booths and the *telepass* system (automatic motorway toll payment system) could all be run on solar energy. The motorway's management company could also use the energy produced to power speed signage panels and could sell excess energy to the electricity network. The patent dates from July 2011.

Therefore, this is a solution that, on the one hand, relieves pressure on the ecosystem, reducing the pollution emitted into the environment as much as possible and, on the other hand, contributes to alleviating our reliance on oil.

In view of this, can the Commission state whether it is aware of this patent and whether it believes there is the possibility of extending trials of the system by means of pilot projects funded from the 2013 budget?

Answer given by Mr Hahn on behalf of the Commission
(15 May 2012)

The Commission was not aware of the patent described in the Honourable Member's question and believes that EU demonstrators of the described innovative technology could be supported by the framework Programme for Research, Technological Development and Demonstration (FP7), under the priority areas identified in the Strategic Energy Technology Plan (SET-Plan).

Additional information is available on:

The SET-Plan: ec.europa.eu/energy/technology/set_plan/set_plan_en.htm
Calls for proposals: ec.europa.eu/energy/grants/index_en.htm
CORDIS: cordis.europa.eu/home_en.html

In case of potential commercial exploitation of the patent, EU financing possibilities could be explored on: cordis.europa.eu/eu-funding-guide/home_en.html

The Structural Funds, managed by the Member States, could offer opportunities, depending on the priorities identified by the regional programmes in a specific Member State or region. The managing authority of the country or region where the patent holder plans to expand the project could provide additional details.

Further information is available on: ec.europa.eu/regional_policy/manage/authority/authority_en.cfm

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003143/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(22 marzo 2012)

Oggetto: Furti di pannelli solari

I dati sui furti di pannelli solari sono allarmanti: centinaia sono i casi e decine di migliaia i pezzi rubati ogni anno. Il valore degli impianti rubati in Italia si aggira intorno ai 200 milioni di euro.

La fase del cantiere è uno dei maggiori momenti di vulnerabilità. Infatti, dai dati rilevati, il 30 % dei furti avviene proprio nella fase di deposito ed installazione dei pannelli. Un altro aspetto di vulnerabilità è il furto nelle fasi di manutenzione dell'impianto, durante le quali gli impianti di allarme vengono disattivati per consentire l'ingresso e l'attività di chi si occupa della manutenzione.

Si tratta di solito di furti su commissione e i pannelli rubati sono, nella maggioranza dei casi destinati a prendere la strada dei paesi africani (Marocco, Algeria, Tunisia) o dell'est Europa. Ecco allora che gli eco-ladri spediscono i pannelli nei paesi del terzo mondo dove la domanda di energia a basso costo sale a dismisura di anno in anno. Il mercato nero continua così a fare affari d'oro se si considera che un pannello (che in Italia costa intorno ai 700 euro) viene ceduto a 200 euro.

Alla luce dei fatti sopraesposti, può la Commissione far sapere se:

1. sistemi antifurto collegati da una connessione elettrica in filo, telecamere di sorveglianza e centraline dotate di allarmi sonori o, in generale, apparecchiature simili con le quali si cerca di limitare i numerosissimi casi di furti possano beneficiare di finanziamenti del FEASR in modo da cofinanziare la spesa e attenuare il fenomeno;

2. è a conoscenza di dati circa i furti di pannelli fotovoltaici negli Stati membri?

Risposta data da Cecilia Malmström a nome della Commissione
(16 maggio 2012)

Il quadro giuridico della politica di sviluppo rurale prevede tra l'altro la possibilità di sostenere a) l'ammodernamento delle aziende agricole finalizzato a sviluppare progetti energetici o tecnologie agricole relative a fonti di energia rinnovabili su scala adeguata alle esigenze aziendali e b) la diversificazione verso attività non agricole e la creazione e lo sviluppo di microimprese nelle zone rurali. Le azioni finanziate nel quadro di tali misure devono contribuire al conseguimento degli obiettivi di cui all'articolo 4 del regolamento (CE) n. 1698/2005, cioè accrescere la competitività del settore agricolo e forestale e promuovere l'attività economica nelle zone rurali. L'applicabilità di una misura dipende dai programmi di sviluppo rurale che sono stati approvati. In generale, i costi ammissibili devono essere in linea con gli obiettivi del programma, e in particolare con gli obiettivi delle misure, e le norme sull'ammissibilità delle spese sono adottate dalle autorità competenti degli Stati membri, come stabilito dall'articolo 71 del regolamento (CE) n. 1698/2005. In questo contesto, un sostegno specifico per la creazione di sistemi di allarme non è previsto nel quadro della politica di sviluppo rurale.

La Commissione non dispone di informazioni indicanti se i furti sistematici di pannelli solari siano un problema diffuso in altri Stati membri dell'UE.

(English version)

Question for written answer E-003143/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(22 March 2012)

Subject: Theft of solar panels

Statistics on the theft of solar panels are alarming: there are hundreds of cases and tens of thousands of items are stolen each year. The value of the equipment stolen in Italy amounts to approximately EUR 200 million.

The construction stage is one of the most vulnerable moments. Available data show that 30 % of thefts happen precisely at the time of delivery and installation of solar panels. Another vulnerable aspect is theft during the maintenance of equipment, during which alarm systems are deactivated to allow the entry and activity of the people undertaking the maintenance.

Thefts are usually commissioned and the stolen panels are, in the majority of cases, destined to be transported to African countries (Morocco, Algeria and Tunisia) or to Eastern Europe. It is in this way that eco-thieves send the panels to third world countries where the demand for low-cost energy is soaring year by year. Hence, the black market continues to do a roaring trade as a single panel (which in Italy costs around EUR 700) can be sold for EUR 200.

In view of this, can the Commission state whether:

1. alarm systems linked by electric wiring, surveillance cameras and control units equipped with alarms or similar equipment which aims to limit the large number of thefts could benefit from financing from the European Agricultural Fund for Rural Development in order to co-finance the costs and alleviate the phenomenon;

2. it is aware of statistics relating to thefts of photovoltaic panels in Member States?

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

The legal framework of the rural development policy provides among other for the possibility (a) to support the modernisation of agricultural holdings in order to develop energy projects or on farm renewable energy technologies of a scale that meets the needs of the business and (b) the diversification into non-agricultural activities as well as the creation and development of microenterprises in rural areas. The operations supported under those measures shall contribute to the objectives as laid down in Article 4 of Regulation (EC) No 1698/2005 notably the improvement of the competitiveness of agriculture ad forestry and the encouraging of the economic activity in rural areas. The availability of a measure depends on the approved rural development programmes. In general terms, the eligible costs have to be in line with the objectives of the programme and more specifically with the objectives of the measures and are taken by the competent authorities of the Member States, as established by Article 71 of Regulation 1698/2005. In this context, a specific support for the establishment of alarm systems is not foreseen under the rural development policy.

The Commission has no information as to whether the systematic theft of solar panels is a problem in an EU Member state.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003144/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(22 marzo 2012)

Oggetto: Predominio del web nell'informazione

Sembra che nell'ultimo anno l'emorragia di lettori si sia fermata, ma il modo di accedere all'informazione sta cambiando radicalmente. Nessuno vuole più attendere: le notizie più seguite viaggiano sul web o sui canali all news che garantiscono un aggiornamento puntuale e costante.

La carta stampata continua, invece, il proprio declino e ogni mese segna delle perdite. La tendenza preoccupa quanti seguono le curve sui grafici che tratteggiano uno scenario drammatico: ogni dodici mesi si perdono circa cento milioni di euro, un ritmo che si ripete dal 2004 e sarà costante (almeno) per i prossimi tre anni. Non a caso negli ultimi anni molti quotidiani hanno investito importanti risorse nella comunicazione on-line, scelta questa dovuta anche al crollo degli investimenti pubblicitari che sembrano essere cresciuti solo ed esclusivamente nei siti web. Le aziende puntano sempre più sulla risorsa web considerandola come la più fruttuosa rispetto agli altri mezzi di comunicazione.

Alla luce di quanto precede, può dunque la Commissione far sapere:

1. se è in grado di fornire dati, inerenti all'ultimo periodo, circa le percentuali di vendita di quotidiani negli Stati membri;

2. se è a conoscenza di dati circa la pubblicità sul web e, alla luce della direttiva sulle pratiche sleali e la pubblicità su internet (direttiva 2005/29/CE), come intende difendere i consumatori europei dal potenziale aumento di truffe legato al vertiginoso incremento del numero di lettori di giornali sul web?

Risposta data da Neelie Kroes a nome della Commissione
(3 maggio 2012)

Il pluralismo dei media è una delle priorità della Commissione. Gli sviluppi tecnologici, e le perturbazioni che ne conseguono, creano allo stesso tempo problemi e opportunità. La Commissione è al corrente del calo di alcuni mercati della carta stampata e rinvia l'onorevole parlamentare alla *World Association of Newspapers and News publishers* ([1]) che offre un servizio commerciale di informazione, fornendo dati sulla diffusione, ripartiti tra l'altro per paese. Negli Stati membri dell'Unione europea (UE) la percentuale di persone che utilizzano internet per leggere *online* o scaricare quotidiani e riviste è in effetti aumentata ([2]).

La Commissione è altresì al corrente dello sviluppo della pubblicità *online* ([3]). Non è possibile trarre conclusioni sulla correlazione tra la frode *online* e il numero di lettori di giornali *online*, e la Commissione ricorda inoltre che in diversi Stati membri sono in vigore codici di autoregolamentazione sulla pubblicità responsabile. La direttiva 2005/29/CE sulle pratiche commerciali sleali ([4]) vieta agli operatori commerciali di applicare pratiche ingannevoli e aggressive nei confronti dei consumatori. In particolare le relative disposizioni impongono agli operatori commerciali di agire conformemente alle norme di diligenza professionale e di non ingannare i consumatori, ad esempio sulla natura e sulle principali caratteristiche del prodotto offerto in vendita. La direttiva si applica a tutte le pratiche commerciali tra imprese e consumatori, comprese quelle *online*, e autorizza pertanto le autorità nazionali a intervenire con forza quando vengono accertati casi di pubblicità *online* ingannevole nei confronti dei consumatori. I casi transfrontalieri (ossia quando l'operatore *online* si trova in un altro Stato membro dell'UE) che colpiscono gli interessi collettivi dei consumatori possono rientrare anche nell'ambito di applicazione del regolamento (CE) n. 2006/2004 ([5]) sulla cooperazione tra le autorità nazionali responsabili dell'esecuzione della normativa che tutela i consumatori.

([1]) http://www.wan-ifra.org/.
([2]) http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&tableSelection=1&labeling=labels&footnotes=yes&layout=time,geo,cat&language=en&pcode=tin00097&plugin=1.
([3]) Cfr. http://www.iabeurope.eu/knowledge-bank/knowledge-bank/online-advertising-spend.aspx.
([4]) Direttiva 2005/29/CE del Parlamento europeo e del Consiglio, dell'11 maggio 2005, relativa alle pratiche commerciali sleali delle imprese nei confronti dei consumatori nel mercato interno e che modifica la direttiva 84/450/CEE del Consiglio e le direttive 97/7/CE, 98/27/CE e 2002/65/CE del Parlamento europeo e del Consiglio e il regolamento (CE) n. 2006/2004 del Parlamento europeo e del Consiglio («direttiva sulle pratiche commerciali sleali»), GU L 149 dell'11.6.2005, pag. 22.
([5]) Regolamento (CE) n. 2006/2004 del Parlamento europeo e del Consiglio, del 27 ottobre 2004, sulla cooperazione tra le autorità nazionali responsabili dell'esecuzione della normativa che tutela i consumatori («regolamento sulla cooperazione per la tutela dei consumatori»), GU L 364 del 9.12.2004 pag. 1.

(English version)

Question for written answer E-003144/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(22 March 2012)

Subject: Dominance of the Internet as a source of information

The drastic decline in the number of newspaper readers would seem to have been arrested in the last year, but the way in which information is being accessed is changing radically. No one wants to wait anymore: the most popular news broadcasts are now those available on the web or on dedicated news channels that provide constant, real-time updates.

The printed press, however, is continuing to decline and every month more titles close. The figures tell a dramatic and worrying story: the newspaper and magazine sector is losing approximately EUR 100 million each year, a pattern that has been maintained since 2004 and is set to continue for the next three years (at least). It is no coincidence that, in recent years, many newspapers have poured significant resources into online communication, a choice forced on them by the collapse in their advertising revenue, a trend which only websites seem to have been able to buck. Advertising agencies are focusing ever more strongly on the Internet as it produces better results than other media.

1. Can the Commission provide recent circulation figures for daily newspapers across the Member States?

2. Is it aware of the data on Internet advertising and, in view of the directive on unfair commercial practices and Internet advertising (Directive 2005/29/EC), how does it intend to protect European consumers against a potential increase in fraud linked to the dramatic rise in the number of readers of online newspapers?

Answer given by Ms Kroes on behalf of the Commission
(3 May 2012)

Media pluralism is an important priority for the Commission. Technological developments and the disruptions that come with them, bring challenges and opportunities at the same time. The Commission is aware of the declining numbers in some printed press markets and would like to point the Honourable Member to the World Association of Newspapers and News publishers ([1]) which provides a commercial services containing detailed information about circulation, including data by country. In the European Union (EU) Member States, the share of individuals using the Internet for reading and downloading online newspapers or magazines has indeed increased ([2]).

The Commission also is aware of the development of online advertising ([3]). While it might be not possible to comment on a correlation between online fraud and the number of newspaper readers online, the Commission would point out that responsive advertising self-regulation is in place in several Member States. The directive 2005/29/EC on Unfair Commercial Practices ([4]) prevents traders from engaging in misleading and aggressive practices against consumers. In particular its provisions require traders to operate in accordance with professional diligence and not to mislead consumers, for instance, about the nature and the main characteristics of the product offered for sale. The directive applies to all business-to-consumer commercial practices, including online and thus enables national authorities to robustly intervene, whenever cases of misleading online advertising directed at consumers are detected. Cross border cases, where the online operator is located in a different EU Member State, affecting the collective interests of consumers can also be addressed thanks to Regulation 2006/2004 ([5]) on the cooperation between national authorities responsible for the enforcement of consumer protection laws.

([1]) http://www.wan-ifra.org/.
([2]) http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&tableSelection=1&labeling=labels&footnotes=yes&layout=time,geo,cat&language=en&pcode=tin00097&plugin=1.
([3]) A source would be: http://www.iabeurope.eu/knowledge-bank/knowledge-bank/online-advertising-spend.aspx.
([4]) Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive'), OJ L 149, 11.6.2005, p. 22-39.
([5]) Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (the regulation on consumer protection cooperation), OJ L 364, 9.12.2004, p. 1-11.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003145/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(22 marzo 2012)

Oggetto: Programmi per fondi diretti, città di Salerno

Gli enti territoriali, quali Comuni e Province, sono tra i primi possibili beneficiari dei fondi diretti programmati ed erogati da parte delle direzioni generali della Commissione europea. Tra i fondi disponibili ci sono ad esempio quelli concernenti il programma «Cultura», il programma per l'occupazione e la solidarietà sociale Progress, il programma per la cittadinanza «Europa per i cittadini», il programma per l'ambiente Life +, il programma «Gestione dei flussi migratori», quello dedicato alle risorse umane «Investire nelle persone» e tanti altri.

In merito a questo e ad altri programmi disponibili, si chiede alla Commissione di rispondere alle seguenti domande:

1. Ci sono programmi per i quali la città di Salerno ha fatto richiesta?

2. In caso affermativo, quali sono i progetti che hanno avuto accesso a fondi europei e con quali risultati i suddetti programmi sono stati portati a termine?

Risposta data da Janusz Lewandowski a nome della Commissione
(31 maggio 2012)

La città di Salerno non ha richiesto alcun finanziamento diretto all'UE.

Tuttavia, nel quadro del programma «Investire nelle persone» ([1]), la provincia di Salerno ha presentato una domanda per il progetto «Italian Martyoshka». La procedura di selezione è tuttora in corso.

La Commissione osserva che l'onorevole parlamentare è interessato ai finanziamenti concessi direttamente a città italiane nell'ambito di programmi specifici dell'UE da essa gestiti; se lo desidera, la Commissione potrebbe preparare una tabella contenente tali informazioni per le principali città italiane che potrebbero partecipare a detti programmi. La Commissione potrebbe in tal modo razionalizzare il processo di elaborazione delle risposte a ogni singola interrogazione.

([1]) Invito a presentare proposte: "Tutela e promozione dei diritti delle donne e autonomizzazione sociale ed economica delle donne".

(English version)

Question for written answer E-003145/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(22 March 2012)

Subject: Direct funding programmes — City of Salerno

Local government bodies, such as municipalities and provinces, are among the first possible beneficiaries of the direct funding programmed and allocated by the European Commission's Directorates-General. Among the available funds are, for example, those under the 'Culture' programme, the 'Progress' programme for employment and social solidarity, the 'Europe for citizens' programme for citizenship, the 'Life+' programme for the environment, the 'Management of migration flows' programme, the 'Investing in people' programme dedicated to human resources, and many others.

With regard to this and other available programmes, can the Commission answer the following questions:

1. Are there any programmes for which the city of Salerno has applied?

2. If so, which projects were given access to European funds, and what results did these programmes have once they were completed?

Answer given by Mr Lewandowski on behalf of the Commission
(31 May 2012)

The City of Salerno as such has not applied for any direct EU funding.

However, under the programme 'Investing in People' ([1]), the Province of Salerno submitted an application for the project 'Italian Martyoshka'. The selection procedure is still ongoing.

The Commission notes that the Honourable Member is interested in the funding granted directly to Italian cities from specific EU programmes managed by the Commission. Should the Honourable Member so wish, the Commission could prepare a table providing this information for the major Italian cities likely to take part in these programmes. This would help the Commission to rationalise the process needed for the preparation of the reply to each individual question.

([1]) Call for proposals: "Protection and promotion of women's rights and women's social and economic empowerment".

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003147/12
à Comissão
Nuno Teixeira (PPE)
(22 de março de 2012)

Assunto: Financiamento para as PME portuguesas

Tendo em conta que:

— A última avaliação da troika que decorreu em fevereiro de 2012 manifestou a sua preocupação pela falta de crescimento económico e pelos inexistentes apoios atribuídos às pequenas e médias empresas (PME) portuguesas;

— O Vice-presidente da Comissão Europeia realizou uma visita a Portugal entre os dias 13 e 15 de março de 2012, tendo-se reunido com diversas autoridades políticas e económicas com vista a proceder a um breve balanço sobre a implementação do programa de ajustamento definido pela Comissão Europeia, Banco Central Europeu e Fundo Monetário Internacional;

— Olli Rehn referiu que as «autoridades nacionais e internacionais estão à procura de soluções para resolver as dificuldades de acesso ao crédito por parte das PME portuguesas»;

— Salientou ainda que a Comissão Europeia está preocupada com o financiamento das PME em Portugal, sobretudo das empresas exportadoras, pois estas assumem um papel fundamental na recuperação económica do país;

— O Comité Económico e Social de Portugal e várias associações setoriais têm vindo a manifestar uma elevada preocupação pela falta de liquidez da banca com vista a apoiar as PME;

— No Conselho de Ministros de janeiro de 2012, foi referido que alguns Estados-Membros deveriam reestruturar os fundos comunitários ainda não alocados, por forma a apoiarem o investimento produtivo das PME, assim como a criação de riqueza e geração de emprego.

Pergunta-se à Comissão:

1. Quais as iniciativas que a Comissão está a analisar com vista a facilitar o acesso ao crédito por parte das PME portuguesas?

2. Quando se perspetiva que exista uma solução que possa ser utilizada pelas referidas empresas?

3. Considera mais apropriado criar uma solução à escala europeia para as cerca de 23 mil PME existentes ou será preferível proceder à criação de linhas de crédito ajustadas à realidade de cada país?

Resposta dada por Olli Rehn em nome da Comissão
(22 de maio de 2012)

A Comissão Europeia, ao executar o orçamento da UE e, nomeadamente, por intermédio do apoio financeiro dos fundos estruturais ao Quadro de Referência Estratégico Nacional referente a Portugal, e o Banco Europeu de Investimento (BEI) já prestam um apoio significativo às PME portuguesas. Os regimes de incentivo aos investimentos no domínio da I&D, da inovação e da produtividade, por exemplo, que dispõem de um orçamento de 3 000 milhões de euros, têm taxas de autorização superiores a 100 % e são considerados portadores de um elevado valor acrescentado para a economia. No âmbito da «Iniciativa Juventude e PME», proposta pelo Presidente Barroso, está em estudo a possibilidade de dotar estes regimes, nomeadamente os que contribuem para a criação de emprego, com a atribuição de 300 350 milhões de euros complementares.

Citem-se igualmente os instrumentos de engenharia financeira, com um orçamento de 325 milhões de euros, alguns dos quais são extremamente eficazes (por exemplo, «PME Investe»). O efeito de alavanca destes instrumentos é de cerca de 8,5, sendo suportados tanto os investimentos como o capital de exploração. Ainda se encontram disponíveis cerca de 70 milhões de euros, aos quais se poderão somar 30-50 milhões de euros complementares mediante reafetação.

No que respeita ao BEI, estão igualmente em curso debates (também no âmbito da Iniciativa Juventude e PME) entre as autoridades nacionais e o BEI sobre a renegociação de uma verba de 1 050 milhões de euros, de um empréstimo-quadro existente de 1 500 milhões, para financiar as PME que enfrentam dificuldades de co-financiamento de projetos financiados pelo FEDER.

Todas as partes envolvidas estão a envidar o máximo de esforços no sentido de examinar as possibilidades de reorientação e racionalização dos instrumentos disponíveis para visar melhor o financiamento das PME, tendo em conta as circunstâncias económicas específicas de Portugal.

(English version)

Question for written answer E-003147/12
to the Commission
Nuno Teixeira (PPE)
(22 March 2012)

Subject: Financing for Portuguese SMEs

In its most recent assessment in February 2012, the troika expressed concern about the lack of economic growth and the failure to support small and medium-sized enterprises (SMEs) in Portugal.

When he visited Portugal from 13 to 15 March 2012, the Commission Vice-President met various political and economic authorities in order to carry out a brief implementation review of the adjustment programme drawn up by the Commission, the European Central Bank and the International Monetary Fund.

Olli Rehn said that national and international authorities were seeking solutions to the difficulties that Portuguese SMEs were facing in accessing credit.

He added that the Commission was concerned about SME financing in Portugal, especially for exporting companies, which have an essential role to play in the country's economic recovery.

The Portuguese Economic and Social Committee and industry-wide organisations have been voicing alarm over the lack of bank liquidity to support SMEs.

The January 2012 Council meeting made the point that some Member States should restructure Community funds not yet allocated, so as to support productive investment in SMEs, as well as wealth and job creation.

1. What initiatives is the Commission considering to help Portuguese SMEs access credit more easily?

2. When is a workable solution for SMEs likely to be found?

3. Does the Commission think it better to find a Europe-wide solution for the 23 000 or so SMEs, or would it be preferable to create credit lines geared to specific national circumstances?

Answer given by Mr Rehn on behalf of the Commission
(22 May 2012)

The European Commission, in executing the EU budget and notably through Structural Funds financial support to the National Strategic Reference Framework for Portugal, and the European Investment Bank (EIB) are already providing significant support to Portuguese SMEs. For instance, incentive schemes for investments in the field of R & D, innovation, productivity with a budget of EUR 3 billion have commitment rates of above 100 % and are considered to bring a high added value to the economy. In the framework of the 'Youth and SME initiative' proposed by President Barroso, there are furthermore considerations to top up these schemes, especially the ones contributing to job creation, by a further EUR 300-350 million.

There are also financial engineering instruments with a budget of EUR 325 million, some of which (e.g. 'PME Investe') are highly successful. The leverage of these instruments is around 8.5 and both investments and working capital are supported. There are around EUR 70 million still available and they could be topped up by a further EUR 30-50 million via reallocation.

As regards the EIB, discussions are also ongoing (also as part of the Youth and SME initiative) between the national authorities and the EIB regarding the renegotiation of an amount of EUR 1.05 billion of an existing 1.5 billion framework loan to provide finance to SMEs that have difficulties in co-financing ERDF funded projects.

All parties involved are doing a maximum to explore the possibilities of re-orienting and streamlining the available instruments for the sake of better targeting the financing of SMEs, taking into account the specific economic circumstances of Portugal.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-003148/12
adresată Comisiei
Cătălin Sorin Ivan (S&D)
(22 martie 2012)

Subiect: Agenda digitală

Agenda digitală are drept scop principal aducerea de beneficii consumatorilor şi întreprinderilor, prin intermediul conexiunilor la internet ultra-rapide şi aplicaţii interoperabile. Comisia Europeană, printr-o agendă prezentată în mai 2010, îşi propune să ofere acces la internet în bandă largă pentru toţi cetăţenii până în 2013, cu acces la viteze de internet mult mai mari (30 Mbps sau mai mult) pentru toţi până în 2020.

Care sunt statele în care agenda digitală se loveşte de obstacole de implementare?

Cum poate Comisia să ofere impulsul necesar, în condiţiile în care au trecut 2 ani de la adoptarea acestei agende şi unele state nu înregistrează progresele aşteptate?

Răspuns dat de dna Kroes în numele Comisiei
(15 mai 2012)

Până în prezent, numai șase state membre (BE, CY, DK, FR, LU și UK) au realizat o acoperire completă de bandă largă de bază. În țări precum PL, SK și BG, acoperirea rurală continuă să se situeze sub 60%. Absorbția fondurilor structurale rămâne o provocare în special pentru aceste țări, iar Comisia este gata să le ajute să se pregătească pentru o mai bună absorbție de fonduri în noul CFM ([1]). În prezent, nicio țară nu îndeplinește obiectivele privind acoperirea și utilizarea stabilite pentru 2020; cu toate acestea, până acum, cel puțin cinci state membre au atins nivelul de ambiție prevăzut de Comisie în Agenda digitală care invită toate statele membre să elaboreze planuri naționale privind banda largă care să devină operaționale până în 2012. Obstacolele care blochează implementarea Agendei digitale sunt cauzate, în principal, de situația economică actuală dificilă, de absența unei presiuni concurențiale imediate între furnizorii alternativi și de lipsa unor perspective comerciale pe termen scurt, în special în anumite zone geografice. Pentru a promova investițiile, Comisia a adoptat mecanismul Conectarea Europei, care introduce utilizarea instrumentelor financiare cu efect multiplicator ridicat asupra investițiilor și va completa finanțarea națională pentru proiectele NGA ([2]). Comisia a dezvoltat o serie de idei pentru a promova reducerea costurilor, în special modelul privind „introducerea ascendentă" (*bottom-up*) a benzii largi, pe care l-a prezentat părților interesate în cadrul Adunării dedicate Agendei digitale, desfășurate în luna iunie, anul trecut, și examinează în prezent modul optim de a exploata practicile naționale existente (de exemplu, lucrările de geniu civil). Comisia intenționează să sprijine statele membre în eforturile lor de cartografiere a infrastructurilor prezente și viitoare, prin cofinanțarea unui număr de proiecte legate de cartografierea infrastructurilor digitale; de asemenea, Comisia este dispusă să studieze modul în care ar putea fi completate eforturile depuse de statele membre în vederea stimulării cererii.

([1]) Cadrul financiar multianual.
([2]) Acces de nouă generație.

(English version)

Question for written answer E-003148/12
to the Commission
Cătălin Sorin Ivan (S&D)
(22 March 2012)

Subject: Digital Agenda

The Digital Agenda aims primarily to deliver benefits to consumers and businesses through ultra-fast Internet connections and inter-operable applications. The European Commission's blueprint, unveiled in May 2010, aims to provide broadband Internet access for all citizens by 2013, with access to much higher Internet speeds (30 Mbps or above) for all by 2020.

Can the Commission say in which Member States the Digital Agenda has hit implementation obstacles?

How can the Commission provide the necessary impetus, given that two years have passed since the adoption of this agenda and yet some Member States have not made the progress expected?

Answer given by Ms Kroes on behalf of the Commission
(15 May 2012)

At present, only six member states (BE, CY, DK, FR, LU and UK) have already achieved full basic broadband coverage. In countries like PL, SK and BG, rural coverage is still below 60 %. Absorption of structural funds remains a challenge for these countries in particular, and the Commission is ready to help countries concerned to prepare for a better absorption of funds under the new MFF ([1]). None of the countries currently meets the 2020 coverage and take-up targets, however at least five Member States so far met the level of ambition set out by the Commission in the Digital Agenda which calls on all member states to devise and make operational national broadband plans by 2012. The obstacles for implementing the Digital Agenda are mainly due to the current difficult economic situation, the absence of an immediate competitive pressure among alternative providers and the lack of a short term business case in particular for certain geographic areas. In order to promote investment the Commission adopted the Connecting Europe Facility which introduces the use of financial instruments which have a high multiplier investment effect and will be complementary to national funding for NGA ([2]) projects. The Commission has developed a number of ideas to promote lower costs, notably the 'bottom-up broadband' model presented to stakeholders at the Digital Assembly last June and is considering how to best build on existing national practices (e.g. civil works). The Commission plans to support Member States' efforts aiming at mapping of current and future infrastructures by co-financing a number of projects relating to the mapping of digital infrastructures, as well as is willing to look into how Member States' efforts on stimulating demand could be complemented.

([1]) Multiannual Financial Framework.
([2]) New Generation Access.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord P-003150/12
aan de Commissie
Frank Vanhecke (EFD)
(22 maart 2012)

Betreft: Totaal bedrag overbruggingstoelagen

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 3 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 voor enkele maanden werkzaam waren als Europees commissaris niettemin gedurende drie jaren een riante vergoeding bekomen.

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 voorzover 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" bekomen.

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

Antwoord van de heer Šefčovič namens de Commissie
(26 april 2012)

De Commissie beschikt niet over de gegevens van alle leden voor wie 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, de advocaten-generaal en de griffier van het Hof van Justitie en de voorzitter, de leden en de griffier van het Gerecht) van toepassing zijn, aangezien de regelgeving hierrond apart wordt behandeld door elke instelling voor haar respectieve leden.

(English version)

Question for written answer P-003150/12
to the Commission
Frank Vanhecke (EFD)
(22 March 2012)

Subject: Total amount of transitional allowances

According to the current rules, contained in Regulations 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 in question receive a monthly transitional allowance for three years that varies between 40 % and 65 % of the last base salary, depending on the duration of the term of office. This rule means that people who have, for example, only worked for a few months as European Commissioner are still entitled to generous compensation for three years.

Under this rule, should the persons in question take up a new position within three years, the monthly gross salary will be deducted from the transitional allowance insofar as this salary, together with the allowance, exceeds the previous salary. If the salary of the new position, together with the transitional allowance, is lower than the previous salary, the persons in question may receive their new salary *as well as* their 'transitional allowance'.

Can the Commission say how many people have already made use of this rule and what is the total amount of money involved?

Answer given by Mr Šefčovič on behalf of the Commission
(26 April 2012)

The Commission does not have data on all the members covered by Regulations 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 General Court since the regulations are handled separately by each institution for its respective members.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-003151/12
til Kommissionen
Anna Rosbach (ECR)
(22. marts 2012)

Om: EU's mærke for økologi

Mange forbrugere efterspørger økologiske varer af forskellig art, men kendskabet til EU's logo for økologiske varer er meget lavt. Kan Kommissionen i den forbindelse svare på følgende:

1. Er der lavet analyser vedrørende kendskabet til økologimærket i EU eller de enkelte medlemsstater? Hvilke resultater har disse analyser i givet fald givet?

2. Hvor mange midler er der fra EU's side brugt på at markedsføre logoet? Er Kommissionen i besiddelse af analyser, der viser, om markedsføringen af logoet har haft en virkning?

3. Hvor kendt er EU'S økologi-logo sammenlignet med andre mærkningsordner for økologi i de enkelte medlemsstater?

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

I 2009 blev der offentliggjort en Eurobarometer-undersøgelse om europæernes holdninger til spørgsmålet om bæredygtigt forbrug og bæredygtig produktion, herunder miljømærkning, som kan ses på webstedet for EU-miljømærket:

-borgere havde set EU-miljømærket eller havde hørt om det; ca. en femtedel (19 %) sagde, at de også har købt produkter med mærket.

Kendskabet til EU-miljømærket var størst i Litauen, Danmark og Estland (mellem 49 % og 51 %) og mindst i Det Forenede Kongerige, Italien og Sverige (mellem 26 % og 31 %).

Kommissionens budget til at markedsføre EU-miljømærket er meget begrænset. I Det Forenede Kongerige er der for nylig gennemført en mindre oplysningskampagne med et budget på ca. 350 000 EUR, og resultaterne vil foreligge i løbet af de kommende måneder.

I visse medlemsstater (som f.eks. de nordiske lande og Tyskland) er de nationale miljømærkeordninger tilsyneladende bedre kendt end EU's miljømærke.

(English version)

Question for written answer E-003151/12
to the Commission
Anna Rosbach (ECR)
(22 March 2012)

Subject: EU eco-label

There is a demand from many consumers for different types of organic products, but there is very little awareness of the EU's eco-label for organic products. In view of this, can the Commission answer the following:

1. Have any surveys been conducted into the awareness of the eco-label in the EU or the individual Member States? If so, what were the results of these surveys?

2. How much is spent by the EU on marketing the eco-label? Does the Commission have any surveys indicating whether the marketing of the eco-label has had an effect?

3. How well known is the EU's eco-label compared with other eco-labelling schemes in the individual Member States?

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

A Eurobarometer Survey on Europeans' attitudes towards the issue of sustainable consumption and production, including environmental labelling was published in 2009 and is available on the EU Ecolabel website at: http://ec.europa.eu/environment/ecolabel/documents.html

Results of the survey showed that almost 4 in 10 EU citizens had seen the EU Ecolabel, or had heard about it; roughly a fifth (19 %) said they have also bought products bearing the label.

Awareness of the EU Ecolabel was the highest in Lithuania, Denmark and Estonia (between 49 % and 51 %) and the lowest in the UK, Italy and Sweden (between 26 % and 31 %).

The Commission has very limited budget for marketing the EU Ecolabel. A small-scale awareness campaign with a budget of approximately EUR 350 000 has been recently implemented in the UK and results will be available in the following months.

In certain Member States (such as the Nordic countries and Germany) the national ecolabelling schemes appear to be better known than the EU Ecolabel.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-003152/12
til Kommissionen
Anna Rosbach (ECR)
(22. marts 2012)

Om: Markedspotentialet i at være GMO-fri

Mange forbrugere ønsker fødevarer, der er fri for GMO-produkter, og i flere lande brander nogle detailbutikker og fødevareproducenter sig allerede som GMO-fri. Kan Kommissionen i den forbindelse svare på følgende:

1. Hvor stor en del af markedet i EU udgøres af GMO-fri fødevarer?

2. Hvor stort er markedspotentialet for eksport af varer, der fri for GMO og vækstthormoner, til lande, der ikke er medlemmer af den Europæiske Union?

3. Hvor meget mere er forbrugere i eksempelvis USA villige til at betale for varer, der fri for GMO eller vækstthormoner, end for varer, der ikke kan komme med denne garanti?

Svar afgivet på Kommissionens vegne af John Dalli
(11. maj 2012)

Der udvikles »GMO-fri« og lignende mærkningsordninger for fødevarer og foder i en række medlemsstater, men der findes ikke noget præcist overblik over deres markedsandel. Derfor er Det Fælles Forskningscenter ([1]) i færd med at analyse den nuværende situation og den sandsynlige udvikling på markederne for GMO-frie fødevarer og foder i EU og på verdensplan, og forskningscentret forsøger bl.a. at indhente de manglende oplysninger om markedsandele, priser og strukturen på markedet for GMO-fri produkter. I analysen vil der også blive set på forbrugernes vilje til at betale en højere pris for produkter, der er mærket som værende GMO-frie. Det Fælles Forskningscenter vil inden sommeren 2012 tilrettelægge en workshop om emnet, og referatet fra denne vil blive offentliggjort.

Kommissionen undersøger også eksisterende initiativer vedrørende mærkning med »GMO-fri« for at vurdere behovet for lovgivningsmæssig harmonisering. Undersøgelsens resultater skulle blive offentliggjort inden udgangen af 2012.

I 2011 eksporterede EU ca. 3,2 mia. ton svinekøds-, 1,4 mia. ton fjerkræ- og 0,6 mia. ton oksekødsprodukter under overholdelse af EU's forbud mod vækstfremmere. Disse eksporterede produkter sælges ikke nødvendigvis til forbrugerne på bestemmelsesstedet som »hormonfri«.

Kommissionen råder ikke over oplysninger om eventuelle forbrugerprisforskelle på det amerikanske marked mellem kød og kødprodukter, der er produceret uden vækstthormoner, og kød og kødprodukter, der lever op til de amerikanske standardproduktionsregler. Amerikansk kvægkød, der er produceret uden vækstthormoner med henblik på eksport til EU, kan dog opnå en merpris på over 10 % på de amerikanske engrosmarkeder.

([1]) Kommissionens Fælles Forskningscenter.

(English version)

Question for written answer E-003152/12
to the Commission
Anna Rosbach (ECR)
(22 March 2012)

Subject: Market potential of GMO-free status

Many consumers want to buy foodstuffs that are free from GMO products and in several countries, retailers and food producers are already advertising themselves as GMO-free. In view of this, can the Commission answer the following questions:

1. How large a share of the EU market consists of GMO-free foods?

2. How great is the market potential for export of products that are free from GMOs and growth hormones to countries other than European Union Member States?

3. How much more are consumers in, for instance, the United States willing to pay for products with no GMOs or growth hormones than for products that cannot provide that guarantee?

Answer given by Mr Dalli on behalf of the Commission
(11 May 2012)

'GMO-free' and similar labelling schemes for food/feed products are developed in several Member States, but there is no precise overview of their market shares. Therefore the JRC ([1]) is analysing the present situation and likely evolution of the non-GM food/feed markets in the EU and worldwide, and attempting amongst other things to fill the data gap on market shares, price premiums and functioning of the market for GM-free products. This analysis will also consider consumers' willingness to pay an eventual premium for products labelled GM-free. The JRC will organise before summer 2012 a workshop on the topic, the minutes of which will be made publicly available.

The Commission is also studying existing GMO-free labelling initiatives in the EU to assess the need for regulatory harmonisation. The results of the study should be published by end 2012.

The EU exported in 2011 about 3.2 mio tonnes of pig products, 1.4 mio tonnes of poultry and 0.6 mio tonnes of beef products in compliance with the EU ban on growth promoters. These exported products are not necessarily sold to consumer in their destination as 'hormones free'.

The Commission has no data on possible consumer prices differences in the US market between meat/meat products obtained without growth hormones and meat/meat products compliant with US standard production rules. However US cattle meat produced without growth hormones for export to the EU can get a premium price of more than 10 % in US wholesales markets.

([1]) Commission's Joint Research Centre.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-003153/12
til Kommissionen
Jens Rohde (ALDE)
(22. marts 2012)

Om: Jyske Bank's beregninger vedrørende en eventuel skat på finansielle transaktioner

I følge dagbladet Børsen tirsdag den 20. marts 2012 har Jyske Bank sendt beregninger til skattekommissær Algirdas Semeta vedrørende Kommissionens beregninger om en skat på finansielle transaktioner, som ifølge banken viser, at al handel med aktier og obligationer bliver beskattet med 0,2 % i stedet for 0,1 %, da både sælger og køber skal betale skatten.

Samtidig fastslår Jyske Bank, at indførelsen af en skat på finansielle transaktioner vil komme til at koste Jyske Bank op mod 2,4 mia. DKK og føre til 130 procent højere priser for kunder, som vil handle aktier.

Hvornår forventer Kommissionen at have gennemgået Jyske Banks beregninger, og vil Kommissionen oversende disse beregninger til såvel Parlamentet som Rådet, så snart de er færdiggjort?

Såfremt Jyske Banks beregninger viser sig at være korrekte, hvilke konsekvenser vil det få for Kommissionens forslag som fremsat?

Svar afgivet på Kommissionens vegne af Algirdas
(25. maj 2012)

Jyske Bank har udtrykkeligt anmodet om, at Kommissionen behandler bankens beregninger fortroligt. Det ærede parlamentsmedlem vil forstå, at Kommissionen hverken kan videregive eller offentligt kommentere dem. Oplysningerne i brevet vil dog blive vurderet omhyggeligt.

Generelt kan det oplyses, at den hypotese, som Jyske Bank har lagt til grundlag for beregningerne (skatteprocent, behandling af transaktioner foretaget i en anden persons navn, udelukkelse af ikke-finansielle aktører), ikke svarer til skattens udformning i det forslag, Kommissionen har stillet. Kommissionen kan derfor ikke tilslutte sig konklusioner, der er baseret på resultaterne af disse beregninger, for så vidt de er udledt om Kommissionens forslag.

(English version)

Question for written answer E-003153/12
to the Commission
Jens Rohde (ALDE)
(22 March 2012)

Subject: Jyske Bank's calculations concerning a possible financial transaction tax

According to the newspaper *Børsen* on Tuesday 20 March 2012, Jyske Bank sent calculations to taxation Commissioner Algirdas Šemeta in connection with the Commission's calculations concerning a financial transaction tax which, according to the bank, show that all trade in shares and bonds would be taxed at 0.2 % instead of 0.1 %, as both seller and buyer would have to pay the tax.

Jyske Bank also states that the introduction of a financial transaction tax would cost it up to DKK 2.4 billion and lead to 130 % higher prices for customers wishing to trade in shares.

When does the Commission expect to have examined Jyske Bank's calculations, and will it forward them to Parliament and the Council as soon as they have been examined?

If Jyske Bank's calculations prove to be correct, what impact will that have on the Commission's proposal as it stands?

Answer given by Mr Šemeta on behalf of the Commission
(25 May 2012)

Jyske Bank explicitly requested the Commission to treat its contribution confidentially. The Honourable Member will understand that the Commission can neither divulge this information, nor publicly comment on it. However, the information included in the letter will of course be carefully assessed.

On a general point of view, it can be said that the hypotheses according to which Jyske bank made its calculations (rate of the tax, treatment of transactions done in the name of another person, exclusion of non-financial actors), do not correspond to the design of the tax as proposed by the Commission. As a result, the Commission cannot agree to conclusions based on the results of these calculations to the extent that they are drawn in relation to the Commission's proposal.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003154/12
προς την Επιτροπή
Kriton Arsenis (S&D)
(22 Μαρτίου 2012)

Θέμα: Επικίνδυνα χημικά στα παιχνίδια

Έλεγχοι που διεξήχθησαν από την οργάνωση WECF έδειξαν ότι υπάρχουν παιχνίδια στην ΕΕ που περιέχουν υψηλές συγκεντρώσεις επικίνδυνων χημικών, όπως φθαλικές ενώσεις, βαρέα μέταλλα και επιβραδυντές φλόγας. Η έκθεση των παιδιών σε αυτές τις ουσίες ακόμα και σε χαμηλές συγκεντρώσεις μπορεί να οδηγήσει μακροπρόθεσμα σε δυσμενείς επιπτώσεις για την υγεία, καθώς έχουν συνδεθεί επανειλημμένα με ενδοκρινικές, αναπαραγωγικές και αναπτυξιακές διαταραχές, καρκινογενέσεις κ.α. Η νέα οδηγία 2009/48/ΕΚ για την ασφάλεια των παιχνιδιών (TSD) αποτυγχάνει να εκπληρώσει τον σκοπό της. Παρόλο που απαγορεύει τη χρήση στα παιχνίδια των καρκινογόνων, μεταλλαξιογόνων ή τοξικών για την αναπαραγωγή ουσιών (CMR) για κάποιες κατηγορίες αυτών, όπως τα βαρέα μέταλλα, προβλέπει παρεκκλίσεις. Δε γίνεται καμία αναφορά στην TSD για άλλα επικίνδυνα χημικά, όπως οι ορμονικοί διαταράκτες, οι ανθεκτικές, βιοσυσσωρεύσιμες και τοξικές ουσίες (PBT) και οι πολύ ανθεκτικές και πολύ τοξικές ουσίες (vPvT). Τα όρια των χημικών στα παιχνίδια έχουν προέλθει από δεδομένα για ενήλικες και όχι για παιδιά τα οποία και αποτελούν ιδιαίτερα ευάλωτη ομάδα. Τέλος, δεν λαμβάνονται υπόψη κατά τον προσδιορισμό των ορίων η συνεργιστική δράση των χημικών, αλλά και οι επιπτώσεις των «κοκτέιλ». Η Ευρωπαϊκή Επιτροπή πρέπει να απαγορεύσει τη χρήση επιβλαβών χημικών ουσιών στα παιχνίδια, καθώς επίσης και την εισαγωγή στην ΕΕ παιχνιδιών που περιέχουν τέτοιες ουσίες.

Λαμβάνοντας υπόψη τα ανωτέρω, ερωτάται η Επιτροπή:

1. Σκοπεύει να τροποποιήσει την TSD και να απαγορεύσει τη χρήση χωρίς παρεκκλίσεις στα παιχνίδια βαρέων μετάλλων και γενικότερα χημικών ουσιών με CMR, PBT και vPvT ιδιότητες αλλά και αυτών που δρουν ως ορμονικοί διαταράκτες;

2. Μπορεί, με σκοπό την προσαρμογή στις τεχνικές και επιστημονικές εξελίξεις, να επανεξετάσει τις οριακές τιμές των χημικών, αλλά και των ορίων μετανάστευσης των χημικών στα παιχνίδια;

3. Δεδομένου ότι το ένα τέταρτο των προϊόντων που αποσύρονται από το σύστημα RAPEX είναι παιχνίδια και το 30 % αυτών για λόγους που αφορούν επικίνδυνα χημικά, προτίθεται να ενισχύσει τη συνεργασία με κράτη με σημαντικές εξαγωγές παιχνιδιών, όπως η Κίνα, με στόχο την αντιμετώπιση του προβλήματος;

Απάντηση του κ. Tajani εξ ονόματος της Επιτροπής
(21 Μαΐου 2012)

Η ασφάλεια των παιχνιδιών εξασφαλίζεται με την οδηγία 2009/48/ΕΚ ([1]), της οποίας οι απαιτήσεις ασφάλειας είναι από τις αυστηρότερες παγκοσμίως.. Όσον αφορά τις χημικές ουσίες, η οδηγία περιέχει γενική απαγόρευση CMT ουσιών, αυστηρές οριακές τιμές για βαρέα μέταλλα και απαγόρευση αλλεργιογόνων αρωματικών ουσιών. Επιπλέον, η οδηγία επιτρέπει την ταχεία προσαρμογή αυτών των απαιτήσεων στην επιστημονική και τεχνική πρόοδο, όπως στην περίπτωση του καδμίου. Αυτή τη στιγμή βρίσκονται σε εξέλιξη εργασίες για άλλες ουσίες, όπως ο μόλυβδος και το βάριο, κάτι που θα συμβεί και για κάθε άλλη ουσία εφόσον το επιβάλλουν τα επιστημονικά ευρήματα.

Οι ενδοκρινικοί διαταράκτες δεν καλύπτονται από την οδηγία λόγω της έως τώρα σχετικά περιορισμένης διαθέσιμης γνώσης. Ωστόσο, στο πλαίσιο της «Κοινοτικής στρατηγικής για τους Ενδοκρινικούς Διαταράκτες» ([2]), η Επιτροπή εργάζεται για την ανάπτυξη μιας συστηματικής προσέγγισης για τον εντοπισμό και την αξιολόγηση ενδοκρινικών διαταρακτών, που θα μπορεί να αξιοποιηθεί για κανονιστικές ενέργειες σε διάφορους τομείς της νομοθεσίας. Ο κανονισμός REACH ([3]) μπορεί να αξιοποιηθεί, εφόσον κριθεί σκόπιμο, για την αποφυγή της παρουσίας ουσιών ΑΒΤ και αΑαΒ σε παιχνίδια.

([1]) ΕΕ L 170 της 30.6.2009, σ. 1.
([2]) COM(1999)706 τελικό της 17.12.1999.
([3]) ΕΕ L 396 της 30.12.2006, σ. 1.

Η Επιτροπή γνωρίζει τις προκλήσεις που προκύπτουν από παιχνίδια που κατασκευάζονται στην Κίνα. Εδώ και πολλά χρόνια υπάρχει αποτελεσματική συνεργασία με τις κινεζικές αρχές για τη βελτίωση της συμμόρφωσης των κινέζων κατασκευαστών με την ισχύουσα νομοθεσία της ΕΕ. Η συνεργασία αυτή περιλαμβάνει την τακτική ανταλλαγή πληροφοριών σχετικά με τις ισχύουσες απαιτήσεις και τα πρότυπα ασφάλειας μεταξύ ευρωπαίων και κινέζων εμπειρογνωμόνων για την ασφάλεια των προϊόντων, την ανταλλαγή πληροφοριών για μη ασφαλή παιχνίδια κινεζικής προέλευσης που εντοπίζονται στην αγορά της ΕΕ, την οργάνωση στοχευμένων δραστηριοτήτων προβολής για κατασκευαστές στην Κίνα καθώς και την κατάρτιση κινέζων κυβερνητικών υπαλλήλων που απασχολούνται σε ενέργειες προληπτικής εφαρμογής, στο πλαίσιο των υποχρεωτικών ελέγχων εξαγωγών της Κίνας.

(English version)

Question for written answer E-003154/12
to the Commission
Kriton Arsenis (S&D)
(22 March 2012)

Subject: Dangerous chemicals in toys

Inspections carried out by the organisation Women in Europe for a Common Future (WECF) have shown that there are toys in the EU containing high concentrations of dangerous chemicals, such as phthalates, heavy metals and flame retardants. Children's exposure to even low concentrations of these substances can cause long-term negative impacts on health, these substances having been repeatedly linked to endocrinal, reproductive and developmental disorders, carcinogenesis, etc. The new Directive 2009/48/EC on the safety of toys (Toys Safety Directive — TSD) is failing to fulfil its remit. Although the TSD bans the use in toys of carcinogenic, mutagenic and reprotoxic chemicals (CMR), it allows exceptions for some categories of CMR, such as heavy metals. No mention is made in the TSD of other dangerous chemicals such as hormone disruptors, persistent bioaccumulative toxic substances (PBT) and very persistent and very toxic substances (vPvT). The limits on chemicals in toys were based on data for adults and not for children — a particularly vulnerable group. Finally, the cumulative effect of chemicals — the impact of a 'chemical cocktail' — was not taken into account in setting these limits. The European Commission must ban the use of harmful chemical substances in toys, as well as the import of toys containing these substances into the EU.

In view of this:

1. Does the Commission intend to amend the TSD to ban, without exception, the use in toys of heavy metals and chemical substances with CMR, PBT and vPvT characteristics and substances that act as hormone disruptors?

2. Will the Commission, in order to adapt to technical and scientific developments, re-examine the limit values and migration limits of chemicals in toys?

3. Given that a quarter of the products withdrawn from the RAPEX system are toys and that 30 % of these withdrawals are for reasons connected with dangerous chemicals, does the Commission intend to bolster its cooperation with countries that export large quantities of toys, such as China, in order to address this problem?

Answer given by Mr Tajani on behalf of the Commission
(21 May 2012)

The safety of toys is assured by Directive 2009/48/EC ([1]), its safety requirements are among the strictest worldwide. With regard to chemicals, the directive contains a general ban on CMR substances, strict limit values for heavy elements and a ban on allergenic fragrances. The directive further allows to adapt these requirements swiftly to scientific-technical progress, as has been the case for cadmium. Further work is currently ongoing for other substances such as lead and barium, as it will for any other substance if new scientific findings suggest so.

Endocrine disrupters are not covered by the directive, due to the relatively limited amount of knowledge so far available. However as a part of the 'Community Strategy for Endocrine Disrupters' ([2]), the Commission is working on the development of a systematic approach for the identification and assessment of endocrine disruptors, which can be used for regulatory actions across the different pieces of legislation. The REACH Regulation ([3]) can be used, if deemed necessary, to avoid the presence of PBT and vPvB substances in toys.

The Commission is aware of the challenges posed by toys manufactured in China. Effective cooperation has been in place for several years with the Chinese authorities in order to improve Chinese manufacturers' compliance with applicable EU legislation. Such cooperation involves a regular exchange of information about applicable safety requirements and standards between European and Chinese product safety experts, exchange of information on unsafe Chinese origin toys found on the EU market, the organisation of targeted outreach activities for manufacturers in China as well as training of Chinese government officials active in preventive enforcement as part of China's mandatory export controls.

([1]) OJ L 170, 30.6.2009, p. 1.
([2]) COM(1999) 706 final of 17.12.1999.
([3]) OJ L 396, 30.12.2006, p. 1.

(Versão portuguesa)

Pergunta com pedido de resposta escrita P-003156/12
à Comissão
Edite Estrela (S&D)
(23 de março de 2012)

Assunto: Visita do Vice-Presidente da Comissão Europeia a Portugal

Tendo em conta que, em maio de 2011, o governo português assinou um memorando de entendimento (MoU) com a Comissão Europeia, o BCE e o FMI e que, no âmbito da negociação, os representantes daquelas três instituições reuniram igualmente com os partidos da oposição, tendo também estes assinado um compromisso de aceitação e cumprimento do MoU;

Tendo em conta que o MoU não determina a via única das políticas a seguir pelo governo português para alcançar os objetivos fixados ou fazer as reformas necessárias e que o desejável consenso nacional em torno do MoU exige diálogo e negociação sistemáticos com os partidos da oposição e com os parceiros sociais;

Tendo em conta que o Vice-Presidente da Comissão Europeia, Olli Rehn, fez uma visita a Portugal, nos dias 14 e 15 de março de 2012, durante a qual manteve vários encontros com o governo, com os parceiros sociais, bem como com outras personalidades, no sentido de fazer uma avaliação do cumprimento do MoU;

Tendo em conta que o Vice-Presidente Olli Rehn, no âmbito desta visita, não fez qualquer diligência no sentido de integrar no seu programa um encontro com o líder do Partido Socialista, o maior partido da oposição, tendo afirmado, no entanto, a sua satisfação pelo facto de haver um grande consenso em torno da execução do MoU;

— Quais as razões que levaram o Vice-Presidente da Comissão Europeia a não achar importante incluir no programa da visita a Portugal um encontro bilateral com o líder do Partido Socialista, para conhecer a posição do maior partido da oposição relativamente ao cumprimento do MoU, aos problemas do aumento do desemprego e da recessão económica em Portugal?

Resposta dada por Olli Rehn em nome da Comissão
(30 de abril de 2012)

O Vice-Presidente da Comissão responsável pelos Assuntos Económicos e Monetários esteve em Lisboa por um período de 24 horas, tendo tido uma agenda de encontros repleta. Decidiu, por exemplo, iniciar a sua visita por uma reunião com os parceiros sociais (Conselho Económico e Social), incluindo a CGTP. Durante a sessão de duas horas na Assembleia da República, os deputados do Partido Socialista tiveram oportunidade de exprimir os seus pontos de vista sobre questões relacionadas com a execução do memorando de entendimento e de formular as perguntas pertinentes em duas rondas. Os encontros com os parceiros sociais e com os deputados demoraram consideravelmente mais do que os encontros com o Presidente da República e com o Primeiro-Ministro.

A pedido expresso do Vice-Presidente, a sessão na Assembleia da República foi aberta à comunicação social, para que o público pudesse ouvir as intervenções dos deputados e as respostas do Vice-Presidente com total transparência. Nesta sessão, o Vice-Presidente mencionou e louvou várias vezes o amplo consenso político existente em Portugal em relação ao programa de ajustamento económico e financeiro como um fator essencial para o êxito verificado até hoje na sua aplicação.

Globalmente, o programa da visita foi inclusivo, equilibrado e transparente.

(English version)

Question for written answer P-003156/12
to the Commission
Edite Estrela (S&D)
(23 March 2012)

Subject: Visit of the Commission Vice-President to Portugal

In May 2011, the Portuguese Government signed a memorandum of understanding (MoU) with the Commission, the ECB, and the International Monetary Fund. While the negotiations were taking place, the representatives of those three institutions met, in addition, with the opposition parties, which had also signed a pledge to accept and comply with the MoU.

The MoU does not lay down a single approach as regards the policies to be pursued by the Portuguese Government in order to achieve the objectives set or carry out the necessary reforms; the desirable national consensus on the MoU requires systematic dialogue and negotiation with opposition parties and social partners.

When Commission Vice-President Olli Rehn visited Portugal from 14 to 15 March 2012, he had several meetings with the Government, social partners, and other leading figures to assess compliance with the MoU.

During the visit, he made no effort to arrange a meeting with the leader of the Socialist Party, the largest opposition party, although he had already welcomed the fact that there was a broad consensus regarding implementation of the MoU.

— Why did the Commission Vice-President, when he visited Portugal, not think fit to schedule a bilateral meeting with the leader of the Socialist Party in order to find out the views of the largest opposition party on compliance with the MoU and the problems of rising unemployment and economic recession in Portugal?

Answer given by Mr Rehn on behalf of the Commission
(30 April 2012)

The Vice-President of the Commission responsible for Economic and Monetary Affairs was in Lisbon for 24 hours. He had a full meeting agenda during his visit. For instance, the Vice-President decided to start his visit by meeting the social partners (Economic and Social Council), including the CGTP. In the two hour session with the Parliament, the Members of the Socialist Party had the opportunity to express their views on issues related to the implementation of the MoU and ask relevant questions in two rounds. The meetings with the Social Partners and the Members of Parliament lasted significantly longer than those with the President and the Prime Minister.

On the explicit request of the Vice-President, the meeting with the Parliament was open to the press so that the public could listen to the interventions of the Members of Parliament and the Vice-President's replies in full transparency. In this session, the Vice-President mentioned and praised several times the wide political consensus in Portugal behind the Economic and Financial Adjustment Programme as an essential factor for its succesful implementation up to now.

Overall, the agenda of the visit was inclusive, balanced and transparent.

(Versión española)

Pregunta con solicitud de respuesta escrita E-003158/12
a la Comisión
Willy Meyer (GUE/NGL)
(23 de marzo de 2012)

Asunto: Ayuda macrofinanciera a terceros países

Desde su lanzamiento en 1990, la ayuda macrofinanciera se ha usado para conceder ayudas financieras de carácter macroeconómico a terceros países cuya balanza de pagos atraviesa dificultades a corto plazo.

Hasta el momento se han aprobado 55 decisiones de ayuda macrofinanciera a 23 países, lo que supone 7 400 millones de euros en forma de subvenciones o de préstamos.

— ¿Podría la Comisión facilitar los datos relativos a los países a los que se ha concedido esta ayuda financiera desde 1990?

— ¿Podría del mismo modo la Comisión detallar en qué casos han sido subvenciones y en qué casos préstamos?

En los casos en que esta ayuda se presta a terceros países que no son candidatos a formar parte de la UE ni forman parte de la Política Europea de Vecindad, esos países deben cumplir ciertas condiciones, a saber, que estén política, económica y geográficamente próximos a la UE, y que el país receptor disponga de unos mecanismos democráticos efectivos, incluido un sistema parlamentario multipartidista.

— ¿Qué criterios concretos utiliza la Comisión para evaluar a estos países?

— ¿Se basa la Comisión en criterios y evaluaciones propias para comprobar estos requisitos, o utiliza evaluaciones de otros organismos oficiales?

Respuesta del Vicepresidente Rehn en nombre de la Comisión
(6 de junio de 2012)

La Comisión publica informes anuales sobre la ejecución de la ayuda macrofinanciera (AMF) a terceros países ([1]).

Los principios de subvencionabilidad de la ayuda macrofinanciera se establecieron en 1991 y el Consejo de Asuntos Económicos y Financieros los confirmó en octubre de 2002 («criterios de Genval»). La ayuda debe destinarse a países que respeten la democracia y los derechos humanos y mantengan importantes vínculos políticos, económicos y comerciales con la UE. El Consejo acordó que la ayuda macrofinanciera debía reservarse a los países candidatos y candidatos potenciales, a los países europeos de la Comunidad de Estados Independientes y a los países mediterráneos en la Asociación Euromediterránea. Otros terceros países podrían acogerse a la ayuda macrofinanciera en circunstancias excepcionales y justificadas. Desde la ampliación de la política europea de vecindad al Cáucaso meridional, la admisibilidad de Armenia y Georgia a la ayuda macrofinanciera ha dejado de considerarse excepcional. La propuesta reciente de conceder una ayuda macrofinanciera a Kirguistán se considera excepcional.

Al elaborar las propuestas de ayuda macrofinanciera, la Comisión se basa en los criterios de Genval, haciendo hincapié en los derechos humanos y políticos y en las cuestiones económicas. Al gestionar el instrumento, la Comisión trabaja en estrecha colaboración con el Servicio Europeo de Acción Exterior y las delegaciones de la UE sobre el terreno y recurre a investigaciones e información de la Organización para la Seguridad y la Cooperación en Europa o de las misiones de observación electoral de la UE, por ejemplo.

Sobre el desglose entre préstamos y subvenciones, la Comisión tiene en cuenta en sus decisiones el nivel de desarrollo económico y social, así como la sostenibilidad de la deuda y la capacidad de reembolso del país beneficiario.

([1]) http://ec.europa.eu/economy_finance/eu_borrower/macro-financial_assistance/index_en.htm: documento de trabajo de los servicios de la Comisión adjunto al informe de la Comisión sobre la aplicación de la ayuda macrofinanciera a terceros países en 2009: Anexos 1A y 1B.

(English version)

Question for written answer E-003158/12
to the Commission
Willy Meyer (GUE/NGL)
(23 March 2012)

Subject: Macro-financial assistance to non-EU countries

Since its launch in 1990, macro-financial assistance has been used to grant macroeconomic financial aid to non-EU countries experiencing short-term balance of payment difficulties.

So far, 55 macro-financial assistance decisions have been approved for 23 countries, representing EUR 7 400 million in subsidies or loans.

— Could the Commission provide data on the countries that have been granted this financial aid since 1990?

— Could the Commission also give details as to which cases have received subsidies and which loans?

In cases where assistance is given to non-EU countries that are neither candidates for joining the EU nor part of the European Neighbourhood Policy, these countries must meet certain conditions. They must be politically, economically and geographically close to the EU and the recipient country must have effective democratic mechanisms, including a multi-party parliamentary system.

— What specific criteria does the Commission use to assess these countries?

— Does the Commission use its own criteria and assessments to check these requirements, or does it use the assessments by other official bodies?

Answer given by Mr Rehn on behalf of the Commission
(6 June 2012)

The Commission reports yearly on the implementation of Macro-Financial Assistance (MFA) to third countries ([1]).

The MFA eligibility principles were established in 1991 and reiterated by the Economic and Financial Affairs Council in October 2002 ('Genval criteria'). Assistance should go to countries that respect democracy and human rights and have important political, economic and commercial ties with the EU. The Council agreed that MFA should be reserved for candidate and potential candidate countries, for European countries of the Commonwealth of Independent States and for Mediterranean countries in the Euro-Mediterranean partnership. Other third countries may become eligible to MFA in exceptional and justified circumstances. Since the extension of the European Neighbourhood Policy to the Southern Caucasus, the eligibility of Armenia and Georgia to MFA is no longer considered exceptional. The recent proposal to grant MFA to the Kyrgyz Republic is considered exceptional.

In preparing proposals for MFA the Commission bases itself on the Genval criteria, with emphasis on political/human rights and economic issues. In managing the instrument the Commission works closely with the European External Action Service and EU Delegations on the ground, and uses surveys and information from e.g. the Organisation for Security and Cooperation in Europe or EU election observation missions.

On the split between loans and grants, in its decisions the Commission takes into consideration the level of economic and social development and the debt sustainability and repayment capacity of the beneficiary country.

([1]) http://ec.europa.eu/economy_finance/eu_borrower/macro-financial_assistance/index_en.htm: Commission staff working document accompanying the report from the Commission on the implementation of macro-financial Assistance to third Countries in 2009: Annex AA and 1B.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-003159/12
til Kommissionen
Morten Messerschmidt (EFD)
(23. marts 2012)

Om: Schengenkonventionen og grænsekontrol

Formanden for Kommissionen, José Manuel Barroso, har i brev af 9. marts 2012 oplyst til formanden for Dansk Folkeparti, Pia Kjærsgaard, at Kommissionen på det nuværende grundlag ikke vil tage stilling til, hvorvidt politimæssige kontroltiltag i Tyskland ved grænsen til Polen eller andre medlemsstaters tiltag ved grænserne er i strid med Schengenkonventionens krav om fri bevægelighed, men understreger i generelle og noget tågede vendinger betydningen af den frie bevægelighed som en af grundpillerne i EU. Vil kommissionsformanden heller ikke tage stilling til, hvorvidt den danske kontrol ved grænserne var i strid med konventionen, eftersom den nye danske regering afviklede kontrollen, før Kommissionen havde undersøgt denne til bunds?

Det forekommer spørgeren, at Kommissionen forsøger at træde vande i denne sag, og har en interesse i at gøre fortolkningen af Schengenkonventionen så uklar som overhovedet muligt. Dermed overlades det i høj grad til medlemsstaterne at fortolke reglerne efter eget forgodtbefindende, og på den baggrund forekommer Kommissionens lynhurtige angreb på Danmark i forbindelse med indførelsen af toldkontrollen ved den danske grænse i juli 2012 noget overilet i betragtning af den nuværende tavshed og vrangvillige indstilling i forhold til at tage stilling til andre medlemsstaters kontrolforanstaltninger.

Kan Kommissionen derfor oplyse, hvorforden var så hurtigt ude med angreb på Danmark, og hvorfor den i praksis fældede dom over den danske kontrol, inden denne var blevet undersøgt til bunds, og ligeledes præcisere, hvornår der efter Kommissionens opfattelse — idet Kommissionen må forventes at have en klar opfattelse af minimumskravene til overholdelse af konventionen — er tale om en grænsekontrol, der er i strid med Schengenkonventionen? Vil Kommissionen på baggrund af ovennævnte komme med en klar definition?

Svar afgivet på Kommissionens vegne af Cecilia Malmström
(11. maj 2012)

Den daværende danske regerings beslutning i 2011 om at forstærke kontrollen ved den danske grænse fik Kommissionen til at undersøge, om dette var i overensstemmelse med gældende EU-regler. Det blev gjort skriftligt, via samtaler med den danske regering og gennem et besøg ved den danske grænse. Eftersom den nye danske regering besluttede at droppe planerne om forstærket kontrol, var der ikke længere behov for at færdiggøre vurderingen.

Ligeledes er Kommissionen i gang med at undersøge relevante sager i andre medlemsstater. Disse sager omhandler mulige hindringer for trafikken såvel som polititiltag gennemført ved de indre grænser. Eftersom undersøgelserne stadig pågår, kan Kommissionen ikke sige noget om resultaterne af disse.

Artikel 21, litra a) i Schengengrænsekodeksen ([1]) fastsætter kun, hvilke forhold der skal vurderes for at afgøre, om udøvelse af politimæssige beføjelser har samme effekt som grænsekontrol. Det er nødvendigt at vurdere mulige overtrædelser af kodeksen ud fra den enkelte sag, hvor relevant retspraksis også tages i betragtning (i dette tilfælde dommen i Melki-sagen ([2])). Derfor er det ikke muligt at have en generel, universelt anvendelig definition på, hvad der udgør en overtrædelse af EU-retten.

Kommissionen vil fortsat følge op på handlinger, der kan udgøre en overtrædelse af EU-retten.

([1]) Europa-Parlamentets og Rådets forordning (EF) nr. 562/2006 af 15. marts 2006 om indførelse af en fællesskabskodeks for personers grænsepassage (Schengengrænsekodeks).
([2]) EU-Domstolens dom af 22. juni 2010 i sag C-188/10 (Aziz Melki).

(English version)

Question for written answer E-003159/12
to the Commission
Morten Messerschmidt (EFD)
(23 March 2012)

Subject: The Schengen Agreement and border controls

In a letter dated 9 March 2012, Commission President José Manuel Barroso informed the leader of the Danish People's Party, Pia Kjærsgaard, that, as things stood, the Commission would not adopt a position as to the extent to which police controls in Germany, at the border with Poland, or other Member States' controls clashed with the Schengen Agreement requirement for freedom of movement, while stressing, in general and somewhat vague terms, the significance of freedom of movement as one of the pillars of the EU. Will the Commission President also refrain from adopting a position as to the extent to which Danish border controls were contrary to the Agreement, the new Danish Government having dismantled the controls before there had been a thorough investigation by the Commission?

To my mind, the Commission is trying to stonewall in this matter and has an interest in making interpretation of the Schengen Agreement as unclear as possible. That, to a large extent, leaves it up to Member States to interpret the rules as they see fit; and, in view of this, the Commission's immediate attack on Denmark in connection with the introduction of customs checks at the Danish border in July 2011 seems rather hasty, given the current silence and recalcitrance as regards adopting a position on other Member States' controls.

Can the Commission therefore explain why it was so quick to attack Denmark and why it in effect passed judgment on the Danish border controls before taking a thorough look at them, and can the Commission also clarify under what circumstances in its view — as the Commission can be expected to have a clear understanding of the minimum requirements for compliance with the Agreement — border controls contravene the Schengen Agreement? In view of the above, will the Commission provide a clear definition?

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

In 2011, the decision taken by the former Danish government to reinforce control at the Danish internal borders, led the Commission to investigate whether this conformed to the EU *acquis*. This was done through written information, talks with the Danish Government and a visit to the Danish internal borders. As the new Danish government decided to abandon these plans for reinforced control, there was no longer a need to finalise the assessment.

Similarly, the Commission is currently investigating relevant cases in other Member States. These cases include possible obstacles to traffic flow as well as police measures carried out near the internal borders. As the investigations are still ongoing, the Commission can not predict the results.

The Schengen Borders Code's ([1]) Article 21 a) only sets the parameters to assess whether the exercise of police powers has an equivalent effect to border checks. It is necessary to analyse possible infringements on a case by case basis also taking into account the relevant case law (in this case, the judgment in the *Melki* case ([2])). It is thus not possible to have a general definition applicable to all cases, to what would constitute an infringement of the Union law.

The Commission will continue to follow up on actions which may violate the EU *acquis*.

([1]) Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code).
([2]) Judgment from the Court of Justice of the European Union of 22 June 2010 in Case C-188/10 (*Aziz Melki*).

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-003160/12
til Kommissionen
Morten Messerschmidt (EFD)
(23. marts 2012)

Om: Den Europæiske Centralbank og seddelpressen

Som bekendt har ECB gennem den seneste tid som følge af eurokrisen ladet seddelpressen køre for således forsøgsvis at komme ud af problemerne gennem inflation.

Vil Kommissionen oplyse, hvordan denne politik harmonerer med EUF-traktatens artikel 282, stk. 2, hvori det hedder, at »Hovedmålet for ESCB er at fastholde prisstabilitet«?

Svar afgivet på Kommissionens vegne af næstformand Olli Rehn
(2. maj 2012)

Den monetære politik i euroområdet formuleres eksklusivt af ECB, hvis uafhængighed er nedfældet i traktaten. ECB har reageret på eurokrisen ved at træffe forskellige foranstaltninger med henblik på at skabe likviditet på interbankmarkedet og for at sikre, at den pengepolitiske transmissionsmekanisme fortsat har den rette funktion. Selvom disse foranstaltninger har resulteret i en betydelig forhøjelse af eurosystemets balancesum, har den monetære ekspansion indtil videre været dæmpet.

ECBs og Kommissionens inflationsudsigter, som afspejler prognoserne i den private sektor, forventer, at den årlige HICP-inflation ([1]) vil falde til under 2 % inden for det næste år, hvilket er i overensstemmelse med ECBs definition af prisstabilitet på mellemlang sigt. Inflationsforventningerne er også fortsat under kontrol.

([1]) HICP: Det harmoniserede forbrugerprisindeks.

(English version)

Question for written answer E-003160/12
to the Commission
Morten Messerschmidt (EFD)
(23 March 2012)

Subject: The European Central Bank (ECB) and printing money

As we know, the ECB has responded to the euro crisis recently by printing money in an attempt to solve the problems through inflation.

Can the Commission explain how this policy accords with Article 282(2) TFEU, which states that 'The primary objective of the ESCB shall be to maintain price stability'?

Answer given by VP Rehn on behalf of the Commission
(2 May 2012)

Monetary policy in the euro area is in the sole competence of the ECB, whose independence is enshrined in the Treaty. The ECB has responded to the euro crisis by taking various measures in order to provide liquidity in the interbank market and to assure the proper functioning of the monetary policy transmission mechanism. While these measures have significantly increased the balance sheet of the Eurosystem, the underlying pace of monetary expansion has so far been muted.

The inflation outlook of both the ECB and the Commission (and in line with private forecasters) expects annual HICP ([1]) inflation to fall below two percent next year at the latest, in line with the ECB's definition of medium term price stability. Inflation expectations also remain well-anchored.

([1]) Harmonised Index of Consumer Prices.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-003161/12
til Kommissionen
Morten Messerschmidt (EFD)
(23. marts 2012)

Om: 4G-netværk, europæisk vs. amerikansk standard

Det er forespørgerens opfattelse, at et elektronisk produkt, der indføres til EU, skal leve op til alle krav om tilgængelighed på de netværk, der findes inden for EU på indførselstidspunktet. Dette gælder ikke mindst i disse år, hvor de europæiske teleselskaber bruger store summer på at udbygge 4G-netværket. De europæiske forbrugere har derfor en berettiget forventning om, at f.eks. en 4G-iPad indkøbt i Europa også kan udnyttes til fulde på 4G-netværket.

Har Kommissionen mulighed for — og agter den i givet fald at gøre det — at gribe ind over for Apple, efter at det er kommet frem, at den nye iPad 3 4G LTE ikke understøtter det europæiske 4G-netværk, men kun det amerikanske 4G-netværk?

Svar afgivet på Kommissionens vegne af Antonio Tajani
(16. maj 2012)

Artikel 3, stk. 3, litra a), i RTTU-direktivet (direktiv 1999/5/EF om radio- og teleterminaludstyr) giver Kommissionen mulighed for at vedtage beslutninger om, at terminaler fuldt ud skal kunne fungere sammen med de grænseflader, der er tilgængelige i EU.

RTTU-direktivet pålægger fabrikanter, der bringer udstyr som f.eks. mobiltelefoner i omsætning på EU-markedet, at informere brugeren om de grænseflader på de offentlige telenet, hvor udstyret skal kunne tilkobles, om de medlemsstater, hvor udstyret er beregnet til at blive anvendt, og om mulige restriktioner for dets anvendelse. Disse oplysningskrav sætter brugerne i stand til at foretage velovervejede valg mellem de forskellige produkter på markedet, hvilket igen giver fabrikanterne et incitament til at tilbyde terminaler, der giver adgang til offentligt tilgængelige grænseflader i EU.

Kommissionen vil overvåge situationen på markedet for 4G-terminaler og eventuelt overveje yderligere tiltag.

(English version)

Question for written answer E-003161/12
to the Commission
Morten Messerschmidt (EFD)
(23 March 2012)

Subject: 4G networks: European versus US standard

I understand that an electronic product imported into the EU must fulfil all requirements as regards accessibility on the networks available within the EU at the time of import. This will be particularly relevant over the next few years, with European telecom companies spending a great deal of money expanding the 4G network. European consumers are thus entitled to expect that, for instance, a 4G iPad purchased in Europe can be fully utilised on the 4G network.

Has the Commission the option — and does the Commission intend, where necessary, to use it — of interceding with Apple since it has emerged that the new iPad 3 4G LTE does not support the European 4G network, but only the US 4G network?

Answer given by Mr Tajani on behalf of the Commission
(16 May 2012)

Article 3(3)(a) of the R&TTE Directive (Directive 1999/5/EC on Radio Equipment and Telecommunications Terminal Equipment) allows the Commission to adopt decisions requiring terminals to fully interwork with interfaces available in the EU.

The R&TTE Directive requires manufacturers placing on the EU market equipment such as mobile telephones, to inform the user about the interfaces of the public telecommunications networks to which the equipment is intended to be connected, about the Member States in which equipment is intended to be used, and about possible restrictions to its use. These information requirements enable users to make well-informed choices among the different products available in the market, which in turn provides the incentive for manufacturers to offer terminals providing access to public interfaces available in the EU.

The Commission will monitor the situation in the market of 4G terminals and consider possible further action as appropriate.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-003163/12
til Kommissionen
Morten Messerschmidt (EFD)
(23. marts 2012)

Om: Tyrkisk olieudvinding ved Cypern

Finder Kommissionen, at Tyrkiets forsøg på olieudvinding ved Cypern ([1]) er i overensstemmelse med internationale konventioner om behandling af naturressourcer i besatte områder?

Svar afgivet på Kommissionens vegne af Štefan Füle
(11. maj 2012)

Det ærede medlem henvises til Kommissionens svar på tidligere skriftlige forespørgsel E-002407/2012 af Barry Madlener ([2]).

([1]) se http://euobserver.com/1016/115373.
([2]) Questions parlementaires.

(English version)

Question for written answer E-003163/12
to the Commission
Morten Messerschmidt (EFD)
(23 March 2012)

Subject: Oil extraction by Turkey in Cyprus

Does the Commission think that Turkey's oil exploration attempts in Cyprus ([1]) are in accordance with international conventions on the treatment of natural resources in occupied territories?

Answer given by Mr Füle on behalf of the Commission
(11 May 2012)

The Commission would like to refer the Honourable Member to its reply to previous Written Question E-002407/2012 by Mr Madlener ([2]).

([1]) See http://euobserver.com/1016/115373.
([2]) Questions parlementaires.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-003164/12
til Kommissionen
Morten Messerschmidt (EFD)
(23. marts 2012)

Om: Forordning om den europæiske almennyttige fond

Den 8. februar 2012 fremsatte Kommissionen et forslag — KOM(2012)0035/2 — til statut for den europæiske almennyttige fond for at gøre det lettere for sådanne fonde at støtte almennyttige aktiviteter i EU. Hensigten med forslaget er at skabe en fælles europæisk retlig form — den europæiske almennyttige fond — der grundlæggende skal være ens i alle EU lande. Denne nye fond vil blive ligestillet med indenlandske almennyttige fonde, som frivilligt kan vælge at få status som europæisk almennyttig fond.

Dette vil i forhold til Danmark og den allerede eksisterende danske fondslovgivning skabe en række problemer, som Kommissionen derfor bedes forholde sig til.

For det første er det netop de mange fondsejede virksomheder i Danmark, som reelt skaber de fleste arbejdspladser og derved tilfører mest værdi. Europæiseres disse, kan det frygtes, at Danmark taber betydeligt i vækst og beskæftigelse.

For det andet lægges der op til en europæisk standardisering af fondslovgivningen. Dette kan — til trods for, at det at få status som europæisk almennyttig fond siges at være frivilligt — føre til, at den danske lovgivning på området forsvinder helt, da det som med de fleste andre forslag i EU med tiden vil gå sådan, at det fra at være frivilligt vil blive direkte bindende.

Vil Kommissionen derfor redegøre for, hvorledes disse ovenstående problemer vil kunne løses på en sådan måde, at dansk fondslovgivning ikke kommer til at miste sin selvstændighed til EU?

Svar afgivet på Kommissionens vegne af Michel Barnier
(24. maj 2012)

Hovedformålet med forslaget om en statut for den europæiske almennyttige fond er at fjerne de hindringer, som fonde på nuværende tidspunkt støder på, når de opererer på tværs af Unionen. Forslaget er i øjeblikket til behandling i Rådet.

Den foreslåede forordning har til formål at fastsætte specifikke krav, der skal være opfyldt, for at der kan oprettes en europæisk almennyttig fond. En sådan fond bør f.eks. udelukkende fremme almennyttige formål i henhold til en udtømmende liste, der skal indgå i forordningen, have aktiver af en vis minimumsværdi og gennemføre aktiviteter i mindst to medlemsstater eller ifølge deres vedtægter have til hensigt at gøre det. Disse krav vil begrænse antallet og typen af fonde, som vil kunne gøre brug af statutten. Kun de fonde, der har en grænseoverskridende dimension eller har til hensigt at operere på tværs af grænserne, vil kunne søge om at anvende den europæiske statut.

Desuden introducerer forslaget en ny og frivillig europæisk retlig form (den såkaldte 28. ordning), som dog ikke skal erstatte eller ændre eksisterende nationale retlige former.

Brug af statutten vil være frivillig, hvilket betyder, at det vil være op til de nationale fonde at beslutte, om de ønsker at anvende den europæiske statut.

(English version)

Question for written answer E-003164/12
to the Commission
Morten Messerschmidt (EFD)
(23 March 2012)

Subject: Regulation on a European Foundation

On 8 February 2012, the Commission put forward a proposal — COM(2012) 0035/2 — on the statute for a European Foundation so as to make it easier for such foundations to support public-benefit activities in the EU. The aim of the proposal is to create a common European legal form — the European Foundation — which should essentially be the same in all EU Member States. The new foundation will be equivalent to domestic foundations, which may opt for European Foundation status.

In respect of Denmark and existing Danish legislation on foundations, this will create a number of problems which the Commission is therefore asked to consider.

Firstly, it is precisely the many foundation-owned businesses in Denmark that in fact create the most jobs and therefore add the most value. If they are Europeanised, Denmark is likely to lose out significantly in terms of growth and employment.

Secondly, this paves the way for European standardisation of legislation on foundations. Though adoption of European Foundation status is apparently voluntary, this could lead to the complete disappearance of Danish legislation in the area as, in the same way as most other EU proposals, what is voluntary will eventually become directly binding.

Can the Commission therefore say how the above problems can be resolved so that Danish legislation on foundations does not lose its separate status vis-à-vis the EU?

Answer given by Mr Barnier on behalf of the Commission
(24 May 2012)

The main purpose of the proposal for a Statute for a European Foundation is to remove obstacles that foundations currently face when operating across the Union. The proposal is currently being examined by the Council.

The proposed Regulation aims at establishing specific requirements which should be fulfilled in order to set up a European Foundation. Such a foundation should for example promote public benefit purposes only — in accordance with an exhaustive list foreseen in the regulation –; hold a minimum amount of assets and carry out activities in at least two Member States or have the intention of doing so mentioned in its statutes. Those requirements limit the number and type of foundations which will be able to make use of the Statute. Only foundations with a cross-border dimension or intending to operate cross-border would be able to use the European Statute.

Moreover, the proposal would introduce a new and optional European legal form (a so-called 28th regime) which would not replace or change the existing national legal forms.

The use of the Statute would be voluntary, meaning that it would be up to existing national foundations to decide whether they would like to adopt the European statute.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003165/12
προς την Επιτροπή
Marietta Giannakou (PPE) και Georgios Papanikolaou (PPE)
(23 Μαρτίου 2012)

Θέμα: Εμπιστευτική έκθεση την Ευρωπαϊκής Επιτροπής για την κατάσταση στον Έβρο και για την υπηρεσία ασύλου στην Ελλάδα

Σύμφωνα με δημοσιεύματα σε έγκυρα έντυπα μέσα, υπάρχουν αναφορές για εμπιστευτική έκθεση ομάδας εμπειρογνωμόνων της Επιτροπής, όπου αναφέρεται ότι η κατάσταση στον Έβρο όσον αφορά τις παράνομες μεταναστευτικές ροές είναι εκτός ελέγχου. Είναι σε θέση να με ενημερώσει η Επιτροπή για το εάν και κατά πόσον ισχύει κάτι τέτοιο; Πώς αξιολογεί η Επιτροπή την έως τώρα σύσταση και λειτουργία της ελληνικής υπηρεσίας ασύλου; Διαθέτει το απαιτούμενο ανθρώπινο δυναμικό και τα μέσα για να ανταποκριθεί στο έργο που έχει αναλάβει; Μπορεί να με ενημερώσει η Επιτροπή για το ποσό των πόρων από τα ευρωπαϊκά ταμεία για τη μετανάστευση που δόθηκαν στην Ελλάδα για την ομαλή λειτουργία της συγκεκριμένης υπηρεσίας;

Απάντηση της κας Malmström εξ ονόματος της Επιτροπής
(31 Μαΐου 2012)

Η Επιτροπή δεσμεύεται πλήρως να βοηθήσει την Ελλάδα στις προσπάθειές της να διαχειριστεί αποτελεσματικά τα εξωτερικά της σύνορα και να αντιμετωπίσει την υψηλή ροή παράνομων μεταναστών από την Τουρκία.

Προκειμένου να αξιολογήσει την πρόοδο της εφαρμογής του ελληνικού σχεδίου δράσης για τη διαχείριση της μετανάστευσης και τη μεταρρύθμιση του ασύλου, καθώς και για ζητήματα διαχείρισης των συνόρων και επιστροφής, η Επιτροπή διοργάνωσε τεχνική αποστολή στην Ελλάδα μεταξύ 14 και 17 Φεβρουαρίου 2012 η οποία συμπεριλάμβανε επισκέψεις στην περιοχή του Έβρου.

Κατά τη διάρκεια της αποστολής, οι υπηρεσίες της Επιτροπής παρατήρησαν κάποια πρόοδο στη διαχείριση των συνόρων από πλευράς χωρητικότητας των κτηρίων, προσωπικού και τεχνικού εξοπλισμού. Σημειώθηκε επίσης πρόοδος στον τομέα των επιστροφών.

Παράλληλα, μένουν ακόμη να εξεταστούν σχετικά ζητήματα που εμπνέουν ανησυχία, ιδίως η ανθρωπιστική κατάσταση στην περιοχή του Έβρου και η έλλειψη επαρκούς χωρητικότητας υποδοχής, τόσο για τους αιτούντες άσυλο όσο για τους παράνομους μετανάστες που περιμένουν να επιστρέψουν στις χώρες προέλευσής τους.

Η Επιτροπή, συμπεριλαμβανομένης της ειδικής ομάδας της Επιτροπής για την Ελλάδα, συνεργάζεται επίσης στενά με τις ελληνικές αρχές με στόχο να εξασφαλιστεί ότι είναι επαρκώς στελεχωμένα και ικανά να εκπληρώσουν αποτελεσματικά την εντολή τους οι υπηρεσίες για το άσυλο, καθώς και τα κέντρα πρώτης υποδοχής. Η Επιτροπή ενθαρρύνει συνεχώς την Ελλάδα να χρησιμοποιήσει την οικονομική στήριξη της ΕΕ που είναι διαθέσιμη στο πλαίσιο των κονδυλίων του γενικού προγράμματος «Αλληλεγγύη και διαχείριση των μεταναστευτικών ρευμάτων» με στόχο, μεταξύ άλλων, τη στήριξη της δημιουργίας και λειτουργίας των υπηρεσιών αυτών.

Πληροφορίες σχετικά με τα ποσά που χορηγήθηκαν στην Ελλάδα στο πλαίσιο του Ταμείου Εξωτερικών Συνόρων και του Ευρωπαϊκού Ταμείου Επιστροφής δίνονται στην απάντηση της Επιτροπής στην κοινοβουλευτική ερώτηση E-003504/2012 ([1]).

([1]) http://www.europarl.europa.eu/QP-WEB.

(English version)

Question for written answer E-003165/12
to the Commission
Marietta Giannakou (PPE) and Georgios Papanikolaou (PPE)
(23 March 2012)

Subject: Confidential report by the Commission on the situation in Evros and the Greek Asylum Service

According to articles in reputable printed media, a confidential report by a group of Commission experts states that illegal migration in Evros is out of control.

Is the Commission in a position to inform me whether and to what extent this is true?

What is the Commission's assessment of the establishment and operation of the Greek Asylum Service to date? Does it have the human resources and means required to carry out the task it has taken on?

Could the Commission provide information on the amount of resources from European funding for migration allocated to Greece to ensure the proper functioning of this Service?

Answer given by Ms Malmström on behalf of the Commission
(31 May 2012)

The Commission is fully committed to assist Greece in its efforts to efficiently manage its external borders and cope with the high influx of irregular migrants from Turkey.

In order to assess progress in the implementation of the Greek Action Plan on Migration Management and Asylum Reform as well as on Border Management and Return issues, the Commission organised a technical mission to Greece between 14 and 17 February 2012, including visits to the Evros region.

During the mission, the Commission services took note of some progress made on border management, both from the capacity building, staffing and technical equipment point of view. Progress was also noted in the field of returns.

At the same time, issues of concern still need to be addressed, notably the humanitarian situation in the Evros region and the lack of sufficient reception capacity, both for asylum-seekers and irregular migrants awaiting return to their countries of origin.

The Commission, including the Commission Task Force for Greece, is also working closely with the Greek authorities with a view to ensuring that both the Asylum and the Initial Reception Services are adequately staffed and able to fulfil their mandate. The Commission continuously encourages Greece to use the EU financial support available under the funds of the General programme 'Solidarity and Management of Migration Flows' with a view, *inter alia*, to support the setting up and running of these services.

Information on the amounts allocated to Greece under the External Borders Fund and the European Return Fund is provided in the Commission reply to the Parliamentary Question E-003504/2012 ([1]).

([1]) http://www.europarl.europa.eu/QP-WEB.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003168/12
προς την Επιτροπή
Marietta Giannakou (PPE) και Georgios Papanikolaou (PPE)
(23 Μαρτίου 2012)

Θέμα: Θέση της Επιτροπής για την ανέγερση φράχτη στον Έβρο για την αντιμετώπιση των παράνομων μεταναστευτικών ροών

Όπως γνωρίζει η Επιτροπή, η Ελλάδα έχει ήδη αναθέσει σε εταιρία το έργο κατασκευής φράχτη συνολικού μήκους 10 χιλιομέτρων στα χερσαία σύνορα της με την Τουρκία ως ένα μέσο για την αντιμετώπιση των αυξανόμενων παράνομων μεταναστευτικών ροών. Σε αρκετές προγενέστερες τοποθετήσεις της, η Επιτροπή, ωστόσο, καθιστούσε σαφές πως δεν προκρίνει την κατασκευή του φράχτη ως αποτελεσματικό μέσο αντιμετώπισης του προβλήματος και ως εκ τούτου δεν προτίθεται να συνεισφέρει οικονομικά για την κατασκευή του από τα σχετικά ευρωπαϊκά ταμεία. Εντούτοις, πολύ πρόσφατα, ο επικεφαλής του Γραφείου για τη Μετανάστευση και την Ενσωμάτωση στην Γαλλία, Αρνό Κλαρσφέλντ δήλωσε σε τηλεοπτική συνέντευξη ότι η ΕΕ θα πρέπει να κατασκευάσει ένα φράχτη κατά μήκος των ελληνοτουρκικών συνόρων, μήκους 130 χλμ, παρομοιάζοντάς τον μάλιστα με τον υπάρχοντα φράχτη μεταξύ ΗΠΑ και Μεξικό.

Ερωτάται η Επιτροπή:

1. Έχει μεταβάλει τη θέση της σχετικά με την κατασκευή του φράχτη στον Έβρο;

2. Διαπιστώνει αποκλίσεις στην θέση της σε σχέση με την αντίστοιχη του Συμβουλίου για το ζήτημα αυτό;

Απάντηση της κας Malmström εξ ονόματος της Επιτροπής
(18 Ιουνίου 2012)

Η Επιτροπή επιβεβαιώνει τη θέση της ([1]) ότι θεωρεί ότι η κατασκευή ενός τεχνικού φράγματος στα ελληνοτουρκικά σύνορα δεν θα είναι ένα αποτελεσματικό μέτρο για την καταπολέμηση της παράνομης μετανάστευσης και ότι η Ελλάδα θα πρέπει να εστιάσει την προσοχή της σε άλλα πιο αποτελεσματικά μέτρα στα πλαίσια μιας ολοκληρωμένης στρατηγικής για να διασφαλίσει ένα ολοκληρωμένο σύστημα διαχείρισης των συνόρων στο συνολικό μήκος των χερσαίων συνόρων μεταξύ Ελλάδας και Τουρκίας.

Είναι πολιτική της Επιτροπής να μην σχολιάζει δημόσιες δηλώσεις των αρμόδιων για τη χάραξη πολιτικής στα κράτη μέλη.

([1]) Βλέπε τις απαντήσεις της Επιτροπής στις γραπτές ερωτήσεις E-0099/2011, E-9183/2011 και E-1772/2012.

(English version)

Question for written answer E-003168/12
to the Commission
Marietta Giannakou (PPE) and Georgios Papanikolaou (PPE)
(23 March 2012)

Subject: Position of the Commission on the erection of a fence in Evros to prevent illegal immigration

As the Commission is aware, Greece has already assigned a company the task of constructing a fence with a total length of 10 km along its land borders with Turkey as a means of dealing with increased flows of illegal immigration. In many of its previous position statements the Commission has made it clear that it does not — prima facie — judge the erection of a fence to be an effective way of dealing with the problem and so is not inclined to provide EU funding for this purpose. Nevertheless, very recently, the head of the Office for Immigration and Integration in France, Arno Klarsfeld, declared in a television interview that the EU should erect a fence, 130 km in length, along the border between Greece and Turkey, likening it to the existing fence between the United States and Mexico.

Will the Commission answer the following:

1. What is its position on the erection of the fence in Evros?

2. Does it detect any inconsistencies between its own position and that of the Council on this question?

Answer given by Ms Malmström on behalf of the Commission
(18 June 2012)

The Commission confirms its position ([1]) that it considers the construction of a technical barrier at the Greek/Turkish border not to be an effective measure to counter irregular migration and that Greece should focus on other more effective measures within a comprehensive strategy to ensure an integrated border management system for the whole length of the land border between Greece and Turkey.

It is Commission policy not to comment on public statements by policy-makers in the Member States.

([1]) See the Commissions anwers to written questions E-0099/2011; E-9183/2011, and E-1772/2012.