IV

(Informacje)

INFORMACJE INSTYTUCJI, ORGANÓW I JEDNOSTEK ORGANIZACYJNYCH UNII EUROPEJSKIEJ

PARLAMENT EUROPEJSKI

PYTANIA PISEMNE Z ODPOWIEDZIĄ

Pytania pisemne skierowane przez posłów do Parlamentu Europejskiego i odpowiedzi na te pytania udzielone przez instytucję Unii Europejskiej

(2013/C 229 E/01)

Treść **Strona**

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007516/12
alla Commissione
Mara Bizzotto (EFD)
(30 luglio 2012)

Oggetto: Euroregioni e Macroregioni

La dimensione territoriale è uno dei principi fondanti del progetto comunitario declinato nell'agevolazione, sotto diverse forme possibili, di gruppi di lavoro a livello locale, regionale, nazionale e transfrontaliero.

Attualmente si distinguono in Europa forme diverse di collaborazione tra Stati o parti di essi. Tra di esse figurano le Euroregioni e, di più recente introduzione, le Macroregioni, definite strategie atte a migliorare la cooperazione tra Stati confinanti e portatori di interessi comuni.

La Commissione può:

1. Chiarire gli ambiti di azione delle Euroregioni e quelli delle Macroregioni?

2. Illustrare le differenze tra le due entità?

3. Indicare quali sono e in cosa si distinguono le fonti di finanziamento destinate alle Euroregioni e quelle invece a disposizione delle Macroregioni?

Risposta di Johannes Hahn a nome della Commissione
(14 settembre 2012)

1 & 2. La Commissione prega l'onorevole parlamentare di far riferimento alla sua risposta all'interrogazione scritta P-007512/2012 ([1]).

3. Le Euroregioni sono indipendenti dall'Unione europea. Esse possono beneficiare di finanziamenti UE, ma secondo le procedure usuali. Nei casi in cui è attuata una strategia dell'UE per una macroregione, al fine di raggiungere gli obiettivi concordati vengono allineati i finanziamenti erogati da tutte le fonti, pubbliche (compresa l'UE) e private.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-007516/12
to the Commission
Mara Bizzotto (EFD)
(30 July 2012)

Subject: Euroregions and Macroregions

The territorial dimension is one of the founding principles of the Community project and is meant to facilitate, in various possible ways, working groups at local, regional, national and transnational level.

At present in Europe there are various forms of cooperation between Member States or parts of states. These include the Euroregions and, more recently, the Macroregions, which are defined as strategies for improving cooperation between neighbouring states which have common interests.

Will the Commission:

1. clarify the fields of action of Euroregions and Macroregions;

2. explain the differences between the two entities;

3. say what sources of financing are available respectively to Euroregions and Macroregions and how do they differ from each other?

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

1 & 2. The Commission would refer the Honourable Member to its answer to her Written Question P-007512/2012 ([1]).

3. Euroregions are independent of the European Union. They are open to benefit from EU funding, but in accordance with the usual procedures. In instances where an EU Strategy for a macroregion is implemented, in order to achieve the agreed objectives funding from all sources is aligned, public (including EU) as well as private.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007517/12
alla Commissione
Mara Bizzotto (EFD)
(30 luglio 2012)

Oggetto: Evoluzione del ruolo delle Euroregioni nell'ambito della politica di coesione economica sociale e territoriale europea

Dalla creazione delle Comunità europee ad oggi, le aree transfrontaliere hanno dato vita ad un cospicuo numero di entità. Le Euroregioni presentano caratteristiche affini e perciò hanno deciso di collaborare per il raggiungimento di obiettivi comuni e per la risoluzione dei problemi condivisi.

La relazione del Parlamento europeo sul «Ruolo delle Euroregioni nello sviluppo della politica regionale» (2004/2257(INI)) indica chiaramente che, ad oggi, non esistono enti locali operanti nelle regioni di confine che non facciano parte di un'Euroregione.

Può la Commissione indicare:

1. Quali sono le Euroregioni oggi ufficialmente riconosciute?

2. Quali sono i passaggi istituzionali che devono essere necessariamente compiuti per la costituzione di un'Euroregione riconosciuta ufficialmente a livello europeo?

3. Quale è il ruolo delle Euroregioni nell'ambito della politica regionale per il periodo di programmazione 2007-2013?

4. Quale ruolo la Commissione intende attribuire loro nel futuro periodo di programmazione 2014-2020?

Risposta di Johannes Hahn a nome della Commissione
(13 settembre 2012)

1 & 2. Il concetto di Euroregione è stato sviluppato dal Consiglio d'Europa e non dall'UE. Non esiste una procedura ufficiale per il riconoscimento delle Euroregioni.

3. Coerentemente con il principio di partnership, le Euroregioni hanno fornito un contributo significativo nel periodo 2007-2013 insieme ad altri soggetti amministrativi. La Commissione ritiene che esse espletino un ruolo prezioso nei programmi europei di cooperazione territoriale, in particolare nell'ambito della politica di coesione dell'UE, dato il loro obiettivo generale di porsi finalità comuni e risolvere problemi comuni.

4. La Commissione prevede che le Euroregioni continueranno a svolgere un ruolo importante in quanto motori della concezione, dello sviluppo e dell'attuazione di progetti e programmi transfrontalieri d'alta qualità nel periodo 2014-2020. La Commissione continua a considerarle controparti importanti nell'ambito della preparazione e dell'attuazione dei programmi.

(English version)

Question for written answer E-007517/12
to the Commission
Mara Bizzotto (EFD)
(30 July 2012)

Subject: Evolution of the role of Euroregions in relation to EU economic, social and territorial cohesion policy

Since the European Communities were founded, cross-border areas have generated a large number of entities. Euroregions are areas which have similar features and have therefore decided to work together to achieve common goals and to solve shared problems.

The European Parliament's report on the role of 'Euroregions' in the development of regional policy (2004/2257 (INI)) clearly indicates that, to date, there are no local authorities operating in border regions which are not part of a Euroregion.

Can the Commission say:

1. Which Euroregions have been officially recognised to date?

2. What is the institutional procedure that has to be followed for the establishment of a Euroregion that is officially recognised at EU level?

3. What role do the Euroregions play in regional policy for the programming period 2007-2013?

4. What role does the Commission intend to give them in the next programming period, 2014-2020?

Answer given by Mr Hahn on behalf of the Commission
(13 September 2012)

1 & 2. The concept of Euroregions has been developed by the Council of Europe, not by the EU. There is no official recognition procedure for Euroregions.

3. In line with the principle of partnership, Euroregions provided significant input for the 2007-2013 period, together with other actors. The Commission considers that they play a valuable role in European territorial cooperation programmes in particular within EU cohesion policy, given their overall aims of having common goals and resolving common problems.

4. The Commission expects that Euroregions will continue to play an important role as motors for conception, development and implementation of high quality cross-border projects and programmes in the 2014-2020 period. The Commission continues to consider them as important partners in the framework of programme preparation and implementation.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007518/12
alla Commissione
Mara Bizzotto (EFD)
(30 luglio 2012)

Oggetto: INTERREG, GECT ed Euroregioni

Nel 1989 l'Europa ha avviato l'iniziativa INTERREG che, a seguito dei fenomeni associati al continuo processo di allargamento, è divenuta con il regolamento (CE) n. 1083/2006 un vero e proprio obiettivo della politica di coesione. Per la realizzazione di tale obiettivo è stato introdotto, con Regolamento (CE) n. 1082/2006 del 5 luglio 2006, uno strumento ad hoc, il GECT — Gruppo europeo di cooperazione transfrontaliera.

La Commissione può chiarire se:

1. Il GECT può essere considerato uno strumento utilizzabile ai fini della creazione di un'Euroregione? Se no, quali sono le differenze che distinguono le entità di cooperazione create grazie al GECT e le Euroregioni?

2. Le Euroregioni formatesi grazie all'iniziativa comunitaria INTERREG, sono ancora operative? Esse presentano le stesse caratteristiche e hanno gli stessi obiettivi dei GECT?

Risposta di Johannes Hahn a nome della Commissione
(14 settembre 2012)

1. L'UE non è coinvolta nella costituzione delle Euroregioni, poiché il concetto di Euroregione è stato elaborato nel quadro del Consiglio d'Europa. Di conseguenza, le Euroregioni sono indipendenti dall'UE e sono state in gran parte istituite prima e senza riferimento a un gruppo europeo di cooperazione territoriale (GECT). Tuttavia, poiché l'obiettivo di un GECT è agevolare e promuovere la cooperazione territoriale al fine di rafforzare la coesione economica, sociale e territoriale, un GECT potrebbero certamente essere uno strumento adatto per la costituzione o l'ulteriore sviluppo di un'Euroregione.

2. Molte Euroregioni che fanno parte degli ex programmi INTERREG sono ancora operative. Un esempio è l'Euroregione Maas Rhein inclusa nel programma di cooperazione transfrontaliera. Tuttavia, è necessario tener conto delle differenze di cui sopra: le Euroregioni sono essenzialmente aree amministrative transfrontaliere; i programmi di cooperazione territoriale (ex INTERREG) hanno obiettivi politici; il GECT è uno strumento per istituire un soggetto giuridico, anche se con l'obiettivo di migliorare la cooperazione.

(English version)

Question for written answer E-007518/12
to the Commission
Mara Bizzotto (EFD)
(30 July 2012)

Subject: Interreg, EGTC and Euroregions

In 1989 Europe launched the Interreg initiative which, in the wake of events associated with the ongoing enlargement process, became a genuine cohesion policy objective with Regulation (EC) No 1083/2006. To achieve that objective, Regulation (EC) No 1082/2006 of 5 July 2006 introduced an ad hoc instrument, the EGTC — European grouping of territorial cooperation.

Can the Commission clarify the following:

1. Can the EGTC be considered an instrument that can be used for the purpose of establishing a Euroregion? If not, what are the differences between the cooperation entities established through the EGTC and the Euroregions?

2. Are the Euroregions that were formed under the Interreg Community Initiative still operational? Do they have the same features and objectives as the EGTC?

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

1. The EU is not involved in the establishment of Euroregions, since the concept has been developed in the framework of the Council of Europe. Consequently, Euroregions are independent of the EU and have largely been established before, and without reference to an European Grouping of Territorial Cooperation (EGTC). However, since the objective of an EGTC is to facilitate and promote territorial cooperation with the aim of strengthening economic, social and territorial cohesion, an EGTC could indeed be a suitable instrument for the establishment, or further development, of a Euroregion.

2. Many Euroregions which are part of former Interreg programmes are still operational. An example is included in the cross-border cooperation programme, Euregio Maas Rhein. However, it is necessary to bear in mind the differences referred to above: Euroregions are essentially cross-border administrative areas; territorial cooperation (formerly Interreg) programmes are programmes containing policy objectives; the EGTC is an instrument to establish a legal entity — albeit all with the objective of improved cooperation.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007519/12
alla Commissione
Mara Bizzotto (EFD)
(30 luglio 2012)

Oggetto: Schiavitù in Europa

Secondo i dati diffusi dall'International Labour Organization (OIL/ILO) si contano circa 800 000 cittadini europei costretti al lavoro forzato.

Tra questi in maggioranza vi sono donne (58 %) vittime spesso di sfruttamento sessuale, bambini costretti a esercitare attività economiche illecite o informali, ad esempio l'accattonaggio.

Beate Andrees, il direttore del Programma d'azione speciale dell'ILO per combattere il lavoro forzato, ha affermato che la ricerca «dimostra chiaramente che i settori nei quali si trova maggiormente lavoro forzato negli Stati UE sono agricoltura, lavoro domestico, industria manifatturiera ed edilizia. Le vittime vengono ingannate con finte offerte per poi scoprire che le condizioni di lavoro sono peggiori di quelle che si aspettavano. Numerose vittime sono in situazione irregolare e il loro potere contrattuale è molto ridotto». A fronte della crisi, che certamente porterà il fenomeno ad assumere contorni sempre più drammatici, la Commissione:

1. Ha intenzione di indagare direttamente sul fenomeno e mettere in luce: quali Stati membri sono maggiormente coinvolti, quali sono e come funzionano i meccanismi d'inganno e d'abuso nei settori più vulnerabili a questo traffico?

2. Nell'ottica di uno sviluppo eticamente ed economicamente sostenibile e della lotta alla concorrenza sleale, oggi basata anche sul mancato rispetto dei diritti umani, è stata presa in considerazione la possibilità di costruire «un registro di trasparenza» da mettere on-line che permetta ai consumatori europei di sapere se acquistano prodotti da un'azienda che si sia avvalsa o si avvalga, direttamente o indirettamente, attraverso pratiche quali la delocalizzazione selvaggia e il dumping sociale, di persone che lavorano in condizioni di schiavitù?

Risposta di Cecilia Malmström a nome della Commissione
(24 settembre 2012)

La Commissione ha recentemente adottato una strategia dell'UE nuova e integrata per l'eradicazione della tratta degli esseri umani 2012-2016 ([1]). Secondo i dati preliminari esposti nella strategia, la maggioranza delle vittime della tratta di esseri umani nell'UE è destinata allo sfruttamento sessuale (76 % nel 2010). Altre vittime sono, invece, costrette al lavoro forzato (il 14 % nel 2010), all'accattonaggio forzato (il 3 %) e alla servitù domestica (l'1 %). Per quanto riguarda il genere, gli stessi dati dimostrano che le donne e le ragazze sono le principali vittime: tra il 2008 e il 2010, le vittime di sesso femminile sono state il 79 % (di cui il 12 % ragazze), mentre quelle di sesso maschile il 21 % (di cui il 3 % ragazzi). La Commissione renderà noti dati più approfonditi entro la fine dell'anno.

La strategia prevede l'istituzione di una coalizione europea delle imprese contro la tratta di esseri umani, che dovrebbe collaborare con la Commissione per sviluppare modelli e orientamenti sulla riduzione della domanda di servizi forniti da vittime della tratta di esseri umani, ad esempio nell'industria del sesso, nell'agricoltura, nell'edilizia e nel turismo.

Nel 2013, nell' ambito del 7° Programma Quadro, sarà finanziata una ricerca sul tema della riduzione della domanda e dell'offerta di servizi e beni prodotti dalle vittime, incluse quelle destinate allo sfruttamento sessuale. La ricerca fornirà materiale per la relazione del 2016 della Commissione sui provvedimenti giuridici che alcuni Stati membri hanno preso per rendere reato l'utilizzo di servizi che costituiscono oggetto dello sfruttamento legato alla tratta di essere umani, in linea con la direttiva 2011/36/UE concernente la prevenzione e la repressione della tratta di esseri umani e la protezione delle vittime.

La Commissione rinvia, inoltre, alle risposte fornite alle interrogazioni scritte E-006480/12, E-006490/12, E-006553/12, E-006561/12, E-006593/12, E-006675/12, E-006590/12 e E-007118/12 ([2]).

([1]) COM(2012)286 final.
([2]) http://www.europarl.europa.eu/plenary/it/parliamentary-questions.html

(English version)

Question for written answer E-007519/12
to the Commission
Mara Bizzotto (EFD)
(30 July 2012)

Subject: Slavery in Europe

According to data released by the International Labour Organisation (ILO), some 800 000 citizens in Europe are undergoing forced labour.

Most of these are women (58%), who are often victims of sexual exploitation, but also children, who are forced to carry out illegal or informal economic activities, such as begging.

Beate Andrees, Director of the ILO's Special Action Programme to combat Forced Labour, said that the research 'clearly shows that agriculture, domestic work, manufacturing and construction are the main sectors where forced labour is found in the EU. Victims are lured with false job offers only to find out that conditions of work are worse than they anticipated. Many of them are in an irregular situation and have very limited bargaining power'. In view of the economic crisis, which will surely make the problem dramatically worse, can the Commission answer the following questions:

1. Will it directly investigate the issue and highlight which Member States are the most affected and what methods of deception and abuse are used, and in what way, in the sectors that are the most vulnerable to such trafficking?

2. In the context of ethically and economically sustainable development and the fight against unfair competition, which is now also based on the failure to respect human rights, has the Commission considered establishing a 'transparency register', to be put online? Such a register could enable European consumers to know whether they are purchasing products from a company that uses, or has used, people working in conditions of slavery, be it directly or indirectly, through practices such as unregulated outsourcing and social dumping.

Answer given by Ms Malmström on behalf of the Commission
(24 September 2012)

The Commission recently adopted a new, integrated EU Strategy towards the Eradication of Trafficking in Human Beings 2012-16 ([1]). According to preliminary data included in the strategy, most of victims of human trafficking in the EU are used for sexual exploitation (76% in 2010). Others are forced into labour (14% in 2010), begging (3%) and domestic servitude (1%). Regarding gender, the same data show that women and girls are the main victims; female victims accounted for 79% (12% girls) and men for 21% (3% boys) in 2008-10. The Commission will publish more detailed data later this year.

The strategy envisages the setting up of a European Business Coalition against trafficking in human beings which should work together with the Commission to develop models and guidelines on reducing demand for services provided by trafficking victims, including in the sex industry, agriculture, construction and tourism.

In 2013, under the Commission's 7th Framework Programme, research will be funded on reducing the demand for and supply of services and goods by victims, including victims trafficked for the purpose of sexual exploitation. The research will feed into the Commission's report in 2016 on the legal measures that Member States have taken to criminalise the use of services of victims of trafficking in human beings, in line with Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims.

The Commission further refers to its answers to written questions E-006480/12, E-006490/12, E-006553/12, E-006561/12, E-006593/12, E-006675/12, E-006590/12 and E-007118/12 ([2]).

([1]) COM(2012)286 final.
([2]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-007520/12
adresată Comisiei
Silvia-Adriana Ţicău (S&D)
(30 iulie 2012)

Subiect: Evaluarea implementării sistemelor de măsurare inteligente pentru energie

Conform Anexei I, „Măsuri de protecţie a consumatorilor", paragraful 2 din Directiva 2009/72/CE privind normele comune pentru piaţa internă a energiei electrice, statele membre asigură implementarea unor sisteme de măsurare inteligente, care contribuie la participarea activă a consumatorilor pe piaţa furnizării de energie electrică. Implementarea acestor sisteme de măsurare poate face obiectul evaluării din punct de vedere economic a costurilor şi beneficiilor pe termen lung pentru piaţă şi pentru consumatorii individuali sau al unei evaluări a tipului de măsurare inteligentă care este rezonabil din punct de vedere economic şi rentabil, precum şi a termenului fezabil pentru distribuţia acestora. Conform Directivei 2009/72/CE privind normele comune pentru piaţa internă a energiei electrice, o astfel de evaluare are loc până la 3 septembrie 2012. Aş dori să întreb Comisia dacă evaluările mai-sus-menţionate s-au desfăşurat sau sunt în curs de desfăşurare în toate statele membre şi dacă rezultatele acestora vor fi disponibile publicului, facilitând astfel şi schimbul de bune practici între statele membre privind implementarea unor sisteme de măsurare inteligente.

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

Mai mult de o treime dintre statele membre au efectuat deja evaluarea economică a costurilor şi beneficiilor pe termen lung pentru piaţă şi consumatorii individuali ale introducerii sistemelor de contorizare inteligentă. Celelalte state membre se află încă în diverse etape ale procesului care trebuie încheiat până la 3 septembrie 2012, după cum prevede Directiva privind energia electrică (Directiva 2009/72/CE ([1])).

Comisia va analiza comparativ evaluările costurilor şi beneficiilor efectuate de statele membre, precum şi planurile de introducere întocmite de acestea, pentru a asigura o abordare armonizată a metodologiei de evaluare a costurilor şi beneficiilor. În acest scop, Comisia a emis o Recomandare ([2]) conţinând orientări cu privire la cerinţele esenţiale de confidenţialitate şi de securitate a datelor, cerinţele funcţionale minime pentru sistemele de contorizare inteligentă a energiei electrice, precum şi o metodologie generală de evaluare a costurilor şi beneficiilor.

Comisia va prezenta rezultatele acestei analize la Forumul cetăţenilor pentru energie, care va avea loc la 13 şi 14 noiembrie 2012 la Londra, lansând dezbaterea cu privire la cele mai bune practici şi la experienţa acumulată în urma iniţiativelor în curs sau finalizate de introducere a contorizării inteligente în UE.

([1]) Directiva 2009/72/CE a Parlamentului European şi a Consiliului din 13 iulie 2009 privind normele comune pentru piaţa internă a energiei electrice şi de abrogare a Directivei 2003/54/CE, JO L 211, 14.8.2009.

([2]) Recomandarea Comisiei din 9.3.2012 privind pregătirile pentru introducerea sistemelor de contorizare inteligentă, C(2012) 1342, 9.3.2012.

(English version)

Question for written answer E-007520/12
to the Commission
Silvia-Adriana Ţicău (S&D)
(30 July 2012)

Subject: Assessment of implementation of intelligent metering systems

In accordance with Annex I, 'Measures on consumer protection', paragraph 2, of Directive 2009/72/EC concerning common rules for the internal market in electricity, Member States must ensure the implementation of intelligent metering systems that assist the active participation of consumers in the electricity supply market. The implementation of those metering systems may be subject to an economic assessment of all the long-term costs and benefits to the market and the individual consumer or which form of intelligent metering is economically reasonable and cost-effective and which timeframe is feasible for their distribution.

Under Directive 2009/72/EC concerning common rules for the internal market in electricity, such assessment is to take place by 3 September 2012. Can the Commission say whether the abovementioned assessments have been conducted or are under way in all Member States and whether their results will be publicly available, thus facilitating the exchange of best practices between Member States in relation to the implementation of intelligent metering systems?

Answer given by Mr Oettinger on behalf of the Commission
(5 September 2012)

More than one third of the Member States have already conducted the economic assessment of the long term costs and benefits (CBA) to the market and individual consumers of the roll-out of smart metering systems. The other Member States are still in different stages of the process, which need to be completed by 3 September 2012, as stated in the Electricity Directive 2009/72/EC ([1]).

The Commission will comparatively evaluate the Member States' CBAs and their roll-out plans to assure an aligned approach as regards the methodology of assessing costs and benefits. To this effect, the Commission issued a recommendation ([2]) with guidelines on key requirements for privacy and data security, minimum functionalities of smart metering systems for electricity, and a general methodology for CBAs.

The Commission will present the results from this benchmarking at the Citizens' Energy Forum the 13 and 14 November 2012 in London, launching the discussion on best practices and lessons learned from ongoing or completed smart metering roll-out initiatives in the EU.

([1]) Directive 2009/72/EC of the Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC, OJ L 211, 14.8.2009.
([2]) Commission Recommendation of 09.03.2012 on preparations for the roll-out of smart metering systems, C(2012)1342, 9.3.2012.

(English version)

Question for written answer E-007522/12
to the Commission
Phil Prendergast (S&D)
(30 July 2012)

Subject: Professional Qualifications Directive 2005/36/EC and academic training requirements

Is the Commission of the opinion that an amended Professional Qualifications Directive with a harmonised five-year training requirement for architects would necessitate an acquired rights regime for architects whose training started prior to the entry into force of the amended directive, in addition to the existing acquired rights regime for architects trained prior to the entry into force of the Architects Directive 85/384/EEC?

Can the Commission indicate whether the Irish Building Control Act 2007 is in conformity with Directive 2005/36/EC on the recognition of professional qualifications as regards the requirement for verification of a five-year training period rather than one of four years?

Answer given by Mr Barnier on behalf of the Commission
(13 September 2012)

The Commission has proposed ([1]) that new minimum training requirements become the basis for automatic recognition of architectural qualifications two years after the deadline for the transposition of the amended Directive. Architects eligible for automatic recognition under the current rules whose training started before that date would benefit from an acquired rights regime ([2]).

The Commission would like to clarify that its proposal does not foresee a harmonised five-year training requirement. The proposal provides for the automatic recognition of architect's diplomas based on the current minimum of four years of university-level academic training, if they are supplemented by at least two years of supervised professional experience, or a minimum of five years of academic training supplemented by at least one year of supervised professional experience ([3]).

Section 15(1)(a) of the Irish Building Control Act 2007 provides for registration of architects from EU Member States who hold qualifications listed in Annex V of the Professional Qualifications Directive. This is in line with EC law. At the same time, EC law does not preclude Ireland from applying higher standards to the architectural qualifications awarded within its own national territory.

([1]) Proposal for a directive of the European Parliament and of the Council amending Directive 2005/36/EC on the recognition of professional qualifications and the regulation on administrative cooperation through the internal market Information System of 19.12.2011, COM(2011) 833 final.

([2]) Please see subparagraph (34) of Article 1 of the proposal which amends Article 49 of Directive 2005/36/EC.

([3]) Please see subparagraph (32) of Article 1 of the proposal which amends Article 49 of Directive 2005/36/EC.

(Slovenské znenie)

Otázka na písomné zodpovedanie P-007524/12
Komisii
Anna Záborská (PPE)
(30. júla 2012)

Vec: Zapojenie súkromných alebo verejných externých orgánov do koncipovania zmluvy o Európskom mechanizme pre stabilitu

Môže Komisia uviesť, ktoré súkromné alebo verejné orgány boli zapojené, v akejkoľvek miere, do koncipovania zmluvy o Európskom mechanizme pre stabilitu (EMS), ako boli vyberané a aké mali zmluvné podmienky?

Ak bol počiatočný návrh zmluvy EMS koncipovaný úradníkmi EÚ, môže Komisia uviesť, ktoré oddelenie zaň bolo zodpovedné?

Odpoveď pána Rehna v mene Komisie
(4. septembra 2012)

Návrhy zmluvy prerokúval špecializovaný pracovný tím pracovnej skupiny pre Euroskupinu, ktorý zahŕňal Komisiu a Európsky nástroj finančnej stability. Členovia uvedeného tímu v niektorých prípadoch z vlastnej iniciatívy konzultovali iné národné orgány, a najmä svoje parlamenty, keďže mali mať zodpovednosť za ratifikáciu zmluvy. Komisia však nemá žiaden prehľad o konzultáciách, ktoré jednotliví členovia viedli v rámci vlastnej zodpovednosti.

V rámci Komisie to bolo Generálne riaditeľstvo pre hospodárske a finančné záležitosti, ktoré zodpovedalo za koordinovanie práce na Zmluve o založení Európskeho mechanizmu pre stabilitu.

(English version)

Question for written answer P-007524/12
to the Commission
Anna Záborská (PPE)
(30 July 2012)

Subject: Involvement of private or public external bodies in drafting the European Stability Mechanism Treaty

Can the Commission indicate which private or public bodies were involved, to any degree, in the drafting of the European Stability Mechanism (ESM) Treaty, how they were chosen and what the terms of their contracts were?

If the initial draft of the ESM Treaty was prepared by EU officials, can the Commission indicate which unit was responsible for it?

Answer given by Mr Rehn on behalf of the Commission
(4 September 2012)

Drafts of the Treaty were discussed by a dedicated task force of the eurogroup working group, which included the Commission and the EFSF. Members of the Task Force have sometimes taken the initiative to consult other national authorities, and in particular their parliaments because they would be responsible for ratifying the Treaty, but the Commission does not have an overview of consultations carried out by individual members under their own responsibility.

Within the Commission, the Directorate General for economic and financial affairs was responsible for coordinating the work on the ESM Treaty.

(Versión española)

Pregunta con solicitud de respuesta escrita E-007525/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(30 de julio de 2012)

Asunto: Lanceo del jabalí en Castilla-La Mancha

Según noticia publicada en El País del 9 de julio de 2012, Castilla-La Mancha tiene intención de modificar su reglamento de caza para introducir el lanceo de jabalí a caballo como nueva modalidad cinegética. En este tipo de actividad, se cazan jabalíes a caballo para matarlos lentamente con una lanza, causando sufrimiento innecesario y lento de los animales.

Se justifica la regulación de esta práctica extinguida alegando la tradición, tal y como se hace con las corridas de toros o con el Toro de la Vega. Pero no podemos olvidar que, sean tradicionales o no, implican un sufrimiento y una tortura hacia estos animales hasta causarles la muerte.

¿Qué opinión tiene la Comisión sobre el lanceo del jabalí? ¿Qué opinión tiene sobre su regulación? ¿Qué opinión le merece que se haya llevado a cabo esta actividad con regularidad cuando todavía no está legalizada?

¿Recibe el Club Internacional de Lanceo o esta actividad algún tipo de subvención o ayuda pública de la Unión Europea? ¿Considera que un acto de tortura y muerte de un animal se puede justificar aduciendo que se trata de una tradición? ¿Piensa la Comisión recomendar la prohibición de este tipo de manifestaciones crueles en España?

Respuesta del Sr. Dalli en nombre de la Comisión
(31 de agosto de 2012)

El bienestar de los jabalíes en el contexto de la caza no es un ámbito cubierto por la legislación de la UE. Este asunto compete exclusivamente a los Estados miembros. Por lo tanto, la Comisión no tiene previsto emprender iniciativas al respecto.

La Unión Europea no concede ninguna subvención al lanceo del jabalí.

(English version)

Question for written answer E-007525/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(30 July 2012)

Subject: Pigsticking in Castilla-La Mancha

According to an article in the *El País* newspaper on 9 July 2012, the Spanish region of Castilla-La-Mancha is planning to change its hunting laws so as to introduce a new type of hunting. Pigsticking, as it is known, involves hunting wild boar on horseback with a spear. The practice inflicts unnecessary suffering on the wild boar, which dies a slow death.

Those in favour of legalising this previously obsolete practice cite tradition, in the same way that others do for bullfighting or the traditional Toro de la Vega tournament (in which mounted horsemen hunt a bull to death in the meadows of the river Duero). However, it should not be forgotten that such practices, whether traditional or not, are so cruel that they cause the death of the animals involved.

What is the Commission's stance on pigsticking? What is its view on the legalisation of the practice? What does it think about the fact that people have been regularly involved in pigsticking, even though it is still not legal?

Does the European Union give subsidies or public support of any kind to the Pigsticking International Club or others involved in this type of hunting? Does it believe that tradition can be used as a basis for justifying an act which causes an animal to suffer and die? Does the Commission intend to recommend that such cruel practices be banned in Spain?

Answer given by Mr Dalli on behalf of the Commission
(31 August 2012)

The welfare of wild boar in the context of hunting is not covered by EU legislation. This matter remains under the sole competence of the Member States. Hence, the Commission does not envisage initiatives in this field.

The European Union does not grant any subsidies to Pigsticking.

(English version)

Question for written answer P-007526/12
to the Commission
Emma McClarkin (ECR)
(30 July 2012)

Subject: Matriculation tax in Spain

Following last year's ruling, could the Commission inform me of the current state of play with regard to the application of the matriculation tax in Spain, specifically in Mallorca, on foreign-owned means of transport, including aircraft?

Could the Commission also inform me of the ruling's effect for those people who are now receiving retroactive fines for their vessels and vehicles, including aircraft?

Answer given by Mr Šemeta on behalf of the Commission
(31 August 2012)

The European Commission has formally requested Spain to change the way in which it taxes leased or rented vehicles from another Member State, as well as company vehicles, in order to ensure its rules comply with EU legislation. This has been done in the framework of two infringement procedures (2010/2104 and 2010/2105).

According to EU rules, a Member State can only levy a registration tax on a leased or rented vehicle from another Member State in proportion to the duration of the vehicle's use in its own territory. This means that a Member State may only levy a full registration tax on a leased or rented vehicle from another Member State if it is used or intended to be used on a permanent basis in the levying Member State.

Similarly, a vehicle that is registered by a company in one Member State and used by an employee resident in another Member State cannot be taxed unless the vehicle is used on a permanent basis in the resident's country. A Member State can only require registration of the vehicle and levy a registration tax if it is proportionate to the duration of the vehicle's use on its territory.

The Commission took the view that Spain does not properly comply with the above EU rules. Currently, it is examining the explanations furnished by the Spanish authorities in the framework of the aforementioned infringement procedures.

Finally, the Commission would kindly ask the MEP to provide a reference to the ruling mentioned in the parliamentary question, in order to give more details on this issue.

(Versión española)

Pregunta con solicitud de respuesta escrita E-007527/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(30 de julio de 2012)

Asunto: Publicidad engañosa de algunas compañías aéreas

En algunas webs de compañías aéreas europeas se ofrecen billetes de avión a un determinado precio y con el anuncio de «todo incluido». Al hacer la compra de este billete a precio aparentemente cerrado por Internet, el precio de este billete se ve aumentado, obligatoriamente, al hacer el pago con tarjeta de crédito.

¿No cree la Comisión que este aumento de tarifa por el pago con tarjeta de crédito, cuando el usuario no tiene otra opción de pago, debería estar incluido en el precio inicial del billete antes de comprarlo?

Además, el precio aumenta si el usuario factura una maleta de equipaje. ¿No cree la Comisión que facturar solamente una maleta debería estar incluido en el precio inicial?

Respuesta de la Sra. Reding en nombre de la Comisión
(27 de septiembre de 2012)

Conviene recordar que, de acuerdo con el artículo 22 del Reglamento 1008/2008 ([1]), las compañías aéreas pueden fijar libremente sus tarifas.

Una condición es que se garantice la transparencia a los pasajeros (artículo 23 del Reglamento). Los inevitables gastos de reserva y las tasas por el uso de tarjeta de crédito deberían incluirse en el precio final indicado a pagar por el consumidor. Si las tasas difieren en función del método de pago, el precio deberá incluir siempre la tasa más baja. Con arreglo al artículo 23, los suplementos opcionales de precio (como el correspondiente al transporte de equipaje) se comunicarán de una manera clara, transparente y sin ambigüedades al comienzo de cualquier proceso de reserva, y su aceptación por el pasajero se realizará sobre una base de opción de inclusión.

Además, en virtud del artículo 19 de la Directiva 2011/83/CE sobre los derechos de los consumidores, los Estados miembros prohibirán a los comerciantes cargar a los consumidores, por el uso de determinados medios de pago, tasas que superen el coste asumido por el comerciante por el uso de tales medios [artículo 3, apartado 3, letra k)].

Por lo que se refiere a la inclusión del transporte de una maleta en el precio indicado, el artículo 22 de la Directiva dice claramente que antes de que el consumidor quede vinculado por un contrato u oferta, el comerciante deberá buscar el consentimiento expreso del consumidor para todo pago adicional a la remuneración acordada para la obligación contractual principal del comerciante.

No obstante, las disposiciones nacionales de transposición de la Directiva serán aplicables únicamente a partir del 13 de junio de 2014.

([1]) Reglamento (CE) n° 1008/2008 del Parlamento Europeo y del Consejo, de 24 de septiembre de 2008, sobre normas comunes para la explotación de servicios aéreos en la Comunidad, DO L 293 de 31.10.2008, p. 3-20.

(English version)

Question for written answer E-007527/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(30 July 2012)

Subject: Misleading advertising by some airlines

The websites of certain airlines offer tickets at a price which they claim to be 'all inclusive'. When customers actually buy the tickets, at what appears to be a fixed price, on the Internet they are then made to pay a mandatory surcharge for the use of a credit card.

Does the Commission not think that this automatic price rise, when the customer has no choice but to pay by credit card, should be included in the initial price of tickets displayed before customers purchase them?

What is more, the price again rises if the customer wishes to bring a suitcase on to the plane. Does the Commission not think that the initial price should also include the right to bring a suitcase?

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

It is important to recall that under Article 22 of Regulation 1008/2008 ([1]), airlines are free to set their fares policy.

A condition is that transparency is guaranteed to passengers (Article 23 of the regulation). Unavoidable booking fees or credit card fees should be included in the indicated final price to be paid by the consumer. If fees differ for different payment modes, then the lowest fee should always be included in the price. Under Article 23, optional price supplements — such as for the carriage of luggage — shall be communicated in a clear, transparent and unambiguous way at the start of any booking process and their acceptance by the customer shall be on an 'opt-in' basis.

Furthermore, on the basis of Article 19 of the Consumer Rights Directive 2011/83/EC Member States shall prohibit traders from charging consumers in respect of the use of a given means of payment, fees that exceed the cost borne by the trader for the use of such means. This requirement does apply to passenger transport services (Article 3(3) point k).

As to the inclusion of carrying of suitcase into the price indicated, Article 22 of the directive makes it clear that before the consumer is bound by the contract or offer, the trader shall seek the express consent of the consumer to any extra payment in addition to the remuneration agreed upon for the trader`s main contractual obligation.

However, national measures transposing the directive shall be applied only from 13 June 2014.

([1]) Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community, OJ L 293, 31.10.2008, p. 3-20.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007528/12
an die Kommission
Andreas Mölzer (NI)
(31. Juli 2012)

Betrifft: Teure In-App-Käufe

Bei manchen Apps für Smartphones, vorwiegend in Spielen, können in der Anwendung Guthaben oder Punkte gekauft werden. Damit wird der klassische Bestellprozess umgangen und dem Nutzer gar nicht bewusst, dass Geld ausgegeben wird. Meist werden die sogenannten „In-App-Käufe" so in Apps eingebaut, dass sie von Kindern als Teil des Spieles wahrgenommen werden. Das böse Erwachen folgt dann, wenn auf der Handyrechnung Hunderte von Euro abgezogen werden. Ein Spiel, das als kostenlos beworben wird, kann so schnell zur Kostenfalle werden. Standardmäßig sind Sperren, die einen In-App-Kauf unterbinden, nicht aktiviert. Zudem wissen viele Eltern gar nicht, dass es diese Möglichkeit überhaupt gibt.

Auch für „Spiele-Währungen" müssen Eltern Hunderte von Euro auf der Telefonrechnung zahlen. Bis Anfang 2011 konnten „Spiele-Währungen" ohne die Eingabe des Nutzerpasswortes zugekauft werden; nach massiven Protesten hat Apple dies geändert. Dies schreckt indes Kinder, die in einem Spiel ja rasch vorwärts kommen wollen und auch noch kein Verhältnis zu Geld haben, nicht ab. Im Februar 2012 berichtete die *Washington Post* von einer Achtjährigen, die im Spiel „Smurf's Village" derart 1 400 US-Dollar für digitalisierte Waldbeeren ausgab.

1. Ist der Kommission diese Problematik bekannt?

2. Werden auf EU-Ebene Überlegungen darüber angestellt, wie der Verbraucherschutz bei In-App-Käufen verbessert werden kann?

3. Wie steht die Kommission zur Forderung nach einer standardmäßigen Deaktivierung der Möglichkeit von In-App-Käufen?

Antwort von Frau Kroes im Namen der Kommission
(11. September 2012)

Der Kommission ist das Phänomen der „In-App-Käufe" bekannt. Bisher hat sie jedoch keine Beschwerden über unerwartet hohe Rechnungen erhalten, die auf Käufe im Rahmen von Smartphone-Anwendungen zurückzuführen wären.

Im Zusammenhang mit der zweiten Frage des Herrn Abgeordneten weist die Kommission darauf hin, dass in den meisten Fällen die Inhalte direkt von den Anbietern der Anwendungen in Rechnung gestellt werden und somit nicht auf den Telefonrechnungen erscheinen. Sollten diese Beträge jedoch über die Handyrechnung abgerechnet werden, sei angemerkt, dass die Universaldienstrichtlinie ([1]) allgemeine Transparenzanforderungen enthält, mit denen ein hoher Schutz der Verbraucher bei ihren Transaktionen mit Telekommunikationsbetreibern angestrebt wird. Insbesondere müssen nach Artikel 21 die Mitgliedstaaten dafür sorgen, dass die nationalen Regulierungsbehörden Telekommunikationsbetreiber verpflichten können, den Teilnehmern die geltenden Tarife für alle Nummern und Dienste anzugeben, für die eine besondere Preisgestaltung gilt. Die vorstehenden Anforderungen gelten zwar für elektronische Kommunikationsdienste, implizit wird aber auch gewährleistet, dass die Verbraucher auf ihrer Telefonrechnung auch andere Beträge erkennen können, etwa für inhaltsbezogene Dienste.

In jedem Fall sollten die Verbraucher informiert und um ihre ausdrückliche Zustimmung ersucht werden, bevor über Smartphone-Anwendungen neue Guthaben oder Punkte gekauft werden. Außerdem sollten die Eltern ihrer Verantwortung dadurch gerecht werden, dass sie die Einstellungen ihrer Mobilfunkgeräte entsprechend regeln, bevor sie ihre Kinder damit spielen lassen.

([1]) Richtlinie 2002/22/EG des Europäischen Parlaments und des Rates vom 7. März 2002 über den Universaldienst und Nutzerrechte bei elektronischen Kommunikationsnetzen und -diensten (Universaldienstrichtlinie).

(English version)

Question for written answer E-007528/12
to the Commission
Andreas Mölzer (NI)
(31 July 2012)

Subject: Expensive in-app purchases

On many smartphone applications ('apps'), mainly those for games, it is possible to purchase credits or points. This circumvents the traditional ordering process and the user is unaware that money is being spent. Mostly these 'in-app purchases' are built into the apps in such a way that children see them as being part of the game. A rude awakening then follows when hundreds of euros are deducted from the mobile bill. A game which is advertised as being free can quickly become a price trap. It is standard practice for blocks preventing in-app purchasing to be deactivated. Furthermore many parents do not even know that this possibility exists.

Parents also often have to pay hundreds of euros in phone bills for 'games currencies'. Until early 2011, games currencies could be purchased without entering the user password: this was changed by Apple following massive protests. However, this does not put off children, who want to get on quickly in a game and in any case do not understand the value of money. In February 2012 the Washington Post reported the story of an eight-year-old girl who spent USD 1 400 on digital forest berries in the game 'Smurf's Village'.

1. Is the Commission aware of this problem?

2. Is thought being given at EU level on how to improve consumer protection for in-app purchases?

3. What is the Commission's view on the call to standardise the deactivation of in-app purchasing?

Answer given by Ms Kroes on behalf of the Commission
(11 September 2012)

The Commission is aware of the phenomenon of in-apps puchases. However, it has so far not received any complaint about bill shocks resulting from purchases made while using smartphone applications.

In relation to the second question raised by the Honourable Member, the Commission believes that in most occasions, these content services are billed directly by application providers and therefore do not appear on mobile phone bills. However, in case these payments would be recovered through the mobile phone bill, it should be noted that the Universal Service Directive ([1]) includes general transparency requirements that aim at ensuring a high level of protection for consumers in their dealings with telecom operators. In particular Article 21 provides that Member States shall ensure that national regulatory authorities are able to oblige telecom operators to provide applicable tariff information to subscribers regarding any number or service subject to particular pricing conditions. Although the above requirement applies to electronic communications services it implicitly ensures that consumers should be able to identify clearly from their phone bill also other charges included in the bill, such as those for content services.

In any case, consumers should be made aware and asked to give their explicit consent before any new credit or points' purchase through smartphone applications. Parents should also be responsible in defining their mobile devices' settings before letting their children play with them.

([1]) Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive).

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007529/12
an die Kommission
Andreas Mölzer (NI)
(31. Juli 2012)

Betrifft: Altersbeschränkungen bei Spiel-Apps von Apple

In den App-Stores von Apple, in denen Anwendungen für Smartphones vertrieben werden, lagern rund 560 000 Anwendungen für iPhone, iPod touch und iPad. Davon sind rund 100 000 Spiele. Apple hält sich nicht an die in der Spiele-Branche geläufigen, europaweit einheitlichen Altersempfehlungen (PEGI). Diese werden von den wichtigsten Spielekonsolenherstellern (Sony, Microsoft, Nintendo etc.) unterstützt.

Obwohl sie für Kinder ungeeignet sind, erhalten beispielsweise martialische Spiele bei der Apple-internen Bewertung niedrige Alterseinstufungen. Im Apple Store sind sogar Spiele für Kinder und Jugendliche freigegeben, die von der Spiele-Branche für Erwachsene empfohlen werden.

1. Wie steht die Kommission zu der Problematik der Umgehung von Altersbeschränkungen für Spiele durch Apple?

2. Ist im Sinne des Kinder- und Jugendschutzes diesbezüglich ein gemeinsames Vorgehen auf EU-Ebene geplant?

Antwort von Frau Kroes im Namen der Kommission
(19. September 2012)

Die Kommission teilt die Auffassung, dass Alterseinstufungen wichtig sind, um Kinder vor unangemessenen Internetinhalten zu schützen. PEGI ist ein System der freiwilligen Selbstregulierung, das verhindern soll, dass Kinder und Jugendliche mit Spielen in Berührung kommen, die für ihre Altersgruppe nicht geeignet sind. In den meisten europäischen Ländern wird PEGI bislang erfolgreich für die Alterseinstufung von Video- und Computerspielen, die im Einzelhandel vertrieben werden, eingesetzt.

Am 2. Mai 2012 hat die Kommission eine Mitteilung über eine europäische Strategie für ein besseres Internet für Kinder ([1]) angenommen, in der eine Reihe von Maßnahmen zur Stärkung der Handlungskompetenz und zum Schutz der Kinder im Online-Umfeld dargelegt wird. Dazu gehört auch der stärkere Einsatz von Alterseinstufungen und Inhalteklassifizierung mit dem Ziel, für eine Vielzahl von Inhalten/Diensten (unter anderem für Apps) EU-weit zu einem allgemein anwendbaren, transparenten und kohärenten Ansatz für die Alterseinstufung und Inhalteklassifizierung zu gelangen.

Die Ausweitung der Inhalteklassifizierung gehört zu den 5 Arbeitsbereichen der 2011 eingerichteten CEO Coalition für die Online-Sicherheit Minderjähriger ([2]), der sich auch Apple angeschlossen hat. Apps zählen zu den Arbeitsschwerpunkten der Coalition.

Die Überprüfung der Arbeiten, die die CEO Coalition in diesem Bereich während der ersten 6 Monate durchgeführt hat ([3]), ergab, dass die Unternehmen zwar einiges getan haben, das Engagement für einen gültigen EU-Ansatz für die Inhalteklassifizierung aber zu wünschen übrig lässt. Die Coalition beschloss, vor Ende des Jahres abermals eine Analyse bewährter Praktiken (wie des PEGI) durchzuführen. In der Kommissionsmitteilung vom Mai wird darauf hingewiesen, dass die Kommission die Möglichkeiten für den Erlass von Rechtsvorschriften prüfen wird, falls die Selbstregulierung in diesem Bereich fehlschlägt.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0196:FIN:DE:PDF.
([2]) http://ec.europa.eu/information_society/activities/sip/self_reg/index_en.htm
([3]) Ein vollständiger Überblick über die Arbeiten der CEO Coalition in den ersten 6 Monaten findet sich unter: http://ec.europa.eu/information_society/activities/sip/self_reg/index_en.htm

(English version)

Question for written answer E-007529/12
to the Commission
Andreas Mölzer (NI)
(31 July 2012)

Subject: Age limits on Apple games apps

In Apple's 'app stores', where smartphone apps are sold, there are some 560 000 applications for iPhone, iPod touch and iPad, around 100 000 of which are games apps. Apple does not adhere to the PEGI (Pan-European Game Information) uniform age recommendations which are standard throughout Europe in the games sector and supported by the main games console manufacturers (Sony, Microsoft, Nintendo etc.).

War games, for example, are given low age ratings by Apple's internal ratings system even though they are unsuitable for children. There are even games in Apple's app store that are passed for children and young people even though they are recommended by the games industry as for adults only.

1. How does the Commission view the problem of Apple circumventing age limits for games?

2. Is any joint action at EU level envisaged in this area in the interest of child and youth protection?

Answer given by Ms Kroes on behalf of the Commission
(19 September 2012)

The Commission agrees that age-rating is important in order to protect children from seeing inappropriate content online. PEGI is a voluntary, self-regulatory system, designed to ensure that minors are not exposed to games that are unsuitable for their particular age group and it has been successful so far in most European countries when it comes to rating video and computer games sold in retail shops.

The Commission adopted a communication for a European Strategy for a Better Internet for Children on 2 May 2012 ([1]) that sets out a set of measures for empowering and protecting children online, including a wider use of age rating and content classification with the ambition to have a generally applicable, transparent, and consistent approach to age rating and content classification EU-wide, for a variety of content/services (including apps).

One of the 5 working points the CEO Coalition to make Internet a better place for children ([2]) set up in 2011 and where Apple is one of the members, is wider use of content classification. Apps are one of the focus areas of the work of the Coalition.

The review of the first 6 months of the Coalition's work in this area ([3]) showed that while companies have done some work there is a lack of commitment towards a valid EU-approach to content classification. The Coalition decided to analyse again good practices (such as PEGI) in search for solutions before the end of the year. The communication adopted in May points out that in case of failure of self-regulatory measures in this area, the Commission will look into possibilities for regulation.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0196:FIN:EN:PDF.
([2]) http://ec.europa.eu/information_society/activities/sip/self_reg/index_en.htm
([3]) A full overview of the work of the Coalition in the first 6 months I available here http://ec.europa.eu/information_society/activities/sip/self_reg/index_en.htm

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007530/12
an die Kommission
Andreas Mölzer (NI)
(31. Juli 2012)

Betrifft: Standortabfrage — unbemerkte Übertragung persönlicher Daten durch Apps

Mit dem Erscheinen des iPhone von Apple, der Android-Telefonie und weiterer Smartphones wurde die Möglichkeit der Installation von Anwendungen (sog. Apps) auf mobilen Geräten breiten Bevölkerungskreisen geläufig. So können App-Benutzer auch Anfragen von Netzdiensten zum Empfang ihrer Standortinformationen empfangen. Diensteanbieter können anhand des Standorts des Geräts Informationen über lokale Themen anbieten wie beispielsweise Wetterberichte oder Straßenverkehrsmeldungen. In vielen Apps werden indes sensible Nutzerdaten übertragen, ohne dass dies dem Nutzer bewusst wird und ohne dass dies für die Funktion der App überhaupt notwendig ist.

1. Wie steht die Kommission zu dieser oft unbemerkten Übertragung persönlicher Daten?

2. Wie sind die EU-Datenschutzbestimmungen dazu?

Antwort von Frau Reding im Namen der Kommission
(11. Oktober 2012)

Den EU-Rechtsrahmen für die Nutzung personenbezogener Daten, einschließlich standortbezogener Daten, durch Anwendungen auf mobilen Geräten bilden die Datenschutzrichtlinie 95/46/EG ([1]) und die Datenschutzrichtlinie für elektronische Kommunikation 2002/58/EG ([2]).

Die für die Verarbeitung Verantwortlichen müssen sicherstellen, dass die Nutzer der intelligenten mobilen Endgeräte angemessen über die Schlüsselelemente der Verarbeitung informiert werden. Hierzu zählen die Identität des für die Verarbeitung Verantwortlichen, die Zweckbestimmung der Verarbeitung, die Art der Daten, die Dauer der Verarbeitung, das Vorliegen von Auskunfts-, Berichtigungs- und Löschungsrechten der betroffenen Personen sowie ihr Recht, die Einwilligung zurückzuziehen, gegebenenfalls die Übermittlung personenbezogener Daten, die Aufbewahrungsfristen für ihre personenbezogenen Daten, gemäß Richtlinie 95/46/EG weitere Informationen, sofern sie unter Berücksichtigung der spezifischen Umstände, unter denen die Daten erhoben werden, notwendig sind, um gegenüber der betroffenen Person eine Verarbeitung nach Treu und Glauben zu gewährleisten. Die Informationen müssen klar, umfassend und für ein breites, technisch nicht versiertes Publikum verständlich sowie ständig und einfach zugänglich sein ([3]).

([1]) Richtlinie 95/46/EG des Europäischen Parlaments und des Rates vom 24. Oktober 1995 zum Schutz natürlicher Personen bei der Verarbeitung personenbezogener Daten und zum freien Datenverkehr, ABl. L 281 vom 23.11.1995, S. 31-50.

([2]) Richtlinie 2002/58/EG des Europäischen Parlaments und des Rates vom 12. Juli 2002 über die Verarbeitung personenbezogener Daten und den Schutz der Privatsphäre in der elektronischen Kommunikation (Datenschutzrichtlinie für elektronische Kommunikation), ABl. L 201 vom 31.7.2002, S. 37, geändert durch Richtlinie 2009/136/EG des Europäischen Parlaments und des Rates vom 25. November 2009, ABl. L 337 vom 18.12.2009, S. 11.

([3]) Stellungnahme 13/2011 der Artikel-29-Datenschutzgruppe zu den Geolokalisierungsdiensten von intelligenten mobilen Endgeräten, WP 185, 16.5.2011.

(English version)

Question for written answer E-007530/12
to the Commission
Andreas Mölzer (NI)
(31 July 2012)

Subject: Mobile location tracking — apps transferring personal data without user's knowledge

The advent of the Apple iPhone, Android telephony and other smartphones has made a wide public familiar with the possibility of installing applications ('apps') on mobile devices. The users of apps can also receive requests from network services asking to obtain their location data. Based on the device's position, service providers can offer information on local topics such as weather forecasts or traffic news. However, many apps transmit — without the user's knowledge — sensitive user data which is not even needed in order for the app to function.

1. What is the Commission's view of this transfer of personal data, often without the user's knowledge?

2. What provisions of EU data protection law apply in this connection?

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

The EU legal framework to be complied with for the use of personal data, including geolocation data, by applications installed on smart mobile devices is the Data Protection Directive 95/46/EC ([1]) and the e-privacy Directive 2002/58/EC ([2]).

Controllers must make sure the users of the smart mobile device are always adequately informed about the key elements of the processing, such as their identity as controller, the purposes of the processing, the type of data, the duration of the processing, the rights of data subjects to access, rectify or cancel their data and the right to withdraw consent, the transfer of personal data (if any), the retention period of their personal data, in line with Directive 95/46/EC, in so far as such further information is necessary, having regard to the specific circumstances in which the data are processed, to guarantee fair processing in respect of the data subject. Information must be clear, comprehensive, understandable for a broad, non-technical audience and permanently and easily accessible ([3]).

([1]) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, OJ L 281, 23.11.1995, p. 31-50.

([2]) Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications); OJ L 201, 31.07.2002, p.37, as amended by Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009; OJ L 337, 18.12.2009, p. 11.

([3]) Art. 29 Working Party Opinion 13/2011 on geolocation services on smart mobile devices, WP 185, 16.5.2011.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007532/12
alla Commissione
Mario Borghezio (EFD)
(31 luglio 2012)

Oggetto: Tunnel segreto dall'Ucraina all'UE per traffico illegale di sigarette e forse anche per tratta di persone. Intervenga l'UE

Un tunnel lungo 700 metri scavato a sei metri di profondità e dotato di un binario per un piccolo vagone con il quale i contrabbandieri trasportavano sigarette dall'Ucraina all'Unione europea è stato scoperto dai poliziotti slovacchi al confine con l'ex Repubblica sovietica.

L'ingresso del tunnel in territorio slovacco si trova in un edificio destinato a uffici, quello in Ucraina è in un appartamento privato nella città di Uzhgorod.

Secondo il ministro dell'Interno di Bratislava, si tratta di una struttura «tecnicamente avanzata» e non si esclude che sia stata utilizzata anche per il traffico di esseri umani. Per il ministro delle Finanze, Peter Kazimir, il contrabbando illegale di sigarette attraverso questo tunnel avrebbe causato alla Slovacchia un danno di circa 50 milioni di euro. All'interno del passaggio sotterraneo la polizia ha rinvenuto 13mila pacchetti di sigarette.

La Commissione è a conoscenza di questo tunnel sotterraneo e delle sue funzioni?

La Commissione come intende intervenire nella prevenzione del contrabbando a tutela dei cittadini degli Stati membri dell'UE e nella prevenzione della criminalità e del traffico di esseri umani?

Risposta di Cecilia Malmström a nome della Commissione
(25 settembre 2012)

La Commissione è venuta a conoscenza, tramite i media, dell'esistenza del tunnel per il contrabbando scoperto dalla autorità slovacche. La Commissione non dispone delle competenze per intervenire in casi singoli di contrasto alla criminalità.

La Commissione europea, per cui la lotta contro la tratta di esseri umani è una priorità fondamentale, ha di recente adottato una strategia integrata per l'eradicazione della tratta degli esseri umani (2012-2016). In linea con «L'approccio globale in materia di migrazione e mobilità» ([1]) e con il documento mirato all'azione del 2009 ([2]), l'Unione europea cercherà di stabilire con i paesi terzi una cooperazione in quest'ambito. Inoltre, entro aprile 2013 gli Stati membri sono tenuti a portare a termine il recepimento della direttiva 2011/36/UE ([3]), incentrata sulle attività di contrasto ma che al contempo prevede disposizioni per la prevenzione dei reati e la tutela delle vittime.

Anche la lotta al contrabbando di sigarette rientra tre le priorità della Commissione europea. Una regione che desta particolare preoccupazione è la frontiera orientale dell'UE, dove il contrabbando di sigarette rappresenta uno dei principali fenomeni criminali. Il problema del contrabbando attraverso le frontiere orientali viene affrontato in maniera specifica tramite un piano d'azione della Commissione per la lotta contro il contrabbando di sigarette e alcolici lungo la frontiera orientale dell'UE, adottato il 24 giugno 2011 ([4]). Nell'ambito di tale piano d'azione, l'Ufficio europeo per la lotta antifrode ha inviato a Kiev un funzionario di collegamento e sta negoziando un accordo di cooperazione con le autorità doganali ucraine per intensificare la collaborazione reciproca. Per ulteriori dettagli su questo punto specifico e sugli accordi firmati dalla Commissione con quattro multinazionali del tabacco, la Commissione rinvia l'onorevole parlamentare rispettivamente alle risposte alle interrogazioni E-1887/2012 ([5]) e E-4900/12.

([1]) Comunicazione «L'approccio globale in materia di migrazione e mobilità» COM(2011)743 definitivo.
([2]) Documento mirato all'azione sul rafforzamento della dimensione esterna dell'UE nell'azione contro la tratta degli esseri umani, 11450/5/09 REV 5 del 19 novembre 2009 e 9501/3/11 REV 3, del 4 luglio 2011.
([3]) Direttiva 2011/36/UE concernente la prevenzione e la repressione della tratta di esseri umani e la protezione delle vittime, GU L 101 del 15.4.2011.
([4]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SEC:2011:0791:FIN:EN:PDF.
([5]) http://www.europarl.europa.eu/plenary/it/parliamentary-questions.html

(English version)

Question for written answer E-007532/12
to the Commission
Mario Borghezio (EFD)
(31 July 2012)

Subject: Secret tunnel between the Ukraine and the EU for trafficking in cigarettes and, perhaps, people: call for EU action

Slovak police have discovered a 700-meter-long tunnel some six meters under Slovakia's border with Ukraine, complete with a railway for the small wagon which the smugglers used to transport cigarettes from the former Soviet republic to the EU.

The entrance to the tunnel on the Slovak side was inside an office building, while the entrance on the Ukrainian side of the border was in a private house in the city of Uzhhorod.

According to the Slovak Minister of the Interior, the tunnel was a 'technically advanced' structure which may also have been used to traffic people. The Minister of Finance, Peter Kazimir, estimated that the use of the tunnel to smuggle cigarettes has cost Slovakia around EUR 50 million in lost revenues. The police found 13 000 packets of cigarettes inside the tunnel.

Is the Commission aware of the discovery of this tunnel and the uses to which it was put?

What action does the Commission intend to take to protect the citizens of EU Member States by preventing smuggling, crime and people trafficking?

Answer given by Ms Malmström on behalf of the Commission
(25 September 2012)

The Commission is aware, from media reports, of the discovery of the smuggling tunnel by the Slovak authorities. The Commission has no competence to intervene in individual law enforcement cases.

Fighting human trafficking is a key priority for the European Commission, and it recently adopted an integrated EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016. Cooperation will be sought with third countries, as reflected in the Global Aproach to Migration and Mobility ([1]) and the Action Oriented Paper of 2009 ([2]). Furthermore, by April 2013, Member States should have transposed Directive 2011/36/EU ([3]), which focuses on law enforcement but also aims to prevent crime and protect victims.

Fighting cigarette smuggling and contraband cigarettes is also a priority for the European Commission. One area of particular concern is the EU's Eastern Border where cigarette smuggling is one of the prevailing criminal phenomena. Smuggling through the Eastern borders is specifically addressed through a Commission Action Plan to fight against smuggling of cigarettes and alcohol along the EU Eastern Border, adopted on 24 June 2011 ([4]). In the framework of this Action Plan the European Anti-Fraud Office posted a liaison officer to Kiev and is negotiating a cooperation arrangement with the Ukrainian Customs in order to strengthen the cooperation. The Commission would refer the Honourable Member to its reply to Question E-1887/2012 ([5]) for further details on this specific point. The Commission would also refer the Honourable Member to its reply to E-4900/12 for further details on this and on the Agreements signed between the Commission and 4 multinational cigarettes manufacturers.

([1]) Communication on The Global Approach to Migration and Mobility (COM(2011) 743 final).
([2]) Action Oriented Paper on strengthening the EU external dimension against trafficking in human beings, 11450/5/09 REV 5, 19 November 2009 and 9501/3/11 REV 3, 4 July 2011.
([3]) Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, OJ 15.04.2011, L 101.
([4]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SEC:2011:0791:FIN:EN:PDF.
([5]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Dansk udgave)

Forespørgsel til skriftlig besvarelse P-007533/12
til Kommissionen
Søren Bo Søndergaard (GUE/NGL)
(1. august 2012)

Om: Patentdomstol

Kommissionen bedes oplyse, om enhver Unionsborger eller juridisk person i Unionen har ret til at rejse en sag ved EU's kommende Patentdomstol, uanset om vedkommende er statsborger, bosat eller har hjemsted i et land, som ikke i første omgang tilslutter sig aftalen om Patentdomstolen (f.eks. Italien og Spanien).

Svar afgivet på vegne af Kommissionen af Michel Barnier
(29. august 2012)

Den fælles patentdomstol, som det ærede medlem henviser til, oprettes ved en aftale mellem medlemsstaterne.

I udkastet til aftalen (jf. bilag til Rådets dokument 16741/11) fastsættes følgende: »enhver fysisk eller juridisk person og enhver sammenslutning med status som juridisk person, der har ret til at anlægge sag i henhold til national lovgivning, har adgang til at anlægge sag for domstolen« (artikel 27, stk. 1). Der kan således svares bekræftende på det ærede medlems spørgsmål.

Ifølge udkastet til aftalen vil den fælles patentdomstol have kompetence inden for søgsmål om krænkelser, påbud og tilbagekaldelser vedrørende alle europæiske patenter med enhedsvirkning (»enhedspatenter«) og, med visse begrænsninger i overgangsperioden, vedrørende europæiske patenter uden enhedsvirkning (»klassiske europæiske patenter«), for så vidt de er meddelt for en eller flere medlemsstater, som er part i aftalen (artikel 2, 15, 58 i udkastet til aftalen).

Det vil derfor ikke være parternes nationalitet eller hjemsted, der er afgørende for den fælles patentdomstols kompetence, men det pågældende europæiske patents geografiske dækning. Dette indebærer, at det pågældende europæiske patent skal have enten enhedsvirkning eller virkning i mindst én af de medlemsstater, der har undertegnet og ratificeret aftalen om den fælles patentdomstol.

(English version)

Question for written answer P-007533/12
to the Commission
Søren Bo Søndergaard (GUE/NGL)
(1 August 2012)

Subject: Patent Court

Can the Commission state whether any citizen of the Union or legal person in the Union will have the right to bring a case before the future EU Patent Court, irrespective of whether the person in question has the nationality of or is resident in a country which was not among the first group of countries to accede to the agreement on the Patent Court (e.g. Italy or Spain)?

Answer given by Mr Barnier on behalf of the Commission
(29 August 2012)

The Unified Patent Court (UPC) the Honorary Member refers to would be established through an agreement between Member States.

The draft agreement text (cf. Annex to Council Document 16741/11) sets out the following: 'any natural or legal person, or any body equivalent to a legal person entitled to initiate proceedings in accordance with its national law, shall have access to the Court in order to initiate proceedings' (Article 27(1)). The question of the Honorary Member is thus to be answered in the affirmative.

According to the draft agreement, the UPC would be competent for actions, in particular for infringements, injunctions or revocation, relating to all European patents with unitary effect ('unitary patents') and, with some limitations during a transitional period, for European patents without unitary effect ('classical European patents') insofar as they are granted for one or more Member States party to the UPC Agreement (Articles 2, 15, 58 of the draft agreement).

Therefore, the determining factor for the competence of the UPC would not be the nationality or residence of the parties, but the territorial coverage of the European patent concerned. This implies that the European patent in question must either have unitary effect or be valid in at least one of the Member States which has signed and ratified the UPC Agreement.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007536/12
alla Commissione
Mara Bizzotto (EFD)
(1º agosto 2012)

Oggetto: Conseguenze giuridiche a livello comunitario della possibile indipendenza scozzese

Nel 2014 in Scozia sarà indetto un referendum popolare a favore dell'indipendenza dalla Gran Bretagna.

Con riferimento alla risposta all'interrogazione E-000395/2012, pur non essendo possibile prevedere il risultato della consultazione, stante il fenomeno del tutto recente di un incremento delle istanze autonomiste e indipendentiste in tutti gli Stati membri, la Commissione può chiarire:

— Come si sta preparando ad affrontare un possibile esito favorevole?

— Ritiene sia necessario il ricorso all'articolo 50 del TUE e la presentazione di una nuova domanda di candidatura?

— In alternativa, pensa sia necessario un referendum popolare fra i cittadini del territorio che si è emancipato per stabilire il mantenimento dello status di membro dell'UE?

— Ha intenzione di commissionare uno studio legale che chiarisca definitivamente agli Stati membri modalità e procedure di recesso o di eventuale perdita per autodeterminazione di una regione o un territorio attualmente soggetto alla loro sovranità?

Risposta di José Manuel Barroso a nome della Commissione
(25 settembre 2012)

Per i motivi indicati nella sua risposta all'interrogazione E-000395/2012 ([1]), la Commissione non può pronunciarsi sulle questioni specifiche sollevate dalla onorevole parlamentare e non sta compiendo alcun preparativo al riguardo.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-007536/12
to the Commission
Mara Bizzotto (EFD)
(1 August 2012)

Subject: Legal consequences at EU level of the possible independence of Scotland

In 2014, Scotland will hold a referendum on independence from the United Kingdom.

With reference to the answer to Written Question E-000395/2012, and — although it is impossible to predict the outcome of that referendum — in view of the very recent upswing in the number of autonomous and independent authorities in all Member States, can the Commission state:

— what preparations it is making to cater for a vote in favour of independence?

— whether it considers that Article 50 TEU should apply and a new request for membership presented?

— alternatively, whether it feels it would be necessary for a general referendum to be held in the newly-independent territory to establish whether the population wishes it to remain part of the EU?

— whether it will commission a legal study to clarify definitively for Member States the methods and procedures applicable to a withdrawal and eventual loss, as a result of self-determination, of a region or territory over which they currently have sovereignty?

Answer given by Mr Barroso on behalf of the Commission
(25 September 2012)

For the reasons set out in the Commission's reply to Question E-000395/2012 ([1]), the Commission is not in a position to express any view on the specific issues raised by the Honourable Member and is not making any specific preparations in this regard.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007537/12
alla Commissione
Mara Bizzotto (EFD)
(1º agosto 2012)

Oggetto: Quinta relazione sulla coesione economica, sociale e territoriale della Commissione del novembre 2010 e Strategie Macroregionali

Dall'analisi della Quinta relazione sulla coesione economica, sociale e territoriale della Commissione, del novembre 2010, si evince che: «L'esame dei singoli movimenti del PIL pro capite serve per individuare le regioni che stanno convergendo e le regioni che stanno rimanendo indietro. Per esempio, 11 regioni sono passate dal gruppo delle regioni con un PIL pro capite inferiore al 50 % della media UE al gruppo con un PIL tra il 50 % e il 75 %. Si tratta dei tre paesi baltici, Yugozapaden (Bulgaria), Kozep-Dunantul (Ungheria), quattro regioni polacche e due regioni slovacche. Spicca la regione di Bucureşti-Ilfov (Romania) per essere passata da un PIL inferiore alla media del 50 % a oltre il 75 % della media in poco più di 10 anni». L'analisi condotta dalla Commissione mette in evidenza, dunque, che in piena crisi economica finanziaria è stato possibile per queste aree mantenere un buon tasso di crescita del PIL. In particolare, va sottolineato che tutti questi territori partecipano a Strategie Macroregionali: i paesi baltici alla Macroregione del Mar Baltico, attiva dal 2009, mentre le altre regioni sopracitate a quella del Danubio operativa dal 2011. Obiettivo delle Macroregioni è favorire la cooperazione tra paesi che condividono sfide comuni, soprattutto in ambito di sviluppo economico.

La Commissione ritiene che l'adesione di queste aree alle Strategie Macroregionali possa essere considerato il fattore chiave che ha influito positivamente sulle performance economiche favorendo l'aumento del PIL e la crescita di questi territori? Con la nuova programmazione della politica regionale la Commissione intende diffondere queste strategie trasformandole in un nuovo futuro modello di governance europea?

Risposta di Johannes Hahn a nome della Commissione
(12 settembre 2012)

Gli effetti delle strategie macroregionali per le regioni del Mar Baltico e del Danubio sui risultati economici saranno presentati al Consiglio nel giugno 2013, nell'ambito di una valutazione generale a cura della Commissione. Tali strategie sono state redatte e attuate dalla Commissione in base a richieste del Consiglio rispettivamente del 2009 e 2011.

Nelle proposte della Commissione per la politica di coesione per il periodo 2014-2020 le strategie macroregionali e quelle destinate ai bacini marittimi saranno incluse, ove del caso, nel Contratto di Partenariato che espone i principali ambiti di priorità della cooperazione. La proposta prevede altresì che i programmi definiscano l'eventuale contributo degli interventi programmati a favore delle strategie macroregionali e dei bacini marittimi.

(English version)

Question for written answer E-007537/12
to the Commission
Mara Bizzotto (EFD)
(1 August 2012)

Subject: Fifth Commission report on economic, social and territorial cohesion of November 2010, and macro-regional strategies

The Commission's fifth report on economic, social and territorial cohesion of November 2010 states that: 'Examining individual movements in GDP per head serves to identify which regions are converging and which are falling behind. For example, 11 regions moved from the group of regions with a GDP per head below 50% of the EU average to the group between 50% and 75%. These are the three Baltic States, Yugozapaden (Bulgaria), Közép-Dunántúl (Hungary), four Polish regions and two Slovak regions. Bucureşti-Ilfov (Romania) stands out in moving from below 50% of the average to above 75% in just over 10 years'. The Commission's analysis shows, therefore, that even in the midst of a financial and economic crisis these areas have managed to maintain a good GDP growth rate. In particular, it should be stressed that all these territories take part in macro-regional strategies: the Baltic countries are part of the Baltic Sea macro-region, operational since 2009, while the other abovementioned regions belong to the Danube macro-region, operational since 2011. The aim of the macro-regions is to promote cooperation between countries that share common challenges, especially with regard to economic development.

Does the Commission believe that the participation of these areas in macro-regional strategies can be regarded as a key factor in having had a positive effect on economic performance by encouraging the increase in GDP and the growth of these territories? In its new regional policy programming, does the Commission intend to disseminate these strategies and transform them into a new future model of European governance?

Answer given by Mr Hahn on behalf of the Commission
(12 September 2012)

In June 2013, the effect of the macro-regional strategies for the Baltic Sea and Danube Regions on economic performance will be presented to the Council as part of an overall evaluation by the Commission. These strategies have been prepared and implemented by the Commission on the basis of Council requests in 2009 and 2011 respectively.

In the proposals of the Commission for cohesion policy for the 2014-2020 period, macro-regional and sea-basin strategies will play a role, where appropriate, in the Partnership Contract, in which the main priority areas for cooperation are set out. In addition, it is proposed that programmes shall set out, where appropriate, the contribution of the planned interventions towards macro-regional and sea-basin strategies.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007538/12
alla Commissione
Mario Borghezio (EFD)
(1º agosto 2012)

Oggetto: «Bolle di sapone» manipolate: l'UE intervenga in tutela della salute dei bambini

In Italia sono state scoperte «bolle di sapone» provenienti dalla Cina e vendute poi abusivamente. In Liguria, in particolare, sono state sequestrate 35mila confezioni di bolle di sapone «made in China» contenenti un batterio resistente agli antibiotici.

La Commissione quali provvedimenti intende adottare per far fronte ai potenziali rischi che possono derivare dall'immissione in Europa di questi giocattoli «manipolati» relativamente alla salute dei bambini?

Risposta di John Dalli a nome della Commissione
(12 settembre 2012)

I provvedimenti presi dalle autorità italiane in relazione al rischio microbiologico per i consumatori costituito dalle bolle di sapone sono stati notificati alla Commissione mediante il sistema RAPEX ([1]) e trasmessi a tutti gli Stati membri affinché possano intraprendere azioni adeguate.

La normativa europea sulla sicurezza dei giocattoli si applica a tutti i giocattoli, indipendentemente dalla loro origine, commercializzati dagli operatori economici dell'UE e di paesi terzi. Spetta principalmente agli Stati membri assicurarne la corretta applicazione. Il modo più efficace di evitare l'importazione di giocattoli pericolosi è effettuare controlli adeguati alle frontiere. Per agevolare l'attività delle dogane al riguardo sono state recentemente redatte linee guida sui controlli delle importazioni, giocattoli inclusi. Sussiste altresì una stretta collaborazione tra le autorità di sorveglianza del mercato e le autorità doganali. La Commissione assicura inoltre il coordinamento delle impostazioni seguite dalle varie autorità di sorveglianza del mercato mediante il gruppo di esperti per la Cooperazione amministrativa sulla sicurezza dei giocattoli.

Al fine di migliorare il rispetto della normativa europea in fatto di giocattoli da parte dei produttori cinesi è in corso da diversi anni un'efficace collaborazione con le autorità cinesi. Tale collaborazione prevede uno scambio regolare di informazioni sulle prescrizioni e le norme applicabili in fatto di sicurezza, lo scambio di informazioni sui giocattoli pericolosi di origine cinese individuati sul mercato dell'UE mediante il sistema «RAPEX-Cina», l'organizzazione di attività dirette ai produttori in Cina, nonché iniziative di formazione destinate a funzionari del governo cinese.

([1]) http://ec.europa.eu/rapex.

(English version)

Question for written answer E-007538/12
to the Commission
Mario Borghezio (EFD)
(1 August 2012)

Subject: Adulterated soap bubbles — the EU should take action to protect children's health

In Italy, soap bubbles from China, which have been sold illegally, have been discovered. In Liguria, in particular, 35 000 packets of soap bubbles made in China and containing an antibiotic-resistant bacterium have been seized.

What measures does the Commission intend to take to address the potential risks that could arise from the arrival in Europe of these 'adulterated' toys as far as children's health is concerned?

Answer given by Mr Dalli on behalf of the Commission
(12 September 2012)

Measures adopted by the Italian authorities regarding the soap bubbles posing a microbiological risk to consumers have been notified to the Commission through the RAPEX system ([1]), and transmitted to all Member States in order for them to take appropriate action.

The EU toy safety legislation applies to all toys, regardless of their origin, placed on the market by EU and non-EU economic operators. It is, in the first place, for Member States to ensure its proper application. The most effective way to avoid the import of dangerous toys is to perform adequate checks at the border. To facilitate Customs tasks in this regard, Guidelines for import controls, including for toys, have recently been developed. Furthermore, close cooperation between market surveillance and customs authorities is taking place. Additionally, the Commission ensures a coordinated approach amongst market surveillance authorities via the Toy Safety Administrative Cooperation Expert group.

To improve Chinese manufacturers' compliance with applicable EU toy safety legislation, effective cooperation has been in place for several years with the Chinese authorities. Such cooperation involves a regular exchange of information about applicable safety requirements and standards, exchange of information on unsafe Chinese origin toys found on the EU market via the 'RAPEX-China' system, organisation of targeted outreach activities for manufacturers in China as well as training of Chinese government officials.

([1]) http://ec.europa.eu/rapex.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-007539/12
do Komisji
Filip Kaczmarek (PPE)
(1 sierpnia 2012 r.)

Przedmiot: Prawa rodziców w świetle przepisów Jugendamt

Zgodnie z informacjami prasowymi niemiecki Federalny Urząd Statystyczny poinformował, że w roku 2011 niemieckie Urzędy do Spraw Młodzieży, tzw. Jugendamty odebrały rodzinom rekordową liczbę 38 500 nieletnich, odbierając tym samym rodzicom ich prawa rodzicielskie. Urząd ten dysponuje olbrzymią władzą i jak zwracają uwagę specjaliści, w tym prawnicy, wydaje się, że praca Jugendamtów nie jest w wystarczającym stopniu kontrolowana przez instytucje państwowe, co jest ewenementem w skali wszystkich państw europejskich. Pokrzywdzeni przez urzędników rodzice, niezależnie od narodowości, nie mają w zderzeniu z urzędem praktycznie żadnych szans. Wśród poszkodowanych drastycznymi decyzjami urzędu są m.in. Polacy. Rodzice odebranych przez Jugendamty dzieci nie mogą widywać ich latami, nie mogą swobodnie z nimi rozmawiać w ojczystym języku, spotkania zaś, jeśli do nich dojdzie, odbywają się pod ścisłą kontrolą.

Zwracam się z zapytaniem:

Czy Komisja monitoruje sytuację związaną z funkcjonowaniem niemieckich Urzędów do Spraw Młodzieży?

Jakie kroki podejmuje Komisja dla ochrony praw rodziców, zarówno niemieckich, jak i innych narodowości, którzy z powodu działalności urzędu mają utrudnione kontakty z własnymi dziećmi, a tym samym nie mają wpływu na ich wychowanie?

Odpowiedź udzielona przez komisarz Viviane Reding w imieniu Komisji
(6 września 2012 r.)

Z zasady niemieckie urzędy ds. młodzieży, tzw. „Jugendamty", podczas swoich interwencji posługują się niemieckim prawem rodzinnym, a nie prawem unijnym. Prawo rodzinne UE dotyczące dzieci ogranicza się do wspólnych zasad w zakresie jurysdykcji oraz uznawania i wykonywania istniejących wyroków w innych państwach członkowskich. Rozporządzenie (WE) nr 2201/2003 („rozporządzenie Bruksela IIa") stanowi główny instrument prawny UE w tej dziedzinie. Ani rozporządzenie, ani niemieckie przepisy implementacyjne nie przypisują Jugendamtom szczególnej roli w stosowaniu tego instrumentu prawnego. Z tego względu Komisja nie jest w stanie monitorować funkcjonowania Jugendamtów.

Prawo dziecka do utrzymywania bezpośrednich kontaktów z obojgiem rodziców jest chronione przez Kartę. Jednak zgodnie z art. 51 postanowienia Karty mają zastosowanie do państw członkowskich wyłącznie w zakresie, w jakim wdrażają one prawo unijne. W przypadku stosowania materialnego prawa rodzinnego do państw członkowskich należy zadbanie o to, by ich zobowiązania w zakresie praw podstawowych, wynikające z porozumień międzynarodowych oraz z przepisów wewnętrznego ustawodawstwa, były przestrzegane. W związku z tym Komisja nie jest w stanie wyrazić swojej opinii, ani interweniować w zakresie przestrzegania praw podstawowych przez niemieckie organy władzy, jeśli stosują one niemieckie materialne prawo rodzinne.

Na poziomie bardziej ogólnym Komisja przeprowadza obecnie analizę sposobów wzmocnienia wzajemnego zaufania w sprawach o przyznanie opieki nad dzieckiem.

(English version)

Question for written answer E-007539/12
to the Commission
Filip Kaczmarek (PPE)
(1 August 2012)

Subject: Parental rights and the German child welfare agency (Jugendamt)

According to press reports, Germany's Federal Statistics Office has published figures showing that in 2011 the German child welfare agency (*Jugendamt)* took a record number of children — 38 500 — away from their parents, who were thus deprived of their parental rights. The *Jugendamt* is vested with extremely far-reaching powers, and, according to experts in the field, including legal specialists, the exercise of those powers is not subject to sufficiently close scrutiny by the national authorities, to the detriment of parents across the European Union. Parents are in an extremely weak position in their dealings with the agency, whatever their nationality, and Poles number among those who have fallen foul of the draconian methods it employs. Parents who have had children taken away from them by the agency do not see them for years, are unable to speak to them freely in their own language and, if they are allowed to see them, may do so only under strict supervision.

Is the Commission monitoring the workings of the German child welfare agency?

What steps is it taking to protect the rights of parents from both within and outside Germany who, as a result of decisions by the agency, are being denied normal contact with their own children and thus have no influence over their upbringing?

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

As a rule, the German Youth Welfare Agency 'Jugendamt' applies German family law and not EC law when it intervenes. EU family law relating to children is limited to common rules on jurisdiction and the recognition and enforcement of existing judgments in another Member State. Regulation (EC) No 2201/2003 ('the Brussels IIa regulation') represents the main EC law instrument in this area. Neither the regulation nor the German implementing legislation attribute to the 'Jugendamt' a particular role in the application of this legal instrument. For these reasons the Commission is not in a position to monitor the functioning of Jugendamt.

The child's right to maintain direct contact with both parents is enshrined in the Charter. However, according to Article 51, its provisions are addressed to the Member States only when they are implementing Union law. When applying substantive family law it is for Member States to ensure that their obligations regarding fundamental rights — as resulting from international agreements and from their internal legislation — are respected. Therefore, the Commission is not in a position to comment or intervene on the respect of fundamental rights by German authorities when they apply substantive German family law.

At a more general level, the Commission is currently analysing ways of reinforcing mutual trust in child custody cases.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-007540/12
do Komisji
Filip Kaczmarek (PPE)
(1 sierpnia 2012 r.)

Przedmiot: Ułatwienia związane z korzystaniem z Europejskiej Karty Parkingowej

W tym roku mija już 10 lat od kiedy Europejska Karta Parkingowa jest stosowana w Polsce. Karta pozwala by osoba, na którą ta karta jest wystawiona, mogła korzystać z parkowania na miejscach wyznaczonych dla osób niepełnosprawnych. W ostatnim czasie udało się stwierdzić wydanie 650 tys. kart. Zgodnie z informacjami, jakie udostępniają różne organizacje pozarządowe, dowiadujemy się, że z kart korzystają również osoby, które nie są do tego uprawnione. Nadużyć dopuszczają się często osoby korzystające z kart wydanych na inne osoby bądź wystawione na osoby nieżyjące. Częstym wykroczeniem jest również podrabianie kart parkingowych dla osób niepełnosprawnych. Aby lepiej zabezpieczyć rzeczywistość osób niepełnosprawnych złożono w Sejmie projekt ustawy zakładający m.in.:

— centralny rejestr takich kart powiązany z krajowym systemem ewidencji, aby umożliwić łatwą weryfikację autentyczności osoby posiadającej kartę;

— ograniczenie czasowe polegające na wystawianiu kart na 5 lat;

— rozważa się wprowadzenie dodatkowego hologramu zabezpieczającego przed podrabianiem karty.

Przepisy dotyczące miejsc parkingowych wciąż różnią się w poszczególnych krajach Unii Europejskiej.

Zwracam się z zapytaniem:

— Czy Komisja prowadzi działania mające na celu ujednolicenie tych przepisów?

— Czy Komisja zamierza wprowadzić inne zalecenia dla krajów członkowskich, aby usprawnić stosowanie Europejskiej Karty Parkingowej na terenie UE?

Odpowiedź udzielona przez komisarz Viviane Reding w imieniu Komisji
(5 września 2012 r.)

Standardowy europejski wzór karty parkingowej wprowadzono na mocy zalecenia Rady 98/376/WE ([1]). Jego podstawową zasadą jest wzajemne uznawanie przez państwa członkowskie UE i państwa EOG kart, które zostały wydane zgodnie z europejskim wzorem. W załączniku do wspomnianego zalecenia określono pewną liczbę standardowych danych przedmiotowej karty takich jak format, układ i dodatkowe informacje dotyczące właściciela.

Zasady regulujące korzystanie z miejsc parkingowych mogą się różnić między państwami członkowskimi, które są również odpowiedzialne za wydawanie omawianej karty. Przy podejmowaniu decyzji o przyznaniu karty władze krajowe stosują własne definicje niepełnosprawności. Określają one również procedury przyznawania karty, mają ostateczny głos w kwestii informacji umieszczonych na karcie i innych warunków korzystania z karty. Komisja nie planuje aktualnie harmonizacji tych zasad.

W zaleceniu przewidziano także, że państwa członkowskie powinny wprowadzić pewne zabezpieczenia w celu zapobieżenia fałszerstwom lub podrabianiu karty parkingowej. Zarówno zabezpieczenia, jak i metody zapobiegania fałszerstwom leżą w gestii państw członkowskich i różnią się między sobą. Możliwości poprawy w zakresie zabezpieczenia karty były niedawno przedmiotem dyskusji unijnej Grupy Wysokiego Szczebla ds. Niepełnosprawności. Komisja wspiera współpracę między państwami członkowskimi w tej dziedzinie, zwłaszcza w celu promowania nowych rozwiązań technologicznych zmierzających do zwalczania nieuczciwego stosowania.

([1]) Zmienione zaleceniem Rady 2008/205/WE z dnia 3 marca 2008 r. dostosowującym zalecenie 98/376/WE w sprawie karty parkingowej dla osób niepełnosprawnych.

(English version)

Question for written answer E-007540/12
to the Commission
Filip Kaczmarek (PPE)
(1 August 2012)

Subject: Streamlining the use of the European Parking Card

It has now been 10 years since the European Parking Card scheme was first introduced in Poland. The card entitles holders to park in disabled parking spaces, and recent figures show that 650 000 such cards have been issued. However, according to information from various NGOs, there have been cases of the scheme being misused by people who are not entitled to a card. This generally involves people using cards issued to someone else or to someone who has since died, or using cards that have been forged. In order to help ensure that the cards are used only by disabled persons, a bill has been brought before the Sejm with a view to:

— establishing a central register of such cards, linked to the national records system, to make it easier to check the identity of people using the cards;

— restricting the validity of cards to five years;

— possibly including an additional hologram in the cards, to protect against forgery.

Attention should also be drawn to the fact that the rules governing the use of parking spaces still differ from one Member State to another.

Will the Commission be taking steps to harmonise those rules?

Does it intend to issue recommendations to the Member States with a view to streamlining the use of the European Parking Card within the EU?

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

The standardised European model parking card was introduced by Council Recommendation 98/376/EC ([1]). Its basic principle is the mutual recognition of cards that are issued in accordance with the European model, by the EU and EAA Member States. The annex to the recommendation provides for a number of standardised details of the card like format, layout, and additional information about the owner.

The rules governing the use of parking spaces can indeed differ between Member States that also remain responsible for issuing the card. In deciding the conditions for granting of the card, national authorities use their own definitions of disability. They also define the procedures for granting, have the final word on the information displayed on the card and on other conditions for use of the card. The Commission has currently no plans to harmonise those rules.

The recommendation also provides that the Member States should introduce certain security features to prevent forgery or counterfeiting of the parking card. Both security features and methods of prevention differ between the Member States, who decide on them. The possibilities for improving the security of the card have been recently discussed in the EU Disability High Level Group. The Commission supports cooperation between the Member States in this area, in particular to promote new technological solutions to combat fraudulent use.

([1]) Amended by the Council Recommendation 2008/205/EC of 3 March 2008 adapting Recommendation 98/376/EC on a parking card for people with disabilities.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-007541/12
adresată Comisiei
Silvia-Adriana Țicău (S&D)
(1 august 2012)

Subiect: Cloud computing

Informatica „dematerializată” (cloud computing) îmbunătățește performanțele în domeniul tehnologiei informațiilor atât în sectorul public, cât și în cel privat, reducând costurile de prelucrare și de stocare a datelor.

Comisia Europeana s-a angajat să adopte, până la sfârșitul lunii iulie 2012, o strategie a UE pentru „cloud computing”. Solicit Comisiei ca strategia UE pentru „cloud computing” să fie însoțită de un plan de acțiune care să asigure că UE devine activă în domeniul „cloud computing”. Solicit ca atât strategia, cât și planul de acțiuni să conțină următoarele elemente esențiale: respectarea drepturilor fundamentale, a vieții private și protecția datelor cu caracter personal; standarde, certificări, protecția datelor, interoperabilitate, certitudine juridică; elemente privind proprietatea datelor, responsabilitatea pentru securizarea și guvernanța datelor; îndrumări și modele de contracte de tip „Service Level Agreements” (SLA) și „End User Agreements” (EUA); subcontractare și externalizare; asigurarea resurselor financiare necesare.

Aș dori să întreb Comisia când va adopta și publica Strategia UE pentru „cloud computing” și dacă aceasta va include elementele menționate anterior.

Răspuns dat de dna Kroes în numele Comisiei
(19 septembrie 2012)

Agenda digitală pentru Europa a prevăzut o strategie coerentă a UE în domeniul *cloud computing*. *Cloud computing*-ul poate contribui la realizarea unei piețe unice digitale. Strategia europeană pentru *cloud computing* va cuprinde un set de acțiuni-cheie destinate a garanta faptul că Europa devine un mediu activ și favorabil *cloud computing*-ului, pentru a stimula adoptarea soluțiilor de *cloud computing* în beneficiul clienților și al furnizorilor în egală măsură. Aceste acțiuni au fost identificate pe parcursul consultărilor publice cu părțile interesate ca fiind cele mai importante pentru a permite și facilita adoptarea mai rapidă a *cloud computing*-ului în toate sectoarele economiei, în scopul stimulării productivității, creșterii și ocupării forței de muncă.

Se așteaptă ca adoptarea oficială și publicarea Strategiei europene pentru *cloud computing* să aibă loc curând după vara anului 2012.

(English version)

Question for written answer E-007541/12
to the Commission
Silvia-Adriana Ţicău (S&D)
(1 August 2012)

Subject: Cloud computing

Cloud computing makes it possible to achieve enhanced performance in the field of information technology, both in the public and private sector, reducing data processing and storage costs.

Having undertaken to adopt an EU cloud computing strategy by the end of July 2012, can the Commission ensure that it will be accompanied by a plan of action to ensure that the EU does in fact become active in this field? Is it possible to ensure that both the strategy and plan of action contain the following essential elements: respect for fundamental rights, privacy and personal data protection; standards, certification, data protection, interoperability, legal certainty, data ownership, responsibility for data security and management, guidelines and models for service level agreements (SLA) and end-user agreements (EUA); subcontracts, outsourcing and measures to secure the necessary funding? When will the Commission publicly adopt the EU cloud computing strategy and will it include the above elements?

Answer given by Ms Kroes on behalf of the Commission
(19 September 2012)

The Digital Agenda for Europe has foreseen a coherent EU strategy for cloud computing. Cloud computing can contribute to the achievement of a Digital Single Market. The European Cloud Strategy will contain a set of key actions to make Europe cloud-active as well as cloud-friendly in order to stimulate the uptake of cloud computing solutions for the benefit of customers and suppliers alike. These actions have been identified during the public consultations with the stakeholders as the most important to enable and facilitate faster adoption of cloud computing throughout all sectors of the economy in order to boost productivity, growth and jobs.

The formal adoption and publication of the European Cloud Strategy is expected soon after summer 2012.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-007542/12
adresată Comisiei
Silvia-Adriana Țicău (S&D)
(1 august 2012)

Subiect: Securitatea în domeniul transporturilor

În primul semestru al anului 2012 (la data de 31 mai 2012), Comisia a publicat un document de lucru privind securitatea în domeniul transporturilor ce identifică domeniile din acest sector care necesită intervenția UE. Documentul subliniază că sectorul transporturilor trebuie să reziste la atacurile cibernetice. În cadrul strategiei Comisiei Europene privind securitatea internă, a fost efectuat un studiu privind fezabilitatea creării unui Centru european de combatere a criminalității informatice (ECC). Conform acestui studiu, în viitor, Centrul european de combatere a criminalității informatice ar putea deveni punctul central de luptă împotriva criminalității informatice la nivel european.

Aș dori să întreb Comisia care vor fi măsurile concrete pe care intenționează să le propună pentru prevenirea atacurilor informatice, în special pentru asigurarea securității în domeniul transporturilor. De asemenea, în acest context, aș dori să întreb Comisia cum va fi asigurată integrarea ENISA și a ECC în cadrul măsurilor privind prevenirea atacurilor informatice, în special pentru asigurarea securității în domeniul transporturilor.

Răspuns dat de dna Kroes în numele Comisiei
(12 septembrie 2012)

Comisia împărtășește pe deplin îngrijorarea cu privire la creșterea numărului de incidente cibernetice și la posibilul impact negativ grav asupra principalelor sectoare ale economiei UE. Astfel de incidente pot fi cauzate de infractori, dar și de evenimente naturale, erori umane sau deficiențe tehnice. Pentru a soluționa această problemă, Comisia și Serviciul European de Acțiune Externă lucrează în prezent la o strategie europeană comună pentru securitatea cibernetică, planificată pentru 2012.

Strategia ar trebui să abordeze chestiuni legate de nivelul inegal de pregătire la nivel național în UE, lipsa de mecanisme de cooperare eficientă și de colaborare la nivelul UE și lipsa unei culturi privind gestionarea riscului în special în sectorul privat, inclusiv prin intermediul unei propuneri legislative privind securitatea rețelelor informatice și a datelor (NIS). De asemenea, strategia își propune să dezvolte o piață europeană a produselor/serviciilor protejate; să sprijine în continuare prevenirea criminalității informatice și capacitatea de reacție la aceasta; să promoveze sensibilizarea publicului și instruirea; să încurajeze investițiile în cercetare și dezvoltare; să asigure o politică internațională coerentă privind securitatea cibernetică pentru UE; să dezvolte capacitățile de apărare împotriva criminalității cibernetice; să promoveze capacitățile în materie de securitate cibernetică și cooperarea la nivel mondial.

Opțiunile pentru propunerea legislativă privind NIS se află în prezent în curs de consultare publică ([1]), cum ar fi solicitarea adresată tuturor statelor membre de a stabili un nivel minim comun de NIS la nivel național sau crearea de mecanisme coordonate la nivelul Uniunii. Părțile interesate din sectorul privat, inclusiv din sectorul transporturilor, ar trebui să joace un rol activ în această strategie și ar putea avea obligația să abordeze riscurile care afectează rețelele și sistemele lor informatice și să raporteze incidentele importante.

Se așteaptă ca ENISA și Centrul European de Combatere a Criminalității Informatice (EC3) să furnizeze sprijin esențial pentru punerea în aplicare a acestei strategii, în conformitate cu mandatele lor.

([1]) http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/818&format=HTML&aged=0&language=EN&guiLanguage=en.

(English version)

Question for written answer E-007542/12
to the Commission
Silvia-Adriana Ţicău (S&D)
(1 August 2012)

Subject: Security of the transport sector

In the first half of 2012 (31 May), the Commission published a working document concerning the security of the transport sector, identifying areas where EU action was necessary. The document stressed the need to protect the transport sector from cyber attacks. In the context of the Commission's internal security strategy, a feasibility study was carried out regarding the creation of a European Cybercrime Centre (ECT) envisaging that it would become the focal point of efforts to combat cybercrime at European level.

What specific measures are being envisaged by the Commission to prevent cyber attacks, and in particular ensure the security of the transport sector? In this connection, how will the ENISA and the ECC be involved in efforts to prevent cyber attacks and in particular ensure the security of the transport sector?

Answer given by Ms Kroes on behalf of the Commission
(12 September 2012)

The Commission fully shares concerns about the rise of cyber incidents and potential serious negative impacts on key sectors of the EU economy. Such incidents might be caused by criminals but also by natural events, human errors or technical failures. To address this issue, the Commission, with the European External Action Service, is currently working on a joint European Strategy for Cyber Security planned for 2012.

The strategy should address issues linked to the uneven level of preparedness at national level across the EU, the lack of mechanisms for effective cooperation and collaboration at EU level and the lack of a risk management culture notably in the private sector, including via a legislative proposal on Network and Information Security (NIS). The strategy will also seek to develop an EU market for secured products/services; support further the prevention and response to cybercrime; promote awareness raising and education; foster R & D investments; ensure coherent international cyber security policy for the EU; develop cyber defence capabilities; advance cyber security capacity and cooperation globally.

Options for the legislative proposal on NIS are currently under public consultation ([1]), such as the request to all Member States to establish a common minimum level of NIS at national level or the set-up of coordinated mechanisms at Union level. Private stakeholders, including in the transport sector, should play an active role in this strategy and may be asked to address the risks on their networks and information systems and report significant incidents.

ENISA and the European Cybercrime Centre (EC3) are expected to provide key support to implement this strategy according to their respective mandate.

([1]) http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/818&format=HTML&aged=0&language=EN&guiLanguage=en.

(English version)

Question for written answer E-007544/12
to the Commission
Catherine Bearder (ALDE)
(1 August 2012)

Subject: EN1090 and product exemptions

The International Association of Designing Artist Blacksmiths has expressed concern over the impact of EN1090 on artist blacksmiths. I have been contacted on behalf of the artist blacksmith community over the restrictions they are likely to experience as a result of EN1090.

In the light of this, if an exemption has been made for products such as railings, window bars and grilles, chandeliers, brackets, fireplaces and partition screens, can the Commission confirm whether there is a possibility of extending that exemption so that it also covers balustrades for staircases and balconies?

Answer given by Mr Tajani on behalf of the Commission
(21 September 2012)

Pursuant to the European regulatory framework in place for the commercialisation of construction products, standards for these products cannot foresee exemptions from the general rules in force. Therefore the standard EN 1090, covering steel and aluminium structures, cannot either have such implications, even for its harmonised Part 1. Moreover, EN 1090-1 does not contain any clauses for exemptions concerning the product groups mentioned by the Honourable Member. In these circumstances it remains unclear what would be the source of such eventual exemptions.

The Commission is aware of the fact that, within the application of the Construction Products Directive (89/106/EEC, the CPD), construction products manufactured within a non-series process have not always been treated in a similar fashion in all Member States, which could have caused some confusion amongst the stakeholders involved. In the new Construction Products Regulation (305/2011/EU, the CPR), Article 5 allows for derogations for such artisanal products meeting the conditions listed in that provision. These latter rules will enter into full application from 1 July 2013 onwards, when the CPD will be repealed. In these circumstances, the Commission is confident that the new legal framework contained in the CPR will also enable the uniform implementation of these provisions all across the EU.

(English version)

Question for written answer E-007545/12
to the Commission
Catherine Bearder (ALDE)
(1 August 2012)

Subject: Detention of Mahmoud Sarsak

Palestinian football player Mahmoud Sarsak was arrested by Israeli security forces in July 2009 without charge and is still being detained in poor conditions. Mr Sarsak's situation has recently become the focus of media attention, yet a solution does not look likely.

In light of this, can the Commission confirm whether it is aware of this case? Furthermore, would the Commission consider liaising with other partners involved in the situation to attempt to resolve the matter?

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

Mr Al-Sarsak was released on 10 July 2012.

The HR/VP would refer the Honourable Member to the answer provided to Written Question E-006093/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versión española)

Pregunta con solicitud de respuesta escrita E-007547/12
a la Comisión
Ana Miranda (Verts/ALE)
(2 de agosto de 2012)

Asunto: Posible infrautilización de las posibilidades de pesca de la flota europea en Mauritania

La expiración del Protocolo por el que se fijan las posibilidades de pesca y la contrapartida financiera previstas en el acuerdo de asociación en el sector pesquero entre la Comunidad Europea y la República Islámica de Mauritania para el período comprendido entre el 1 de agosto de 2008 y el 31 de julio de 2012, ha provocado un enorme cuestionamiento en el sector pesquero europeo. El acuerdo parece más una contrapartida financiera que un verdadero acuerdo pesquero que busca la sostenibilidad económica, social y medio ambiental de los recursos pesqueros, de la flota europea, de su impacto laboral y de la mejora de las condiciones de vida de la población mauritana.

En el caso de la flota gallega, la exclusión de la flota cefalopodera del acuerdo no ha sido bien evaluada con arreglo a los datos científicos disponibles y hay una respuestas social y política a un tema tan grave que afecta a muchos empleos que dependían hasta el 31 de julio de faenar en el marco de este acuerdo.

En el caso de la flota holandesa, ha habido ya declaraciones que afirman que no va a continuar en los caladeros mauritanos porque el nuevo acuerdo es especialmente gravoso económicamente.

Por exclusión de la flota, o por decisión propia de no continuar en aguas mauritanas, se puede producir la paradójica situación de que haya un nivel de utilización de las posibilidades de pesca ínfimo, y que no se cumpla la presencia mínima de flota europea para faenar en aguas mauritanas en base a este acuerdo bilateral. ¿Podría en esa situación denunciarse y anularse el acuerdo? ¿Podría procederse a la apertura de nuevas negociaciones si no se cumple el nivel de utilización de las posibilidades de pesca por parte de la flota pesquera europea?

Respuesta de la Sra. Damanaki en nombre de la Comisión
(11 de octubre de 2012)

En opinión de la Comisión, el nuevo Protocolo del acuerdo de asociación en el sector pesquero con Mauritania es sostenible y económicamente viable. Este fija las posibilidades de pesca de la flota de la UE, excepto en el caso de los cefalópodos, en que Mauritania no ha concedido ningún excedente a la UE. Es verdad que algunas de las nuevas condiciones técnicas son más restrictivas que antes. Se deben a los objetivos de control, a la necesidad de proteger las especies que sufren una explotación excesiva y al objetivo de limitar las repercusiones en el fondo marino.

No se incluyó ninguna cuota de cefalópodos en el nuevo Protocolo, aunque la Comisión insistió en que se mencionase esta categoría. De este modo, si el estado de esta población mejora en el futuro y los datos científicos actualizados así lo confirman, la Comisión podrá recurrir a la cláusula de revisión acordada en el Protocolo y solicitar posibilidades de pesca en esta categoría. Sin embargo, quedará a discreción de Mauritania aumentar su propio esfuerzo pesquero o conceder posibilidades de pesca a la UE.

El artículo 5 del Protocolo incluye una cláusula de salvaguardia que permite su denuncia con un plazo de preaviso de cuatro meses, de no aprovecharse de forma satisfactoria las posibilidades de pesca. A diferencia del pasado, el presupuesto de la UE no se gastará, por lo tanto, en «pescado teórico» y la Unión Europea tiene la posibilidad de salirse del Protocolo si no resulta atractivo.

La renegociación no figura en el orden del día y la Comisión considera que el Protocolo rubricado constituye el mejor acuerdo en las circunstancias actuales y que es preferible, con mucho, a no tener ningún Protocolo. Permite ajustes técnicos, que se acordarán en el marco de los futuros comités mixtos con Mauritania.

(English version)

Question for written answer E-007547/12
to the Commission
Ana Miranda (Verts/ALE)
(2 August 2012)

Subject: Possible underutilisation of the EU fleet's fishing opportunities in Mauritania

The expiry of the Protocol to the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, which established the fishing opportunities and the financial contribution for the period between 1 August 2008 and 31 July 2012, has been the subject of a huge debate in the EU's fishing industry. The agreement appears to be more a financial contribution than a genuine fisheries agreement intended to make fisheries resources, the EU fleet, employment and a better standard of living for the Mauritanian people more economically, socially and environmentally sustainable.

As regards the Galician fleet, the decision to exclude the cephalopod fishing fleet from the agreement did not take due account of the scientific data available. This is a very serious issue affecting many jobs that depended, until 31 July, upon fishing under this agreement and has produced a social and political reaction.

As regards the Dutch fleet, statements have already been made to the effect that economically in particular the new agreement will prove too burdensome for it to continue operating in Mauritanian fishing grounds.

Excluding the fleet or the fleet deciding by itself not to continue operating in Mauritanian waters could bring about a paradoxical situation in which only a tiny percentage of the fishing opportunities are actually taken up and the number of fishing vessels from the EU fleets fishing in Mauritanian waters does not reach the minimum number stipulated in the bilateral agreement. Should this occur, could the agreement be rejected and cancelled? Could new negotiations be opened, if utilisation of fishing opportunities by the EU fishing fleet does not reach the required level?

Answer given by Ms Damanaki on behalf of the Commission
(11 October 2012)

In the Commission's view, the new protocol to the FPA with Mauritania is sustainable and economically viable. It provides for fishing possibilities for the EU fleet, with the exception of the cephalopods, where Mauritania did not make any surplus available for the EU. Some of the new technical conditions are indeed more constraining than they have been in the past. They are motivated by control objectives, by the need to protect species which are overexploited and by the objective to limit impact on the sea bed.

There was no quota for cephalopods included in the new Protocol but nevertheless the Commission insisted on having this category mentioned. By doing so, if the state of this stock improves in the future and there is updated scientific advice confirming this, the Commission will be able to use the review clause that was agreed in the Protocol and request fishing opportunities in this category. However, it will be at the discretion of Mauritania, whether to increase its own fishing effort or to grant fishing opportunities to the EU.

Article 5 of the Protocol contains a safeguard clause allowing for its denunciation with an advanced notice period of four months, should fishing opportunities not be satisfactorily used. Unlike the past, the EU budget will therefore not be spent on 'paper fish' and a possibility is given to the EU to step out if the Protocol does not prove attractive.

Re-negotiation is not on the agenda and the Commission considers that the initialled Protocol is the best deal in given circumstances and is by far preferable to having no protocol. It allows for technical adjustments to be agreed in the context of the upcoming Joint Committees with Mauritania.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-007548/12
adresată Comisiei
Silvia-Adriana Țicău (S&D)
(2 august 2012)

Subiect: Exploatarea potențialului clădirilor cu consum energetic redus pentru restabilirea creșterii

La nivelul UE27, criza economică și financiară a provocat, în ultimii patru ani, o scădere de 17% a activităților din sectorul construcțiilor și al infrastructurilor. În data de 31 iulie 2012, Comisia a adoptat o Strategie a UE pentru sustenabilitatea competitivității sectorului construcțiilor. Strategia acordă o importanță deosebită creșterii numărului clădirilor al căror consum de energie este aproape egal cu zero, având în vedere potențialul acestora de utilizare eficientă a resurselor, de reducere a facturilor pentru energie și utilități și de creare de noi locuri de muncă. Conform Directivei 31/2010/UE privind performanța energetică a clădirilor, statele membre se asigură că:

a. până la 31 decembrie 2020, toate clădirile noi vor fi clădiri al căror consum de energie este aproape egal cu zero; și

b. după 31 decembrie 2018, clădirile noi ocupate și deținute de autoritățile publice sunt clădiri al căror consum de energie este aproape egal cu zero.

Având în vedere că unul dintre obiectivele principale ale strategiei UE pentru sustenabilitatea competitivității sectorului construcțiilor, adoptată de Comisie în data de 31 iulie 2012, este exploatarea potențialului clădirilor cu consum energetic redus pentru restabilirea creșterii, aș dori să întreb Comisia cum va fi susținut acest obiectiv în 2013 și în perioada 2014-202 prin intermediul fondurilor structurale, al Băncii Europene de Investiții, al Băncii Europene pentru Reconstrucție și Dezvoltare, sau prin intermediul altor instrumente financiare sau fiscale specifice?

Răspuns dat de dl Tajani în numele Comisiei
(8 octombrie 2012)

Recenta comunicare a Comisiei ([1]) face într-adevăr referire la o serie de instrumente de sprijin financiar în vederea îndeplinirii obiectivelor enumerate în comunicare. În plus, în planul de acțiune anexat la comunicare, Comisia menționează explicit acțiunile care trebuie întreprinse, inclusiv termenul pentru fiecare dintre acestea. Mai multe detalii despre punerea lor în aplicare vor fi definite de Forumul tripartit la nivel înalt, care este anunțat, de asemenea, în comunicare și care va fi înființat până la sfârșitul anului 2012.

Cu toate acestea, în propunerile sale privind următorul cadru financiar multianual pentru perioada 2014 — 2020 de a crește cheltuielile în domeniul eficienței energetice și al energiei regenerabile (incluzând clădirile), Comisia a propus ca finanțarea în aceste domenii să se realizeze în principal din FEDER ([2]): un procent de 20% din FEDER ar trebui cheltuit în domeniul eficienței energetice și al energiei regenerabile în regiunile mai dezvoltate și de tranziție; acest procent este de 6% în regiunile mai puțin dezvoltate. Pe baza sumelor propuse, va rezulta o alocație minimă de aproximativ 17 miliarde EUR, o sumă aproape dublă față de alocările actuale ([3]).

În plus, în conformitate cu programul „Orizont 2020”, Comisia a propus ca 6,5 miliarde EUR să fie alocate cercetării și inovării în „energie sigură, ecologică și eficientă” în perioada 2014 — 2020. Se preconizează ca o parte importantă din acest buget să fie alocată către „Preluarea pe piață a inovațiilor în domeniul energiei” pentru proiecte care să faciliteze punerea în aplicare a politicilor energetice și să pregătească terenul pentru derularea investițiilor, în spiritul și în continuarea activităților programului „Energie inteligentă — Europa”.

În fine, Comisia va prezenta o analiză a actualelor mecanisme de finanțare pentru eficiență energetică la nivelul UE până la sfârșitul anului 2012, care va include recomandări concrete privind modul în care eficiența lor ar putea fi îmbunătățită.

([1]) Strategie pentru competitivitatea durabilă a sectorului construcțiilor și a întreprinderilor sale — COM(2012) 433 final.
([2]) Fondul european de dezvoltare regională.
([3]) În plus, sumele alocate din Fondul de coeziune ar putea fi, de asemenea, destinate energiei sustenabile. Spre deosebire de perioada actuală, nu se propune niciun plafon pentru investițiile în domeniul energiei din sectorul locuințelor. De asemenea, este propusă o utilizare mai largă a instrumentelor financiare, care ar permite o mai bună utilizare a capitalului privat și fluxuri noi de lichidități către investiții în măsuri de eficiență energetică.

(English version)

Question for written answer E-007548/12
to the Commission
Silvia-Adriana Ţicău (S&D)
(2 August 2012)

Subject: Exploiting the potential of low energy buildings to restimulate growth

In the EU 27, the economic and financial crisis has over the last four years caused activity in the building and infrastructures sector to fall by 17%. On 31 July 2012, the Commission adopted an EU strategy designed to sustain competitiveness in the building sector, focusing in particular on increasing the number of nearly zero-energy buildings, given their contribution to the efficient use of resources, the reduction of energy and utilities bills and the creation of new jobs. Under Directive 31/2010/EU on the energy performance of buildings, Member States are required to ensure that:

(a) by 31 December 2020 all new buildings are nearly zero energy buildings; and

(b) after 31 December 2018 new buildings occupied and owned by public authorities are nearly zero-energy buildings.

Given that one of the principal objectives of the EU strategy for sustainability in the building sector adopted by the Commission on 31 July 2012 is to exploit the potential of low-energy buildings to restimulate growth, can the Commission indicate what action will be taken in support of this objective in 2013 and between 2014 and 2020 with the assistance of the structural funds, the European Investment Bank, the European Bank for Reconstruction and Development or other specific financial instruments?

Answer given by Mr Tajani on behalf of the Commission
(8 October 2012)

The recent Communication from the Commission ([1]) indeed makes reference to a number of financial support instruments in support of the objectives listed in it. In addition, in the action plan annexed to the communication, the Commission explicitly mentions the actions to be taken including the timeframe for each of them. More details of their implementation will be defined by the tripartite High Level Forum which is also announced in the communication which will be set up before the end of 2012.

Nevertheless, in its proposals for the next Multiannual Financial Framework for 2014-2020, to increase spending on energy efficiency and renewable energy (including in buildings), the Commission proposed to concentrate funding from the ERDF ([2]) in this area: 20% of the ERDF should be spent on energy efficiency and renewable energy in more developed and transition regions; this is 6% in less-developed regions. Based on the amounts proposed, this would result in a minimum allocation of some EUR 17 billion, almost a doubling of the current allocations ([3]).

Moreover, under the Horizon 2020 programme, the Commission has proposed that EUR 6.5 billion is to be allocated to research and innovation in 'Secure, clean and efficient energy' in 2014-2020. A relevant share of this budget is expected to be allocated to the 'Market uptake of energy innovation' for projects facilitating the energy policy implementation and preparing the ground for rollout of investments, in the spirit and continuation of the Intelligent Energy Europe Programme activities.

Finally, the Commission will present an analysis of current funding mechanisms for energy efficiency at the EU level by the end of 2012, which will include concrete recommendations on how their effectiveness could be improved.

([1]) Strategy for the sustainable competitiveness of the construction sector and its enterprises — COM(2012) 433 final.
([2]) European Regional Development Fund.
([3]) In addition, allocations from the Cohesion Fund could also be made to sustainable energy. Contrary to the current period, no ceiling is proposed for energy-related investments in the housing sector. A wider use of financial instruments is also proposed, which would enable better leverage of private capital and renewed liquidity flows towards investments in energy efficiency measures.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-007549/12
adresată Comisiei
Silvia-Adriana Țicău (S&D)
(2 august 2012)

Subiect: O strategie a UE pentru căile navigabile interioare

În 2010, transportul pe căile navigabile interioare ale UE a crescut pentru toate tipurile de transport (național, internațional și total), atât în tone/km, cât și în volumul transportat (tone). Astfel, în 2010, totalul transporturilor de bunuri pe căile navigabile interioare ale UE reprezenta 3,8% din totalul modurilor de transport, față de 3,3 % pentru anul 2009.

Căile navigabile interioare sunt utilizate adesea și pentru a transporta mărfuri periculoase — de multe ori prin zone urbane sau în proximitatea acestora. Aș dori să întreb Comisia cum intenționează să abordeze securitatea transportului pe căile navigabile interioare ale UE și, mai ales, dacă va propune o strategie a UE privind căile navigabile interioare.

Răspuns dat de dl Kallas în numele Comisiei
(5 septembrie 2012)

Transportul pe căile navigabile interioare este unul dintre cele mai sigure moduri de transport, înregistrându-se doar puține accidente. Se estimează că mărfurile periculoase reprezintă aproximativ 20 % din volumul transporturilor pe căile navigabile interioare în UE. De exemplu, în Germania, 50 de milioane de tone de mărfuri periculoase sunt transportate anual pe căile navigabile interioare (20% din volumul total de mărfuri transportate anual pe căile navigabile interioare), 60 de milioane de tone pe calea ferată (16% din volumul total) și 170 de milioane de tone pe căi rutiere (5% din volumul total).

Transportul de mărfuri periculoase pe căi rutiere, feroviare și pe căile navigabile interioare din UE este reglementat prin Directiva 2008/68/CE privind transportul interior de mărfuri periculoase ([1]). Normele tehnice și administrative pentru transportul pe căile navigabile interioare sunt identice cu cele aplicate la nivel internațional în conformitate cu Acordul european privind transportul internațional de mărfuri periculoase pe căi navigabile interioare (ADN), încheiat la Geneva la 26 mai 2000, sub auspiciile Comisiei Economice pentru Europa a Organizației Națiunilor Unite.

În plus, Directiva 2008/68/CE și acordul ADN permit autorităților naționale competente să desemneze, în cazuri justificate, utilizarea unor rute prestabilite, pentru a evita riscurile locale specifice.

([1]) JO L 260 din 30.9.2008, p. 13.

(English version)

Question for written answer E-007549/12
to the Commission
Silvia-Adriana Ţicău (S&D)
(2 August 2012)

Subject: EU internal waterway strategy

In 2010, EU inland waterway transport increased at every level (national, international and total) in terms of both tonnes/km and freight volumes (tonnes), accounting for 3.8% of total transport volumes compared with 3.3% in 2009.

Hazardous cargoes are frequently transported by inland waterway, often through or near urban areas. What measures are being envisaged by the Commission concerning EU inland waterway transport safety and does it intend to propose an EU strategy for this sector?

Answer given by Mr Kallas on behalf of the Commission
(5 September 2012)

Tranport by inland waterways is one of the safest ways of transport with only few accidents incurred. Some 20% of the transport volume on inland waterways is estimated to be dangerous goods in the EU. For example in Germany, 50 million tonnes of dangerous goods are transported annually by inland waterways (20% of the total volume of goods transported annualy by inland waterways), 60 million tonnes by rail (16% of the total volume) and 170 million tonnes by road (5% of the total volume).

Transport of dangerous goods by road, rail, and inland waterways in the EU are regulated by Directive 2008/68/EC on the inland transport of dangerous goods ([1]). The technical and administrative rules for transport on inland waterways are identical to those applied internationally under the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), concluded at Geneva on 26 May 2000 under the auspices of the United Nations Economic Commission for Europe.

Furthermore, Directive 2008/68/EC and the ADN agreement allow national competent authorities to designate, where justified, the use of prescribed routes to avoid particular local risks.

([1]) OJ L 260, 30.9.2008, p. 13.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-007550/12
do Komisji
Sidonia Elżbieta Jędrzejewska (PPE)
(2 sierpnia 2012 r.)

Przedmiot: Import krzemu metalicznego do Unii Europejskiej

W 2010 r. Europejski Urząd ds. Zwalczania Nadużyć Finansowych (OLAF) wydał raport nr OF/2010/0827, w którym stwierdził, że krzem metaliczny sprowadzany z Tajwanu, w rzeczywistości pochodzi z Chin. Zdaniem OLAF import ww. towaru za pośrednictwem Tajwanu miał prowadzić do ominięcia unijnych ceł ochronnych. Mimo tych podejrzeń OLAF, Komisja Europejska nie wszczęła wówczas postępowania w sprawie o obejście ww. opłat, choć była do tego zobowiązana na mocy art. 13 rozporządzenia Rady (WE) nr 384/96 w sprawie ochrony przed dumpingowym przywozem z krajów niebędących członkami Wspólnoty Europejskiej.

Raport OLAF miał bezpośrednie przełożenie na działalność firm importujących krzem metaliczny z Tajwanu, gdyż prowadził do zmiany stawki cła na import tego surowca z 5,5 % na cło antydumpingowe na poziomie 49 %. Ponadto urzędy celne zaczęły się domagać zapłaty zaległego cła antydumpingowego.

Z informacji, jakie otrzymałam od firmy importującej krzem metaliczny z Tajwanu – Chemical Worldwide Business S.A. (CWB), wynika, że raport OLAF budzi wiele wątpliwości. Według Działu Handlu Zagranicznego Ministerstwa Gospodarki Tajwanu (BoFT) krzem dostarczany CWB przez tajwańskie firmy Asian Metallurgical Co Ltd. oraz Latitude Co. Ltd. był poddany na miejscu znaczącym procesom przetwórczym, które prowadziły m.in. do pond 80 % redukcji zawartości zanieczyszczeń. Procesy te miały złożoną naturę i obejmowały zarówno obróbkę mechaniczną, jak i chemiczną, przez co w zasadniczy sposób zmieniały właściwości krzemu. W efekcie wypełniały one dyspozycje art. 24 Wspólnotowego Kodeksu Celnego. Z kontroli BoFT wynika zatem, że krzem metaliczny importowany przez CWB był faktycznie pochodzenia tajwańskiego, a nie chińskiego i powinien podlegać stawce celnej na import tego surowca na poziomie 5,5 %.

W związku z powyższym chciałabym zadać Komisji następujące pytania:

1. Dlaczego Komisja nie wszczęła w 2010 r., lecz dopiero w lipcu 2012 r., postępowania w sprawie o obejście cła antydumpingowego dla importu krzemu metalicznego z Tajwanu?

2. Czy krzem metaliczny po jego dostarczeniu na Tajwan, a przed poddaniem go procesowi technologicznemu w zakładach należących do Asian Metallurgical Co Ltd. oraz Latitude Co. Ltd., nadawał się do użycia przy wytopie aluminium?

Odpowiedź udzielona przez komisarza Algirdasa Šemetę w imieniu Komisji
(18 września 2012 r.)

Podstawowe rozporządzenie antydumpingowe przewiduje, że dochodzenia na mocy art. 13 wszczynane są przez Komisję lub na wniosek państwa członkowskiego lub każdej zainteresowanej strony w przypadkach, gdy wniosek zawiera wystarczające dowody dotyczące czynników wymienionych w art. 13 ust. 1. Komisja może zatem wszczynać dochodzenia zgodnie z art. 13 jedynie, gdy posiada wystarczające dowody w celu spełnienia wymogów określonych w przepisach prawa.

W tym szczególnym przypadku dochodzenie w sprawie obejścia środków wszczęto w następstwie wniosku przemysłu unijnego, który zgodnie z art. 13 zawierał wystarczające dowody *prima facie*. Dopiero wówczas wszczęcie postępowania było uzasadnione.

Komisja została poinformowana przez OLAF, że sprawa opisana przez Szanowną Panią Poseł jest obecnie w toku. Komisja nie może zatem udzielić dalszych informacji na temat jakości chińskiego krzemu metalicznego w momencie jego przywozu do Tajwanu.

(English version)

Question for written answer E-007550/12
to the Commission
Sidonia Elżbieta Jędrzejewska (PPE)
(2 August 2012)

Subject: Silicon metal imports into the EU

In 2010 the European Anti-Fraud Office (OLAF) issued report No OF/2010/0827, in which it stated that silicon metal imported from Taiwan in fact originated in China. According to OLAF, the goods were imported through Taiwan in order to avoid paying EU safeguard duties. Despite OLAF's suspicions, the Commission did not at the time initiate the proceedings for circumvention of those duties that it is obliged to open under Article 13 of Council Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community.

The OLAF report had a direct impact on the activities of firms importing silicon metal from Taiwan, as it resulted in the import duty on that raw material being raised from 4.5% to the anti-dumping rate of 49%. The customs authorities also started to demand payment of outstanding anti-dumping duties.

The information I have been given by a firm importing silicon metal from Taiwan — Chemical Worldwide Business S.A. (CWB) — raises serious concerns about the OLAF report. According to the Taiwanese Board of Foreign Trade (BoFT), the silicon metal supplied to CWB by the Taiwanese firms Asian Metallurgical Co Ltd and Latitude Co Ltd underwent substantial processing in Taiwan, the end-results of which included a reduction of more than 80% in impurities. The complex processing operations included both mechanical and chemical treatment resulting in fundamental alterations to the silicon's properties. Because of this, they met the requirements of Article 24 of the Community Customs Code. The checks carried out by the BoFT therefore show that the silicon metal imported by CWB was in reality of Taiwanese, not Chinese, origin and should have been subject to a 5.5% rate of customs duty.

Given the above, can the Commission say:

1. Why it waited until July 2012 to initiate proceedings for circumvention of anti-dumping duties on imports of silicon metal from Taiwan, instead of doing so in 2010?

2. Whether, after being delivered to Taiwan but before undergoing processing at the Asian Metallurgical Co Ltd and Latitude Co Ltd plants, the silicon metal was suitable for use in aluminium smelting?

Answer given by Mr Šemeta on behalf of the Commission
(18 September 2012)

The basic anti-dumping Regulation foresees that investigations based on Article 13 shall be initiated by the Commission or at the request of a Member State or any interested party on the basis of sufficient evidence regarding the factors set out in Article 13(1). The Commission can therefore only initiate an investigation pursuant to Article 13 when there is enough evidence at its disposal in order to meet the statutory requirements set out in the law.

In this particular case, the anti-circumvention investigation was initiated following a request of the Union industry according to Article 13 containing sufficient prima facie evidence. It was only then that such an initiation was warranted.

The Commission has been informed by OLAF that the case referred to by the Honourable Member is currently ongoing. It is therefore not possible to comment further on the quality of the Chinese silicon metal at the time of importation into Taiwan.

(English version)

Question for written answer E-007552/12
to the Commission
Catherine Bearder (ALDE)
(2 August 2012)

Subject: Watercraft ownership and engine emissions regulation

A constituent has brought to my attention the fact that, unlike with cars and trucks, the engine in a boat requires no regular inspection. Legislation to support such inspections could encourage owner registration and traceability, and therefore responsibility, which could also reduce pollution from boats as well as improving disposal methods.

Given that 'one of the flagship policies defined in the Europe 2020 strategy aims at establishing a resource efficient Europe to meet the climate/energy targets', it would be beneficial for emissions targets, as well as for other pollution and waste reduction/management goals, to encourage increased responsibility on the part of boat owners.

In the light of this, can the Commission confirm whether the current directive 'only covers health related pollutants from engines exhaust emissions' and whether it might be possible to include other emissions limits, as well as regular engine inspections, as part of the requirements for owning a boat?

Answer given by Mr Tajani on behalf of the Commission
(10 October 2012)

The Recreational Craft Directive (RCD) 94/25/EC regulates noise and exhaust emissions such as Nitrogen Oxides (NOx), Hydrocarbons (HC), Carbon monoxide (CO) and particulate matters. These pollutants are considered as the most important of the emissions from these craft from a health and environmental point of view. The ongoing revision of the directive proposes more stringent global limits for these pollutants.

Annex I.B.3 of the current Directive requires the engine manufacturer to provide the boat owners with the installation and maintenance instructions. Compliance with the instructions will ensure that the engine exhaust emissions will stay within the limits foreseen in the directive throughout the normal life of the engine and under normal conditions of use.

The RCD harmonises safety and environmental requirements that boats must meet in order to be placed on the market but it does not deal with the use of boats. Issues such as owner registration or regular inspections are hence not subject to the directive. From the subsidiarity and proportionality points of view, it was not considered that those issues should be addressed at the EU level, so far. In fact, recreational craft are used during a limited number of hours per year. Member States' market surveillance authorities have the possibility to carry out checks of compliance of the engines with the provisions of the directive.

(English version)

Question for written answer E-007553/12
to the Commission
Catherine Bearder (ALDE)
(2 August 2012)

Subject: Vehicles converted for wheelchair access

A constituent has brought to my attention the fact that motor vehicles that have been converted for wheelchair access are not yet required to pass sled test safety checks. Disabled Monitoring UK notes that: 'The industry has witnessed a failure rate of up to 50% with the wheelchair and occupant sled test, even when the conversion has previously been pull-tested and the belts and tie-downs have been tested separately by the belt manufacturer. It is when the constituent parts are put together as a complete system that they fail.'

Given the Commission's commitment in the 2010 Disability Strategy to increase accessibility to transport for disabled people, it seems reasonable that this accessibility should be combined with the highest safety regulations.

In light of this, can the Commission confirm whether the current roadworthiness requirements for vehicles that carry wheelchairs only concern the wheelchair fittings? Can the Commission clarify whether the sled test is required, and, if not, whether it might be possible to make the sled test compulsory for all converted vehicles and include it in future roadworthiness tests for wheelchair-accessible vehicles?

Answer given by Mr Kallas on behalf of the Commission
(20 September 2012)

Vehicles converted for wheel-chair access need to pass an individual approval in accordance with Article 24 of Directive 2007/46/EC on the approval of motor vehicles and their trailers ([1]). The technical requirements are laid down in Annexes IV and XI to the directive. Annex XI, Appendix 3 provides special requirements related to wheel-chair accessible vehicles and the applicable standards for restraint systems, the systems to secure the wheel-chair and the tests to be carried out.

Directive 2009/40/EC on roadworthiness tests for motorvehicles and their trailers ([2]) (Annex II, item 9.11) establishes compulsory tests for vehicle components involved in the transport of disabled persons, including wheelchair fixings. During periodic inspection the condition of these components is assessed. However, the Commission wishes to underline that periodic roadworthiness test cannot replace vehicle approval test procedures.

([1]) OJ L 263, 9.10.2007, p. 1.
([2]) OJ L 141, 6.6.2009, p. 12, as amended.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης P-007554/12
προς την Επιτροπή
Charalampos Angourakis (GUE/NGL)
(3 Αυγούστου 2012)

Θέμα: Μεγάλη πυρκαγιά στον Δήμο Βιάννου Κρήτης

Μεγάλη πυρκαγιά εκδηλώθηκε, στις 30.7.2012 στους οικισμούς Μάρθα, Χόνδρο, Κάτω Βιάννο, Περβόλα, Κερατόκαμπο, Βαχό, Δέρματος του Δήμου Βιάννου Κρήτης. Εκτιμάται ότι έχουν καταστραφεί 150 000 ελαιόδεντρα, μεγάλες εκτάσεις καλλιεργειών, σπίτια, αποθήκες, 35 χλμ. δημοτικά δίκτυα άρδευσης, μεγάλος αριθμός ιδιωτικών δικτύων, αιγοπρόβατα, μελίσσια και θερμοκήπια. Αιτία των καταστροφών είναι η παντελής έλλειψη σχεδιασμού και καταλλήλων υποδομών για την πρόληψη και την έγκαιρη καταστολή των πυρκαγιών. Ο Δήμος Βιάννου, όπου στο διάστημα 2001-2011 είχαν 184 πυρκαγιές, επιχορηγήθηκε φέτος από την Πολιτική Προστασία μόνον με 19 700 ευρώ. Αυτό είναι το αποτέλεσμα της διαχρονικής πολιτικής των ελληνικών κυβερνήσεων, της εμπορευματοποίησης των ορεινών όγκων και της ΚΑΠ σε βάρος των μικρών κτηνοτρόφων. Η στρατηγική της ΕΕ και των κυβερνήσεων του κεφαλαίου για την λεγομένη πράσινη ανάπτυξη, αφαιρεί πόρους για τις αναγκαίες υποδομές αντιπυρικής προστασίας, για να τους διαθέσει σαν δωρεάν ζεστό χρήμα, με ρυθμίσεις fast track στους μονοπωλιακούς ομίλους για κερδοφόρες «στρατηγικές επενδύσεις».

Ερωτάται η Επιτροπή: Ποιόν εξυπηρετεί ότι οι κοινοτικοί πόροι από τα Ταμεία για την περιφερειακή πολιτική αντί να κατευθύνονται σε έργα ζωτικής σημασίας για τις λαϊκές ανάγκες, όπως πρόληψης πυρκαγιών και ύδρευσης, διατίθενται σε έργα με κριτήριο την ανταγωνιστικότητα, δηλαδή την κερδοφορία που υπόσχονται για τους ιδιωτικούς μονοπωλιακούς ομίλους;

Πως τοποθετείται στις διεκδικήσεις των κατοίκων που ζητούν:

1. Να κηρυχτεί ο Δήμος Βιάννου πυρόπληκτη περιοχή. Να δοθεί έκτακτη οικονομική ενίσχυση στο Δήμου Βιάννου για την αντιμετώπιση των αυξημένων προβλημάτων που προέκυψαν σε υποδομές. Την αναστολή πληρωμής από τους δημότες των δημοτικών τελών ύδρευσης- άρδευσης.

2. Αποζημίωση στο 100 % των ζημιών σε σπίτια, καλλιέργειες, γεωργικές εγκαταστάσεις, δίκτυα άρδευσης, υποδομές του Δήμου και αναπλήρωση του χαμένου εισοδήματος, στήριξη των κτηνοτρόφων με ζωοτροφές.

3. Προσλήψεις πυροσβεστών, μονιμοποίηση εποχιακών δασοπυροσβεστών, αύξηση αριθμού των ελικοπτέρων που υπάρχουν στο νησί. Κατασκευή αντιπλημμυρικών και αντιπυρικών έργων.

4. Ενιαίο Δημόσιο Φορέα συνολικής διαχείρισης και προστασίας των δασών, ενισχυμένο με μέσα, προσωπικό και επαρκή χρηματοδότηση.

Απάντηση του κ. Hahn εξ ονόματος της Επιτροπής
(11 Σεπτεμβρίου 2012)

Η Επιτροπή δεν συμμερίζεται την άποψη του κ. βουλευτή όσον αφορά την περιγραφή του τρόπου με τον οποίο χρησιμοποιούνται οι πόροι από τα Ταμεία για τις περιφερειακές πολιτικές. Οι πόροι από τα Ταμεία περιφερειακής πολιτικής χρησιμοποιούνται σε ολόκληρη την ΕΕ για την υποστήριξη ισορροπημένου φάσματος ενεργειών ανάπτυξης. Τόσο το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης όσο και το Ταμείο Συνοχής μπορούν να χρησιμοποιηθούν, και χρησιμοποιούνται, για την υποστήριξη διαφόρων μέτρων στους τομείς πρόληψης του κινδύνου και περιβαλλοντικής υποδομής. Η χρηματοδότηση της ΕΕ, κυρίως από το Ταμείο Αλληλεγγύης της ΕΕ και το Ευρωπαϊκό Γεωργικό Ταμείο Αγροτικής Ανάπτυξης (ΕΓΤΑΑ), μπορεί επίσης να συμβάλλει στην αποκατάσταση περιοχών που υπέστησαν φυσικές καταστροφές και, στην περίπτωση του ΕΓΤΑΑ, στη λήψη κατάλληλων προληπτικών μέτρων. Βοήθεια για την αντιμετώπιση καταστροφών παρέχεται επίσης μέσω του μηχανισμού πολιτικής προστασίας της ΕΕ.

Τα ειδικά ερωτήματα που έθεσε ο κ. βουλευτής εμπίπτουν στην αρμοδιότητα των εθνικών αρχών.

(English version)

Question for written answer P-007554/12
to the Commission
Charalampos Angourakis (GUE/NGL)
(3 August 2012)

Subject: Major fire in the Municipality of Viannos in Crete

A major fire broke out on 30.7.2012 in the villages of Martha, Chondros, Kato Viannos, Pervola, Keratokambos, Vachos and Dermatos in the municipality of Viannos in Crete. It is estimated that 150 000 olive trees, large areas of crops, houses, warehouses, 35 km of municipal irrigation networks, many private networks, sheep and goats, beehives and greenhouses were destroyed. This destruction was caused by the utter lack of planning and appropriate infrastructures to prevent and stamp out fires at an early stage. This year the municipality of Viannos, where there were 184 fires between 2001 and 2011, received funding of only 19 700 euros from the Civil Protection authorities. This is the result of the policy of successive Greek governments, the commercialisation of the mountains and the CAP at the expense of small stockbreeders. The strategy of the EU and pro-capital governments to pursue so-called green growth withdraws resources from necessary fire protection infrastructures to use them as free 'hot' money, which is fast-tracked to monopolistic groups for speculative 'strategic investments'.

In view of the above, will the Commission say: who benefits from the fact that Community regional policy funds are being channelled to projects according to criterion of competitiveness, i.e. the profitability they promise for private monopolistic groups, instead of being directed to projects of vital importance for ordinary people, such as fire prevention and water supplies?

How does it view the demands of local inhabitants namely:

1. The municipality of Viannos should be declared a fire-stricken area and emergency financial assistance granted to the municipality of Viannos to address the increasing infrastructure problems and the payment by residents of the municipal irrigation and water supply charges should be suspended;

2. 100% compensation should be paid for damage to houses, crops, agricultural facilities, irrigation networks and municipal infrastructure as well as compensation for loss of income and aid granted in the form of animal feed for stockbreeders;

3. The recruitment of firefighters, permanent contracts for seasonal fire-fighting personnel and an increase in the number of helicopters on the island together with the construction of flood and fire prevention schemes;

4. The creation of a uniform State agency for the overall management and protection of forests, backed up with sufficient resources, personnel and adequate funding?

Answer given by M. Hahn on behalf of the Commission
(11 September 2012)

The Commission does not share the Honourable Member's description of how regional policy funds are being used. Regional funds are used across the EU to support a balanced range of development actions. Both the European Regional Development Fund and the Cohesion Fund can be, and are being, used to support a variety of measures in the areas of risk prevention and environmental infrastructure. EU funding, notably the EU Solidarity Fund and the European Agricultural Fund for Rural Development (EAFRD), can also contribute to restoring areas damaged by natural disasters and, in the case of EAFRD, also for introducing appropriate prevention actions. Disaster response assistance is also available through the EU Civil Protection Mechanism.

The specific questions raised by the Honourable Member fall within the competence of the national authorities.

(Versión española)

Pregunta con solicitud de respuesta escrita E-007555/12
a la Comisión
Ana Miranda (Verts/ALE)
(3 de agosto de 2012)

Asunto: Participaciones preferentes

Las participaciones preferentes forman parte de los productos financieros distribuidos por los bancos en España. La Comisión Nacional del Mercado de Valores (CNMV) en España ha reconocido en diferentes documentos oficiales la complejidad de estas participaciones y sus limitaciones en concepto de liquidez y rentabilidad. Además, se trata de participaciones perpetuas que se compran y venden en el mercado secundario, de modo que se recomienda a sus titulares contar con ciertos conocimientos financieros antes de comprarlas.

Bankia fue una de las entidades bancarias que comercializó este tipo de productos. Esta entidad bancaria, surgida de la mayor fusión bancaria de la historia de España, protagonizó, además, la entrada en bolsa más importante del último lustro para poder autofinanciarse. La gestión fraudulenta en el asunto de las participaciones preferentes parece probada, puesto que afectados de diferentes puntos del Estado han denunciado la situación. La comercialización de estos productos financieros no cumplió las condiciones de necesaria información sobre el producto ofertado en gran parte de los casos.

1. ¿Cómo puede ser posible que España haya podido rescatar a Bankia, con una aportación de aproximadamente 20 000 millones de euros, y no sea capaz de reembolsar los ahorros a los afectados por el problema de las participaciones preferentes de esta misma entidad bancaria?

2. ¿Cree la Comisión que los controles del Banco Central Europeo, del Banco de España y de la Comisión Nacional del Mercado de Valores han fracasado en relación con la compra de productos financieros cuya liquidez es dudosa?

3. Una de las soluciones que se están considerando es recurrir a un procedimiento de arbitraje. ¿Qué implicaría este procedimiento?

4. ¿Cree la Comisión que estos métodos de comercialización han infringido las leyes de protección de los consumidores vigentes en la UE?

Respuesta del Sr. Barnier en nombre de la Comisión
(17 de septiembre de 2012)

La Comisión remite a Su Señoría a su respuesta a la pregunta E-005872/2012 ([1]). En cuanto a la venta de productos financieros por Bankia, corresponde a las autoridades españolas competentes cerciorarse de que toda la legislación de protección de los consumidores pertinente se respetó al efectuarse tales ventas.

Además de la explicación facilitada en la respuesta a la pregunta E-005872/2012, debe tenerse presente que, el 3 de julio de 2012, la Comisión adoptó una propuesta de Reglamento sobre un nuevo documento de datos fundamentales, que tendrán que presentar las entidades originadoras de los productos de inversión a fin de ayudar a los inversores corrientes a entender y comparar los riesgos de las diversas inversiones. Esta nueva legislación debe garantizar que todos los inversores minoristas estén suficientemente informados acerca de los posibles riesgos de los distintos productos financieros que se les ofrezcan.

En relación con la interacción entre la reestructuración de Bankia y la situación de las acciones preferentes, la Comisión no puede pronunciarse sobre asuntos en curso.

De forma más general, en cuanto a la aplicación de las normas sobre ayudas estatales de la UE, tales ayudas solo pueden concederse bajo determinadas condiciones estrictas, especialmente la necesidad de tener un plan creíble para volver a la viabilidad y de reducir los costes para el Estado al mínimo imprescindible.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-007555/12
to the Commission
Ana Miranda (Verts/ALE)
(3 August 2012)

Subject: Preference shares

Preference shares are one of the financial products sold by banks in Spain. Spain's Stock Market Authority, the Comisión Nacional del Mercado de Valores (CNMV), has acknowledged in a variety of official documents that these are complex shares with limited liquidity and profitability. They are, moreover, perpetual shares which are bought and sold on the derivatives market, so it is advisable for holders to know a certain amount about finance before purchasing them.

Bankia, a product of the biggest bank merger in Spain's history, was one of the Spanish banking institutions marketing these shares. Bankia was also a leading figure in the biggest stock market float in the past five years as it sought to make itself self-financing. With complaints being received from people in various parts of Spain, it seems clear that marketing in the preference shares case was dishonest. In a majority of cases, their marketing did not comply with conditions regarding provision of necessary information on the product.

1. How is it that Spain was able to rescue Bankia by injecting approximately EUR 20 000 million in funds, but is not capable of refunding the savings of people hit by the problem with the same bank's preference shares?

2. Does the Commission believe that controls exercised by the European Central Bank, the Bank of Spain and the CNMV have failed in regard to the purchase of financial products with dubious liquidity?

3. One of the solutions being considered is recourse to an arbitration procedure. What would this involve?

4. Does the Commission believe that the marketing methods employed in this case have breached consumer protection laws in force in the EU?

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

The Commission would refer the Honourable Member to its answer to a previous question, E-005872/2012 ([1]). As far as the sale of financial products by Bankia is concerned, it is for the competent Spanish authorities to ensure that all the relevant consumer protection legislation was adhered to when these sales were carried out.

In addition to the explanation provided in the reply to Question E-005872/2012, please note that on 3 July 2012 the Commission adopted a proposal for a regulation (PRIPS) for a new Key Information Document (KID). This document will have to be produced by investment product originators in order to aid ordinary investors in understanding and comparing the risks of different investments. This new legislation should ensure that all retail investors are sufficiently informed about the potential risks of different financial products being offered to them.

Regarding the interaction between the restructuring of Bankia and the situation of preference shares holders, the Commission cannot comment on ongoing cases.

More generally as far as the application of EU state aid rules are concerned, such aid can only be granted subject to certain strict conditions, notably the need for a credible plan for returning to viability and the need to reduce the costs for the State to the minimum necessary.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007556/12
an die Kommission
Daniel Caspary (PPE)
(3. August 2012)

Betrifft: Gebühren beim Wechsel von Amateursportlern zwischen nationalen Sportverbänden in der EU

Bei einem — beispielsweise umzugsbedingten — Wechsel von Amateursportlern aus einem nationalen Sportverband in den nationalen Sportverband eines anderen Mitgliedstaates werden innerhalb der EU teilweise sehr hohe Gebühren seitens des Ursprungsverbandes erhoben. Diese stehen zumeist in keinem Verhältnis zu dem mit einem Verbandswechsel verbundenen Verwaltungsaufwand und liegen oft deutlich über den Gebühren, die bei einem Vereinswechsel innerhalb eines Landes fällig werden. Im Gegensatz zu Profisportlern erwachsen Amateursportlern zudem aus einem Verbandswechsel grundsätzlich auch keine wirtschaftlichen Vorteile, die eine solche Gebührenerhebung möglicherweise rechtfertigen könnten.

In diesem Zusammenhang wird um die Beantwortung folgender Fragen gebeten:

1. Hat die Kommission nähere Kenntnisse über die Gebührenerhebung in den oben geschilderten Fällen?

2. Wie bewertet die Kommission die Zulässigkeit derartiger Gebühren im Hinblick auf eine gewünschte Bereitschaft zur erhöhten Mobilität der EU-Bürger?

Antwort von Frau Vassiliou im Namen der Kommission
(4. September 2012)

Die Kommission verweist den Herrn Abgeordneten auf ihre Antwort auf die schriftliche Anfrage E-007477/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/de/parliamentary-questions.html

(English version)

Question for written answer E-007556/12
to the Commission
Daniel Caspary (PPE)
(3 August 2012)

Subject: Fees for transfers of amateur sportsmen and women between national sports associations in the EU

In a the event of the transfer of amateur sportsmen and women from a national sports association in one Member State to a national sports association in another Member State — prompted, for instance, by a change in the place of residence — very high fees are sometimes charged within the EU by the association of origin. These are usually out of all proportion to the administration costs involved in changing association and are often significantly higher than the fees charged for changing association within a country. Moreover, unlike professional sportsmen and women, amateurs do not, as a rule, derive any economic benefits that could possibly justify such a fee.

In view of the above, will the Commission say:

1. Does it have any detailed knowledge of the fees charged in the cases described above?

2. How does it view the permissibility of charging such fees in view of the aspiration for increased mobility among EU citizens?

Answer given by Ms Vassiliou on behalf of the Commission
(4 September 2012)

The Commission would refer the Honourable Member to its answer to Written Question E-007477/2012 ([1]).

([1]) http://www.europarl.europa.eu/plenary/en/redirect-plenary-archive.html?rewrite=parliamentary-questions.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007557/12
alla Commissione
Rosario Crocetta (S&D)
(3 agosto 2012)

Oggetto: Protezione dei cittadini e dell'ambiente di Niscemi (Sicilia) contro l'istallazione MUOS (Mobile User Objective System)

Premesso che:

— nel territorio della città di Niscemi, in zona protetta da vincoli ambientali e naturali dell'area «Sughereta», Sito di Importanza Comunitaria (SIC), è stata insediata un'istallazione MUOS composta di 3 trasmettitori parabolici basculanti ad altissima frequenza e 2 antenne elicoidali UHF, collegate tra loro tramite un dispositivo satellitare;

— il nuovo terminale avrà pesantissimi effetti sul traffico aereo nei cieli siciliani e in particolare sul vicino aeroporto di Comiso;

— l'Arpa Sicilia ha effettuato una serie di rilievi sulle emissioni generate dalla stazione di radiotrasmissione di Niscemi e sono stati rilevati valori di campo elettrico prossimi al valore di attenzione di 6 V/m. (Le misurazioni hanno evidenziato in particolare la presenza di un campo elettrico intenso e costante in prossimità delle abitazioni, mostrando un sicuro raggiungimento dei limiti di sicurezza per la popolazione e, anzi, un loro probabile superamento. In un caso il valore rilevato è risultato prossimo al limite di attenzione stabilito dalla normativa);

— la zona dove è stato istallato conta una popolazione di oltre 300.000 abitanti (che include i comuni di Niscemi, Gela, Vittoria, Caltagirone, Piazza Armerina, Butera e Riesi), zona già definita «Area ad Elevato Rischio di Crisi Ambientale».

Può la Commissione far sapere se ha intenzione di:

1. verificare la legittimità di tale istallazione per i cittadini e l'ambiente di quest'area della Sicilia?

2. inviare controlli per verificare se i suddetti impianti possano essere dannosi per la salute dei cittadini?

3. controllare che l'impianto MUOS non crei ulteriori danni all'area ambientale protetta (SIC)?

Risposta di John Dalli a nome della Commissione
(12 settembre 2012)

Per quanto concerne la liceità dell'installazione di antenne satellitari ad alta frequenza e di antenne elicoidali nella località menzionata, la legislazione dell'UE (direttiva Habitat 92/43/CEE) ([1]) non vieta la costruzione di infrastrutture di telecomunicazione satellitare nei siti di importanza comunitaria (SIC) o nelle loro prossimità. La compatibilità di tale sviluppo con gli obiettivi di conservazione dei siti in questione va determinata caso per caso. Spetta alle autorità nazionali competenti valutare se un simile progetto possa causare importanti effetti negativi per le specie e gli habitat in questione e per l'integrità della SIC pertinente. In particolare, conformemente all'articolo 6, paragrafo 3, della direttiva Habitat, i progetti suscettibili di avere incidenze significative su un SIC devono essere oggetto di opportuna valutazione e le autorità competenti danno il loro accordo su tale piano o progetto soltanto dopo aver avuto la certezza che esso non pregiudicherà l'integrità del sito in causa.

Le informazioni di cui dispone la Commissione non rivelano una violazione potenziale delle disposizioni summenzionate ad opera delle autorità italiane. Pertanto, la Commissione non vede nessun motivo per raccogliere ulteriori informazioni.

([1]) GU L 206 del 22.7.1992, pag. 7; versione consolidata 1.1.2007 reperibile sul sito: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1992L0043:20070101:IT:PDF

Per quanto concerne la protezione dei cittadini dagli effetti potenziali dei campi elettromagnetici, il trattato sul funzionamento dell'Unione europea attribuisce agli Stati membri la responsabilità di legiferare in tale ambito. Una raccomandazione del Consiglio (1999/519/CE) ([2]) a carattere non vincolante propone linee guida in tema di esposizione, oltre ad assicurare un livello elevato di protezione del pubblico. Tutti gli Stati membri dell'UE hanno posto in atto un quadro normativo almeno equivalente al livello di protezione preconizzato nella raccomandazione.

([2]) 1999/519/CE: raccomandazione del Consiglio, del 12 luglio 1999, relativa alla limitazione dell'esposizione della popolazione ai campi elettromagnetici da 0 Hz a 300 GHz.

(English version)

Question for written answer E-007557/12
to the Commission
Rosario Crocetta (S&D)
(3 August 2012)

Subject: Protection of citizens and the environment in Niscemi (Sicily) from the MUOS (Mobile User Objective System)

Near the town of Niscemi, in the protected nature reserve of Sughereta, a site of Community importance (SCI), a MUOS installation has been set up, consisting of three high-frequency tilting satellite dishes and two UHF helicoidal antennas, connected by a satellite device.

The new terminal will have a severe impact on air traffic in the Sicilian skies, particularly on the Sicilian airport of Comiso.

ARPA Sicilia (the regional environment protection agency) has carried out a range of tests on the emissions generated by the Niscemi ground station, which detected electric field strengths close to the safe upper limit of 6 V/m. (The measurements have shown in particular that there is an intensive and constant electric field near houses, which means that the safety limits for the population will have most certainly been reached and quite likely been exceeded. In one case the value detected was close to the legal upper limit).

The area where the MUOS has been installed has a population of over 300 000 inhabitants (and includes the towns of Niscemi, Gela, Victoria, Caltagirone, Piazza Armerina, Butera and Riesi) and is already defined as a 'high environmental risk area'.

Can the Commission therefore say whether it will:

1. verify the legitimacy of such an installation for the citizens and environment of this part of Sicily;

2. send inspectors to check whether these installations can be harmful to the health of citizens;

3. check that the MUOS system will not cause any further damage to the protected area (SCI)?

Answer given by Mr Dalli on behalf of the Commission
(12 September 2012)

As regards the legitimacy of the installation of high-frequency satellite dishes and helicoidal antennas in the location referred to, EU legislation (Habitats Directive 92/43/EEC) ([1]) does not prohibit the construction of satellite telecommunication infrastructures in or near Sites of Community Importance (SCI). The compatibility of such a development with the conservation objectives of the concerned sites needs to be determined on a case by case basis. It is up to the competent national authorities to assess whether such a project could cause significant negative effects on the relevant species and habitats and on the integrity of the concerned SCI. In particular, in accordance with Article 6 paragraph 3 of the Habitats Directive, any project which is likely to have a significant effect upon an SCI has to be subject to an appropriate assessment and the competent authorities may agree to this plan or project only after having ascertained that it will not adversely affect the integrity of the site.

The information available to the Commission does not indicate any potential breach of the abovementioned provisions by the Italian authorities. Therefore, the Commission does not see any reason for gathering further information.

Regarding protecting citizens from the potential effects of electric and magnetic fields, the Treaty on the Functioning of the European Union confers the responsibility to the Member States to legislate. A non-binding Council Recommendation (1999/519/EC) ([2]) proposes exposure guidelines meant to ensure a high level of protection of the public. All EU Member States have put a regulatory framework in place at least equivalent to this framework of protection.

([1]) OJ L 206, 22.7.1992, p. 7; consolidated version 01.01.2007 at: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1992L0043:20070101:EN:PDF.

([2]) Council Recommendation (1999/519/EC) of 12 July 1999 on the limitation of the exposure of the general public to electromagnetic fields (0 Hz — 300 GHz).

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007558/12
an die Kommission
Franz Obermayr (NI)
(6. August 2012)

Betrifft: EU-Antidumpingmaßnahmen gegen chinesische Solarhersteller

Chinesische Unternehmen haben ihren Marktanteil als Solarhersteller in Europa in den letzten Jahren bereits auf mehr als 80 % erhöht, was dem nachhaltigen Ausbau der Solarenergie in Europa nicht förderlich ist und am fairen Wettbewerb in Europa mehr als zweifeln lässt. So gibt es zahlreiche Beschwerden von Herstellern von Fotovoltaikanlagen gegen das chinesische Dumping. Europa hat selbst eine starke Solarindustrie und ist auch technologisch führend. Die Vorreiter bei erneuerbaren Energien werden auf diese Weise jedoch durch illegales Preisdumping Chinas am eigenen Markt geschlagen. Aufgrund des unfairen Wettbewerbs aus China schrumpft diese wichtige Zukunftsindustrie Europas ständig; Werke überall in Europa werden geschlossen, und Arbeitsplätze gehen verloren.

Kann die Kommission dazu folgende Fragen beantworten:

1. Wie gedenkt die Kommission zu reagieren, damit sich dieser negative Trend nicht fortsetzt?

2. Denkt man seitens der Kommission daran, Antidumpingzölle gegen China zu verhängen?

3. Wie steht die Kommission im Allgemeinen dazu, dass China Solaranlagen zu Dumpingpreisen auf den europäischen Markt exportiert?

4. Was gedenkt man seitens der Kommission zu tun, damit die Chance, die nachhaltige Solarproduktion in Europa, die Garant für Arbeitsplätze, Wachstum und Innovation ist, zu erhalten und gleichzeitig schonend mit unserer Umwelt umzugehen, gegeben ist?

5. Die europäischen Hersteller von Solartechnologie, die sich zu der neuen Unternehmensinitiative „EU ProSun“ zusammengeschlossen haben, haben kürzlich eine Handelsbeschwerde gegen chinesisches Dumping von Fotovoltaik-Produkten in der EU eingereicht. Wie beurteilt die Kommission diese Handelsbeschwerde?

Antwort von Herrn De Gucht im Namen der Kommission
(10. Oktober 2012)

Die Kommission ist für die Untersuchung von Behauptungen zum Dumping durch ausführende Hersteller in Ländern außerhalb der Europäischen Union (EU) zuständig. Die Antidumping-Grundverordnung der EU ist die Verordnung (EG) Nr. 1225/2009 vom 30. November 2009 über den Schutz gegen gedumpte Einfuhren aus nicht zur Europäischen Gemeinschaft gehörenden Ländern; sie steht im Einklang mit den internationalen Verpflichtungen der EU, insbesondere dem Antidumping-Übereinkommen der Welthandelsorganisation (WTO). Unter diesen rechtlichen Voraussetzungen und auf der Grundlage eines ordnungsgemäß belegten Antrags, eingereicht von EU ProSun im Namen von Unionsherstellern, auf die mehr als 25 % der gesamten EU-Produktion entfallen, leitete die Kommission am 6. September 2012 eine Antidumping-Untersuchung betreffend die Einfuhren von Fotovoltaikmodulen aus kristallinem Silikon und Schlüsselkomponenten davon (Zellen und Wafer) mit Ursprung in der Volksrepublik China ein ([1]).

Da dieses Verfahren gerade erst eingeleitet worden ist, sind Spekulationen über seinen Ausgang verfrüht.

Die Frist für die etwaige Einführung vorläufiger Maßnahmen endet am 6. Juni 2013, die Frist für die etwaige Einführung endgültiger Maßnahmen am 6. Dezember 2013.

Bevor Maßnahmen eingeführt werden können, sollte die Untersuchung ergeben, dass Dumping vorliegt, dass durch dieses Dumping eine bedeutende Schädigung für den betreffenden Wirtschaftszweig der Union verursacht wurde und dass darüber hinaus die Einführung von Maßnahmen dem allgemeinen Interesse der EU nicht zuwiderlaufen würde.

([1]) ABl. C 269 vom 6. September 2012, S. 5.

(English version)

Question for written answer E-007558/12
to the Commission
Franz Obermayr (NI)
(6 August 2012)

Subject: EU anti-dumping measures against Chinese manufactures of solar products

In the last few years, Chinese companies have increased their share of the market in solar products in Europe to over 80%, which is not conducive to the sustainable development of the solar industry in Europe and raises serious doubts about the extent of fair competition in Europe. Many complaints about Chinese dumping have been filed by manufacturers of solar equipment. Europe has a strong and highly technologically advanced solar industry of its own, yet these leaders in the field of renewable energies are being beaten on their home market because of the illegal dumping of Chinese products. An industry which is important for Europe's future is, consequently, steadily collapsing due to unfair competition from China. Factories are closing down all over Europe, and jobs are being lost.

Would the Commission answer the following questions on the subject:

1. What action does the Commission intend to take to reverse this negative trend?

2. Is the Commission considering imposing anti-dumping duties on China?

3. What is the Commission's general attitude to the fact that China is exporting solar products to the European market at dumped prices?

4. What action is the Commission considering taking to make it possible to maintain a sustainable solar industry in Europe, thereby safeguarding jobs, growth and innovation as well as protecting the environment?

5. European solar product manufacturers which back the industry's new EU ProSun joint initiative recently filed a trade complaint against the dumping of Chinese solar products in the EU. What is the Commission's opinion of this trade complaint?

Answer given by Mr De Gucht on behalf of the Commission
(10 October 2012)

The Commission is responsible for investigating allegations of dumping by exporting producers in countries outside the European Union (EU). The EU's basic anti-dumping Regulation is Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community, which complies with the EU's international obligations, in particular the World Trade Organisation (WTO) Anti-Dumping Agreement. Within that legal framework, and on the basis of a properly documented complaint lodged by EU ProSun on behalf of Union producers representing more than 25% of the total Union production, the Commission, on 6 September 2012, initiated an anti-dumping investigation on imports of crystalline silicon photovoltaic modules and key components (i.e. cells and wafers) originating in the People's Republic of China ([1]).

Given that this proceeding has just been initiated, it is premature to speculate on its outcome.

The deadline to impose provisional measures, if any, is 6 June 2013 and for definitive measures, if any, 6 December 2013.

For any measures to be imposed, the investigation should establish that dumping is taking place, and as a result of this dumping, material injury has been suffered by the Union industry and furthermore, that it is not against the overall interest of the EU to impose measures.

([1]) OJ C 269, 6.9.2012, p. 5.

(българска версия)

Въпрос с искане за писмен отговор E-007559/12
до Комисията
Владко Тодоров Панайотов (ALDE)
(6 август 2012 г.)

Относно: Картели на туроператорите и политика в областта на туризма

Картелирането на туроператорите води до колективно господстващо положение на някои от големите туроператори, както и до случаи на злоупотреба, изразяващи се в отказ от продажби и задължаване на хотелите да приемат по-ниски цени или практиката „ол инклузив“, при която всичко е включено в цената. По тази причина хотелите работят под себестойността на услугите си и са принудени да съкращават разходите, за да оцелеят, и да приемат всички видове отстъпки, наложени от туроператорите под „заплаха“ от отказ да бъдат продавани. Като страничен ефект зачестява практиката туристите да резервират почивката си „в последната минута“ и да получават услуги с много лошо качество. Това положение ясно засяга оцеляването на тези хотели, предимно МСП, и то също може да доведе до откази да се продава дестинация, ако собствениците на хотели отказват по-нататъшно намаляване на цените или откажат да приемат прекомерни искания.

1. Комисията ще разгледа ли възможността за започване на цялостно разследване на това положение съгласно нормите на конкурентното право?

2. Ще обмисли ли Комисията предприемането на инициатива за регулиране и ограничаване на практиките ол инклузив, които се отразяват върху всички други услуги, предоставяни в избраните дестинации? Те засягат ресторантите, дребната търговия, както и услугите в сферата на културата (тъй като туристите могат да останат „блокирани“ в хотелите). Първоначално практиката ол инклузив започна в трети страни поради съображения за безопасност и сигурност на туристите.

3. В този период на изостряне на изменението на климата Комисията отчете ли непропорционалния „въглероден отпечатък“ в резултат на чартърните полети и изкуствения пазар на туристически услуги, създадени от туроператорите при условията, описани по-горе?

4. Комисията ще обмисли ли да разреши държавни помощи за МСП в хотелиерския бранш, за да им даде възможност да оцелеят и да подобрят услугите си, като се има предвид тежестта на настоящата икономическа криза?

5. Защо Комисията не развива политика в областта на туризма съгласно Договора от Лисабон (чл. 6 от ДФЕС)?

Отговор, даден от г-н Алмуня от името на Комисията
(4 октомври 2012 г.)

1. Комисията не разполага с доказателства за нарушение на разпоредбите на ЕС в областта на конкуренцията от страна на туроператорите. По тази причина засега тя не предвижда започване на официално разследване на търговските практики на пазара на пакетните туристически пътувания. Комисията все пак ще продължи да следи с особено внимание евентуалната информация относно промени на този пазар.

2. Директивата относно пакетните туристически пътувания ([1]) защитава икономическите интереси на потребителите, купуващи пакетни туристически ваканции, независимо дали престоят им е „ол инклузив“. Понастоящем Комисията подготвя предложение за изменение на директивата, в което се предвиждат разпоредби за защита на потребителите при закупуване на пакети, състоящи се от комбинация от туристически услуги, например превоз и настаняване.

3. ЕС е възприел всеобхватен подход за справяне с въздействието на въздушния транспорт върху климата, включително с въздействието, оказвано от чартърните полети. Този подход предвижда значително модернизиране на въздухоплавателните средства, с оглед подобряване на горивната ефективност на полетите, и включване на въздухоплаването в системата на ЕС за търговия с емисии.

([1]) Директива 90/314/ЕИО на Съвета от 13.6.1990 г.

4. Предоставянето на средства за хотелиерството от страна на държавата представлява държавна помощ и Комисията трябва да бъде уведомявана за него, освен ако помощта съответства на някой от регламентите за освобождаване (и по-специално на Общия регламент за групово освобождаване № 800/2008 г. ([2]), в чийто обхват попада и помощта за МСП). В допълнение към това следва да се посочи, че съгласно Регламент № 1998/2006 г. за минималните помощи ([3]) държавите могат да предоставят правомерно и без да уведомяват Комисията средства в размер до 200 000 EUR на всяко предприятие, независимо от неговата големина, за период от три последователни години.

5. Комисията вече започна разработването на консолидирана рамка за политиката в областта на европейския туризъм ([4]) и предложи амбициозен набор от действия, който е съобразен с Договора от Лисабон (член 6, буква г) и член 195 от ДФЕС) и който има за цел да засили конкурентоспособността и устойчивото развитие на туристическия сектор.

([2]) ОВ L 214, 9.8.2008 г., стр. 3.
([3]) ОВ L 379, 28.12.2006 г., стр. 5.
([4]) COM(2010) 352 окончателен, 30.6.2010 г.

(English version)

Question for written answer E-007559/12
to the Commission
Vladko Todorov Panayotov (ALDE)
(6 August 2012)

Subject: Cartels of tour operators and tourism policy

Cartels of tour operators result in the creation of a collective dominant position on the part of some of the big operators and in cases of abuse, reflected in refusal to sell and in obliging hotels to accept lower rates or all-inclusive practices. Consequently, hotels are operating below cost and are having to make cuts in order to survive, and are accepting all kinds of concessions imposed by the tour operators under the 'threat' of refusal to sell. As a side-effect, the phenomenon of last-minute tourists receiving very poor-quality services is becoming more and more common. This situation is clearly affecting the survival of these hotels, which are mostly SMEs, and can also lead to refusal to sell a destination should the hotel owners refuse to reduce rates further or to accept excessive requests.

1. Will the Commission consider opening a comprehensive investigation of this situation under the competition law rules?

2. Will it consider undertaking an initiative to regulate and limit the all-inclusive practices that have repercussions on all the other services provided at the selected destinations, recalling that these affect restaurants and small traders, as well as cultural services, as tourists can end up being 'blocked' in hotels (all-inclusive practices in fact originated in third countries, owing to safety and security considerations concerning tourists)?

3. In this period of worsening climate change, has the Commission taken account of the disproportionate carbon footprint arising from charter flights and the artificial market for tourist services created by tour operators under the conditions described above?

4. Will the Commission consider allowing state aid to SME hotels, to enable them to survive and improve their services, given the gravity of the ongoing economic crisis?

5. Why is the Commission not developing a tourism policy under the Lisbon Treaty (Article 6 TFEU)?

Answer given by Mr Almunia on behalf of the Commission
(4 October 2012)

1. The Commission has no evidence of a violation by tour operators of EU competition rules. It therefore does not plan at this stage to open a formal investigation of business practices in the package travel market. Nevertheless, the Commission will remain attentive to information it may receive on market developments.

2. The Package Travel Directive ([1]) protects the economic interest of consumers purchasing package holidays irrespectively whether the stay is all-inclusive or not. The Commission is currently preparing a proposal for the revision of the directive, which provides for rules protecting the consumer when purchasing packages consisting of a combination of travel services, e.g. transport and accommodation.

3. The EU has adopted a comprehensive approach to address the climate impacts of aviation, including those of charter flights. This includes a major modernisation of air navigation to improve the fuel efficiency of flights and the inclusion of aviation in the EU's emissions trading system.

([1]) Council Directive 90/314/EEC of 13.6.1990.

4. State funding to hotels constitutes state aid and needs to be notified to the Commission, unless it complies with an exemption regulation (in particular the General Block Exemption Regulation 800/2008 ([2]), covering also SME aid). Moreover, according to the *de minimis* Regulation 1998/2006 ([3]), State funding up to EUR 200 000 can lawfully be provided to any enterprise regardless of its size over a rolling three-year period without notification.

5. The Commission has already started developing a consolidated policy framework for European tourism ([4]) and put forward an ambitious set of actions, which, in line with the Lisbon Treaty (Articles 6d and 195 TFEU), are meant to strengthen the competitiveness and sustainable growth of the tourism sector.

([2]) OJ L 214, 9.8.2008, p. 3.
([3]) OJ L 379, 28.12.2006, p. 5.
([4]) COM(2010) 352 final of 30.6.2010.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007562/12
alla Commissione
Andrea Zanoni (ALDE)
(6 agosto 2012)

Oggetto: Allarmante fenomeno di bracconaggio ai danni di molte specie di uccelli migratori nell'isola di Cipro

Nell'isola di Cipro continua un allarmante fenomeno di bracconaggio ai danni di molte specie di uccelli. Il CABS, Committee Against Bird Slaughter, insieme all'associazione Friends of the Earth Cyprus, ogni primavera e ogni autunno conduce a Cipro campi anti-bracconaggio, soprattutto nella parte orientale dell'isola fra Larnaca a Famagosta, area di transito per numerose specie di uccelli migratori. Durante i campi condotti dal CABS, vengono sempre rinvenute moltissime trappole costituite da bastoncini ricoperti di vischio (i cosiddetti limestick), i quali vengono nascosti tra gli alberi e utilizzati per catturare e uccidere gli uccelli migratori che vi si posano. Dal dossier redatto dal CABS relativamente al campo dell'autunno 2011 ([1]) emerge una situazione drammatica con tendenza a peggiorare: in nemmeno due settimane sono stati infatti ritrovati 3 817 limestick, 464 in più rispetto alla primavera dello stesso anno e addirittura 2 883 in più rispetto al 2010. A maggio di quest'anno lo scrivente ha potuto constatare personalmente sul posto l'uso illegale delle trappole di vischio ([2]), tant'è vero che nel 2012 il CABS ha rinvenuto nella sola stagione primaverile ben 4 439 limestick. In quanto metodi di cattura non selettivi, vietati dalla direttiva 2009/147/CE «Uccelli», i limestick fanno strage di uccelli di qualsiasi specie, anche rarissime, i quali poi finiscono illegalmente nel mercato gastronomico per essere venduti a caro prezzo, un business che viene stimato attorno ai 15 milioni di euro annui ([3]) . Inoltre, a Cipro sono usati anche altri metodi di cattura vietati dalla direttiva «Uccelli», quali le reti da uccellagione e i richiami elettroacustici. A tutto ciò si aggiunga la scarsità di controlli e pattugliamenti da parte delle autorità dell'isola, a vantaggio dei bracconieri che possono così operare indisturbati. Nonostante le continue denunce in diverse sedi, la Repubblica di Cipro non ha infatti ancora approntato nessuna strategia per porre sotto controllo il bracconaggio: l'uso del vischio è anzi localmente tollerato, e l'ente di vigilanza è sotto organico e alle guardie nei periodi di migrazione sono assegnate mansioni al di fuori delle aree di uccellagione. Secondo i dati raccolti dall'associazione BirdLife Cipro, il bilancio del 2010 è stato di 2 418 000 uccelli uccisi dai bracconieri ([4]).

Per i motivi fin qui esposti, non ritiene la Commissione che la Repubblica di Cipro, evitando di combattere il bracconaggio che di fatto tollera, violi palesemente la direttiva «Uccelli»? Quali azioni intende intraprende la Commissione per garantire che la direttiva 2009/147/CE sia finalmente applicata e rispettata anche a Cipro?

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

La Commissione è a conoscenza di quanto ultimamente riferito sulle attività di bracconaggio nell'autunno 2011 a Cipro e dei dati più recenti, ed è seriamente preoccupata del numero ancora estremamente elevato di uccelli uccisi.

Dopo aver chiesto chiarimenti alle autorità cipriote, che hanno fornito informazioni dettagliate sulle misure adottate, la Commissione è del parere che queste misure vadano nella direzione giusta, in quanto mirano a migliorare il coordinamento con i portatori di interesse. Poiché una significativa attività di bracconaggio viene svolta anche nel territorio sovrano delle basi britanniche, le autorità cipriote fanno riferimento anche alla cooperazione con le autorità britanniche. Nel frattempo la Commissione ha sollevato la questione anche con le autorità del Regno Unito. La Commissione continua a sorvegliare attentamente gli sforzi compiuti e i risultati ottenuti dalle autorità cipriote per affrontare efficacemente il problema.

A seguito delle raccomandazioni ([5]) formulate in occasione della conferenza sul bracconaggio degli uccelli organizzata dal segretariato della convenzione di Berna a Larnaca nel luglio 2011, la Commissione sta elaborando un elenco di possibili azioni per lottare contro il bracconaggio degli uccelli nell'UE. L'elenco è ancora in discussione con gli Stati membri, BirdLife, la Federazione delle associazioni di caccia e conservazione dell'UE (FACE) e la convenzione di Berna. L'elenco delle possibili azioni comprende aspetti quali il controllo delle attività illegali, lo scambio di informazioni, la sensibilizzazione, la prevenzione, il miglioramento dell'attività di controllo del rispetto della normativa e del coordinamento.

([1]) CABS e Friends of the Earth Cyprus, Field report: autumn 2011 bird protection camp, 23 September-2 October 2011.
([2]) http://www.abolizionecaccia.it/multimedia/photogallery/campi-antibracconaggio-cipro.html
([3]) Cfr. Petizione di BirdLife: http://www.gopetition.com/petitions/call-for-action-against-illegal-bird-trapping-in-cyprus.html
([4]) BirdLife Cyprus, Cyprus bird trapping surveillance project: Winter 2010/11.
([5]) Raccomandazione sull'uccisione, la cattura e il commercio illegali degli uccelli selvatici — T-PVS(2011)22E,, http://www.coe.int/t/dg4/cultureheritage/nature/bern/institutions/standingcommittee_122011_en.asp.

(English version)

Question for written answer E-007562/12
to the Commission
Andrea Zanoni (ALDE)
(6 August 2012)

Subject: Alarming extent of poaching of many species of migratory birds in Cyprus

On the island of Cyprus, the poaching of many species of birds continues to be alarmingly widespread. The Committee Against Bird Slaughter (CABS), together with Friends of the Earth Cyprus, sets up 'bird protection camps' every Spring and Autumn in Cyprus, particularly in the eastern part of the island between Larnaca and Famagusta, which is a transit area for many species of migratory birds. In the course of the camps organised by CABS, a very large number of limestick traps are always found; these consist of twigs covered in a glue-like substance and hidden in trees and bushes as a means of catching and killing any migratory birds that perch on them. A report drawn up by CABS on the Autumn 2011 camp ([1]) shows that the situation is alarming, and deteriorating: in less than two weeks 3 817 limesticks were found, 464 more than in the Spring of the same year and 2 883 more than in 2010. Last May, the author of this question personally witnessed, on the spot, illegal use of limestick traps ([2]); in the Spring 2012 migration season alone, the CABS found no less than 4439 limesticks. Non-selective methods of capture such as this are banned by the EU Directive on the conservation of wild birds (No 2009/147/EC). They result in the indiscriminate slaughter of birds of all species, including some very rare ones, which end up being sold on the black market in food at very high prices, a business which is estimated to have an annual turnover of around EUR 15 million ([3]). Other methods of capture which are prohibited under the Birds Directive are also used in Cyprus; these include mist nets and electronic decoys. This situation is exacerbated by the infrequency of the checking and patrols organised by the authorities on the island, which enables the poachers to carry out their operations undisturbed. Despite the continual complaints made by various bodies, the Republic of Cyprus has not yet produced any strategy to bring poaching under control. The use of limesticks is tolerated locally, the anti-poaching enforcement unit is understaffed and, during the migration season, enforcement officers are assigned duties outside migration areas. According to data collected by the BirdLife Cyprus association, some 2 418 000 birds were killed by poachers in 2010 ([4]).

In view of the foregoing, does the Commission agree that the Republic of Cyprus, by failing to combat — and, in effect, tolerating — poaching, is in flagrant breach of the directive on the conservation of wild birds?

What action does the Commission intend to take to ensure that the provisions of Directive 2009/147/EC are at last applied and respected in Cyprus?

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

The Commission is aware of the latest reports on illegal trapping activities in autumn 2011 in Cyprus and of more recent data, and is seriously concerned about the still extremely high numbers of birds affected.

After inquiring again with the Cypriot authorities, who provided detailed information on measures taken, the Commission is of the opinion that these measures go in the right direction as they aim at improving coordination with stakeholders. Since significant illegal trapping activities also occur in the area of the Sovereign British Bases, the Cypriot authorities referred to cooperation with those authorities as well. In the meantime, the Commission has also raised the matter with the United Kingdom authorities. The Commission continues to monitor closely the efforts deployed and the results achieved by the Cypriot authorities to effectively tackle the issue.

Further to the recommendations ([5]) of a conference on Illegal Killing of Birds organised by the Secretariat of the Bern Convention in Larnaca in July 2011, the Commission is preparing a list of possible actions aimed at eliminating illegal killing of birds in the EU, which is still under discussion with the Member States, BirdLife, the Federation of the Associations for Hunting and Conservation of the EU (FACE) and the Bern Convention. The list of possible actions covers areas such as monitoring of illegal activities, information exchange, raising-awareness, prevention, enforcement improvements and coordination.

([1]) CABS and Friends of the Earth Cyprus, Field report: Autumn 2011 bird protection camp, 23 September to 2 October 2011.
([2]) http://www.abolizionecaccia.it/multimedia/photogallery/campi-antibracconaggio-cipro.html
([3]) cf: BirdLife petition at: http://www.gopetition.com/petitions/call-for-action-against-illegal-bird-trapping-in-cyprus.html
([4]) BirdLife Cyprus, Cyprus bird trapping surveillance project: Winter 2010/11.
([5]) Recommendation on the Illegal Killing, Trapping and Trade of Wild Birds — T-PVS(2011)22E, http://www.coe.int/t/dg4/cultureheritage/nature/bern/institutions/standingcommittee_122011_en.asp.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007563/12
alla Commissione
Mara Bizzotto (EFD)
(6 agosto 2012)

Oggetto: Modalità di integrazione dell'ITI con le altre politiche europee di cooperazione territoriale

Lo strumento ITI (Investimento territoriale integrato) dovrebbe dare la possibilità di intervenire con investimenti territoriali trasversali in maniera più efficiente su una determinata area geografica.

Può la Commissione chiarire come si integrerà l'ITI all'interno delle politiche europee di cooperazione territoriale? Esso svolgerà un ruolo anche all'interno delle strategie macroregionali ed euroregionali e, in caso affermativo, quale e in che modo?

Risposta di Johannes Hahn a nome della Commissione
(1º ottobre 2012)

Gli investimenti territoriali integrati (ITI) possono essere uno strumento destinato ad attuare strategie territoriali in modo integrato nell'ambito della politica di cooperazione territoriale, anche nel contesto delle strategie macroregionali, delle strategie relative ai bacini marittimi e simili. Un organismo intermedio competente per la gestione e l'attuazione di un ITI potrebbe essere, ad esempio, un gruppo europeo di cooperazione territoriale o un altro organismo giuridico pubblico creato in base alla normativa di uno dei paesi partecipanti.

Gli ITI consentiranno di sviluppare il coordinamento tra i vari programmi e fondi riunendo i finanziamenti nel quadro di diverse priorità in uno o più programmi finanziati dal Fondo europeo di sviluppo regionale, dal Fondo sociale europeo o dal Fondo di coesione ai fini di un intervento multidimensionale e multisettoriale. Gli ITI possono pertanto fornire un quadro di attuazione nel contesto della politica di cooperazione, comprese le strategie macroregionali, per coordinare progetti finanziati da programmi di cooperazione territoriale e incentrati sui singoli paesi.

Un ITI può essere creato a qualunque livello sub-regionale o interregionale. È importante tuttavia che il settore coperto da un ITI sia un territorio funzionale con caratteristiche, problemi e opportunità condivise. Gli ITI potrebbero pertanto essere utilizzati per le regioni funzionali transfrontaliere (conurbazioni transfrontaliere, aree montane, parti di bacini fluviali) nonché per facilitare il funzionamento delle macroregioni, coprendo diverse aree funzionali in vari Stati membri.

(English version)

Question for written answer E-007563/12
to the Commission
Mara Bizzotto (EFD)
(6 August 2012)

Subject: How to integrate ITI with other EU territorial cooperation policies

The ITI (Integrated Territorial Investment) instrument is supposed to enable across-the-board territorial investments to be made more efficiently in a given geographical area.

Can the Commission clarify how ITI will be integrated with EU territorial cooperation policies? Will it play a role also in the macro-regional and Euro-regional strategies? If so, what role will it play and how?

Answer given by Mr Hahn on behalf of the Commission
(1 October 2012)

Integrated territorial investments (ITIs) can be a tool to implement territorial strategies in an integrated way in territorial cooperation policy, including in the context of macro-regional, sea-basin or similar strategies. An intermediate body to carry out the management and implementation of an ITI could, for example, be a **European Grouping of Territorial Cooperation,** or another legal public body established under the laws of one of the participating countries.

ITIs will allow increased coordination between different programmes and funds by bundling funding from several priorities in one or more programmes funded by the European Regional Development Fund, the European Social Fund or the Cohesion Fund for the purposes of multi-dimensional and cross-sectoral intervention. Therefore ITIs can provide an implementation framework in cooperation policy, including macro-regional strategies etc., to coordinate projects supported by territorial cooperation and country-specific programmes.

An ITI can be set up on any sub-regional or interregional level. It is important however, that the area covered by an ITI is a functional territory with shared characteristics, problems, opportunities. It could therefore be used for cross-border functional regions (cross-border urban conurbations, mountainous areas, sections of river basins) as well as for facilitating macro-regions, which could also cover several functional areas in a number of Member States.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007564/12
alla Commissione
Mara Bizzotto (EFD)
(6 agosto 2012)

Oggetto: Investimento Territoriale Integrato

Nell'ambito della Politica di Coesione 2014-2020 viene introdotto uno strumento nuovo, l'ITI «Investimento Territoriale Integrato».

La Commissione lo definisce come strumento efficace per fornire un meccanismo flessibile per la formulazione di risposte integrate alle diverse esigenze territoriali.

Si chiede alla Commissione di rispondere ai seguenti quesiti:

1. Può essa chiarire la modalità di ipotizzata costituzione di una ITI?

2. Può chiarire altresì la modalità di funzionamento?

3. Può essa indicare se il programma ITI avrà una dotazione propria?

Risposta di Johannes Hahn a nome della Commissione
(27 settembre 2012)

I cosiddetti «Investimenti territoriali integrati» (*Integrated territorial investments* — ITI) permettono agli Stati membri di far convergere finanziamenti provenienti da varie priorità in uno o più programmi, finanziati dal Fondo europeo di sviluppo regionale (FESR), dal Fondo sociale europeo e dal Fondo di coesione, aventi caratteristiche multidimensionali e transsettoriali. Gli ITI possono essere collocati al di sotto del livello di priorità dalla/e autorità di gestione dei programmi che finanziano un ITI.

L'autorità di gestione è la responsabilità ultima della gestione e dell'attuazione dei progetti finanziati nell'ambito di un ITI. Le autorità di gestione possono comunque designare uno o più organismi intermedi (come enti locali, organismi di sviluppo regionale od organizzazioni non governative) cui affidare la gestione e l'attuazione di un ITI. La delega è facoltativa ma il 5 % del FESR va attribuito al livello nazionale ed essere speso per lo sviluppo urbano sostenibile attraverso ITI la cui gestione sia stata delegata alle città, in modo da coinvolgere almeno le città presenti nella scelta dei progetti attuati attraverso gli ITI.

Un ITI non è un programma ma uno strumento, istituito nell'ambito del livello di priorità, destinato a rispondere a esigenze specifiche di un determinato territorio. Non esiste dunque alcun finanziamento specifico assegnato agli ITI.

(English version)

Question for written answer E-007564/12
to the Commission
Mara Bizzotto (EFD)
(6 August 2012)

Subject: Integrated territorial investment

A new instrument known as 'integrated territorial investment' or ITI is being introduced under the cohesion policy for 2014-20.

The Commission describes this as an instrument that will prove effective in providing a flexible mechanism for formulating integrated responses to diverse territorial needs.

1. Can the Commission explain how an ITI would be set up?

2. How would it operate?

3. Will the ITI programme be allocated specific funding?

Answer given by Mr Hahn on behalf of the Commission
(27 September 2012)

Integrated territorial investments (ITIs) will allow Member States to bundle funding from several priorities in one or more programmes funded by the European Regional Development Fund (ERDF), the European Social Fund or the Cohesion Fund for the purposes of multi-dimensional and cross-sectoral intervention. ITIs can be set up below priority level by the managing authority or authorities of the programmes that provide support for an ITI.

The managing authority bears the final responsibility for managing and implementing the projects of an ITI. However, managing authorities may designate one or more intermediate bodies, including local authorities, regional development bodies or non-governmental organisations, to carry out the management and implementation of an ITI. While such delegation is optional, 5% of the ERDF is to be allocated to the national level, to be spent on sustainable urban development through ITIs with management delegated to cities, ensuring the involvement of at least the cities in the selection of the projects implemented through ITIs.

An ITI is not a programme, but an instrument set up under the priority level to address the specific needs of a given territory. Therefore there is no specific funding allocated to ITIs.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007565/12
alla Commissione
Mara Bizzotto (EFD)
(6 agosto 2012)

Oggetto: Tutela del diritto all'autodeterminazione dei popoli in Europa

Nella risposta all'interrogazione scritta P-2332/2002, la Commissione afferma che l'UE osserva i disposti della Dichiarazione universale dei diritti dell'uomo e il Patto internazionale sui diritti civili e politici dell'ONU, adottato dall'Assemblea generale il 16 dicembre 1966. Entrambi i documenti, all'articolo 1, sanciscono il diritto all'autodeterminazione dei popoli. Ai popoli deve essere garantita la facoltà di scegliere la forma di governance più vicina al proprio modo di intendere il rapporto con lo Stato/Nazione. Allo stesso, ai popoli deve essere assicurata la salvaguardia dalle ingerenze di forme statuali che limitano la loro libertà e il loro sviluppo economico, sociale e culturale. Sulla base di questi presupposti il popolo scozzese è determinato a chiedere l'indipendenza dalla Gran Bretagna e quello catalano aspira a una propria nazione, soprattutto a fronte dell'insostenibile livello di tassazione imposto dal governo spagnolo che, dopo decenni di indebitamento, non riesce a fronteggiare la crisi economica in corso. Analoga è la situazione vissuta dal Nord Italia, dove i sistemi produttivi sono frenati dalla pressione fiscale, giunta a livelli record, imposta dal governo.

Si chiede alla Commissione:

1. In base ai presupposti di cui sopra, come garantisce, tutela e integra nella propria legislazione il principio ex articolo 1 della Dichiarazione universale dei diritti dell'uomo e del Patto internazionale sui diritti civili?

2. Come intende includere nel processo di integrazione europea anche le prospettive di popoli come quello scozzese, catalano e del Nord Italia, che aspirano all'indipendenza e al riconoscimento?

3. Intende aprire un tavolo permanente di confronto con i rappresentanti di queste aree?

4. Non ritiene di dover prestare nuova attenzione e offrire a queste aree la possibilità di interagire con lei direttamente, attraverso nuove forme di governance, laddove si tratta di regioni che vantano un tasso produttivo tra i più alti d'Europa e svolgono dunque un ruolo chiave nella competitività del sistema comunitario, ma che sono oggi minacciate dalla situazione di indebitamento degli Stati nazionali?

Risposta di Viviane Reding a nome della Commissione
(16 ottobre 2012)

Come spiegato, ad esempio, nella risposta all'interrogazione scritta E-001067/2012 ([1]), la Commissione non dispone di competenze generali in materia di minoranze e, in particolare, non ha la facoltà di intervenire su questioni concernenti la definizione di ciò che costituisce una minoranza nazionale, il riconoscimento dello status delle minoranze o il loro diritto all'autodeterminazione e all'autonomia. Tali questioni rientrano infatti tra le competenze degli Stati membri.

La Commissione non prevede di istituire un tavolo di confronto su tali tematiche.

([1]) http://www.europarl.europa.eu/plenary/it/parliamentary-questions.html

(English version)

Question for written answer E-007565/12
to the Commission
Mara Bizzotto (EFD)
(6 August 2012)

Subject: Protection of the right to self-determination of peoples in Europe

In its reply to Written Question P-2332/2002, the Commission stated that the Union respects the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights adopted by the General Assembly of the UN on 16 December 1966. The principle of self-determination of peoples is enshrined in Article 1 of both documents. The right of peoples to choose the form of governance which corresponds most closely to their conception of the relationship between state and nation must be safeguarded. At the same time, peoples must be protected from any form of state interference that limits their freedom and their economic, social and cultural development. It is on the basis of these principles that the Scottish people is determined to call for independence from the United Kingdom and the Catalan people aspires to separate nationhood, particularly in the light of the unsustainable tax burden imposed by the Spanish Government which, after decades of indebtedness, is unable to cope with the current economic crisis. There is a similar situation in Northern Italy, whose productive sectors are being held back by the record levels of taxation imposed by the Government.

1. In view of the foregoing, how does the Commission safeguard, protect and incorporate in EU legislation the principle enshrined in Article 1 of the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights?

2. How does the Commission intend to include in the process of European integration the views of peoples such as the Scottish, Catalan and Northern Italian peoples, which aspire to independence and to recognition?

3. Does the Commission intend to set up a permanent forum for discussions with representatives of those areas?

4. Does the Commission agree that it should pay renewed attention to these areas and offer the possibility of interacting directly with it, through new forms of governance, to regions whose productivity rates are among the highest in Europe and which, therefore, play a key role in ensuring the competitiveness of the Community system, but are now at risk because of the indebtedness of the nation states?

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

As explained for instance in its reply to Written Question E-001067/2012 ([1]), 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 or their self-determination and autonomy. Those matters fall under the responsibility of the Member States.

The Commission has no plans to set up any such forum.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007566/12
alla Commissione
Mara Bizzotto (EFD)
(6 agosto 2012)

Oggetto: Nuova programmazione della politica di coesione 2014-2020

In riferimento alla nuova programmazione della politica di coesione per il 2014-2020, ravvisa la Commissione la necessità di intensificare i legami fra la stessa e la strategia Europa 2020, soprattutto nel suo sviluppo fra il livello comunitario, nazionale, subnazionale e territoriale?

Quali priorità la Commissione ritiene vadano conseguite come obbligatorie affinché la nuova politica di coesione possa estrinsecarsi con risultati ancora più concreti di quella che sta per concludersi?

Risposta di Johannes Hahn a nome della Commissione
(19 settembre 2012)

Le proposte legislative della Commissione in merito alla politica di coesione per il periodo 2014-2020 assicurano il pieno allineamento della politica di coesione con la strategia Europa 2020. Per porre in atto la politica di coesione sono essenziali il partenariato e la governance multilivello che pertanto sono stati chiaramente radicati nei regolamenti proposti.

Le proposte della Commissione intendono rafforzare l'orientamento della politica in direzione dei risultati. Ciò avverrà tramite: una chiara gerarchia degli obiettivi correlati alla strategia Europa 2020, un processo di programmazione strategica impostato sugli obiettivi; condizioni ex ante atte ad assicurare che si realizzino le precondizioni per un uso effettivo del sostegno UE; un quadro esecutivo con obiettivi chiaramente definiti nonché una riserva di efficacia per i programmi che raggiungono i loro obiettivi intermedi. Le proposte legislative comprendono inoltre la possibilità di far uso di un sistema di pagamento basato sui risultati prodotti, laddove i pagamenti sono subordinati alla presentazione di output e risultati di progetti, non alla presentazione di documenti di spesa.

(English version)

Question for written answer E-007566/12
to the Commission
Mara Bizzotto (EFD)
(6 August 2012)

Subject: New cohesion policy programming for 2014-20

With reference to the new cohesion policy programming for 2014-20, does the Commission think it is necessary to strengthen the ties between this policy and the Europe 2020 strategy, especially with regard to its development between the Community, national, sub-national and local levels?

What top priorities does the Commission believe should be met to ensure that the new cohesion policy can achieve results that are even more tangible than those achieved in the programming period which is about to end?

Answer given by Mr Hahn on behalf of the Commission
(19 September 2012)

The legislative proposals of the Commission for cohesion policy in the 2014-2020 period ensure complete alignment of cohesion policy with the Europe 2020 strategy. Partnership and multi-level governance are essential to the delivery of cohesion policy, and have therefore been clearly enshrined in the proposed regulations.

The Commission proposals aim to reinforce the result orientation of the policy. This would be done through: a clear hierarchy of objectives linked to the Europe 2020 strategy, an objective driven strategic programming process; *ex-ante* conditionalities which ensure fulfilment of pre-conditions for the effective use of EU support; a performance framework with clearly defined targets; and a performance reserve for programmes which achieve their mid-term targets. The legislative proposals also include a possibility to make use of an output based payment system, where payment is conditional on the delivery of outputs and results of projects, not on the submission of expenditure documents.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007567/12
alla Commissione
Mara Bizzotto (EFD)
(6 agosto 2012)

Oggetto: Pescherecci italiani sequestrati in Egitto

Il 26 luglio scorso cinque pescherecci di Mazara del Vallo sono stati fermati e sequestrati, a circa 25 miglia dalle coste egiziane, da una motovedetta della marina militare di tale paese.

Grazie all'intervento del ministro degli Esteri italiano in visita ufficiale in Egitto e dell'ambasciata italiana al Cairo, i natanti sono stati rilasciati dopo poche ore; pare che i marittimi a bordo abbiano dovuto rilasciare dichiarazioni secondo le quali si impegnavano a non effettuare più attività di pesca entro le 24 miglia dalla costa egiziana.

La Commissione ha notizie più circostanziate dell'accaduto? Risulta alla Commissione che natanti appartenenti ad altri Stati membri abbiano avuto problemi simili? Può indicare se vi sono accordi specifici fra UE e Egitto circa i limiti entro i quali navi battenti bandiera degli Stati membri possono esercitare l'attività di pesca?

Risposta di Maria Damanaki a nome della Commissione
(2 ottobre 2012)

La Commissione non era a conoscenza dei fatti citati dall'onorevole parlamentare e non dispone di ulteriori informazioni al riguardo o in relazione ad incidenti analoghi.

È importante tuttavia sottolineare che, in virtù della competenza esterna esclusiva dell'Unione europea, l'accesso da parte di navi battenti bandiera degli Stati membri alle risorse di pesca presenti nelle acque soggette alla sovranità e alla giurisdizione di paesi terzi presuppone la conclusione di un accordo internazionale tra l'Unione europea e il paese terzo interessato. Per quanto concerne l'Egitto non è stato concluso nessun accordo di partenariato nel settore della pesca. Di conseguenza, per la Commissione non vi sarebbe stata alcuna ragione per avviare un dialogo con le autorità egiziane in relazione all'incidente in questione.

A norma del diritto internazionale spetta agli Stati costieri, ossia nella fattispecie all'Egitto, definire i limiti esterni delle acque soggette alla loro sovranità e giurisdizione. In linea di principio gli altri Stati non possono interferire con tali questioni puramente nazionali, a meno che la definizione delle acque in questione non sia contestata a norma del diritto internazionale del mare applicabile.

Dato che non è stato concluso nessun accordo internazionale di partenariato nel settore della pesca tra l'Unione europea e l'Egitto, non esiste un accordo circa i limiti di una qualsiasi zona specifica in cui le navi battenti bandiera di uno Stato membro siano autorizzate a pescare nelle acque soggette alla sovranità e alla giurisdizione dell'Egitto.

(English version)

Question for written answer E-007567/12
to the Commission
Mara Bizzotto (EFD)
(6 August 2012)

Subject: Italian fishing vessels seized in Egypt

On 26 July, five fishing vessels from Mazara del Vallo were stopped and seized, about 25 miles from the coast of Egypt, by an Egyptian Navy patrol boat.

Thanks to the intervention of the Italian Foreign Minister on an official visit to Egypt and the Italian Embassy in Cairo, the boats were released after a few hours. Apparently the fishermen had to release statements to the effect that they pledged to no longer fish within 24 miles of the Egyptian coast.

Does the Commission have any more detailed information about what happened? Does it know whether vessels belonging to other Member States have had similar problems? Can it say whether there are any specific agreements between the EU and Egypt about the limits within which vessels flying the flag of a Member State may fish?

Answer given by Ms Damanaki on behalf of the Commission
(2 October 2012)

The Commission was not aware of the incident referred to by the Honourable Member and does not have additional information about it or about similar incidents.

It should nevertheless be emphasised that, by virtue of the European Union's exclusive external competence, access by vessels flying the flag of Member States to the fishery resources that occur within the waters under the sovereignty and jurisdiction of third countries presupposes the conclusion of an international agreement between the European Union and the third country concerned. No such international fisheries partnership agreement has been concluded with Egypt. Consequently, there would not have been any reason for the Commission to engage in a dialogue with the Egyptian authorities about the incident in question.

Under international law, it is for the coastal States, i.e. Egypt in the present instance, to define the outer limits of the waters under its sovereignty and jurisdiction. In principle, other States cannot interfere in such purely national matters unless the definition of the waters in question is contested under the applicable international law of the sea.

As no international fisheries partnership agreement has been concluded between the European Union and Egypt, there is no agreement about the limits of any particular zones where vessels flying the flag of a Member State would be allowed to fish within the waters under Egypt's sovereignty and jurisdiction.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007568/12
alla Commissione
Mara Bizzotto (EFD)
(6 agosto 2012)

Oggetto: Pesticidi: possibile causa di SLA (Sindrome Laterale Amitrofica)

La Procura di Torino ha avviato un'indagine riguardo alla possibile connessione tra l'impiego di pesticidi nelle coltivazioni e nei campi erbosi adibiti al gioco del calcio e la Sindrome Laterale Amiotrofica (SLA). Questo a seguito dell'aumento delle diagnosi nel 2011 nella Regione Piemonte: 43 casi tra calciatori su 30mila tra professionisti e dilettanti e 123 casi tra gli agricoltori. Questi dati mostrano un'incidenza della malattia di venti volte superiore alla media. La Sindrome Laterale Amitrofica (SLA) è una sindrome degenerativa del sistema nervoso che colpisce le cellule preposte al movimento.

È la Commissione a conoscenza di questa situazione?

È a conoscenza di studi al riguardo che indichino se esiste una connessione tra l'impiego di pesticidi in agricoltura e nei campi da calcio e l'aumento delle diagnosi di SLA tra contadini e calciatori? Se non sono ancora disponibili studi in merito, intende essa avviarne?

Risposta di John Dalli a nome della Commissione
(21 settembre 2012)

La Commissione è al corrente dell'indagine cui fa riferimento l'onorevole parlamentare. Tuttavia, la Commissione non è a conoscenza di alcuna sostanza attiva specifica approvata per la quale sia stata dimostrata una correlazione con la sclerosi laterale amiotrofica.

Il 7° programma quadro dell'UE per la ricerca e lo sviluppo tecnologico (7° PQ, 2007-2013) sostiene la ricerca sulla sclerosi laterale amiotrofica con un contributo dal 2007 pari a circa 33 milioni di EUR ([1]). Tale ricerca è incentrata in particolare su varianti genetiche, patofisiologia, biologia dei sistemi, sviluppo di nuove terapie e identificazione di nuovi bersagli farmacologici. In particolare, il progetto EURO-MOTOR, che beneficia di un contributo del 7° PQ pari a 11,9 milioni di EUR e coordinato dalla Universitair Medisch Centrum Utrecht (Paesi Bassi), mira a individuare nuovi percorsi causali e modificatori della malattia al fine di sviluppare nuove terapie per la SLA ([2]). Sia l'Istituto di Ricerche Farmacologiche Mario Negri che l'Università degli Studi di Torino partecipano a detto progetto.

Inoltre, un altro gruppo di progetti di ricerca nell'ambito del 7° PQ è incentrato su una migliore valutazione del rischio dei pesticidi e sulla comprensione dei percorsi attraverso i quali l'esposizione ai pesticidi si ripercuote sulle condizioni di salute, compresi la neurotossicità e i disturbi neurologici. I progetti BROWSE ([3]) e ACROPOLIS ([4]) mirano a migliorare i modelli di esposizione dei pesticidi, mentre il progetto DENAMIC ([5]), incentrato sullo sviluppo delle malattie, sta elaborando strumenti e metodi per il monitoraggio di sostanze sul piano della neurotossicità.

([1]) http://ec.europa.eu/research/health/medical-research/brain-research/index_en.html & http://ec.europa.eu/research/health/biotechnology/index_en.html
([2]) http://www.euromotorproject.eu/.
([3]) www.browseproject.eu.
([4]) www.acropolis-eu.com/.
([5]) www.denamic-project.eu/.

(English version)

Question for written answer E-007568/12
to the Commission
Mara Bizzotto (EFD)
(6 August 2012)

Subject: Pesticides as possible cause of Amyotrophic Lateral Sclerosis (ALS)

The Turin public prosecutor's office has started investigating the possibility of a link between the use of pesticides on cultivated land and grass football pitches and the incidence of ALS. This follows an increase in the number of cases of ALS diagnosed in 2011 in the Piedmont Region, where 43 amateur and professional football players (out of a total of around 30 000) and 123 farmers have contracted the disease. These statistics indicate that the incidence of the ALS in these groups is 20 times higher than the average rate. ALS is a neurodegenerative disease which affects the motor neurons, the nerve cells that control movement.

Is the Commission aware of this situation?

Is the Commission aware of any studies indicating whether there is a connection between the use of pesticides on farms and football pitches and the increased incidence of ALS among famers and footballers? If no such studies are available yet, does it intend to commission any?

Answer given by Mr Dalli on behalf of the Commission
(21 September 2012)

The Commission is aware of the investigation the Honourable Member refers to. However, the Commission is not aware of any specific approved active substance for which a proven link with Amyotrophic Lateral Sclerosis has been demonstrated.

The EU 7th Framework Programme for Research and Technological Development (FP7, 2007-2013) supports research on Amyotrophic Lateral Sclerosis for about EUR 33 million since 2007 ([1]). This research mainly focuses on genetic variations, pathophysiology, systems biology, development of new therapies and identification of new drug targets. In particular, the project EURO-MOTOR, supported with EUR 11.9 million from the FP7 and coordinated by the Universitair Medisch Centrum Utrecht (The Netherlands), aims at discovering new causative and disease-modifying pathways in order to develop novel therapies for ALS ([2]). Both the Istituto di Ricerche Farmacologiche Mario Negri and the Universita degli studi di Torino are participants in this project.

In addition, another subset of FP7 research projects is focused on improving risk assessment of pesticides and on understanding the pathways through which exposure to pesticides leads to health conditions, including neurotoxicity and neurological disorders. The projects Browse ([3]) and Acropolis ([4]) aim at improving exposure models for pesticides, while the project Denamic ([5]), focused on disease development, is developing tools and methods for screening of compounds for neurotoxicity.

([1]) http://ec.europa.eu/research/health/medical-research/brain-research/index_en.html & http://ec.europa.eu/research/health/biotechnology/index_en.html
([2]) http://www.euromotorproject.eu/.
([3]) www.browseproject.eu.
([4]) www.acropolis-eu.com/.
([5]) www.denamic-project.eu/.

(българска версия)

Въпрос с искане за писмен отговор E-007569/12
до Комисията
Владко Тодоров Панайотов (ALDE)
(6 август 2012 г.)

Относно: Преференциални тарифи за слънчева и вятърна енергия в България

Без предварително предупреждение българското правителство внезапно взе решение да намали преференциалните тарифи за електроенергия, произведена от соларни панели, с повече от 50 %, а от проекти за вятърна енергия — с 22,5 %.

Тази мярка засяга инвеститори, които са преминали през повечето етапи на сложния и скъп процес на получаване на лиценз, както и тези, които вече са приключили целия процес. Непропорционалното намаляване на тарифите намалява икономическата рентабилност на проектите в областта на възобновяемите енергийни източници, като ги прави недоходоносни. Също така тази мярка може да доведе до значителни загуби и щети за инвеститорите. Освен това подобни действия оказват силно отрицателно въздействие върху интереса на инвеститорите и доверието им към сектора на енергия от възобновяеми източници в България.

1. Като се има предвид, че на България ѝ предстои да измине дълъг път, докато достигне целите, заложени в пакета на ЕС по въпросите на климата и енергетиката, би ли могла Комисията да обясни как може да толерира начина, по който се застрашава главната приоритетна област на стратегията за 2020 г. за насърчаване на възобновяемите енергийни източници, включително източниците на слънчева и вятърна енергия, в резултат на неочакваните промени в преференциалните тарифи?

2. Какви мерки ще предприеме Комисията, за да защити инвеститорите, особено тези в ЕС, които са упражнили своето право на установяване и право на свободно движение на капитали по силата на Договора за функционирането на Европейския съюз и чиито права понастоящем се ограничават от тази внезапна нова мярка, която противоречи на основните принципи на правото: принципа на защита на оправданите правни очаквания и принципа на добросъвестност?

3. По какъв начин ще се разгледа въпросът за отговорността на България за нарушаването на правото на ЕС с оглед на дело „Francovich“ ([1]) и установената впоследствие съдебна практика по отношение на искове за щети на граждани на ЕС?

4. Какви заключения могат да се направят във връзка с Европейската конвенция за защита на правата на човека като част от достиженията на правото на ЕС в по-широк смисъл, ако имаме предвид, че тази мярка всъщност води до случаи, които са подобни на ограничаване на правото на собственост или които засягат основните права на гражданите да осъществяват дейности, които се насърчават активно от ЕС и доскоро — от самата България?

5. Как ще бъде разгледан въпросът по отношение на инвеститори, които не са от ЕС, и които, насърчени от пакета на ЕС по въпросите на климата и енергетиката и от Директивата относно възобновяемите енергийни източници, са започнали да инвестират в държавафчленка на ЕС — в случая България — и са били силно засегнати от тази несъобразена мярка?

Отговор, даден от г-н Йотингер от името на Комисията
(1 октомври 2012 г.)

В член 3, параграф 1 от Директива 2009/28/ЕО за насърчаване на използването на енергия от възобновяеми източници ([2]) се изисква всяка държава членка да постигне задължителната национална цел за възобновяема енергия през 2020 г., като схемите за подпомагане са само една от многото мерки, които държавите членки могат да въведат за постигането на тези цели. Схемите за насърчаване на енергията от възобновяеми източници не са регулирани на равнище ЕС и са в компетенциите на държавите членки. Комисията, обаче, заяви, че с течение на времето схемите за подпомагане трябва да бъдат адаптирани чрез прилагане на най-добрите практики, за да се избегнат неоправдани нарушения на пазара и прекомерни разходи. Комисията призова държавите членки да спазват принципите на предсказуемост и прозрачност при адаптирането на равнищата на подкрепа ([3]).

([1]) Решение на СЕО от 19.11.1991 г., A. Francovich и D. Bonifaci и др. срещу Република Италия, Доклад на Съда на Европейските общности от 1991 г., стр. I-05357.
([2]) ОВ L 140, 5.6.2009 г.
([3]) COM(2011) 31 окончателен.

Инвеститори, които считат преразглеждането на преференциалните тарифи в България за нарушение на Директива 2009/28/ЕО, могат да потърсят средства за защита пред националните съдилища в съответствие с делото Francovich или да подадат жалба пред Комисията.

По отношение на по-широкия контекст Комисията би желала да припомни, че за България делът на енергията от възобновяеми източници в крайното потребление на енергия през 2010 г. е 13,8 %. Понастоящем България е над индикативната крива, определена в приложение I към Директива 2009/28/ЕО.

В заключение Комисията не притежава компетентността да оценява съответствието на законодателствата на държавите членки с Европейската конвенция за защита на правата на човека.

(English version)

Question for written answer E-007569/12
to the Commission
Vladko Todorov Panayotov (ALDE)
(6 August 2012)

Subject: Solar and wind energy feed-in tariffs in Bulgaria

Without any advance warning, the Bulgarian Government has suddenly decided to reduce the feed-in tariffs for solar panels by more than 50% and those for wind power projects by 22.5%.

This measure affects investors who have completed most of the stages of the complex and costly authorisation process, as well as those who have already completed the entire process. The disproportionate reduction in tariffs reduces the profitability of renewable energy projects, rendering them unbankable. It might also result in substantial losses and damages for investors. Moreover, such actions have an enormously damaging effect on investors' interest and trust in the renewable energy sector in Bulgaria.

1. Given that Bulgaria still has a long way to go if it is to meet the 2020 targets set in the EU's climate and energy package, can the Commission explain how it can tolerate the way in which its top 2020 strategy priority to promote renewable sources of energy, including solar and wind, is being undermined in Bulgaria as a result of the unexpected changes to feed-in tariffs?

2. What measures is the Commission going to take to protect investors, especially those in the EU, who have exercised the right of establishment and the right to free movement of capital under the Treaty on the Functioning of the European Union and whose rights are now being restricted by this sudden new measure, which runs counter to the fundamental legal principles of legitimate expectation and good faith?

3. How would the issue of Bulgaria's liability as a result of breaches of EC law be dealt with in the light of the Francovich case ([1]) and the subsequent well-established case-law in relation to claims for damages from EU citizens?

4. What conclusions can be drawn with regard to the European Convention on Human Rights, as part of the EU *acquis* in a broader sense, if we bear in mind that this measure has in fact resulted in situations which are similar to property restrictions or which affect the fundamental rights of citizens to undertake activities that the EU and — until now — Bulgaria itself have actively encouraged?

5. How will this matter be dealt with when it comes to non-EU investors who, encouraged by the EU climate and energy package and the Renewables Directive, began investing in an EU Member State — in this case Bulgaria — and have been hit hard by this disproportionate measure?

Answer given by Mr Oettinger on behalf of the Commission
(1 October 2012)

While Article 3(1) of Directive 2009/28/EC on the promotion of the use of energy from renewable energy sources ([2]) requires each Member State to reach a mandatory national target for renewable energy in 2020, support schemes is only one of the measures Member States may apply in order to reach these targets. Support schemes for renewable energy are not regulated at EU level and are within the competences of Member States. The Commission has however stated that support schemes should be adapted over time by applying the best practice to avoid undue market distortions and excessive costs. The Commission has called on Member States to respect the principles of predictability and transparency when adapting support levels ([3]).

Investors considering the revision of Bulgarian feed-in tariffs a breach of Directive 2009/28/EC can seek remedies before national courts in accordance with the Francovich case or lodge a complaint with the Commission.

Concerning the wider context, the Commission would like to recall that Bulgaria's share of renewable energy in final energy consumption was 13.8% in 2010. For the moment, Bulgaria is above the indicative trajectory set by Annex I of Directive 2009/28/EC.

([1]) ECJ Judgment of 19.11.1991, *A. Francovich and D. Bonifaci and others* v *Italian Republic*, European Court Reports 1991, p. I-05357.
([2]) OJ L 140, 5.6.2009.
([3]) COM(2011)31 final.

Finally, the Commission does not have the competence to assess the compliance of the legislations of the Member States with the European Convention of Human Rights.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-007570/12
aan de Commissie
Sophia in 't Veld (ALDE)
(6 augustus 2012)

Betreft: Niet-naleving van antiwitwaswetgeving en de overeenkomst inzake het traceren van de financiering van terrorisme (Terrorist Financing Tracking Programme — TFTP)

Op 16 juli 2012 publiceerde de Senaat van de VS een rapport waarin werd toegelicht hoe de in Londen gevestigde bank HSBC Holding Plc had nagelaten de Amerikaanse wetgeving inzake het witwassen van geld toe te passen. Tijdens de hoorzitting van de Senaat over deze kwestie erkende de hoofdjurist van HSBC dat de bank niet in actie was gekomen terwijl er geld werd witgewassen via rekeningen bij een dochteronderneming.

Uit het meest recente inspectieverslag van het gemeenschappelijke toezichtsorgaan van Europol over de tenuitvoerlegging van het TFTP-rapport, waarvan de volledige details op verzoek van de Amerikaanse regering geheim blijven, is duidelijk gebleken dat de TFTP-overeenkomst niet naar behoren is uitgevoerd.

1. Is de Commissie ervan op de hoogte dat HSBC betrokken is bij een witwasschandaal? Is zij op de hoogte van eventuele betrekkingen met EU-lidstaten of in EU-lidstaten gevestigde financiële instellingen?

2. Voert de Commissie onderzoek uit naar deze kwestie? Weet zij of er (strafrechtelijk) onderzoek plaatsvindt in de lidstaten? Heeft Europol maatregelen getroffen om onderzoek naar deze kwestie te doen?

3. Hoe beoordeelt de Commissie een situatie waarbij een functionaris betrokken is die nauwe banden had met de TFTP-overeenkomst tussen de EU en de VS en met het HSBC-schandaal, het rapport 2012 van het gemeenschappelijke toezichtsorgaan van Europol waaruit een lakse toepassing van die overeenkomst blijkt, met inbegrip van de overdracht van gegevens op basis van mondelinge verzoeken per telefoon, en het feit dat de witwaspraktijken de TFTP en de FATF (Financial Action Task Force) alsmede aanverwante regels konden omzeilen?

4. Is de Commissie gezien het bovenstaande van mening dat de regels en instellingen inzake antiwitwaspraktijken en de financiering van terrorisme en misdaad op adequate en betrouwbare wijze functioneren?

Antwoord van mevrouw Malmström namens de Commissie
(10 oktober 2012)

De Commissie is ervan op de hoogte dat het subcomité onderzoeken van de Amerikaanse Senaat op 17 juli 2012 een verslag over HSBC heeft gepubliceerd. In dit stadium heeft de Commissie in deze context geen aanvullende informatie over eventuele connecties met de EU.

De Commissie voert momenteel geen onderzoek naar deze kwestie. Tot op heden beschikken de Commissie noch Europol over informatie over strafrechtelijk onderzoek met betrekking tot deze zaak in de lidstaten. De nationale regelgevende instanties kunnen de bevindingen bespreken en onderzoeken inleiden. Europol heeft bevestigd dat het geen actie heeft ondernomen om deze kwestie te onderzoeken.

De Commissie is het er niet mee eens dat uit het verslag van het gemeenschappelijk controleorgaan blijkt dat de TFTP-overeenkomst (*Terrorist Financing Tracking Programme*) tussen de EU en de VS laks werd uitgevoerd. De Commissie kan niet beoordelen of de Amerikaanse wetgeving tot uitvoering van de FATF-normen (*Financial Action Task Force*) is omzeild door witwaspraktijken. Of de regels van de Amerikaanse TFTP-overeenkomst zijn geschonden, moeten de Amerikaanse autoriteiten zelf onderzoeken.

Met betrekking tot de zaak in de VS kan de Commissie zich niet uitlaten over het functioneren van de regels en instellingen die in de VS voor deze specifieke zaak bevoegd zijn.

Wat betreft EU-instellingen en EU-wetgeving in het algemeen is aanvullend onderzoek nodig, hoewel uit een voorlopige analyse blijkt dat veel van de gemelde inbreuken werden gepleegd vóór de huidige EU-regelgeving (bv. inzake geldtransfers) werd vastgesteld. Het is het geachte Parlementslid echter wellicht bekend dat de Commissie momenteel wetgevingsvoorstellen voorbereidt voor de bijwerking van de antiwitwasrichtlijn en Verordening nr. 1781/2006 teneinde deze in overeenstemming te brengen met de onlangs gewijzigde FATF-normen en teneinde de EU-regelgeving tegen witwassen en tegen de financiering van terrorisme verder te verbeteren.

(English version)

Question for written answer E-007570/12
to the Commission
Sophia in 't Veld (ALDE)
(6 August 2012)

Subject: Failure to comply with anti-money laundering legislation and the EU-US TFTP (Terrorist Financing Tracking Programme) agreement

On 16 July 2012, the US Senate released a report revealing details of how the London-based bank HSBC Holding Plc had failed to implement US anti-money laundering legislation. During the Senate hearing on the matter, HSBC's chief legal officer acknowledged the bank's responsibility for failing to act while money was being laundered through accounts of a subsidiary bank.

The most recent Europol Joint Supervisory Body (JSB) inspection report on the implementation of the TFTP report, the full details of which are being kept secret at the request of the US Government, has made it clear that the TFTP agreement has not been duly implemented.

1. Is the Commission aware of the fact that HSBC is involved in an anti-money laundering scandal? Is it aware of any connections with EU Member States or financial institutions established in EU Member States?

2. Is the Commission conducting an inquiry into the matter? Is it aware of any (criminal) inquiries in the Member States? Has Europol taken any action to investigate the matter?

3. What is the Commission's assessment of a situation that involves an official who was very close to the EU-US TFTP agreement and to the HSBC scandal, the 2012 JSB report that shows a lax implementation of that agreement, including the transfer of data on the basis of oral requests by phone, and the fact that the money laundering practices seem to have evaded the TFTP and FATF (Financial Action Task Force) and related rules?

4. Does the Commission consider, on the basis of the above, that the rules and institutions in charge of fighting money laundering and the financing of terrorism and crime are performing adequately and in a reliable manner?

Answer given by Ms Malmström on behalf of the Commission
(10 October 2012)

The Commission is aware that the US Senate's subcommittee on investigations published a report related to HSBC on 17 July 2012. At this stage, the Commission has no additional information on any connections to the EU in this context.

The Commission is currently not conducting an inquiry into this matter. To date neither the Commission nor Europol have information on criminal inquiries in Member States related to this case. Their civil regulatory bodies may review the findings and initiate investigations. Europol confirmed that it has not taken any action to investigate the matter.

The Commission does not share the view that the JSB report shows a lax implementation of the EU-US TFTP Agreement. The Commission is not in a position to assess if US legislation implementing FATF standards has been evaded by money laundering practices. Whether rules of the US TFTP have been breached will be for US authorities to investigate.

In relation to the case in the US, the Commission is not in a position to comment on the performance of rules and institutions in charge of this specific case in the US.

With regard to EU institutions and EU legislation, in general, further assessment is needed, although preliminary analysis shows that many of the reported infringements occurred before the current EU rules (e.g. on fund transfers) were in place. However, the Honourable Member may be informed that the Commission is in the process of preparing legislative proposals for up-dating the Anti-Money Laundering Directive and Regulation 1781/2006 in order to align them with the recently modified FATF standards and to further improve the EU's anti-money laundering and combatting terrorist financing regime.

(Version française)

Question avec demande de réponse écrite E-007572/12
à la Commission
Marc Tarabella (S&D)
(7 août 2012)

Objet: Sucre souillé au Cambodge

Des milliers de Cambodgiens ont été forcés de céder leurs terres aux producteurs de sucre: 3 000 familles ont ainsi été chassées de leurs terres sans compensation adéquate. Les conflits fonciers se multiplient au Cambodge, où les droits de propriété ont été abolis sous le régime des Khmers rouges (1975-1979). Et les associations de défense des Droits de l'homme accusent le gouvernement du Premier ministre Hun Sen d'ignorer les revendications des résidents. Elles se tournent donc à présent vers les Européens.

— Pourquoi autorise-t-on sur notre territoire la vente de ce sucre, dont la production inspire de lourds soupçons?

— Que compte faire la Commission à l'égard du Cambodge?

Réponse donnée par M. De Gucht au nom de la Commission
(4 octobre 2012)

Les inquiétudes quant au respect des Droits de l'homme suscitées par les concessions de terres à des fins économiques ont été abordées lors de réunions à haut niveau avec les autorités cambodgiennes, et ce récemment encore, lors d'une réunion en avril entre le commissaire européen chargé du commerce et le ministre du commerce cambodgien, puis en juin 2012 dans le cadre de la commission mixte UE-Cambodge.

Lors de ces discussions, la Commission et le service européen pour l'action extérieure ont fortement insisté sur l'importance de cette question et ont encouragé les autorités cambodgiennes à s'assurer que les différends fonciers autour de la concession de terres soient traités au moyen des mécanismes créés par le gouvernement cambodgien pour répondre aux préoccupations exprimées par les citoyens.

Le 7 mai 2012, le premier ministre Hun Sen a publié une directive visant à établir un moratoire sur les nouvelles concessions de terres à des fins économiques ainsi qu'un réexamen des concessions existantes et à garantir qu'il n'y ait pas d'incidences sur les terres communautaires ou sur les moyens d'existence de la population. La Commission a demandé aux autorités cambodgiennes de lui fournir des informations sur la mise en œuvre de cette directive et elle surveille attentivement les autres développements en matière de différends liés aux concessions foncières à des fins économiques. Dans ce contexte, les organisations de la société civile jouent un rôle très important comme partenaires de l'UE sur place et ce, dans toutes les provinces du Cambodge.

La Commission reconnaît que des inquiétudes légitimes ont été exprimées au sujet de l'attribution des concessions. Cependant, elle n'est pas convaincue qu'un arrêt des importations de sucre provenant du Cambodge résoudrait le problème. Toute action visant à mettre fin aux importations risque de priver le pays de revenus permettant de créer de meilleures conditions de vie pour les citoyens cambodgiens.

D'après la Commission, le meilleur moyen d'aborder ce problème est le dialogue. À cet effet, la Commission est en contact avec d'autres partenaires concernés par le développement afin de s'assurer qu'un véritable dialogue sur les concessions de terres ainsi que la mise en œuvre de la directive du 7 mai sont instaurés par le gouvernement cambodgien.

(English version)

Question for written answer E-007572/12
to the Commission
Marc Tarabella (S&D)
(7 August 2012)

Subject: Tainted sugar from Cambodia

Thousands of Cambodians have been forced to hand over their land to sugarcane producers, with the result that some 3 000 families have been evicted from their land without adequate compensation. Land disputes are occurring increasingly frequently in Cambodia, where property rights were abolished under the Khmer Rouge regime (1975-79). Human rights associations accuse the government led by Prime Minister Hun Sen of ignoring local residents' complaints, and are now turning to us Europeans.

— Why is the sale of sugar produced in such suspicious circumstances permitted in the European Union?

— What action does the Commission intend to take in relation to Cambodia?

Answer given by Mr De Gucht on behalf of the Commission
(4 October 2012)

Human rights concerns in relation to the Economic Land Concessions (ELCs) have been discussed in high level meetings with the Cambodian authorities, most recently between the EU Trade Commissioner and the Cambodian Minister for Commerce in April and at the Cambodia-EU Joint Committee in June 2012.

In these discussions, the Commission and the European External Action Service have strongly underlined the importance of this matter and encouraged the Cambodian authorities to ensure that land disputes are dealt with through the mechanisms created by the Cambodian Government to address the concerns expressed by its citizens.

On 7 May 2012, Prime Minister Hun Sen issued a directive to order a moratorium on new ELCs, and a review of existing ones, and ensure that there is no impact to community land and people's livelihoods. The Commission has requested information from Cambodian authorities on the implementation of this directive and closely monitors other developments in land disputes linked to ELCs. In this context, civil society organisations play a very important role as the EU's partners on the ground in all Cambodian provinces.

The Commission agrees that legitimate concerns have been raised on the allocation of ELCs. It is not convinced, however, that stopping the import of sugar from Cambodia would solve this matter. Any action to stop imports is likely to deprive the country of income which can create better living conditions for Cambodia's citizens.

In the view of the Commission, the best way to address this issue is through dialogue. To this end, the Commission is liaising with other development partners to ensure that a genuine dialogue on land concessions and the implementation of the 7 May directive is established with the Cambodian Government.

(Version française)

Question avec demande de réponse écrite E-007574/12
à la Commission
Marc Tarabella (S&D)
(7 août 2012)

Objet: TOR (The Onion Router) entravé par la Commission

La Commission entrave l'accès à son site internet pour les utilisateurs de TOR *(The Onion Router)*. TOR est une technologie qui permet de surfer de façon anonyme sur la toile. Elle est devenue de plus en plus populaire depuis qu'elle a joué un rôle en facilitant le mouvement du printemps arabe.

1. Pourquoi la Commission censure-t-elle une partie des accès internet à son site alors même qu'elle est en train de mener une consultation publique sur la neutralité du réseau?

2. Quel compromis la Commission propose-t-elle entre, d'une part, l'objectif de transparence recherché par elle en matière de gestion du trafic et, d'autre part, le respect de l'anonymat et de la protection des données prôné par TOR?

Réponse donnée par Mme Kroes au nom de la Commission
(1er octobre 2012)

La Commission est déterminée à préserver le caractère ouvert et neutre de l'internet. Dans le même temps, la Commission respecte rigoureusement la législation sur la protection des données à caractère personnel. La consultation publique de la Commission sur «des aspects spécifiques de la transparence, de la gestion du trafic et des changements de fournisseur dans le cadre d'un internet ouvert» ([1]) est ouverte à tous. La Commission comprend et respecte le fait que les citoyens puissent préférer rester anonymes lorsqu'ils consultent des sites web hébergés sur Europa.

La Commission est néanmoins tenue de prendre toutes les mesures nécessaires pour assurer un taux élevé de disponibilité de ses sites web pour tous les citoyens. Elle doit donc veiller à la fiabilité et à la sécurité de ses réseaux et sites web (et de ceux qu'elle gère pour d'autres institutions) contre les (cyber-)attaques. Dans ce contexte, la Commission prend toutes les mesures jugées nécessaires pour atténuer les risques et contrer les attaques, en tenant compte des particularités techniques de ces dernières.

Les données à caractère personnel des personnes qui ont répondu à la consultation publique de la Commission sont strictement protégées conformément à la législation de l'UE en matière de protection des données. À des fins de transparence, les réponses au questionnaire de la consultation publique seront publiées. Toutefois, tous ceux qui ont répondu au questionnaire ont la possibilité d'indiquer après chaque question si leur réponse contient des informations confidentielles. S'il est indiqué que la réponse est confidentielle, celle-ci ne sera pas publiée.

([1]) http://ec.europa.eu/information_society/digital-agenda/actions/oit-consultation/index_en.htm

(English version)

Question for written answer E-007574/12
to the Commission
Marc Tarabella (S&D)
(7 August 2012)

Subject: TOR (The Onion Router) blocked by Commission

The Commission is blocking access to its website for users of TOR (The Onion Router). TOR is a technology that enables people to surf the web anonymously. It has become increasingly popular since it played a role in facilitating the Arab Spring movement.

1. Why is the Commission partially censoring Internet access to its site whilst at the same time it is conducting a public consultation on net neutrality?

2. What compromise does the Commission propose between, on the one hand, the goal of transparency that it is pursuing in terms of traffic management and, on the other, respect for anonymity and data protection as advocated by TOR?

Answer given by Ms Kroes on behalf of the Commission
(1 October 2012)

The Commission is committed to maintaining the open and neutral character of the Internet. At the same time the Commission strictly respects the legislation on the protection of personal data. The Commission's public consultation on 'specific aspects of transparency, traffic management and switching in an Open Internet' ([1]) is open to everyone. The Commission understands and respects that citizens may prefer to stay anonymous when accessing websites hosted on Europa.

Nevertheless, the Commission has the duty to take all the necessary measures to ensure a high rate of availability of its websites for all citizens. The Commission therefore needs to ensure the reliability and security of its networks and websites (and those it manages for other institutions) against (cyber-)attacks. In this context the Commission takes all the measures deemed necessary to mitigate risks and counteract attacks that occur, taking account of the technical specificities of the latter.

Personal data of respondents to the Commission's public consultation is strictly protected in line with EU data protection legislation. For transparency purposes the responses to the public consultation questionnaire will be published. However, all respondents have the possibility to indicate after each question, whether their response contains confidential information. If the respondent mentions that the answer is confidential, it will not be published.

([1]) http://ec.europa.eu/information_society/digital-agenda/actions/oit-consultation/index_en.htm

(Version française)

Question avec demande de réponse écrite E-007575/12
à la Commission
Marc Tarabella (S&D)
(7 août 2012)

Objet: Protection des données et informatique dématérialisée «cloud computing»

L'informatique dématérialisée («*cloud computing*») comprend un pan entier de sa réflexion sur la protection des données.

1. Est-ce que le «*cloud computing*» revient à mettre tous ses œufs dans le même panier? Et si le panier se renverse, est-ce que tout est perdu?

2. Les prestataires de services dans le nuage devraient-ils être obligés d'offrir aux clients une sauvegarde des fichiers qu'ils stockent sur leurs serveurs?

3. Quel sera le droit applicable lorsqu'un utilisateur de services du «*cloud computing*» n'est pas un citoyen de l'Union européenne ou lorsque le prestataire de services opère au sein de l'Union mais est basé dans un pays étranger?

Réponse donnée par Mme Kroes au nom de la Commission
(17 octobre 2012)

1. L'utilisation d'un service d'informatique en nuage suppose le transfert du contrôle direct des données à caractère personnel à un tiers. En contrepartie de cette perte de contrôle par rapport au stockage des données sur place, les prestataires de ce type de services ont une meilleure connaissance des menaces et offrent un niveau de protection plus élevé que celui auquel peuvent généralement avoir accès les consommateurs, les petites et moyennes entreprises et même les grandes organisations. En outre, comme le souligne le récent avis du groupe de travail «article 29» (juillet 2012), il convient d'évaluer si le degré de protection qu'offrent les contrats régissant les services en nuage est adapté au type de données entreposées, notamment s'ils prévoient un dédommagement en cas de perte, de corruption ou de mise en péril de ces données. En tout état de cause, les services en nuage doivent respecter les normes exigeantes en matière de protection des données à caractère personnel définies par le droit européen, notamment des mesures techniques et organisationnelles appropriées pour protéger les données contre toute destruction, perte, diffusion à caractère accidentel ou illégal, ainsi que contre toute autre forme de traitement illégal.

2. Il n'existe, à l'heure actuelle, aucune obligation légale imposant aux prestataires de services en nuage de proposer des plans de sauvegarde à leurs utilisateurs. Lorsque de telles dispositions existent, elles sont couvertes par les termes du contrat accepté par l'utilisateur. Dans le cadre de sa politique en matière d'informatique en nuage ([1]), la Commission chargera un groupe d'experts de définir, d'ici à la fin 2013, des clauses et conditions contractuelles sûres et équitables pour les particuliers et les petites entreprises. La confiance des clients potentiels s'en trouvera augmentée, ce qui permettra à l'informatique en nuage de prendre plus rapidement son essor.

3. Le cadre juridique actuel est la directive 95/46/CE relative à la protection des données. Le droit européen est par conséquent d'application dès lors que le responsable du traitement est établi dans l'Espace économique européen ou recourt à des moyens situés sur le territoire de celui-ci.

([1]) Communication «Exploiter le potentiel de l'informatique en nuage en Europe», COM(2012) 529 final, adoptée le 27 septembre 2012.

(English version)

Question for written answer E-007575/12
to the Commission
Marc Tarabella (S&D)
(7 August 2012)

Subject: Data protection and cloud computing

The issue of cloud computing forms a major element of the Commission's reflections on data protection.

1. Does cloud computing amount to putting all one's eggs in one basket? And, if the basket is upset, what happens to the eggs?

2. Should the providers of cloud computing services be obliged to offer their clients a backup for the files stored on their servers?

3. What law will apply if a cloud services user is not a Union citizen, or if the service provider operates inside the Union but is based in a country outside it?

Answer given by Ms Kroes on behalf of the Commission
(17 October 2012)

1. Using a cloud computing service implies that the direct control for personal data is handed over to a third party. As compared to on-site data this loss of direct control is balanced by the fact that professional cloud services can often provide a higher level of security protection and threat awareness than can usually be achieved by consumers, SMEs and even large organisations. Also, as underlined in the recent Article 29 Working Party Opinion (July 2012), contracts governing cloud services should be assessed in terms whether they offer the appropriate level of risk protection for the type of data being stored including provisions for compensation if the data is lost, corrupted or compromised. In any case cloud services must comply that the high standard of data protection offered by European law as regards personal data, including appropriate technical and organisational measures to protect data against accidental or unlawful destruction, loss, disclosure, and other forms of unlawful processing.

2. Currently, there is no legal obligation for Cloud Service Providers to offer backup plans for their users. Such provisions where they exist are covered by the terms of the contract which the user accepts. The Commission will task an expert group as part of its Cloud Computing Policies ([1]) to identify before the end of 2013 safe and fair contract terms and conditions for consumers and small firms. This will accelerate the take up of cloud computing by increasing the trust of prospective customers.

3. The current legal framework is the Data Protection Directive 95/46/EC. Thus European law applies whenever the data controller is established or makes use of equipment based in the European Economic Area.

([1]) Communication 'Unlashing the Potential of Cloud Computing in Europe', COM(2012) 529 final, adopted on 27.09.2012.

(Version française)

Question avec demande de réponse écrite E-007576/12
à la Commission
Marc Tarabella (S&D)
(7 août 2012)

Objet: Émissions de gaz à effet de serre des véhicules particuliers

Quatre ans après l'adoption d'un premier règlement européen limitant les émissions de gaz à effet de serre des véhicules particuliers, la Commission a proposé, le 11 juillet, une mise à jour de cette réglementation.

Pourquoi aucun objectif n'a-t-il été proposé pour l'après 2020? Pourquoi aucune ébauche (à défaut d'objectif précis) n'a-t-elle été présentée pour le moyen et le long terme?

Réponse donnée par Mme Hedegaard au nom de la Commission
(25 septembre 2012)

La Commission reconnaît l'importance d'assurer à l'industrie automobile une sécurité de planification et prévoit de publier une communication avant la fin de l'année afin de mener une consultation sur la forme et la rigueur des objectifs en matière d'émissions de CO^2 des véhicules utilitaires légers pour l'après-2020. La feuille de route vers une économie à faible intensité de carbone ([1]) et le livre blanc sur les transports ([2]) ont fixé le cadre dans lequel les objectifs en matière d'émissions de CO^2 des voitures neuves doivent s'inscrire.

Dans sa proposition visant à mettre en œuvre l'objectif en matière d'émissions de CO^2 des voitures d'ici à 2020, la Commission mentionne l'importance d'examiner la question des objectifs pour l'après-2020 et la proposition prévoit que la Commission doit revoir les objectifs en matière d'émissions spécifiques, les modalités et les autres aspects de ce règlement ([3]) afin d'établir des objectifs en matière d'émissions de CO^2 pour les voitures particulières neuves pour la période postérieure à 2020.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011DC0112:FR:NOT.
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011DC0144:FR:NOT.
([3]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0393:FIN:fr:PDF.

(English version)

Question for written answer E-007576/12
to the Commission
Marc Tarabella (S&D)
(7 August 2012)

Subject: Greenhouse gas emissions from passenger cars

Four years after the adoption of the first EU regulation limiting greenhouse gas emissions from passenger cars, on 11 July the Commission proposed an update of this regulation.

Why has no target been proposed for after 2020? Why have no rough plans been drawn up (for want of a specific objective) for the medium and long term?

Answer given by Ms Hedegaard on behalf of the Commission
(25 September 2012)

The Commission recognises the importance of providing planning certainty to the automotive industry and intends to issue a communication before the end of the year in order to consult on the form and stringency of post-2020 CO_2 targets for light duty vehicles. The Low Carbon Economy Road Map ([1]) and the Transport White Paper ([2]) have set the background against which new car CO_2 targets need to be compatible.

In its proposal to implement the 2020 car CO_2 target, the importance of the Commission looking at targets beyond 2020 is stated and the proposal foresees that the Commission shall review the specific emissions targets, modalities and other aspects of this regulation ([3]) in order to establish the CO2 emission targets for new passenger cars for the period beyond 2020.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011DC0112:EN:NOT.
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011DC0144:EN:NOT.
([3]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0393:FIN:en:PDF.

(Version française)

Question avec demande de réponse écrite E-007577/12
à la Commission
Marc Tarabella (S&D)
(7 août 2012)

Objet: Normalisation et gouvernance mondiale dans l'informatique en nuage

Deux chapitres de la communication portant sur l'informatique en nuage (ou *cloud computing*) sont consacrés à la normalisation et à la gouvernance mondiale du nuage. Pour l'instant, les prestataires de services dans le nuage ont intérêt à définir leurs propres normes afin d'éviter que leurs services ne soient accessibles sur d'autres plateformes (c'est la question de l'interopérabilité). En conséquence, les consommateurs sont parfois contraints d'utiliser une technologie en particulier.

Comment la Commission compte-t-elle jouer un rôle plus important dans les forums internationaux et ainsi mieux plaider pour des objectifs communs de gouvernance mondiale concernant les services dans le nuage?

Réponse donnée par Mme Kroes au nom de la Commission
(17 septembre 2012)

L'utilisation plus répandue de normes contribuera à faire adopter l'informatique en nuage. L'utilisation de normes est également considérée comme une action essentielle pour éviter que les consommateurs soient captifs d'une technologie donnée ou d'un prestataire donné de services en nuage.

Bien qu'il manque pour l'instant à l'informatique en nuage des normes largement reconnues dans des domaines essentiels tels que l'interopérabilité, la sécurité et la portabilité des données, certaines activités de normalisation prennent leur essor. Des grands organismes de normalisation tels que le NIST (aux États-Unis) et l'ETSI ont déjà commencé à recenser les normes existantes et à élaborer des plates-formes de normalisation pour les travaux futurs sur les normes de l'informatique en nuage. L'industrie étudie et propose activement des normes pour l'informatique en nuage. La Commission soutient résolument ces initiatives de normalisation en cours et souligne en particulier la nécessité de coordonner les activités en cours afin d'éviter la fragmentation des offres de services dans l'avenir.

Pour ce qui est de la gouvernance mondiale, le but de la Commission est d'approfondir sa collaboration structurée avec des partenaires internationaux non seulement sur les aspects techniques mais aussi sur les aspects juridiques. Cela peut se faire dans les forums multilatéraux existants tels que l'OMC et l'OCDE mais également bilatéralement avec des pays importants comme les États-Unis, l'Inde et le Japon.

(English version)

Question for written answer E-007577/12
to the Commission
Marc Tarabella (S&D)
(7 August 2012)

Subject: Cloud computing: standardisation and global governance

Two sections of the Commission communication on cloud computing address the questions of standardisation and global governance.

At present, cloud service providers have an interest in setting their own standards, in order to prevent their services from being accessible from other platforms (the interoperability issue). Consequently, consumers may end up being locked into a given technology.

On the question of global governance, how does the Commission intend to play a greater role in international forums with a view to advancing common objectives for cloud computing services?

Answer given by Ms Kroes on behalf of the Commission
(17 September 2012)

Wider use standards will help cloud take up. The use of standards is also considered as the key action to prevent consumers being locked in a given technology or a given cloud service provider.

Although cloud computing at the moment still lacks widely recognised standards in key areas such as interoperability, security and data portability, certain standardisation activities are taking off. Major standardisation organisations such as NIST (in the USA) and ETSI have already started to map existing standards and build standardisation platforms for future work on cloud standards. Also industry is actively exploring and proposing standards for cloud computing. The Commission is strongly supporting these ongoing standardisation initiatives and emphasises especially the need to coordinate the ongoing activities in order to avoid the fragmentation in the future service offerings.

As regards the global governance the aim of the Commission is to deepen its structured collaboration with international partners not only on technological issues but also on legal ones. This can be done on existing multilateral fora such as the WTO and OECD but also on bilateral terms with key countries such as USA, India and Japan.

(Version française)

Question avec demande de réponse écrite E-007578/12
à la Commission
Marc Tarabella (S&D)
(7 août 2012)

Objet: Chiffres et statistiques de l'informatique en nuage

La Commission européenne est en passe de finaliser sa stratégie sur l'informatique en nuage (ou *cloud computing*) visant à promouvoir le stockage des données hors site.

1. Quelle est la réduction attendue des coûts?

2. La Commission a-t-elle une évaluation du nombre d'emplois qui seraient créés?

3. Quels outils la Commission compte-t-elle employer pour encourager les États membres à réaliser le potentiel du *cloud computing* et les soutenir dans leurs efforts?

Réponse donnée par Mme Kroes au nom de la Commission
(14 septembre 2012)

La diffusion de l'informatique en nuage devrait générer d'importants effets directs et indirects sur la croissance économique et sur la croissance de l'emploi dans l'UE grâce à la conception entièrement nouvelle de l'informatique permettant une innovation et une productivité plus grandes.

La Commission européenne a confié à IDC la réalisation d'une enquête auprès des entreprises qui utilisent déjà l'informatique en nuage. L'objectif de l'étude était d'analyser la demande prévue en matière d'informatique en nuage en Europe et de fournir des estimations quantitatives. Les résultats seront publiés en même temps qu'une communication sur l'informatique en nuage qui est annoncée pour le début de l'automne.

En ne tenant compte que du potentiel de création de nouveaux emplois, les premières estimations qualitatives d'IDC montrent, dans le scénario dit «volontariste», que le besoin en travailleurs dans le domaine de l'informatique en nuage est grand.

Plusieurs États membres ont lancé des initiatives nationales, telles qu'Andromède en France,

G-Cloud au Royaume-Uni et Trusted Cloud en Allemagne ([1]). Mais les exigences du marché du secteur public, du fait de sa fragmentation, n'ont pour l'instant que peu d'effets sur la dynamique du marché, l'intégration des services est faible et les citoyens ne béneficient pas du meilleur rapport qualité-prix. La vice-présidente et membre de la Commission chargée de la stratégie numérique a déjà annoncé qu'elle mettait en place un partenariat européen pour l'informatique en nuage *(European Cloud Partnership* — PCE) en vue de fédérer les initiatives comparables au niveau des États membres. L'ECP rassemblera des experts du secteur et des utilisateurs du secteur public pour élaborer, dans un esprit d'ouverture et de totale transparence, des exigences communes pour les marchés publics portant sur l'informatique en nuage.

([1]) http://www.economie.gouv.fr/cloud-computing-investissements-d-avenir
http://www.cabinetoffice.gov.uk/sites/default/files/resources/government-cloud-strategy_0.pdf
http://www.trusted-cloud.de/documents/aktionsprogramm-cloud-computing.pdf

(English version)

Question for written answer E-007578/12
to the Commission
Marc Tarabella (S&D)
(7 August 2012)

Subject: Cloud computing: statistics and figures

The Commission is currently finalising its strategy on cloud computing, with the aim being to encourage off-site data storage.

1. What is the estimated reduction in costs that would be achieved?

2. Does the Commission have an estimate of the number of jobs that would be created?

3. What instruments does the Commission intend to use to encourage Member States to exploit the potential of cloud computing and support them in doing so?

Answer given by Ms Kroes on behalf of the Commission
(14 September 2012)

The diffusion of cloud computing is expected to generate substantial direct and indirect impacts on economic and employment growth in the EU, thanks to the migration to a new IT paradigm enabling greater innovation and productivity.

The European Commission contracted IDC to undertake a survey of enterprises already using cloud computing. The objective of the study was to analyse the expected demand for cloud computing in Europe providing quantitative estimates. The results will be published alongside a communication on cloud computing which is expected in early autumn.

Considering only the potential of creation of new jobs, preliminary qualitative IDC estimates show that in the so called 'Policy-driven' scenario the need for cloud-related workers will be substantial.

Several Member States have started national initiatives such as Andromede in France, G-Cloud in the UK and Trusted Cloud in Germany ([1]). But with the public sector market fragmented, its requirements have little impact on market dynamics at the moment, services integration is low and citizens do not get the best value for money. The Vice-President and Member of the Commission responsible for the Digital Agenda has already announced that she is setting up a European Cloud Partnership (ECP) to provide an umbrella for comparable initiatives at Member State level. The ECP will bring together industry expertise and public sector users to work on common procurement requirements for cloud computing in an open and fully transparent way.

([1]) http://www.economie.gouv.fr/cloud-computing-investissements-d-avenir
http://www.cabinetoffice.gov.uk/sites/default/files/resources/government-cloud-strategy_0.pdf
http://www.trusted-cloud.de/documents/aktionsprogramm-cloud-computing.pdf

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007582/12
an die Kommission
Franz Obermayr (NI)
(8. August 2012)

Betrifft: Ungeeignete CEN-Normen, die die Patientensicherheit bedrohen

Beim Österreichischen Normungsinstitut (Austrian Standards Institute — ASI) wurde auf Initiative eines plastischen Chirurgen das CEN-Normprojekt „Aesthetic Surgery Services" eingeleitet. Zusätzlich gibt es in Österreich das sogenannte ÄsthOpG (Bundesgesetz über die Durchführung von ästhetischen Behandlungen und Operationen), wobei beide Projekte sich als Ziel die Normierung der kosmetischen Chirurgie bis 2013 vorgenommen haben. Obwohl Ärzte verschiedener Fächer kompetent kosmetisch tätig sind, sollen aber bei der Normierung nur plastische Chirurgen mitwirken. Inzwischen hat das österreichische Normkomitee sogar das Aufnahmegesuch eines Vorstandsmitglieds der AAP (Association of Aesthetic Practitioners) abgewiesen. Experten befürchten, dass durch den Ausschluss einer wichtigen Gruppe von Ärzten die Entwicklung einer sachgerechten, auf dem Konsens aller Anbietergruppen basierenden Norm für die kosmetische Chirurgie unmöglich ist. Es wird eine Gefährdung der Patienten durch die CEN-Norm in der vorliegenden Fassung befürchtet. Wichtige Expertenvorschläge für die Verbesserung des Normentwurfs wurden nicht berücksichtigt. So sollen nach Vorstellung der Normbetreiber etwa Fettabsaugungen in Zukunft nur während einer Spitalsoperation unter Vollnarkose erlaubt sein, und dadurch werden die Risiken einer Vollnarkose bagatellisiert. Eine derartige veraltete Norm würde wissenschaftlichen Studien zufolge zusätzliche schwere Komplikationen bei den Patienten verursachen. Spezialisten der kosmetischen Chirurgie setzen längst auf die sichere ambulante Fettabsaugung in lokaler Tumeszenzanästhesie.

1. Kennt die Kommission die CEN-Normprojekte und das ÄsthOpG in Österreich? Wenn ja: Wie beurteilt sie diese beiden Vorhaben?

2. Wie bewertet es die Kommission, dass ein Vertreter der AAP (Association of Aesthetic Practitioners) durch das Normkomitee in Österreich abgelehnt wurde und nur plastische Chirurgen mitwirken sollen?

3. Bedeutet das nicht faktisch einen Ausschluss einer großen Anbietergruppe kosmetisch tätiger Allgemeinmediziner vom Normungsverfahren? Wie beurteilt die Kommission diese Vorgangsweise?

4. Könnten diese Normvorhaben nicht eine Gefahr für die Patientensicherheit und einen Wettbewerbsfähigkeitsverlust für Österreich bzw. die EU auf dem weltumspannenden Markt für kosmetische Chirurgie zur Folge haben?

5. Wenn der Normentwurf in seiner derzeitigen Fassung beschlossen würde, könnte das nicht einen Schaden für die Patientensicherheit bedeuten? Wie bewertet die Kommission die laut gewordenen Befürchtungen?

Antwort von Herrn Tajani im Namen der Kommission
(8. Oktober 2012)

Bei dem CEN-Normprojekt, auf das sich der Herr Abgeordnete bezieht und das zur Annahme einer europäischen Norm führen könnte, handelt es sich um eine Initiative des Europäischen Komitees für Normung (CEN). Europäische Normen werden von einzelstaatlichen Normungsgremien — den Mitgliedern des CEN — erarbeitet und angenommen. Die Anwendung europäischer Normen ist freiwillig. Wenn nationale Rechtsvorschriften vorliegen, haben diese immer Vorrang vor den Normen.

In bestimmten Bereichen erteilt die Kommission dem CEN direkte Normungsaufträge und ersucht um die Erarbeitung europäischer Normen zur Unterstützung der Rechtsetzung oder Politikgestaltung der Union. Im fraglichen Fall gab es keinen derartigen Kommissionsauftrag, und dieses Normungsprojekt ist nicht mit der Rechtsetzung oder Politikgestaltung der Union verknüpft.

Nach Informationen des CEN würde diese künftige europäische Norm Lücken in den einzelstaatlichen Vorschriften über plastische Chirurgie schließen. Sie ist auf die Verbesserung der Patientensicherheit und des Verbraucherschutzes ausgerichtet, da derartige Dienstleistungen in den meisten Mitgliedstaaten nicht von den öffentlichen Gesundheitssystemen abgedeckt werden. Dem CEN zufolge soll diese Norm ferner die Wettbewerbsfähigkeit der europäischen plastischen Chirurgen gegenüber Dienstleistern aus Ländern außerhalb der EU verbessern.

Die Kommission fordert die einschlägigen Interessengruppen auf, sich den üblichen CEN-Verfahren entsprechend über die nationalen Normungsgremien direkt zu äußern. Weitere Auskünfte über technische und verfahrenstechnische Aspekte im Zusammenhang mit der europäischen Normung erteilt der CEN-Cenelec-Infodesk ([1]).

([1]) http://www.cen.eu/cen/Services/Infodesk/Pages/default.aspx (in englischer Sprache).

(English version)

Question for written answer E-007582/12
to the Commission
Franz Obermayr (NI)
(8 August 2012)

Subject: Unsuitable CEN standards which put patient safety at risk

A CEN standards project entitled 'Aesthetic Surgery Services' has been introduced by the Austrian Standards Institute (ASI) on the initiative of a plastic surgeon. Austria also has the 'ÄsthOpG' (the federal law on aesthetic treatment and operations), and both projects have set themselves the target of standardising cosmetic surgery by 2013. Although doctors practising in various disciplines perform cosmetic work, standardisation will mean that only plastic surgeons will be involved. The Austrian Standards Committee has even rejected the application for membership of a board member of the AAP (Association of Aesthetic Practitioners). Experts fear that the exclusion of an important group of doctors will make it impossible for a proper standard for cosmetic surgery, based on the agreement of all groups of players concerned, to be put forward. The concern is that the CEN standard in its present form will put patients at risk. Important expert proposals for the improvement of the draft standard have been ignored. Proponents of the standard want future liposuction treatment to be carried out only as hospital operations under general anaesthesia, thereby trivialising the risks inherent in procedures involving general anaesthesia. Scientific studies suggest that such an outdated standard would cause patients additional, serious complications. Cosmetic surgery specialists have long been in favour of safe outpatient liposuction performed under tumescent anaesthesia.

1. Is the Commission familiar with the CEN standard projects and the ÄsthOpG in Austria? If so, what is its view of these developments?

2. What is the Commission's opinion of the rejection of a member of the AAP by the standards committee in Austria and of the plan to involve only plastic surgeons?

3. Does this not in fact mean the exclusion of a large group of general practitioners who undertake cosmetic work from the standards procedure? What is the Commission's view of this?

4. Might these standards procedures not put patient safety at risk and lead to a loss of competitiveness for Austria and the EU in the global cosmetic surgery market?

5. Might the adoption of the draft standard in its present form not endanger patient safety? What is the Commission's view of the fears which are being voiced?

Answer given by Mr Tajani on behalf of the Commission
(8 October 2012)

The CEN standards project which the Honourable Member refers to is an initiative of the European Committee for Standardisation (CEN) which could lead to the adoption of a European standard. Such European standards are prepared and adopted by national standardisation bodies — the members of CEN. The application of European standards is voluntary and national legal requirements, if they exist, always take precedence over standards.

In certain areas the Commission makes direct standardisation requests to CEN asking for the preparation of European standards in support of Union legislation or policies. In the case in question, there has been no such Commission request and this standardisation project is not linked to Union legislation or policies.

According to information provided by CEN, this future European standard would fill gaps in national requirements for aesthetic surgery services. It aims to increase patient safety and consumer protection bearing in mind that, in most Member States such services are not covered by public health systems. According to CEN this standard also aims to increase the competitiveness of European aesthetic surgery service providers compared with service providers from outside the EU.

The Commission encourages the relevant interested parties to submit their comments directly through national standardisation bodies in line with established CEN procedures. Further information on technical and procedural issues related to European standardisation can be obtained from the CEN-CENELEC Infodesk ([1]).

([1]) http://www.cen.eu/cen/Services/Infodesk/Pages/default.aspx.

(English version)

Question for written answer E-007585/12
to the Commission
Stephen Hughes (S&D)
(9 August 2012)

Subject: EU funding of illegal Israeli settlements

The Independent, a daily newspaper in the United Kingdom, has published a story indicating that the European Union, through its scientific research programme FP7, has provided funding of over EUR 1 million to Ahava (Dead Sea products), which has its factory in, and is partly owned by, the Mitzpe Shalem settlement.

1. What assessment has the Commission made of the level of funding in the last five years through EU programmes to businesses and other entities based in Israeli settlements in the Occupied Palestinian Territories?

2. Is it legal under EU procurement guidelines for a Member State to specify in the tender documents that any products supplied as part of the contract must exclude produce from illegal Israeli settlements?

3. Is it legal under EU procurement guidelines for a Member State to specify in the tender documents that companies operating in Israeli settlements can be excluded from contracts?

Question for written answer E-007755/12
to the Commission
Derek Vaughan (S&D)
(31 August 2012)

Subject: EU funding of Israeli settlements

1. What assessment has the Commission made of the level of funding in the last five years provided, through EU programmes, to businesses and other entities based in Israeli settlements in the Occupied Palestinian Territories?

2. Is it legal under EU procurement guidelines for a Member State to specify in the tender document that any products supplied as part of the contract must exclude produce from illegal Israeli settlements?

3. Is it legal under EU procurement guidelines for a Member State to specify in the tender document that companies operating in Israeli settlements can be excluded from contracts?

4. Does the Commission agree that to continue with any such funding would run counter to Parliament's recent resolution (P7_TA(2012)0298) on EU policy on the West Bank and East Jerusalem?

Joint answer given by Mr De Gucht on behalf of the Commission
(12 October 2012)

The Commission would refer the Honourable Member to its answer to Written Question E-007066/2012 ([1]).

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN.

(English version)

Question for written answer E-007586/12
to the Commission
Catherine Stihler (S&D)
(10 August 2012)

Subject: Tourist tax

A new law has been passed in Italy allowing all local municipalities to introduce a local tourist tax and, subsequently, since 1 July 2011 Italian local municipalities have been able to choose whether to introduce a tourist tax ranging from EUR 1 to 5. Italy is not the only country to have such a tax; France has a hotel tax ranging from 15 cents to EUR 1.07 per person per day. Meanwhile, cities such as Amsterdam charge 5% and Barcelona 7% tax on the hotel charge. Are these taxes not a barrier to free movement within the Community? If they are, is there any legislation that the Commission is planning to prevent these taxes?

Answer given by Mr Šemeta on behalf of the Commission
(20 September 2012)

The Honourable Member of the European Parliament is informed that Council Directive 2008/118/EC concerning the general arrangements for excise duty and repealing Directive 92/12/EEC permits Member States to apply national or local taxes on supplies of services as long as these taxes do not give rise to formalities connected with the crossing of frontiers between Member States ([1]). The European Commission will monitor the situation to ensure that this is not the case.

([1]) Judgment of the Court of 9 March 2000 in Case C-437/97 Evangelischer Krankenhausverein Wien v Abgabenberufungskommission Wien et Wein & Co. HandelsgesmbH v Oberösterreichische Landesregierung, ECR [2000], p.I -01157.

(Version française)

Question avec demande de réponse écrite E-007587/12
à la Commission
Marc Tarabella (S&D)
(13 août 2012)

Objet: Quelles sanctions pour Microsoft?

La Commission a commencé à fustiger il y a quelques années déjà la domination d'Internet Explorer. Le navigateur internet de Microsoft était en effet installé par défaut sur tous les ordinateurs tournant sous Windows, ce que Bruxelles considérait de nature à biaiser la concurrence.

Microsoft s'était alors engagé à proposer aux utilisateurs européens un «écran multi-choix», où seraient affichés une dizaine de concurrents comme Firefox, Chrome ou Safari. C'était au consommateur de faire son choix. Or, sur certains ordinateurs tournant sous Windows 7, Microsoft n'a pas proposé cet écran, tout en assurant à la Commission dans un rapport officiel être parfaitement en règle.

Sa direction invoque une fois encore l'«erreur technique» et assure «regretter profondément cette erreur», excuses d'une faiblesse presque insultante vis à vis des institutions européennes.

De vraies sanctions dissuasives vont-elles être prises contre l'opérateur et, par là-même, l'autorité de la Commission européenne, relativement mise à mal dans ce dossier, restaurée?

Réponse donnée par M. Almunia au nom de la Commission
(20 septembre 2012)

Le 17 juillet 2012, la Commission a ouvert une procédure en vue de déterminer si Microsoft a manqué à son engagement consistant à proposer aux utilisateurs de Windows un écran multi-choix leur permettant de choisir facilement le navigateur web qu'ils souhaitent et dans quelles circonstances ce manquement serait intervenu.

La Commission prend le respect de ses décisions très au sérieux. Si la présente enquête confirme que Microsoft n'a pas tenu ses engagements, la Commission envisagera d'appliquer des sanctions appropriées à cette entreprise.

(English version)

Question for written answer E-007587/12
to the Commission
Marc Tarabella (S&D)
(13 August 2012)

Subject: What penalties for Microsoft?

A few years ago the Commission had already begun to denounce the dominance of Internet Explorer, because the Microsoft browser was installed by default on all computers running Windows. Brussels took the view that this was liable to distort competition.

Microsoft then pledged to provide European users with a 'multi-choice screen' on which a dozen or so competitors such as Firefox, Chrome or Safari would be displayed. It was then up to consumers to make their choice. However, on some computers running Windows 7, Microsoft has not offered this screen, whilst at the same time ensuring the Commission in an official report that everything was perfectly in order.

Its management, once again, has blamed it on a 'technical error' and says that it is 'very sorry for this error'. This apology is so weak as to be almost insulting to the European institutions.

Will any real deterrent penalties be imposed on this operator, thereby restoring the Commission's authority, which has been relatively undermined in this case?

Answer given by Mr Almunia on behalf of the Commission
(20 September 2012)

On 17 July 2012 the Commission opened proceedings in order to investigate whether and under which circumstances Microsoft has failed to comply with its commitments to offer Windows users a choice screen enabling them to easily choose their preferred web browser.

The Commission takes compliance with its decisions very seriously. Should the violation of the commitments by Microsoft be confirmed in this investigation, the Commission will consider imposing adequate sanctions on Microsoft.

(Version française)

Question avec demande de réponse écrite E-007590/12
à la Commission
Marc Tarabella (S&D)
(13 août 2012)

Objet: Facebook — reconnaissance faciale et géolocalisation

Avec le rachat de la société face.com, Facebook a montré sa volonté de renforcer son outil de reconnaissance faciale. Il permet de comparer de nouvelles photos avec des anciennes pour proposer le nom de personnes susceptibles d'être identifiées. Dès sa mise en place en juin 2011, la fonction avait déjà suscité la polémique, notamment parce qu'elle était déclenchée par défaut, l'utilisateur devant lui-même la désactiver en passant par les réglages s'il ne voulait pas s'en servir.

L'Union s'était déjà saisie de ce dossier épineux. Le groupe de travail «Article 29» de la commission européenne sur la protection des données avait ainsi indiqué que «les utilisateurs devaient toujours pouvoir retirer simplement leur consentement».

La combinaison de la reconnaissance faciale et de la géolocalisation des photos permet à Facebook, en théorie, de savoir qui était à quel endroit à un moment donné, et avec qui. Ce n'est pas forcément une donnée vitale pour tout le monde. Mais, associé à un compte d'utilisateur, cela peut permettre au site d'affiner les profils publicitaires, qui sont mis à contribution pour cibler les publicités qui sont alors vendues plus cher aux annonceurs.

La reconnaissance faciale est un outil biométrique extrêmement fiable, qui se fonde sur des éléments comme les yeux, le nez, la bouche ou encore les oreilles, en prenant en compte les formes et les distances. Il permet d'identifier des personnes, pas seulement sur Facebook. Les réseaux de caméras de vidéosurveillance en sont parfois équipés et peuvent ainsi suivre le parcours d'un suspect dans les rues des villes, les aéroports, etc.

1. La généralisation de ces systèmes ne va-t-elle pas à l'encontre de la défense de la vie privée?

2. Des balises législatives claires ne devraient-elles pas être mises en place pour éviter que ces plateformes ne deviennent des outils de surveillance massive?

3. L'argument du groupe de travail «Article 29» selon lequel les utilisateurs doivent toujours pouvoir retirer simplement leur consentement n'est-il pas trop minimaliste? Pourrait-on imaginer que la Commission demande ou exige que les utilisateurs donnent leur accord avant d'être identifiés plutôt que de retirer leur identification alors que celle-ci est déjà active?

Réponse donnée par Mme Reding au nom de la Commission
(12 octobre 2012)

La prolifération de la reconnaissance faciale combinée à la géolocalisation a un impact important sur la vie privée des personnes. Suite à l'enquête des autorités de protection des données européennes et au rapport de l'autorité irlandaise, Facebook a décidé le 21 septembre 2012 de désactiver la reconnaissance faciale pour ses utilisateurs européens.

De fait, la reconnaissance faciale combinée à la géolocalisation est utilisée dans des contextes très variés, allant du simple comptage sans identification au traçage exhaustif des activités d'individus identifiés. La finalité peut être récréative, commerciale ou sécuritaire. L'éventail des risques encourus par les individus suivant la finalité et le fonctionnement du traitement varient beaucoup.

L'avis du groupe de l'article 29 ([1]) insiste sur la nécessité de respecter les principes de légitimité et de finalité, de proportionnalité, d'informer adéquatement les individus et de recueillir le consentement de l'utilisateur dans toutes les situations où cela est possible.

La proposition de réforme de la protection des données tient largement compte de la prolifération des traitements biométriques et renforce la protection des individus, notamment en précisant la définition de données biométrique, et en indiquant qu'une analyse de risque est nécessaire lorsqu'un traitement prévoit d'utiliser des données biométriques.

([1]) Avis 02/2012 sur la reconnaissance faciale dans le cadre des services en ligne et mobiles: http://ec.europa.eu/justice/data-protection/article-29/documentation/opinion-recommendation/files/2012/wp192_fr.pdf

(English version)

Question for written answer E-007590/12
to the Commission
Marc Tarabella (S&D)
(13 August 2012)

Subject: Facebook — Facial Recognition and Geotagging

In acquiring the company *face.com, Facebook* has demonstrated its wish to strengthen its facial recognition tool. It allows recent photographs to be compared with older ones and suggests the names of persons to be identified. This function sparked controversy as soon as it was launched in June 2011, in particular because it is triggered by default, with users themselves having to deactivate it by adjusting the settings if they do not want to use it.

The EU has already considered this thorny issue. The Commission's '*Article 29*' working party on data protection had stated that: 'Users should always be provided with the possibility to withdraw consent in a simple manner.'

The combination of facial recognition and the geotagging of photos means that *Facebook* can in theory know who was with whom at a given time and at a given place. This is not necessarily of vital importance for everyone. But, combined with a user account, the site can be used to refine advertising profiles that are used for targeting advertisements which are then sold to advertisers at a higher rate.

Facial recognition is a highly reliable biometric tool, based on features such as the eyes, nose, mouth or ears, taking into account shapes and distances. It can be used to identify people, and not only on *Facebook*. Networks of CCTV cameras are sometimes equipped with this function and are able to track a suspect's movements in the streets of a city, in an airport, etc.

In view of the above, will the Commission say:

1. Does it not agree that the widespread use of these systems is incompatible with the protection of people's privacy?

2. Does it not agree that clear legislative markers should be put down to ensure that these platforms do not become tools of mass surveillance?

3. Does it not agree that the '*Article 29*' working party's argument that users should always be able to withdraw their consent in a simple manner is too minimalistic? Could the Commission perhaps require or request that users give their consent before being identified rather than having to withdraw their identification after having been identified?

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

The proliferation of facial recognition technology combined with GPS has had a major impact on the private life of citizens. Following the investigation carried out by the European data protection authorities and the report produced by the Irish authorities, Facebook decided on 21 September 2012 to deactivate its facial recognition software for users in Europe.

In fact, facial recognition technology combined with GPS is used in many different contexts, from simple anonymous counting to the exhaustive tracing of the activities of named individuals. It can be used for entertainment, commercial or security purposes. There are many different types of risk faced by citizens, depending on how and for what purpose the data is processed.

The opinion of the article 29 Data Protection Working Party ([1]) stresses the need for meeting the principles of proportionality, having a legitimate purpose, adequately informing citizens and obtaining the user's consent in all cases where this is possible.

([1]) Opinion 02/2012 on facial recognition in online and mobile services: http://ec.europa.eu/justice/data-protection/article-29/documentation/opinion-recommendation/files/2012/wp192_en.pdf

The proposed reform of the data protection rules takes into account the proliferation of biometric data processing and reinforces the protection of citizens, in particular by giving a precise definition for biometric data and specifying that a risk assessment must be carried out when biometric data processing is going to be used.

(Version française)

Question avec demande de réponse écrite E-007591/12
à la Commission
Marc Tarabella (S&D)
(13 août 2012)

Objet: Test de dépistage prénatal de la trisomie 21

L'Allemagne, la Suisse et l'Autriche viennent d'annoncer leur feu vert pour la mise sur le marché du test Prenatest permettant de détecter facilement et efficacement la trisomie 21 lors d'une grossesse. Cette déclaration provoque une levée de boucliers, notamment parmi les associations représentant les personnes handicapées.

En Suisse, en Allemagne et en Autriche, un nouveau test de dépistage de la trisomie 21 vient d'être autorisé pour une commercialisation à partir de la mi-août.

1. La Commission compte-elle autoriser la vente de ce test?

2. La Commission estime-t-elle que le dépistage positif du syndrome de Down augmenterait le nombre des avortements ou pense-t-elle que ce serait un moyen pour les familles de se décider en connaissance de cause?

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

Conformément à la législation de l'UE (directive 98/79/CE relative aux dispositifs médicaux de diagnostic in vitro ([1])), les fabricants peuvent placer des dispositifs médicaux de diagnostic in vitro sur le marché à condition de suivre la procédure d'évaluation de la conformité applicable, qui requiert l'intervention d'un organisme notifié dans le cas de la trisomie 21, et d'apposer sur ceux-ci le marquage CE. La Commission n'intervient pas dans la procédure d'évaluation. En revanche, les États membres ont la possibilité de restreindre la libre circulation de tels dispositifs ainsi que leur utilisation dans leur système de santé en vertu des articles 8 et 13 de la directive 98/79/CE et de l'article 36 du traité sur le fonctionnement de l'Union européenne (TFUE). L'article 8 permet aux États membres d'appliquer des mesures de sauvegarde pour restreindre la libre circulation de dispositifs pouvant compromettre la santé ou la sécurité des patients ou d'autres personnes. L'article 13 permet aux États membres d'adopter des mesures préventives pour la protection de la santé publique. Dans les deux cas, l'État membre concerné doit suivre une procédure spécifique sous le contrôle de la Commission. De plus, en vertu de l'article 36 du TFUE, les États membres peuvent restreindre la libre circulation de dispositifs médicaux pour des raisons de moralité publique.

La Commission n'est pas en mesure de répondre à la question de l'incidence de ce test sur le nombre d'avortements.

([1]) JO L 331 du 7.12.1998, p. 1.

(English version)

Question for written answer E-007591/12
to the Commission
Marc Tarabella (S&D)
(13 August 2012)

Subject: Prenatal screening for trisomy 21

Germany, Switzerland and Austria have just given the go-ahead to the placing on the market of a test called Prenatest which is able to detect, easily and efficiently, trisomy 21 during pregnancy. This has caused an outcry, particularly among organisations representing people with disabilities.

In Switzerland, Germany and Austria a new screening test for trisomy 21 has just been authorised for marketing from mid-August.

1. Will the Commission authorise the sale of this test?

2. Does the Commission not think that a positive screening result for Down syndrome would increase the number of abortions, or does it think that this would be a way for families to make informed decisions?

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

According to EU legislation (Directive 98/79/EC on *in vitro* diagnostic medical devices ([1])), *in vitro* diagnostic medical devices can be placed on the market by the manufacturer provided that he follows the applicable conformity assessment procedure, which for trisomy 21 requires the involvement of a Notified Body, and affixes the CE marking. The Commission does not intervene in the assessment procedure. By contrast, Member States have the possibility to restrict the free movement of such devices and their use in the national healthcare by virtue of Article 8 and Article 13 of Directive 98/79/EC, as well as Article 36 of the Treaty on the Functioning of the European Union (TFEU). Article 8 allows Member States to apply a safeguard clause in order to restrict the free movement of devices which may compromise the health and/or safety of patients or other persons. Article 13 allows Member States to adopt preventive measures for the protection of public health. In both cases, the Member State concerned has to follow a specific procedure under the control of the Commission. In addition, according to Article 36 TFEU Member States may restrict the free movement of medical devices on grounds of public morality.

The Commission is not in a position to reply to the question of whether this test will have any impact on the number of abortions.

([1]) OJ L 331, 7.12.1998, p. 1.

(Version française)

Question avec demande de réponse écrite E-007592/12
à la Commission
Marc Tarabella (S&D)
(13 août 2012)

Objet: Feuille de route bilatérale sur la gestion des déchets

Le commissaire européen en charge de l'environnement a déploré, ce mardi 7 août, la gestion des déchets au sein de l'Union européenne en faisant valoir les résultats d'une enquête à ce sujet. De nombreux États membres continuent de mettre en décharge d'énormes quantités de déchets municipaux, ce qui est la pire des solutions de gestion des déchets, alors qu'il existe d'autres possibilités qui sont préférables et qui peuvent être financées par les fonds structurels. Le recours massif à la mise en décharge entraîne la sous-exploitation systématique des solutions préférables de gestion des déchets telles que la réutilisation et le recyclage.

1. Sur quelle durée les feuilles de route qui seront proposées aux États membres seront-elles établies?

2. Quels sont les objectifs de la Commission à moyen et long terme?

3. Des sanctions sont-elles prévues en cas de non-respect de la feuille de route?

4. La Commission pourrait-elle objectiver les résultats par État membre?

Réponse donnée par M. Potoènik au nom de la Commission
(18 septembre 2012)

Un premier projet de feuilles de route sera présenté et discuté avec les États membres au cours de dix ateliers qui se dérouleront entre septembre et novembre 2012. La forme définitive de la feuille de route sera ensuite présentée d'ici le milieu d'année prochaine.

Les feuilles de route seront assorties de recommandations devant permettre d'atteindre, à moyen et long terme, les objectifs de la Commission, qui, pour résumer, consistent à garantir le respect des exigences essentielles fixées par la directive-cadre sur les déchets ([1]), et en particulier la hiérarchie des déchets et l'objectif de recyclage des ordures ménagères.

Les feuilles de route sont conçues comme des instruments encourageant le respect de ces exigences. Elles ne prévoient pas de sanctions.

Les résultats obtenus à ce jour par État membre sont disponibles sur le site internet EUROPA ([2]).

([1]) JO L 312 du 22.11.08.
([2]) http://ec.europa.eu/environment/waste/batteries/pdf/battery_report.pdf

(English version)

Question for written answer E-007592/12
to the Commission
Marc Tarabella (S&D)
(13 August 2012)

Subject: Bilateral Waste Management Roadmap

On Tuesday 7 August the European Commissioner for the Environment lamented the state of waste management in the European Union, highlighting the results of an investigation into the matter. Many Member States continue to dump huge quantities of municipal waste, which is the worst solution to waste management, even though there are other preferable alternatives that are eligible for funding from the Structural Funds. The massive use of landfill results in the systematic under-utilisation of preferable waste management solutions such as reuse and recycling.

1. Over what period of time will the roadmaps that will be submitted to the Member States be drawn up?

2. What are the Commission's medium and long-term objectives?

3. Is there any provision for penalties in cases of non-compliance with the roadmap?

4. Could the Commission specify the results by Member State?

Answer given by Mr Potočnik on behalf of the Commission
(18 September 2012)

A first draft of the roadmaps will be presented and discussed with the Member States at ten workshops which will take place between September and November 2012. The roadmap will be then finalised by mid-next year.

The roadmaps will include recommendations aimed at achieving mid-and long term Commission objectives which in summary consist in ensuring compliance with essential requirements under the Waste Framework Directive ([1]), notably the waste hierarchy and the recycling target for household waste.

The roadmaps are designed as a compliance promotion tool. They do not foresee penalties.

The results available so far per Member State are available on the Europa website ([2]).

([1]) OJ L 312, 22.11.2008.
([2]) http://ec.europa.eu/environment/waste/studies/pdf/Screening_report.pdf

(Version française)

Question avec demande de réponse écrite E-007593/12
à la Commission
Marc Tarabella (S&D)
(13 août 2012)

Objet: Suspicion autour de l'entreprise Huawei

Des failles dans les routeurs AR18 et AR29 de Huawei auraient été mises en évidence, révèle un récent rapport, avec des produits respectivement destinés aux marchés résidentiel/TPE et entreprise.

Selon les experts, l'exploitation des failles en question permettrait de prendre le contrôle des terminaux qui y sont reliés depuis Internet.

Visiblement, Huawei n'est pas prêt à jouer la transparence sur le sujet. Je regrette notamment l'absence d'un contact chez le fournisseur avec qui partager les découvertes des vulnérabilités, mais aussi l'absence de systèmes d'alerte de sécurité ou encore d'informations sur ce que corrigent effectivement les mises à jour des firmwares.

1. Sachant qu'Huawei fait depuis peu l'essentiel de son chiffre d'affaire au sein du marché européen, n'y a-t-il pas matière à enquête, aux yeux de la Commission?

2. Si enquête il y a, les faits repris dans l'introduction sont/seront-ils pris en compte?

Réponse donnée par Mme Kroes au nom de la Commission
(28 septembre 2012)

La Commission a été informée des vulnérabilités que présenteraient les routeurs Huawei.

Il s'agit d'un sujet préoccupant et il importe que les entreprises en Europe prennent dûment en considération les questions de sécurité dans le cadre de leur approvisionnement en composants. Par ailleurs, la Commission ne jouit d'aucun pouvoir d'enquête ni d'exécution en ce qui concerne les failles de sécurité informatique. Ce domaine relève de la responsabilité exclusive des États membres.

La sécurité des réseaux et de l'information n'est pas réglementée au niveau de l'Union européenne. La Commission et la haute représentante de l'Union pour les affaires étrangères et la politique de sécurité préparent cependant une stratégie européenne de cybersécurité, qui prévoit une série d'actions destinées à mettre en place dans l'UE une solide ligne de défense contre les attaques informatiques et contre d'autres incidents ayant trait à la sécurité informatique. Cette stratégie entend mettre l'accent sur la nécessité de renforcer la résilience générale des réseaux et systèmes informatiques, d'intensifier la lutte contre la cybercriminalité et d'élaborer une politique extérieure de l'UE dans le domaine de la cybersécurité, tout en préservant le droit fondamental des citoyens à la protection des données et en maintenant un Internet libre et ouvert.

Un niveau élevé de sécurité ne pouvant être assuré que si tous les acteurs de la filière adoptent une culture de sécurité, cette stratégie comporte des actions spécialement consacrées à la sécurité de la chaîne d'approvisionnement dans le secteur des technologies de l'information et de la communication, axées notamment sur la conception et la production.

(English version)

Question for written answer E-007593/12
to the Commission
Marc Tarabella (S&D)
(13 August 2012)

Subject: Suspicions about the company Huawei

According to a recent report, flaws have been identified in Huawei AR18 and AR29 routers in products intended for the residential/SOHO and corporate markets, respectively.

According to experts, the flaws in question allow third parties to gain control of the terminals that are connected via the Internet.

Clearly, Huawei is not prepared to be transparent about this. Regrettably the supplier has no contact point that can be notified about vulnerabilities that have emerged and the lack of security warning systems or provide information about what firmware updates actually correct.

1. Given that the EU market has recently begun to account for the bulk of Huawei's turnover, does the Commission not agree that this is a matter that should be investigated?

2. If there is to be an investigation, will the facts set out above be taken into account or are they already being taken into account?

Answer given by Ms Kroes on behalf of the Commission
(28 September 2012)

The Commission is aware of reports on vulnerabilities of Huawei's routers.

This is a matter of significant worry and it is important that contractors in Europe pay due regard to the security in their supplying of components. Moreover, the Commission does not have investigative and enforcement powers in relation to IT security vulnerabilities. This is a matter which falls in the exclusive responsibility of the Member States.

Network and information security is not regulated at EU level. The Commission and the High Representative for Foreign and Security Policy are, however, elaborating a European strategy for cyber security, which would set out a series of actions to build a robust line of defence against cyber-attacks and other IT security incidents in the EU. The strategy would focus on the need to improve the overall resilience of network and information systems, step up the fight against cybercrime and develop an external EU cyber security policy whilst maintaining the individuals' fundamental right to data protection and a free and open Internet.

Given that a high level of security can only be ensured if all the actors in the value chain embrace a security culture, the strategy would include actions specifically dedicated to the security of the supply chain in the ICT sector, including design and production.

(Version française)

Question avec demande de réponse écrite E-007595/12
à la Commission
Marc Tarabella (S&D)
(13 août 2012)

Objet: La Commission va-t-elle soutenir le plan de sauvegarde des ressources en eau?

Le Parlement européen vient de proposer un plan de sauvegarde des ressources en eau, réaffirmant que l'accès à l'eau est «un droit fondamental et universel».

Concrètement, la résolution non contraignante que nous, députés européens, avons votée, prône le principe du «pollueur-payeur».

1. Quelle est la position de la Commission sur le souhait du Parlement d'utiliser des systèmes de tarification qui appliquent le principe du «pollueur-payeur»?

2. Quelle est la position de la Commission sur le souhait du Parlement d'utiliser des systèmes de tarification qui appliquent le principe de l'«utilisateur-payeur», et ce sans perdre de vue les questions sociales qui doivent être prises en considération dans la fixation des tarifs?

3. La Commission compte-t-elle revoir les subventions préjudiciables pour l'eau, et l'octroi de fonds européens au secteur de l'eau ainsi qu'aux activités intensives en eau?

4. La Commission compte-elle épauler le Parlement dans sa volonté de rendre obligatoire le mesurage de l'utilisation de l'eau dans tous les secteurs et pour tous les utilisateurs?

Réponse donnée par M. Potočnik au nom de la Commission
(2 octobre 2012)

La Commission a pris connaissance de la résolution du Parlement ([1]) et en tiendra compte dans son «programme de sauvegarde des ressources hydriques de l'Europe», prévu pour novembre 2012.

1. Conformément à l'article 9 de la directive-cadre sur l'eau (DCE) ([2]), les États membres doivent veiller à ce que les différentes catégories d'utilisateurs contribuent de manière appropriée à la récupération des coûts des services de l'eau, compte tenu du principe du pollueur-payeur. Les systèmes de tarification fondés sur le principe du pollueur-payeur permettent d'assurer le recouvrement de ces coûts.

2. Le principe de l'utilisateur-payeur est une notion qui est englobée dans le principe du pollueur-payeur, étant donné qu'en vertu de la DCE, les utilisateurs sont censés contribuer à la compensation des incidences environnementales découlant de leur utilisation d'eau. L'article 9 de la DCE précise que les États membres peuvent tenir compte des effets sociaux, environnementaux et économiques de la récupération ainsi que des conditions géographiques et climatiques de la région ou des régions concernées.

3. La Commission a demandé aux États membres d'établir des plans et des calendriers de suppression des subventions nuisibles à l'environnement et d'en rendre compte dans leurs programmes nationaux de réforme dans le cadre de la stratégie Europe 2020. La Commission assurera un contrôle à travers la suite donnée par les États membres aux recommandations par pays dans ce domaine. La Commission a également lancé des études visant à analyser les subventions qui conduisent à une utilisation inefficace des ressources, y compris de l'eau, et encourage les échanges de bonnes pratiques en matière de réforme des subventions nuisibles à l'environnement.

La Commission veille à ce que l'octroi de fonds se fasse dans le plus grand respect de la législation de l'UE, notamment en matière de protection de l'environnement.

4. Si le mesurage n'est pas une exigence explicite de la DCE, la Commission considère toutefois qu'il s'agit d'une condition préalable pour garantir que les politiques de tarification de l'eau incitent les intéressés à une utilisation efficace de cette ressource conformément à l'article 9 de la DCE.

([1]) 2011/2297(INI).
([2]) 2000/60/CE, JO L 327 du 22.12.2000.

(English version)

Question for written answer E-007595/12
to the Commission
Marc Tarabella (S&D)
(13 August 2012)

Subject: Will the Commission support the plan to safeguard water resources?

The European Parliament has just put forward a plan to safeguard water resources, reaffirming that access to water is 'a fundamental and universal right.'

Specifically, the non-binding resolution that we MEPs have adopted advocates the 'polluter pays' principle.

1. What is the Commission's position on Parliament's wish to use pricing systems that apply the 'polluter pays' principle?

2. What is the Commission's position on Parliament's wish to use pricing systems that apply the principle of 'user-pays' principle, without losing sight of the social issues that must be taken into account in setting rates?

3. Does the Commission intend to review subsidies that are harmful for water resources and the granting of EU funds to the water sector as well as water-intensive activities?

4. Will the Commission back Parliament in its wish for compulsory metering of water use in all sectors and for all users?

Answer given by Mr Potočnik on behalf of the Commission
(2 October 2012)

The Commission is aware of the Parliament' Resolution ([1]), and will take it into account in its 'Blueprint to safeguard Europe's water resources', planned for November 2012.

1. Article 9 of the Water Framework Directive ([2]) (WFD) requires that Member States ensure an adequate contribution of different water uses to the recovery of the costs of water services taking into account the polluter pays principle (PPP). Pricing systems that apply the PPP contribute to ensuring the abovementioned cost recovery.

2. The 'user pays principle' is a notion encompassed by the PPP since users are expected under the WFD to contribute to the recovery of environmental impacts caused by their use. Article 9 of the WFD states that Member States may have regard to the social, environmental and economic effects of the recovery as well as the geographic and climatic conditions of the region or regions affected.

3. The Commission has asked Member States to prepare plans and timetables to phase out environmentally harmful subsidies (EHS) and report on these as part of their National Reform Programmes under the Europe 2020 strategy. The Commission will monitor via the Member States' follow-up to country-specific recommendations in this area. The Commission has also launched studies to analyse subsidies that lead to inefficient use of resources, including water, and promotes exchanges of best practices on EHS reform.

The Commission ensures that granting of funds takes place in full respect of EU legislation including on environmental protection.

4. While metering is not an explicit requirement under the WFD, the Commission considers it a precondition for ensuring that water pricing policies provide adequate incentives to use water efficiently as required under Article 9 of the WFD.

([1]) 2011/2297(INI).
([2]) 2000/60/EC, OJ L 327, 22.12.2000.

(Version française)

Question avec demande de réponse écrite E-007597/12
à la Commission
Marc Tarabella (S&D)
(13 août 2012)

Objet: Commissions multilatérales d'interchange de Visa

La société Visa mettrait en place des commissions multilatérales d'interchange (CMI).

Pour rappel, les CMI sont dues par la banque du commerçant à celle de l'acheteur lors de chaque paiement par une carte bancaire, pour les opérations transfrontalières, mais aussi intérieures dans certains pays comme la Belgique, l'Italie et le Luxembourg. Leur coût est imputé aux commerçants par leurs banques.

En tant que député européen en charge de la protection des consommateurs, je m'interroge:

1. Les commissions imposées par Visa ne seraient-elles pas un élément entravant la concurrence entre banques et allant par conséquent à l'encontre des règles européennes en la matière?

2. Ces commissions bénéficient-elles vraiment aux commerçants et/ou aux consommateurs, comme le voudrait l'esprit du texte législatif?

Réponse donnée par M. Almunia au nom de la Commission
(1er octobre 2012)

La Commission est réellement préoccupée par les commissions multilatérales d'interchange («CMI»).

Cela fait longtemps qu'elle examine la question des CMI perçues sur les paiements effectués par carte. En 2002, elle a adopté, à l'égard de Visa, une décision d'exemption prévoyant que les CMI transfrontières appliquées par cette dernière pouvaient bénéficier d'une exemption jusqu'à la fin de 2007 à condition que leur niveau moyen soit sensiblement réduit ([1]).

Par la suite, dans sa décision de 2007 relative à MasterCard ([2]), la Commission a considéré que les CMI perçues pour les opérations transfrontières effectuées avec des cartes de paiement MasterCard restreignaient la concurrence entre les banques des commerçants en gonflant artificiellement la base sur laquelle ces dernières se fondaient pour fixer les frais. Elle a constaté que ce type de pratiques aboutissait indirectement à une augmentation des prix de détail et que MasterCard n'avait pas apporté la preuve que ces commissions permettaient de générer des gains d'efficacité qui étaient répercutés sur les consommateurs. Le Tribunal a pleinement confirmé cette décision le 24 mai 2012 ([3]). MasterCard a introduit un pourvoi contre cet arrêt du tribunal et la Cour de justice est à présent saisie.

Parallèlement à son enquête au sujet des CMI perçues par Mastercard et après l'expiration de sa décision de 2002 accordant une exemption pour les CMI, la Commission a, en mars 2008, ouvert une procédure formelle contre les CMI appliquées par Visa. Cette affaire a été partiellement classée après l'adoption d'une décision par la Commission ([4]) rendant contraignants les engagements qu'avait offerts Visa Europe de réduire encore le niveau de ses CMI applicables aux opérations transfrontières effectuées par carte de débit et aux opérations de débit effectuées dans huit États membres.

La partie de la procédure concernant les CMI applicables aux opérations effectuées par carte de crédit est toujours en cours et, en juillet 2012, la Commission a adressé une communication des griefs complémentaire à Visa ([5]).

([1]) Décision de la Commission du 24 juillet 2002 dans l'affaire COMP/DI/29.373, JO L 318 du 22.11.2002.
([2]) Décision C(2007) 6474 de la Commission du 19 décembre 2007 dans les affaires COMP/34.579 — MasterCard, COMP/36.518 — EuroCommerce et COMP/38.580 — Commercial Cards, JO C 264 du 6.11.2009, p. 8. Cette décision fait actuellement l'objet d'un recours devant la Cour de justice. La version intégrale, non confidentielle de la décision, peut être consultée à l'adresse suivante: (http://ec.europa.eu/competition/antitrust/cases/dec_docs/34579/34579_1889_1.pdf).
([3]) Arrêt du Tribunal dans l'affaire T-111/08, MasterCard Incorporated ea contre Commission.
([4]) Décision C(2010) 8760 final de la Commission du 8 décembre 2010 dans l'affaire COMP/39.398 — VISA MIF.
([5]) Communiqué de presse IP/12/871.

(English version)

Question for written answer E-007597/12
to the Commission
Marc Tarabella (S&D)
(13 August 2012)

Subject: Introduction by Visa of multilateral interchange fees

There are reports that the credit card company Visa plans to introduce multilateral interchange fees.

By way of a reminder, a multilateral interchange fee is payable by the trader's bank to the purchaser's whenever a purchase is made by credit card. Fees are charged for cross-border transactions, but also for domestic transactions in some countries, such as Belgium, Italy and Luxembourg. Banks pass on the cost of the fees to traders.

As an MEP, and therefore someone with a responsibility for consumer protection, I should like to ask the following questions:

1. Would the fees imposed by Visa not represent an obstacle to competition between banks and, therefore, a breach of the relevant EU rules?

2. Do these fees really benefit traders and/or consumers, in keeping with the spirit of the relevant legislation?

Answer given by Mr Almunia on behalf of the Commission
(1 October 2012)

Multilateral interchange fees (or 'MIFs') are indeed a concern for the Commission.

The Commission has been investigating MIFs for card payments for a long time. In 2002 an exemption decision was adopted with regard to Visa according to which Visa's cross-border MIFs could benefit from an exemption until the end of 2007 provided that the average level of the MIFs was decreased ([1]) significantly.

Subsequently in the MasterCard Decision in 2007 ([2]) the Commission found that MIFs for cross-border transactions with MasterCard payment cards restrict competition between merchants' banks by artificially inflating the basis on which these banks set charges. It was found that such arrangements indirectly lead to increased retail prices and MasterCard had not demonstrated that such fees generated efficiencies that were passed on to consumers. This decision was fully upheld by the General Court on 24 May 2012 ([3]). MasterCard has appealed against the judgment of the General Court and the appeal is now before the European Court of Justice.

In parallel with the investigations into MasterCard's MIFs, and after the expiry of its 2002 decision exempting MIFs, the Commission formally opened proceedings against Visa's MIFs in March 2008. This case was partially closed with the adoption of a decision by the Commission ([4]) making binding the commitments offered by Visa Europe to reduce its debit card MIFs even further for cross-border transactions and transactions in eight Member States.

The part of the proceedings concerning credit card MIFs is still ongoing and, in July 2012, the Commission issued a Supplementary Statement of Objections to Visa ([5]).

([1]) Commission decision of 24 July 2002 in case COMP/D1/29.373, OJ L 318, 22.11.2002.
([2]) Commission decision C(2007) 6474 of 19 December 2007 in Cases COMP/34.579 — MasterCard, COMP/36.518 — EuroCommerce, and COMP/38.580 — Commercial Cards, OJ C 264/8, 6.11.2009. The decision is currently under appeal before the ECJ. The full non-confidential version of the decision is available at: http://ec.europa.eu/competition/antitrust/cases/dec_docs/34579/34579_1889_1.pdf
([3]) Judgment of the General Court in Case T-111/08 MasterCard Incorporated, e.a. v. Commission.
([4]) Commission Decision C(2010) 8760 final of 8 December 2010 in Case COMP/39.398 — VISA MIF.
([5]) Press release IP/12/871.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-007601/12
alla Commissione
Debora Serracchiani (S&D)
(13 agosto 2012)

Oggetto: Compagnia low cost Windjet

La compagnia low cost Windjet è indebitata per oltre 100 milioni di euro e in questi giorni la trattativa che avrebbe dovuto salvare quel che resta della compagnia è naufragata, lasciando nel caos il sistema del trasporto aereo proprio nei giorni caldi del ponte di Ferragosto. Infatti, trecentomila persone con un biglietto pagato alla compagnia Windjet per voli sino ad ottobre rischiano di restare a terra o, nella migliore delle ipotesi, di volare con un'altra compagnia aerea pagando però un supplemento.

Ai passeggeri vengono fornite informazioni vaghe; in teoria la compagnia dovrebbe avvertire tutti i passeggeri su ritardi, cancellazioni o eventuali alternative ma non ce la fa ad informare tutti. Inoltre, in agosto non è facile trovare posti aggiuntivi su altre compagnie.

1. Alla luce di quanto precede, giudica la Commissione accettabile che sul territorio dell'Unione europea vi possano essere migliaia di viaggiatori, tra cui donne, vecchi e bambini che, senza loro responsabilità alcuna, sono costretti a bivaccare negli aeroporti?

2. Quali misure intende adottare la Commissione per prevenire il ripetersi di tale situazione e per rafforzare le norme sull'assistenza e sul risarcimento in caso di cancellazione o ritardo dei voli, inclusi i ritardi di bagagli secondo quanto recentemente il Parlamento europeo ha approvato nella sua risoluzione allo scopo di garantire un trattamento equo e assicurare diritti più ampi per tutti i viaggiatori?

3. Intende la Commissione presentare un regolamento unico per i diritti dei viaggiatori dato che al momento la situazione degli Stati membri è eterogenea e alcune regole devono ancora entrare in vigore?

Risposta di Siim Kallas a nome della Commissione
(25 settembre 2012)

1. Nel difficile contesto del fallimento Windjet, nel corso di una delle settimane di maggiore attività dell'anno in termini di volume di traffico dell'UE, la Commissione prende atto delle azioni positive intraprese dalle compagnie aeree e dalle autorità italiane per riproteggere al più presto i passeggeri lasciati a terra.

La Commissione sta collaborando con le autorità nazionali degli Stati membri per identificare le migliori pratiche per affrontare la questione dei passeggeri lasciati a terra in caso di fallimento della compagnia aerea. La finalità è quella di trovare soluzioni concrete che possano essere applicate immediatamente nel caso in cui si verifichi un evento del genere.

2. Per quanto riguarda le azioni intraprese dalla Commissione per rafforzare i diritti dei passeggeri la Commissione rinvia l'onorevole parlamentare alla sua risposta all'interrogazione parlamentare E-012008/2011 ([1]).

3. I diritti del viaggiatore sono ugualmente importanti in tutti i modi di trasporto. Con l'adozione dei diritti dei passeggeri nel trasporto effettuato con autobus nel 2011 che deve ancora entrare in vigore, l'Unione europea dispone ormai di un insieme integrato e completo di diritti fondamentali dei passeggeri in tutti i modi di trasporto: aereo, ferroviario, per via navigabile e con autobus. Sebbene la Commissione ritenga che sia troppo presto in questa fase prevedere un regolamento unico che contempli i passeggeri di tutti i modi di trasporto, essa ha già adottato una Comunicazione orizzontale nella quale ha chiarito i principi comuni per tutti i modi di trasporto ([2]).

([1]) Consultabile sul seguente sito: http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) COM(2011)898 definitivo.

(English version)

Question for written answer P-007601/12
to the Commission
Debora Serracchiani (S&D)
(13 August 2012)

Subject: Wind Jet low-cost airline

The Wind Jet low-cost airline is in debt to the tune of over EUR 100 million. A few days ago the negotiations aimed at saving what is left of the company broke down, leaving the air transport system in chaos over the peak travel period which coincides with the public holiday on 15 August. 300 000 people who have bought tickets from Wind Jet for flights between now and October may have to abandon their travel plans or, at best, pay a supplement to fly with another airline.

Passengers are receiving only vague information; theoretically the company should notify all passengers of any delays, flight cancellations and possible alternatives, but it is failing to do so. Moreover, it is not easy to find spare seats through other airlines in August.

1. In the light of the foregoing, does the Commission believe that it is acceptable, within the European Union, for thousands of travellers — including women, elderly people and children — to be obliged, through no fault of their own, to camp out at airports?

2. What action does the Commission intend to take to prevent such a situation from arising again and to tighten up the rules on assistance and compensation in the event of flights being delayed or cancelled, or luggage being delayed, as advocated recently by Parliament in a resolution calling for all travellers to be accorded equitable treatment and fuller rights?

3. Does the Commission intend to submit a single regulation on travellers' rights, given that at present the situation varies from one Member State to another and some rules have yet to enter into force?

Answer given by Mr Kallas on behalf of the Commission
(25 September 2012)

1. In the difficult context of Windjet's failure, in one of the busiest weeks of the year in terms of EU air traffic volume, the Commission takes note of positive actions taken by airlines and the Italian auhorities to reroute stranded passengers as soon as possible.

The Commission is working with the national authorities of the Member States to identify best practices to address the issue of stranded passengers in case of airline insolvency. The aim is to find concrete solutions that might be applied immediately should such an event occur.

2. Regarding the actions taken by the Commission to strengthen passenger rights, the Commission would like to refer the Honourable Member to its answer to the parliamentary Question E-012008/2011 ([1]).

3. Traveller's rights are equally important in all modes. With the adoption of passenger rights for bus and coach transport in 2011 which still have to enter into force, the EU has a comprehensive integrated set of basic passenger rights rules in all modes: air, rail, waterborne and road transport. Although the Commission considers that it is too early at this stage to envisage a single regulation which would cover passengers in all transport modes, it has already adopted a horizontal Communication in which it clarified the common principles for all modes ([2]).

([1]) Available at http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html
([2]) COM(2011) 898 final.

(Version française)

Question avec demande de réponse écrite E-007602/12
à la Commission
Marc Tarabella (S&D)
(14 août 2012)

Objet: Subsides au BRICS

On constate une montée en puissance, évidente au moins pour la Chine, l'Inde et le Brésil, de ces pays encore récemment appelés émergents dans le monde de l'économie comme dans celui de la science.

Dans ces circonstances, est-il encore pertinent de soutenir financièrement les BRICS (Brésil, Russie, Inde, Chine et Afrique du Sud) dans leurs projets de coopération avec les pays européens soumis au programme-cadre de STI de la Commission?

Réponse donnée par Mme Geoghegan-Quinn au nom de la Commission
(21 septembre 2012)

Selon les règles de l'actuel 7e programme-cadre de recherche et développement (7e PC, 2007-2013), l'octroi d'un concours financier aux entités juridiques des pays classés par la Banque mondiale dans les catégories des pays à faible revenu ou à revenu intermédiaire (tranche inférieure ou supérieure) en fonction de leur revenu national brut (RNB) par habitant revêt un caractère automatique. C'est le cas de la totalité des BRICS.

Ces dernières années toutefois, certains de ces pays ont investi massivement dans leur système de recherche et d'innovation, au point d'atteindre la taille critique nécessaire pour s'engager dans une coopération réciproque avec l'Union européenne. En conséquence, la Commission envisage de modifier sa stratégie de financement vis-à-vis des entités juridiques de ces pays. Concrètement, pour Horizon 2020, le nouveau programme-cadre pour la recherche et l'innovation qui doit débuter en 2014, la Commission souhaite compléter le critère actuel fondé sur le RNB par habitant par un critère fondé sur le PIB global, qui exclurait les pays dépassant un certain seuil.

Il convient toutefois de noter que, comme c'est déjà le cas pour les pays à haut revenu, le financement des entités juridiques des pays concernés restera possible dans un nombre limité de cas. Ainsi, la proposition de modalités de participation au programme Horizon 2020 autorise ce type de financement si la participation de l'entité est nécessaire à l'aboutissement du projet ou si elle est prévue par un accord international conclu avec le pays tiers concerné.

(English version)

Question for written answer E-007602/12
to the Commission
Marc Tarabella (S&D)
(14 August 2012)

Subject: Subsidies to the BRICS countries

Until recently the BRICS countries (Brazil, Russia, India, China and South Africa) were still termed 'emerging' in both the economic and scientific spheres. However, given the growing power of these countries — which is evident at least in the case of China, India and Brazil — is it still appropriate to them give financial support in their cooperation projects with European countries under the Commission's STI Framework Programme?

Answer given by Ms Geoghegan-Quinn on behalf of the Commission
(21 September 2012)

Under the current Seventh Framework Programme for Research and Development (FP7, 2007-13), financial support is automatically provided to legal entities from countries which are classified by the World Bank, on the basis of gross national income (GNI) per capita, as low income, lower middle income and higher middle income. This includes all of the BRICS countries.

Some of these countries have, however, over the past years invested significantly in their research and innovation system and have therefore established the critical mass needed to cooperate with the EU on a reciprocal basis. The Commission is therefore considering to change its approach to funding legal entities from these countries. More specifically, for Horizon 2020, the new Framework Programme for Research and Innovation, due to start in 2014, the Commission intends to complement the current criterion, on the basis of GNI per capita, with an additional criterion based on total GDP, excluding countries above a given threshold.

It should be noted, however, that, just as is currently the case for the high income countries, funding for legal entities from these countries will continue to be possible in limited cases. The proposal for Horizon 2020 Rules for Participation allows such funding if their participation is essential for carrying out the project successfully or where this is provided for in an international agreement or arrangement in place with the third country in question.

(Version française)

Question avec demande de réponse écrite E-007605/12
à la Commission
Marc Tarabella (S&D)
(14 août 2012)

Objet: Contrôle des jouets maintien des plafonds nationaux élevés

Une directive datant de 2009 impose des conditions de production et de contrôle des jouets destinés aux enfants et, à partir du 1er juillet 2013, des plafonds pour les substances toxiques qu'ils contiennent.

— Pourquoi la Commission refuse-t-elle le droit à certains pays de maintenir leurs propres plafonds pour certains produits quand ils sont plus stricts que ceux imposés par le nouveau texte?

Réponse donnée par M. Tajani au nom de la Commission
(19 septembre 2012)

La législation adoptée en 2009 sur la sécurité des jouets contient des règles parmi les plus strictes au monde, en particulier en ce qui concerne les produits chimiques. Basée sur une approche scientifique et toxicologique cohérente et transparente afin de garantir la sécurité des enfants, la nouvelle directive établit des limites de sécurité qui tiennent compte de la catégorie des matières utilisées dans la fabrication des jouets ainsi que de l'exposition à ces matières. Ces nouvelles limites sont globalement plus strictes que les limites de sécurité actuellement en vigueur qui s'appliquent indifféremment à toutes les catégories de matières utilisées dans la fabrication des jouets et à l'exposition à ces matières. Aussi est-il trompeur de comparer les nouvelles limites de sécurité aux anciennes sans tenir compte de l'approche suivie pour leur définition. En outre, les limites actuelles auxquelles fait référence l'Honorable Parlementaire sont en réalité celles établies par la réglementation harmonisée européenne de 1988 transposée en droit national par les États membres.

La Commission est déterminée à modifier la nouvelle législation sur la sécurité des jouets chaque fois que des règles plus strictes seront nécessaires à la protection de la santé des enfants. Les États membres sont invités à lui faire part de telles suggestions. Toutefois, la Commission est fermement décidée à maintenir l'harmonisation de telles règles de sécurité parmi les États membres. L'harmonisation profite à l'industrie du jouet, qui génère environ 100 000 emplois dans l'Union européenne, ainsi qu'aux consommateurs européens, car ils bénéficient, comme il se doit, du même niveau de protection dans tous les États membres.

(English version)

Question for written answer E-007605/12
to the Commission
Marc Tarabella (S&D)
(14 August 2012)

Subject: Checks on toys and retention of high national safety ceilings

A 2009 directive lays down conditions for the production and checking of toys for children, and, with effect from 1 July 2013, imposes ceilings for toxic substances contained in such toys.

Why is the Commission refusing to allow certain Member States to retain their own ceilings for certain products where these are more stringent than those imposed by the new legislation?

Answer given by Mr Tajani on behalf of the Commission
(19 September 2012)

The toy safety legislation adopted in 2009 contains safety rules amongst the strictest world wide, in particular with regard to chemicals. Based on a consistent and transparent scientific-toxicological approach to assure children's safety, the new directive establishes safety limits by taking into account the type of toy materials used and the specific exposure to these materials. These new limits are globally stricter than the safety limits currently applicable, which equally apply to all types of toy materials and related exposure, without any differentiation. Thus, comparing the old and new safety limits without taking into account the approach followed for establishing them is misleading. Furthermore, the current limits to which the Honourable Member refers to are in reality the European harmonised rules from 1988, transposed by Member States into national law.

The Commission is committed to amending the new toy safety legislation whenever more stringent rules are needed to protect children's health. Member States are welcome to make such suggestions. However, the Commission is strongly dedicated to maintaining the harmonisation of such safety rules amongst all Member States. Harmonisation benefits the toy industry, generating around 100 000 jobs in the EU and to European consumers, because they enjoy, as they should, an equal level of protection in all Member States.

(Version française)

Question avec demande de réponse écrite E-007606/12
à la Commission
Marc Tarabella (S&D)
(14 août 2012)

Objet: OGM: les déclarations de Madame Glover

Madame Anne Glover, conseillère scientifique principale de la Commission, a affirmé dans les médias: «(…) il n'existe aucun cas concret d'impact négatif sur la santé humaine et animale ou sur l'environnement. C'est une preuve assez convaincante. J'irai donc jusqu'à dire que les organismes génétiquement modifiés (OGM) ne présentent pas plus de risques que les produits conventionnels». Elle a ajouté que le principe de précaution n'était pas de rigueur.

S'il n'existe pas d'impact négatif, que ce soit pour la culture, les animaux et les humains, la Commission peut-elle répondre aux questions suivantes:

1. Reconnaît-elle que la dissémination des OGM vers les plantes non génétiquement modifiées n'est pas avérée?

2. Nie-t-elle les dégâts causés par les repousses, qui nécessitent le recours à des pesticides de plus en plus toxiques?

3. Quelle est la position de la Commission sur la condamnation de la compagnie Monsanto aux États-Unis pour les dommages causés par certains OGM, ou la mutation de la pyrale, mais aussi d'autres insectes auxquels s'attaquent les OGM pesticides?

4. L'action des OGM sur le sol américain et sur le sol européen serait-elle différente?

5. S'il n'y a pas d'impact négatif sur les animaux, cela veut-il dire que les expertises qui ont révélé des effets des OGM sur le foie et les reins des animaux, leur formule sanguine et leur poids seraient négligeables?

6. Comment, dans le même temps, plaider en faveur de la recherche et de la science, et ne pas œuvrer pour que les études sur l'impact potentiellement négatif des OGM sur la santé, réclamées par le Conseil en décembre 2008, soient enfin mises en œuvre?

7. La déclaration de Madame Glover reflète-t-elle le point de vue de la Commission? Une prise de position aussi caricaturale est-elle conforme à la science, qui devait progresser par le doute et la recherche? Répond-elle aux attentes des citoyens européens vis-à-vis des institutions européennes en lesquelles ceux-ci doivent avoir confiance pour protéger leur santé et leur environnement? Enfin, cette prise de position est-elle dans l'intérêt de l'Europe?

Réponse donnée par M. Barroso au nom de la Commission
(3 octobre 2012)

La position de la Commission au sujet des organismes génétiquement modifiés (OGM) demeure inchangée.

La Commission souhaite rappeler que la législation de l'UE relative aux OGM ([1]) prévoit que les OGM ne peuvent être autorisés à la culture et/ou à l'alimentation humaine ou animale dans l'UE que si une évaluation conforme aux normes les plus strictes a confirmé leur innocuité pour la santé humaine et animale ou pour l'environnement.

([1]) Règlement (CE) n° 1829/2003 concernant les denrées alimentaires et les aliments pour animaux génétiquement modifiés, JO L 268 du 18.10.2003, p. 1. Directive 2001/18/CE relative à la dissémination volontaire d'organismes génétiquement modifiés dans l'environnement, JO L 106 du 17.4.2001, p. 1.

La Commission souhaite profiter de l'occasion pour rappeler à l'Honorable Parlementaire le rôle du conseiller scientifique principal. Le conseiller scientifique principal relève directement du Président de la Commission et sa tâche consiste à fournir des conseils d'expert indépendant au Président sur toute question liée à la science, à la technologie ou à l'innovation ainsi que sur les menaces et opportunités potentielles générées pour l'UE par les découvertes scientifiques et technologiques. Parallèlement, le conseiller scientifique principal participe au renforcement de la confiance du grand public dans la science et la technologie et à la promotion de la culture scientifique européenne. Dans ce contexte, il contribue à encourager le débat au sein de la société sur les nouvelles technologies et à communiquer au sujet des preuves scientifiques existantes relatives à ces technologies. Le conseiller scientifique principal a une fonction purement consultative et n'a pas pour rôle de définir les politiques de la Commission. Par conséquent, ses opinions ne reflètent pas nécessairement le point de vue de la Commission.

(English version)

Question for written answer E-007606/12
to the Commission
Marc Tarabella (S&D)
(14 August 2012)

Subject: Statements by Anne Glover on the subject of GMOs

Anne Glover, Chief Scientific Advisor to the Commission, has stated in a media interview: 'There is no substantiated case of any adverse impact [from GMOs] on human health, animal health or environmental health, so that's pretty robust evidence, and I would be confident in saying that there is no more risk in eating GMO food than eating conventionally farmed food.' She added that the precautionary principle no longer applied.

If there is no adverse impact on plants, animals or people, can the Commission answer the following questions:

1. Does it accept that there is no conclusive evidence about the dissemination of GMOs towards non-GM plants?

2. Does it deny the damaging impact of volunteer growth, requiring the use of increasingly toxic pesticides?

3. What is its position on the court ruling in the USA against Monsanto for damage caused by certain GMOs, or on the mutation of the corn borer and, indeed, other insects attacked by pesticidal GMOs?

4. Is there any difference between GMOs on American soil and GMOs on European soil?

5. If there is no adverse impact on animals, can one disregard those studies that have demonstrated the effect of GMOs on animals' livers and kidneys, their blood count and their weight?

6. How can one argue the case for research and science without at the same time striving to ensure that the research called for by the Commission in December 2008 into potentially adverse effects of GMOs on health is finally carried out?

7. Is Ms Glover's statement a reflection of the Commission's view? Is the adoption of this exaggerated stance compatible with science, which necessarily advances through questioning and research? Is it what the people of Europe are entitled to expect from the EU institutions that they have to trust to protect their health and their environment? And is such a stance in Europe's interest?

Answer given by Mr Barroso on behalf of the Commission
(3 October 2012)

The Commission's position on Genetically Modified Organisms remains unchanged.

The Commission reminds that EU GMO legislation ([1]) requires that GMOs can be authorised for cultivation and/or food and feed use in the EU only after a safety assessment of the highest possible standard confirmed their safety for human and animal health or for the environment.

The Commission wishes to use the opportunity to clarify to the Honourable Member the role of the Chief Scientific Adviser (CSA). The CSA reports directly to the President of the Commission and has the task to provide independent expert advice to the President on any aspect of science, technology and innovation and the potential opportunities and threats to the EU stemming from new scientific and technological developments. Likewise, the CSA has a role in enhancing public confidence in science and technology and to promote the European culture of science. In this context, the CSA has a role in stimulating societal debate on new technologies and to communicate the existing scientific evidence about such technologies. The CSA has a purely advisory function and no role in defining Commission policies. Therefore, her views do not necessarily represent the views of the Commission.

([1]) Regulation (EC) No 1829/2003 on genetically modified food and feed, OJ L 268, 18.10.2003; Directive 2001/18/EC on the deliberate release into the environment of GMOs, OJ L 106, 17.4.2001.

(Version française)

Question avec demande de réponse écrite E-007607/12
à la Commission
Marc Tarabella (S&D)
(14 août 2012)

Objet: Vidéo «Kill Bill» et opacité de la Commission

La présente question concerne la fameuse vidéo «Kill Bill» retirée du web peu de temps après sa mise en ligne.

1. Est-il enfin possible d'obtenir l'accès aux documents internes à la conception de la vidéo, notamment les conclusions du groupe cible?

2. Si, comme je l'ai lu dans l'une des réponses de la Commission, donner l'accès à ces documents «porterait atteinte à ses relations commerciales avec les sous-traitants concernés, (…) découragerait les participants potentiels à de tels groupes de test dans le futur et aurait un effet défavorable sur les activités de conseil fournies à la Commission par l'équipe et les consultants du contractant», cela veut-il dire que le droit d'accès des citoyens aux documents de la Commission (6 400 demandes en 2010) est donc conditionné par les bonnes relations commerciales de la Commission avec ses contractants?

Réponse donnée par M. Füle au nom de la Commission
(21 septembre 2012)

1. La demande de l'Honorable Parlementaire relative à l'accès aux documents internes portant sur la phase de conception de la vidéo, notamment les conclusions du groupe cible, a été transmise aux services compétents de la Commission et sera traitée au regard des dispositions du règlement (CE) n° 1049/2001 ([1]) relatif à l'accès du public aux documents.

2. Le refus opposé dans un premier temps à la divulgation des conclusions du groupe cible n'a pas été motivé par les «bonnes relations commerciales» que la Commission européenne entretient avec un quelconque prestataire extérieur.

L'article 4, paragraphe 2, du règlement (CE) n° 1049/2001 prévoit notamment que «les institutions refusent l'accès à un document dans le cas où sa divulgation porterait atteinte à la protection des intérêts commerciaux d'une personne physique ou morale déterminée, y compris en ce qui concerne la propriété intellectuelle.» L'article 4, paragraphe 4, précise en outre que «dans le cas de documents de tiers, l'institution consulte le tiers afin de déterminer si une exception prévue au paragraphe 1 ou 2 est d'application, à moins qu'il ne soit clair que le document doit ou ne doit pas être divulgué».

C'est cette procédure qui a été suivie; elle est actuellement au stade de la demande confirmative.

([1]) Règlement (CE) n° 1049/2001 du Parlement européen et du Conseil du 30 mai 2001 relatif à l'accès du public aux documents du Parlement européen, du Conseil et de la Commission (JO L 145 du 31.5.2001, p. 43).

(English version)

Question for written answer E-007607/12
to the Commission
Marc Tarabella (S&D)
(14 August 2012)

Subject: 'Kill Bill' video and lack of transparency on the part of the Commission

Concerning the notorious [EU enlargement] video based on 'Kill Bill' which was withdrawn from the Internet shortly after it was launched:

1. Is it now finally possible to have access to internal documents concerning the planning stage of the video, in particular the conclusions of the focus group?

2. In one of its responses, the Commission states that giving access to these documents would infringe its commercial relations with the subcontractors concerned, would discourage potential participants in such focus groups in future and would have an adverse effect on the consultancy services provided to the Commission by the contractor's team and consultants. If this is the case, does this then mean that citizens' right of access to Commission documents (6400 requests in 2010) is conditional on the Commission's good commercial relations with its contractors?

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

1. The Honourable Member's request for access to the internal documents concerning the planning stage of the video, in particular the conclusions of the focus group, has been passed to the competent Commission services and will be treated under Regulation (EC) No 1049/2001 ([1]) regarding public access to documents.

2. The refusal at the initial stage to disclose the conclusions of the focus group was not motivated by the Commission's 'good commercial relations' with any contractor.

Regulation (EC) No 1049/2001, Article 4.2 states, *inter alia*, that 'the institutions shall refuse access to a document where disclosure would undermine the protection of commercial interests of a natural or legal person, including intellectual property.' Article 4.4 further indicates that, in case of third party documents, 'the institution shall consult the third party with a view to assessing whether an exception in paragraph 1 or 2 is applicable, unless it is clear that the document shall or shall not be disclosed.'

This procedure has been followed and is currently at confirmatory level.

([1]) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001.

(English version)

Question for written answer E-007610/12
to the Commission
Charles Tannock (ECR)
(14 August 2012)

Subject: Charges for Schengen visa applications made by spouses of EU nationals

The case has been brought to my attention of the South African wife of a London constituent, a British national, who, preparing for a holiday in Europe with her husband, has had to apply for a Schengen visa. It was his understanding that nations that had signed up to the Schengen agreement, could not charge applicants married to EU nationals for these visas. However, it would appear, in my constituent's experience, that most EU embassies and consulates in London are outsourcing the visa application process to third party companies that charge a processing fee in addition to official visa fees. It has therefore proved impossible for my constituent's wife to apply for a visa without paying; although the embassies themselves are not charging, a de facto visa fee has, in effect, been introduced as a result of their accepting applications only through these companies.

Could the Commission clarify the rules on visa applications made by the spouses of EU nationals? If it is the case that they should not be required to pay a Schengen visa fee, could the Commission comment on the practice of EU embassies outsourcing the application process to private companies who do not apply this rule?

Answer given by Mrs Reding on behalf of the Commission
(21 September 2012)

Article 21(1) of the Treaty on the Functioning of the European Union and Directive 2004/38/EC provide for the right of EU citizens and their family members to move and reside freely.

As provided in Article 5(2) of the directive, entry visas to family members of EU citizens must be issued free of charge.

The Handbook for the processing of visa applications and the modification of issued visas ([1]) was adopted to provide more details on how to process visa applications under the directive and the EU common visa policy laid down in Regulation (EC) No 810/2009 establishing a Community Code on Visas.

In relation to service fees in case of outsourcing of the collection of applications, the Handbook states that as family members should not pay any fee when submitting the application, they cannot be obliged to obtain an appointment via a premium call line or via an external provider whose services are charged to the applicant. Family members must be allowed to lodge their application directly at the consulate without any costs. However, if family members decide not to make use of their right to lodge their application directly at the consulate but to use the extra services, they should pay for these services.

If an appointment system is nevertheless in place, separate call lines at ordinary local tariff to the consulate should be put at the disposal of family members respecting comparable standards to those of 'premium lines', i.e. the availability of such lines should be of standards comparable to those in place for other categories of applicants and an appointment must be allocated without delay.

The Handbook is not legally binding but it sets a benchmark against which the Commission examines whether the facilities of the directive have been duly observed.

([1]) http://ec.europa.eu/home-affairs/policies/borders/docs/c_2010_1620_en.pdf

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung P-007611/12
an die Kommission
Peter Jahr (PPE)
(16. August 2012)

Betrifft: Rückforderung von Direktzahlungen wegen Aberkennung der Beihilfefähigkeit von Flächen, die als Golf- oder Flugplätze genutzt werden

Im Jahr 2006 hat der Europäische Rechnungshof festgestellt, dass die Betriebsprämienregelung zur Umverteilung der Direktbeihilfen auf neue Begünstigte, insbesondere Golf- und Flugplätze, geführt hat. Die Kommission hat daraufhin deutlich gemacht, dass bei Flächen, die nicht primär der landwirtschaftlichen Nutzung dienen, kein Anspruch auf Direktzahlungen besteht. In Deutschland kam es infolgedessen zu einer Überprüfung und Neufestlegung der von den Begünstigten beantragten Flächen. Bei der Herausrechnung der nun nicht mehr beihilfefähigen Flächen sehen sich zahlreiche Landwirte mit dem rückwirkenden Einzug der Betriebsprämie und einer Sanktionierung konfrontiert.

Ist die Kommission der Ansicht, dass der rückwirkende Einzug der Betriebsprämie und die Sanktionierung statthaft sind, insbesondere vor dem Hintergrund, dass die ursprüngliche Berechnung der beihilfefähigen Flächen durch Verwaltungshandeln fehlerhaft war, welches dem Landwirt nicht unmittelbar zuzuordnen ist, und der Landwirt zumindest seinerzeit davon ausgehen konnte, dass die anerkannte Fläche beihilfefähig war?

Wie beurteilt die Kommission die Möglichkeit, bei der Neufestlegung der beihilfefähigen Flächen auf eine Rückzahlung und Sanktionierung zu verzichten, wie dies insbesondere in den Artikeln 73 und 80 der Verordnung (EG) Nr. 1122/2009 ermöglicht wird?

Wäre nach Ansicht der Kommission bei Golf- und Flugplätzen eine Trennung zwischen landwirtschaftlich und nichtlandwirtschaftlich genutzter Fläche möglich, und wäre die landwirtschaftlich genutzte Fläche dann beihilfefähig?

Antwort von Herrn Cioloş im Namen der Kommission
(26. September 2012)

Eine Stützung im Rahmen der Betriebsprämienregelung wird auf der Basis der beihilfefähigen Hektarfläche gewährt. Gemäß Artikel 34 der Verordnung (EG) Nr. 73/2009 ([1]) ist eine beihilfefähige Hektarfläche „jede landwirtschaftliche Fläche des Betriebs […], die für eine landwirtschaftliche Tätigkeit genutzt wird, oder, wenn die Fläche auch für nichtlandwirtschaftliche Tätigkeiten genutzt wird, hauptsächlich für eine landwirtschaftliche Tätigkeit genutzt wird“. Artikel 2 derselben Verordnung definiert „landwirtschaftliche Tätigkeit“ als „die Erzeugung, die Zucht oder den Anbau landwirtschaftlicher Erzeugnisse, einschließlich Ernten, Melken, Zucht von Tieren und Haltung von Tieren für landwirtschaftliche Zwecke, oder die Erhaltung von Flächen in gutem landwirtschaftlichen und ökologischen Zustand gemäß Artikel 6“. Es obliegt in erster Linie den Mitgliedstaaten, festzustellen, ob eine Fläche hauptsächlich für landwirtschaftliche Tätigkeiten genutzt wird. Auf der Grundlage der zitierten Artikel dürften Golf- und Flugplätze diese Anforderungen jedoch normalerweise nicht erfüllen und sollten folglich nicht als beihilfefähig gelten.

Es kann davon ausgegangen werden, dass der Besitzer eines Golf- oder Flugplatzes, wenn er den Beihilfeantrag einreicht, weiß, dass sein (Grün-)Land nicht hauptsächlich für landwirtschaftliche Tätigkeiten genutzt wird. Der Antragsteller kann sich daher weder darauf berufen, dass er bei der Meldung der Flächen sachlich korrekte Angaben gemacht hat, noch darauf, dass die Zahlung aufgrund eines Fehlers der zuständigen Behörde geleistet wurde. Folglich muss die zu Unrecht geleistete Zahlung zurückgezahlt werden.

([1]) ABl. L 30 vom 31.1.2009, S. 16.

(English version)

Question for written answer P-007611/12
to the Commission
Peter Jahr (PPE)
(16 August 2012)

Subject: Recovery of direct payments following decision that golf courses and airfields are ineligible for support

In 2006 the European Court of Auditors found that implementation of the single payment scheme had led to direct support being redistributed to new recipients, notably the owners of golf courses and airfields. The Commission subsequently made it clear that land not used primarily for agricultural purposes is ineligible for direct support. As a result, the authorities in Germany reviewed the hectarage in respect of which support had been applied for and redetermined how much was eligible. Following the recalculation, many landowners face bills for the reimbursement of single payments, as well as penalties.

Does the Commission consider it permissible to recall the payments retrospectively and to impose penalties, particularly given that administrative mistakes were made in the original calculation of the eligible hectarage, and blame for that cannot be laid directly on the landowners, who were entitled to assume that the areas in question were eligible?

What is the Commission's view on the possibility — provided for notably in Regulation (EC) No 1122/2009, Articles 73 and 80 — of the authorities' foregoing recovery and the imposition of penalties when they redetermine eligible hectarage?

Would it, in the Commission's view, be possible to make a distinction, in the case of golf courses and airfields, between land used for agricultural purposes and land used for non-agricultural purposes, and would the land used for agricultural purposes then be eligible for support?

Answer given by Mr Cioloş on behalf of the Commission
(26 September 2012)

Support under the single payment scheme is granted on the basis of eligible hectares. Article 34 of Regulation (EC) No 73/2009 ([1]) defines an eligible hectare as '*any agricultural area of the holding […] that is used for* an *agricultural activity or, where the area is used as well for non-agricultural activities, predominantly used for agricultural activities*'. Article 2 of that same regulation defines 'agricultural activity' as '*the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes, or maintaining the land in good agricultural and environmental condition as established in Article 6*'. In first instance, it is for Member States to evaluate whether an area is predominantly used for agricultural activities. However, on the basis of these articles golf courses and airfields would normally not meet these requirements and consequently, would not be considered eligible.

At the moment the owner of a golf course or an airfield lodges his aid application, he can be expected to know that his (grass-) land is not predominantly used for agricultural activities. Therefore, the claimant cannot pretend that he submitted factually correct information when he declared these areas, neither that the payment was made by error of the competent authority. Consequently, the undue payment would need to be repaid.

([1]) OJ L 30, 31.1.2009, p. 16-99.

(English version)

Question for written answer E-007612/12
to the Commission
Nigel Farage (EFD)
(16 August 2012)

Subject: VAT on eBooks

Does the Commission accept that the levying of a 'super reduced rate' of VAT on eBooks by Luxembourg (3%) and France (5.5%) is not permitted generally under VAT Directive 2006/112/EC of 28 November 2006 and, in particular, is not permitted under Article 98 and Annex III (as amended) thereof and is therefore illegal?

If it is illegal, what steps are being taken to bring this breach of the law to an end?

Bearing in mind that the breach by Luxembourg, for example, commenced on 1 January 2012, if no enforcement steps have yet been taken by the Commission, can it say why?

Answer given by Mr Šemeta on behalf of the Commission
(13 September 2012)

The Commission would refer the Honourable Member to its answer to Written Question E-006201/2012 ([1]) by Mr Struan Stevenson. France and Luxembourg have answered the letters of formal notice sent by the Commission. The Commission will take a decision on how to proceed after examining these answers.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-007617/12
to the Commission
Seán Kelly (PPE)
(20 August 2012)

Subject: Funding for non-governmental mental health organisations outside EAHC's Health Programme

Could the Commission outline possible sources of funding available for non-governmental mental health organisations outside of the Executive Agency for Health and Consumers' Health Programme in relation to the following areas:

1. capital projects

2. operational financing

3. raising awareness

Are such funding opportunities available currently and will they continue to be so in 2013?

Question for written answer E-007619/12
to the Commission
Seán Kelly (PPE)
(20 August 2012)

Subject: Operational Funding Grants for Mental Health Initiatives for Mental Health NGOs

To ask the Commission if it is its intention to provide for Operation Funding Grants as part of the Executive Agency for Health and Consumer's Health Programme 2013 Call specifically in relation to Non Governmental Mental Health Organisations?

Joint answer given by Mr Dalli on behalf of the Commission
(28 September 2012)

The EU Health Programme awards operating grants to non-governmental organisations in the field of health including mental health. Operating grants are awarded based on merit in a competitive award process. Evaluation and award criteria for the process are set out in annual work plans for the programme and related calls for proposals for operating grants. The 2013 work plan and call for proposals will be published in the third quarter of 2012.

Concerning other possible sources of funding to non-governmental mental health associations, PROGRESS — a Community Programme for Employment and Social Solidarity — awards funding to actions striving to build a more cohesive society. Non-governmental organisations can apply for funding from PROGRESS.

(English version)

Question for written answer E-007618/12
to the Commission
Seán Kelly (PPE)
(20 August 2012)

Subject: Funding for mental health initiatives — capital projects

Can the Commission outline possible sources of funding currently available for capital projects relating to mental health initiatives?

Can the Commission explain why the mental health theme was not part of the Executive Agency for Health and Consumers Health Programme's 2012 call for grants for projects?

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

Possible sources of funding for projects relating to mental health activities are the EU-Health Programme, the 7th Framework Programme and other programmes such as the Leonardo da Vinci-Programme or the Progress Programme. Priority actions and the criteria for financial contributions are set out in annual work plans and related calls for proposals.

The Public Health Programme 2003-2007 and the Health Programme 2008-2013, invested EUR 14.6 million as EU co-financing for different actions for mental health. More than 20 actions were funded in the form of projects, networks, studies and conferences under the European Pact for Mental Health and Well-being.

The 2012 work plan under the EU-Health Programme called for a proposal for a joint action on mental health and well-being. A proposal was submitted and positively evaluated. The joint action due to enter into implementation in early 2013 aims to develop a common framework for action on mental health and well-being endorsed by the participating Member States. The action will seek to consolidate work conducted so far bringing together Member States, stakeholders and international organisations, in particular the World Health Organisation (WHO) and the Organisation for Economic Cooperation and Development (OECD).

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007620/12
alla Commissione
Andrea Zanoni (ALDE)
(20 agosto 2012)

Oggetto: Palese violazione della direttiva 2009/147/CE in tema di caccia in deroga operata dalla Regione Friuli Venezia Giulia con legge regionale n. 179 del 26 luglio 2012

La Regione Friuli Venezia Giulia ha approvato la legge regionale n. 179 del 26 luglio 2012, che consente in via ordinaria, e senza alcuna possibilità di controllo, la caccia in deroga a specie protette.

Questa legge regionale consente l'abbattimento di 31 000 Storni (Sturnus vulgaris) dal 1º ottobre al 15 novembre, 4 000 Tortore dal Collare (Streptopelia decaocto) dal 15 ottobre al 30 novembre e un numero non precisato di Cormorani (Phalacrocorax carbo) dalla prima domenica di ottobre al 31 dicembre di ogni anno ([1]).

La legge consente inoltre la detenzione di specie di uccelli prelevabili in deroga da utilizzarsi come richiami vivi ([2]).

Nel 2011 la Commissione ha aperto un'ennesima procedura di infrazione nei confronti dell'Italia dedicata al tema della caccia in deroga, con particolare riferimento alle norme delle regioni Veneto e Lombardia; la legge in oggetto viola in modo inequivocabile le disposizioni di cui alla lettera e) dell'articolo 5 e ai commi 1 e 2 dell'articolo 9 della direttiva 2009/147/CE.

Alla luce di quanto sopra esposto, si prega la Commissione di rispondere ai seguenti quesiti:

1. Intende essa intervenire con urgenza affinché si determini un intervento straordinario per reagire alla nuova infrazione in oggetto, dando avvio al procedimento speciale di sospensione, tramite ricorso alla Corte di giustizia europea, ai sensi degli articoli 83 e 84 del regolamento di procedura della Corte di giustizia?

2. Intende essa avviare, ai sensi dell'articolo 260 del TFUE e secondo i criteri della comunicazione della Commissione (SEC(2005)1658), il procedimento volto a far dichiarare dalla Corte di giustizia dell'Unione europea che la Repubblica italiana non ha preso le misure che l'esecuzione delle sentenze della Corte comporta, per far fissare dalla stessa Corte l'importo di una somma forfettaria o di una penalità adeguata alle circostanze?

Risposta di Janez Potočnik a nome della Commissione
(11 ottobre 2012)

Per quanto riguarda la legge adottata dal Friuli Venezia Giulia nel luglio 2012 in tema di caccia in deroga e di cattura di uccelli da utilizzare come richiami vivi, la Commissione verificherà se essa viola la direttiva 2009/147/CE ([3]) («Direttiva Uccelli»). A questo proposito, va rilevato che la Commissione non può adire la Corte ai sensi dell'articolo 260 del TFUE poiché il Friuli Venezia Giulia non è tra le regioni italiane oggetto delle sentenze in materia di caccia in deroga emesse dalla Corte di giustizia dell'UE nel 2010. Pertanto, se la Commissione concluderà che la nuova legge del Friuli Venezia Giulia viola la legislazione dell'UE, essa contatterà le autorità italiane e, se necessario, avvierà una procedura di infrazione. In questa fase la Commissione non può chiedere alla Corte di emettere provvedimenti provvisori che impongano all'Italia la sospensione dell'applicazione della legge in questione.

([1]) Allegato A alla legge regionale n. 179 del 26 luglio 2012.
([2]) Art. 18 lettera j) della legge regionale n. 179 del 26 luglio 2012.
([3]) GU L 020 del 26.1.2010.

(English version)

Question for written answer E-007620/12
to the Commission
Andrea Zanoni (ALDE)
(20 August 2012)

Subject: Blatant violation of Directive 2009/147/EC as regards the hunting derogation in operation in Friuli-Venezia Giulia under Regional Law No 179 of 26 July 2012

The Friuli-Venezia Giulia Regional Government has adopted Regional Law No 179 of 26 July 2012 which, as a matter of course, allows for a derogation in respect of the hunting of protected species, in a way that is impossible to monitor.

This regional law permits the killing, every year, of 31 000 starlings (*Sturnus vulgaris*) from 1 October to 15 November, of 4 000 collared doves (*Streptopelia decaocto*) from 15 October to 30 November and of an unspecified number of cormorants (*Phalacrocorax carbo*) from the first Sunday in October to 31 December ([1]).

The Law also grants a derogation on the capture of bird species when these are taken to be used as live decoys ([2]).

In 2011, the Commission opened yet another set of infringement proceedings against Italy relating to hunting derogations, with special reference to the rules in the Veneto and Lombardy regions. The Law in question unequivocally breaches the provisions of Article 5(e) and subparagraphs 1 and 2 of Article 9 of Directive 2009/147/EC.

In the light of the above, can the Commission answer the following questions:

1. Will it take urgent action in response to these new infringements and launch a special suspension procedure via the European Court of Justice, within the meaning of Articles 83 and 84 of the Court's Rules of Procedure?

2. Will it launch, within the meaning of Article 260 TFEU and on the basis of the criteria set out in the Commission Communication SEC(2005)1658, the procedure under which the Court of Justice of the EU would declare the Italian Republic not to have implemented the measures required by the Court's ruling, with the Court setting a suitable lump sum or penalty payment as a result?

Answer given by Mr Potočnik on behalf of the Commission
(11 October 2012)

As regards the law adopted by Friuli-Venezia Giulia in July 2012 concerning hunting derogations and the capture of birds to be used as live decoys, the Commission will check if it is in breach of Directive 2009/147/EC ([3]) ('Birds Directive'). In this connection, it must be pointed out that the Commission cannot directly apply to the Court under Article 260 TFEU, because Friuli-Venezia Giulia is not among the Italian regions covered by the rulings on hunting derogations issued by the EU Court of Justice in 2010. Therefore, if the Commission concludes that the new Friuli-Venezia Giulia law is in breach of EC law, it will contact the Italian authorities and, if need be, launch an infringement procedure. At this stage the Commission cannot ask the Court to issue interim measures ordering Italy to suspend the application of the relevant law.

([1]) Annex A to Regional Law No 179 of 26 July 2012.
([2]) Article 18(j) of Regional Law No 179 of 26 July 2012.
([3]) OJ L 020, 26.1.2010.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007621/12
alla Commissione
Andrea Zanoni (ALDE)
(20 agosto 2012)

Oggetto: Inefficace recepimento italiano del divieto di distruggere i nidi di uccelli e uso di dissuasori letali per le popolazioni di rondini e balestrucci

Le popolazioni di rondini, con particolare riferimento alla specie Rondine (*Hirundo rustica*) e Balestruccio (*Delichon urbicum*), risultano essere in costante declino in Italia e in tutta Europa ([1]); secondo un recente studio della LIPU ([2]), nei luoghi censiti si registra per la Rondine una diminuzione del 25 % negli ultimi dieci anni e del 2,1 % all'anno e per il Balestruccio del 30 % negli ultimi dieci anni e del 2,8 % all'anno ([3]). Nel contempo, in Italia negli edifici viene fatto sempre più spesso uso dei dissuasori per i piccioni, che sulle rondini hanno conseguenze mortali, come è accaduto a Vicenza (dissuasori elettrici), dove sono morte decine di rondini, e a Castelvecchio Pascoli, frazione di Barga, in provincia di Lucca (dissuasori multiago), e come continua ad accadere frequentemente nel resto della penisola.

A Treviso, ad esempio, una colonia di rondini è stata eliminata mediante l'applicazione di una rete che impediva alle stesse di accedere a un grande sottotetto di un porticato. A Castelvecchio Pascoli, invece, una colonia con circa un centinaio di nidi di Balestruccio, insediatasi su tre edifici residenziali, è stata decimata nel giro di pochi anni grazie alla continua rimozione dei nidi e all'installazione dei dissuasori multiago e oggi è ridotta con cinque/sei nidi, e se non fosse stato per l'intervento di una condomina sarebbe stata eliminata del tutto. Per quest'ultimo caso, addirittura, le autorità locali hanno assicurato all'amministrazione di condominio che la rimozione dei nidi era da ritenersi a norma di legge ([4]).

Con gravissimo e censurabile ritardo, solo nel 2010, ovvero ben 31 anni dopo l'approvazione della direttiva 79/409/CEE ([5]), è stato finalmente introdotto in Italia il divieto di «distruggere o danneggiare deliberatamente nidi e uova» ([6]), inteso a evitare che vengano rimossi dagli edifici i nidi delle rondini, che notoriamente vengono utilizzati da questi volatili per diversi anni. Questa nuova disposizione, utilissima per evitare la distruzione dei nidi, non è stata però accompagnata da una sanzione specifica e pertanto oggi il suddetto divieto è privo di efficacia ed è simile a un semplice consiglio.

1. Non ritiene la Commissione opportuno intervenire per garantire che i divieti imposti dalle direttive dell'UE, come quelli contenuti nella direttiva 2009/147/CE, recepiti con norme interne dagli Stati membri, siano associati ad adeguate sanzioni, indispensabili per la loro efficacia e applicazione?

2. Non ritiene utile, a fronte della diffusione dei dissuasori letali per uccelli, prevederne il divieto di utilizzo?

Risposta di Janez Potočnik a nome della Commissione
(1º ottobre 2012)

L'articolo 3, lettera f), della direttiva 2008/99/CE sulla tutela penale dell'ambiente ([7]) dispone che gli Stati membri garantiscano la rilevanza penale in caso di uccisione, distruzione, possesso o prelievo di esemplari di specie animali o vegetali selvatiche protette, salvo i casi in cui l'azione riguardi una quantità trascurabile di tali esemplari e abbia un impatto trascurabile sullo stato di conservazione della specie. Gli Stati membri sono inoltre tenuti da detta direttiva a garantire che tali infrazioni siano punibili per mezzo di sanzioni penali efficaci, proporzionate e dissuasive.

([1]) Dati Birdlife International, 2004.
([2]) LIPU — Lega italiana protezione uccelli.
([3]) «Uccelli comuni in Italia — Gli andamenti di popolazione dal 2000 al 2010», min. Politiche agricole e LIPU.
([4]) Fatti già comunicati alla direzione Ambiente della Commissione europea (CF. prot. n. D(2008) 1887 del 4.2.2009 e prot. n. Env B2/MC/ D(2009) SN108200 del 12.5.2009).
([5]) Ora direttiva 2009/147/CE.
([6]) L.96/2010 che modifica l'art. 21, comma 1, lettera o), della L.157/92.
([7]) GU L 328 del 6.12.2008.

Tuttavia la definizione di specie protette ai fini dell'articolo 3, lettera f), della direttiva sulla tutela penale dell'ambiente riguarda solo le specie che beneficiano di una protezione rigorosa, a norma dell'allegato IV della direttiva 1992/43/CEE relativa alla conservazione degli habitat naturali e seminaturali e della flora e della fauna selvatiche (direttiva «Habitat») ([8]) e dall'allegato I della direttiva 2009/147/CE concernente la conservazione degli uccelli selvatici (direttiva «Uccelli») ([9]). Poiché le specie di uccelli menzionate nell'interrogazione non figurano in tali allegati, gli Stati membri non sono tenuti, in relazione alla direttiva sulla tutela penale dell'ambiente, a garantire la protezione di tali specie per mezzo di sanzioni penali.

Spetta tuttavia agli Stati membri accertare che i dispositivi impiegati per la protezione degli edifici dai danni causati dagli uccelli non mettano a repentaglio il conseguimento degli obiettivi fissati dalla direttiva «Uccelli».

([8]) GU L 206 del 22.7.1992.
([9]) GU L 20 del 26.1.2010.

(English version)

Question for written answer E-007621/12
to the Commission
Andrea Zanoni (ALDE)
(20 August 2012)

Subject: Ineffective Italian implementation of the ban on destroying birds nests and the use of lethal deterrents for populations of swallows and house martins

The populations of swallows, with particular reference to the species *Hirundo rustica*, and house martins (*Delichon urbicum*), appear to be steadily declining in Italy and throughout Europe ([1]), according to a recent study by LIPU ([2]). In the places surveyed, a 25% decrease in the swallow population over the last 10 years was recorded (2.1% per year), while the number of house martins has decreased by 30% over the last 10 years (2.8% per year) ([3]). Meanwhile, in Italy, increasing use is being made of pigeon deterrents on buildings. These have fatal consequences for swallows, as happened in Vicenza (electric deterrents), where dozens of swallows died, and Castelvecchio Pascoli, in the municipality of Barga, province of Lucca (pigeon spikes), and continues to happen frequently throughout Italy.

In Treviso, for example, a colony of swallows has been eliminated by the application of a net which prevented the birds from accessing the internal roof space of a portico. And in Castelvecchio Pascoli, a colony of house martins, with about a hundred nests on three residential buildings, was decimated in just a few years due to the continuous removal of the nests and installation of spikes. Today there are only five or six nests left, and had it not been for the intervention of one of the building's residents, the colony would have been totally eliminated. In the latter case, the local authorities went so far as to assure the building's administrators that the removal of the nests was perfectly legal ([4]).

With serious and reprehensible belatedness, it was only in 2010, i.e. 31 years after the adoption of Directive 79/409/EEC ([5]), that Italy finally introduced a ban on 'deliberately destroying or damaging nests and eggs' ([6]), the aim being to prevent the removal from buildings of swallows' nests, which the birds are known to use for several years in a row. This new provision, which, theoretically, is extremely useful in preventing the destruction of nests, has not, however, been accompanied by a specific penalty. The ban is therefore ineffective and is simply like a piece of advice.

1. Does the Commission not think it should take action to ensure that the prohibitions laid down by EU directives, such as those set out in Directive 2009/147/EC, incorporated into the internal legislation of the Member States, are accompanied by appropriate penalties, which are essential to ensure that the rules are implemented and effective?

2. Does it not agree that, given the spread of deadly bird deterrents, the latter should be banned?

Answer given by Mr Potočnik on behalf of the Commission
(1 October 2012)

Article 3(f) of Directive 2008/99/EC on the protection of the environment through criminal law ([7]) requires Member States to ensure that the killing, destruction, possession and taking of specimens of protected wild fauna and flora constitute criminal offences, except for cases where the conduct concerns a negligible quantity of such specimens and has a negligible impact on the conservation status of the species. The Member States are also obliged by this directive to ensure that these offences are punishable by effective, proportionate and dissuasive criminal penalties.

([1]) Data from Birdlife International, 2004.
([2]) LIPU — Italian Society for the Protection of Birds.
([3]) 'Uccelli comuni in Italia — Gli andamenti di popolazione dal 2000 al 2010', Ministry of Agriculture and LIPU.
([4]) This matter has already been reported to the European Commission's DG Environment (See Ref. No. D(2008) 1887 of 4.2.2009 and Ref. No. Env B2/MC/ D(2009) SN108200 of 12.5.2009).
([5]) Now Directive 2009/147/EC.
([6]) Law 96/2010, amending Article 21(1)(o) of Law 157/92.
([7]) OJ L 328, 6.12.2008.

However, the definition of protected species for the purposes of Article 3(f) of the Environmental Crime Directive is related only to the strictly protected species listed in Annex IV of Directive 1992/43/EEC on the conservation of natural habitats and of wild fauna and flora ('Habitats Directive') ([8]) and in Annex I of Directive 2009/147/EC on the conservation of wild birds ('Birds Directive') ([9]). Since the birds species mentioned in the question are not listed in these annexes, Member States are not obliged under the Environmental Crime Directive to ensure protection of these particular species through criminal penalties.

Nevertheless it is a responsibility of Member States to make sure that devices used to protect buildings from bird damage do not threaten the achievement of the objectives of the Birds Directive.

([8]) OJ L 206 , 22.7.1992.
([9]) OJ L 20, 26.1.2010.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007622/12
alla Commissione
Andrea Zanoni (ALDE)
(20 agosto 2012)

Oggetto: Legge sulla caccia della Romania e uso di mezzi acustici vietati in relazione a stragi di fauna selvatica e commercio illegale della stessa ad opera di cacciatori italiani

La direttiva uccelli 2009/147/CE prevede all'articolo 8 che gli Stati membri vietino il ricorso ai mezzi elencati nell'allegato IV, tra i quali sono elencati i richiami elettroacustici.

Il divieto di uso dei mezzi vietati è previsto nell'ordinanza d'urgenza n. 57 del 20 luglio 2007 (allegato 6) adottata dal governo rumeno in recepimento delle direttive 79/409/CEE e 92/43/CEE.

Ciononostante, il parlamento della Romania con le modifiche apportate alla Legge statale sulla caccia n. 407/2006 ha abrogato le lettere p), q), r), s) dell'articolo 39 che prevedevano alcuni divieti, fra i quali proprio l'uso di richiami elettroacustici.

Appare illogico e fonte di dubbi interpretativi il fatto che tali pratiche fonte di grave pregiudizio per la tutela della fauna non trovino un chiaro ed espresso divieto proprio nella legge rumena che regolamenta l'attività venatoria. Grazie anche a questa situazione, tra le proposte fatte dagli operatori italiani e rumeni di tour venatori viene pubblicizzata la possibilità di utilizzo in Romania dei richiami elettromagnetici ed elettroacustici come il «fonofil».

In questi tour venatori vengono compiute stragi di allodole, tordi, cesene, quaglie, uccelli protetti come verdoni, fringuelli, calandre, ecc., oche e anatre, fra le quali specie globalmente minacciate come la moretta tabaccata e l'oca collorosso, come risulta dai sequestri effettuati alle dogane relativi a carichi provenienti dalla Romania ([1]).

Può la Commissione far sapere se non ritiene utile ed urgente intervenire affinché:

1. la Romania adotti una legislazione che recepisca in modo chiaro e inequivocabile i dettami della direttiva Uccelli con particolare riferimento ai mezzi vietati nella caccia?

2. la Romania metta in atto sul proprio territorio severi controlli sull'attività venatoria dei cacciatori stranieri, con particolare riferimento a quelli italiani, per far rispettare la direttiva «Uccelli»?

3. l'Italia e gli Stati membri confinanti con la Romania attuino le misure necessarie a reprimere il commercio illegale di fauna protetta proveniente dalla Romania?

4. vengano oscurati i siti internet che pubblicizzano pratiche vietate dalle direttive europee come nel caso dei siti dei tour operator che pubblicizzano l'uso di mezzi di caccia vietati?

([1]) Cf. articoli in merito al bracconaggio in Romania:
http://www.geapress.org/caccia/ungheria-35-000-euro-di-ucceelini-stecchiti-sequestrati-a-cacciatori-italiani/21287 e
http://www.geapress.org/caccia/danubio-tricolore-a-suon-di-fucilate-alle-specie-protette/21222 e
http://www.geapress.org/caccia/romania-via-gli-italiani-cacciatori/9500 e
http://www.geapress.org/caccia/un-mare-di-uccelli-morti-per-litalia/21152 e
http://www.tutelafauna.it/News/Caccia/Romania_denunciato_lo_scandalo_dei_cacciatori_italiani.kl e
http://www.birdlife.org/datazone/speciesfactsheet.php?id=387 e
http://www.wildduckclub.com/fotogallerystagione2010bis-c.html e http://www.pianetacaccia.it/foto-e-commenti-1.html

Risposta di Janez Potočnik a nome della Commissione
(9 ottobre 2012)

Spetta agli Stati membri garantire l'attuazione della legislazione dell'UE in materia di caccia nel proprio paese, indipendentemente dalla nazionalità dei cacciatori.

La Commissione esaminerà con le autorità rumene le modifiche specifiche della legge rumena cui fa riferimento l'onorevole parlamentare e la loro compatibilità con la legislazione dell'UE in materia di ambiente, nonché il modo in cui tali disposizioni vengono effettivamente applicate.

La Commissione ha inoltre avviato un dialogo con BirdLife International, FACE (Federazione delle associazioni di caccia e conservazione dell'UE) e gli Stati membri, al fine di contrastare l'uccisione, la cattura e il commercio illegali di volatili nell'UE.

(English version)

Question for written answer E-007622/12
to the Commission
Andrea Zanoni (ALDE)
(20 August 2012)

Subject: Hunting law in Romania and use of prohibited acoustic devices in relation to massacres of wildlife and illegal trading in such wildlife by Italian hunters

Article 8 of the Birds Directive (2009/147/EC) stipulates that Member States must prohibit the use of the means listed in Annex IV, which include electronic decoys.

The ban on the use of prohibited means of hunting is provided for in urgent order No 57 of 20 July 2007 (Annex A), adopted by the Romanian Government in implementation of Directives 79/409/EEC and 92/43/EEC.

However, the Romanian Parliament, with the amendments it made to the state law on hunting No 407/2006, repealed points (p), (q), (r) and (s) of Article 39, which provided for a number of prohibitions, including the use of electronic decoys.

It appears somewhat illogical, and gives rise to doubts over interpretation, that such practices, which cause serious harm to wildlife, are not clearly and explicitly prohibited in the Romanian law that is supposed to regulate hunting. Because of this situation, Italian and Romanian tour operators offering hunting tours are advertising the fact that electromagnetic and electro-acoustic decoys such as 'Fonofil' can be used in Romania.

These hunting tours perpetrate massacres of larks, various types of thrushes, quails and protected birds such as greenfinches, chaffinches, calandra larks, etc., in addition to geese and ducks, including globally threatened species such as the ferruginous duck and red-breasted goose, as has emerged from customs seizures involving freight from Romania ([1]).

Does the Commission not agree that it would be useful and a matter of urgency to take action to ensure that:

1. Romania adopts legislation that clearly and unequivocally transposes the provisions of the Birds Directive, with particular reference to the means that are prohibited in hunting;

2. Romania implements tight controls on hunting by foreign hunters on its territory, with particular reference to Italian hunters, to ensure compliance with the Birds Directive?

Answer given by Mr Potočnik on behalf of the Commission
(9 October 2012)

It is the responsibility of Member States to ensure the implementation of EU legislation on hunting in their country, independently from the nationality of the hunters.

The Commission will investigate with the Romanian authorities the specific amendments of the Romanian law referred to by the Honourable Member and their compatibility with the EU environmental legislation as well as the way these provisions are applied in practice.

Furthermore the Commission has initiated a dialogue, with Birdlife International, FACE (Federation of Associations for Hunting and Conservation of the EU) and Member States, aimed at combatting illegal killing, trapping and trade of birds in the EU.

([1]) See the following articles (in Italian) on poaching in Romania:
http://www.geapress.org/caccia/ungheria-35-000-euro-di-ucceelini-stecchiti-sequestrati-a-cacciatori-italiani/21287
http://www.geapress.org/caccia/danubio-tricolore-a-suon-di-fucilate-alle-specie-protette/21222
http://www.geapress.org/caccia/romania-via-gli-italiani-cacciatori/9500
http://www.geapress.org/caccia/un-mare-di-uccelli-morti-per-litalia/21152
http://www.tutelafauna.it/News/Caccia/Romania_denunciato_lo_scandalo_dei_cacciatori_italiani.kl
http://www.birdlife.org/datazone/speciesfactsheet.php?id=387
http://www.wildduckclub.com/fotogallerystagione2010bis-c.html and
http://www.pianetacaccia.it/foto-e-commenti-1.html

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-007623/12
aan de Commissie
Lucas Hartong (NI)
(20 augustus 2012)

Betreft: Miljoenensteun milieuprogramma Algerije

De Commissie kondigde 16 augustus aan ([1]) met 34 miljoen euro een „ambitieus milieuprogramma in Algerije te gaan steunen". Beoogd doel is om „de Algerijnse kustregio te beschermen tegen klimaatverandering". In dat kader de volgende vragen:

1. „Urbanisatie en economische activiteiten trekken een zware wissel op de Algerijnse kustregio", zo bevestigt de Commissie zelf. Hoe denkt de Commissie eeuwenlange ontwikkelingen en tradities in dat opzicht even te kunnen veranderen? Is dat denkbaar en realistisch, gezien de economische ontwikkelingsbehoeften in dat land en die specifieke regio?

2. Zoals de Commissie ongetwijfeld bekend is, heeft de Europese Rekenkamer recent de aanbeveling gedaan om veel betere en scherper omlijnde evaluatiecriteria op te stellen bij dergelijke projecten. Wat zijn de beoordelings- en evaluatiecriteria bij dit specifieke project?

3. Is de Commissie niet met de PVV van mening dat dit soort problematiek voor rekening van de nationale Algerijnse overheid dient te komen en niet voor die van de nationale Europese belastingbetalers? Ligt dan immers de weg niet open om als Commissie maar alle landen in het Midden-Oosten te gaan financieren, zo niet de gehele wereld? Is zij het met de PVV eens dat dit een uitermate dubieuze en financieel mogelijk desastreuze precedentwerking geeft, zeker in het licht van de huidige economische crisis in Europa?

4. Is de Commissie het met de PVV eens dat Algerije veel belangrijkere en urgentere problemen kent dan het financieren van een Algerijns klimaatplan, ecologisch monitoringsysteem, managementplannen, studies inzake investeringskosten en dergelijke? Te denken valt aan de verbetering van andere „klimaatzaken" in Algerije, zoals gelijke rechten voor man en vrouw onder de islam, bestrijding van judeo- en christofobie, versterking van het algehele democratiseringsproces, aandacht voor de mensenrechten en dergelijke zaken.

5. Kan de Commissie een overzicht geven, met financiële gegevens, welke andere landen in het Midden-Oosten gelijksoortige financiering ontvangen?

Antwoord van de heer Füle namens de Commissie
(12 oktober 2012)

Duurzame ontwikkeling wordt beschouwd als een prioriteit voor de financiële samenwerking tussen de EU en Algerije. De milieuschade in het Middellandse-Zeegebied heeft gevolgen voor de EU-lidstaten en Algerije en de milieuschade brengt economische kosten met zich mee. De EU heeft er belang bij haar naaste buren te steunen om dergelijke milieuschade te voorkomen. Algerije beschikt over ontoereikende specifieke kennis om een milieubeleid uit te voeren en de EU kan hierbij helpen.

Uit door het Europees Milieuagentschap uitgevoerde studies blijkt dat een aantal gebieden aan de Algerijnse kust zwaar vervuild zijn. Er moet dringend actie ondernomen worden om te voorkomen dat de vervuiling zich verder in zee verspreid. Bij de uitvoering van dit project zal de Commissie onder meer volgende elementen in overweging nemen: de vooruitgang die Algerije boekt bij de tenuitvoerlegging van zijn nationale milieubeschermingsstrategie, de uitvoering van een duidelijk uitgavenkader voor de middellange termijn en een milieu-informatiesysteem, de uitvoering van activiteiten om vervuiling tegen te gaan in industriezones en de uitvoering van een opleidingsprogramma.

Enkel na raadpleging van alle EU-lidstaten wordt er beslist over de EU-programma's voor externe bijstand. Op die manier wordt de naleving van de EU-prioriteiten en meerwaarde voor andere donoren gegarandeerd. De financiële samenwerkingsstrategie tussen de EU en Algerije en in het bijzonder dit project worden door de lidstaten gesteund.

([1]) http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/901&format=HTML&aged=0&language=EN&guiLanguage=fr

Het Europees nabuurschapsbeleid van de EU steunt de volkeren van het zuidelijk Middellandse-Zeegebied in hun strijd voor democratie, waardigheid, welvaart en vrijheid van vervolging. Meer details zijn te vinden in de gezamenlijke mededeling van 15 mei 2012 getiteld „Resultaten boeken voor een nieuw Europees nabuurschapsbeleid" ([2]).

Bijgevoegd een lijst van milieuprojecten van de EU in het zuidelijke Middellandse-Zeegebied ([3]).

([2]) Join(2012)14 final.

([3]) De bijlage wordt rechtstreeks toegezonden aan het geachte Parlementslid en het secretariaat van het Parlement.

(English version)

Question for written answer E-007623/12
to the Commission
Lucas Hartong (NI)
(20 August 2012)

Subject: Millions of euros' worth of aid to environmental programme in Algeria

On 16 August, the Commission announced ([1]) its intention of providing EUR 34 m to support 'an ambitious … environmental programme in Algeria', with the aim of 'protecting the Algiers coastal region' against 'climate change'.

1. 'Urbanisation and economic activities are taking a heavy toll on the environment of the Algiers coastal region', according to the Commission itself. How does the Commission anticipate that it can alter centuries-old developments and traditions in that context? Is it conceivable and realistic to suppose that it can do so, in view of the economic development needs in that country and that specific region?

2. As the Commission is undoubtedly aware, the Court of Auditors has recently recommended adopting far better and more clearly defined evaluation criteria for such projects. What are the assessment and evaluation criteria for this specific project?

3. Does not the Commission agree with the PVV that this kind of problem should be dealt with by the Algerian national authorities rather than European national tax-payers? Would it not be perfectly logical, on this basis, for the Commission to go on to finance every country in the Middle East, if not the whole world? Does the Commission agree with the PVV that this is likely to act as an extremely dubious and possibly financially disastrous precedent, particularly in view of the current economic crisis in Europe?

4. Does the Commission agree with the PVV that Algeria faces far more serious and urgent problems than that of financing an Algerian climate plan, ecological monitoring system, management plans, studies concerning investments costs and the like? For example, improving other aspects of the 'climate' in Algeria, such as equal rights for men and women under Islam, combating Judeophobia and Christophobia, reinforcing the general democratisation process, promoting human rights and the like.

5. Can the Commission provide an overview, including financial details, indicating which other countries in the Middle East are receiving similar financing?

Answer given by Mr Füle on behalf of the Commission
(12 October 2012)

1. Sustainable development has been identified as a priority for the EU's financial cooperation in Algeria. The environmental degradation of the Mediterranean Sea impacts EU Member States and Algeria and the damage carries an economic cost. The EU has a clear interest to assist its closest neighbours to avoid such degradation. Algeria lacks specific expertise on how to implement environmental policies and the EU can provide it.

2. Studies conducted by the European Environment Agency have identified a number of pollution hot spots on the Algerian coast that require urgent actions in order to avoid negative spill over effects in the entire sea. In implementing this project, the Commission will take into consideration many elements, notably the progress made by Algeria in its national environmental protection strategy, implementation of a clear medium term expenditure framework and environmental information system; implementation of depollution activities in industrial zones, implementation of a training programme.

3. All EU external assistance programmes are decided only after consultation of EU Member States, ensuring respect for EU priorities, and added value to other donors. The EU's financial cooperation strategy with Algeria and this particular project have been supported by Member States.

([1]) http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/901&format=HTML&aged=0&language=EN&guiLanguage=fr.

4. The EU's European Neighbourhood Policy sends a clear message of support to the peoples of the Southern Mediterranean in their struggle for democracy, dignity, prosperity and safety from persecution. The Joint Communication of 15 May 2012 on 'Delivering on a new European Neighbourhood Policy' gives more details ([2]).

5. A list of EU environment projects in the Southern Mediterranean region is attached ([3]).

([2]) Join(2012)14 final.
([3]) The attachment is sent directly to the Honourable Member and to Parliament's Secretariat.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-007624/12
aan de Commissie
Lucas Hartong (NI)
(20 augustus 2012)

Betreft: Financiële steun aan lobbykantoor WNF/WWF

Het weekblad Elsevier meldt dat het Brusselse lobbykantoor (European policy office) van het Wereldnatuurfonds (World Wildlife Fund) jaarlijks 600 000 euro subsidie ontvangt van de Commissie om te lobbyen, waarna zij vervolgens miljoenen euro's subsidie binnenhaalt van datzelfde Europa ([1]). Dit wordt ook vermeld op de website van het WWF zelf met de volgende bewoording: „The WWF European Policy Office gratefully acknowledges funding support from the European Commission. All content and opinions expressed on these pages are solely those of WWF" ([2]). In dat kader de volgende vragen:

1. Vanuit welke begrotingslijn wordt deze subsidie aan het WNF/WWF verstrekt? Om welke bedragen ging het precies in 2010, 2011 en het huidige jaar 2012?

2. Wat is de precieze doelstelling van de verleende subsidie en wat zijn de evaluatiepunten aan de hand waarvan nut, effectiviteit en betrouwbaarheid worden vastgesteld?

3. Vindt de Commissie het normaal dat een lobbykantoor subsidie ontvangt van de Commissie?

4. Is de Commissie met de PVV van mening dat hier sprake is van een feitelijke „vestzak-broekzak"-constructie, die uitermate onwenselijk is?

5. Is zij met de PVV van mening en voornemens deze subsidie aan WNF/WWF zo spoedig mogelijk stop te zetten?

Antwoord van de heer Potočnik namens de Commissie
(3 oktober 2012)

Europese milieu-ngo's kunnen in aanmerking komen voor subsidies van de Commissie via het programma voor financiële ondersteuning van Europese niet-gouvernementele organisaties die hoofdzakelijk actief zijn op het gebied van milieubescherming, zulks in het kader van de LIFE+-verordening ([3]), begrotingslijn 07 03 07 — LIFE+ (Financieel Instrument voor het milieu — 2007-2013).

Het doel van deze subsidies is het bestaan en de operationele activiteiten van dergelijke organisaties te ondersteunen om de participatie van ngo's in het overlegproces ter ontwikkeling en uitvoering van het milieubeleid te versterken. De Commissie publiceert jaarlijks een open, vergelijkende uitnodiging tot het indienen van voorstellen tot financiering van dergelijke ngo's; zie: http://ec.europa.eu/environment/ngos/index_en.htm.

Het European Policy Office van het Wereldnatuurfonds is een Europese milieu-ngo die bijdraagt aan publieksparticipatie in het EU-beleid op allerlei gebieden. Zijn succesvolle financieringsaanvragen voor de jaren 2010, 2011 en 2012 hebben geresulteerd in de toekenning van een maximumsubsidie van respectievelijk 621 503 euro, 594 157 euro en 559 974 euro. Het feitelijk uitbetaalde bedrag is gebaseerd op de reële in aanmerking komende kosten en kan lager uitvallen dan de toegekende maximumsubsidie.

Bij de selectie van begunstigden worden de voorstellen door externe en interne beoordelaars geëvalueerd aan de hand van de criteria die in de uitnodiging tot het indienen van voorstellen worden omschreven en die betrekking hebben op hun beleidsrelevantie en hun mogelijke belang voor het voorgestelde werkprogramma.

De financiering maakt deel uit van het krachtens de LIFE+-verordening voorgeschreven beleid en vindt plaats via open uitnodigingen tot het indienen van voorstellen. Alle voorstellen die aan de toelatingscriteria voldoen, moeten objectief en zonder onderscheid worden beoordeeld. Specifieke begunstigden of aanvragers de toegang tot deze financieringsmogelijkheid ontzeggen is dus niet alleen ongerechtvaardigd, maar ook onmogelijk.

([1]) Elsevier, 68e jaargang, nummer 32, 11 augustus 2012, pagina 57 (scan bijgesloten).
([2]) http://www.wwf.eu/.
([3]) Verordening (EG) nr. 614/2007 van het Europees Parlement en de Raad van 23 mei 2007 betreffende het Financieringsinstrument voor het Milieu (LIFE+), PB L 149 van 9.6.2007.

(English version)

Question for written answer E-007624/12
to the Commission
Lucas Hartong (NI)
(20 August 2012)

Subject: Financial support for WNF/WWF lobbying agency

The weekly periodical Elsevier reports that the Brussels lobbying agency (European Policy Office) of the Worldwide Fund for Nature is receiving an annual subsidy of EUR 600 000 from the Commission to pay for lobbying, after which it also receives millions of euros' worth of subsidies from the very same source ([1]). This fact is stated on the WWF's own website, formulated as follows: 'The WWF European Policy Office gratefully acknowledges funding support from the European Commission. All content and opinions expressed on these pages are solely those of WWF' ([2]).

1. From which budget heading is this subsidy to the WNF/WWF provided? Exactly how much money has been spent on this in 2010, 2011 and the current year, 2012?

2. What is the precise purpose of the subsidy provided, and what criteria are used to assess utility, effectiveness and reliability?

3. Does the Commission consider it normal for a lobbying agency to receive a subsidy from the Commission?

4. Does the Commission agree with the PVV that this is a highly undesirable instance of robbing Peter to pay Paul?

5. Does it agree with the PVV that this subsidy to the WNF/WWF should be halted as soon as possible, and will it act accordingly?

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

European environmental NGOs can benefit from operating grants from the Commission through the programme for financial support to European non-governmental organisations primarily active in the field of environmental protection under the LIFE+ Regulation ([3]), budget line 07 03 07 LIFE+ (Financial Instrument for the Environment — 2007 to 2013).

The purpose of the grants is to support the existence and functioning of such organisations to strengthen the participation of NGOs in the dialogue process in environmental policy-making and implementation. The Commission publishes every year open competitive calls for proposals for funding such NGOs, see http://ec.europa.eu/environment/ngos/index_en.htm

The WWF European Policy Office is a European environmental NGO that contributes to public participation in EU policies in many areas. It has successfully applied for funding for the years 2010, 2011 and 2012, with awarded maximum grants of EUR 621 503, EUR 594 157 and EUR 559 974 respectively. The final grant amount is based on actual eligible costs and can be lower than the awarded maximum grant.

For the selection of beneficiaries, proposals are assessed by external and internal evaluators according to the criteria defined in the calls for proposals that relate to policy relevance and potential impact of the proposed work programme.

The funding is provided in implementation of policy as laid down in the LIFE+ Regulation through open calls for proposals. All proposals fulfilling the eligibility criteria must be objectively assessed without discrimination. It is therefore neither justified nor possible to deny access to the funding opportunity for any specific beneficiary or applicant.

([1]) Elsevier, Vol. 68, No 32, 11 August 2012, p. 57 (scan attached).
([2]) http://www.wwf.eu/.
([3]) Regulation (EC) No 614/2007 of the European Parliament and of the Council of 23 May 2007 concerning the Financial Instrument for the Environment, OJ L 149, 9.6.2007.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-007625/12
do Komisji
Filip Kaczmarek (PPE)
(20 sierpnia 2012 r.)

Przedmiot: Regulacje dotyczące bankowości równoległej

W ostatnim czasie trwa w Polsce dyskusja dotycząca bankowości równoległej i podmiotowości firm, które choć nie są bankami, prowadzą działalność bankową, np. inwestycyjną. Dyskusja jest konsekwencją m.in. likwidacji polskiej spółki z o.o. Amber Gold. Spółka oferowała produkty finansowe oparte na inwestycji w złoto i kruszce. Znajdowała się na liście firm, przed którymi ostrzegała Komisja Nadzoru Finansowego. Istniejące zabezpieczenia i regulacje nie zdołały uchronić klientów przed ponoszonym, często nieświadomie, ryzykiem. Konsekwencją jest niepewna sytuacja finansowa klientów spółki oraz ryzyko utracenia przez nich życiowych oszczędności.

Komisja Europejska prowadzi działania mające na celu uregulowanie działalności parabanków, a projekt przepisów w tej sprawie ma być zaproponowany jesienią. Stanowisko Komisji jest wyrażane m.in. w marcowym dokumencie uruchamiającym konsultacje (tzw. zielonej księdze), w którym Komisja zauważa, że „niekontrolowana upadłość podmiotów należących do równoległego systemu bankowego może stanowić ryzyko systemowe, zarówno bezpośrednie, jak i poprzez ich powiązania z normalnym systemem bankowym".

W związku z tym zwracam się z zapytaniem.

1. Czy Komisja monitoruje sytuację polskich parabanków, w tym ostatnie wydarzenia dotyczące Amber Gold?

2. Czy Komisja weźmie pod uwagę te doświadczenia w kontekście swoich prac? Jaka jest opinia Komisji w tym zakresie?

Odpowiedź udzielona przez komisarza Michela Bariera w imieniu Komisji
(15 października 2012 r.)

Kryzys w latach 2007-2008 pokazał, że istnieje rosnący sektor niebankowej działalności pożyczkowej, który nie stał się jeszcze głównym celem regulacji ostrożnościowych i nadzoru ostrożnościowego. Chociaż równoległy system bankowy (ang. „shadow banking") odgrywa ważną i pozytywną rolę w systemie finansowym, niektóre działania mogą stanowić ryzyko systemowe dla systemu finansowego.

Komisja nie posiada bezpośrednich informacji na temat sprawy Amber Gold. Zgodnie z informacjami dostępnymi publicznie wydaje się, że sprawa ta jest dobrym przykładem zagrożenia, jakie działalność finansowa może stanowić dla inwestorów, nawet jeżeli w tym konkretnym przypadku sytuacja mogła być jeszcze gorsza w wyniku działalności wskazującej na nadużycia finansowe.

Przygotowując ewentualną reakcję w zakresie polityki, Komisja dokonuje obecnie starannej analizy, jakiego rodzaju działalność można zaliczyć do kategorii „shadow banking". Po drugie, Komisja bada również, które środki mogłyby być najbardziej właściwe w celu zwiększenia stabilności finansowej i ograniczenia arbitrażu regulacyjnego. Komisja przeprowadza tę ocenę ze szczególnym uwzględnieniem konieczności uniknięcia likwidacji istniejących kanałów finansowania rynkowego, które mają pozytywny wpływ na gospodarkę realną. Przegląd obowiązujących przepisów wydaje się rozsądnym podejściem w tym kontekście (zob. przeprowadzane obecnie konsultacje Komisji w sprawie UCITS).

Do głównych celów należą: poprawa jakości nadzoru, wyeliminowanie luk w zakresie nadzoru oraz harmonizacja poziomu nadzoru na poziomie UE. Realizacja tych celów nie tylko spowoduje, że system finansowy będzie bardziej przejrzysty i lepiej nadzorowany, lecz również zmniejszy ewentualne pole do nadużyć.

Biorąc pod uwagę prace na poziomie międzynarodowym, prowadzone m.in. przez Radę Stabilności Finansowej, Bazylejski Komitet Nadzoru Bankowego czy Bazylejski Komitet Nadzoru Bankowego, Komisja przedstawi bardziej szczegółowy dokument programowy w nadchodzących miesiącach.

(English version)

Question for written answer E-007625/12
to the Commission
Filip Kaczmarek (PPE)
(20 August 2012)

Subject: Regulating shadow banking

Discussions have recently been taking place in Poland about shadow banking (also known as 'para-banking') and the status of companies that, although they are not actually banks, are involved in banking-related activities such as investments. The discussions began when the Polish company Amber Gold Ltd went into liquidation. Amber Gold, which sold financial products based on investments in gold and precious metals, had been placed on a watch list by Poland's financial supervisory authority (KNF). The safety net mechanisms and regulations currently in place were unable to protect the company's clients against the risk involved, of which they were often unaware. This leaves Amber Gold's clients in financial turmoil: they could lose their life savings.

The Commission is taking steps to regulate the activities of shadow banks, with draft legislation slated for publication this autumn. One of the places in which the Commission has set out its stance on this matter is the Green Paper on Shadow Banking, published in March. In this document, designed be used as the basis for consultation, the Commission notes that 'the disorderly failure of shadow bank entities can carry systemic risk, both directly and through their interconnectedness with the regular banking system'.

With this in mind:

1. Is the Commission monitoring the situation with regard to shadow banks in Poland, including the recent events involving Amber Gold?

2. Will the Commission take account of these experiences in the course of its work? What is the Commission's opinion on this matter?

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

The 2007/2008 crisis has shown that there is an increasing area of non-bank credit activity which has not been the prime focus of prudential regulation and supervision so far. Although shadow banking performs important and beneficial functions in the financial system, certain activities can pose systemic risks to the financial system.

The Commission has no direct information on the Amber Gold case. According to public information, it would seem a good example for the risk that finance activities can pose to investors, even though in this case the situation may have been made worse by what is reported as being fraudulent activities.

In preparing possible policy responses, the Commission is carefully analysing which activities might fall under the term shadow banking. Second, the Commission is also analysing which measures might be most appropriate to improve financial stability and reduce regulatory arbitrage. This exercise is carried out focusing the attention on the need to avoid closing existing channels of market finance which contribute in a positive way to the real economy. Revising existing legislation appears a sensible approach in this context (see the current Commission consultation on UCITS).

Improving the quality of supervision, eliminating supervisory loopholes and harmonising the level of supervision on EU level are the main objectives. This would make the financial system more transparent and better supervised and reduce the possible room for fraud.

Taking into account the work at international level, e.g. FSB, IOSCO, Basel, the Commission will present a more detailed policy paper in the coming months.

(българска версия)

Въпрос с искане за писмен отговор P-007626/12
до Комисията
Ивайло Калфин (S&D)
(20 август 2012 г.)

Относно: Световната конференция по международни телекомуникации на Международния съюз по далекосъобщения (МСД)

На своята международна конференция през декември в Дубай Международният съюз по далекосъобщения (МСД) планира да преразгледа своите международни уредби в областта на телекомуникациите — договор от 1988 г.

Някои държави членки се опитват да установят регулиращи правомощия над интернет чрез МСД и биха могли да използват тези правомощия за приемането на политики, вредни за развитието на интернет и за потребителите.

Въпреки че има роля на наблюдател в МСД и че беше активна през последните години във Форума за управление на интернет и Световната среща на високо равнище за информационното общество,

1. Може ли Комисията да разясни позицията си по отношение на процеса на подготовка на Световната конференция по международни далекосъобщения и предложенията, които се представят?

2. Може ли Комисията да обясни дали и по какъв начин координира позициите на Съвета и на държавите членки?

3. Споделя ли Комисията мнението, че МСД не е най-правилната структура за регулиране, като се има предвид липсата на прозрачност и фактът, че той включва мненията на множество заинтересовани страни?

Отговор, даден от г-жа Крус от името на Комисията
(12 септември 2012 г.)

Както държавите — членки на ЕС, така и Европейската комисия активно допринесоха за подготовката на Световната конференция по международни далекосъобщения чрез процес по линия на СЕРТ ([1]) и работната група към Съвета на Международния съюз по далекосъобщения (МСД). На 2 август 2012 г. Комисията представи на Съвета проект на позиция на ЕС (COM(2012) 430 final). Копие от него беше изпратено на Европейския парламент.

Преразглеждането на Международните регламенти за далекосъобщенията (МРД) ще се отнася до множество въпроси. Някои от тези въпроси ще бъдат от компетентността на ЕС, а други — не. С предложението за позиция на ЕС се цели нейното съгласуване и последващото обсъждане на въпроси от значение за ЕС. Същевременно държавите членки и Комисията си сътрудничат — пряко и чрез СЕРТ, за да защитават общите интереси на ЕС.

Комисията е на мнение, че международните регламенти за далекосъобщенията следва да останат на високо равнище, да бъдат стратегически неутрални и да не придават правно обвързващ характер на препоръките на МСД. Също така следва да се запази сегашният обхват на МРД. По този начин ролята на МСД следва да остане такава, каквато е понастоящем. По отношение на Световната конференция по международни далекосъобщения всички партньори на ЕС се застъпват за пълна прозрачност.

([1]) Европейска конференция по пощи и далекосъобщения.

(English version)

Question for written answer P-007626/12
to the Commission
Ivailo Kalfin (S&D)
(20 August 2012)

Subject: ITU World Conference on International Telecommunications

The International Telecommunication Union is planning to revise its International Telecommunication Regulations, a 1988 treaty, at its World Conference in December in Dubai.

Some Member States are seeking to assert regulatory authority over the Internet through the ITU and might use any such authority to adopt policies harmful to the development of the Internet and to consumers.

Although having an observatory role at the ITU and having been active in the last years in the Internet Governance Forum and WSIS,

1. Can the Commission explain its position with respect to the WCIT preparatory process and the proposals being presented?

2. Can the Commission explain whether and how it is coordinating the positions of the Council and the Member States?

3. Does the Commission share the view that the ITU is not the right place to regulate, given its lack of transparency and the fact that it includes multi-stakeholder voices?

Answer given by Ms Kroes on behalf of the Commission
(12 September 2012)

Both the EU Member States and the European Commission have actively contributed to the preparatory work for the WCIT through the CEPT ([1]) process and the ITU Council Working Group. On 2 August 2012 the Commission presented a draft EU position to the Council (COM(430) final). A copy was sent to the European Parliament.

The revision of the International Telecommunication Regulations (ITRs) will relate to a variety of issues. Some of these issues will be of EU competence and some not. The proposed EU position aims to coordinate the position and subsequent discussion on EU relevant issues. At the same time Member States and the Commission cooperate, directly and through CEPT, to defend the common EU interests.

The Commission is of the opinion that the ITRs should remain at a high level, be strategically neutral and would not make ITU recommendations binding. The scope of the ITRs should also remain what it now is. The role of the ITU should thus be what it currently is. With respect to the WCIT all EU partners advocate full transparency.

([1]) Conference of Postal and Telecommunications Administrations (CEPT).

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-007627/12
alla Commissione
Giancarlo Scottà (EFD)
(20 agosto 2012)

Oggetto: Esclusione di un Comune italiano da un progetto europeo

Il Comune di Pederobba ha presentato lo scorso giugno un progetto in risposta al bando europeo «Programma "Europa per i cittadini" (2007-2013)» — Azione 1 — Misura 1.1: Incontri fra cittadini nell'ambito del gemellaggio tra città — Fase 2/2012 — Progetto n. 532928 (Europe for Citizens Programme (2007-2013). Action 1 — Measure 1.1 «Town twinning citizen's meetings» — Phase 2, 2012. Project no.532928).

Si tratta della quinta volta che questo Comune partecipa a questo bando. Si chiede alla Commissione di conoscere le motivazioni che anche questa volta hanno portato alla sua esclusione. Non è facile per un ente locale individuare e riuscire a presentare progetti, specie per quelli più piccoli come in questo caso. Lamentiamo una lontananza di questi enti dall'Europa, dalle Istituzioni di Bruxelles, ma si dovrebbe forse pensare a qualche servizio supplementare per sostenerli nelle fasi di stesura e presentazione dei progetti o attraverso indicazioni post valutazione del progetto; in caso di esito negativo, si dovrebbero dar loro maggiori informazioni affinché possano comprendere e modificare il loro lavoro, ove necessario, per ottenere un esito favorevole.

Si chiede inoltre se esistano bandi similari cui questo Comune possa partecipare con il tipo di progetto presentato.

Risposta di Viviane Reding a nome della Commissione
(19 settembre 2012)

La Commissione desidera sottolineare il contesto in cui opera il programma «Europa per i cittadini». Ogni anno pervengono circa 3 000 domande di partecipazione a tale programma; a causa dei vincoli di bilancio è possibile concedere un sostegno finanziario a meno della metà di esse.

Per quanto riguarda il bando specifico nell'ambito della Misura 1.1 cui il comune di Pederobba ha risposto entro la scadenza del 1º giugno 2012, l'Agenzia esecutiva per l'istruzione, gli audiovisivi e la cultura ha ricevuto 242 domande. Tutte le proposte di progetti sono state valutate in base ai criteri di aggiudicazione pubblicati. Solo ai progetti che hanno ottenuto un punteggio pari o superiore a 65 su 100, a seguito di una doppia valutazione effettuata da esperti indipendenti, è stata concessa una sovvenzione. La domanda del comune di Pederobba ha ottenuto un punteggio pari a 54,75 su 100.

Se il comune intende presentare una nuova proposta di progetto, può chiedere l'assistenza del punto di contatto nazionale «Europa per i cittadini» (www.europacittadini.it), incaricato di fornire un supporto a chi desidera presentare domanda per il programma «Europa per i cittadini».

Le prossime scadenze per i progetti nell'ambito di questa azione sono il 1º febbraio 2013, il 1º giugno 2013 e il 1º settembre 2013.

Una risposta dettagliata è già stata inviata dall'EACEA direttamente al comune di Pederobba.

(English version)

Question for written answer P-007627/12
to the Commission
Giancarlo Scottà (EFD)
(20 August 2012)

Subject: Exclusion of an Italian municipality from an EU project

In June 2012 the municipality of Pederobba submitted a project in response to the EU information notice relating to the Europe for Citizens programme 2007-13, Action 1, Measure 1.1 'Town Twinning Citizens' Meetings', Phase 2, 2012, Project No 532928.

This is the fifth time this municipality has taken part in this call for proposals. Can the Commission therefore give the reasons why, this time too, it has been excluded?

It is not easy for a local authority to identify and manage to submit projects, especially for smaller authorities, such as in this case. We regret that these authorities feel remote from Europe, from the Brussels institutions, but maybe we should consider providing some additional services to support them in the drawing up and submitting of projects, or by giving them some *ex-post* assessments of the project. Should the project be rejected, greater information should be provided so that those submitting it can understand the problem and alter their work, where necessary, in order to obtain a more favourable outcome.

Can the Commission also say whether there are any similar calls for proposals in which this municipality can participate with the type of project submitted?

Answer given by Mrs Reding on behalf of the Commission
(19 September 2012)

The Commission wishes to highlight the context in which the Europe for Citizens Programme operates. Around 3000 applications are received annually for this programme; due to the budgetary constraints less than half of them can be financially supported.

As regards the specific call under Measure 1.1 to which the Comune di Pederobba applied for the deadline of 1 June 2012, the Education, Audiovisual and Culture Executive Agency received 242 applications. All project proposals were assessed against the published award criteria. Only the projects which received the score equal or higher than 65 out of 100 points after a double evaluation by independent experts were awarded a grant. The application by the Comune di Pederobba obtained a score of 54.75 out of 100 points.

In the event the municipality wishes to submit another project proposal, it could seek assistance from the Europe for Citizens Point Italy (www.europacittadini.it), whose role is to provide support for applicants for the 'Europe for Citizens' programme.

The next deadlines for projects under this action are 1 February 2013, 1 June 2013 and 1 September 2013.

A detailed reply on this issue has already been sent by the EACEA directly to the Comune de Pederobba.

(English version)

Question for written answer P-007629/12
to the Commission (Vice-President/High Representative)
Charles Tannock (ECR)
(20 August 2012)

Subject: VP/HR — Uncertain tax liabilities endangering the provision of services by the security contractor for the EU Delegation in Afghanistan

A private security company based in my London constituency and currently working as the licensed contractor providing security services to the EU Delegation in Kabul is now faced with an unexpected demand for back payment of income tax by the Afghan Ministry of Finance (MoF) on the salaries paid since October 2008 to all their international staff (all EU citizens and Gurkhas). All Afghan staff already pay local income tax. The MoF has indicated that the demand will be for approximately USD one million, a sum which the company made no provision for when drawing up the original contract and are therefore unable to meet as there was in its understanding no such Afghan tax requirement at the time. The company has been asking the EU Delegation in Kabul to seek an agreement with the Afghan Ministry of Foreign Affairs whereby its international staff would be granted 'administrative and technical' staff status within the EU Delegation, which would secure exemption from income tax under the provisions of the Vienna Convention on Diplomatic Privilege.

This solution has reportedly already been achieved in response to a similar problem encountered by the UK Embassy in Kabul. The company has been informed that an 'unofficial' letter of explanation of the tax calculation will be delivered to it shortly, followed by an 'official' demand for payment about a week later. The MoF has stated that, if payment is not made within the period stated, all the company's operations will be halted, visas cancelled and its personnel prevented from entering or exiting the country until the demand is paid in full.

1. Is the Vice-President/High Representative aware of this dangerous situation, in which the provider of security to the EU Delegation in Kabul may be forced to cease all its operations within a month, potentially leaving all EEAS staff without adequate protection and reliant solely on the Afghan local police?

2. Can the Vice-President/High Representative state whether the request to change the status of the externally contracted security staff to internal EU Delegation technical and administrative staff has been made to the Afghan authorities? Is such a change legally feasible under national and international law? What contingency plans are in place to grant adequate protection to all EEAS staff in Kabul in the event that this contractor's services are suddenly discontinued?

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

1. Since the issue of Afghan Presidential Decree 62 in August 2010, the EEAS has been working closely with the Afghan authorities on a coherent and sustainable solution to the diplomatic status and taxation situation of the private security companies that provide protection to the EU Delegation and its staff as well as the CSDP mission (EUFOR).

As a result of the discussions, the Afghan authorities have recently indicated that they are actively looking at the issues at stake to clarify exactly the nature of the claimed taxes.

2. The issue of granting Administrative and Technical status to the staff of the security contractor in Kabul has been discussed on several occasions at most senior level both in writing and verbally over the last 18 months with the Afghan Ministry of Foreign Affairs.

It has been made clear to the authorities that unless provided with Administrative and Technical status, no security contractor would continue working for the EU Delegation, with the consequence that it could jeopardise the EU's operations in Afghanistan.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-007631/12
à Comissão
Inês Cristina Zuber (GUE/NGL)
(21 de agosto de 2012)

Assunto: Condições de trabalho na empresa de transportes Jaulino, concelho de Pombal

Num contacto que efetuámos recentemente com vários trabalhadores da empresa transportadora Jaulino, sediada em Meirinhas de Cima (Pombal), foram-nos relatadas várias situações que nos merecem séria preocupação. Vários trabalhadores desta empresa encontram-se sem receber 50 % dos subsídios de Natal e de Férias, com o pagamento de dois meses e meio de salários em atraso, sendo que a alguns trabalhadores foi aplicada a redução salarial por parte do dono da empresa. Face a esta situação, os trabalhadores realizaram dois dias de greve no início do mês de junho. De forma totalmente arbitrária e contrariando o princípio do direito à greve garantido constitucionalmente, os trabalhadores que aderiram à greve continuaram com os salários em atraso, sendo paga uma parte aos demais. Por outro lado, foi-nos também relatado pelos trabalhadores que o empresário em causa teria suspendido intencionalmente relações comerciais com vários clientes, de forma a legitimar a decisão que a seguir tomou — «enviar» os trabalhadores antecipadamente para férias. Face a esta situação, existe a possibilidade eminente de dissolução da empresa, que emprega cerca de 50 trabalhadores, o que agravaria drasticamente a situação social e económica de várias famílias do concelho de Pombal.

Desta forma, pergunto à Comissão o seguinte:

1. Que ajudas financeiras comunitárias recebeu até à data a empresa Jaulino, sediada em Pombal?

2. Tem a Comissão conhecimento desta prática de discriminação em relação a trabalhadores que exercem o legítimo direito à greve e que avaliação faz do assunto?

3. Que apoios comunitários podem ser utilizados para criação de emprego neste distrito e restituição de postos de trabalho para estes trabalhadores?

4. Que fundos do recentemente aprovado Pacto para o Crescimento e o Emprego poderão ser mobilizados para o apoio a estes trabalhadores e para a criação de emprego com direitos no concelho de Pombal?

Resposta dada por László Andor em nome da Comissão
(11 de outubro de 2012)

De acordo com informações prestadas pelas autoridades portuguesas, a empresa de transportes Jaulino não recebeu qualquer contribuição financeira do Fundo Social Europeu (FSE).

Os relatórios anuais publicados até à data sobre os financiamentos concedidos pelo Fundo Europeu de Desenvolvimento Regional (FEDER), nomeadamente no âmbito do programa operacional FEDER «Mais Centro» 2007/2013, são omissos relativamente a quaisquer ações de cofinanciamento do FEDER relativas à empresa Jaulino.

A Comissão gostaria de sublinhar que o facto de a União Europeia não possuir competências no que diz respeito ao exercício do direito à greve (ver artigo 153.°, n.° 5, do TFUE) não significa que a ação coletiva esteja fora do âmbito de aplicação do Tratado. O direito à greve não é absoluto e o seu exercício pode estar sujeito a certas condições e restrições. De acordo com o artigo 28.° da Carta dos Direitos Fundamentais da União Europeia, esse direito deve ser exercido em conformidade com o direito da União e com o direito e as práticas nacionais.

O Pacote do Emprego, publicado pela Comissão em abril de 2012, aponta para a mobilização dos fundos da UE para a criação de emprego. Juntamente com o Fundo de Coesão, o Fundo Europeu Agrícola de Desenvolvimento Rural e o Fundo Europeu para os Assuntos Marítimos e as Pescas (FEAMP) são importantes fontes de investimento para estimular o crescimento sustentável e o emprego. O FSE e o FEDER podem ser utilizados para apoiar políticas ativas do mercado de trabalho e financiar mecanismos de apoio às PME, tendo em vista a manutenção e a criação de emprego. As autoridades nacionais, regionais e locais devem utilizar plenamente os recursos disponíveis para desenvolver e concretizar o seu potencial económico e aumentar o emprego.

(English version)

Question for written answer E-007631/12
to the Commission
Inês Cristina Zuber (GUE/NGL)
(21 August 2012)

Subject: Working conditions at the Jaulino transport company, (Pombal, Portugal)

On meeting recently with several employees of the Jaulino transport company, which is based in Meirinhas de Cima (Pombal), we were told about a number of seriously worrying situations. A number of employees of this company have still not received 50% of their Christmas and holiday bonuses, and are owed two and a half months of salary, with some employees having had their wages reduced by the owner of the company. Given this situation, the employees held a two-day strike at the beginning of June. Quite arbitrarily, and in violation of the constitutionally enshrined right to strike, the employees who went on strike continued to have their back-pay withheld, while the rest were paid part of what was owed to them. We were also told by employees that the company in question had deliberately suspended its commercial relations with several clients in order to justify its subsequent action, which was to send its workers on early vacation. This situation makes it highly likely that the firm, which employs 50 workers, will go into liquidation, with drastic social and economic consequences for numerous families in the Pombal area.

Can the Commission provide the following information:

1. What Community financial support has the Jaulino transport company, located in Pombal, received to date?

2. Is the Commission aware of this discriminatory behaviour towards workers exercising their legitimate right to strike? How does it view this matter?

3. What Community support can be used to create employment in this district and provide replacement jobs for these workers?

4. What funds can be mobilised under the recently approved Growth and Jobs Pact to support these workers and create decent jobs in the Pombal area?

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

According to information from the Portuguese authorities, the Jaulino transport company has received no financial contribution from the European Social Fund (ESF).

Annual reports published to date on European Regional Development Fund (ERDF) funding, in particular under the ERDF operational programme 'Mais Centro' 2007-2013, provide no information on any ERDF co-financing actions in Jaulino company.

The Commission would point out that the fact that the European Union has no competence as regards the exercise of the right to strike (cf. Article 153(5) TFEU) does not mean that collective action falls outside the scope of the Treaty. The right to strike is not absolute and its exercise may be subject to certain conditions and restrictions. According to Article 28 of the Charter of Fundamental Rights of the European Union, this right shall be exercised in accordance with Union law and national law and practices.

The Employment Package published by the Commission in April 2012 points to the mobilisation of the EU funds for job creation. Together with the Cohesion Fund, the European Agricultural Fund for Regional Development and the European Maritime and Fisheries Fund are major sources of investment for stimulating sustainable growth and employment. The ESF and the ERDF can be used to support active labour-market policy and to fund SME support mechanisms for maintaining and creating jobs. National, regional and local authorities should use the available resources fully to develop and realise their economic potential and increase employment.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007633/12
an die Kommission
Jutta Steinruck (S&D)
(21. August 2012)

Betrifft: Rettungsbeihilfe Nürburgring

Die Nürburgring GmbH hat am 7. Februar 2012 den Betriebspachtvertrag mit der Nürburgring Automotive GmbH wegen nicht vertragsgerecht geleisteter Pachtzahlungen gekündigt und ist seither in Liquiditätsschwierigkeiten.

Mit einer Rücklage in Höhe von 254 Mio. EUR hat das Land Rheinland-Pfalz Vorsorge für den Fall getroffen, dass sich die Investitionen nicht durch private Mittel refinanzieren lassen. Rheinland-Pfalz hat erklärt, dass es beabsichtigt, im Rahmen eines europaweiten und damit zweifelsfreien EU-konformen Verfahrens die Betriebs- und Besitzgesellschaft neu zu strukturieren, um die Restrukturierung zu erleichtern. Nach Eröffnung des Hauptprüfverfahrens durch die EU-Kommission entschied das Land, eine Rettungsbeihilfe zu beantragen.

Die EU-Kommission hatte zunächst eindeutige Zeichen erkennen lassen, dass sie den Antrag auf Rettungsbeihilfe positiv bescheiden wolle. Vor dem 30.7.2012 wurde jedoch keine positive Entscheidung getroffen. Der Gesellschaft droht daher die Insolvenz. Die Landesregierung hat den Vertreter des Landes gebeten, darauf hinzuwirken, dass die Nürburgring GmbH von sich aus ein Verfahren wegen drohender Zahlungsunfähigkeit einleitet. Kann die Kommission dazu folgende Fragen beantworten:

1. Welche strukturpolitische Bedeutung misst die Kommission dem Nürburgring für die Arbeitsplätze und die Wirtschaftskraft der Region zu, und wie begründet sie diese Einschätzung?

2. Warum hat die Kommission nicht bis zum 30. Juli 2012 über den Antrag auf Rettungsbeihilfe entschieden, obwohl ihr bekannt war, dass dies zwangsläufig zur Insolvenz der Nürburgring GmbH führen musste?

3. Ist die Kommission der Ansicht, dass bei der Entscheidung, nicht rechtzeitig über den Antrag auf Rettungsbeihilfe zu entscheiden, die strukturpolitische Bedeutung des Nürburgringes für Arbeitsplätze und die Wirtschaftskraft der Region angemessen berücksichtigt wurde?

4. Wie wird sich die Kommission verhalten, wenn sich herausstellt, dass der Antrag auf Rettungsbeihilfe bereits bis zum 30. Juli 2012 hätte genehmigt werden können?

Antwort von Herrn Almunia im Namen der Kommission
(4. Oktober 2012)

1. Die Kommission ist sich der Bedeutung des Nürburgrings für die Eifelregion bewusst. Grundlage für die Bewertung der Bedeutung der öffentlichen Investitionen in den Nürburgring-Komplex sind die Angaben, die Deutschland der Kommission übermittelte.

2. Nachdem Deutschland die Rettungsbeihilfe im Mai 2012 angemeldet hatte, war die Kommission angesichts der Dringlichkeit der Angelegenheit bestrebt, die Beihilfe rasch zu prüfen. Angesichts der Sachlage blieb der Kommission jedoch bei ihrer Vorabprüfung kaum etwas anderes übrig, als festzustellen, dass die Beihilfemaßnahmen mit dem Binnenmarkt unvereinbar waren. Zu diesem Zeitpunkt schien es, dass die Förderung gegen die einschlägigen Voraussetzungen der Beihilfevorschriften verstieß, insbesondere gegen die Voraussetzung, dass sich der Nürburgring zuvor nicht in finanziellen Schwierigkeiten befunden haben durfte. Deshalb eröffnete die Kommission am 7. August 2012 ([1]) das förmliche Prüfverfahren in Bezug auf die Rettungsbeihilfe.

3. Die Rettungsbeihilfe konnte nicht genehmigt werden, weil Zweifel an ihrer Vereinbarkeit mit dem Binnenmarkt bestanden. Bei ihrer Prüfung muss die Kommission nicht nur die Auswirkungen auf die Region des Beihilfeempfängers berücksichtigen, sondern auch etwaige Beeinträchtigungen von Wettbewerbern sowie der Beschäftigungslage in der betreffenden Region.

4. Wie in der Antwort auf die Frage 2 dargelegt, konnte die Kommission die Rettungsbeihilfe für den Nürburgring auf der Grundlage der ihr vorliegenden Informationen nicht genehmigen.

([1]) Pressemitteilung IP/12/891.

(English version)

Question for written answer E-007633/12
to the Commission
Jutta Steinruck (S&D)
(21 August 2012)

Subject: Rescue aid for the Nürburgring

On 7 February 2012 the Nürburgring GmbH terminated the company lease agreement it had concluded with Nürburgring Automotive GmbH, citing the latter's failure to make lease payments in accordance with the agreement; since then it has been struggling with cash-flow problems.

By constituting a reserve of EUR 254 million, the Rhineland-Palatinate authorities have made provision for a situation in which the investments made at the Nürburgring site cannot be refinanced by means of an injection of private capital. The authorities have stated that they intend, by means of a procedure to be carried out Europe-wide so as to rule out any suggestion of incompatibility with EC law, to restructure the operating and holding company in order to facilitate refinancing. Following the opening of a formal investigation by the Commission, the Rhineland-Palatinate authorities decided to apply for rescue aid.

The Commission had initially intimated that it intended to grant the application for rescue aid. No such decision was then taken before 30 July 2012, however. Nürburgring GmbH is thus facing insolvency. The Rhineland-Palatinate regional government has asked its representative on the board of Nürburgring GmbH to urge the company to apply itself to go into receivership.

1. In the Commission's view, how important a role does the Nürburgring play in safeguarding local jobs and the local economy, and what is the basis for its assessment?

2. Why did the Commission fail to take a decision on the application for rescue aid by 30 July 2012, even though it was aware that this would necessarily result in Nürburgring GmbH becoming insolvent?

3. Does the Commission take the view that in failing to reach a decision in good time on the application for rescue aid it took proper account of the role the Nürburgring plays in safeguarding local jobs and the local economy?

4. How will the Commission respond if it emerges that the application for rescue aid could have been approved before 30 July 2012?

Answer given by Mr Almunia on behalf of the Commission
(4 October 2012)

1. The Commission understands that Nürburgring is important for the Eifel region. The basis for the Commission's assessment of the importance of the public investment in the Nürburgring complex was the information provided by Germany to the Commission.

2. Once Germany had announced the rescue aid in May 2012, given the urgency, the Commission was committed to assessing the case speedily. However, the facts of the case are such that the Commission had little choice and could not conclude that the aid measures were compatible at the end of its preliminary assessment. At this stage, the funding did not appear to fulfil the necessary conditions of the state aid rules, and in particular the condition that Nürburgring had not been in financial difficulty before. The Commission therefore opened a formal investigation procedure regarding the rescue aid on 7 August 2012 ([1]).

3. The rescue aid could not be approved because of doubts regarding its compatibility. In addition, apart from considering the effect on the region of the aid beneficiary, in its assessment the Commission also has to take into account the possible negative effects of the aid on competitors (including employment in their region).

4. Based on the information at its disposal, the Commission could not approve the rescue aid for Nürburgring as explained in the reply to question 2.

([1]) Press release IP/12/891.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007634/12
an die Kommission
Jutta Steinruck (S&D)
(21. August 2012)

Betrifft: Beihilfen für Rennstrecken in Europa

Die Kommission hat das Hauptprüfverfahren über die Beihilfen des Landes Rheinland-Pfalz zur Unterstützung der Nürburgring GmbH eröffnet. Dabei geht es um die Frage, inwieweit die bisher vom Land Rheinland-Pfalz an den Nürburgring geleisteten Zahlungen Beihilfen darstellen, die genehmigungspflichtig gewesen wären.

Kann die Kommission dazu folgende Fragen beantworten:

1. Welche Rennstrecken in Europa erhalten genehmigungspflichtige staatliche Beihilfen zur Sicherung des Bestehens und in welcher Höhe?

2. Welche Freizeitparks oder ähnliche Einrichtungen erhalten genehmigungspflichtige staatliche Beihilfen zur Sicherung des Bestehens und in welcher Höhe?

Antwort von Herrn Almunia im Namen der Kommission
(8. Oktober 2012)

Beihilfen, die Unternehmen zur Sicherung ihres Fortbestands gewährt werden, sind grundsätzlich Betriebsbeihilfen. Derartige Betriebsbeihilfen sind unter Umständen nicht nach Artikel 107 Absatz 3 Buchstabe c AEUV mit dem Binnenmarkt vereinbar. Sie können nur dann mit dem Binnenmarkt vereinbar erklärt werden, wenn sie alle Voraussetzungen in den Leitlinien der Gemeinschaft für staatliche Beihilfen zur Rettung und Umstrukturierung von Unternehmen in Schwierigkeiten ([1]) erfüllen. Zu diesen Voraussetzungen zählt auch der Grundsatz der einmaligen Gewährung.

Der Kommission sind keine anderen Fälle bekannt, in denen Rennstrecken bzw. Freizeitparks in der Union zur Sicherung ihres Bestehens staatliche Mittel erhalten.

([1]) ABl. C 244 vom 1.10.2004.

(English version)

Question for written answer E-007634/12
to the Commission
Jutta Steinruck (S&D)
(21 August 2012)

Subject: Subsidies for motor racing circuits in Europe

The Commission has opened the formal investigation into the payments made by the German *Land* Rhineland-Palatinate to support the private company Nürburgring GmbH. The purpose of the investigation is to determine to what extent the relevant payments constituted subsidies which should have been approved in advance by the Commission.

1. Which motor racing circuits in Europe receive State subsidies requiring Commission approval which are paid in an effort to keep them afloat financially, and how much do they receive?

2. Which leisure parks or similar amenities in Europe receive State subsidies requiring Commission approval which are paid in an effort to keep them afloat financially, and how much do they receive?

Answer given by Mr Almunia on behalf of the Commission
(8 October 2012)

Aid granted to an undertaking to keep it afloat financially can in principle be qualified as operating aid, which could not be found compatible with the internal market under Article 107(3)(c) TFEU. Only in the case where the aid fulfils all requirements of the Community guidelines on state aid for rescuing and restructuring firms in difficulty ([1]), including the 'one time last time principle', can such aid be found compatible with the internal market.

The Commission is not aware of any other motorsport racing circuits and leisure parks in the Union receiving State subsidies to keep them afloat.

([1]) OJ C 244, 1.10.2004.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007635/12
an die Kommission
Werner Schulz (Verts/ALE)
(21. August 2012)

Betrifft: Verwendung und Kontrolle von EU-Fördermitteln zur Erneuerung von Filteranlagen in dem Azovstal-Stahlwerk in Mariupol (Ukraine)

Das Stahlwerk der Firma Azovstal in der Stadt Mariupol ist eines der größten Stahlwerke der Ukraine. Als Folge der Produktion ist die Region von gravierenden Umweltverschmutzungen betroffen und die Gesundheit der dort lebenden Menschen stark gefährdet.

Seit Jahren thematisieren ukrainische Umweltschutz- und Menschenrechtsorganisationen die anhaltende Verschlechterung der Situation ([1]), die auch durch statistische Angaben der ukrainischen Regierung belegt ist ([2]) ([3]).

Nach Angaben eines Werksmitarbeiters von Azovstal wurden dem Unternehmen zur Verbesserung der Umweltsituation auch EU-Fördergelder zur Erneuerung der Filteranlagen zur Verfügung gestellt, jedoch nicht dem Förderzweck entsprechend eingesetzt.

1. In welcher Höhe und mit welchen Bedingungen und Auflagen hat die EU in den letzten fünf Jahren Fördermittel für Umweltschutzmaßnahmen in ukrainischen Industriebetrieben zur Verfügung gestellt?

2. Wie überwacht die Kommission die zweckgebundene Verwendung der Mittel?

3. Ist der Kommission bekannt, ob auch das Azovstal-Stahlwerk EU-Fördergelder erhalten hat? Wenn ja: Wann wurden diese in welcher Höhe bewilligt? Wann wurden die Maßnahmen umgesetzt und evaluiert?

Antwort von Herrn Füle im Namen der Kommission
(5. Oktober 2012)

Die Europäische Union gewährt privaten bzw. halbstaatlichen Einrichtungen keine direkten Mittelzuweisungen für Umweltmaßnahmen in ukrainischen Industrieanlagen. Die Europäische Union unterstützt die Umweltpolitik der Ukraine, die u. a. eine Verringerung der Luftverschmutzung vorsieht, durch ein im Rahmen des Europäischen Nachbarschafts- und Partnerschaftsinstruments durchgeführtes sektorbezogenes Budgethilfeprogramm, das mit den Prioritäten der Assoziierungsagenda EU-Ukraine im Einklang steht. Im Rahmen dieses Programms basiert einer der neun Indikatoren für die Auszahlung von Mitteln an die ukrainische Regierung auf der Stabilisierung der in die Luft abgegebenen Schadstoff- und Treibhausgasemissionen ortsfester Verschmutzungsquellen in Kraftwerken.

([1]) http://www.khpg.org/en/index.php?id=1332408768#_ftn3.
([2]) http://www.ecobank.org.ua/GovSystem/EnvironmentState/Reviews/Pages/default.aspx.
([3]) http://www.ukrstat.gov.ua/operativ/operativ2011/ns_rik/analit/arhiv.htm

(English version)

Question for written answer E-007635/12
to the Commission
Werner Schulz (Verts/ALE)
(21 August 2012)

Subject: Use and monitoring of EU funds for modernising the filter systems at the Azovstal steelworks in Mariupol (Ukraine)

The Azovstal steelworks in Mariupol is one of the largest steelworks in Ukraine. As a result of the plant's operation, the region suffers from widespread pollution and the health of its inhabitants is at serious risk.

Environmental and human rights organisations in Ukraine have for years been highlighting the continuous deterioration in the situation ([1]), which is verified by statistical data from the Ukrainian government ([2]) ([3]).

An employee of Azovstal working at the plant claims that EU funding made available to the company to improve the environmental situation by modernising the filter system has not been used for this objective.

1. What amount of funding, and under what conditions and restrictions, has the EU provided in the past five years for environmental measures in Ukrainian industrial plants?

2. How does the Commission monitor the proper use of the funds?

3. Does the Commission know whether the Azovstal steelworks has also received EU funding? If so, when, and what amount of funding was involved? When were the measures implemented and evaluated?

Answer given by Mr Füle on behalf of the Commission
(5 October 2012)

The European Union does not provide any funds directly to private or semi-private entities for environmental measures in Ukrainian industrial plants. The European Union supports the environmental strategy of Ukraine including air pollution reduction through a sector budget support programme under the European Neighbourhood and Partnership Instrument, in line with the priorities of the EU-Ukraine Association Agenda. One indicator out of nine for disbursing funds to the Government of Ukraine in this programme follows the stabilisation of emissions of pollutants and greenhouse emissions in the air produced by the stationary pollution sources in the power plants.

([1]) http://www.khpg.org/en/index.php?id=1332408768#_ftn3.
([2]) http://www.ecobank.org.ua/GovSystem/EnvironmentState/Reviews/Pages/default.aspx.
([3]) http://www.ukrstat.gov.ua/operativ/operativ2011/ns_rik/analit/arhiv.htm

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-007636/12
aan de Commissie (Vicevoorzitter — Hoge Vertegenwoordiger)
Lucas Hartong (NI)
(21 augustus 2012)

Betreft: VP/HR — Discriminatie door South African Airlines

Vandaag werd bekend dat South African Airlines (SAA) blanke Zuid-Afrikaanse sollicitanten discrimineert bij sollicitatie als piloot in training ([1]). In dat kader de volgende vragen:

1. Vindt mevrouw Ashton dit beleid c.q. deze maatregel van SAA in overeenstemming met de Europese strijd tegen (rassen)discriminatie?

2. Ontvangt SAA op enige wijze subsidie vanuit EU instellingen, bijvoorbeeld indirect via de jaarlijkse financiële ontwikkelingssteun die Zuid-Afrika ontvangt vanuit de EU-begroting?

3. Is het mogelijk om SAA landingsrechten in Europa te ontzeggen tot SAA haar beleid weer in overeenstemming heeft gebracht met internationaal geaccepteerde protocollen inzake (rassen)discriminatiebeleid?

4. Is mevrouw Ashton bereid per direct SAA en haar bestuur ter verantwoording te roepen inzake deze flagrante schending van het recht op gelijke behandeling?

Antwoord van hoge vertegenwoordiger/vicevoorzitter Ashton namens de Commissie
(17 september 2012)

De hoge vertegenwoordiger/vicevoorzitter is bekend met de door het geachte Parlementslid genoemde feiten.

South African Airways heeft echter inmiddels bevestigd dat de genoemde beperkingen bij de sollicitaties voor piloten in opleiding zijn opgeheven.

South African Airways ontvangt geen subsidie van de EU.

([1]) http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=319793&sn=Detail & pid=71616, http://praag.co.za/nuus-magazine-402/suider-afrika-magazine-400/12168-geen-wit-loodse-vir-saa-nie.html

(English version)

Question for written answer E-007636/12
to the Commission (Vice-President/High Representative)
Lucas Hartong (NI)
(21 August 2012)

Subject: VP/HR — Discrimination by South African Airlines

It has been revealed today that South African Airlines (SAA) discriminates against white South African applicants for pilot training ([1]).

1. Does Baroness Ashton consider this policy/measure on the part of SAA to be in accordance with efforts in Europe to combat discrimination (particularly on grounds of race)?

2. Does SAA receive any form of subsidy from the EU institutions, for example indirectly via the annual financial development aid which South Africa receives from the EU budget?

3. Is it possible to strip SAA of landing rights in Europe until it has brought its policy back into line with internationally accepted protocols regarding discrimination policy (particularly policy on racial discrimination)?

4. Will Baroness Ashton immediately call SAA and its management to account with regard to this flagrant breach of the right to equal treatment?

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

The High Representative/Vice-President is aware of the facts raised by the Honourable MEP.

However, it should be noted that South African Airways has since confirmed that it has lifted such restrictions on applications for its cadet pilot programme.

South African Airways does not receive any subsidy from the EU.

([1]) http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=319793&sn=Detail&pid=71616, http://praag.co.za/nuus-magazine-402/suider-afrika-magazine-400/12168-geen-wit-loodse-vir-saa-nie.html.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-007637/12
aan de Commissie
Marietje Schaake (ALDE)
(21 augustus 2012)

Betreft: Onbeantwoorde vraag: Aanhouden visumaanvragen Iraanse kenniswerkers door nieuwe EU sancties

Op 19 juni 2012 heb ik een vraag aan de Commissie ingediend over het aanhouden van visumaanvragen van Iraanse kenniswerkers door nieuwe EU sancties (E-006054/2012).

De termijn voor de beantwoording van deze vraag verstreek op 9 augustus 2012.

Waarom heeft de Commissie nagelaten de bepalingen van het Reglement na te leven?

Antwoord van de heer Barroso namens de Commissie
(24 september 2012)

De Commissie heeft het antwoord op vraag E-6054/12 van het geachte Parlementslid op 29 augustus 2012 toegezonden.

De Commissie wijst er op dat zij groot belang hecht aan de beantwoording van parlementaire vragen, die zij als een belangrijk element beschouwt van de democratische controle door het Parlement. De Commissie probeert alle vragen zo volledig en goed mogelijk te beantwoorden binnen een korte termijn. Dat voornoemde vraag pas zo laat is beantwoord, betreurt zij dan ook diep.

Het aantal schriftelijke vragen is de laatste jaren echter sterk toegenomen. In 2011 beantwoordde de Commissie meer dan 12 000 schriftelijke vragen van Parlementsleden. Veel van deze vragen bevatten bovendien meerdere subvragen. De toename in het aantal vragen moest bij de nulgroei op het gebied van personele middelen wel leiden tot een grotere werkbelasting.

(English version)

Question for written answer E-007637/12
to the Commission
Marietje Schaake (ALDE)
(21 August 2012)

Subject: Unanswered question: Postponement of consideration of visa applications submitted by Iranian knowledge workers due to new EU sanctions

On 19 June 2012 I submitted a question to the Commission about the 'postponement of consideration of visa applications submitted by Iranian knowledge workers due to new EU sanctions' (E-006054/2012).

The deadline for answering this question lapsed on 9 August 2012.

Why has the Commission failed to comply with the Rules of Procedure?

Answer given by Mr Barroso on behalf of the Commission
(24 September 2012)

The reply to the Honourable Member's Question E-6054/12 was transmitted by the Commission on 29 August 2012.

The Commission wishes to reiterate that it attaches great importance to answering parliamentary questions, an important element of the democratic scrutiny exercised by Parliament. It seeks to answer all questions as completely and accurately as possible within a short delay and therefore first of all very much regrets the delay that has occurred in replying to the abovementioned question.

However, the number of written questions has increased considerably during the last years. In 2011, the Commission responded to more than 12,000 written questions by Members of Parliament. Moreover, many of these questions include several sub questions. The increased number of questions has inevitably lead to an increased workload during a period of zero growth in human resources.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-007639/12
alla Commissione
Andrea Zanoni (ALDE)
(21 agosto 2012)

Oggetto: Caccia nella Regione Veneto di uccelli migratori durante le fasi della dipendenza e durante il periodo di ritorno al luogo di nidificazione in violazione della direttiva 2009/147/CE

La direttiva 2009/147/CE prevede che le specie di uccelli selvatici non devono essere cacciate durante il periodo della nidificazione né durante le varie fasi della riproduzione e della dipendenza; per le specie migratrici essa prevede inoltre che non vengano cacciate durante il periodo di ritorno al luogo di nidificazione. I periodi sensibili per ciascuna specie cacciabile sono stati formalmente indicati dalla Commissione europea nel documento Key Concepts Document on Article 7 (4) ([1]). L'ISPRA ([2]), tenendo conto del sopra citato documento, il 28 luglio 2010 ha spedito alle regioni italiane la guida per la stesura dei calendari venatori ([3]) ai sensi della legge sulla caccia 157/92, modificata dalla legge comunitaria 2009 per il corretto recepimento della direttiva 2009/147/CE. In questo documento ISPRA ha indicato per ciascuna delle specie cacciabili i periodi di inizio e fine stagione venatoria per evitarne la caccia durante le fasi della riproduzione e della dipendenza e, per i migratori, durante il ritorno al luogo di nidificazione. La Regione del Veneto, nonostante la citata guida ed un parere ISPRA nettamente «sfavorevole», il 12 giugno del 2012 ha adottato un calendario venatorio ([4]) che prevede la caccia durante le fasi della dipendenza e durante il ritorno al luogo di nidificazione di molte specie di uccelli. L'ISPRA con lettera del 23 aprile 2012 ([5]) aveva evidenziato alla Regione Veneto che il calendario venatorio proposto e poi approvato prevede:

1. l'apertura della caccia a ben 23 specie di uccelli, migratori e non, il 16 settembre ovvero durante le fasi della dipendenza;

2. la chiusura della caccia a ben 20 diverse specie di uccelli migratori dopo l'inizio del ritorno al luogo di nidificazione;

3. l'attività di addestramento dei cani da caccia dalla terza domenica di agosto quando alcune specie non hanno completato la riproduzione o vi è ancora una dipendenza dei giovani;

4. carnieri giornalieri e stagionali incompatibili con lo stato di conservazione di 4 specie di uccelli migratori;

5. caccia a due specie di uccelli migratori che dovrebbero essere protetti dato il loro status negativo.

La Commissione non ritiene necessario intervenire con prontezza e con fermezza per far rispettare la direttiva 2009/147/CE nei confronti di una regione che da oltre un decennio continua a violare questa norma solo al fine di assecondare le pressanti richieste di un mondo venatorio purtroppo completamente insensibile alle esigenze di conservazione degli uccelli migratori?

Risposta di Janez Potočnik a nome della Commissione
(1º ottobre 2012)

La Commissione ha preso atto delle informazioni fornite dall'onorevole parlamentare e ha identificato alcuni elementi potenzialmente incompatibili con la direttiva 2009/147/CE («Direttiva sugli uccelli») ([6]). La Commissione contatterà le autorità italiane per ottenere informazioni più dettagliate.

Dopo aver valutato la situazione, la Commissione deciderà in merito alle misure da adottare per garantire una piena conformità ai requisiti della direttiva.

([1]) http://ec.europa.eu/environment/nature/conservation/wildbirds/action_plans/guidance_en.htm
([2]) ISPRA — Istituto Superiore per la Protezione e la Ricerca Ambientale.
([3]) Prot. n. 25495/T-A11 ISPRA del 28.7.2010.
([4]) D.G.R.V. n. 1130 del 12.6.2012 — B.U.R. n. 51 del 3.7.2012.
([5]) Prot. n. 16429/T-A11 ISPRA del 23.4.2012.
([6]) GU L 20 del 26.1.2010.

(English version)

Question for written answer P-007639/12
to the Commission
Andrea Zanoni (ALDE)
(21 August 2012)

Subject: Hunting of migratory birds in the Veneto region while their young are still dependent and at the time of their return to their breeding areas: infringement of Directive 2009/147/EC

Directive 2009/147/EC prohibits the hunting of wild bird species from the start of the breeding season through the various stages of reproduction until their young have become independent; furthermore, migrant species may not be hunted while they are returning to their breeding areas. The sensitive periods for each huntable species have been formally laid down by the Commission in a document entitled 'Key concepts of Article 7(4)' ([1]). On 28 July 2010 ISPRA ([2]), taking that document into account, sent Italian regional authorities a guide ([3]) to help them draw up hunting calendars for the purposes of the Hunting Act, Law 157/92, as amended by Italy's 'Community Law 2009' transposing Directive 2009/147/EC. The guide is intended to specify when the hunting season for each huntable species should begin and end and hence to prevent birds being hunted during reproduction stages or while their young are still dependent or, as far as migratory species are concerned, while they are returning to their breeding areas. The hunting calendar ([4]) adopted by Veneto Regional Council on 12 June 2012, in spite of the guide and a distinctly 'unfavourable' ISPRA opinion, allows hunting before young birds will have become independent and when many species will be returning to their breeding areas. In a letter ([5]) dated 23 April 2012 ISPRA had drawn the attention of the Veneto regional authorities to the following points concerning the hunting calendar proposed (and subsequently approved):

1. the hunting of as many as 23 bird species, migratory and otherwise, is to begin on 16 September, in other words, when their young will still be dependent;

2. the hunting of as many as 20 migratory species will not end until after they have started returning to their breeding areas;

3. the training of hunting dogs is to start on the third Sunday in August, by which time some bird species will not have gone through all stages of reproduction or young birds will not have become independent;

4. the daily and seasonal bags are incompatible with the conservation status of four migratory species;

5. there are two migratory species which will be huntable even though, given their poor conservation status, they ought to be protected.

Does the Commission not think that it should act promptly and decisively to ensure compliance with Directive 2009/147/EC, given that the region concerned has, for more than a decade, continually infringed it purely to satisfy the urgings of a hunting lobby which, sadly, is completely indifferent to the conservation requirements of migratory birds?

Answer given by Mr Potočnik on behalf of the Commission
(1 October 2012)

The Commission has taken notice of the information provided by the Honourable Member and it has identified some elements that are potentially incompatible with Directive 2009/147/EC ('Birds Directive') ([6]). The Commission will contact the Italian authorities to obtain more detailed information.

After having assessed the situation, the Commission will decide on the appropriate course of action to ensure that there is full compliance with the requirements of the directive.

([1]) http://ec.europa.eu/environment/nature/conservation/wildbirds/action_plans/guidance_en.htm
([2]) ISPRA — Istituto Superiore per la Protezione e la Ricerca Ambientale (Institute of Enivronmental Protection and Research).
([3]) Prot. No 25495/T-A11 ISPRA, 28 July 2010.
([4]) D.G.R.V. No 1130, 12 June 2012 — B.U.R. No 51, 3 July 2012.
([5]) Prot. No 16429/T-A11 ISPRA, 23 April 2012.
([6]) OJ L 20, 26.1.2010.

(Version française)

Question avec demande de réponse écrite E-007641/12
à la Commission
Marc Tarabella (S&D)
(21 août 2012)

Objet: Population massaï poussée à l'exil

En Tanzanie, des milliers de Massaïs se retrouvent aujourd'hui privés de leur bétail dans un contexte de sécheresse aiguë. Ils ont été chassés de leurs villages au profit de la compagnie Otterlo Business Corporation (OBC) qui va y créer une réserve de chasse.

Otterlo Business Corporation, liée aux familles royales des Émirats arabes unis, détient depuis 1992 des droits exclusifs de chasse et de safari à Loliondo, au nord de la Tanzanie. Cette région est un territoire massaï traditionnel, mais depuis que la compagnie en a obtenu la concession, elle y pratique la chasse au gros gibier, ce qui a considérablement restreint l'accès aux terres à pâture des troupeaux des Massaïs, une source de nombreux conflits avec la compagnie de safari. Les récentes violences attestent que la situation est devenue critique pour les Massaïs. Les incendies de villages ont maintenant cessé mais dès qu'un Massaï fait paître son bétail dans la zone de chasse d'OBC, il est arrêté.

Certains observateurs sur place expliquent que l'État serait sur le point de signer un nouveau contrat avec l'OBC afin de lui laisser un total usufruit de la zone, ce qui aurait pour conséquence de chasser de leurs terres ancestrales plusieurs dizaines de milliers de Massaïs (et ce juste pour permettre à une minorité de s'adonner à la chasse).

1. Quelle est la position de la Commission sur cette problématique?

2. Une action/réaction est-elle prévue ou déjà entreprise?

3. La Commission a-t-elle des contacts avec le Président Kikwete?

4. L'Europe est-elle impliquée dans des projets en Tanzanie?

Réponse donnée par Mme Ashton, Vice-présidente/Haute Représentante au nom de la Commission
(27 septembre 2012)

L'Union européenne est consciente de la situation qui prévaut dans le nord de la Tanzanie. D'après les informations dont elle dispose, il n'y aurait aucun signe tangible d'évolution récente sur la question. Bien que Loliondo n'ait connu aucun conflit à ce sujet, un règlement juridique du dossier foncier dans cette région constituerait une avancée positive. L'Union européenne est favorable à ce qu'une décision soit prise quant à la nature juridique des titres fonciers. Elle plaide aussi en faveur d'un dialogue entre toutes les parties intéressées afin de les encourager à s'engager sur une voie respectant les intérêts des uns et des autres et tendant vers une solution conforme au droit.

La délégation de l'UE en Tanzanie suit le dossier et en a discuté avec différents acteurs du gouvernement aux niveaux appropriés ainsi qu'avec des représentants de la communauté massaïe.

L'UE a mis en place un programme très ambitieux de coopération au développement avec la Tanzanie, doté de 606,5 millions d'euros, au titre du 10e Fonds européen de développement. La moitié de cette somme sert à financer un soutien budgétaire général, tandis que 23 % sont affectés à des programmes dans le domaine du transport, 9 % à la coopération dans les domaines du commerce et de l'intégration régionale et 9 % également à des secteurs hors concentration allant du changement climatique à l'énergie en passant par une aide à des acteurs non étatiques et à la gouvernance. Par ailleurs, la Tanzanie a récemment bénéficié de l'initiative relative aux objectifs du millénaire pour le développement à hauteur de 51,5 millions d'euros. Cette somme a servi à appuyer les efforts du gouvernement visant à améliorer l'approvisionnement en eau et les installations d'assainissement.

(English version)

Question for written answer E-007641/12
to the Commission
Marc Tarabella (S&D)
(21 August 2012)

Subject: Maasai population pushed off their land

In Tanzania, thousands of Maasai have been separated from their cattle in conditions of severe drought. They have been forced out of their villages to make way for a hunting reserve created by the Otterlo Business Corporation (OBC).

Otterlo Business Corporation, which is linked to the royal families of the United Arab Emirates, has held exclusive hunting and safari rights in Loliondo (northern Tanzania) since 1992. This region is traditionally Maasai land, but since obtaining the concession the company now uses the area to hunt large game animals, which has severely restricted the Maasai's access to grazing land for their cattle. Recent violence has shown that the situation is now critical for the Maasai. The burning of villages has now stopped, but any Maasai herding cattle within the OBC hunting area are being arrested.

A number of in situ observers have warned that the Tanzanian State is on the point of signing a new contract with OBC which will allow it full usufruct of the area and will result in the expulsion of several thousand Maasai from their ancestral lands, simply so that a minority can indulge in game hunting.

1. What is the Commission's stance on this issue?

2. Does it intend to react or take any action, or has it already done so?

3. Has the Commission had any contact with President Kikwete?

4. Is Europe involved in any projects in Tanzania?

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

The EU is aware of the situation in Northern Tanzania. Based on its information, there have been no tangible signs of recent developments on the issue in question. While there has been no conflict in Loliondo linked to the issue, the legal settlement on the land in Loliondo would be a welcome development. The EU supports the regulation of the legal nature of the land titles and advocates for dialogue between all stakeholders to encourage them to find a way forward, which respects the interest of the different parties, and which seeks a solution in conformity with the law.

The EU Delegation in Tanzania is following the issue and has discussed the matter with different stakeholders on appropriate levels in the government and with representatives of the Maasai community.

The EU has a very substantial development cooperation programme with Tanzania, which under the 10th European Development Fund (EDF) amounted to EUR 606.5 million. Of the EUR 606.5 million, 50% is distributed through general budget support, 23% is allocated to programmes in the area of transport, 9% for cooperation in the areas of trade and regional integration, 9% in non-focal areas ranging from climate change, energy to support to non-state actors and governance. Furthermore, Tanzania recently benefitted from the Millennium Development Goals Initiative with EUR 51.5 million to sustain the government's efforts to improve the water supply and sanitation.

(Version française)

Question avec demande de réponse écrite E-007643/12
à la Commission
Marc Tarabella (S&D)
(21 août 2012)

Objet: Étude GHG (gaz à effet de serre) et remise en question des biocarburants

Selon l'étude «EU Transport GHG: Routes to 2050», les biocarburants sont trop chers et entraînent une augmentation des émissions de gaz à effet de serre. D'après les auteurs du rapport, il n'est «ni possible ni pertinent de donner des chiffres sur la rentabilité des biocarburants» conventionnels, en raison des conséquences qu'ils entraînent notamment en matière de déforestation. Le coût de la réduction des émissions de CO^2 générées par ces carburants dits «propres» oscillerait entre 100 et 300 euros par tonne de carbone en Europe.

À la suite de ce rapport, la Commission donnait l'impression d'émettre des doutes quant à l'efficacité énergétique des biocarburants.

1. La Commission juge-t-elle donc les biocarburants trop chers et leur empreinte carbone trop élevée?

2. À la lecture de ce rapport, la Commission compte-t-elle revoir l'objectif d'une part de 10 % de biocarburants dans les transports à l'horizon 2020 qu'elle s'est fixé?

3. La Commission a-t-elle de nouvelles propositions à présenter pour l'évaluation des effets indirects des émissions générées par les biocarburants, qui devrait faire la distinction entre les différents types de biocarburants? Dans l'affirmative, quelles sont ces propositions?

Réponse donnée par M. Oettinger au nom de la Commission
(11 octobre 2012)

Certains biocarburants sont chers et les émissions de gaz à effet de serre associées à leur production sont élevées, alors que d'autres, lorsque certaines conditions sont réunies, sont peu coûteux et s'accompagnent de très faibles émissions. Il convient donc d'établir une distinction entre les différents types de biocarburants en fonction des matières premières à partir desquelles ils sont produits, de leur incidence sur l'affectation des sols et de leurs méthodes de production. C'est l'une des conclusions de l'étude scientifique que la Commission a dirigée dans ce domaine et selon laquelle les émissions dues aux changements indirects d'affectation des sols varient sensiblement en fonction du type de biocarburant et peuvent, dans le cas de certaines matières premières, annuler en partie ou totalement les réductions des émissions de gaz à effet de serre associées aux biocarburants ([1]). En moyenne, toutefois, la palette de biocarburants escomptée d'ici 2020 devrait, selon les estimations, générer moins d'émissions que les combustibles fossiles qu'ils remplacent.

Le rapport final auquel l'Honorable Parlementaire ([2]) fait référence arrive, lui aussi, à la conclusion que les biocarburants peuvent, lorsque certaines conditions sont réunies, permettre d'importantes réductions des émissions par rapport aux combustibles fossiles. La Commission étudie donc actuellement les possibilités de renforcer le cadre stratégique de manière à promouvoir les biocarburants permettant d'importantes réductions des émissions de gaz à effet de serre.

([1]) Voir le tableau ES1 en page 13 du rapport de l'IFPRI, qui peut être consulté à l'adresse suivante: http://trade.ec.europa.eu/doclib/docs/2011/october/tradoc_148289.pdf

([2]) Voir le rapport final, page 12: «Towards the decarbonisation of the EU's transport sector by 2050» (Vers une décarbonation du secteur des transports de l'UE d'ici 2050). La citation mentionnée par l'Honorable Parlementaire provient d'une version antérieure et provisoire de ce rapport, laquelle s'appuyait sur des données scientifiques périmées sur les émissions dues aux changements indirects d'affectation des sols.

(English version)

Question for written answer E-007643/12
to the Commission
Marc Tarabella (S&D)
(21 August 2012)

Subject: Greenhouse gas study and doubts about the effectiveness of biofuels

According to the findings of a study entitled 'EU Transport GHG: Routes to 2050?', biofuels are too expensive to produce and actually increase greenhouse gas (GHG) emissions. The report's authors state that 'it is not possible (and useful) to determine cost effectiveness figures for [conventional] biofuels', owing to the impact they have, in particular in terms of deforestation. The carbon abatement cost for these ostensibly 'clean' fuels is estimated at between EUR 100 and EUR 300 per tonne of CO_2 in Europe.

Following the report's publication, the Commission has given the impression that it has doubts about how energy-efficient biofuels are.

1. Does the Commission believe biofuels to be too expensive and to have too large a carbon footprint?

2. In the light of this report, does it intend to review the target it has set of achieving a 10% share for biofuels in the transport energy mix by 2020?

3. Does it have any new proposals for assessing the indirect impact of the emissions generated by each type of biofuel? If so, what are those proposals?

Answer given by Mr Oettinger on behalf of the Commission
(11 October 2012)

Biofuels can be expensive and have high greenhouse gas emissions associated with their production, but they can also be cheap and produced with very low greenhouse gas emissions if certain conditions are met. Therefore it is necessary to distinguish between different types of biofuels according to feedstocks, land use impacts and production methods. This is also one of the conclusions of the scientific work that the Commission has conducted in this area, which shows that estimated indirect land-use change emissions vary substantially among different types of biofuels and can in some cases reduce some or all savings of certain biofuel feedstocks ([1]). On average, however, the expected biofuel mix in 2020 is estimated to produce fewer emissions than the fossil fuels they replace.

That biofuels can offer significant savings compared to fossil fuels if certain conditions are met, is also the conclusion of the final report mentioned by the Honourable Member ([2]). Therefore the Commission is presently considering how to strengthen the policy framework so as to promote biofuels with substantial greenhouse gas savings.

([1]) See table ES1 on page 13 of the IFPRI report, available here: http://trade.ec.europa.eu/doclib/docs/2011/october/tradoc_148289.pdf.

([2]) See final report, page 12: Towards the decarbonisation of the EU's transport sector by 2050. The citation referred to by the Honourable Member is from a previous draft version of the report, which was based on outdated science on indirect land-use change emissions.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007644/12
an die Kommission
Franz Obermayr (NI)
(22. August 2012)

Betrifft: Ersatzkraftstoff Ethanol 10 — Diskussion um die Einführung

Experten fordern schon lange, den Ersatzkraftstoff Ethanol 10 nicht mehr an europäischen Tankstellen zu verkaufen, und Verbraucher sind nach wie vor sehr verunsichert. Benzin mit einer Beimischung von bis zu zehn Prozent Bioethanol sei z. B. nie in Deutschland von den Menschen akzeptiert worden, weil die Politik es nicht geschafft hat, Akzeptanz bei den Verbrauchern herzustellen. Bei steigenden Lebensmittelpreisen kann der Ersatzkraftstoff E10 zu Hungersnöten in der Welt beitragen, so lautet die ernst zu nehmende Kritik.

1. Was hält die Kommission von weiteren Forschungsprojekten und -Möglichkeiten, um auch andere Kraftstoffe zu entwickeln, die nicht aus Lebensmitteln hergestellt werden?

2. Wie kann der Konflikt zwischen „Tank und Teller" nach Meinung der Kommission in weiterer Folge gelöst werden?

3. Wie steht die Kommission zu weiterführender Forschung, um einerseits die Früchte und die Ernte der Felder für die Nahrungsmittelerzeugung zu erhalten, aber auf der anderen Seite die Restprodukte von Pflanzen für die Ersatzspritproduktion zu nutzen?

4. Wie empfindet die Kommission die Diskussion um die europaweite Einführung von E10 als Folge der EU-Vorgaben?

5. Wie schätzt die Kommission die Auswirkungen eines E10-Verbots auf die Ernährungssituation in Entwicklungsländern ein?

6. Das Münchner Umweltinstitut z. B. nennt den Ersatzkraftstoff E10 „einen ökologischen Wahnsinn" und macht die Pflanzenkraftstoffe für steigende Lebensmittelpreise verantwortlich. Wie beurteilt die Kommission diese Aussagen?

7. Die Autofahrer sind nach wie vor verunsichert, wenn sie an der Tanksäule entscheiden müssen, ob sie E10 tanken sollen. Wie beurteilt die Kommission die Bedenken der Konsumenten und die der Autokonzerne, die noch immer nicht europaweite Herstellergarantien abgegeben haben?

Antwort von Herrn Oettinger im Namen der Kommission
(5. Oktober 2012)

In der Erneuerbare-Energien-Richtlinie der EU ist festgelegt, dass jeder Mitgliedstaat im Verkehrssektor bis zum Jahr 2020 eine Biokraftstoffquote von 10 % erreichen muss ([1]). Mit dieser Richtlinie wird außerdem ein klarer Rechtsrahmen für die Nachhaltigkeit von Biokraftstoffen — wie auch in der Richtlinie zur Kraftstoffqualität ([2]) — geschaffen. Nach der Richtlinie zur Kraftstoffqualität müssen die Mitgliedstaaten sicherstellen, dass die Verbraucher über den Biokraftstoffanteil des Ottokraftstoffs und Biodiesel, insbesondere über den geeigneten Einsatz der verschiedenen Ottokraftstoffmischungen, angemessen unterrichtet werden.

Für die Durchführung beider Richtlinien sind die Mitgliedstaaten zuständig. Die Kommission hat mit den Beteiligten einen Dialog darüber geführt, wie die Verbraucher besser informiert werden können, was auch die Kennzeichnung der Kraftstoffe an den Tanksäulen einschließt.

Wenngleich es generell einen Zusammenhang zwischen Biokraftstoffen und der Verfügbarkeit und den Preisen von Lebensmitteln geben könnte, ist doch hervorzuheben, dass in der EU nur etwa 3 % des Getreides für die Herstellung von Bioethanol verwendet werden. Rohstoffe zur Herstellung von Ethanol ergeben Biokraftstoffe, die hinsichtlich der Treibhausgaseinsparungen gut abschneiden, und Untersuchungen des Internationalen Forschungsinstituts für Ernährungspolitik (IFPRI) bestätigen, dass zwischen der Verwendung des Kraftstoffs E 10 und dramatisch steigenden Lebensmittelpreisen keine Verbindung besteht.

([1]) Richtlinie 2009/28/EG.
([2]) Richtlinie 2009/30/EG.

Was die übrigen Fragen im Zusammenhang mit den Auswirkungen der Nachfrage nach Biokraftstoffen in der EU auf die Ernährungssicherheit und die Lage in den Entwicklungsländern betrifft, verweist die Kommission den Herrn Abgeordneten auf ihre Antwort auf die schriftliche Anfrage E-001583/2012 von Herrn Nuno Melo.

(English version)

Question for written answer E-007644/12
to the Commission
Franz Obermayr (NI)
(22 August 2012)

Subject: Debate on the introduction of ethanol 10 (E10) as an alternative fuel

Experts have insisted for some time that the alternative fuel ethanol 10 (E10) should no longer be sold at European filling stations, and consumers are still very confused. It is argued, for example, that E10 — which consists of petrol mixed with up to 10% of bioethanol — has never gained popular acceptance in Germany because politicians were unable to secure consumer confidence. Critics of the fuel argue with some justification that, given rising food prices, using E10 as an alternative fuel could contribute to famines in the world.

1. What is the Commission's view of further research projects and possibilities aimed at developing other fuels that are not produced from foodstuffs?

2. How, in the Commission's opinion, can the 'food v. fuel' conflict be resolved in future?

3. What is the Commission's view of further research aimed at retaining the fruits of the harvest for food production, while at the same time using plant by-products for producing petrol substitutes?

4. How does the Commission view the debate on the introduction of E10 throughout Europe as a result of EU rules?

5. What does the Commission consider would be the effects of a ban on E10 on the food situation in developing countries?

6. The Munich Environmental Institute describes the use of E10 as an alternative fuel 'environmental madness' and claims that plant-based fuels are to blame for rising food prices. What is the Commission's view on these statements?

7. Drivers at filling stations are still uncertain whether to fill up with E10. What is the Commission's response to the concerns of consumers and of car manufacturers, who have still not yet given Europe-wide producers' guarantees?

Answer given by Mr Oettinger on behalf of the Commission
(5 October 2012)

The EU Renewable Energy Directive (RED) sets a 10% target for each Member State for the share of energy from renewable sources in transport in 2020 ([1]). It also provides a clear regulatory framework for biofuel sustainability that is also included in the EU Fuel Quality Directive (FQD) ([2]).The FQD requires that Member States ensure the provision of appropriate information to consumers concerning the biofuel content of petrol and biodiesel, in particular on the appropriate use of different blends in petrol.

Implementation of both directives is the responsibility of the Member States. The Commission has developed a dialogue with stakeholders on ways to improve consumer information, including fuel labelling at the pump.

While in general there could be a link between biofuels and food availability and prices, it has to be emphasised that in the EU only around 3% of total cereal use and cereal production is used for bioethanol production. Ethanol feedstocks are well performing biofuels, and research done by the International Food Policy Research Institute (IFPRI) confirms that the use of E10 has no link to dramatic increases of food prices.

As regards the other questions related to the impact of biofuels demand in the EU on food security and situation in the developing countries, the Commission refers the Honourable Member to its answer to previous Written Question E-001583/2012 by Mr Nuno Melo.

([1]) Directive 2009/28/EC.
([2]) Directive 2009/30/EC.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007646/12
alla Commissione
Mara Bizzotto (EFD)
(22 agosto 2012)

Oggetto: Aggiornamenti sul caso di Asia Bibi e impegno della Commissione per migliorare la tutela delle minoranze religiose nel mondo

Asia Bibi, donna pachistana cristiana condannata a morte nel novembre 2010 dal tribunale del distretto di Nankana (Pakistan) con l'accusa di blasfemia, è al momento ancora detenuta in carcere e la sua famiglia deve vivere nascosta a causa delle continue minacce da parte della maggioranza musulmana, la quale considera i cristiani alla stregua di paria. In riferimento alla risposta della Commissione all'interrogazione E-011975/2011 relativa al caso suesposto, può la Commissione far sapere qual è lo stato di avanzamento delle relazioni con il governo di Islamabad finalizzate a ottenere la scarcerazione di Asia Bibi?

Nei paesi a legislazione islamica, come il Pakistan, le minoranze religiose, soprattutto cristiane, subiscono quotidianamente vessazioni di carattere fondamentalista islamico a causa della loro fede.

Quali misure intende la Commissione adottare per assicurare una maggiore tutela dei diritti umani e civili di queste minoranze? Può far sapere quali sono i risultati finora raggiunti nelle relazioni con il Pakistan in ambito di tutela dei diritti umani e di miglioramento dell'attuazione della giustizia secondo principi più democratici e civili?

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

L'UE è pienamente consapevole della situazione di vulnerabilità in cui vivono le minoranze religiose in Pakistan e continua a seguire da vicino il caso di Asia Bibi.

L'UE solleva sistematicamente la problematica inerente ai diritti delle minoranze religiose nel dialogo regolare con il Pakistan in materia di diritti umani. Il caso di Asia Bibi è stato sempre menzionato durante le riunioni ad alto livello tra l'UE e il Pakistan, nonché in occasione della visita dell'AR/VP a Islamabad il 5 giugno 2012. Inoltre, la delegazione e gli ambasciatori dell'UE a Islamabad hanno affrontato a più riprese questo specifico caso con le autorità pakistane nel quadro dei contatti bilaterali. Il dialogo in materia di diritti umani verrà intensificato sulla base di un piano d'impegno con il Pakistan recentemente concordato.

L'applicazione controversa della legge sulla blasfemia resta una fonte di grandissima preoccupazione per l'UE. I recenti sviluppi in Pakistan, in particolare il caso della minorenne cristiana Rimsha Masih, hanno dimostrato ancora una volta che le leggi sulla blasfemia, nella loro forma attuale, possono prestarsi ad abusi. L'UE continuerà ad invitare il governo del Pakistan a modificare gli aspetti più controversi della legislazione sulla blasfemia e ritiene inoltre che il Pakistan dovrebbe prendere in considerazione l'abrogazione totale delle suddette leggi.

La Commissione sta mettendo in atto una serie di programmi e progetti volti a promuovere la tolleranza e a contribuire a contrastare il radicalismo: essi riguardano l'istruzione, lo sviluppo rurale e la lotta all'estremismo violento. Allo stesso tempo l'UE continua a sostenere progetti intesi a migliorare l'accesso alla giustizia in Pakistan, con un'attenzione particolare ai gruppi vulnerabili.

(English version)

Question for written answer E-007646/12
to the Commission
Mara Bizzotto (EFD)
(22 August 2012)

Subject: Update on the case of Asia Bibi and commitment from the Commission to improving the protection of religious minorities worldwide

Asia Bibi, the Christian Pakistani woman sentenced to death in November 2010 by a district court in Nankana (Pakistan) on charges of blasphemy, is currently still in prison and her family in hiding owing to constant threats from the Muslim majority, which treats Christians as if they were pariahs. With reference to the Commission's answer to Written Question E-011975/2011 concerning this case, can it indicate what stage has been reached in the discussions with the Pakistan Government to secure Asia Bibi's release?

In countries such as Pakistan that are governed by Islamic law, religious minorities, and especially Christians, are subject to daily harassment from Islamic fundamentalists because of their religion.

What steps will the Commission take to ensure better protection of the human and civil rights of such minorities? Can it state what has been achieved so far in discussions with Pakistan in the field of the protection of human rights and better implementation of justice on the basis of more democratic and secular principles?

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

The EU is well aware of the vulnerable situation of persons belonging to religious minorities in Pakistan and continues to follow the case of Asia Bibi closely.

On the rights of religious minorities, the EU consistently raises this issue in the EU-Pakistan regular human rights dialogue. The case of Asia Bibi was also raised systematically in high-level and senior officials' meetings between the EU and Pakistan, including the visit by the HR/VP to Islamabad on 5 June 2012. In addition the EU Delegation and EU ambassadors in Islamabad have repeatedly raised this specific case with the Pakistani authorities in bilateral contacts. The dialogue on human rights will be intensified following a recently agreed Engagement Plan with Pakistan.

The controversial application of the blasphemy laws remains a source of deep concern for the EU. Recent developments in Pakistan, in particular the case of the minor Christian girl Rimsha Masih, have once again demonstrated that the blasphemy laws in their current form remain open to abuse. The EU will continue to encourage Pakistan to amend the more controversial aspects of the blasphemy legislation. Furthermore the EU maintains that Pakistan should consider total repeal of the blasphemy laws.

A number of programmes and projects are being implemented by the Commission to promote tolerance and to assist in countering radicalism. Those cover education, rural development and action against violent extremism. At the same time the EU continues to support projects which are intended to improve access to justice in Pakistan, with particular emphasis on vulnerable groups.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007647/12
alla Commissione
Andrea Zanoni (ALDE)
(22 agosto 2012)

Oggetto: Installazione del sistema MUOS presso la Riserva Naturale Orientata «Sughereta di Niscemi» con ripercussioni negative sull'ambiente e sulla salute

La sughereta di Niscemi (CL) si estende per oltre 3 000 ettari e costituisce il più importante relitto dei boschi di querce che un tempo ricoprivano la Sicilia centro-meridionale. È un biotopo di straordinario valore naturalistico, in quanto ospita oltre 500 specie di piante, due delle quali incluse nella lista rossa regionale siciliana ([1]), 122 specie di uccelli ([2]), tra i quali sono stati osservate due specie molto rare, come il capovaccaio e l'aquila di Bonelli, 16 specie di mammiferi, 4 di anfibi e 14 di rettili. L'importanza di queste risorse naturali ha fatto sì che la Sughereta sia tutelata come Sito di Importanza Comunitaria ITA050007 e come Riserva Naturale Orientata della Regione Sicilia.

In totale spregio al patrimonio naturale di Niscemi, la marina militare americana ha deciso di installare nella zona B della Riserva la stazione terrestre del sistema MUOS (Mobile User Objective System) di telecomunicazioni satellitari, composto da tre enormi trasmettitori parabolici basculanti ad altissima frequenza e due antenne elicoidali UHF, coprendo un campo di base di mezzo ettaro.

I lavori sono segretamente iniziati nel febbraio 2008 in assenza della indispensabile valutazione di impatto ambientale, che è stata presentata solo successivamente, nell'estate dello stesso anno.

Sottoposta su richiesta dell'amministrazione comunale di Niscemi alle verifiche di alcuni esperti ([3]), tale valutazione di impatto è risultata «incompleta e di scarsa attendibilità», con una documentazione allegata «discordante, insufficiente e inadeguata». Recenti studi hanno inoltre dimostrato i gravi effetti per la salute che possono essere provocati dall'esposizione prolungata alle onde dei radar.

Tenuto conto del fatto che:

— i lavori in corso rischiano di pregiudicare irreversibilmente l'ambiente naturale della Sughereta di Niscemi;

— le emissioni elettromagnetiche del MUOS potrebbero causare gravissimi danni alla popolazione residente e alla fauna selvatica;

— alla realizzazione dei lavori, oltretutto, come risulta da un'inchiesta del quotidiano «La Repubblica», concorrerebbe in subappalto la «Calcestruzzi Piazza S.r.l.» ([4]) , amministrata dalla moglie di un individuo considerato legato a un clan mafioso locale,

quali provvedimenti intende la Commissione adottare per far rispettare le normative comunitarie relative alla tutela della salute, dell'ambiente naturale e della legalità?

Risposta di John Dalli a nome della Commissione
(24 settembre 2012)

La direttiva 92/43/CEE ([5]) relativa alla conservazione degli habitat non vieta la costruzione di infrastrutture di telecomunicazioni satellitari all'interno o in prossimità di siti di importanza comunitaria (SIC). La compatibilità di tale installazione con gli obiettivi di conservazione di un sito deve essere stabilita caso per caso. Ai sensi dell'articolo 6, paragrafo 3, della direttiva citata, qualsiasi piano o progetto che possa avere incidenze significative su un sito SIC forma oggetto di una opportuna valutazione e le autorità competenti possono dare il loro accordo su tale piano o progetto soltanto dopo aver avuto la certezza che esso non pregiudicherà l'integrità del sito.

([1]) Cfr. «Taxa a rischio nella flora vascolare della Sicilia» di F. M. Raimondo, G. Bazan, A. Troia, Dipartimento di Biologia Ambientale e Biodiversità, Università di Palermo.
([2]) Check-list degli uccelli della Riserva Naturale Orientata «Sughereta di Niscemi» (Sicilia), R. Mascara, 2008.
([3]) Relazione tecnica relativa al sopralluogo effettuato in data 19.6.2009 (determinazione n. 16 del 17.3.2009), Palermo, 10 ottobre 2009. Mobile User Objective System (MUOS) presso il Naval Radio Transmitter Facility (NRTF) di Niscemi: Analisi dei rischi, Politecnico di Torino, 4 Novembre 2011.
([4]) http://inchieste.repubblica.it/it/espresso/2011/10/31/news/un_azienda_in_odore_di_cosa_nostra_nel_cantiere_dell_antenna_americana-24201930/.
([5]) GU L 206 del 22.7.1992, pag. 7.

In base alle informazioni in suo possesso, alla Commissione non risulta alcuna potenziale violazione delle summenzionate disposizioni da parte delle autorità italiane. Le informazioni comunicate dall'onorevole parlamentare non forniscono dettagli sufficienti sul piano della natura delle incidenze e dell'entità del danno che il progetto potrebbe comportare per il sito. La Commissione invita l'onorevole parlamentare a fornire maggiori dettagli ai fini di consentire l'avvio di un'inchiesta.

Quanto alla tutela della popolazione in generale contro i potenziali effetti dei campi elettromagnetici, il Trattato sul funzionamento dell'Unione europea conferisce agli Stati membri la competenza legislativa in materia. A questo proposito, la raccomandazione 1999/519/CEE ([6]) del Consiglio fornisce linee guida al legislatore. Tutti gli Stati membri hanno preso le misure atte ad applicare la raccomandazione del Consiglio, ma ciascuno lo ha fatto in maniera diversa. L'Italia ha fissato limiti di esposizione più severi di quelli previsti dalla raccomandazione del Consiglio.

([6]) GU L 199 del 30.7.1999, pag. 59.

(English version)

Question for written answer E-007647/12
to the Commission
Andrea Zanoni (ALDE)
(22 August 2012)

Subject: Installation of MUOS system in 'Sughereta di Niscemi' Nature Reserve, having an adverse impact on the environment and on health

The cork forest (*sughereta*) of Niscemi (Caltanissetta, Sicily) covers over 3 000 hectares and is the most important relict of the oak forests that once covered central-southern Sicily. It is a habitat of extraordinary natural value, as it is home to over 500 species of plants, two of which are included on the Sicilian regional red list ([1]), 122 species of birds ([2]), including two very rare species, such as the Egyptian vulture and the Bonelli's eagle, 16 species of mammal, 4 of amphibian and 14 of reptile. These natural resources are so important that the cork forest is protected as a site of Community importance (ITA050007) and as a Nature Reserve of the Region of Sicily.

With total disregard for the natural heritage of Niscemi, the US Navy has decided to install in Zone B of the nature reserve a MUOS (Mobile User Objective System) ground station for satellite telecommunications, consisting of three huge swivelling very high frequency satellite dishes and two UHF helical antennas, covering a field of half a hectare.

The work began secretly in February 2008, without the vital environmental impact assessment which was submitted only later, in the summer of the same year.

At the request of Municipality of Niscemi the impact assessment was inspected by a number of experts ([3]), who found the assessment to be incomplete and unreliable and stated that the documentation attached was 'discordant, insufficient and inadequate'. Recent studies have also demonstrated the serious health effects that may be caused by prolonged exposure to radar waves.

Taking into account the fact that:

— the work in progress is likely to have an irreversible impact on the natural environment of the Niscemi cork forest;

— the electromagnetic emissions of the MUOS could cause serious damage to the local population and to wildlife;

— as reported in an investigation by the newspaper 'La Repubblica', one of the subcontractors involved in the work —'Calcestruzzi Piazza' Srl ([4]) — is run by the wife of a person considered to be linked to a local mafia clan;

what measures will the Commission take to ensure compliance with Community legislation on the protection of health, the natural environment and the principle of legality?

Answer given by Mr Dalli on behalf of the Commission
(24 September 2012)

The Habitats Directive 92/43/EEC ([5]) does not prohibit the construction of satellite telecommunication infrastructures in or near Sites of Community Importance (SCI). The compatibility of such a development with the conservation objectives of a site needs to be determined on a case-by-case basis. According to Article 6 of that directive, any plan or project likely to have a significant effect on an SCI has to be subject to an appropriate assessment and the competent authorities may agree to this project only after having ascertained that it will not adversely affect the integrity of the site.

([1]) Cfr 'Taxa a rischio nella flora vascolare della Sicilia' by F. M. Raimondo, G. Bazan, A. Troia, Department of Environmental Biology and Biodiversity, University of Palermo.
([2]) Check-list of birds of the 'Sughereta di Niscemi' Nature Reserve (Sicily), R. Mascara, 2008.
([3]) Technical report on the inspection carried out on 19 June 2009 (Decision No 16 of 17 March 2009), Palermo, 10 October 2009. Mobile User Objective System (MUOS) at the Naval Radio Transmitter Facility (NRTF) of Niscemi: Risk analysis, Turin Polytechnic, 4 November 2011.
([4]) http://inchieste.repubblica.it/it/espresso/2011/10/31/news/un_azienda_in_odore_di_cosa_nostra_nel_cantiere_dell_antenna_americana-24201930/.
([5]) OJ L 206, 22.7.1992, p. 7.

The information available to the Commission does not indicate any potential breach of the above provisions by the Italian authorities. The information provided by the Honourable Member does not have sufficient details on the nature of the impacts and the significance of the damage that this project could cause on the site. The Commission would ask the Honourable Member to provide more details in order to be able to launch an investigation.

With regard to the protection of the general public from potential effects of electromagnetic fields, the Treaty on the Functioning of the European Union confers the responsibility to the Member States to legislate. Guidance for such legislation can be found in Council Recommendation 1999/519/EEC ([6]). All Member States have taken measures to implement the Council Recommendation but each has done it in a different way. Italy has put exposure limits in place that are stricter than those coming from the Council recommendation.

([6]) OJ L 199, 30.7.1999, p. 59.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-007648/12
aan de Commissie
Marietje Schaake (ALDE)
(22 augustus 2012)

Betreft: Amerikaans onderzoek naar Europese financiële instellingen in verband met schending van VS-sancties tegen Iran

Gedurende de afgelopen weken zijn er diverse rapporten gepubliceerd over afgesloten en lopende onderzoeken van de federale autoriteiten van de VS en van de staten naar financiële instellingen in de EU (bijv. de Royal Bank of Scotland, Standard Chartered en Commerzbank) in verband met vermeende schendingen van VS-sancties tegen Iran. Ondernemingen in de EU hebben hun bezorgdheid uitgesproken over banken die geen handelstransacties willen aangaan die volgens Europese wetgeving legaal zijn, uit angst om VS-sancties tegen Iran te schenden ([1]), en over het feit dat Europese bedrijven hierdoor aan concurrentiekracht verliezen in vergelijking met Amerikaanse bedrijven.

1. Heeft de Commissie haar bezorgdheid kenbaar gemaakt aan de Amerikaanse overheid en staatsautoriteiten over de extraterritoriale impact van VS-sancties tegen Iran op de (internationale) handel van de EU, ondernemingen in de EU en hun concurrentiekracht? Is deze kwestie met de Amerikaanse autoriteiten besproken? Zo ja, wat is er besproken?

2. Hoe kan de Commissie Europese ondernemingen en financiële instellingen steunen, teneinde de impact van VS-sancties tegen Iran op legale handel met Iran zoveel mogelijk te beperken?

3. Is de Commissie op een of andere manier betrokken bij de onderzoeken van de federale autoriteiten van de VS en van de staten betreffende de handel van Europese ondernemingen en financiële instellingen? Hebben de federale autoriteiten van de VS en van de staten de Commissie (en de respectieve EU-lidstaten) op de hoogte gesteld van de lopende (en toekomstige) onderzoeken?

4. In hoeverre stelt de Amerikaanse overheid de Commissie op de hoogte en in welke mate werkt zij samen met haar EU-partners bij het ontwerpen en opleggen van (nieuwe) sancties tegen Iran die ook impact hebben op Europese handel en ondernemingen, gezien bijvoorbeeld de rol van de Hoge Vertegenwoordiger van de EU in de context van de E3+3-onderhandelingen?

5. Hoe zorgt de Commissie ervoor dat de onafhankelijkheid van de EU wordt beschermd en de belangen van Europese ondernemingen en financiële instellingen worden behartigd ten opzichte van de Amerikaanse autoriteiten?

6. Kan de Commissie toelichten of EU-sancties tegen Iran een vergelijkbare impact hebben op Amerikaanse ondernemingen en financiële instellingen?

7. Is de Commissie het ermee eens dat de EU een autonoom buitenlands en internationaal handelsbeleid moet nastreven en de (extraterritoriale) impact van wetgeving in derde landen zoveel mogelijk moet beperken?

Antwoord van hoge vertegenwoordiger/vicevoorzitter Ashton namens de Commissie
(12 oktober 2012)

1 en 4. Naast de sancties die zijn overeengekomen op VN-niveau hebben de EU en de VS sancties opgelegd aan Iran in de context van hun gezamenlijke diepe bezorgdheid over het nucleaire programma van Iran. De EU en de VS hebben regelmatig contact over het beleid inzake deze autonome sancties. De contacten dienen voornamelijk om de EU te informeren over het huidige beleid van de VS en omgekeerd en om maatregelen op elkaar af te stemmen waar mogelijk. Ook vraagstukken bij de tenuitvoerlegging worden besproken, waaronder de impact van bepaalde maatregelen van de VS buiten de VS.

2, 3 en 5. De maatregelen van de EU en de VS zijn grotendeels op elkaar afgestemd, vooral sinds de EU sterke aanvullende maatregelen heeft genomen in de financiële sector en om de invoer van Iraanse olie te verbieden. Het algemene effect van maatregelen van de VS waarbij in de EU nog toegestane commerciële activiteiten verboden worden, is beperkt. De EU onderhoudt regelmatige contacten met de VS om problemen te vermijden waar er toch nog verschillen zijn, omdat bedrijven van de EU die zaken doen in de VS de wetten van de VS in acht moeten nemen. De EU is echter niet betrokken bij onderzoeken van de federale autoriteiten of van de staten van de VS.

([1]) http://www.ft.com/cms/s/0/e36f37ce-ebb4-11e1-985a-00144feab49a.html#axzz24CcJQtt6, http://money.cnn.com/2012/08/16/news/companies/standard-chartered-new-york/index.html, http://online.wsj.com/article/SB10000872396390444233104577591311307733418.html

6 en 7. De omvang van de autonome maatregelen van de EU is duidelijk gedefinieerd in artikel 49 van verordening (EU) nr. 267/2012 (van toepassing op EU-staatsburgers, alsook rechtspersonen die zijn opgericht volgens het recht van een lidstaat en alle zakelijke transacties binnen de Unie.

(English version)

Question for written answer E-007648/12
to the Commission
Marietje Schaake (ALDE)
(22 August 2012)

Subject: EU financial institutions under US investigation for breach of US sanctions against Iran

In recent weeks several reports have been published on closed and ongoing investigations by US (federal and state) authorities of EU (based) financial institutions (e.g. Royal Bank of Scotland, Standard Chartered, Commerzbank) for alleged breaches of US sanctions against Iran . EU companies have expressed concerns about banks unwilling to execute business, that is legitimate under EU sanctions, for fear of violating US sanctions against Iran ([1]), and the fact that this is having a negative impact on EU businesses' competitiveness vis-à-vis US businesses.

1. Has the Commission expressed its concerns to the US Government and state authorities over the extraterritorial impact of US sanctions against Iran on EU (international) trade, EU companies and their competitiveness? Have there been discussions with US authorities on this matter? If so, what has been discussed?

2. How can the Commission support EU companies and financial institutions to minimise the impact of US sanctions against Iran on legitimate trade with Iran?

3. Is the Commission in any way involved in the investigations by US federal and state authorities into the businesses of EU companies and financial institutions? Have the US federal and state authorities informed the Commission (and the respective EU Member States) of the ongoing (and future) investigations?

4. To what extent does the US Government inform the Commission and cooperate with its EU counterparts in drafting and imposing (new) sanctions against Iran that also impact EU trade and companies, given, among other things, the EU High Representative's role in the context of the E3+3 negotiations?

5. How does the Commission ensure that EU independence, and the interest of EU companies and financial institutions are protected and served vis-à-vis the US authorities?

6. Can the Commission explain whether EU sanctions against Iran have a comparable impact on US companies and financial institutions?

7. Does the Commission agree that the EU should pursue an autonomous foreign and international trade policy and should minimise the (extraterritorial) impact of third country legislation?

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

1 and 4. Against the background of our shared grave concerns regarding Iran's nuclear programme, both the EU and the US have imposed sanctions on Iran in addition to the sanctions agreed upon at the UN level. Regular contacts exist between the EU and the US on the policies regarding these autonomous sanctions. To a large extent, such contacts serve to inform the EU of current US policies and vice versa, and to try to align measures where possible. Issues of implementation are also discussed, including the impact of certain US measures outside of the US.

2, 3 and 5. US and EU measures are to a large extent aligned, especially since the EU has taken strong additional measures in the financial sector and to ban the import of Iranian oil. The overall impact of US measures sanctioning commercial activities which are still allowed in the EU is limited. Where there are still discrepancies, the EU maintains regular contacts with the US in order to avoid that problems arise, on the basis that EU companies doing business in the US must observe US laws. The EU is, however, not involved in US federal or state authorities' investigations.

6 and 7. The scope of the EU autonomous measures is clearly defined by Article 49 of Regulation (EU) No 267/2012 (applicable to EU nationals, legal persons incorporated under the law of a Member State or in respect of any business done within the Union).

([1]) http://www.ft.com/cms/s/0/e36f37ce-ebb4-11e1-985a-00144feab49a.html#axzz24CcJQtt6, http://money.cnn.com/2012/08/16/news/companies/standard-chartered-new-york/index.html, http://online.wsj.com/article/SB10000872396390444233104577591311307733418.html.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007649/12
alla Commissione
Andrea Zanoni (ALDE)
(22 agosto 2012)

Oggetto: Cattura massiva di uccelli migratori autorizzata dalla Regione Veneto con mezzi vietati (reti) in deroga alla direttiva 2009/147/CE per fornire i cacciatori di richiami vivi

Dal 1994 la Regione Veneto (ma anche la Provincia di Trento e le regioni Lombardia, Emilia-Romagna, Toscana e Marche) autorizza decine di impianti con reti per la cattura di uccelli da utilizzarsi come richiami vivi nella caccia. Le specie catturate sono: Allodola, Cesena, Merlo, Tordo bottaccio e Tordo sassello. L'attività è autorizzata richiamando il regime di deroga previsto dalla direttiva Uccelli (2009/147/CE, articolo 9, paragrafo 1, lettera c), tuttavia le procedure adottate dalla Regione non assicurano 1) l'assenza di «altre soluzioni soddisfacenti», 2) l'esistenza di «condizioni rigidamente controllate» e 3) la selettività del prelievo. Inoltre è consentita la cattura dell'Allodola, classificata «vulnerabile» nella lista rossa degli uccelli nidificanti in Italia (http://www.ciso-coi.it/redlist.pdf) e in declino da 30 anni in tutta Europa ([1]). La Guida Interpretativa sulla direttiva Uccelli ([2]) al punto 3.5.40 specifica che le deroghe non devono essere concesse per specie o popolazioni il cui stato di conservazione è insufficiente e la cui consistenza numerica è in diminuzione.

Con delibera n.1629 del 31.7.2012 la Regione Veneto ha autorizzato ben 46 impianti per la cattura di 16 000 uccelli senza specificare luoghi di cattura, numero di uccelli da catturare per specie, arco temporale di cattura. L'ISPRA ([3]) con nota del 21.6.2012 ha dato parere sfavorevole alla Regione Veneto alla cattura in deroga per la stagione 2012/2013, sottolineando la necessità di metodi alternativi quali l'allevamento degli uccelli in cattività e rimarcando l'assenza di dati certi in merito al fabbisogno di richiami vivi per i cacciatori.

Si rileva inoltre che è pendente un processo penale che vede coinvolti due dipendenti della provincia di Treviso e tre catturatori di uccelli da essa incaricati nell'ambito del funzionamento di questi impianti, scaturito da un controllo casuale del CFS ([4]). Un altro processo, conclusosi con condanne, si è tenuto alcuni anni fa per reati rilevati negli impianti di cattura della provincia di Vicenza, il tutto sempre grazie solo a saltuari controlli del CFS. Ciò dimostra l'inefficacia dei controlli interni previsti dalla regione e dalle province e la totale inesistenza di «rigidi controlli» in violazione della lettera c) dell'articolo 9, paragrafo 1, della direttiva Uccelli.

La Commissione come e quando interverrà per fermare questa attività esercitata con mezzi vietati che minaccia addirittura specie di uccelli migratori in declino e incluse nella lista rossa?

Risposta di Janez Potočnik a nome della Commissione
(11 ottobre 2012)

Per quanto riguarda la delibera adottata dalla Regione Veneto nel luglio 2012 concernente la cattura di uccelli da utilizzarsi come richiami vivi, la Commissione valuterà questa misura nell'ambito dell'indagine in corso avviata nel dicembre 2010 concernente la cattura di uccelli da utilizzarsi come richiami vivi in alcune regioni italiane, compreso il Veneto. La Commissione sta esaminando tutte le informazioni disponibili nell'ambito di questa indagine in corso e deciderà successivamente sui provvedimenti da adottare.

La Commissione rimanda l'onorevole parlamentare alla risposta data alla sua interrogazione scritta E-7620/12 ([5]).

([1]) Pan-European Common Bird Monitoring Scheme, Cf. http://www.ebcc.info/index.php?ID=457.
([2]) Guida alla disciplina della caccia nell'ambito della direttiva 79/409/CEE sulla conservazione degli uccelli selvatici — 2008.
([3]) Istituto Superiore per la Protezione e la Ricerca Ambientale.
([4]) Corpo Forestale dello Stato.
([5]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer E-007649/12
to the Commission
Andrea Zanoni (ALDE)
(22 August 2012)

Subject: Mass capture of migratory birds authorised by the Veneto Region with prohibited means (nets), by way of derogation from Directive 2009/147/EC, in order to provide hunters with live decoys

Since 1994, the Veneto Region (as well as the Province of Trento and the regions of Lombardy, Emilia-Romagna, Tuscany and Marche) has been authorising dozens of net installations to catch birds which are then used as live decoys in hunting. The species caught are: skylarks, fieldfares, blackbirds, song thrushes and redwings. This activity is authorised through the derogation system provided for under the Birds Directive (2009/147/EC, Article 9(1)(c)). However, the procedures adopted by the Region do not ensure that (1) there is 'no other satisfactory solution'; (2) the conditions are 'strictly supervised', and (3) the birds are captured 'on a selective basis'. Furthermore, the Region is also allowing larks to be captured; these are classified as 'vulnerable' on Italy's Red List of breeding birds (http://www.ciso-coi.it/redlist.pdf) and have been in decline for 30 years across Europe (). The guidance document on hunting under the Birds Directive ([1]) specifies in Section 3.5.40 that derogations should not be granted for species or populations with an unfavourable conservation status and which are declining within the European Union.

By resolution No.1629 of 31 July 2012 the Veneto Region authorised as many as 46 installations for the capture of 16 000 birds without specifying the places of capture, number of birds to be captured by species, or the time frame for capture. ISPRA ([2]), in a note of 21 June 2012, gave the Veneto Region a negative opinion regarding captures by way of derogation from the Birds Directive for the 2012/2013 season, stressing the need for alternative methods, such as the breeding of birds in captivity, and pointing out that there were no reliable data regarding hunters' requirements for live decoys.

Moreover, criminal proceedings are currently under way involving two employees of the Province of Treviso and three bird catchers employed by the Province to operate this bird-catching equipment, thanks to a random check carried out by the CFS ([3]). Another trial, which ended in convictions, was held a few years ago for offences relating to bird-catching installations in the Province of Vicenza; all of this, again, was thanks only to occasional checks by the CFS. This demonstrates the ineffectiveness of the internal monitoring that is supposed to be carried out by the Region and the provinces and the total lack of 'strictly supervised conditions', in breach of Article 9(1)(c) of the Birds Directive.

How and when will the Commission take action to halt this activity that is carried out by prohibited means and is even threatening migratory bird species that are in decline and on the red list?

Answer given by Mr Potočnik on behalf of the Commission
(11 October 2012)

As regards the resolution adopted by Veneto in July 2012 concerning the capture of birds to be used as live decoys, the Commission will assess this measure in the framework of the ongoing investigation launched in December 2010 concerning the capture of live birds to be used as decoys in some Italian regions, including Veneto. The Commission is assessing all the information available in the framework of this ongoing investigation, and will decide on the next step to be taken.

The Commission would also refer the Honourable Member to its answer to his Written Question E-7620/12 ([4]).

([1]) Guidance document on hunting under Council Directive 79/409/EEC on the conservation of wild birds. 'The Birds Directive', 2008.
([2]) Istituto Superiore per la Protezione e la Ricerca Ambientale (Institute for Environmental Protection and Research).
([3]) Corpo Forestale dello Stato (State Forestry Corps).
([4]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(English version)

Question for written answer P-007650/12
to the Commission (Vice-President/High Representative)
Fiona Hall (ALDE)
(22 August 2012)

Subject: VP/HR — Demolition of Palestinian villages for Israeli Defence Forces training

On 22 July the Israeli Defence Minister, Ehud Barak, ordered the demolition of eight Palestinian villages in the South Hebron Hills because the area is required for training exercises for the Israeli Defence Forces (IDF). The 1 500 villagers will be moved to the town of Yatta, but will be allowed to return to work their lands and graze their flocks when the IDF is not training: on weekends and Jewish holidays and during two other one-month periods every year.

Even though the villages have existed since the 1830s, the IDF considers their inhabitants to be squatters in Firing Zone 918. Evacuation orders had been issued against the villages in 1999 but were frozen by an injunction issued by the High Court of Justice in response to two petitions, which together represented 200 families. An effort to reach an agreement on the status of the residents in the area by a mediation process failed in 2005.

What is the Vice-President/High Representative doing to ensure that the Israeli Government does not go ahead with the demolition of these villages, which have been home to hundreds of families for generations?

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

The EU is deeply concerned at the prospect of the demolition of eight Palestinian villages in the South Hebron Hills in Area C of the West Bank. The matter is now before the Israeli High Court of Justice. If demolition orders are upheld they would entail the forced transfer of up to 1 800 people.

The EU has made clear its concerns, including in the May FAC Conclusions which recalled the applicability of international humanitarian law in the occupied Palestinian territory, including the applicability of the fourth Geneva Convention relative to the protection of civilians. The EU called and continues to call upon Israel to meet its obligations regarding the living conditions of the Palestinian population in Area C, halting forced transfer of population and demolition of Palestinian housing and infrastructure.

On 9 August EU Heads of Mission in Jerusalem and Ramallah visited the communities concerned to gain a first-hand impression of developments in the area, demonstrate concern at the humanitarian impact of any house demolitions and forced transfer of population, and express the EU's commitment to a sustainable future for all Palestinian communities in Area C. During the visit, the group met Prime Minister Salam Fayyad at Mufaqara village who briefed them about the Palestinian Authority's efforts and work to support the people of this area.

(English version)

Question for written answer E-007651/12
to the Commission
Fiona Hall (ALDE)
(22 August 2012)

Subject: Banks and state aid

In the UK, the Royal Bank of Scotland and Lloyds TSB have had to sell a number of branches in order to comply with EU state aid rules regarding banks holding a disproportionate share of the market.

Can the Commission confirm which banks in Spain, Italy, Greece, Ireland and Portugal have also had to sell branches for the same reason?

Answer given by Mr Almunia on behalf of the Commission
(17 September 2012)

In applying state aid rules to the financial sector in the context of the crisis the Commission has consistently required three elements to banks under restructuring across Europe: first to have a credible plan for returning to viability, second to reduce the cost to the State to the minimum necessary and ensure appropriate burden sharing, and finally to limit the negative impact on competition. The closure of branches can be related to either the first or the third point.

These principles have been applied so far in over 45 individual cases, where a wide range of measures were agreed with the Member States concerned as part of the restructuring. This included sale or closure of whole business units or subsidiaries of the aided banks, sale or closure of part of the business units, or disappearance of the aided bank via its sale to another entity, or via cessation of its activities.

Regarding completed cases in the specific countries mentioned by the Honourable Member, there have been no restructuring cases in Italy. All cases completed so far in Spain (Caja Castilla-La Mancha, CajaSur, CAM and UNNIM) and Portugal (Banco Privado Português and Banco Português de Negócios) have resulted in the sale of the entire bank involving significant downsizing of its activities including branch closures. Of the three cases completed in Ireland, two resulted in the cessation of activities and winding up of the banks (Anglo Irish Bank and INBS) and one resulted in significant downsizing of the bank's activities including branch closures for reasons of viability (Bank of Ireland). There has been one case completed in Greece (ATE), which resulted in significant downsizing of the bank's activities; the bank has subsequently been resolved.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007652/12
alla Commissione
Andrea Zanoni (ALDE)
(22 agosto 2012)

Oggetto: Orso marsicano (Ursus arctos marsicanus): grave situazione dello status della popolazione nel parco nazionale d'Abruzzo

Nel Parco Nazionale d'Abruzzo, Lazio e Molise, e nel suo Preparco (Area Contigua), in cui insistono numerose zone S.I.C ([1]) e Z.P.S. ([2]), vive la quasi totalità della popolazione di Orso bruno marsicano (Ursus arctos marsicanus). Il suo status è attualmente classificato dall'IUCN ([3]) come «critico (CR)», ovvero a rischio estremamente alto di estinzione in natura. Questo animale, inoltre, è oggetto del progetto Life Arctos attuato nell'ambito del programma finanziario della Commissione Europea LIFE + Natura. Negli ultimi dieci anni ha subito una gravissima diminuzione, passando dai circa 100-120 esemplari stimati nel 2001 ai soli 40-50 censiti quest'anno. Solo nel 2002/2003 erano stati ritrovati morti ben 27 individui, e nel 2011 la riproduzione annuale ha toccato il minimo storico con soli 3 cuccioli. Nel 2012 il Parco segnala un leggero miglioramento dalla natalità, tuttavia insufficiente a compensare le perdite e l'invecchiamento. Le cause del declino e della mortalità vanno attribuite a molteplici fattori, tra cui:

1. avvelenamento con esche costituite da carcasse di capre contenenti sostanze letali o bocconi avvelenati ([4]) ;

2. invasione di bestiame nomade semibrado al pascolo abusivo, con rischio di infezioni ([5]) e disturbo permanente, fonte di aspri conflitti tra allevatori e predatori;

3. bracconaggio e caccia illegale, con battute al cinghiale nei siti europei SIC e ZPS del Preparco, autorizzate dal Calendario Venatorio della Regione Abruzzo, con apertura anticipata al 7 ottobre, nel periodo essenziale per l'orso per accumulare cibo prima del sonno invernale;

4. incidenti stradali dovuti alla mancanza di restrizioni, controlli e adeguati limiti di velocità, e così via. Molte delle cause di morte e disturbo potrebbero essere rimosse con maggior impegno e presidio del territorio, e con Calendari Venatori più rispettosi delle esigenze della fauna protetta. Va sottolineato che, nonostante i ripetuti episodi di bracconaggio, avvelenamento e decesso provocati dall'uomo ([6]) , negli ultimi dieci anni non è mai stato individuato né punito alcun responsabile.

La Commissione è al corrente della grave situazione relativa allo status della popolazione dell'Orso marsicano? Può la Commissione rendere note le modalità d'uso e l'importo dei finanziamenti europei Life + Natura utilizzati per la tutela dell'Orso marsicano, nonché i risultati ottenuti con gli stessi? Alla luce delle violazioni delle direttive 2009/147/CE e 92/43/CE come intende operare la Commissione?

Risposta di Janez Potočnik a nome della Commissione
(9 ottobre 2012)

La Commissione ringrazia l'onorevole parlamentare per le informazioni trasmesse.

L'orso bruno (*Ursus arctos*) rientra tra le specie di animali che «richiedono una protezione rigorosa» ai sensi della direttiva 1992/43/CEE ([7]) (direttiva Habitat), il cui obiettivo è ottenere uno «stato di conservazione soddisfacente» di queste specie considerate prioritarie. Spetta all'Italia adottare i provvedimenti necessari per conseguire questo risultato.

([1]) SIC: Sito di Importanza Comunitaria della Rete Natura 2000 ex direttiva 92/43/CEE.
([2]) ZPS: Zona di Protezione Speciale della Rete Natura 2000 ex direttiva 2009/147/CE.
([3]) IUCN: Unione Internazionale per la Conservazione della Natura (http://it.wikipedia.org/wiki/World_Conservation_Union).
([4]) Nel 2007 è stato accertato l'uso del potente insetticida Fenthion della Bayer usato in una carcassa di capra che causò la morte di tre esemplari di orso. Detti mezzi sono risaputamente vietati dalle direttive 2009/147/CE e 92/43/CE.
([5]) I rischi di infezione possono minacciare anche il camoscio d'Abruzzo (Rupicapra ornata).
([6]) Cf. notizie relative a uccisioni, bracconaggio, mortalità:
http://www.geapress.org/ambiente/parco-nazionale-dabruzzo-lorsa-zoppa-e-la-bufala-invidiosa/21623
http://www.geapress.org/ambiente/lorso-morto-nel-racconto-al-bar-secondo-plantigrado-trovato-morto-questanno-in-centro-italia/14888
http://www.geapress.org/caccia/la-tomba-dellorso-marsicano-foto/14572
http://www.geapress.org/caccia/piscina-mortale-per-orsi-e-non-solo/909 e
http://www.cityrumors.it/regione/abruzzo/progetto-life-actors-una-cordata-per-la-tutela-dellorso-bruno-marsicano-27920.html#.UC3spZYZTYc.
([7]) GU L 206 del 22.7.1992.

Dal 2007 ad oggi hanno beneficiato di un finanziamento nell'ambito del programma LIFE+ tre progetti ([8]) riguardanti l'orso bruno marsicano (ed altri carnivori), per un costo totale stimato a 10 224 707 EUR, di cui 5 168 356 EUR di contributo LIFE+.

L'obiettivo del progetto LIFE09 NAT/IT/160 è migliorare in misura significativa e in modo sostenibile lo stato di conservazione dell'orso bruno sulle Alpi e sugli Appennini, partendo dai risultati di altri progetti LIFE. La principale minaccia per l'orso è rappresentata dal bracconaggio: per questo sarà realizzata un'ampia opera di sensibilizzazione e di consultazione, con il coinvolgimento di tutta una serie di soggetti interessati, allo scopo di elaborare protocolli e orientamenti per una prassi zootecnica sostenibile e la gestione dei conflitti.

La Commissione ha già avviato un'indagine (EU Pilot 3202/12/ENVI) per verificare che in tutte le zone dell'Abruzzo in cui è presente l'orso marsicano (*Ursus arctos marsicanus*) siano effettivamente vietate certe pratiche venatorie che potrebbero minacciare questa specie protetta.

([8]) Programma LIFE: Progetti: LIFE07 Nat/IT/436 «ANTIDOTO» http://www.lifeantidoto.it, LIFE07 NAT/IT/502 «EX-TRA» http://www.lifextra.it, LIFE09 NAT/IT/160 «ARCTOS» http://www.life-arctos.it.

(English version)

Question for written answer E-007652/12
to the Commission
Andrea Zanoni (ALDE)
(22 August 2012)

Subject: Marsican bear (Ursus arctos marsicanus): plight of the bear population in the National Park of Abruzzo

Nearly the entire population of Marsican brown bear (Ursus arctos marsicanus) lives in the National Park of Abruzzo, Lazio and Molise and the surrounding area, in which there are many SCI ([1]) and SPA ([2]) areas. Its status has been assessed by the IUCN ([3]) as being critically endangered (CR), which means that it is at imminent risk of extinction in the wild. This animal is also the subject of the Life Arctos project implemented under the Commission's financial programme LIFE + Nature. Over the past 10 years its population has undergone a serious decline, from an estimated 100-120 animals in 2001 to only 40-50 recorded this year. In 2002/2003 alone as many as 27 bears were found dead, and in 2011 annual reproduction reached its lowest level, with only three cubs being born. In 2012, the park recorded a slight improvement in the birth rate, but insufficient to compensate for losses and ageing. The causes of decline and mortality can be attributed to several factors, including:

1. poisoning with baits consisting of goat carcasses containing lethal substances, or poisoned food morsels ([4]);

2. the invasion of illegal, nomadic, semi-wild cattle, which bring a risk of infection ([5]), cause persistent disturbance and are a source of bitter conflict between farmers and predators;

3. poaching and illegal hunting, with wild boar hunts being carried out in SCI and SPA areas around the park, authorised by the Abruzzo Region's hunting calendar and opening early, on 7 October, at a time when it is vital for bears to be able to build up food stores before their winter hibernation;

4. road accidents due to the lack of restrictions, monitoring, appropriate speed limits, etc. Many of the causes of death and disturbance could be eliminated if greater efforts were made, if the land were monitored more carefully and if hunting calendars were more respectful of the requirements of protected wildlife. It is worth noting that, despite the repeated incidents of poaching, poisoning and death caused by humans ([6]), over the last 10 years none of the culprits has ever been identified or punished.

Is the Commission aware of the serious situation concerning the status of the Marsican Bear population? Can the Commission say how LIFE + Nature EU funding has been used to protect the Marsican Bear, what amounts have been disbursed and what results achieved? In view of the breaches of Directives 2009/147/EC and 92/43/EC, what action does the Commission intend to take?

Answer given by Mr Potočnik on behalf of the Commission
(9 October 2012)

The Commission thanks the Honourable Member for the information provided.

The Brown Bear (*Ursus arctos*) is identified as 'in need of strict protection' under Directive 1992/43/EEC ([7]) ('Habitats Directive'), which aims to achieve the favourable conservation status of such priority species. Appropriate measures to ensure this result are the responsibility of Italy.

Since 2007, three projects ([8]) targeting the Marsican brown bear (and other carnivores) have received funding under the LIFE+ programme. Their total cost is estimated at EUR 10 224 707 (of which EUR 5 168 356 is LIFE+ financing)

([1]) SCI: site of Community importance of the Natura 2000 network, under Directive 92/43/EEC.
([2]) SPA: Special Protection Area of the Natura 2000 network, under Directive 2009/147/EC.
([3]) IUCN: International Union for Conservation of Nature — (http://it.wikipedia.org/wiki/World_Conservation_Union).
([4]) In 2007, the powerful insecticide Fenthion, by Bayer, was found to have been used in the carcass of a goat, causing the death of three bears. It is well known that such methods are prohibited by Directives 2009/147/EC and 92/43/EC.
([5]) The risks of infection are also a threat to the Abruzzo chamois (Rupicapra ornata).
([6]) See news (in Italian) concerning killings, poaching and mortality rates:
http://www.geapress.org/ambiente/parco-nazionale-dabruzzo-lorsa-zoppa-e-la-bufala-invidiosa/21623
http://www.geapress.org/ambiente/lorso-morto-nel-racconto-al-bar-secondo-plantigrado-trovato-morto-questanno-in-centro-italia/14888
http://www.geapress.org/caccia/la-tomba-dellorso-marsicano-foto/14572
http://www.geapress.org/caccia/piscina-mortale-per-orsi-e-non-solo/909;
http://www.cityrumors.it/regione/abruzzo/progetto-life-actors-una-cordata-per-la-tutela-dellorso-bruno-marsicano-27920.html#.UC3spZYZTY.
([7]) OJ L 206, 22.07.1992.
([8]) LIFE Programme: Projects: LIFE07 Nat/IT/436 'ANTIDOTO':
http://www.lifeantidoto.it, LIFE07 NAT/IT/502 'EX-TRA' http://www.lifextra.it, LIFE09 NAT/IT/160 'ARCTOS' http://www.life-arctos.it.

The purpose of the project LIFE09 NAT/IT/160 is to significantly and sustainably improve the conservation status of the Brown Bear in the Alps and Apennines, building upon the results of other LIFE projects. The main identified threat is poaching and therefore extensive advocacy and advisory work will be carried out, with a wide range of stakeholders, aimed at developing protocols and guidelines on sustainable livestock husbandry and conflict management.

The Commission has already started an investigation (EU Pilot 3202/12/ENVI) to verify that certain hunting practices that could endanger the Marsican Bear (*Ursus arctos marsicanus*) are effectively prohibited in all areas of Abruzzo where the species is present.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-007655/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(23 Αυγούστου 2012)

Θέμα: Τεράστιες οικονομικές και οικολογικές ζημιές από πυρκαγιά στη Χίο

Από τις 18.8.2012 μια πραγματική τραγωδία εξελίσσεται στο νησί της Χίου. Έχει εκδηλωθεί πυρκαγιά που έχει κάψει μέχρι τώρα 145 890 στέμματα γης με ανυπολόγιστες περιβαλλοντικές και οικονομικές συνέπειες. Από την πυρκαγιά, έχει ήδη καταστραφεί το 30 % των μαστιχόδεντρων του νησιού που καλλιεργούνται συστηματικά μόνο στη νότια Χίο και που αποτελούν μία από τις κύριες πηγές αγροτικού εισοδήματος χιλιάδων οικογενειών. Παράλληλα, εκτός από την παραγωγή μαστίχας, έχει πληγεί σε μεγάλο βαθμό η μελισσοκομία, αλλά και ελαιοκαλλιέργειες.

Ερωτάται η Επιτροπή, ποια μέσα υπάρχουν για να αποζημιωθούν οι παραγωγοί. Μπορούν να κινητοποιηθούν επιπλέον κονδύλια από κάποιες πηγές; Πόσο άμεσα μπορούν να δοθούν αποζημιώσεις; Μπορεί να συνδράμει η ΕΕ για τη λήψη μέτρων για την αποκατάσταση του περιβάλλοντος της περιοχής;

Απάντηση του κ. Ciolos εξ ονόματος της Επιτροπής
(17 Οκτωβρίου 2012)

Σύμφωνα με τις διατάξεις του άρθρου 36 στοιχείο β) σημείο vi) και του άρθρου 48 του κανονισμού (ΕΚ) αριθ. 1698/2005 ([1]) χορηγείται στήριξη για την αποκατάσταση του δασοκομικού δυναμικού για δάση που έχουν πληγεί από φυσικές καταστροφές και πυρκαγιές και για την ανάληψη των ενδεδειγμένων προληπτικών δράσεων.

Στο ελληνικό Πρόγραμμα Αγροτικής Ανάπτυξης (ΠΑΑ) για την περίοδο 2007-2013 το εν λόγω θέμα αντιμετωπίζεται στο πλαίσιο του Μέτρου 226 «Αποκατάσταση του δυναμικού των δασών και εισαγωγή δράσεων πρόληψης», η οποία καλύπτει την αναδάσωση καθώς και τα αντιπλημμυρικά και αντιαποσαθρωτικά έργα για την αποκατάσταση των δασικών εκτάσεων που έχουν πληγεί από πυρκαγιές. Ειδικά ζητήματα σχετικά με την αξιοποίηση των εν λόγω κονδυλίων εμπίπτουν στις αρμοδιότητες της Ελληνικής Διαχειριστικής Αρχής που εδράζεται στο Υπουργείο Αγροτικής Ανάπτυξης και Τροφίμων.

Όσον αφορά τις άμεσες ενισχύσεις, ο εκτελεστικός κανονισμός (ΕΕ) αριθ. 776/2012 της Επιτροπής ([2]) που εκδόθηκε στις 27 Αυγούστου 2012, επιτρέπει σε όλα τα κράτη μέλη, μετά την ολοκλήρωση της επαλήθευσης των όρων επιλεξιμότητας, να προκαταβάλουν πληρωμές από τις 16 Οκτωβρίου 2012 έως και για το 50 % των καθεστώτων άμεσης στήριξης που απαριθμούνται στο παράρτημα I του κανονισμού (ΕΚ) αριθ. 73/2009 ([3]). Όσον αφορά τις ενισχύσεις για το βόειο κρέας που προβλέπονται στον ίδιο κανονισμό, επιτρέπεται επίσης στα κράτη μέλη να αυξήσουν την πληρωμή των προκαταβολών έως και για το 80 %.

([1]) ΕΕ L 277 της 21.10.2005, σ. 1-40.
([2]) ΕΕ L 231 της 28.8.2012, σ. 8.
([3]) ΕΕ L 30 της 19.01.2009, σ. 67-68.

(English version)

Question for written answer E-007655/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(23 August 2012)

Subject: Massive economic and environmental damage caused by fires on the Greek island of Chios

Since 18 August 2012 a real tragedy has been unfolding on Chios. A fire has broken out, so far destroying 14 589 hectares of land with incalculable environmental and economic consequences. It has already destroyed 30% of the island's mastic trees which are grown systematically only in the south of Chios and constitute one of the main sources of income for thousands of farming families. Moreover, apart from mastic production, beekeeping and olive growing have also been badly affected.

Will the Commission say what means exist to compensate producers? Can additional funds be mobilised? How soon can compensation be provided? Can the EU help take measures to restore the environment of the region?

Answer given by Mr Cioloş on behalf of the Commission
(17 October 2012)

According to the provisions of Articles 36(b)(vi) and 48 of Council Regulation (EC) No 1698/2005 ([1]) support shall be granted for restoring of forestry potential in forests damaged by natural disasters and fire and for introducing appropriate prevention actions.

In the Greek Rural Development Programme (RDP) 2007-2013 this provision is addressed under Measure 226 'Restoration of forest potential and introduction of preventive actions' which covers reforestation and anti-flooding/anti-erosion projects for the restoration of forest areas damaged by fires. Specific questions on the use of this fund fall within the competence of the Greek Managing Authority located in the Ministry of Rural Development and Food.

Regarding direct aids, Commission Implementing Regulation (EU) No 776/2012 ([2]) has been adopted on 27 August 2012, allowing all Member States, after the verification of the eligibility conditions has been finalised, to advance payments from 16 October 2012 of up to 50% of the direct support schemes listed in Annex I to Regulation (EC) No 73/2009 ([3]). Regarding the beef and veal payments provided for in the same Regulation, Member States are also authorised to increase the payment of advances up to 80%.

([1]) OJ L 277 du 21.10.2005, p. 1-40.
([2]) OJ L 231 du 28.8.2012, p. 8.
([3]) OJ L 30 du 19.01.2009, p. 67-68.

(Versión española)

Pregunta con solicitud de respuesta escrita E-007657/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(23 de agosto de 2012)

Asunto: Fondos europeos para museo taurino en Monforte (Portugal)

El Programa operativo de desarrollo y diversificación económica de zonas rurales (Proder) está dirigido a apoyar e impulsar el sector rural de diferentes territorios europeos. Sin embargo, diferentes ciudadanos han alertado que en territorios como Alentejo, en Portugal, concretamente en el municipio de Monforte, en lugar de apoyar el desarrollo educativo de la comunidad, las autoridades han utilizado fondos europeos para realizar obras de reforma de una antigua escuela para convertirla en un centro de interpretación de la tauromaquia, obras que deberían estar finalizadas en el verano de 2013. La página web oficial de la cámara municipal de Monforte refleja estos aspectos ([1]).

El mismo edificio, de propiedad municipal, será la sede de los *forcados* (participantes de la corrida de toros portuguesa) de la localidad.

Este municipio ha utilizado fondos dedicados a fomentar el desarrollo rural, y por extensión la puesta en valor de su comunidad rural y del impulso del trabajo digno de las personas dependientes del trabajo en las zonas rurales en instalaciones cuya única función es ofrecer una idea equivocada de lo que significa el bienestar animal, y promocionar una actividad muy cuestionada en toda Europa. Este uso de dinero público para financiar la reforma también supone una falta de respeto hacia las regiones europeas con más desigualdad económica, y que necesitan este tipo de fondos para acometer obras y proyectos e infraestructuras necesarias.

1. ¿Tiene conocimiento la Comisión de que se están financiando con fondos procedentes del desarrollo rural las futuras instalaciones taurinas?

2. ¿Considera reprobable que se financien con fondos comunitarios instalaciones taurinas?

3. ¿Tiene constancia la Comisión de otros usos de fondos europeos destinados a la ejecución de obras y proyectos relacionados con la tauromaquia?

4. ¿Considera prioritaria la Comisión esta clase de obras en lugar de iniciativas que fomenten el empleo en zonas rurales?

Respuesta del Sr. Cioloş en nombre de la Comisión
(26 de septiembre de 2012)

La Comisión remite a Su Señoría a su respuesta a la pregunta escrita E-005684/2011 de D. Oriol Junqueras Vies y D. Raúl Romeva i Rueda.

([1]) http://www.cm-monforte.pt/noticias/noticiasdet.asp?news=447.

(English version)

Question for written answer E-007657/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(23 August 2012)

Subject: European funding for a bullfighting museum in Monforte (Portugal)

The programme for development and economic diversification in rural areas (Proder) focuses on supporting and promoting the rural sector in different parts of Europe. However, it has come to public notice that in areas such as the Portuguese Alentejo, specifically in the municipality of Monforte, instead of supporting the community's educational development, the local authorities have used European funds to carry out renovation work on a former school to convert it into a bullfighting information centre. Information about the project, which is due for completion in the summer of 2013, can be found on the official website of Monforte town council ([1]).

The building itself, which is owned by the municipality, will become the headquarters of the local *forcados* (participants in Portuguese bullfighting).

This municipality has spent funds allocated for rural development and, by extension, for the development of the local community and promotion of proper jobs for people dependent on rural employment, on a facility whose only function is to give a distorted idea of what constitutes animal welfare and promote an activity which is widely criticised throughout Europe. The use of public money to finance these building works also implies a lack of respect towards the most economically deprived regions of Europe, which need this type of funding in order to carry out essential works, projects and infrastructure.

1. Is the Commission aware that rural development funds are being used to finance a future centre for bullfighting resources?

2. Does it consider it reprehensible that Community funding is being used to finance a bullfighting facility?

3. Is the Commission aware of any other cases of Community funds being used to carry out works and projects connected with bullfighting?

4. Does the Commission consider that this type of project should take priority over initiatives to promote employment in rural areas?

Answer given by Mr Cioloş on behalf of the Commission
(26 September 2012)

The Commission would refer the Honourable Member to the answer to Written Question E-005684/2011 by Mr Oriol Junqueras Vies and Raül Romeva i Rueda.

([1]) http://www.cm-monforte.pt/noticias/noticiasdet.asp?news=447.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007658/12
an die Kommission
Martin Häusling (Verts/ALE)
(23. August 2012)

Betrifft: Situation und Auswirkungen der Bodenprivatisierung durch die BVVG (Bodenverwertungs- und -verwaltungs GmbH)

Seit Anfang der 90er Jahre wird die Art und Weise der Bodenvergabe ehemaliger Treuhandflächen durch die Bodenverwertungs- und -verwaltungs GmbH (BVVG) in Deutschland von vielen Seiten kritisiert. 1998 leitete die EU-Kommission ein inzwischen zum Ruhen gebrachtes Verfahren gegen die Bundesrepublik ein, in dem u. a. die Subventionierung des Flächenkaufs kritisiert wurde. Derzeit überprüft die Kommission die von der BVVG angewandte Methode der Verkehrswertermittlung bei Direktverkäufen. Von der Bundesregierung wurde im Juni 2012 ein abschließendes Gutachten hierzu übergeben; die Entscheidung der EU-Kommission steht aus.

1. Hatte oder hat die Kommission im Hinblick auf die Privatisierungsgrundsätze der BVVG in Deutschland beihilferechtliche Bedenken, und welchen Informations- bzw. Handlungsbedarf leitet die Kommission daraus ab?

2. Teilt die Kommission die Einschätzung, dass die frühere und gegenwärtige Verkaufspraxis der BVVG in Deutschland die Etablierung kleinerer Betriebsstrukturen verhindert und/oder zur Aufrechterhaltung der schon bestehenden eher großbetrieblich geprägten Struktur beigetragen hat?

3. Wäre es nach Einschätzung der EU-Kommission mit EU-Recht vereinbar, den Verkauf der BVVG-Flächen a) an eine Residenzpflicht (Beispiel Dänemark) und/oder b) Flächenobergrenzen zu binden?

4. Pränotifizierungsverfahren zur Wertermittlung bei BVVG-Landverkäufen: Welche Fragen sollten in dem durch die Kommission Anfang 2012 von der Bundesregierung angeforderten Gutachten geklärt werden? Was sind die Hauptaussagen des im Juni 2012 vom Bundeswirtschaftsministerium vorgelegten Gutachtens, und wer hat dieses Gutachten erstellt?

5. Wie ist der aktuelle Stand des beim Europäischen Gerichtshof für Menschenrechte anhängigen Falles Bienstein?

Antwort von Herrn Cioloş im Namen der Kommission
(17. Oktober 2012)

1. Im Jahr 1998 leitete die Kommission ein Verfahren für staatliche Beihilfen ([1]) bezüglich des Flächenerwerbs unter dem Ausgleichsleistungsgesetz ein und schloss dieses mit einer teils ablehnenden, teils befürwortenden Entscheidung ([2]) ab. Daraufhin änderte Deutschland seine Beihilferegelung, die von der Kommission genehmigt wurde ([3]). Die Entscheidung wurde vor dem EuGeI ([4]) angefochten und von diesem für nichtig erklärt, später aber durch den EuGH ([5]) bestätigt. Im Jahr 2007 genehmigte die Kommission eine ergänzende Regelung. Beide Regelungen liefen 2009 aus. Seitens der Kommission bestehen keinerlei Bedenken bezüglich der beiden genehmigten Regelungen.

2. Die EU verfügt über keine üblichen Strategien, die explizit die Schaffung oder Erhaltung spezieller Betriebsstrukturen bezwecken. Den Mitgliedstaaten steht es demnach frei, Maßnahmen durchzuführen, solange diese nicht gegen EU-Recht verstoßen. Nach Auffassung der Kommission ist dies hier nicht der Fall und ihrer Einschätzung nach braucht der Einfluss der erwähnten Verkaufspraxis nicht analysiert zu werden.

3. Im Rahmen der EU-Verträge sind Beschränkungen des freien Kapitalverkehrs nur dann zulässig, wenn sie durch zwingende Gründe gerechtfertigt sind, insbesondere Gründe der öffentlichen Ordnung oder der öffentlichen Sicherheit. Derartige Beschränkungen müssen von Fall zu Fall und gemäß der Rechtsprechung des EuGH geprüft werden. Diesbezüglich kann die Kommission daher keine allgemeine Aussage treffen. Hinsichtlich des Beispiels der Residenzpflicht in Dänemark sollte angemerkt werden, dass Protokoll Nr. 32 zu den Verträgen eine Ausnahmeregelung für den Eigentumserwerb in Dänemark enthält. Dies lässt sich somit nicht verallgemeinern.

([1]) Gemäß Artikel 93 Absatz 2 EG-Vertrag, gegenwärtiger Artikel 108 Absatz 2 AEUV.
([2]) Entscheidung der Kommission vom 20.1.1999.
([3]) Entscheidung der Kommission vom 19.1.2000.
([4]) Gericht erster Instanz.
([5]) Die Kommission erhob beim Europäischen Gerichtshof (EuGH) Einspruch gegen das Urteil des EuGeI. Dieser hob das Urteil des EuGeI auf und bestätigte die Entscheidung vom 19.1.2000 (Rechtssache C 78/03 P).

4. Dies bezieht sich auf eine bestehende Pränotifizierung. Da Deutschland keine Beihilfe notifiziert hat, werden die von Deutschland eingereichten Informationen als fallbezogene Informationen betrachtet und können in diesem Stadium nicht offengelegt werden.

5. Der Kommission liegen keine näheren Angaben über den Fall Bienstein vor.

(English version)

Question for written answer E-007658/12
to the Commission
Martin Häusling (Verts/ALE)
(23 August 2012)

Subject: The situation and impact of land privatisation by the BVVG (German Land Use and Management Company Ltd)

Since the beginning of the 90s, the German Land Use and Management Company Ltd (BVVG) has been widely criticised for the way in which it has allocated former Trust land in Germany. In 1998 the Commission opened proceedings — which have since been discontinued — against the Federal Republic, which among other criticised the subsidisation of land purchases. The Commission is currently scrutinising the method used by the BVVG to determine fair market value in the case of direct sales. In June 2012 the Federal Government submitted a final report on this subject; the Commission's decision is still pending.

In view of the above, will the Commission say:

1. Has it had — or does it still have — aid-related reservations with regard to the BVVG's privatisation principles in Germany, and if so, what information and what action are needed to remedy the situation?

2. Does it share the view that the BVVG's past and present sales practices in Germany have prevented the establishment of relatively small farm structures and/or contributed to the maintenance of existing, relatively large farms?

3. Does it consider it consistent with EC law to subject the sale of the BVVG land to a) a residence requirement (e.g. Denmark) and/or b) an upper limit on land area?

4. *Re* pre-notification procedures to establish fair prices in the case of BVVG land sales: which issues should be resolved in the opinion requested by the Commission from the Federal Government at the beginning of 2012? What are the main points made in the opinion submitted by the Federal Ministry of Economics in June 2012, and who are the authors of this opinion?

5. What is the current status of the Bienstein case which is pending before the European Court of Human Rights?

Answer given by Mr Cioloş on behalf of the Commission
(17 October 2012)

1. In 1998 the Commission initiated state aid proceedings ([1]) concerning the acquisition of land under the Ausgleichsleistungsgesetz and closed them with a partly negative partly positive decision ([2]). Germany subsequently amended the scheme which was approved by the Commission ([3]). This decision was contested before the CFI ([4]), who annulled it, but was later upheld by the CJEU ([5]). In 2007 the Commission approved a complementary scheme. Both schemes expired in 2009. The Commission has no reservations with regard to the two authorised schemes.

2. The EU has no established policies explicitly aimed at creating or maintaining particular farm structures. Member States are therefore free to carry out measures as long as they do not contravene EU-law. The Commission does not see that this would be the case here and sees no need to carry out an analysis on the influence of the quoted sales practice.

3. Under the EU Treaties, restrictions on the free movement of capital are only allowed if justified by overriding reasons, in particular on grounds of public policy or public security. Any such restriction would need to be assessed case by case and in the light of the jurisprudence of the ECJ. The Commission, therefore, cannot make a general statement in this respect. As to the example of residence requirements in Denmark, it should be noted that Protocol Nr. 32 to the Treaties provides for Treaty derogation on the acquisition of property in Denmark. It therefore cannot be generalised.

([1]) As provided for in Article 93(2) of the EC Treaty, current Article 108(2) TFEU.
([2]) Commission decision of 20.01.1999.
([3]) Commission decision of 19.01.2000.
([4]) Court of First Instance.
([5]) The Commission appealed the judgment of the CFI to the Court of Justice (ECJ), which set aside the judgment of the CFI and upheld the decision of 19.01.2000 (Case C-78/03 P).

4. This relates to an existing pre-notification. As Germany has not notified the aid, information submitted by Germany is considered case-related information and cannot be disclosed at this stage of the procedure.

5. The Commission does not have specific information on the Bienstein case.

(English version)

Question for written answer E-007659/12
to the Commission
Seán Kelly (PPE)
(23 August 2012)

Subject: Benefits accruing to non-eurozone EU Member States in the form of lower bond yields attributable to the sovereign debt issues being experienced by certain eurozone members

With regard to the eurozone's position in relation to the ongoing sovereign debt issues being experienced by certain eurozone members, it is notable that the eurozone as a whole has a lower fiscal deficit, a lower structural deficit, a lower overall aggregate sovereign debt to aggregate GDP ratio and healthier/similar growth rates when compared with currency areas in the OECD. Despite this, there appears to have been a move on the part of institutional investors towards investment in the bonds of certain 'safe havens' both within the eurozone itself and in other non-eurozone and non-EU Member States, which has had the effect of reducing the cost of borrowing for these particular states and considerably increasing the cost of borrowing for certain eurozone Member States.

1. This being the case, has the Commission undertaken any examination of possible benefits, notwithstanding the influence and effects of credit rating agencies, which may have accrued/are accruing to non-eurozone members of the EU in the form of sovereign bond yields (particularly on 10- and 30-year bonds), carrying a lower yield by virtue of the governmental, market and media attention being focused on the sovereign debt issues being experienced by non-eurozone members than would normally be the case during a non-crisis period, given the non-eurozone EU members' fiscal deficits, structural deficits, outstanding sovereign debt as a percentage of GDP and growth figures?

2. If the Commission has undertaken such an examination, could it provide details, including a breakdown by non-eurozone Member States and a further per-capita breakdown?

3. If the Commission has not conducted such an investigation, is it considering doing so in the short term?

Answer given by Mr Rehn on behalf of the Commission
(15 October 2012)

The Commission closely monitors on regular basis the economic and financial situation of Member States. As far as present levels of government bond yields for non-euro area Member States are concerned, they form part of the normal monitoring and forecasting exercises carried out by the Commision. The Commission has not published any special analysis or study on the subejct and such publication is not foreseen in the short-term.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007660/12
alla Commissione
Andrea Zanoni (ALDE)
(23 agosto 2012)

Oggetto: Grave inquinamento dell'aria a Pederobba (in provincia di Treviso) e combustione di ingenti quantità di pneumatici e pet-coke per la produzione di cemento

La trasformazione dei cementifici in inceneritori è un «fenomeno» in corso in Italia da almeno 10 anni. In Veneto ci sono 5 cementifici, tra i quali il Cementificio di Pederobba (in provincia di Treviso) dove dal 1996 è stata autorizzata dalla Provincia di Treviso un'attività «sperimentale» di co-incenerimento di pneumatici. La quantità di pneumatici autorizzata per la combustione è aumentata dalle 30 000 tonnellate/anno iniziali alle 60 000 attuali, ovvero in detto cementificio vengono bruciati circa la metà dei pneumatici che ogni anno vengono bruciati in Italia.

Il cementificio si colloca all'ottavo posto tra gli stabilimenti più impattanti d'Italia per le emissioni di monossido di carbonio ([1]) e si trova proprio nel comune di Pederobba, che risulta essere tra i quattro Comuni della provincia di Treviso con il maggior carico emissivo ([2]); va infine precisato che oltre alla combustione dei pneumatici si realizza quella di altrettante tonnellate di Pet-coke.

Il cementificio di Pederobba emette circa 600 000 tonnellate di anidride carbonica (CO_2) all'anno, pari a quanto emette una città di 60 000 abitanti ([3]). A Pederobba l'ARPAV ([4]) ha effettuato uno studio approfondito sugli inquinanti nell'aria, il quale ha stabilito che *i valori di concentrazione di benzo(a)pirene monitorati presso tutti i siti di Pederobba, con la sola eccezione di Cimitero, si collocano su livelli indicativi sensibilmente superiori al limite previsto dalla normativa,* ovvero a 1,7 ng/mc contro il livello di legge fissato a 1,0 ng/mc ([5]).

A dicembre 2012, il cementificio ha ottenuto dalla Provincia di Treviso l'Autorizzazione integrata ambientale (AIA) senza però che sia stata valutata l'ubicazione dello stabilimento nell'alveo del fiume Piave (a confine con un'area SIC e ZPS) e senza ridurre la quantità di rifiuti bruciati o miscelati al cemento.

Nel giugno 2012 la Regione Veneto ha autorizzato a Pederobba due cogeneratori a biomasse, uno alimentato a olio di colza da 999 kW di potenza e uno a legno e tralci di vite da 490 kW, senza tenere in considerazione che questa decisione non può che peggiorare ulteriormente la situazione ambientale già fuori norma.

— Alla luce di quanto esposto, si chiede alla Commissione, in merito a questo grave caso di contaminazione di un intero territorio, di verificare il rispetto da parte delle autorità italiane delle direttive UE relative alla tutela della salute e della qualità dell'aria.

Risposta di Janez Potočnik a nome della Commissione
(12 ottobre 2012)

In base alle informazioni in nostro possesso, l'autorizzazione ambientale del cementificio Pederobba, rilasciata ai sensi della Direttiva IPPC, consente di bruciare fino a 60 000 tonnellate di pneumatici l'anno e la Commissione non ha ricevuto indicazioni in merito ad eventuali violazioni delle attuali condizioni dell'autorizzazione.

Nelle relazioni presentate dalle autorità italiane per il 2010, la Commissione non ha trovato indicazioni in merito al superamento del valore obiettivo annuale di benzo(a)pirene per il 2010 nella zona di valutazione della qualità dell'aria in questione.

Per quanto riguarda la qualità dell'aria in generale, la Commissione è stata informata del superamento dei valori limite applicabili per il PM_{10} nella zona di cui trattasi e ha avviato una procedura di infrazione nei confronti dell'Italia presso la Corte per il mancato rispetto dei valori limite di PM_{10} in diverse zone di valutazione della qualità dell'aria e per svariati anni ([6]).

([1]) Fonte: Relazione Legambiente «Mal'Aria» del 2009 su dati del 2006.
([2]) Fonte: Zonizzazione Tecnica della provincia di Treviso sulla base delle fonti di pressione e dello stato della qualità dell'aria— ARPAV luglio 2006.
([3]) http://www.eper.sinanet.apat.it/site/it-IT/Registro_INES/Ricerca_per_complesso_industriale/RicercaINES.html
([4]) ARPAV: Agenzia Regionale Protezione Ambiente Veneto.
([5]) Sintesi del progetto «comparto cemento» nel Comune di Pederobba — 2010 ARPAV pag. 11.
([6]) La Commissione ha rinviato il caso (2008/2194) alla Corte ed è in attesa della sentenza.

(English version)

Question for written answer E-007660/12
to the Commission
Andrea Zanoni (ALDE)
(23 August 2012)

Subject: Serious air pollution in Pederobba (province of Treviso) and combustion of large quantities of tyres and pet coke for the production of cement

The conversion of cement plants into incinerators is a 'phenomenon' that has been taking place in Italy for at least 10 years. In Veneto there are five cement plants, including the Pederobba plant (province of Treviso) which, since 1996, has been authorised by the Province of Treviso to carry out the 'experimental' co-incineration of tyres. The quantity of tyres authorised for incineration has increased from the initial 30 000 tonnes per year to the current 60 000 tonnes; in other words, this cement plant burns around half of all the tyres burned in Italy each year.

The cement plant ranks eighth in Italy among plants which have the greatest environmental impact with regard to emissions of carbon monoxide ([1]) and is located in the municipality of Pederobba, which is one of the four municipalities in the province of Treviso with the highest rate of emissions ([2]); it should also be pointed out that in addition to burning tyres, just as many tonnes of pet coke are burned.

The Pederobba cement plant emits around 600 000 tonnes of carbon dioxide (CO_2) per year, equivalent to the emissions of a city of 60 000 inhabitants ([3]). In Pederobba, ARPAV ([4]) carried out a study on air pollution, which established that the concentration of benzo[a]pyrene monitored at all sites in Pederobba, with the exception of Cimitero, was found to be at levels that were substantially higher than the legal limit, i.e. 1.7 ng/m^3 as compared to the legal limit of 1.0 ng/m^3 [(5)].

In December 2012, the cement plant obtained an Integrated Environmental Authorisation (IEA) from the Province of Treviso without, however, having assessed the fact that the plant is on the River Piave (bordering on an SCI and SPA area) and without reducing the amount of waste burned or mixed into cement.

In June 2012 the Veneto Region authorised two biomass cogeneration plants in Pederobba — one 999 kW plant fuelled by rapeseed oil and the other, with a capacity of 490 kW, fuelled by wood and vine branches — without taking into account the fact that this decision can only exacerbate an environmental situation that is already illegal.

— In the light of the above, with regard to this serious case of contamination of an entire area, can the Commission check whether the Italian authorities are complying with the EU Directives on the protection of health and air quality?

Answer given by Mr Potočnik on behalf of the Commission
(12 October 2012)

According to our information, the Pederobba cement plant's environmental permit issued according to the IPPC Directive allows it to burn up to 60 000 tonnes of tyres per year and the Commission has no indications of breaches of the current permit conditions.

In the reporting submitted by the Italian authorities for 2010, the Commission found no indication of exceedances of the 2010 annual target value for benzo(a)pyrene in the relevant air quality zone.

As regards air quality in general, the Commission has been informed about exceedances of the applicable limit values for PM_{10} in that zone and has launched an infringement procedure against Italy to the Court for failure to comply with the PM_{10} limit values in several air quality zones and over several years ([6]).

([1]) *Source*: 2009 report by Legambiente (environmental association), 'Mal'Aria' concerning data from 2006.
([2]) *Source:* 'Zonizzazione Tecnica della provincia di Treviso sulla base delle fonti di pressione e dello stato della qualità dell'aria' — ARPAV, July 2006.
([3]) http://www.eper.sinanet.apat.it/site/it-IT/Registro_INES/Ricerca_per_complesso_industriale/RicercaINES.html
([4]) ARPAV: Regional Environment Protection Agency for Veneto.
([5]) Summary of 'cement sector' project in the municipality of Pederobba — 2010, ARPAV p. 11.
([6]) Commission referred the case (2008/2194) to the Court and is awaiting for the ruling.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007661/12
alla Commissione
Andrea Zanoni (ALDE)
(23 agosto 2012)

Oggetto: Gravissimo caso di inquinamento della falda acquifera e del suolo causato da una galvanica nel comune di Tezze sul Brenta (in provincia di Vicenza)

Nel comune di Tezze sul Brenta (in provincia di Vicenza) i suoli e la falda acquifera sono stati gravemente contaminati dall'attività dell'impresa di cromatura Galvanica PM, precedentemente Tricom S.p.A. e Junior costruzioni meccaniche/Cromatura Zampierin S.a.s. ([1]) . Per anni la ditta ha sversato nel terreno i rifiuti liquidi della cromatura contenenti sostanze nocive quali cromo e nichel, avvelenando la falda acquifera e il suolo fino a 25 metri di profondità. Nel tempo l'inquinamento ha interessato anche le falde acquifere dei vicini comuni di Cittadella, Fontaniva e Tombolo, in provincia di Padova. Recentemente, due titolari ed un dirigente della Tricom Galvanica PM sono stati condannati dalla Corte d'Appello di Venezia a 16 mesi di reclusione per omicidio colposo plurimo e aggravato di tre ex dipendenti deceduti per tumore ai polmoni causato dall'esposizione al cromo esavalente nel luogo di lavoro ([2]), ma non dovranno risarcire nulla alle amministrazioni pubbliche che si dovranno accollare i costi milionari del disastro ambientale e delle bonifica. Il Comune di Tezze sul Brenta spende ogni anno dai 200 ai 400 mila euro per la sola messa in sicurezza dell'area tramite una barriera idraulica che depura l'acqua della falda dalle enormi concentrazioni di cromo esavalente ([3]). Il progetto preliminare di bonifica di suolo e falda per una superficie totale di 2 500 m^2 è stato approvato dal Comune di Tezze nel febbraio 2009; l'opera sarà cofinanziata dalla Regione Veneto con un contributo, insufficiente, di soli 800 000 euro ([4]) sui circa 20 milioni di euro necessari per la bonifica.

La Commissione:

1. è a conoscenza dei fatti fin qui esposti?

2. quali azioni intende intraprendere per garantire che venga effettuata la bonifica definitiva della zona a tutela della cittadinanza e nel rispetto della direttiva Acque 2000/60/CE?

3. non ritiene che per combattere le centinaia di casi come quello descritto sia di fondamentale importanza adottare la direttiva «Suolo», approvata in prima lettura dal Parlamento nel 2007 ma tenuta bloccata dal Consiglio?

4. come intende procedere per evitare che le aziende europee possano inquinare terreni e falde acquifere senza poi dover pagare i danni ambientali, in totale contrasto con il principio «chi inquina paga»?

Risposta di Janez Potočnik a nome della Commissione
(11 ottobre 2012)

La Commissione non è in possesso di informazioni sulla situazione illustrata. Nel quadro della direttiva quadro sulle acque ([5]) (direttiva 2000/60/CE) e della direttiva sulla protezione delle acque sotterranee ([6]) (direttiva 2006/118/CE) si prevede che quest'anno gli Stati membri presentino alla Commissione i loro piani di gestione dei bacini idrografici. Se saranno rilevati dei problemi inerenti alla protezione delle acque sotterranee, le autorità italiane saranno invitate a prendere i provvedimenti del caso per risanare i danni da inquinamento.

La Commissione concorda sulla necessità di ulteriori iniziative per la preservazione della qualità del suolo nell'UE e nel 2006 ha presentato una proposta di direttiva quadro sulla protezione del suolo (COM(2006)232).

Secondo quanto disposto dalla direttiva 2008/1/CE sulla prevenzione e la riduzione integrate dell'inquinamento ([7]), gli impianti sono tenuti ad applicare le migliori tecniche disponibili. Al momento della cessazione definitiva delle attività, il sito va ripristinato in maniera soddisfacente. La direttiva 2010/75/UE relativa alle emissioni industriali ([8]) abroga la direttiva 2008/1/CE con effetto dal 7 gennaio 2014, ma si applicherà soltanto agli inquinamenti che subentreranno dopo tale data. La direttiva comporterà una maggiore protezione del suolo e delle acque sotterranee.

([1]) Comitato Salute Tezze: http://digilander.libero.it/salute.tezze/.
([2]) Cfr. Mattino di Padova 9.6.2012 http://goo.gl/B9XYB, Giornale di Vicenza 9.6.2012: http://goo.gl/3iDEf e Corriere del Veneto 8.6.2012 http://goo.gl/7WzrK.
([3]) Cfr. Corriere del Veneto 24.9.2009 http://goo.gl/QgxgY.
([4]) Cfr. comunicato stampa 261 del 15.2.2012 della Regione Veneto: http://goo.gl/aMnaH.
([5]) GU L 327 del 22.12.2000.
([6]) GU L 372 del 27.12.2006.
([7]) GU L 257 del 10.10.1996.
([8]) GU L 334 del 17.12.2010.

Inoltre, i gestori che esercitano le attività riportate nell'allegato III della direttiva 2004/35/CE sulla responsabilità ambientale ([9]) rispondono dei danni alla biodiversità, alle acque o al suolo. Se, ad esempio, un gestore svolge un'attività contemplata dalla direttiva 2008/1/CE o un'attività che prevede l'uso di sostanze pericolose di cui al regolamento (CE) n. 1272/2008 ([10])e arreca un danno significativo alle acque o al suolo, ne è oggettivamente responsabile. In tal caso deve provvedere alla bonifica e sostenere tutti i costi relativi alla parte del danno subentrata dopo la data di entrata in vigore della direttiva sulla responsabilità ambientale, ossia il 20 aprile 2007.

([9]) GU L 143 del 30.4.2004.
([10]) GU L 353 del 16.12.2008.

(English version)

Question for written answer E-007661/12
to the Commission
Andrea Zanoni (ALDE)
(23 August 2012)

Subject: Extremely serious case of groundwater pollution caused by an electroplating company in the municipality of Tezze sul Brenta (province of Vicenza)

In the municipality of Tezze sul Brenta (province of Vicenza) the soil and ground water have been severely contaminated by the activity of the chrome-plating company Galvanica PM, formerly Tricom Spa and Junior costruzioni meccaniche/Cromatura Zampierin sas ([1]). For years the company has been spilling into the soil liquid waste from chrome-plating, containing harmful substances such as chromium and nickel and poisoning the groundwater and soil up to a depth of 25 metres. Over time, the pollution has also begun to affect the water table of the nearby towns of Cittadella, Fontaniva and Tombolo, in the province of Padua. Recently, two of the owners and one manager of Tricom Galvanica PM were sentenced by the Venice Court of Appeal to 16 months in prison for the multiple aggravated manslaughter of three former employees who died from lung cancer caused by their exposure to hexavalent chromium in the workplace ([2]), but they will not have to pay any compensation to the government authorities that will have to bear the huge costs (millions of euro) of the environmental disaster and the clean-up operation.

Every year the municipality of Tezze sul Brenta spends from EUR 200 000 to EUR 400 000 simply to make the area safe, by means of a hydraulic barrier which purifies the groundwater by removing the huge concentrations of hexavalent chromium ([3]). The preliminary project to clean up the soil and water table, for a total area of 2 500 m^2, was approved by the municipality of Tezze in February 2009. The work will be co-financed by the Veneto Region which will provide a contribution (insufficient) of only EUR 800 000 ([4]) of the approximately EUR 20 million needed for the clean-up operation and reclamation.

1. Is the Commission aware of these facts?

2. What action does it intend to take to ensure that the area is cleaned up once and for all, in order to protect the public and ensure compliance with the Water Directive 2000/60/EC?

3. Does it not agree that to combat the hundreds of similar cases it is of paramount importance to adopt the Soil Directive, which was adopted by Parliament at first reading in 2007 but kept on hold by the Council?

4. What action does it intend to take to prevent European companies from being able to pollute soil and groundwater without then having to pay for the environmental damage caused, which is in total contradiction with the 'polluter pays' principle?

Answer given by Mr Potočnik on behalf of the Commission
(11 October 2012)

The Commission has no information on the described situation. In the context of the Water Framework Directive ([5]) (Directive 2000/60/EC) and the Groundwater Directive (Directive 2006/118/EC) ([6]), Member States should inform the Commission on the implementation of their river basin management plans this year. If problems with groundwater protection are detected, the Italian authorities will be asked to do the necessary to ensure the clean-up of the pollution.

The Commission agrees that further action is necessary to preserve soil quality in the EU and has presented in 2006 its proposal for a Soil Framework Directive (COM(2006)232).

([1]) Tezze Health Committee: http://digilander.libero.it/salute.tezze/.
([2]) See *Mattino di Padova*, 9.6.2012, http://goo.gl/B9XYB, and *Giornale di Vicenza*, 9.6.2012, http://goo.gl/3iDEf, and *Corriere del Veneto*, 8.6.2012, http://goo.gl/7WzrK.
([3]) See *Corriere del Veneto*, 24.9.2009, http://goo.gl/QgxgY.
([4]) See Veneto Region's press release 261 of 15.2.2012: http://goo.gl/aMnaH.
([5]) OJ L 327, 22.12.2000.
([6]) OJ L 372, 27.12.2006.

Under Directive 2008/1/EC on integrated pollution prevention and control ([7]) (IPPC) installations must apply the best available techniques. Upon cessation of activities, the site must be returned to a satisfactory state. Directive 2010/75/EU on industrial emissions ([8]) (IED) will replace the IPPC Directive from 7 January 2014, but will only cover pollution taking place after that date. It will strengthen soil and groundwater protection.

Additionally, operators carrying out activities listed in Annex III of Directive 2004/35/EC on environmental liability ([9]) (ELD) are liable for the damage caused to biodiversity, water or land. If an operator undertakes, for instance, an activity covered by the IPPC Directive or one involving dangerous substances according to Regulation (EC) No 1272/2008 ([10],) and causes significant water or land damage, then it is strictly liable. It must carry out the remediation and bear its full costs for the part of the damage occurred after the ELD entered into force on 30 April 2007.

([7]) OJ L 257, 10.10.1996.
([8]) OJ L 334, 17.12.2010.
([9]) OJ L 143, 30.4.2004.
([10]) OJ L 353, 16.12.2008.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007663/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Problém mafie v Bulharsku

Európska komisia nedávno vyjadrila znepokojenie nad obrovským vplyvom mafie v Bulharsku, ktorý navyše neustále narastá do nezvládnuteľných rozmerov. Komisia tvrdí, že podsvetie krajinu prakticky ovláda. Mafia má napríklad napojenie na bulharských politikov na národnej aj regionálnej úrovni, a kvôli tomu skončili v rukách bulharského podsvetia desiatky miliónov z eurofondov. Únia teda prakticky financuje bulharský organizovaný zločin. Je pravda, že vláda prijala niekoľko opatrení, ktoré boli zamerané na boj proti organizovanej trestnej činnosti, tie však nie sú dostatočne efektívne. Bulharsko má spomedzi všetkých členských štátov Európskej únie najväčšie problémy s mafiou. Bulharská mafia pritom rozširuje aj svoj vplyv v zahraničí, má zastúpenie v 15 krajinách EÚ a patrí k najsilnejším v Európe. Na naliehavosť situácie upozorňujú aj zahraničné mimovládne organizácie.

— Akým spôsobom plánuje Komisia v tejto súvislosti konať?

— Plánuje Bulharsku odporučiť určité opatrenia, ktoré budú zamerané na boj proti narastajúcemu vplyvu mafie v Bulharsku?

Odpoveď pani Malmströmovej v mene Komisie
(8. októbra 2012)

Na základe analýzy vykonanej Europolom, ako aj iných prameňov, Komisia skutočne vo svojej najnovšej správe o pokroku dosiahnutom v Bulharsku v rámci mechanizmu spolupráce a overovania uviedla, že organizovaná trestná činnosť je aj naďalej jedným z vážnych problémov Bulharska. Komisia si tiež všimla, že od pristúpenia k EÚ Bulharsko zaviedlo právne a inštitucionálne nástroje s cieľom riešiť tento problém. Patrí medzi ne napríklad nový právny rámec na zaistenie majetku, vyššia špecializácia polície a súdnictva v záujme riešenia prípadov organizovanej trestnej činnosti, ako aj zmeny a doplnenia trestného poriadku v záujme zvýšenia efektívnosti vyšetrovaní a trestnoprávneho konania.

Bulharsko však dosiahlo doposiaľ len obmedzený pokrok. Komisia dospela preto k záveru, že bude potrebné, aby táto krajina vyvinula väčšie úsilie s cieľom preukázať, že páchanie organizovanej trestnej činnosti je účinne trestané. Komisia sa zaviazala, že bude aj naďalej ďalší vývoj monitorovať a bulharský orgánom poskytovať pomoc pri ich reformnom úsilí. V záujme plnenia týchto cieľov Komisia v spomínanej správe Bulharsku predostrela v tejto súvislosti konkrétne odporúčania, pričom o ich realizácii bude informovať v správe, ktorú predloží koncom roka 2013.

(English version)

Question for written answer E-007663/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Problem of the mafia in Bulgaria

The Commission recently expressed serious concern at the enormous influence of the mafia in Bulgaria, which is constantly increasing and is getting out of control. It claims that the underworld virtually governs the country. The mafia has, for example, a network of ties to Bulgarian politicians at national and regional level, and as a result tens of millions of EU funds have ended up in the hands of the Bulgarian underworld, which means that the EU is in practice funding Bulgarian organised crime. Whilst the government has taken some steps to crack down on organised criminal activity, they have not been effective enough. Of all EU Member States, Bulgaria is the worst affected by the power of the mafia, which is also extending its influence abroad, is active in 15 Member States and is one of the most powerful in Europe. Foreign NGOs have also drawn attention to the urgency of the situation.

— What action does the Commission plan to take in this context?

— Is it planning to recommend that the Bulgarian Government take specific measures to fight against the growing influence of the mafia in Bulgaria?

Answer given by Ms Malmström on behalf of the Commission
(8 October 2012)

Based on Europol's analysis as well as on other sources, the Commission has indeed stated in its most recent report on progress in Bulgaria under the Cooperation and Verification Mechanism that organised crime remains an important challenge for Bulgaria. The Commission also took note of the legal and institutional instruments Bulgaria has put in place since accession to the EU to address this challenge, such as a new legal framework on asset forfeiture, an increased specialisation of police and the judiciary to deal with cases of organised crime and amendments to the criminal procedures code to increase the efficiency of investigations and criminal proceedings.

However, results have been limited to date. The Commission concluded that stronger efforts will therefore be required by Bulgaria to demonstrate that organised crime is effectively punished. The Commission is committed to continuing to monitor further developments and to assist the Bulgarian authorities in their reform efforts. For this purpose, the Commission has made specific recommendations to Bulgaria in the abovementioned report in this respect and will report back on their implementation at the end of 2013.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007665/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Spolupráca EÚ a Eurázijskej únie

Vo februári 2012 vznikla Eurázijská hospodárska komisia, ktorá nahradí Komisiu pre colnú úniu. Eurázijská hospodárska komisia bude hlavným regulačným orgánom Eurázijskej únie. Eurázijská hospodárska únia má vzniknúť do roku 2015. Eurázijská únia by mala podporiť hospodársky rast jej členov. Mala by priniesť reformy v oblasti dotácií a štátnej podpory v poľnohospodárskom odvetví, rovnako ako reformy v protimonopolnej politike. Zatiaľ má zahŕňať len tri štáty, je však otvorená aj ďalším krajinám.

— Má Komisia dostatočné množstvo informácií o eurázijskom projekte?

— Bude môcť podľa názoru Komisie Európska únia prostredníctvom Eurázijskej únie zvýšiť tlak na Bielorusko ako poslednú európsku diktatúru?

Odpoveď podpredsedníčky Komisie/vysokej predstaviteľky Ashtonovej v mene Komisie
(16. októbra 2012)

Komisia pozorne sleduje vývoj plánovanej Eurázijskej hospodárskej únie. V rámci prístupových rokovaní Ruska do Svetovej obchodnej organizácie (WTO) sa uskutočnila podrobná výmena informácií o colnej únii Rusko – Kazachstan – Bielorusko. Od zriadenia Eurázijskej hospodárskej komisie v Moskve sa uskutočnil obmedzený počet technických pracovných kontaktov.

Vzhľadom na hospodárske zameranie Eurázijskej hospodárskej komisie, ako aj Eurázijskej hospodárskej únie, nebudú tieto orgány poskytovať vhodný rámec, ani sa nestanú vhodným partnerom na dosiahnutie politických reforiem v Bielorusku.

(English version)

Question for written answer E-007665/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Cooperation between the EU and the Eurasian Union

In February 2012 the Eurasian Economic Commission was set up as a successor to the Customs Union Commission. The Eurasian Economic Commission will be the main regulatory body of the Eurasian Union. A Eurasian Economic Union is to be established by 2015. The task of the Eurasian Union will be to support the economic growth of its member countries. It should bring about reforms in the field of subsidies and state aid in the agricultural sector, as well as reforms of anti-monopoly policy. For the time being it has only three member states, but it is open to other countries.

— Is the Commission sufficiently well informed about the Eurasian project?

— Does the Commission think that the Eurasian Union will provide a means for increasing pressure on Belarus, the last remaining dictatorship in Europe?

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

The Commission has been following carefully the development of the planned Eurasian Economic Union. In the framework of Russia's **World Trade Organisation (WTO) accession negotiations, detailed exchanges on the Russia-Kazakhstan-Belarus Customs Union took place. Limited technical contacts have taken place since the setting up of the Eurasian** Economic Commission in Moscow.

Given the economic orientation of the Eurasian Economic Commission as well as the Eurasian Economic Union, it would not provide the appropriate framework or be the appropriate partner for bringing about political reforms in Belarus.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007668/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Zamietnutie dohody ACTA

Európsky parlament jednoznačnou väčšinou zamietol Obchodnú dohodu proti falšovaniu ACTA. Táto medzinárodná obchodná zmluva totiž od samého počiatku vzbudzovala množstvo obáv, pričom niektoré jej ustanovenia neboli jednoznačné. Dohoda teda vzbudzovala pocit právnej neistoty, podľa všetkého nebola v súlade so základnými právami a transparentnosť jej vyjednávania bola takisto predmetom ostrej diskusie. ACTA teda na území Európskej únie platiť nebude. Faktom však zostáva skutočnosť, že zisky z falšovania oberajú Úniu každoročne o miliardy eur. Chrániť práva európskych autorov a umelcov je takisto nesmierne dôležité.

— Aký bude teda ďalší postup Komisie v snahe o boj proti falšovaniu a porušovaniu práv duševného vlastníctva?

Odpoveď pána de Guchta v mene Komisie
(11. októbra 2012)

Odmietnutie dohody ACTA určite niektorí vnímali ako narušenie vierohodnosti EÚ pri obchodných rokovaniach a z hľadiska ochrany práv duševného vlastníctva Európanov po celom svete ako krok späť.

Komisia je však aj naďalej odhodlaná bojovať proti porušovaniu práv duševného vlastníctva európskych občanov a spoločností, a to v EÚ i v tretích krajinách. Na medzinárodnej scéne Komisia realizuje tento cieľ rôznymi spôsobmi, napríklad:

– pôsobením vo Svetovej obchodnej organizácii a Svetovej organizácii duševného vlastníctva s cieľom zabezpečiť účinné vykonávanie príslušných medzinárodných dohôd a rešpektovanie pravidiel zo strany našich partnerov$

— v rámci rokovaní o bilaterálnych obchodných dohodách presadzovaním, aby súčasťou týchto dohôd boli účinné ustanovenia týkajúce sa práv duševného vlastníctva a spoluprácou s našimi obchodnými partnermi, pokiaľ ide o technickú stránku otázok súvisiacich s právami duševného vlastníctva,

— prostredníctvom „politického dialógu“ o otázkach týkajúcich sa práv duševného vlastníctva s orgánmi kľúčových tretích krajín ako sú Čína, Rusko, Turecko alebo Brazília za účasti európskeho priemyslu a/alebo prostredníctvom programov technickej spolupráce, ktorých cieľom je pomôcť pri posilňovaní systému práv duševného vlastníctva daných krajín.

Tieto a ďalšie nástroje boli definované v roku 2004 v stratégii na presadzovanie práv duševného vlastníctva v tretích krajinách ([1]). Vykonávanie tejto stratégie bolo posúdené v nedávnej štúdii ([2]). Komisia v súčasnosti túto stratégiu preskúmava ([3]), pričom v máji 2011 sa uskutočnilo verejné vypočutie.

([1]) Ú. v. EÚ C 129, 26.5.2005.
([2]) http://trade.ec.europa.eu/doclib/docs/2010/november/tradoc_147053.pdf
([3]) http://trade.ec.europa.eu/doclib/docs/2011/august/tradoc_148110.pdf

(English version)

Question for written answer E-007668/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Rejection of the ACTA agreement

The European Parliament has voted by an overwhelming majority to reject the Anti-Counterfeiting Trade Agreement, ACTA. Right from the outset, this international trade agreement had aroused concern on a number of fronts because some of its provisions were not unambiguous. It gave rise to a feeling of legal uncertainty, it did not appear to comply with basic rights and the transparency of its negotiation was the subject of fierce debate. ACTA will now not apply on the territory of the European Union. The fact remains, however, that the profits from counterfeiting rob the EU of billions of euros every year. Protecting the rights of European authors and artists is also immensely important.

— What further action will the Commission now take in its bid to crack down on counterfeiting and the violation of intellectual property rights?

Answer given by Mr De Gucht on behalf of the Commission
(11 October 2012)

This rejection of ACTA has certainly been perceived by some as undermining the EU's credibility in trade negotiations and as a setback for the protection of the intellectual property rights (IPR) of Europeans around the world.

However, the Commission remains committed to combating IPR infringements suffered by European citizens and companies, both within the EU and in third countries. Internationally, this objective is being pursued by the Commission in different ways, including:

— Working in the World Trade Organisation and in the World Intellectual Property Organisation to ensure the efficient implementation of relevant international agreements and the respect of the rules by our partners.

— Negotiating effective IPR provisions in bilateral trade agreements and working at technical level with our trading partners on IPR issues.

— With the authorities of key third countries, such as China, Russia, Turkey or Brazil, conducting 'political dialogues' on IPR issues, including with the European industry's involvement, and/or through technical cooperation programmes intended to help enhance their IPR system.

These and other tools were defined in 2004, in a Strategy for the Enforcement of Intellectual Property Rights in Third Countries ([1]). The implementation of this strategy was assessed in a recent study ([2]). The Commission is currently reviewing this strategy and a public hearing was held in May 2011 ([3]).

([1]) OJ C 129 of 26.5.2005.
([2]) http://trade.ec.europa.eu/doclib/docs/2010/november/tradoc_147053.pdf
([3]) http://trade.ec.europa.eu/doclib/docs/2011/august/tradoc_148110.pdf

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007669/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Snaha o zjednodušenie postupov a pravidiel pre klinické testovanie

Európska komisia nedávno predložila návrh nariadenia na zjednodušenie pravidiel v oblasti klinického výskumu. Klinické testovanie liekov na ľuďoch a snaha o sprístupnenie inovatívnych terapeutických spôsobov pacientom je síce nevyhnutnou súčasťou vývoja nových medikamentov, zachovanie bezpečnosti aplikovaných postupov z hľadiska zdravia pacienta však musí byť prvoradé. Novonavrhované opatrenia majú za cieľ uľahčiť a zjednodušiť riadenie klinického skúšania, pričom predpokladajú tiež zlepšenie transparentnosti v súvislosti s klinickým testovaním vykonávaným v tretích krajinách.

— Do akej miery nový návrh Komisie na zjednosušenie pravidiel v oblasti klinického výskumu zohľadňuje bezpečnosť pacientov?

Odpoveď pána Dalliho v mene Komisie
(28. septembra 2012)

Ako aj v prípade súčasnej smernice ([1]), návrh nariadenia Európskeho parlamentu a Rady o klinickom skúšaní liekov na humánne použitie ([2]) poskytuje široký rámec na zabezpečenie vysokej úrovne ochrany bezpečnosti a práv subjektov.

V návrhu, ktorý predložila Komisia, je ochrana bezpečnosti a práv subjektov v porovnaní so súčasnou smernicou zabezpečená a posilnená prostredníctvom rady opatrení.

Návrh stanovuje okrem iného napríklad aj:

— Komplexný predbežný schvaľovací postup, ktorého základným cieľom je presne stanoviť, či je klinické skúšanie prijateľné z hľadiska práv pacienta a jeho bezpečnosti, ako aj z hľadiska spoľahlivosti a robustnosti údajov.

— Tento schvaľovací postup sa vykonáva v spolupráci medzi členskými štátmi, ale v prípade záležitostí prirodzene národnej a miestnej povahy ho vykonáva aj každý členský štát samostatne, a tým sa zabezpečí hĺbkové hodnotenie všetkých hľadísk žiadosti o povolenie.

— Prísne požiadavky na podávanie hlásení o nežiaducich udalostiach u pacientov.

— Možnosť pre členské štáty pozastaviť alebo prerušiť klinické skúšanie.

— Zvýšenú transparentnosť schvaľovacieho postupu a výsledkov klinického skúšania, ktoré sa vykonávajú EÚ a v tretích krajinách.

Komisia chce váženú pani poslankyňu ubezpečiť, že základným cieľom návrhu je v skutočnosti ochrana bezpečnosti a práv subjektov.

([1]) Ú. v. ES L 121, 1.5.2001, s. 34.
([2]) COM(2012) 369 final, 2012/0192 (COD).

(English version)

Question for written answer E-007669/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Efforts to simplify procedures and rules for clinical trials

The Commission recently submitted a proposal for a regulation aimed at simplifying rules for clinical research. Clinical trials on humans and efforts to make innovative treatment methods available to patients are certainly a vital step in the development of new medicines, but ensuring the safety of the procedures applied from the patient health point of view must be the first priority. The new measures proposed seek to simplify the regulation of clinical trials and at the same time call for improved transparency in connection with clinical trials conducted in third countries.

— To what extent does the Commission's new proposal for simplifying the rules in the field of clinical research take patient safety into account?

Answer given by Mr Dalli on behalf of the Commission
(28 September 2012)

As is already the case with the current directive ([1]), the proposal for a regulation of the European Parliament and of the Council on clinical trials for medicinal products for human use ([2]) offers a robust framework to ensure a high level of protection of the safety and rights of subjects.

In the Commission proposal the protection of the safety and rights of subjects is ensured and strengthened, compared to the current directive, by a series of measures.

For example, the proposal provides — among numerous others — for:

— A comprehensive prior authorisation procedure whose primary aim is exactly to establish if a clinical trial is acceptable in view of patient rights and safety — as well as data reliability and robustness.

— This authorisation procedure is conducted in cooperation between Member States but also individually by each Member State on intrinsically national and local issues, ensuring in this way an in-depth assessment of all aspects of an application.

— Rigid reporting requirements for adverse events in patients.

— Possibilities for Member States to stop or interrupt a clinical trial.

— Increased transparency on the authorisation process and on the results of clinical trials conducted both in the EU and in third countries.

The Commission would like to reassure the Honourable Member that the protection of the safety and rights of subjects is indeed the primary objective of the proposal.

([1]) OJ L 121, 1.5.2001, p. 34.
([2]) COM(2012) 369 final, 2012/0192 (COD).

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007670/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Problematika falzifikátov

Európska komisia nedávno vydala výročnú správu, podľa ktorej bolo v minulom roku colníkmi na území členských štátov EÚ zadržaných až 115 miliónov výrobkov. Šlo predovšetkým o falzifikáty liekov, cigariet či baliaceho materiálu. Všetky dané výrobky spadali do kategórie podozrivých z porušovania práv duševného vlastníctva a ich celková hodnota presahovala miliardu eur. Krajinou pôvodu drvivej väčšiny zadržaného materiálu bola Čína. Prevažná časť colnými orgánmi zadržaných falzifikátov bola zničená, u ďalších sa prostredníctvom súdneho konania zisťuje, akým spôsobom došlo k prečinu porušenia práv duševného vlastníctva.

— Ako Komisia vníma skutočnosť, že až 73 % zadržaných predmetov, ktoré porušujú práva duševného vlastníctva, pochádza z Číny?

Odpoveď pána Šemetu v mene Komisie
(16. októbra 2012)

Štatistické údaje z roku 2011 o tovare zadržanom colnými orgánmi, pri ktorom existuje podozrenie z porušenia práv duševného vlastníctva (PDV), potvrdzujú, že Čína zostáva v prevažnej miere hlavným zdrojom týchto výrobkov. Pritom je Čína v EÚ vo všeobecnosti aj najväčším zdrojom vyrobeného tovaru.

Na riešenie tohto javu sa v roku 2009 zaviedol medzi EÚ a Čínou osobitný akčný plán na presadzovanie práv duševného vlastníctva colnými orgánmi. Akčný plán umožňuje úzku spoluprácu medzi európskymi a čínskymi colnými orgánmi v boji proti obchodu s tovarom porušujúcim PDV v 4 kľúčových oblastiach, a to pri systematickej výmene štatistických údajov o tovare zadržanom colnými orgánmi s cieľom zistiť všeobecné tendencie a informácie o rizikách, vytvorení siete medzi prístavmi a letiskami v EÚ a Číne, výmene postupov a informácií v záujme pomoci iným agentúram a pri nadviazaní partnerstiev s podnikateľskou sférou.

Nemôžeme však zaspať na vavrínoch, preto sa tak orgány EÚ, ako aj Číny dohodli na predĺžení platnosti akčného plánu na konci obdobia jeho platnosti v decembri 2012.

Európske a čínske colné úrady veľmi úzko spolupracujú v mnohých oblastiach a presadzovanie PDV je len jednou z nich, hoci ide o dôležitú prioritu. Ďalšími prioritami sú bezpečnostná ochrana dodávateľského reťazca, uľahčenie obchodu, boj proti podvodom a štatistiky v oblasti zahraničného obchodu. Celkovým cieľom tejto spolupráce je zabezpečiť plynulé obchodovanie s bezpečným tovarom medzi EÚ a Čínou a tým prispieť k ďalšiemu hospodárskemu rastu v oboch regiónoch.

(English version)

Question for written answer E-007670/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: The problem of counterfeit goods

The annual report recently published by the European Commission states that almost 115 million articles were seized by customs on the territory of EU Member States during the last year. The main products involved were counterfeit medicines, cigarettes and packaging material. All the articles in question came into the category of products suspected of infringing intellectual property rights and their overall value was in excess of EUR 1 billion. The country of origin of the vast majority of seized goods was China. Most of the counterfeit goods detained by customs authorities were destroyed; in some cases it is possible to establish through legal proceedings how the IPR are being infringed.

— What view does the Commission take of the fact that some 73% of the goods detained that infringe intellectual property rights originate in China?

Answer given by Mr Šemeta on behalf of the Commission
(16 October 2012)

The statistics on customs detentions of articles suspected of infringing intellectual property rights in 2011 confirm that China remains by far the main source for these products. This is against the background that China is also in general the biggest source of manufactured goods in the EU.

To tackle this phenomenon, a dedicated EU-China Action Plan on IPR Customs enforcement was launched in 2009. The action plan allows for a close cooperation between European and Chinese customs authorities in the fight against trade in IPR infringing goods on 4 key areas namely the systematic exchange of statistics on customs detentions to detect general trends and risk information, the creation of a network between ports and airports in the EU and China, the exchange of practises and information to assist other agencies and develop partnerships with business.

There is no room for complacency so both the EU and Chinese authorities agreed to extend the action plan at the end of its term in December 2012.

European and Chinese customs authorities are cooperating very closely on a broad range of issues and IPR enforcement is only one, albeit an important, priority. Other priorities are supply chain security, trade facilitation, anti-fraud and external trade statistics. The overall aim of this cooperation is to ensure the smooth trade of safe goods between the EU and China thereby contribution to further economic growth in both regions.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007671/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Celosvetový nárast komunálneho odpadu

V uplynulých dňoch bola zverejnená správa Amerického inštitútu Worldwatch, podľa ktorej ľudstvo produkuje 1,3 miliardy ton komunálneho odpadu ročne. Tento objem sa má do roku 2025 dokonca zdvojnásobiť. Navyše znepokojujúco vyznieva odhad prudkého nárastu objemu odpadu generovaného predovšetkým obyvateľstvom, ktoré pochádza z rýchlo rastúcich miest rozvojových krajín. Toto veľké množstvo vyprodukovaného odpadu pritom poukazuje len na tuhý komunálny odpad, bez zahrnutia priemyselného, poľnohospodárskeho či stavebného odpadu. Podľa autorov správy je najmä v mestách žiaduce vynaložiť úsilie na vytvorenie integrovaného spracovania tuhého odpadu v snahe spracovávať odpad komplexným spôsobom.

— Bude sa Komisia výsledkami a odporúčaniami tejto celosvetovej štatistiky agentúry Worldwatch zaoberať?

Odpoveď pána Potočnika v mene Komisie
(11. októbra 2012)

Právne predpisy EÚ o nakladaní s odpadom vychádzajú zo zásad, ktoré sú veľmi podobné odporúčaniam uvedeným v správe inštitútu Worldwatch. Komisia pozorne monitoruje vykonávanie právnych predpisov EÚ o odpadoch a osobitnú pozornosť venuje nakladaniu s komunálnym odpadom. Len nedávno bola uverejnená správa o posúdení spôsobu, akým členské štáty nakladajú s komunálnym odpadom ([1]), a Komisia v súčasnosti vypracúva plány, aby poskytla usmernenia členským štátom s najhoršími výsledkami. Tieto plány pomôžu rozšíriť najlepšie postupy a budú obsahovať individuálne upravené odporúčania, ako zlepšiť odpadové hospodárstvo s použitím ekonomických, právnych a administratívnych nástrojov a štrukturálnych fondov EÚ. Na jeseň budú predmetom diskusie s relevantnými vnútroštátnymi orgánmi na bilaterálnych seminároch.

V záujme globálneho riešenia otázok, na ktoré upozornila vážená pani poslankyňa, sa Komisia aktívne zapája aj do budovania hospodárstva s nulovým množstvom odpadu efektívnejšie využívajúceho zdroje, ako sa uviedlo na konferencii Rio+20, ako aj do vytvárania medzinárodného rámca pre nakladanie s odpadmi environmentálne vhodným spôsobom v rámci Bazilejského dohovoru OSN.

([1]) Ďalšie informácie pozri v správe „Životné prostredie: hodnotiaca tabuľka pre odpadové hospodárstvo“: http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/888&format=HTML&aged=0&language=EN&guiLanguage=en.

(English version)

Question for written answer E-007671/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Global growth in municipal waste

A report recently published by the American Worldwatch Institute indicates that the world's population produces 1.3 billion tons of municipal waste per year and projects that this volume will double by 2025. The estimated sharp rise in the volume of waste generated by the populations of rapidly growing cities in developing countries, in particular, is also a cause for concern. This huge volume relates only to municipal solid waste and does not include industrial, agricultural or building-industry waste. According to the report's authors, it is essential to make efforts, in cities in particular, to establish integrated processing of solid waste adopting a complex approach to waste management.

— Does the Commission intend to follow up the findings and recommendations of this global statistical survey by the Worldwatch Institute?

Answer given by Mr Potočnik on behalf of the Commission
(11 October 2012)

The EU legislation on the management of waste is based on principles very similar to the recommendations of the Worldwatch Institute report. The Commission closely monitors the implementation of the EU waste legislation, with a particular focus on the management of municipal waste. A report assessing how Member States manage municipal waste has been very recently published ([1]) and the Commission is currently preparing roadmaps to provide guidance for the worst performing Member States. These roadmaps will help spread best practices and will contain tailor-made recommendations on how to improve waste management using economic, legal and administrative tools, as well as EU structural funds. They will be discussed with the relevant national authorities at bilateral seminars this autumn.

To address the challenges described by the Honourable Member on a global scale, the Commission is also playing an active role in developing a more resource-efficient and zero waste economy, as stated during the Rio+20 Conference, as well as an international framework for the environmentally sound management of waste within the framework of the UN's Basel Convention.

([1]) For more details see Report: 'Environment: a new medals table for waste management': http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/888&format=HTML&aged=0&language=EN&guiLanguage=en

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007672/12
Komisii (podpredsedníčke Komisie/vysokej predstaviteľke)
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: VP/HR – Zástupca EÚ pre ľudské práva

V ostatných dňoch bol do pozície osobitného zástupcu Únie pre ľudské práva vymenovaný Grék Stavros Lambrinidis. Pod rozsah jeho pôsobnosti patria také oblasti ako medzinárodná spravodlivosť a humanitárne právo, ochrana detí, sloboda vierovyznania, zrušenie trestu smrti, ako aj rodové otázky, otázky bezpečnosti a mieru. Významnú úlohu tiež bude zohrávať jeho komunikácia s medzinárodnými organizáciami či konzultácie v oblasti rešpektovania a dodržiavania ľudských práv s partnermi z tretích krajín. Všetky jeho snahy by mali smerovať k zviditeľneniu, no predovšetkým k posilneniu účinnosti a zodpovednosti politiky Európskej únie v oblasti ľudských práv. Súčasne je dôležité, aby dokázal prostredníctvom predkladaných správ pravidelne referovať o danej problematike i v celosvetovom meradle.

— Akým spôsobom bude osobitný zástupca Únie pre ľudské práva spolupracovať s Vysokou predstaviteľkou Únie pre zahraničné veci a bezpečnostnú politiku v oblastiach, v ktorých sa ich kompetencie určitým spôsobom prelínajú?

Odpoveď podpredsedníčky Komisie/vysokej predstaviteľky Ashtonovej v mene Komisie
(12. októbra 2012)

Podľa mandátu, ktorý Rada prijala v júli tohto roka: „Mal by sa vymenovať osobitný zástupca Európskej únie (OZEÚ) pre ľudské práva s cieľom zvýšiť účinnosť a viditeľnosť politiky Únie v oblasti ľudských práv a prispieť k plneniu jej cieľov, a to na podporu vysokého predstaviteľa a bez toho, aby bola dotknutá jeho úloha podľa zmluvy pri zastupovaní Únie vo veciach týkajúcich sa spoločnej zahraničnej a bezpečnostnej politiky“.

Podľa článku 33 ZEÚ osobitný zástupca vykonáva svoju funkciu pod vedením podpredsedu/vysokého predstaviteľa EK.

Vzhľadom na to je zrejmé, že činnosti sa v prípade oboch funkcií (podpredsedu/VP EK a OZEÚ) neprekrývajú, ale naopak, na príslušných úrovniach sa navzájom dopĺňajú. Potvrdzuje to článok 4 uvedeného rozhodnutia Rady o stanovení mandátu OZEÚ, kde je stanovené, že „OZEÚ je zodpovedný za vykonávanie mandátu pod vedením VP“.

(English version)

Question for written answer E-007672/12
to the Commission (Vice-President/High Representative)
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: VP/HR — EU Special Representative for Human Rights

The Greek, Stavros Lambrinidis, was recently appointed to the position of European Union Special Representative for Human Rights. His responsibilities include such areas as international justice and humanitarian law, child protection, freedom of religion and the abolition of the death penalty, as well as family issues and issues relating to safety and peace. An important aspect of his mandate will also be communicating with international organisations and consulting with third-country partners on issues relating to human rights. Through all he does he should seek to raise the profile, and above all increase the effectiveness and accountability, of EU human rights policies. A current priority is for him to succeed through the reports he presents in regularly reporting on relevant issues on a global scale.

— How will the European Union's Special Representative for Human Rights collaborate with the High Representative of the Union for Foreign Affairs and Security Policy in areas where their respective responsibilities in some way overlap?

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

According to the mandate adopted by the Council last July: 'The EUSR for Human Rights should be appointed to strengthen the effectiveness and the visibility of the EU's human rights policy and contribute to the implementation of its objectives, in support and without prejudice to the role of the High Representative under the Treaty in representing the Union for matters relation to the common foreign and security policy'.

Pursuant to Article 33 TEU, special representatives carry out their mandates under the authority of the High Representative/Vice-President.

In this light, it is evident that the actions of both actors (HR/VP and EUSR) do not overlap, but, on the contrary, complement themselves in their respective level. This is confirmed by Article 4 of the above Council decision establishing the EUSR's mandate, whereby 'The EUSR shall be responsible for the implementation of the mandate, acting under the authority of the HR'.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007674/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Recesia v eurozóne

Recesia začína trápiť celú eurozónu. Z menších ekonomík postupuje do jej stredu. Zhoršujúca sa situácia vo Francúzku, Nemecku, ale predovšetkým v Španielsku, žiaľ, nenapĺňa pôvodný predpoklad, že finančná pomoc bankám spolu so závermi júnového summitu budú impulzom k obratu v dlhovej kríze. Naopak, aktivita súkromného sektora má klesajúcu tendenciu už šiesty mesiac za sebou. Španielskej vláde eurozóna poskytla finančný balík doposiaľ len na rekapitalizáciu bánk, no krajina s nákladmi na financovanie neustále balansuje na hranici neudržateľnej úrovne. Situácia by sa stala viac než kritickou, ak by Španielsko, ako štvrtá najväčšia krajina eurozóny, bolo nútené požiadať o ďalšiu pomoc. Tú si totiž blok už nemôže dovoliť.

— Akým spôsobom bude Komisia postupovať v prípade, ak Španielsko Úniu požiada o ďalšiu pomoc?

Odpoveď pána Rehna v mene Komisie
(4. októbra 2012)

V posledných týždňoch a mesiacoch Španielsko prijalo významné a ambiciózne opatrenia týkajúce sa fiškálnej konsolidácie a štrukturálnych reforiem. Tieto opatrenia sú rozhodujúce pre zlepšenie hospodárskej situácie. Keby sa španielske orgány rozhodli požiadať o finančnú pomoc, Európska komisia a Euroskupina by situáciu pozorne analyzovali a boli by pripravené zapojiť sa do rokovaní o podmienkach takejto pomoci.

(English version)

Question for written answer E-007674/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Recession in the euro area

The recession is starting to affect the entire euro area, spreading from the smaller economies to its very heart. The worsening situation in France, Germany and above all Spain regrettably does not fulfil the original condition that financial assistance to banks, together with the conclusions of the June summit, will be the impetus to turn around the long-term crisis. On the contrary, private sector activity has been falling for six months in a row. The euro area gave the Spanish Government a financial package covering only the recapitalisation of its banks, but the country remains poised on the brink of financial unsustainability. The situation would go beyond the critical stage if Spain, as the euro area's fourth-largest country, were to be compelled to request further assistance. The euro area simply cannot afford it.

— How will the Commission respond if Spain does ask the European Union for further assistance?

Answer given by Mr Rehn on behalf of the Commission
(4 October 2012)

Spain has taken important and ambitious measures regarding fiscal consolidation and structural reforms in recent weeks and months. These measures are critical for turning around the economic situation. Should Spanish authorities decide to request financial assistance, the European Commission and the Eurogroup will carefully analyse the situation and stand ready to engage in negotiations on the terms of such assistance.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007676/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Cyprus a európsky rozpočet

Nedávno sa stal Cyprus predsedníckou krajinou Európskej únie. Existuje však viacero oblastí, ktoré budú cyperské predsedníctvo komplikovať. Ide najmä o vnútorné finančné záležitosti, napäté vzťahy s Tureckom a nezhody členských krajín v otázkach týkajúcich sa nového sedemročného rozpočtu Európskej únie. Dohoda o rozpočtovom rámci by mala byť prijatá do konca roka. Krajina sa chce v septembri pokúsiť prvýkrát rokovať o konkrétnych sumách. Európska komisia zverejnila návrh nového finančného rámca pre rozpočet EÚ na roky 2014 – 2020 ešte v júni 2011. Navrhuje zvýšiť rozpočet z pôvodných 976 miliárd eur na 1 025 miliárd eur. Toto predstavuje 4,8-percentné zvýšenie.

— Aký je názor Komisie na pozíciu Cypru v súvislosti s vyjednávaním dohody o rozpočtovom rámci EÚ na obdobie 2014 – 2020?

Odpoveď pána Lewandowského v mene Komisie
(4. októbra 2012)

Komisia je plne presvedčená o tom, že cyperské predsedníctvo svoju úlohu rotujúceho predsedníctva splní a dosiahne najväčší možný pokrok pri rokovaniach o finančnom rámci na obdobie rokov 2014 – 2020, aby bolo možné dohodu medzi predstaviteľmi štátov a vlád dojednať na zasadnutí Európskej rady v dňoch 22. – 23. novembra, ktoré bude viesť predseda H. Van Rompuy. Cyperské predsedníctvo by potom mohlo vychádzať z tejto dohody v záujme zabezpečenia súhlasu Európskeho parlamentu. Komisia s uspokojením konštatuje, že všetky zainteresované strany vyjadrili svoje pevné odhodlanie dosiahnuť dohodu do konca roka.

(English version)

Question for written answer E-007676/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Cyprus and the EU budget

Cyprus has recently taken over the presidency of the European Union. There are a number of issues that will cause complications during the Cyprus Presidency, however: internal financial affairs, the tense relations with Turkey and disagreements between Member States on the next seven-year EU budget. The agreement on the budgetary framework should be adopted by the end of the year. Cyprus wants to hold the first talks on the concrete sums involved in September. The Commission published a proposal for the new financial framework for the EU budget for 2014-2020 back in June 2011. It is proposing to increase the budget from EUR 976 billion to 1 025 billion, which represents a 4.8% increase.

— What view does the Commission take of Cyprus's position with regard to the talks on the EU's budgetary framework for the 2014-2020 period?

Answer given by Mr Lewandowski on behalf of the Commission
(4 October 2012)

The Commission is fully confident that the Cypriot Presidency will play its role as rotating Presidency and advance as much as possible the negotiations on the 2014-2020 financial framework, so that an agreement between Heads of State and Government can be brokered at the European Council of 22-23 November under the chairmanship of President Van Rompuy. The Cypriot Presidency would then build on this agreement to secure the consent of the European Parliament. The Commission notes with satisfaction that all parties involved have voiced their strong commitment to reaching a deal by the end of the year.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007677/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Kybernetické útoky v Európskej únii

Podľa prieskumu verejnej mienky Eurobarometer sa 89 % Európanov vyhýba zverejneniu osobných údajov na internete. Nemalé percento používateľov už čelilo online podvodom a mnohí sa navyše stali obeťami krádeže prihlasovacích údajov. Počet ľudí využívajúcich výhody internetu narastá, no iba polovica európskeho obyvateľstva má snahu podnikať účinné kroky na ochranu pred počítačovou kriminalitou. Páchatelia počítačovej kriminality narúšajú používanie internetu, ohrozujú bezpečnosť osobných údajov a rovnako aj bezpečnosť online platieb. Komisia v súčasnosti pripravuje európsku stratégiu pre kybernetickú bezpečnosť. V tejto súvislosti je však potrebné uvedomiť si, že je dôležité zamerať sa aj na zvýšenie informovanosti bežných používateľov a tým predchádzať kybernetickej trestnej činnosti.

— Plánuje sa Komisia v pripravovanej európskej stratégii pre kybernetickú bezpečnosť zamerať aj na zvyšovanie informovanosti o rizikách počítačovej kriminality?

Odpoveď pani Malmströmovej v mene Komisie
(17. októbra 2012)

Európska stratégia kybernetickej bezpečnosti bude mať komplexný charakter a bude obsahovať iniciatívy na úrovni EÚ v oblasti kybernetickej bezpečnosti a počítačovej kriminality, pričom sa tiež bude zaoberať celosvetovými aspektmi týchto javov. Stratégia sa takisto bude venovať zvyšovaniu informovanosti, vzdelávaniu a odbornej príprave, a to najmä v súvislosti s činnosťou Europolu (a budúceho Európskeho centra pre boj proti počítačovej kriminalite), Európskej policajnej akadémie (CEPOL) a Európskej agentúry pre bezpečnosť sietí a informácií (ENISA) a to aj v spolupráci s krajinami, ktoré nie sú členmi EÚ.

Doplňujúce informácie môže vážená pani poslankyňa nájsť v odpovedi na písomnú otázku E-007251/2012.

(English version)

Question for written answer E-007677/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Cyber attacks in the European Union

According to Eurobarometer, 89% of Europeans take steps to avoid publishing personal data on the Internet. A sizeable proportion of Internet users have already encountered online fraud and many have also experienced theft of log-in data. The number of people using the Internet is growing, yet only half of the population is trying to take effective action to protect themselves against computer crime. The perpetrators of online crime disrupt the use of the Internet and pose a threat to the security of both personal data and online payments. The Commission is currently preparing a European cyber security strategy. In this context it must be recognised, however, that it is important to raise the level of awareness of normal users and by this means to forestall cyber crime.

— Is the Commission planning, in the European cyber security strategy that it has prepared, to also focus on raising awareness of the risks of computer crime?

Answer given by Ms Malmström on behalf of the Commission
(17 October 2012)

The European Strategy for Cyber Security will be comprehensive, and include EU level initiatives on cyber-security and cyber-crime, and will also address global aspects of these phenomena. The strategy will also address awareness raising, education and training, particularly in relation to activities of Europol (and the future European Cybercrime Centre), CEPOL and ENISA, and also in cooperation with non-EU countries.

For complementary information, the Honourable Member is referred to the answer provided to Written Question E-007251/2012.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007679/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Spor Chorvátska a Slovinska

Bývalé juhoslovanské republiky Slovinsko a Chorvátsko majú medzi sebou dlhoročné nezhody. Momentálne spôsobuje problémy 20-ročný finančný konflikt, ktorý ohrozuje vstup Chorvátska do Európskej únie. Konkrétne ide o spor, ktorý sa týka chorvátskych vkladov v skrachovanej slovinskej banke. Slovinský minister zahraničných vecí sa nedávno vyjadril, že existuje reálna možnosť odmietnutia vstupu Chorvátska do Európskej únie zo strany Slovinska. Chorvátsko by pritom malo do Únie vstúpiť už 1. júla 2013. Prístupovú zmluvu však musia ratifikovať všetky členské štáty.

— Aký má Komisia názor na ohrozenie vstupu Chorvátska do Európskej únie zo strany Slovinska?

— Plánuje byť v tomto smere určitým spôsobom aktívna?

Odpoveď pána Füleho v mene Komisie
(2. októbra 2012)

Komisia aj naďalej nabáda Slovinsko aj Chorvátsko, aby sa usilovali o dosiahnutie vzájomne prijateľného riešenia otázky Ljubljanskej banky. V tejto súvislosti Komisia vníma ako pozitívny krok skutočnosť, že Slovinsko a Chorvátsko nedávno menovali dvoch expertov, po jednom z každej krajiny, ktorí majú mandát navrhnúť vzájomne prijateľné riešenie. Uskutočnili sa už dve stretnutia expertov. Komisia je presvedčená, že všetky členské štáty včas ratifikujú zmluvu o pristúpení podpísanú 9. decembra 2011, aby mohlo Chorvátsko pristúpiť k EÚ 1. júla 2013.

(English version)

Question for written answer E-007679/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Dispute between Croatia and Slovenia

Relations between the former Yugoslav republics of Slovenia and Croatia are fraught by long-running disagreements. Currently, problems are being caused by a 20-year old financial conflict which poses a threat to Croatia's accession to the EU. Specifically, the dispute concerns Croatian deposits in a Slovenian bank that has gone bust. The Slovenian foreign minister recently warned that there is a real risk of Slovenia blocking Croatian accession to the European Union, which should be taking place on 1 July 2013. The accession agreement has to be ratified by all Member States.

— What view does the Commission take of Slovenia's threat to block Croatian accession to the EU?

— Is it planning to take any action in this regard?

Answer given by Mr Füle on behalf of the Commission
(2 October 2012)

The Commission continues to encourage both Slovenia and Croatia to reach a mutually acceptable solution to the Ljubljanska Banka issue. In this context, the Commission notes as a positive step that Slovenia and Croatia have recently appointed two experts, one from each country, with a mandate to propose a mutually acceptable solution. Two meetings of the experts have already taken place. The Commission is confident that all Member States will ratify the Accession Treaty, signed on 9 December 2011, in time for Croatia to accede to the EU on 1 July 2013.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007680/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Cyperské predsedníctvo a daňová problematika

Cyprus sa 1. júla 2012 stal predsedníckou krajinou Rady EÚ. V druhom polroku tak preberie zodpovednosť za riadenie jej programu. Predsedníctvo preberá v zložitom období trvajúcej finančnej a sociálnej krízy, ako aj dlhovej krízy štátov eurozóny. Cyprus má však najnižšiu základnú sadzbu DPH, ktorá sa pohybuje od 0% do 15%. Je všeobecne známy ako „európsky daňový raj". Zrušenie daňovo zvýhodnených krajín a daňová konsolidácia sú účinnými nástrojmi boja proti pokračujúcej kríze.

— Aký je názor Komisie na cyperský daňový systém?

— Plánuje v tejto otázke na krajinu vyvíjať určitú formu politického tlaku s cieľom riešiť problematiku daňovo zvýhodnených krajín?

Odpoveď pána Šemetu v mene Komisie
(2. októbra 2012)

Stanovisko Komisie týkajúce sa cyperského daňového systému sa najlepšie odzrkadľuje v „Pracovnom dokumente útvarov Komisie: Posúdenie národného programu reforiem a programu stability na rok 2012 pre CYPRUS (s. 12) ([1])". Treba zdôrazniť, že v roku 2012 Cyprus zvýšil svoju pomerne nízku štandardnú sadzbu DPH z 15 % na 17 % a rozšíril základ DPH. Prostredníctvom zvýšenia ochranného príspevku na úroky z 10 % na 15 % a na dividendy z 15 % dočasne na 20 % sa okrem toho zvýšilo zdanenie majetku.

Cyperský pomer dane k HDP je v súlade s priemerom dosahovaným v krajinách EÚ-27. Štruktúra cyperského daňového systému vyniká v niekoľkých ohľadoch. V súvislosti s daňovou štruktúrou sa Cyprus do veľkej miery spolieha na spotrebnú daň, ktorá vyplýva z vysokého podielu spotreby v rámci hospodárstva. Podiel príjmov zo zdanenia majetku je pomerne vysoký (štvrtý najvyšší v rámci EÚ-27), zatiaľ čo sadzby dane zostávajú dosť nízke.

Pokiaľ ide o nízke sadzby dane, členské štáty si v zásade ponechávajú právomoc rozhodovať o priamych daňových záležitostiach, čo znamená, že môžu voľne navrhovať svoj daňový systém a stanovovať všeobecné daňové sadzby za predpokladu, že sú v súlade s právnymi predpismi EÚ, ktorých riadne uplatňovanie kontroluje Komisia ako ochranca zmlúv. S cieľom zabrániť škodlivej daňovej súťaži Rada monitoruje uplatňovanie kódexu správania pri zdaňovaní podnikov prostredníctvom skupiny pre kódex správania (zdaňovanie podnikov) v rámci Rady. Prácu skupiny aktívne podporuje Komisia. Komisia zatiaľ nedostala žiadne signály o tom, že Cyprus v súčasnosti využíva akékoľvek režimy, ktoré by mohli byť považované za škodlivé vzhľadom na kritériá stanovené v uvedenom kódexe.

([1]) http://ec.europa.eu/europe2020/pdf/nd/swd2012_cyprus_en.pdf

(English version)

Question for written answer E-007680/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Cyprus Presidency and tax issues

Cyprus took over the presidency of the European Union on 1 July 2012. It will thus take charge of running the EU's programme in the second half of this year. Its presidency comes at a difficult time of persistent financial and social crisis coupled with a long-term crisis in the euro area countries. Yet Cyprus has the lowest basic rate of VAT in the EU, ranging between 0% and 15%, and is commonly known as a European tax haven. Abolition of preferential tax status for certain countries and tax consolidation are effective ways of combating the continuing crisis.

— What is the Commission's view of the Cypriot tax system?

— Is the Commission planning to exert any form of political pressure on Cyprus with a view to resolving the issue of countries benefiting from lower tax rates?

Answer given by Mr Šemeta on behalf of the Commission
(2 October 2012)

The Commission's view on the Cypriot tax system is best reflected in the 'Commission Staff Working Document: Assessment of the 2012 national reform programme and stability programme for CYPRUS (p. 12) ([1])'. It should be highlighted that in 2012 Cyprus increased its relatively low standard VAT rate of 15% to 17% and broadened its VAT base. Moreover, capital taxation was increased — by increasing the defence contribution on interest from 10% to 15% and on dividends from 15% to temporarily 20%.

The Cypriot tax-to-GDP ratio is in line with the EU-27 average. The structure of Cyprus's tax system stands out in several respects. In terms of tax structure, Cyprus relies heavily on consumption taxes, which is due to the high share of consumption in the economy. The revenue share from capital taxes is relatively high (fourth highest in the EU-27), while tax rates remain rather low.

As regards low tax rates, Member States, as a matter of principle, hold the power to decide on direct tax matters, meaning that they may freely design their tax system and establish their general tax rates provided they comply with EC law, whose proper application is controlled by the Commission as guardian of the Treaties. To fight harmful tax competition, the Council monitors the application of the Code of Conduct on business taxation through the Council Code of Conduct Group (Business Taxation). The work of the group is actively supported by the Commission. The Commission has so far no indication that Cyprus currently deploys any regimes that could be deemed as being harmful according to the criteria laid down in that Code.

([1]) http://ec.europa.eu/europe2020/pdf/nd/swd2012_cyprus_en.pdf

(Slovenské znenie)

Otázka na písomné zodpovedanie E-007681/12
Komisii
Monika Flašíková Beňová (S&D)
(27. augusta 2012)

Vec: Anexia severného Cypru

Konflikt medzi Cyprom a Tureckom je pálčivý problém. Dohoda medzi oboma krajinami je však v nedohľadne. Turecký minister pre európske záležitosti uviedol, že ak sa obom stranám nepodarí dospieť k rozumnému kompromisu, na rad príde vytvorenie dvoch nezávislých štátov alebo násilné pripojenie severného Cypru k Turecku. Rozhovory o znovuzjednotení ostrova v poslednom čase nejakým spôsobom nepokročili. Súčasná situácia však nie je naďalej akceptovateľná.

— Aký má Komisia názor na vyjadrenia ministra pre európske záležitosti Turecka o anexii severného Cypru?

— Plánuje byť v tomto smere určitým spôsobom aktívna?

Odpoveď pána Füleho v mene Komisie
(28. septembra 2012)

Komisia by váženú pani poslankyňu rada odkázala na svoju odpoveď na predchádzajúcu otázku na písomné zodpovedanie E-002618/2012 ([1]).

([1]) Otázky a vyhlásenia – Parlamentné otázky.

(English version)

Question for written answer E-007681/12
to the Commission
Monika Flašíková Beňová (S&D)
(27 August 2012)

Subject: Annexation of northern Cyprus

The conflict between Cyprus and Turkey is a very pressing issue. An agreement between the two countries is nowhere in sight. The Turkish Minister for European Affairs has said that if the two sides cannot reach a reasonable compromise, the next step will be to form two independent states or for northern Cyprus to be forcibly annexed by Turkey. There has been no progress with talks on the reunification of the island in recent months. Yet the current situation cannot be allowed to continue.

— What is the Commission's view of the statement by the Turkish Minister for European Affairs concerning the annexation of northern Cyprus?

— Is the Commission planning to take any action with regard to this matter?

Answer given by Mr Füle on behalf of the Commission
(28 September 2012)

The Commission would like to refer the Honourable Member to the reply given to previous Written Question E-002618/2012 ([1]).

([1]) Questions and declarations — Parliamentary questions.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-007682/12
προς την Επιτροπή
Georgios Toussas (GUE/NGL)
(27 Αυγούστου 2012)

Θέμα: Πυρκαγιές στη Χίο και γενικότερα στην Ελλάδα

Οι πυρκαγιές στην Ελλάδα, η καταστροφή καλλιεργειών και δασών, με οδυνηρές συνέπειες σε βάρος των αγροτοκτηνοτροφικών νοικοκυριών, μικρών βιοτεχνικών επιχειρήσεων και τουριστικών δραστηριοτήτων, ανέδειξαν τα οξυμένα προβλήματα στην πρόληψη και καταστολή πυρκαγιών, τις ελλείψεις σε υποδομή και πυροσβεστικά μέσα και την έλλειψη χρηματοδότησης. Η αντιλαϊκή πολιτική της συγκυβέρνησης ΝΔ, ΠΑΣΟΚ, ΔΗΜΑΡ, των προηγούμενων κυβερνήσεων και της στρατηγικής Ευρώπη 2020 — ΚΑΠ εκδηλώνεται και στην πρόληψη και αντιμετώπιση πυρκαγιών. Η εμπορευματοποίηση και η αλλαγή χρήσης γης ενισχύουν την εκδήλωση πυρκαγιών, που καταστρέφουν χιλιάδες στρέμματα αγροτοκτηνοτροφικής παραγωγής και το περιβάλλον. Η συγκυβέρνηση μιλά για εμπρησμούς και συγκαλύπτει τις τεράστιες ευθύνες για τις 4 000 κενές οργανικές θέσεις πυροσβεστών και τις τραγικές περικοπές στη χρηματοδότηση των αναγκών πυρασφάλειας και πυρόσβεσης. Σύμφωνα με το EFFIS, οι καμένες εκτάσεις στην Χίο ανέρχονται σε 145 890 στρέμματα, 30 % της έκτασης του νησιού. Το 30 % της φετινής παραγωγής μαστίχας, ζωτικής σημασίας αγροτικού προϊόντος, έχει καταστραφεί. Η απώλεια των μαστιχόδενδρων ανέρχεται στο 40 %. Οι περικοπές για πρόληψη και πυρόσβεση ανέρχονται στο 45 %.

Τι θέση παίρνει η Επιτροπή για την άμεση ανακούφιση των εργαζομένων, των φτωχών αγροτών, των κτηνοτρόφων και των μικρομεσαίων αυτοαπασχολούμενων, την προστασία της αγροτοκτηνοτροφικής παραγωγής, του τουρισμού και του περιβάλλοντος της Χίου; Ποια είναι η θέση της για την άμεση κρατική αποζημίωση των πληγέντων μαστιχοπαραγωγών, αγροτών, κτηνοτρόφων και των εργαζομένων στις μικρομεσαίες αγροτοκτηνοτροφικές συνεταιριστικές μονάδες και τον τουρισμό, την απαλλαγή των πυρόπληκτων από τη φορολογία του 2011 λόγω έλλειψης εισοδήματος, τη διαγραφή των δανείων των πληγέντων από την Αγροτική και άλλες τράπεζες, την ανάγκη να μην αλλάξει η χρήση γης στις πληγείσες περιοχές, την κατάργηση των αντιδραστικών νόμων ΝΔ-ΠΑΣΟΚ, που προωθούν τον αποχαρακτηρισμό εκατομμυρίων στρεμμάτων δάσους, την ακύρωση των αποφάσεων για μεγάλα έργα που δεσμεύουν ελεύθερη γη, την κρατική χρηματοδότηση προγράμματος άμεσης αναδάσωσης με βάση τις πραγματικές ανάγκες, ώστε: α) στις μαστιχοπαραγωγές περιοχές να καθαριστούν τα καμένα και να δεντροφυτευτούν σχοίνοι και β) να αναδασωθούν οι καμένες εκτάσεις και να προστατευθούν τα δασικά οικοσυστήματα; Ποια είναι επίσης η θέση της για την ανάγκη διαφύλαξης της πολιτιστικής κληρονομιάς της Χίου και μετατροπής σε δημόσια περιουσία, των μεγάλων ιδιωτικών εκτάσεων στα βουνά και τα δάση;

Ποια είναι η θέση της Επιτροπής για την ανάγκη συγκρότησης Ενιαίου Κρατικού Φορέα Δασικής Διαχείρισης και Προστασίας, με μόνιμο και εκπαιδευμένο προσωπικό, σύγχρονο εξοπλισμό και υποδομές, καθώς και διαμόρφωσης Δασικού Κτηματολογίου από δημόσιες υπηρεσίες, σε αντίθεση με την παράδοσή του στους ιδιώτες, με στόχο την προστασία των δασών και γενικότερα του περιβάλλοντος;

Απάντηση του κ. Ciolos εξ ονόματος της Επιτροπής
(9 Οκτωβρίου 2012)

Σύμφωνα με το άρθρο 36 στοιχείο β) σημείο vi και το άρθρο 48 του κανονισμού (ΕΚ) αριθ. 1698/2005 ([1]) του Συμβουλίου, χορηγείται στήριξη από το Ευρωπαϊκό Γεωργικό Ταμείο Αγροτικής Ανάπτυξης για την αποκατάσταση του δασοκομικού δυναμικού που έχει πληγεί από θεομηνίες και πυρκαγιές, και για τη λήψη των κατάλληλων μέτρων πρόληψης. Στο πλαίσιο αυτό, το ελληνικό πρόγραμμα αγροτικής ανάπτυξης 2007-2013, περιλαμβάνει το Μέτρο 226 «Αποκατάσταση του δασοκομικού δυναμικού και εισαγωγή δράσεων πρόληψης», το οποίο καλύπτει την αναδάσωση και τις δράσεις αντιπλημμυρικών και αντιδιαβρωτικών έργων σε περιοχές που έχουν πληγεί από δασικές πυρκαγιές. Τα θέματα που αφορούν ειδικότερα τη χρήση αυτού του ταμείου εμπίπτουν στις αρμοδιότητες της διαχειριστικής αρχής του ΠΑΑ στο ελληνικό Υπουργείο Αγροτικής Ανάπτυξης και Τροφίμων.

Όσον αφορά τις άμεσες ενισχύσεις, ο εκτελεστικός κανονισμός (ΕΕ) αριθ. 776/2012 της Επιτροπής ([2]) επιτρέπει σε όλα τα κράτη μέλη να χορηγήσουν από τις 16 Οκτωβρίου 2012 προκαταβολές έως και 50 % στο πλαίσιο των καθεστώτων άμεσης στήριξης που απαριθμούνται στο παράρτημα Ι του κανονισμού (ΕΚ) αριθ. 73/2009 ([3]), υπό την προϋπόθεση ότι έχει ολοκληρωθεί η επαλήθευση των όρων επιλεξιμότητας. Όσον αφορά τις ενισχύσεις για το βόειο και μοσχαρίσιο κρέας που προβλέπονται στον εν λόγω κανονισμό, επιτρέπεται επίσης στα κράτη μέλη να αυξήσουν το ποσοστό των προκαταβολών έως και 80 %.

([1]) ΕΕ L 277 της 21.10.2005, σ. 1-40.
([2]) ΕΕ L 231 της 28. 08.2012, σ. 8-8.
([3]) ΕΕ L 30 της 19.01.2009, σ. 16-99.

Το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης και το Ταμείο Συνοχής μπορούν επίσης να χρησιμοποιηθούν για τη στήριξη διαφόρων μέτρων στους τομείς της πρόληψης κινδύνων και περιβαλλοντικής υποδομής στις πυρόπληκτες περιοχές. Επεμβάσεις παροχής βοήθειας για την αντιμετώπιση καταστροφών προβλέπονται επίσης μέσω του μηχανισμού πολιτικής προστασίας της ΕΕ και του Ταμείου Αλληλεγγύης της ΕΕ.

Τα ερωτήματα που θέτει το Αξιότιμο Μέλος του Κοινοβουλίου όσον αφορά τη συγκρότηση Κρατικού Φορέα Δασικής Διαχείρισης και Προστασίας εμπίπτουν στην αρμοδιότητα των εθνικών αρχών.

(English version)

Question for written answer E-007682/12
to the Commission
Georgios Toussas (GUE/NGL)
(27 August 2012)

Subject: Fires on the island of Chios and elsewhere in Greece

The fires in Greece and the destruction of crops and forests, with disastrous consequences for farmers and stock breeders, small businesses and tourist activities, have illustrated the increasing problems of fire prevention and containment and the lack of infrastructure, fire fighting resources and funding. The consequences of the unpopular policies of the ND-PASOK-DIMAR governing coalition, the previous governments and the Europa 2020-CAP strategy are manifesting themselves unmistakeably when it comes to fire prevention and containment. Commercialisation and altered land use are resulting in an increased number of fires, destroying hundreds of hectares of land used for arable and livestock production and polluting the environment. With its talk of arson, the coalition is seeking to cover up its own major degree of responsibility for the 4 000 unfilled posts available for fire fighters and the drastic cuts in funding for fire prevention and containment. According to the EFFIS, 14 589 hectares have been destroyed on the island of Chios, 30% of its surface area, wiping out 30% of its mastic production, an agricultural activity of vital importance. Forty per cent of the mastic trees have been destroyed. At the same time, funding for fire prevention and containment has been cut by 45%.

What is the Commission's position regarding immediate relief measures for workers, low-earning farmers, stock breeders, small and medium-sized businesses and the self-employed; measures to protect arable farming and stock breeding, tourism and the environment on the island of Chios; the immediate payment of compensation by the Government to victims, including mastic producers, arable farmers, livestock breeders and those working for small and medium-sized arable and livestock breeding cooperatives and in the tourism sector; tax exemption in respect of 2011 for fire damage victims deprived of their sources of income; debt write-offs for victims by the Agricultural Bank and other banks; no change in land use in the areas affected; abrogation of reactionary ND-PASOK legislation seeking to declassify hundreds of thousands of hectares of forest land; cancellation of approval for major projects taking up available land; state funding for immediate reforestation programmes based on actual need:

(a) restoring fire damage and replanting mastic trees in mastic producing areas,

(b) reforestation of fire-damaged areas and protection of forest ecosystems;

conservation of cultural heritage on the island of Chios, and the transfer to public ownership of large, privately owned tracts of land in mountain and forest areas?

What is its view of the setting up of a single state forestry management and protection body with a permanent and fully trained staff, modern equipment and suitable infrastructures and the drawing up of a forestry register by the public services instead of private individuals, as has been the case previously, in order to protect forests and, more generally, the environment?

Answer given by Mr Cioloș on behalf of the Commission
(9 October 2012)

According to Articles 36(b)(vi) and 48 of Council Regulation (EC) No 1698/2005 ([1]), support shall be granted by the European Agricultural Rural Development Fund for restoring the forest potential damaged by natural disasters and fire and for introducing appropriate prevention actions. In the Greek Rural Development Programme 2007-13, this provision is addressed under Measure 226 'Restoration of forest potential and introduction of preventive actions' which covers reforestation and anti-flooding/anti-erosion projects in areas damaged by forest fires. Specific questions on the use of this fund fall within the competence of the Managing Authority of RDP located in the Greek Ministry of Rural Development and Food.

Regarding direct aids, the Commission Implementing Regulation (EU) No 776/2012 ([2]) allows all Member States to advance from 16 October 2012 payments of up to 50% of the direct support schemes listed in Annex I of Regulation (EC) No 73/2009 ([3]), provided that the verification of the eligibility conditions has been finalised. As regards the beef and veal payments provided for in this regulation, Member States are also authorised to increase the payment of advances up to 80%.

([1]) OJ L 277 of 21.10.2005, pp. 1-40.
([2]) OJ L 231 of 28. 8.2012, p. 8-8.
([3]) OJ L 30 of 19.1.2009, p. 16-99.

The European Regional Development Fund and the Cohesion Fund can also be used to support a variety of measures in the areas of risk prevention and environmental infrastructure in the fire-damaged areas. Disaster response assistance is also available through the EU Civil Protection Mechanism and the EU Solidarity Fund.

The specific questions raised by the Honourable Member on the development of a national forest management and protection body fall within the competence of the national authorities.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-007683/12
alla Commissione
Sonia Alfano (ALDE)
(27 agosto 2012)

Oggetto: Grandi opere e procedure di smaltimento delle «terre e rocce da scavo»: regolamento ministeriale italiano e violazione delle direttive europee

Lo scorso 16 luglio l'Associazione Idra Onlus ha inviato al Commissario Potočnik delle circostanziate osservazioni riguardo a un decreto del governo italiano relativo alle procedure di smaltimento delle «terre e rocce da scavo» legato alla realizzazione delle cosiddette «grandi opere» che si trova attualmente al vaglio della Commissione europea.

Da tali osservazioni emerge con preoccupazione come da tempo si tenti di escludere dalla nozione di rifiuto — così come fissata dalle direttive europee — le terre e rocce da scavo e matrici di riporto, pur se fortemente contaminate, e di derubricarle a «sottoprodotti» riciclabili. In questa maniera questi materiali diverrebbero facilmente oggetto di smaltimenti inadeguati e dannosi per la tutela dell'ambiente e della salute dei cittadini. Non sono da escludere, come emerge dal rapporto Ecomafie 2012 di Legambiente, forti interessi da parte della criminalità organizzata mafiosa a questo genere di attività. Non è la prima volta che in Italia si tenta un simile approccio. Nel 2007 la Corte di giustizia europea (causa C-194/05) intervenne a respingere questa ipotesi, presente nell'art. 1, legge 21 dicembre 2001 n. 443; analogamente, nel 2004, la medesima Corte (causa C-457/02, Niselli) era intervenuta in relazione all'art. 14 D.L. 8 luglio 2002 n. 138, convertito con L. 8 agosto 2002 n. 178. La stessa Corte di cassazione italiana si è espressa a più riprese tra il 2005 e il 2011 (Cass. pen., sez. 3, 27 settembre 2005, n. 1645, Francucci; Cass. pen. sez. 3, c.c. 26 ottobre 2006, n. 39369, Scarinci; Cass. pen. sez. 3, 18 giugno 2009, n. 39728, Gioffré; Cass. pen., 15 maggio 2007, n. 23788, Arcuti; Cass. pen., 12 gennaio 2011, n. 16705, Marietta).

L'Associazione Idra solleva peraltro diversi dubbi anche su un caso specifico quale quello dei progetti di cantieri TAV che riguardano Firenze, il cui centro storico è dal 1982 patrimonio dell'UNESCO, evidenziando — per bocca delle stesse autorità competenti — i rischi ambientali e le incertezze che ancora oggi, prossimi al presunto inizio dei lavori, caratterizzano gli scenari di trasporto e smaltimento dei materiali di scavo e delle eventuali sostanze inquinanti presenti.

Alla luce di quanto precede, può la Commissione far sapere:

— In che maniera valuta il decreto italiano alla luce delle considerazioni presentate e come intende intervenire?

— In che maniera valuta il caso specifico dei cantieri TAV di Firenze e come intende intervenire rispetto alle problematiche sollevate nelle osservazioni dell'Associazione Idra?

Risposta di Janez Potočnik a nome della Commissione
(3 ottobre 2012)

La denuncia dell'associazione Idra cui fa riferimento l'onorevole parlamentare è relativa ad un progetto di decreto ministeriale concernente l'utilizzazione delle terre e rocce da scavo nel contesto di lavori di costruzione e al modo in cui le autorità italiane tratteranno le terre da scavo relative ai progetti dei cantieri TAV che sono in procinto di essere avviati nell'area di Firenze. Il disegno di decreto prevede che, in determinate condizioni, i materiali da scavo siano considerati sottoprodotti e non rifiuti. In base alla denuncia succitata il disegno di decreto, se adottato, risulterebbe in contrasto con la normativa ambientale dell'UE.

I servizi della Commissione stanno attualmente valutando se il progetto di decreto sia compatibile, in particolare, con l'articolo 5 della direttiva 2008/98/CE sui rifiuti ([1]), che stabilisce le condizioni in base alle quali una sostanza o un oggetto può essere considerata/o come sottoprodotto.

Se la Commissione giungesse alla conclusione che il disegno di decreto, se adottato, risulterebbe in contrasto con la normativa ambientale dell'UE, intraprenderà le azioni necessarie per garantire che tale normativa sia correttamente recepita e attuata in Italia.

([1]) Direttiva 2008/98/CE del Parlamento europeo e del Consiglio, del 19 novembre 2008, relativa ai rifiuti e che abroga alcune direttive, GU L 312 del 22.11.2008.

(English version)

Question for written answer P-007683/12
to the Commission
Sonia Alfano (ALDE)
(27 August 2012)

Subject: Major work and disposal procedures for 'excavated earth and rocks': Italian ministerial regulations and infringement of EU directives

On 16 July 2012 the non-profit association Idra sent Commissioner Potočnik some detailed observations on a decree of the Italian Government concerning disposal procedures for 'excavated earth and rocks', in relation to the implementation of the so-called *grandi opere* (major works), which are currently being reviewed by the Commission.

Alarmingly, these observations reveal how, for some time now, attempts have been made to exclude from the concept of 'waste' — as defined by the EU directives — excavated earth and rock and ground mass for landfill, even if they are heavily contaminated, and to downgrade them to recyclable by-products. This would mean that these materials would easily become the subject of inadequate disposal that is harmful to the environment and to public health. As is clear from the report by *Legambiente*, 'Ecomafie 2012', it cannot be ruled out that the mafia will be very interested in this kind of activity. This is not the first time that in Italy such an approach is being attempted. In 2007, the European Court of Justice (Case C-194/05) rejected this option, laid down in Article 1, Law No 443 of 21 December 2001; similarly, in 2004, the same Court (in Case C-457/02 Niselli) issued a ruling in relation to Article 14, Decree Law No 138 of 8 July 2002, converted into Law No 178 of 8 August 2002. The Italian Court of Cassation itself expressed its opinion in this regard on several occasions between 2005 and 2011 (Court of Cassation criminal chamber 3, 27 September 2005, No 1645, Francucci; Cassation criminal chamber 3, c.c. 26 October 2006, No 39369, Scarinci; Cassation criminal chamber 3, 18 June 2009, No 39728, Gioffré; Cassation criminal chamber, 15 May 2007, No 23788, Arcuti; Cassation criminal chamber, 12 January 2011, No 16705, Marietta).

The Idra Association also raises a number of doubts over a specific case such as that of the high-speed railway projects involving Florence, whose historical centre has been a Unesco World Heritage Site since 1982; the association has highlighted — using the very words of the competent authorities themselves — the environmental risks and uncertainties that even now, when the work is about to begin, cast a shadow over the transportation and disposal of excavated material in relation to any pollutants that might be present.

Can the Commission therefore answer the following questions:

— What is its view of the Italian decree, in the light of the above considerations, and what action does it intend to take?

— What is its view of the specific case of the high-speed rail construction sites in Florence and what action does it intend to take action with regard to the issues raised by the Idra Association in their observations?

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

The complaint by the association Idra referred to by the Honourable Member relates to a draft decree concerning the use of soils excavated in the context of construction works, and how the Italian authorities will deal with the excavated soils originating from the high-speed railway projects which are about to be launched in the Florence area. The draft decree foresees that, under certain conditions, excavation soils are to be considered as by-products, and not as waste. According to the above complaint, the draft decree, if adopted, would breach EU environmental law.

The Commission services are currently assessing whether the draft decree is compatible, in particular, with Article 5 of Directive 2008/98/EC on waste ([1]), which sets out the conditions for a substance or object to qualify as a by-product.

Should the Commission reach the conclusion that the draft decree, if adopted, would breach EU environmental law, the Commission will take the necessary initiatives to ensure that EC law is correctly transposed and implemented in Italy.

([1]) Directive 2008/98/EC of the Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, OJ L 312, 22.11.2008.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-007686/12
alla Commissione
Sonia Alfano (ALDE)
(27 agosto 2012)

Oggetto: Nuovo accordo Italia-Libia

Mercoledì 13 giugno, Amnesty International pubblica il rapporto dal titolo SOS Europa, che analizza l'impatto sui diritti umani dei controlli effettuati nei confronti dei migranti. Il recente rapporto stilato dal Consiglio d'Europa «Vite perdute in Mediterraneo: chi è responsabile?» ha evidenziato come l'Unione europea, nonostante i dispositivi approntati, continui a essere deficitaria in materia di protezione. Questa situazione lascia ampio spazio all'instaurazione di accordi bilaterali, come quello firmato il 3 Aprile scorso tra Italia e Libia, come riferisce Amnesty.

Non conoscendo la natura dell'accordo, che continua a essere segretato, l'ONG ha espresso preoccupazione sull'effettiva predisposizione di misure volte a proteggere i diritti fondamentali dei migranti, dei rifugiati e dei richiedenti asilo. Tra l'altro — secondo quanto denunciato da Amnesty in un rapporto pubblicato alla fine dello scorso maggio — la violazione dei diritti fondamentali in Libia si perpetua, come peraltro osservato dalle più alte istanze impegnate nella protezione dei diritti fondamentali, come l'UNHCR.

Come ribadito spesso dalla Commissione europea, l'Unione europea si aspetta che i 27 Stati membri adempiano agli obblighi internazionali derivanti dai trattati o dalle convenzioni che essi hanno sottoscritto e ratificato, tra cui la stessa convenzione ONU del 1951, e rispettino i principi fondanti, quali quello di non-respingimento dei migranti che necessitano di una protezione internazionale. L'Unione europea deve quindi promuovere un approccio globale alla migrazione con i Paesi del Vicinato meridionale.

1. La Commissione è in grado di fornire maggiori informazioni sulla natura dell'accordo?

2. Quali sono le possibilità di azione e reazione delle istituzioni europee nel merito?

3. La Commissione intende chiedere al governo italiano una copia dell'accordo?

4. In base all'articolo 218 TFEU, può la Commissione precisare a che punto sono i negoziati per un accordo quadro con le autorità libiche?

Interrogazione con richiesta di risposta scritta E-007687/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Sonia Alfano (ALDE)
(27 agosto 2012)

Oggetto: VP/HR — Nuovo accordo Italia-Libia

Mercoledì 13 giugno, Amnesty International pubblica il rapporto dal titolo SOS Europa, che analizza l'impatto sui diritti umani dei controlli effettuati nei confronti dei migranti. Il recente rapporto stilato dal Consiglio d'Europa «Vite perdute in Mediterraneo: chi è responsabile?» ha evidenziato come l'Unione europea, nonostante i dispositivi approntati, continui a essere deficitaria in materia di protezione. Questa situazione lascia ampio spazio all'instaurazione di accordi bilaterali, come quello firmato il 3 Aprile scorso tra Italia e Libia, come riferisce Amnesty.

Non conoscendo la natura dell'accordo, che continua a essere segretato, l'ONG ha espresso preoccupazione sull'effettiva predisposizione di misure volte a proteggere i diritti fondamentali dei migranti, dei rifugiati e dei richiedenti asilo. Tra l'altro — secondo quanto denunciato da Amnesty in un rapporto pubblicato alla fine dello scorso maggio — la violazione dei diritti fondamentali in Libia si perpetua, come peraltro osservato dalle più alte istanze impegnate nella protezione dei diritti fondamentali, come l'UNHCR.

Come ribadito spesso dalla Commissione europea, l'Unione europea si aspetta che i 27 Stati membri adempiano agli obblighi internazionali derivanti dai trattati o dalle convenzioni che essi hanno sottoscritto e ratificato, tra cui la stessa convenzione ONU del 1951, e rispettino i principi fondanti, quali quello di non-respingimento dei migranti che necessitano di una protezione internazionale. L'Unione europea deve quindi promuovere un approccio globale alla migrazione con i Paesi del Vicinato meridionale.

1. La Vicepresidente/Alto Rappresentante è in grado di fornire maggiori informazioni sulla natura dell'accordo?

2. Quali sono le possibilità di azione e reazione delle istituzioni europee nel merito?

3. La Vicepresidente/Alto Rappresentante intende chiedere al governo italiano una copia dell'accordo?

4. In base all'articolo 218 TFEU, la Vicepresidente/Alto Rappresentante può precisare a che punto sono i negoziati per un accordo quadro con le autorità libiche?

Risposta congiunta di Catherine Ashton a nome della Commissione
(9 ottobre 2012)

L'Unione europea è a conoscenza del Trattato di amicizia, partenariato e cooperazione tra Italia e Libia, firmato dalle autorità dei due paesi il 30 agosto 2008. In base alle informazioni disponibili, nell'aprile 2012 si è effettivamente tenuto un incontro tra i ministri dell'Interno dei due paesi, ma l'UE non è a conoscenza di eventuali accordi tra Italia e Libia firmati in tale occasione.

L'UE appoggia il lavoro svolto in Libia dall'Organizzazione internazionale per le migrazioni (OIM), che assiste i migranti in difficoltà e sostiene le autorità libiche nella creazione di un sistema di gestione delle migrazioni più efficace ed equo. La Commissione ha altresì stanziato dei fondi che consentiranno all'UNHCR di adempiere al suo mandato di protezione in Libia, non appena le autorità libiche ne daranno l'autorizzazione. Inoltre, l'Unione europea esorterà la Libia a rafforzare le sue norme, le sue capacità e pratiche amministrative, in conformità con gli standard internazionali in materia di migrazione, asilo, mobilità e gestione delle frontiere, nonché a cooperare con l'Unione stessa e la comunità internazionale in tutti questi settori. I progressi compiuti dalla Libia su questi due fronti saranno fondamentali per le relazioni future tra la Libia e l'UE, in linea con il principio «more for more» (maggiori aiuti a fronte di un maggiore impegno).

I negoziati per l'accordo quadro tra l'UE e la Libia, sospesi nel febbraio 2011 in seguito alla violenta repressione dei manifestanti da parte del regime di Gheddafi, non sono ancora stati ripresi. Prima della sospensione, se ne erano svolti dieci cicli.

(English version)

Question for written answer E-007686/12
to the Commission
Sonia Alfano (ALDE)
(27 August 2012)

Subject: New agreement between Italy and Libya

On Wednesday 13 June, Amnesty International published a report entitled SOS Europe, which examines the impact of migrant control on human rights. The recent report by the Council of Europe 'Lives lost in the Mediterranean Sea: who is responsible?' showed that the European Union, despite the mechanisms it has developed, continues to be sadly lacking as far as protection is concerned. This situation leaves ample space for the drawing up of bilateral agreements, such as that signed on 3 April 2012 between Italy and Libya, as reported by Amnesty.

Not knowing the nature of the agreement, which continues to be confidential, Amnesty has expressed concern about whether measures to protect the fundamental rights of migrants, refugees and asylum-seekers have actually been drawn up. Moreover, as highlighted by Amnesty in a report published at the end of May, the violation of fundamental rights in Libya continues, as has also been noted by the highest authorities involved in the protection of fundamental rights, such as the UNHCR.

As the Commission has often reiterated, the EU expects the 27 Member States to fulfil the international obligations stemming from the treaties or conventions they have signed and ratified, including the 1951 UN Convention, and to follow their basic principles, such as that of not rejecting migrants in need of international protection. The European Union must, therefore, promote a global approach to migration with the southern Neighbourhood countries.

1. Is the Commission able to provide any more information on the nature of the agreement?

2. How can the EU institutions act and react in this regard?

3. Will the Commission ask the Italian Government for a copy of the agreement?

4. Under Article 218 TFEU, can the Commission specify at what stage the negotiations for a framework agreement with the Libyan authorities are?

Question for written answer E-007687/12
to the Commission (Vice-President/High Representative)
Sonia Alfano (ALDE)
(27 August 2012)

Subject: VP/HR — New agreement between Italy and Libya

On Wednesday 13 June, Amnesty International published a report entitled SOS Europe, which examines the impact of migrant control on human rights. The recent report by the Council of Europe 'Lives lost in the Mediterranean Sea: who is responsible?' showed that the European Union, despite the mechanisms it has developed, continues to be sadly lacking as far as protection is concerned. This situation leaves ample opportunity for the drawing up of bilateral agreements, such as that signed on 3 April 2012 between Italy and Libya, as reported by Amnesty.

Not knowing the nature of the agreement, which continues to be confidential, the NGO has expressed concern about whether measures to protect the fundamental rights of migrants, refugees and asylum-seekers have actually been drawn up. Moreover, as highlighted by Amnesty in a report published at the end of May, the violation of fundamental rights in Libya continues, as has also been noted by the highest authorities involved in the protection of fundamental rights, such as the UNHCR.

As the Commission has often reiterated, the EU expects the 27 Member States to fulfil the international obligations stemming from the treaties or conventions they have signed and ratified, including the 1951 UN Convention, and to follow their basic principles, such as that of not rejecting migrants in need of international protection. The European Union must, therefore, promote a global approach to migration with the southern Neighbourhood countries.

1. Is the Vice-President/High Representative able to provide any more information on the nature of the agreement?

2. How can the EU institutions act and react in this regard?

3. Will the Vice-President/High Representative ask the Italian Government for a copy of the agreement?

4. Under Article 218 TFEU, can the Vice-President/High Representative specify at what stage the negotiations for a framework agreement with the Libyan authorities are at?

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

The EU is aware of the Treaty on Friendship, Partnership and Cooperation between Italy and Libya, which the authorities of the two countries signed on 30 August 2008. According to the available information, a meeting was held in April 2012 between the Ministers of Interior from Italy and Libya, but the EU has no information about agreements signed on that occasion between Italy and Libya.

The EU is currently supporting the IOM in Libya, which is both providing assistance to stranded migrants and helping Libyan authorities to build up a sounder and fairer migration management system. Moreover the Commission has also allocated funds which will allow UNHCR to fulfil its protection mandate in Libya, as soon as this is authorised by Libyan authorities. The EU will also encourage Libya to strengthen its norms, administrative capacities and practices in accordance with international standards in the areas of migration, asylum, mobility and border management, as well as to cooperate with the EU and the international community in all these areas. Progress on both of these tracks will be important in future relations between Libya and the EU, in line with the 'more for more' principle.

Negotiations of the EU-Libya Framework Agreement were suspended in February 2011 following the brutal repression of demonstrators by the Gaddafi regime. They have not resumed so far. Before suspension, ten negotiating rounds had taken place.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-007689/12
do Komisji
Filip Kaczmarek (PPE)
(27 sierpnia 2012 r.)

Przedmiot: Budowa elektrowni atomowej na Białorusi

Jak wynika z informacji prasowych, w ostatnich dniach rozpoczęła się w Ostrowcu na Białorusi (przy granicy z Litwą i około 200 km od granicy z Polską), budowa białoruskiej elektrowni atomowej w oparciu o rosyjski projekt AES-2006. Elektrownia ma rozpocząć działanie w 2018 r. Ze względu na bliskość budowy jej plany oprotestował rząd Litwy. Przedsięwzięcie jednak wzbudza także obawy na samej Białorusi, jak i w Polsce. W tych krajach nadal żywe są skutki wybuchu, jaki miał miejsce w elektrowni atomowej w Czarnobylu w kwietniu 1986 r., stąd silne obawy przed technologią nuklearną.

Jednak dodatkowe wątpliwości rodzi fakt ogłoszenia przez prezydenta Aleksandra Łukaszenkę, że białoruska elektrownia atomowa ma być najtańsza ze wszystkich, jakie Rosjanie zbudowali u siebie i w innych państwach. Jednak w przypadku tak specyficznej technologii nuklearnej, nadmierne oszczędności wydawać się mogą zbyt ryzykowne.

Zwracam się z zapytaniem:

— Czy Komisja monitoruje budowę elektrowni atomowej na Białorusi?

— Czy w związku z tą budową i jej rozwiązaniami technicznymi obywatele sąsiednich państw mogą czuć się bezpieczni?

Odpowiedź udzielona przez komisarza Günthera Oettingera w imieniu Komisji
(11 października 2012 r.)

Decyzje o budowie elektrowni jądrowych w państwach trzecich leżą w gestii władz krajowych danego państwa i nie wchodzą w zakres kompetencji Komisji ([1]).

Komisja prowadzi jednak regularnie rozmowy z władzami krajów sąsiadujących z Unią Europejską, w tym Białorusi, podczas których podkreśla potrzebę zapewnienia wysokiego poziomu bezpieczeństwa jądrowego. W kontekście trwającego dialogu energetycznego między UE a Białorusią Komisja ponagliła Białoruś, aby ta zapewniła zgodność ze wszystkimi wymogami międzynarodowych umów wielostronnych, których Białoruś jest stroną, w tym Konwencji bezpieczeństwa jądrowego oraz Konwencji o ocenach oddziaływania na środowisko w kontekście transgranicznym (konwencji z Espoo). Zgodnie z tymi konwencjami Białoruś notyfikowała Komisji, a także sąsiadującym z Białorusią państwom członkowskim UE (w tym Litwie i Polsce), ocenę oddziaływania na środowisko elektrowni jądrowej w Ostrowcu. Od tego czasu Komisja prowadzi dalsze konsultacje z Białorusią na ten temat.

Ponadto Komisja realizuje projekty pomocy technicznej w ramach Instrumentu Współpracy w dziedzinie Bezpieczeństwa Jądrowego ([2]), mające na celu wsparcie właściwego białoruskiego organu regulacyjnego w opracowaniu ram prawnych i regulacyjnych koniecznych do bezpiecznego korzystania z energii jądrowej, a także pomoc w budowaniu kompetencji tego organu oraz bezpośrednie wsparcie techniczne ze strony ekspertów UE w zakresie niektórych działań dotyczących regulacji bezpieczeństwa jądrowego, w tym przeprowadzenie niezależnego przeglądu wybranej dokumentacji potrzebnej do uzyskania odpowiednich zezwoleń.

([1]) Na przykład kompetencja Komisji do wydawania oficjalnych opinii na temat budowy elektrowni jądrowych i powiązanych z tym kwestii na podstawie artykułów 41-44 traktatu EURATOM nie ma zastosowania do takich elektrowni położonych poza granicami UE.

([2]) Rozporządzenie Rady (Euratom) nr 300/2007 z dnia 19 lutego 2007 r. ustanawiające instrument współpracy w dziedzinie bezpieczeństwa jądrowego, Dz.U. L 81 z 22.3.2007.

(English version)

Question for written answer E-007689/12
to the Commission
Filip Kaczmarek (PPE)
(27 August 2012)

Subject: Construction of a nuclear power station in Belarus

Press reports indicate that in the last few days construction work has begun on a nuclear power plant in Ostrovets, Belarus, very near the Lithuanian border and around 200 km from the Polish border. The Russian AES-2006 design is being used for the plant, which is scheduled to go into service in 2018. The Lithuanian Government has protested about the proximity of the planned plant, and concerns about the project have also been raised in Belarus itself, as well as in Poland. With these countries still feeling the effects of the explosion that occurred at the Chernobyl nuclear power plant in April 1986, there are major concerns surrounding nuclear technology.

President Alexander Lukashenko caused even more concern when he stated that Belarus' new nuclear power plant is to be cheaper than any the Russians have built in Russia or elsewhere. As far as this particular form of nuclear technology is concerned, however, making too many cutbacks may prove to be a rather risky business.

— Is the Commission monitoring the construction of this nuclear power plant in Belarus?

— Can people in neighbouring countries feel safe about the construction of this plant and the technology that is being used?

Answer given by Mr Oettinger on behalf of the Commission
(11 October 2012)

The decision of third countries to construct new nuclear power plants is a national responsibility which lies outside the Commission's competence ([1]).

However, the Commission seeks continuous discussions with European Union (EU) neighbouring countries, including Belarus, where it underlines the need to ensure a high level of nuclear safety. In the context of the ongoing EU-Belarus energy dialogue, the Commission has urged Belarus to ensure compliance with all the provisions of international multilateral agreements to which Belarus is party, including the Convention on Nuclear Safety and the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention). In the light of these Conventions, Belarus has notified the environmental impact assessment of the Ostrovets nuclear power plant to the Commission, as well as to neighbouring EU Member States (including Lithuania and Poland). Since then the Commission has entered into further, ongoing consultations with Belarus on this topic.

In addition, the Commission has technical assistance projects underway, under the Instrument for Nuclear Safety Cooperation ([2]), to provide support to the Belarusian nuclear safety regulator to develop the legal and regulatory framework necessary for the safe use of nuclear energy, to assist competence building of the nuclear safety regulator and to provide direct technical support by EU experts in some regulatory activities, such as the independent review of selected licensing documentation.

([1]) Thus, for example, the Commission's competence to issue a formal opinion on the construction and related aspects of nuclear power plants under Articles 41 to 44 of the Euratom Treaty does not apply with respect to such plants located outside the EU's borders.

([2]) Council Regulation No 300/2007/Euratom of 19 February 2007 establishing an Instrument for Nuclear Safety Cooperation, OJ L 81, 22.3.2007.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007690/12
an die Kommission
Franz Obermayr (NI)
(28. August 2012)

Betrifft: Eindämmung des Tabakkonsums durch Maßnahmen wie „Plain Packaging" (genormte Einheitsverpackungen)

Die von Herbst 2010 bis Juli 2011 durchgeführte öffentliche Konsultation durch die Kommission über die EU-Politik zur Eindämmung des Tabakkonsums hat teilweise eine deutliche Ablehnung der Unionsbürger gegenüber weiteren Verschärfungen aufgezeigt.

Der Mangel an wissenschaftlichen Nachweisen der Effektivität von Maßnahmen wie „Plain Packaging", der erleichterte Zigarettenschmuggel durch Einheitsverpackungen oder der schwere Eingriff in das Markenrecht sind nur einige von zahlreichen Kritikpunkten, welche angesichts einer neuerlichen Verschärfung aufkommen würden.

1. Steht eine Überarbeitung der EU-Tabakproduktrichtlinie (2001/37/EG) aufgrund der Ergebnisse der öffentlichen Konsultation nun noch im Raum? Wenn ja: Wie ist der derzeitige Stand?

2. Wie steht die Kommission zu der erhöhten Gefahr des Zigarettenschmuggels, die Maßnahmen wie „Plain Packaging" nach sich ziehen würden?

3. Wie rechtfertigt die Kommission schwerwiegende Eingriffe in das Markenrecht, insbesondere im Hinblick auf Artikel 17 der europäischen Grundrechte-Charta?

4. Wie steht die Kommission zu dem weitgehenden Fehlen von wissenschaftlichen Nachweisen für eine effektive Eindämmung des Tabakkonsums durch die in der öffentlichen Konsultation vorgeschlagenen Maßnahmen?

5. Wie würde die Kommission eine Verschärfung der Richtlinie demokratiepolitisch rechtfertigen, wenn sich unterdessen ein Großteil der Bürger in den Mitgliedstaaten (z. B. 85 % in Österreich) gegen eine Änderung der Tabak-Konsumenteninformation ausspricht?

Antwort von Herrn Dalli im Namen der Kommission
(9. Oktober 2012)

Die öffentliche Konsultation zur möglichen Überarbeitung der Richtlinie über Tabakerzeugnisse 2001/37/EG ([1]) wurde im Jahr 2010 abgehalten. Die einzelnen Ergebnisse sind auf der Website der Kommission veröffentlicht worden. ([2]) Die öffentliche Konsultation wurde durch gezielte Konsultationen der Interessenträger sowie zahlreiche weitere Informationsquellen ergänzt. Beispielsweise wurde Anfang 2012 in allen 27 Mitgliedstaaten der Europäischen Union eine Eurobarometer-Umfrage ([3]) durchgeführt. Die Ergebnisse zeigen, dass die Bürgerinnen und Bürger in Europa — einschließlich Raucher — Maßnahmen zur Eindämmung des Tabakkonsums überwiegend und zunehmend befürworten. So sprachen sich drei von vier Bürgern für das Anbringen von Warnbildern auf allen Verpackungen von Tabakerzeugnissen aus (76 % Befürwortung).

Die Europäische Kommission führt derzeit interne Beratungen durch und kann zu den Einzelheiten des künftigen Vorschlags zur Überarbeitung der Richtlinie erst dann Stellung nehmen, wenn dieser Prozess abgeschlossen ist und sie den überarbeiteten Text angenommen hat. Die Kommission plant die Annahme ihres Vorschlags noch vor Ende 2012.

Die Kommission führt für zahlreiche politische Optionen, die sie im Rahmen der Überarbeitung der Richtlinie über Tabakerzeugnisse ermittelt hat, eine Folgenabschätzung durch. Diese Folgenabschätzung umfasst eine gründliche Analyse der wirtschaftlichen, sozialen und gesundheitlichen Auswirkungen der beabsichtigten Maßnahmen, einschließlich einer Analyse der Auswirkungen auf den Binnenmarkt. Die Folgenabschätzung wird alle Fragen abdecken, die der Herr Abgeordnete aufwirft, sowie dem Europäischen Parlament und dem Rat zusammen mit dem Legislativvorschlag zur Verfügung gestellt werden.

([1]) Richtlinie 2001/37/EG des Europäischen Parlaments und des Rates vom 5. Juni 2001 zur Angleichung der Rechts- und Verwaltungsvorschriften der Mitgliedstaaten über die Herstellung, die Aufmachung und den Verkauf von Tabakerzeugnissen — Erklärung der Kommission, ABl. L 194 vom 18.7.2001.
([2]) http://ec.europa.eu/health/tobacco/consultations/tobacco_cons_01_de.htm
([3]) „Einstellungen der Europäer zu Tabak", Spezial-Eurobarometer 385, Mai 2012: http://ec.europa.eu/health/tobacco/docs/eurobaro_attitudes_towards_tobacco_2012_en.pdf

(English version)

Question for written answer E-007690/12
to the Commission
Franz Obermayr (NI)
(28 August 2012)

Subject: Curbing tobacco consumption through measures such as plain packaging

The public consultation conducted by the Commission from the autumn of 2010 to July 2011 on EU policy to curb tobacco consumption has in part revealed a clear rejection by EU citizens of tighter rules.

Any further tightening of the rules would be criticised on a number of counts, e.g. the lack of scientific evidence for the effectiveness of measures such as plain packaging, the fact that smuggling would be made easier by uniform packaging and the far-reaching interventions in trademark law that would be required.

In view of the above, will the Commission say:

1. Given the results of the public consultation, is a review of the EU Tobacco Products Directive (2001/37/EC) still on the table? If so, what is the current situation?

2. How does it view the increased risk of cigarette smuggling which would result from measures such as plain packaging?

3. How does it justify serious interventions in trademark law, particularly with regard to Article 17 of the European Charter of Fundamental Rights?

4. How does it view the widespread lack of scientific evidence that the measures proposed in the public consultation would effectively curb tobacco consumption?

5. How would it justify a tightening of the directive from a democratic point of view, given that a majority of citizens in the Member States (for example: 85% in Austria) are opposed to a revision if the rules on consumer information relating to tobacco?

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

The public consultation on the possible revision of the Tobacco Products Directive 2001/37/EC ([1]) was held in 2010. Its results have been published on the Commission website ([2]). The public consultation was complemented by targeted stakeholder consultations and by many other sources of information. For example, in early 2012, a Eurobarometer survey was carried out in all 27 Member States of the European Union ([3]). The results show, that EU citizens, including smokers, were largely and increasingly in favour of tobacco control measures. For example, three out of four citizens supported putting pictorial health warnings on all tobacco product packages (76% favourable).

The European Commission is currently in the process of internal consultations and cannot comment on the details of the future proposal to revise the directive until such consultation process is completed and the text is adopted by the Commission. The Commission plans to adopt its proposal before the end of of 2012.

The Commission is assessing the impact of various policy options identified within the review of the Tobacco Products Directive. The impact assessment includes a thorough analysis of the economic, social and health impact of measures envisaged, including an analysis of impacts on the internal market. The impact assessment will address all the issues which the Honourable Member raises and will be made available to the European Parliament and the Council together with the legislative proposal.

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

([2]) http://ec.europa.eu/health/tobacco/consultations/tobacco_cons_01_en.htm

([3]) Attitudes of Europeans towards Tobacco, Special Eurobarometer 385, May 2012: http://ec.europa.eu/health/tobacco/docs/eurobaro_attitudes_towards_tobacco_2012_en.pdf

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007691/12
an die Kommission
Angelika Werthmann (ALDE)
(28. August 2012)

Betrifft: Zunehmender Tourismus in Spanien

Spanien vermeldet im Juli dieses Jahres Rekordwerte im Tourismus, konkret eine Steigerung um 4,4 % gegenüber Juni 2011.

— Gibt es schon erste Erkenntnisse über mögliche Auswirkungen auf die Situation der Arbeitslosen, insbesondere der Jugendlichen?

— Wenn ja: Wie werden diese Erkenntnisse genutzt, um in anderen Mitgliedstaaten, wie zum Beispiel Griechenland, den Tourismus zu intensivieren und somit die Jugendlichen wieder in den Arbeitsmarkt zu integrieren?

Antwort von Herrn Rehn im Namen der Kommission
(5. Oktober 2012)

Eurostat zufolge stiegen die Übernachtungen im Fremdenverkehrssektor in Spanien und Griechenland zwischen 2010 und 2011 um rund 6 %. In Spanien stieg die Beschäftigung im Hotelgewerbe um rund 12 % (bzw. 50 000 Beschäftigte) — für den Hotel- und den Nahrungsmittelsektor war insgesamt ein Zuwachs von 1,6 % (bzw. 22 000 Beschäftigte) zu verzeichnen. Demgegenüber blieb die Beschäftigung in Griechenland im Hotelsektor unverändert und war — unter gemeinsamer Berücksichtigung der Übernachtungen und des Nahrungsmittelsektors insgesamt — rückläufig.

Mit dem Fremdenverkehr verbundene Dienstleistungen sind relativ arbeitsintensiv und eine Veränderung des Tourismusaufkommens kann sich positiv auf die Beschäftigung auswirken. Eine Förderung der mit dem Fremdenverkehr verbundenen Tätigkeiten kann also Arbeitsplätze schaffen. Allerdings hängt die Beschäftigungslage auch von verschiedenen anderen Faktoren ab, die vom Fremdenverkehrsaufkommen unabhängig sind. Mit der „Initiative zur Verbesserung der Chancen von Jugendlichen“ will die Kommission Jugendliche unterstützen, die ihre Schule oder Ausbildung ohne eine höhere Schulausbildung verlassen haben, so dass sie wieder zur Schule gehen oder eine Ausbildung beginnen können. Auch sollen (Hoch-)Schulabsolventen eine erste Erfahrung auf dem Arbeitsmarkt sammeln können. Die Umsetzung der Arbeitsmarktmaßnahmen im Sinne der zuvor genannten Initiative der Kommission könnte zur vollen Ausschöpfung des Potenzials der Arbeitplatzschaffung in diesem Sektor beitragen.

Allgemein hängt der Ausbau des Fremdenverkehrssektors und seines Arbeitskräftepotenzials von Politiken ab, die eine effizientere Arbeitsorganisation fördern. Dazu gehören u. a. flexiblere Arbeitszeiten und eine angemessene Lohn- und Gehaltsentwicklung, so dass sich die Unternehmen dem internationalen Wettbewerb besser stellen und die Arbeitnehmerfähigkeiten besser der Arbeitsmarktnachfrage anpassen können. Diese Themen sind auch Bestandteil der Reformen, die im Rahmen des Finanzhilfeprogramms für Griechenland angegangen werden.

(English version)

Question for written answer E-007691/12
to the Commission
Angelika Werthmann (ALDE)
(28 August 2012)

Subject: Tourism in Spain on the rise

In July this year, Spain announced record tourism figures, in particular an increase of 4.4% compared to June 2011.

— Can any initial conclusions be drawn about a possible impact on the situation of the unemployed, especially young people?

— If so, how are these conclusions being used to boost tourism in other Member States, such as Greece, and thereby reintegrate young people into the labour market?

Answer given by Mr Rehn on behalf of the Commission
(5 October 2012)

According to Eurostat, from 2010 to 2011 the nights spent in tourist accommodation establishments increased by about 6% in Spain and Greece. In Spain employment in the accommodation sector increased by almost 12% (or 50 000) — for the accommodation and food service industries as a whole, employment increased by 1.6% (or 22 000). In contrast, in Greece employment was stable in the accommodation sector and declined, if considering accommodation and food service industries altogether.

Tourism related services are relatively labour intensive, and a change in the volume of tourism can have a positive impact on employment. Thus, promoting tourism related activities help strengthening job prospects. However, employment also depends on various other factors beyond the volume of tourism. With the Youth Opportunity Initiative, the Commission has put focus on helping people who left school or training without achieving upper-secondary education, to return to school or enrol in vocational training, and graduates to get a first work experience. The implementation of labour market measures along the lines suggested by the Commission in the Youth Opportunity Initiative, could contribute to fully reap the potentail for job creation in this sector.

More broadly, the development of the toursim sector and of its job potential depends on policies that promote a more efficient work organisation — including more flexible working hours, more appropriate wage developments — allowing companies to better face international competition and skills' development that better matches labour demand. These areas are also areas of reform considered in the context of the financial assistance programme to Greece.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007692/12
an die Kommission
Angelika Werthmann (ALDE)
(28. August 2012)

Betrifft: Ratingagenturen und mögliche Schadenersatzzahlungen

Ein mögliches Urteil am Obersten Gerichtshof der USA in New York durch die US-Richterin Shira Scheindlin könnte den amerikanischen Ratingagenturen Standard & Poor's und Moody's hohe Schadenersatzzahlungen auferlegen.

1. Inwiefern könnte sich dieses Urteil auf Gelder der Europäischen Union auswirken? Wenn ja: in welcher Höhe?

2. Gedenkt die Kommission, entsprechende Schritte zu veranlassen, um gegebenenfalls „Schadensbegrenzung" durch die von den Agenturen abgegebenen Bewertungen europäischer Staaten und Institutionen zu betreiben (bitte um ausführliche Darlegung der Einschätzung)?

3. Welche Auswirkung könnte gegebenenfalls eine Schadenersatzzahlung seitens der Ratingagenturen konkret auf die einzelnen Mitgliedsländer haben (und auch in welchen Bereichen)?

Antwort von Herrn Barnier im Namen der Kommission
(15. Oktober 2012)

1. Im August 2012 sprach Shira Scheindlin, US-Distriktrichterin in New York, ein Urteil aus, dem zufolge Ratings als „auf Fakten basierende Stellungnahmen" bezeichnet wurden, die die Ratingagenturen gegenüber den Anlegern haftbar machen ([1]). Dieses Urteil wurde aufgrund eines Rechts auf Schadenersatz ausgesprochen, das 15 private Anleger vor einem US-amerikanischen Gericht geltend gemacht hatten. Folglich wirkt es sich nicht auf die Mittel oder den Haushalt der EU aus. Schadenersatzklagen betreffen unmittelbar den Kläger, dem der Schadenersatz zugestanden wird (oder auch nicht). Folglich handelt es sich bei Schadenersatzzahlungen nicht um Kosten, die den EU-Haushalt oder die Gelder der EU beeinflussen.

2. Im November 2011 legte die Kommission einen Vorschlag für eine EU-Verordnung („CRA-III-Vorschlag") vor, um den Regulierungsrahmen für Ratingagenturen zu verbessern. Auf der Grundlage dieses Vorschlags könnten Ratingagenturen vor EU-Gerichte gebracht und gegenüber Anlegern haftbar gemacht werden, wenn sie absichtlich oder mit grober Fahrlässigkeit gegen die aus der CRA-Verordnung resultierenden Verpflichtungen verstoßen. Über diesen Vorschlag wird derzeit im Europäischen Parlament verhandelt.

3. Eine Schadenersatzklage eines Anlegers gegen eine Ratingagentur vor Gericht würde bei einem positiven Urteil eine unmittelbare Auswirkung für diesen — privaten oder öffentlichen Anleger — haben. In diesem Sinne würde eine erfolgreiche Schadenersatzklage gegen eine Ratingagentur, die von einem Staat oder einer staatlichen Stelle eingereicht wurde, ihm bzw. ihr zugutekommen.

([1]) http://newsandinsight.thomsonreuters.com/uploadedFiles/Reuters_Content/2012/08_-_August/abudhabi--SJopinion.pdf

(English version)

Question for written answer E-007692/12
to the Commission
Angelika Werthmann (ALDE)
(28 August 2012)

Subject: Possible award of damages against ratings agencies

A judgment handed down by Shira Scheindlin, a U.S. District Judge in New York, could see U.S. ratings agencies Standard & Poor's and Moody's ordered to pay substantial damages.

In view of the above, will the Commission say:

1. Could this judgment affect EU funds? If so, what amount of funds would be involved?

2. Does it intend to take appropriate 'damage control' measures if necessary with regard to the ratings issued by the agencies in respect of EU States and institutions? (If so, please give a detailed account)?

3. What practical consequences might the payment of damages by the ratings agencies have for individual Member States (and in which areas)?

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

1. In August 2012, Shira Scheindlin, US District Judge in New York, handed down a judgment whereby ratings are considered to be 'fact-based opinions' giving rise to liability of credit rating agencies (CRAs) vis-à vis-investors ([1]). This judgment was delivered in the context of a claim for damages brought before a US court by 15 private investors and, therefore, it does not have any bearing on EU funds/budget. Damage claims have a direct impact on the plaintiff to whom the damages are (or are not) awarded; therefore, damages do not constitute fees entering the EU budget/funds.

2. In November 2011, the Commission put forward a proposal for a EU Regulation (the CRA III proposal) in order to improve the regulatory framework applicable to CRAs. On the basis of that proposal, CRAs could be brought before EU courts and held liable vis-à-vis investors when they would intentionally or with gross negligence infringe the obligations imposed upon them by the CRA Regulation. This proposal is currently being negotiated by the Council and Parliament.

3. A claim for damages brought by an investor against a CRA before a court would, in case of success, have a direct repercussion on that investor, which may be private or public. In that sense, should the investor be the State or a State body, a successful claim for damages against a CRA would be to the benefit of that State or State body.

([1]) http://newsandinsight.thomsonreuters.com/uploadedFiles/Reuters_Content/2012/08_-_August/abudhabi--SJopinion.pdf

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-007695/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(28 august 2012)

Subiect: Interzicerea vânzării de foie gras în California (SUA)

În data de 1 iulie a intrat în vigoare în California (SUA) o reglementare legală care interzice vânzarea de ficat gras („foie gras"), în numele bunăstării animale. Acest fapt îi afectează pe producătorii, procesatorii și comercianții europeni.

Comisia este rugată să precizeze cum are intenția de a aborda acest subiect, pentru a preveni pierderile economice.

Răspuns dat de dl Dalli în numele Comisiei
(8 octombrie 2012)

Statele Unite au notificat Organizației Mondiale a Comerțului un act legislativ adoptat de statul California în 2004 care „**interzice (…) ca un produs să fie vândut în California în cazul în care este rezultatul hrănirii forțate a unei păsări.**" **(a se vedea notificarea G/TBT/N/USA/663 din 8 decembrie 2011, care a fost ulterior retrasă de către Statele Unite din motive administrative). Obiectivul declarat și justificarea măsurii este „protecția drepturilor animalelor.**"

Interdicția menționată anterior a intrat în vigoare la 1 iulie 2012. **Comisia va continua să urmărească îndeaproape această chestiune și să evalueze măsurile de luat.**

(English version)

Question for written answer E-007695/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(28 August 2012)

Subject: Ban on the sale of foie gras in California (USA)

On 1 July, the state of California (USA) introduced a statutory ban on the sale of foie gras, on grounds relating to animal welfare, a decision which is making its effect felt on European producers, processors and traders.

What action does the Commission intend to take to prevent resulting losses?

Answer given by Mr Dalli on behalf of the Commission
(8 October 2012)

The United States **notified the World Trade Organisation concerning a bill passed by the State of California in 2004 which 'prohibits (…) a product from being sold in California if it is the result of force feeding of a bird.' (see notification G/TBT/N/USA/663 of 8 December 2011, which was subsequently withdrawn by the United States for administrative reasons). The stated objective and rationale of the measure is the 'protection of animal rights.'**

The aforementioned prohibition became operative on **1 July 2012. The Commission will continue to follow the matter closely and consider steps to be taken.**

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-007696/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(28 august 2012)

Subiect: Reglementari legislative europene în privința tranzacțiilor cu energie

Compania Grivco, deținută de politicianul român Dan Voiculescu (unul din liderii coaliției de guvernământ), a vândut energie electrică companiei de stat Transelectrica, prin două contracte încheiate pe bursa de energie. Transelectrica a cumpărat energia de pe bursa OPCOM — Societatea Comercială Operatorul Pieței de Energie Electrică, filială a Companiei Naționale de Transport al Energiei Electrice — Transelectrica S.A. și aflată integral în proprietatea acesteia. Tranzacția a avut loc pe piața centralizată a contractelor bilaterale în data de 20 iunie a.c. Compania Grivco cumpără curent de la Complexul Energetic Turceni și Complexul Energetic Rovinari, companii controlate de stat, prin Ministerul Economiei, la preț fix, pe baza unor contracte bilaterale, prețul fiind confidențial.

Comisia este rugată să comenteze această situație, prin prisma reglementarilor legale europene.

Răspuns dat de dl Oettinger în numele Comisiei
(12 octombrie 2012)

Problema ridicată de distinsul membru în ceea ce privește contractele dintre complexele energetice Rovinari și Turceni, controlate de stat, pe de o parte, și o societate privată din sectorul energetic, pe de altă parte, vizează o practică obișnuită de pe piața energiei electrice din România. Comisia cunoaște problema și a insistat, de mai multe ori, împreună cu FMI și Banca Mondială, inclusiv în contextul balanței de plăți, că tranzacțiile comerciale ale întreprinderilor deținute de stat trebuie să se desfășoare prin procese transparente.

Vânzarea energiei electrice sub prețul pieței ar putea implica un eventual ajutor de stat, dacă sunt îndeplinite toate condițiile necesare. Pentru a se permite o evaluare a Comisiei în acest sens, este necesară prezentarea unei plângeri oficiale. Dacă distinsul membru ar fi interesat să depună o astfel de plângere, următoarea pagină de internet oferă toate informațiile necesare: http://ec.europa.eu/competition/forms/intro_ro.html

(English version)

Question for written answer E-007696/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(28 August 2012)

Subject: European legislation regarding energy transactions

The Grivco company, owned by the Romanian politician Dan Voiculescu (one of the governing coalition leaders), has been selling energy under two power market contracts to the state-controlled Transelectrica SA, the national energy transmission company, which has been purchasing its energy through its subsidiary, Opcom, the Romanian power market operator, of which is the sole shareholder. The transaction took place on 20 June 2012 on the centralised market for bilateral contracts. The Grivco company itself, acting through Ministry of Economy, is purchasing energy at a confidential fixed rate under bilateral contracts from the state-controlled Turceni and Rovinari energy complexes.

What view does the Commission take of this in the light of the relevant European legislation?

Answer given by Mr Oettinger on behalf of the Commission
(12 October 2012)

The question raised by the Honourable Member as regards the contracts between state-controlled Turceni and Rovinari, on the one hand, and a private energy company, on the other hand, addresses a usual practice in the Romanian electricity market. The Commission is aware of the issue and has insisted, together with the IMF and the World Bank and within the context of the balance of payment process, several times that the trading of State owned companies should be done through transparent processes.

Selling electricity below market price could involve potentially state aid if all necessary conditions are met. In order to enable the Commission assessment in this respect it is necessary to submit a formal complaint. In case the Honourable Member would be interested to submit such a complaint the following webpage provides for all necessary information: http://ec.europa.eu/competition/forms/intro_en.html

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007698/12
an die Kommission
Angelika Werthmann (ALDE)
(28. August 2012)

Betrifft: Lohndumping — Stundenlohn auf Baustellen

In Österreich gilt für die Beschäftigten auf Baustellen ein Mindestlohn von circa 10 EUR. Nun gibt es aber eine Unzahl von Billigst-Lohnarbeitern und ein daraus resultierendes Lohndumping (viele dieser Arbeiter haben in ihren Heimatländern Verträge mit circa 1 EUR Stundenlohn unterschrieben).

— Ist sich die Kommission dieses Problems in den Mitgliedstaaten bewusst?

— Wenn ja: Was gedenkt die Kommission zu tun, um die betroffenen Mitgliedstaaten in ihrem Bemühen im Kampf gegen Lohndumping aus dem „Ausland" zu unterstützen?

Antwort von Herrn Andor im Namen der Kommission
(15. Oktober 2012)

Gemäß der Richtlinie 96/71/EG ([1]) muss Arbeitnehmern, die im Rahmen der Erbringung von Dienstleistungen im Baugewerbe nach Österreich entsandt werden, mindestens der österreichische branchenübliche Mindestlohn gezahlt werden.

Der Kommission sind mehrere Fälle von Missbrauch im Zusammenhang mit der Beschäftigung entsandter Arbeitnehmer bekannt geworden. Am 21. März 2012 hat sie einen Vorschlag für eine Durchsetzungsrichtlinie im Bereich der Entsendung angenommen, um derartige Praktiken zu verhindern bzw. zu sanktionieren und den Schutz entsandter Arbeitnehmer in der EU zu verbessern.

([1]) Richtlinie 96/71/EG des Europäischen Parlaments und des Rates vom 16. Dezember 1996 über die Entsendung von Arbeitnehmern im Rahmen der Erbringung von Dienstleistungen, ABl. L 18 vom 21.1.1997, S. 1.

(English version)

Question for written answer E-007698/12
to the Commission
Angelika Werthmann (ALDE)
(28 August 2012)

Subject: 'Wage dumping' — hourly wages on construction sites

Austria has a minimum hourly wage for construction site workers of around EUR 10. However, there is now a large number of ultra-cheap labourers, which has led to 'wage dumping' (many of these workers have signed contracts in their home countries for an hourly wage of around EUR 1).

— Is the Commission aware of this problem in the Member States?

— If so, what does it intend to do to support the Member States affected in their efforts to combat 'wage dumping' from 'abroad'?

Answer given by Mr Andor on behalf of the Commission
(15 October 2012)

In accordance with Directive 96/71/EC ([1]), workers posted to Austria in the context of the provision of services in the construction sector must be paid at least the Austrian minimum wage for that sector.

The Commission has become aware of several situations of work-related abuses concerning posted workers. On 21 March 2012 it adopted a proposal for an Enforcement Directive on posting with the aim of preventing and punishing such abuses and improving the protection of posted workers within the EU.

([1]) Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, OJ L 18, 21.1.1997, p. 1.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007699/12
an die Kommission
Angelika Werthmann (ALDE)
(28. August 2012)

Betrifft: Umtausch von alter Währung in Euro

In Österreich gibt es den „Euro-Bus“, der durch die einzelnen Bundesländer fährt, um es den Leuten zu ermöglichen, Geld in alter Währung in Euro umzuwechseln.

So wurden allein in Salzburg jüngst mehr als 800 000 Schilling umgewechselt. Es scheint, als ob noch immer mehr als genügend Geld in alter Währung im Umlauf ist.

— Hat die Kommission Kenntnis davon, wie viel Geld in alter Währung in den anderen Euro-Mitgliedstaaten noch im Umlauf ist?

— Wenn ja: Gedenkt die Kommission hier unterstützend tätig zu werden?

Antwort von Herrn Rehn im Namen der Kommission
(28. September 2012)

Die Festlegung und Änderung der Modalitäten und Fristen für den Umtausch von Münzen und Banknoten alter Währungen in Euro fällt unter die Zuständigkeit der Mitgliedstaaten. Die Europäische Union hat auf diesem Gebiet keine Befugnisse. Auch die Aufzeichnungen über die noch im Umlauf befindlichen Mengen von Geld alter Währung werden von den Mitgliedstaaten geführt.

(English version)

Question for written answer E-007699/12
to the Commission
Angelika Werthmann (ALDE)
(28 August 2012)

Subject: Changing out-of-date currency into euros

There is a so-called eurobus in Austria which travels around the regions enabling people to exchange money which is no longer legal tender into euros.

More than ATS 800 000 has recently been exchanged in Salzburg alone. It seems that there is still more than enough money circulating in the old currency.

— Does the Commission know how much money in old currencies is still in circulation in the other members of the euro area?

— If so, does it plan to offer its active support in this matter?

Answer given by Mr Rehn on behalf of the Commission
(28 September 2012)

It is the euro-area Member States' competence to set and modify the modalities of and the deadlines for the exchange of coins and banknotes of their former currencies against the euro. The European Union has no competence in this field. Records on the amount of former currencies being still in circulation are kept by Member States.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007702/12
an die Kommission
Angelika Werthmann (ALDE)
(28. August 2012)

Betrifft: Griechische Millionäre

Die griechische Bevölkerung leidet nach wie vor unter den massiven Sparmaßnahmen und der Rekordarbeitslosigkeit, Folgen des wirtschaftlichen Desasters.

Auf der anderen Seite gibt es genügend griechische Millionäre, die ihr Vermögen ins Ausland gebracht haben — eine Verhöhnung der restlichen Gesellschaft und des Systems.

1. Wann wird es der Kommission gelingen, detaillierte Kenntnisse über griechische Vermögen in entsprechender Höhe in den einzelnen Mitgliedstaaten zu erlangen und mit diesen Abkommen zu schließen, um so die Steuerhinterziehung aufzeigen zu können?

2. Welche Schritte hat die Kommission bisher konkret unternommen, um detaillierte Kenntnisse über die griechischen Steuerdateien in puncto Vermögen der Millionäre zu erlangen? Welche Ziele hat sie dabei gegebenenfalls bereits erreicht?

Antwort von Herrn Šemeta im Namen der Kommission
(2. Oktober 2012)

Der Informationsaustausch für Steuerzwecke steht seit einigen Jahren ganz oben auf der Tagesordnung der Kommission. Die Zinsbesteuerungsrichtlinie ([1]) stellt den Mitgliedstaaten Informationen über Zinsen zur Verfügung, die ihre Staatsangehörigen durch das Anlegen ihrer Ersparnisse im EU-Ausland erwirtschaftet haben. Die Kommission hat Vorschläge zur Verbesserung der Richtlinie und zur Aushandlung über Verbesserungen des Abkommens über Zinserträge mit der Schweiz und anderen Drittstaaten gemacht.

Ferner legt die Richtlinie des Rates über die Zusammenarbeit der Verwaltungsbehörden im Bereich der Besteuerung ([2]) einen ersten Grundstein für einen automatischen Informationsaustausch über andere Arten von Einkommen und Vermögen zwischen den EU-Mitgliedstaaten.

Die Kommission hat jüngst eine Mitteilung über Steuerbetrug und Steuerhinterziehung ([3]) angenommen, die in Kürze durch einen Aktionsplan unterstützt wird, in dem konkrete Maßnahmen festgelegt sind, die auf Ebene der Mitgliedstaaten und auf EU-Ebene durchgeführt werden sollen.

Bezüglich Ihrer zweiten Frage ist jedoch festzustellen, dass es grundsätzlich die Angelegenheit Griechenlands ist, Informationen über Konten griechischer Staatsangehöriger bei Finanzinstitutionen in anderen EU-Mitgliedstaaten einzuholen.

In diesem Rahmen kündigte der stellvertretende Minister Mavraganis während seiner Rede im griechischen Parlament am 8. Juli 2012 die Einführung eines elektronischen Vermögensregisters 2013 für bewegliches und unbewegliches Vermögen in Griechenland und im Ausland an. Steuerpflichtige, die ihre Vermögensverhältnisse nicht offenlegen, machen sich einer Straftat schuldig und müssen neben Geldbußen auch mit strengen Sanktionen rechnen.

([1]) Richtlinie 2003/48/EG.
([2]) Richtlinie 2011/16/EU.
([3]) KOM(2012)351 endg. — über konkrete Maßnahmen, auch in Bezug auf Drittländer, zur Verstärkung der Bekämpfung von Steuerbetrug und Steuerhinterziehung.

(English version)

Question for written answer E-007702/12
to the Commission
Angelika Werthmann (ALDE)
(28 August 2012)

Subject: Greek millionaires

The people of Greece continue to suffer from swingeing spending cuts and record unemployment — the legacy of economic disaster.

On the other hand, however, there is no shortage of Greek millionaires who have taken their assets out of the country — in flagrant disregard for the rest of society and the system.

1. When is the Commission going to obtain detailed figures about these high volumes of Greek assets in individual Member States, and when will it conclude agreements with the states concerned on flagging up tax avoidance?

2. What specific steps has the Commission taken so far to obtain details from the Greek tax authorities about millionaires' assets, and what, if anything, has it accomplished on this front?

Answer given by Mr Šemeta on behalf of the Commission
(2 October 2012)

The Commission has for a number of years put exchange of information for tax purposes high on its agenda. The Savings Directive ([1]) gives information to Member States on interest earned by their residents on savings invested in other Member States. The Commission has made proposals to enhance that directive and to negotiate enhancements of the related Savings Agreement with Switzerland and other third states.

In addition, last year's Directive on Administrative Cooperation ([2]) paves the way for automatic exchange of information between EU Member States on other types of income and assets.

Most recently, the Commission has adopted a communication on tax fraud and tax evasion ([3]), which will shortly be supported by an action plan identifying concrete steps that should be taken at Member State and EU level.

However, on the second part of the question, it must be noted that it is in principle up to Greece to request information on the state of any accounts held by Greek nationals in financial institutions established in other Member States.

In this framework it can be mentioned that Deputy Minister Mavraganis at his speech in the Hellenic Parliament on 8 July, 2012 announced the implementation of an electronic asset register in 2013 for movable and immovable property in Greece and abroad. For taxpayers who do not comply and do not declare their assets, apart from fines, there will be strict penalties since they will be charged with a criminal offence.

([1]) Directive 2003/48/EC.
([2]) Directive 2011/16/EU.
([3]) COM(2012) 351 final. Communication on concrete ways to reinforce the fight against tax fraud and tax evasion including in relation to third countries.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007703/12
an die Kommission
Angelika Werthmann (ALDE)
(28. August 2012)

Betrifft: Höchste Arbeitslosenzahl seit 1999 in Frankreich

Nach Griechenland und Spanien nun auch Frankreich? Jüngsten Meldungen zufolge hat Frankreich seit Juni 1999 nun die absolute Spitze der Arbeitslosenzahlen erreicht — mehr als 2,9 Millionen. Besserung scheint nicht in Sicht zu sein, auch angesichts der Tatsache, dass mehrere Konzerne, wie auch Peugeot, Kündigungen planen.

Hat die Kommission Erkenntnisse darüber, zu welchem Prozentteil von dieser Entwicklung auch Jugendliche betroffen sind, und wie wird sie im Fall einer solchen oder noch weiter reichenden Entwicklung die Jugendlichen mit entsprechenden Programmen unmittelbar und langfristig unterstützen?

Antwort von Herrn Andor im Namen der Kommission
(11. Oktober 2012)

Seit 2009 bewegt sich die Jugendarbeitslosenquote in Frankreich zwischen 23 % und 24 % (derzeit 22,9 %) gegenüber 16 % im Jahr 2001. So beunruhigend dies ist, so ist die Lage dennoch wesentlich besser als in Spanien und Griechenland, wo sich die Jugendarbeitslosigkeitsquoten auf 52,4 % bzw. 54,3 % belaufen.

Auf der Grundlage der Strategie Europa 2020 sowie eines Vorschlags der Kommission hat der Rat Empfehlungen angenommen, die sich als Reaktion auf Frankreichs nationales Reformprogramm 2012 insbesondere auf die Beschäftigungschancen junger Menschen beziehen. Vor Kurzem kündigte die französische Regierung neue Maßnahmen für die Beschäftigungsförderung an, die auch speziell an junge Menschen gerichtet sind (*contrats de génération* und *emplois d'avenir*). Die Kommission wird Frankreichs künftige Reformen genau beobachten.

Im Hinblick auf die hohen Jugendarbeitslosigkeitsquoten in vielen europäischen Ländern hat die Kommission ihre Strategien und Instrumente mobilisiert und unter anderem die Initiative „Chancen für junge Menschen" ([1]) mit Maßnahmen zur Senkung der Jugendarbeitslosigkeit vorgestellt. Grundlage hierfür sind die bereits als Teil der Strategie Europa 2020 gestartete Leitinitiative „Jugend in Bewegung" ([2]) und die Erfahrungen, die aus mit Mitteln des Europäischen Sozialfonds unterstützten Maßnahmen gewonnen wurden.

Darüber hinaus hat die Kommission eine Pilotaktion vorgeschlagen, die die acht Mitgliedstaaten mit den höchsten Jugendarbeitslosigkeitsquoten dabei unterstützen soll, einen Teil der ihnen zur Verfügung stehenden EU-Strukturfondsmittel zur Bewältigung der Jugendarbeitslosigkeit einzusetzen.

Im metropolitanen Frankreich waren 35 % der Teilnehmer an aus dem Europäischen Sozialfonds finanzierten Projekten im Jahr 2011 junge Menschen im Alter von 15 bis 24 Jahren. Für den Zeitraum 2007-2013 ergibt das eine Beteiligung von etwa 1,5 Millionen jungen Menschen.

([1]) http://ec.europa.eu/social/main.jsp?catId=1006&langId=de.
([2]) http://ec.europa.eu/social/main.jsp?catId=950&furtherNews=yes&langId=de&newsId=888.

(English version)

Question for written answer E-007703/12
to the Commission
Angelika Werthmann (ALDE)
(28 August 2012)

Subject: Highest unemployment rate in France since 1999

Is France going the way of Greece and Spain? According to recent reports, French unemployment is at its highest level since June 1999 — with more than 2.9 million people out of work. There appears to be no prospect of improvement, not least because several big companies, including Peugeot, are planning redundancies.

Does the Commission have specific figures on how young people are affected by the rising unemployment, and what steps will it take to provide appropriate support programmes for young people, immediately and in the long term, if the situation fails to improve or indeed worsens?

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

Since 2009 the youth unemployment rate in France has been between 23% and 24% (it is currently 22.9%), as against 16% in 2001. Worrying as this situation is, it is still much better than in Spain and Greece, where youth unemployment rates are 52.4% and 54.3% respectively.

Pursuant to the Europe 2020 strategy and on a proposal from the Commission, the Council adopted recommendations relating in particular to youth employability in response to France's 2012 national reform programme. The French Government recently announced new measures to foster employment, including for young people (*contrats de génération* and *emplois d'avenir*). The Commission will monitor France's future reforms closely.

With regards to high youth unemployment rates in many European countries, the Commission has been mobilising its policies and instruments and presented amongst other the 'Youth Opportunities Initiative' ([1]) setting out measures to drive down youth unemployment. This built on the 'Youth on the Move' flagship initiative ([2]) previously launched as part of the Europe 2020 strategy and on the experience of action funded through the European Social Fund.

The Commission also proposed a pilot action to help the eight Member States with the highest levels of youth unemployment to re-allocate some of their EU structural funds allocations to tackle youth unemployment.

In metropolitan France young people aged 15 to 24 accounted for 35% of participants in European Social Fund supported projects in 2011. Over the 2007-13 period that makes around 1.5 million young people.

([1]) http://ec.europa.eu/social/main.jsp?catId=1006.
([2]) http://ec.europa.eu/social/main.jsp?catId=950&furtherNews=yes&langId=nl&newsId=888.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007704/12
an die Kommission
Angelika Werthmann (ALDE)
(28. August 2012)

Betrifft: Mehr Freizeiteinsatz in sozialen Netzwerken als beim Sport im Fall von Salzburgs Jugendlichen

Eine neue Studie zeigt, dass Salzburgs Burschen circa vier Stunden, Mädchen circa drei Stunden täglich vor dem Bildschirm sitzen.

Facebook scheint dabei eine zentrale Rolle zu spielen — soziale Netzwerke dienen ergo als Ersatz für Freizeitaktivitäten wie Sport und Lesen.

1. Wie sieht dies überhaupt EU-weit beziehungsweise in den einzelnen Mitgliedstaaten aus?

2. Was gedenkt die Kommission an Informationskampagnen hier zu tun, um die Jugendlichen zu mehr Gesundheitsbewusstsein zu bewegen und dadurch in der Folge die Gesundheitskosten ihres Verhaltens zu senken?

3. Welche Möglichkeiten bestehen gegebenenfalls diesbezüglich bereits auf europäischer Ebene und welche konkreten Schritte werden dazu den einzelnen Mitgliedstaaten empfohlen?

Antwort von Frau Kroes im Namen der Kommission
(28. September 2012)

Die Kommission teilt die Besorgnis der Frau Abgeordneten. Die „Digitale Agenda für Europa“ ([1]) zielt zwar darauf ab, jedem Europäer die Nutzung der digitalen Medien zu ermöglichen, doch haben Kinder nach Auffassung der Kommission im Internet besondere Bedürfnisse und eine besondere Schutzbedürftigkeit. Hierauf muss gezielt eingegangen werden, damit das Internet für Kinder ein Ort ist, der ihnen Chancen bietet und der es ihnen erleichtert, Zugang zu Wissen zu erlangen, zu kommunizieren sowie ihre Kompetenzen zu entwickeln und gleichzeitig die Risiken zu senken.

Mit dem EU-Programm „Mehr Sicherheit im Internet“ ([2]) wurde in 30 europäischen Ländern (27 Mitgliedstaaten sowie Island, Norwegen und Russland) ein europäisches Netz von Sensibilisierungszentren geschaffen, um Kinder, ihre Eltern, Betreuer und Lehrer auf die Risiken aufmerksam zu machen, mit denen Kinder online konfrontiert sein könnten, sowie ihnen die Mittel und Strategien vor Augen zu führen, die sie vor solchen Risiken schützen oder sie dafür abwehrfähig machen können.

In diesem Rahmen lancierte das spanische Mitglied des Netzes, Protegeles, eine Kampagne mit dem Namen „1+1=0 problemas“ ([3]), um Kinder dazu anzuspornen, ein ausgewogeneres „Online“- und „Offline“-Leben zu führen. Diese Initiative wurde mit einem Video-Clip des deutschen Mitglieds des gleichen Netzes, Klicksafe, aufgegriffen und bekannt gemacht.

Bewusstseinsbildung ist auch einer der Pfeiler der neuen „Europäischen Strategie für ein besseres Internet für Kinder“ ([4]). Dabei wird den Mitgliedstaaten empfohlen, die Erziehung auf dem Gebiet der Online-Sicherheit zu verstärken, Vorgaben für die Online-Sicherheit in den Schulen zu machen und für eine angemessene Information der Kinder zu sorgen. Zudem sollte sich die Branche an öffentlich-privaten Partnerschaften beteiligen, um entsprechendes Erziehungs- und Sensibilisierungsmaterial bereitzustellen.

Die Kommission wird sich an der Ermittlung und dem Austausch bewährter Praktiken zwischen den Mitgliedstaaten auf dem Gebiet der formalen und informellen Erziehung zur Sicherheit im Internet beteiligen.

([1]) KOM(2010)245 endg.
([2]) Beschluss Nr. 1351/2008/EG des Europäischen Parlaments und des Rates.
([3]) http://www.hacemosuntrato.com/.
([4]) KOM(2012)196 vom 2.5.2012.

(English version)

Question for written answer E-007704/12
to the Commission
Angelika Werthmann (ALDE)
(28 August 2012)

Subject: Young people in Salzburg spend more time on social networks than on sport

A recent study shows that boys in Salzburg spend around four hours a day in front of a screen, while girls spend around three hours.

Facebook appears to play a key role, indicating that social networks are replacing leisure activities such as sport and reading.

1. What is the situation EU-wide and in the Member States?

2. What information campaigns will the Commission carry out to persuade young people to be more health-conscious and thus subsequently to reduce the health costs linked to their lifestyle?

3. What possibilities already exist for action in this connection at European level, and what specific steps are recommended in the Member States?

Answer given by Ms Kroes on behalf of the Commission
(28 September 2012)

The Commission shares the concern of the Honourable Member. Whereas the Digital Agenda for Europe ([1]) aims to make 'every European digital', the Commission is aware that children have particular needs and vulnerabilities on the Internet. These must be addressed specifically so that the Intenet becomes a place of opportunities for children where they can access knowledge, communicate and develop their skills while risks are lowered.

Under the EU programme Safer Internet ([2]) a European network of awareness raising has been set up in 30 European countries (27 MS + Iceland, Norway and Russia) to make children, their parents, carers and teachers aware of the risks children can encounter online as well as of the tools and strategies to protect themselves or cope with such risks.

In this framework, the Spanish member of this network, Protegeles, launched a campaign called '1+1=0 problemas ([3])' to encourage children to have a balanced online and offline life. This initiative was promoted through a video clip made available by the German member of the same network, Klicksafe.

Awareness raising is one of the pillars also of the new 'European Strategy for a Better Internet for Children' ([4]) where Member States are recommended to reinforce education about online safety and provide for online safety policies in schools and adequate training for children, and where industry should engage in private-public partership to support the provision of educational and awareness material.

The Commission will support the identification and exchange of best practices among the Member States in the ares of formal and informal education on online safety.

([1]) COM(2010)0245 final.
([2]) Decision No 1351/2008/EC of the European Parliament and Council.
([3]) http://www.hacemosuntrato.com/.
([4]) COM(2012)196 of 2.5.2012.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007708/12
an die Kommission
Angelika Werthmann (ALDE)
(28. August 2012)

Betrifft: Staatshilfen für den französischen Autohersteller Peugeot

Die Finanz- und Wirtschaftskrise hat angefangen, sich erheblich auf die europäischen Automobilhersteller auszuwirken. Der französische Hersteller PSA Peugeot Citroën meldet für die erste Hälfte dieses Jahres Verluste von 800 Mio. EUR und reagiert darauf mit der massenhaften Entlassung von Angestellten. Als Reaktion darauf kündigte der französische Staat Hilfen für die Automobilindustrie an. Künftig wird für den Kauf eines Elektroautos eine Förderung in Höhe von 7 000 EUR bezahlt, anstelle der derzeitigen 5 000 EUR, Automobilhersteller erhalten leichteren Zugang zu Krediten usw.

1. Hat die Kommission geprüft, ob diese französischen Staatshilfen für ein Privatunternehmen den europäischen Rechtsvorschriften entsprechen, insbesondere dem Wettbewerbsrecht?

2. Erwägt die Kommission, Programme einzuführen, um die elektronische Mobilität auf europäischer Ebene zu fördern und damit zur Senkung des Kohlenstoffausstoßes und zur Erreichung der EU-Klimaziele beizutragen?

3. Welche Maßnahmen erwägt die Kommission, falls andere Mitgliedstaaten den gleichen Weg einschlagen wie Frankreich, was zu starken Wettbewerbsverzerrungen in Europa führen würde?

Antwort von Herrn Almunia im Namen der Kommission
(11. Oktober 2012)

1. Die Kommission hat Frankreich aufgefordert, nähere Informationen zu geplanten Fördermaßnahmen zugunsten der Automobilindustrie zu übermitteln, auch bezüglich der Gewährung von Zuschüssen beim Kauf emissionsarmer Fahrzeuge. Bestimmte Regelungen (etwa die des Vereinigten Königreichs) wurden bereits für mit dem AEUV vereinbar erklärt. Die Kommission wird das französische Zuschusssystem sowie alle anderen von Frankreich geplanten Fördermaßnahmen eingehend auf ihre Vereinbarkeit mit dem EU-Beihilferecht prüfen. Außerdem hat die Kommission Frankreich aufgefordert, sein Programm über Zuschüsse bzw. Aufschläge als nichtharmonisierte technische Vorschrift anzumelden.

2. Die Kommission hat mehrere Programme zur Förderung der Elektromobilität in Europa aufgelegt. Im November 2008 wurde das öffentlich-private Partnerschaftsprogramm „Europäische Initiative für umweltfreundliche Kraftfahrzeuge“ gegründet. Dafür wurde ein Betrag von 1 Mrd. EUR vorgemerkt, wobei EU-Fördermittel von 500 Mio. EUR für kooperative Forschungs- und -Entwicklungsvorhaben bereitgestellt werden sollen. Hauptzweck dieses Förderprogramms ist die Förderung der Elektromobilität. Im Rahmen des Programms sind bereits mehr als 80 Kooperationsvorhaben angelaufen. Zudem bietet das FuE-Rahmenprogramm noch weitere Förderinstrumente. Abgesehen von der finanziellen Förderung von Forschung und Entwicklung hat die Kommission 2010 eine Strategie zur Förderung sauberer und energieeffizienter Fahrzeuge ([1]) angenommen.

3. Die Kommission wird etwaige Fördermaßnahmen zugunsten der Automobilindustrie in Frankreich sowie anderen Mitgliedstaaten eingehend auf ihre Vereinbarkeit mit dem EU-Beihilferecht und dem Binnenmarkt prüfen. Durch die Einhaltung dieser Vorschriften wird gewährleistet, dass die Programme keine übermäßigen Wettbewerbsverzerrungen hervorrufen und keine protektionistischen Maßnahmen enthalten, die den freien Warenverkehr oder die Niederlassungsfreiheit in der EU beeinträchtigen.

([1]) KOM(2010)186 endg. vom 28.4.2010.

(English version)

Question for written answer E-007708/12
to the Commission
Angelika Werthmann (ALDE)
(28 August 2012)

Subject: State subsidies for French car manufacturer Peugeot

The financial and economic crisis has started to hit European car manufacturers hard. French PSA Peugeot Citroën reports losses of EUR 800 million for the first half of this year, to which it has reacted with massive layoffs. The French state has responded by announcing that it will subsidise the car manufacturing industry. In future buying an electric car will be subsidised to the tune of EUR 7 000, instead of the current EUR 5 000. Car manufacturers will also have easier access to credit, etc.

1. Has the Commission determined whether these French state subsidies to a privately owned company are in line with European legislation, especially competition law?

2. Has the Commission considered setting up programmes to support e-mobility financially at European level, thus helping to reduce carbon dioxide output and to achieve the EU's climate goals?

3. What measures will the Commission consider taking if other Member States follow the same path as France, which would lead to major distortions in competition in Europe?

Answer given by Mr Almunia on behalf of the Commission
(11 October 2012)

1. The Commission has asked France to provide more information on support measures envisaged for the car industry. This includes the granting of 'bonuses' for the purchase of low-emission vehicles. Certain schemes (e.g. in the UK) have been found compatible with the Treaty rules. The Commission will examine in detail the bonus system in France as well as all other support measures envisaged by the French authorities to verify that they comply with EU State aid rules. The Commission has also invited France to notify the bonus-malus programme as technical non-harmonised regulation.

2. The Commission has set up several programmes to promote electromobility in Europe. The European Green Cars Initiative Private Public Partnership was launched in November 2008. EUR 1 billion has been earmarked, with EUR 500 million of EU funding for collaborative research and development projects. The major part of this funding programme is devoted promoting electro-mobility. Over 80 collaborative projects have been launched. This is complemented by other R & D Framework Programme instruments. Besides financing for R & D, the Commission adopted in 2010 a strategy in support of clean and energy-efficient vehicles ([1]), including electric vehicles.

3. The Commission will closely analyse any possible support measures to the car industry in other Member States as well as in France, to verify that they comply with EU State aid and internal market rules. Compliance with these rules ensures that such measures do not lead to any undue distortion of competition and do not contain any protectionist elements restricting the free movement of goods or the freedom of establishment within the EU.

([1]) COM(2010) 186 final, 28.4.2010.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007710/12
an die Kommission
Angelika Werthmann (ALDE)
(28. August 2012)

Betrifft: Chemikalie in Mikrowellen-Popcorn soll Alzheimer verursachen

Laut einer in der Fachzeitschrift „Chemical Research in Toxicology" veröffentlichten neuen Studie ist in Mikrowellen-Popcorn, ebenso wie in vielen anderen Snack-Waren, ein Butteraromastoff enthalten, der sich auf die Entstehung von Alzheimer auswirken soll.

Ist der Kommission dies bekannt, und welche Maßnahmen wird die Kommission ergreifen, um zu bewirken, dass die Lebensmittelindustrie zum Wohl der Gesundheit der Menschen künftig auf diesen Aromastoff verzichtet?

Antwort von Herrn Dalli im Namen der Kommission
(10. Oktober 2012)

Der Kommission war die neue Studie ([1]), in der Diacetyl (Butteraromastoff) mit der Alzheimerkrankheit in Verbindung gebracht wird, nicht bekannt; sie dankt der Frau Abgeordneten für diesen Hinweis. Die Kommission wird die Studie bewerten und nötigenfalls die Europäische Behörde für Lebensmittelsicherheit hinsichtlich der Relevanz dieser Studie für die Lebensmittelsicherheit konsultieren.

([1]) Swati S. More, Ashish P. Vartak, Robert Vince: The Butter Flavorant, Diacetyl, Exacerbates β-Amyloid Cytotoxicity. Chemical Research in Toxicology, 2012; 120706140246003.

(English version)

Question for written answer E-007710/12
to the Commission
Angelika Werthmann (ALDE)
(28 August 2012)

Subject: Microwave popcorn chemical that is said to cause Alzheimer's disease

According to a new study in *Chemical Research in Toxicology*, there is a butter flavouring agent in microwave popcorn, as well as in many other snacks, which is said to have an influence on the development of Alzheimer's disease.

Is the Commission aware of this fact, and what steps will it be taking to make the food industry omit this flavouring agent for the sake of people's health?

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

The Commission was not aware of the new study ([1]) linking diacetyl (butter tasting flavouring) to Alzheimer's disease and would like to thank the Honourable Member for drawing its attention to it. The Commission will assess the study and if necessary will consult the European Food Safety Authority on the relevance of this study on food safety.

([1]) Swati S. More, Ashish P. Vartak, Robert Vince. The Butter Flavorant, Diacetyl, Exacerbates β-Amyloid Cytotoxicity. Chemical Research in Toxicology, 2012; 120706140246003.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-007712/12
an die Kommission
Angelika Werthmann (ALDE)
(28. August 2012)

Betrifft: Biologische Vielfalt

Einem neuen Bericht des deutschen „Bundesamts für Naturschutz" zufolge sind in den letzten 30 Jahren in ganz Europa 50 Prozent der Feldvögel verschwunden. Der Hauptgrund dafür liegt in der intensiven Landwirtschaft, die auf die Agrarpolitik der EU und ihre Förderpolitik zurückzuführen ist.

1. Wie beabsichtigt die Kommission, auf diese Abnahme der biologischen Vielfalt zu reagieren?

2. Verfolgt die Kommission Maßnahmen, die die Erholung der Vogelbestände ermöglichen werden?

3. Welche Strategie verfolgt die Kommission, um den Bedarf für eine stabile Lebensmittelversorgung und die biologische Vielfalt in Europa miteinander zu vereinbaren?

Antwort von Herrn Potočnik im Namen der Kommission
(15. Oktober 2012)

Die Kommission hat eine EU-Strategie zur Erhaltung der biologischen Vielfalt vorgestellt, durch die der Rückgang der biologischen Vielfalt in der EU bis 2020 gestoppt und umgekehrt werden soll. Zudem soll die Rolle von Land- und Forstwirtschaft bei der Verwirklichung des Biodiversitätsziels hervorgehoben werden. Dies wurde sowohl vom Rat als auch vom Parlament bekräftigt.

Was die Erholung der Vogelbestände anbelangt, so ist die Richtlinie 2009/147/EG ([1]) ein Kernelement dieser Strategie. Sie bildet einen Rahmen für den Schutz aller Vogelarten, darunter auch Feldvögel, mit Schwerpunkt auf dem Schutz der Lebensräume der Vögel durch Ausweisung und effiziente Bewirtschaftung besonderer Schutzgebiete und auf dem Schutz größerer Landstriche. Die gegenwärtige GAP ([2]) und die Vorschläge der Kommission zur ihrer Reform ([3]) beinhalten verschiedene Instrumente zur Förderung von Umweltpraktiken, die ebenfalls auf den Schutz bestimmter Feldvogelarten abzielen.

Einige Beispiele im Bereich der Politik zur Entwicklung des ländlichen Raums sind Zahlungen für Agrarumweltmaßnahmen sowie Zahlungen im Rahmen von Natura 2000. Bei der GAP-Reform wird außerdem die Ökologisierung der ersten Säule durch Bindung von Direktzahlungen an die Einhaltung von drei für die biologische Vielfalt nachweislich vorteilhaften Praktiken vorgeschlagen: Flächennutzung im Umweltinteresse, Erhaltung von Dauergrünland und Anbaudiversifizierung. Zudem ist die Umweltpolitik im Bereich biologische Vielfalt durch die Regelung zur Einhaltung anderweitiger Verpflichtungen („Cross-Compliance") an die GAP gekoppelt, was die Herabsetzung von Agrarzahlungen im Fall von Verstößen gegen einschlägige Umweltvorschriften, wie beispielsweise die Vorschriften der Richtlinie 2009/147/EG, ermöglicht.

Die Stabilität von Ökosystemen und die Ökosystemleistungen fördern erwiesenermaßen die Stabilität der landwirtschaftlichen Produktionssysteme und somit eine stabile Lebensmittelversorgung. Dies spiegelt sich im Rechtsrahmen und den Finanzinstrumenten der GAP, deren Hauptziele u. a. Ressourceneffizienz und Umweltschutz beinhalten, wider.

([1]) Richtlinie 2009/147/EG über die Erhaltung der wildlebenden Vogelarten, ABl. L 20 vom 26.1.2010.
([2]) gemeinsame Agrarpolitik.
([3]) KOM(2011)625 endg., KOM(2011)626 endg., KOM(2011)627 endg., KOM(2011)628 endg.

(English version)

Question for written answer E-007712/12
to the Commission
Angelika Werthmann (ALDE)
(28 August 2012)

Subject: Biodiversity

According to a recent report by the German *Bundesamt für Naturschutz* (Federal Office for Nature Conservancy), 50% of field birds have disappeared over the last 30 years throughout Europe. The main reason for this reduction is intensive farming driven by the EU's common agricultural policy and its policy of subsidies.

1. How does the Commission intend to react to this reduction in biodiversity?

2. Does the Commission have any measures in place which will allow the bird populations to recover?

3. What is the Commission's strategy to balance the need for a stable food supply and biodiversity throughout Europe?

Answer given by Mr Potočnik on behalf of the Commission
(15 October 2012)

The Commission has put forward an EU Biodiversity Strategy to halt and reverse the loss of biodiversity in the EU by 2020. It also aims to highlight the role of agriculture and forestry in achieving the biodiversity target. This has been endorsed by both Council and Parliament.

As for the recovery of bird populations, Directive 2009/147/EC ([1]) is a core element of this Strategy. It provides a framework for the protection of all bird species, including farmland birds, notably focusing on the protection of habitats for birds through the designation and effective management of special protection areas, and the conservation of the wider countryside. The current CAP ([2]) and the Commission proposals for its reform ([3]) include several tools to support environmental practices also aimed at preserving specific farmland birds.

Agri-environment payments and Natura 2000 payments measures under Rural Development Policy are some examples. In addition, the CAP reform proposes 'greening' in the first pillar through linking direct payments to compliance with three practices proven beneficial for biodiversity: ecological focus area, permanent grassland and crop diversification. Finally the environmental policy for biodiversity is linked to the CAP through the cross compliance mechanism which allows reducing agricultural payments in case of infringements to relevant environmental provisions, e.g. from Directive 2009/147/EC.

Ecosystem stability and ecosystem services have proven benefits for the stability of agricultural production systems, and thereby also foster stable food supply. This is reflected in the regulatory framework and financial instruments of the CAP, which has resource efficiency and the environment among its core objectives.

([1]) On the conservation of wild birds, OJ L 103, 25.4.1979.
([2]) Common Agricultural Policy.
([3]) COM(2011)625 final, COM(2011)626 final, COM(2011)627 final, COM(2011)628 final.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-007714/12
aan de Commissie
Lucas Hartong (NI)
(28 augustus 2012)

Betreft: Verzoeken om MFB (macrofinanciële bijstand) door Egypte en Armenië

De Commissie meldt in COM(2012)0419 def dat Egypte begin dit jaar een verzoek heeft neergelegd bij de EU voor een gift van 500 miljoen euro. De aanvraag is gedaan onder de vlag van de zogenaamde MFB-faciliteit. Armenië heeft in de periode 2011-2012 voor totaal 100 miljoen euro aan leningen ontvangen. Alleen landen die kandidaat-lidstaat, potentieël kandidaat-lidstaat of nabuurschapsland zijn, kunnen een dergelijke aanvraag indienen. In dat kader de volgende vragen:

1. Kunt u aangeven waarom u deze aanvraag nog in beraad hebt, terwijl Egypte aan geen enkele voorwaarde voldoet om überhaupt een aanvraag te kunnen indienen?

2. Bent u met de PVV van mening dat het mogelijk verlenen van een gift van 500 miljoen euro aan Egypte absoluut onwenselijk is gezien de huidige economische crisis in de lidstaten?

3. Kunt u aangeven welke andere landen in de Midden-Oostenregio een dergelijke aanvraag bij de Commissie hebben ingediend en om welke bedragen het daarbij gaat?

4. In 2011 en 2012 zijn uit dezelfde MFB-faciliteit voor een bedrag van 100 miljoen euro leningen verstrekt aan Armenië. Kunt u aangeven op welke basis, tegen welk rentetarief en met welke doelstelling(en) dit is gedaan en wat de looptijd van deze leningen bedraagt?

Antwoord van de heer Rehn namens de Commissie
(10 oktober 2012)

1. Egypte behoort tot de EU-nabuurschapslanden en komt derhalve in aanmerking voor het MFB-instrument. De Commissie is bereid een wetgevingsvoorstel betreffende een MFB-programma ten behoeve van Egypte op te stellen wanneer zij van oordeel is dat aan alle voorwaarden om voor MFB in aanmerking te komen (de zogeheten criteria van Genval), is voldaan. In het Commissievoorstel zal dan onder meer worden beoordeeld of deze voorwaarden zijn vervuld.

2. De Commissie is het niet eens met het geachte Parlementslid dat een eventuele verlening van MFB aan Egypte onwenselijk is gezien het huidige economische klimaat. De economische moeilijkheden waarmee de EU momenteel wordt geconfronteerd, mogen immers niet leiden — en leiden ook niet — tot een stopzetting van alle externe samenwerkingsprogramma's. Aangezien eventuele MFB aan Egypte hoofdzakelijk de vorm van leningen op middellange termijn en niet van giften zou aannemen, zouden de kosten ervan voor de EU-begroting beperkt blijven. Daarbij komt nog dat conformiteit van de voorgestelde MFB-bedragen met de vastgestelde financiële maxima een van de criteria van Genval is, wat betekent dat als er een voorstel komt, dit aspect door de Commissie wordt getoetst.

3. Geen.

4. Het MFB-programma ten behoeve van Armenië was gebaseerd op Besluit 2009/890/EG van de Raad van 30 november 2009. De MFB was bedoeld om de economische stabilisatie van Armenië te ondersteunen en de budgettaire en betalingsbalansbehoefte van het land te lenigen. Voor nadere bijzonderheden over de uitvoering van het programma verwijst de Commissie het geachte Parlementslid naar haar verslag over de verlening van macrofinanciële bijstand aan derde landen in 2011 (COM(2012)339 final) en naar het werkdocument van de diensten van de Commissie waarvan genoemd verslag vergezeld gaat (SWD(2012)181 final). De leningcomponent van de bijstand werd aan Armenië toegekend tegen de normale marktvoorwaarden die voor de EU als emittent gelden. Zonder toestemming van Armenië mag de Commissie geen informatie verstrekken over de precieze financiële voorwaarden die aan de leningen verbonden zijn.

(English version)

Question for written answer E-007714/12
to the Commission
Lucas Hartong (NI)
(28 August 2012)

Subject: MFA (macro-financial assistance) requests from Egypt and Armenia

In its report (COM(2012) 0419 final) the Commission indicates that, at the beginning of the year, Egypt requested a grant of EUR 500 million, under the 'MFA facility', while, over the period 2011-2012, Armenia received loan disbursements totalling EUR 100 million. However, only countries which have applied for EU membership, potential applicants or Neighbourhood countries are in fact entitled to request such funding. In view of this,

1. Why is the Commission still deliberating on this matter, given than Egypt fails to meet any of the conditions of eligibility even to submit an application?

2. Does the Commission agree with the PVV that a possible grant of EUR 500 million to Egypt is totally inappropriate, given the current economic crisis afflicting the Member States?

3. What other countries in the Middle East have made similar requests to the Commission and for what amounts?

4. In 2011 and 2012 Armenia received loans totalling of EUR 100 million from the MFA facility. Can the Commission indicate the basis on which the loans were granted, the interest rates, the objectives and the loan maturities?

Answer given by Mr Rehn on behalf of the Commission
(10 October 2012)

1. As Egypt belongs to the EU's neighbourhood, it is eligible to the instrument of MFA. The Commission is ready to prepare a legislative proposal on a MFA programme for Egypt when it will consider that all the eligibility conditions — the so-called Genval criteria — are met. The Commission's proposal will include the evaluation of the eligibility conditions.

2. The Commission does not agree with the Honourable Member that a possible MFA to Egypt is inappropriate in the present economic context. The current economic difficulties in the EU should not — and do not — stop all external cooperation programmes. As a possible MFA to Egypt would be mainly in the form of medium-term loans and not grants, its cost for the EU budget would be limited. Also, consistency of proposed MFA operations with the established financial ceilings is part of the Genval criteria and as such is evaluated by the Commission in case of a proposal.

3. None.

4. The MFA programme for Armenia was based on Council Decision 2009/890/EC of 30 November 2009. The objectives of the operation were to support Armenia's economic stabilisation and alleviate its balance of payments and budgetary needs. For more details on the programme implementation, the Commission would refer the Honourable Member to its Report on the implementation of MFA to third countries in 2011 (COM(2012) 339 final) and the Commission Staff Working Document accompanying the abovementioned report (SWD(2012) 181 final). The loan part of the assistance was granted to Armenia under normal market conditions for the EU as an issuer. The Commission cannot disclose the information on precise financial terms of the loans without the agreement of Armenia.

(Versão portuguesa)

Pergunta com pedido de resposta escrita P-007715/12
à Comissão
Luis Manuel Capoulas Santos (S&D)
(28 de agosto de 2012)

Assunto: Crise no setor do leite

A crise no setor do leite tem vindo a agudizar-se nas últimas semanas, devido ao efeito conjugado da baixa dos preços pagos à produção e do aumento do custo das matérias-primas para a alimentação dos animais, que tudo indica irá continuar.

Neste momento, o preço pago aos produtores mal cobre os custos com a alimentação animal. Muitos produtores estão desesperados, como tive oportunidade de confirmar pessoalmente há poucos dias no meu país. A não serem urgentemente adotadas medidas, muitas explorações fecharão as portas a muito curto prazo.

Os decisores políticos europeus e nacionais não podem permanecer indiferentes a esta situação, pelo que solicito à Comissão Europeia informação sobre as iniciativas que pretende levar a cabo neste contexto.

Uma vez que o problema atual reside nos baixos preços pagos à produção, é necessário adotar medidas adequadas de regulação de mercado tendo em conta a especificidade da atividade agrícola tal como reconhecida nos termos da legislação comunitária, incluindo derrogações à lei da concorrência, por forma a garantir preços à produção minimamente remuneradores.

Resposta dada por Dacian Cioloş em nome da Comissão
(1 de outubro de 2012)

Após uma fase de alta dos preços, os preços do leite no produtor têm vindo a descer desde dezembro de 2011. A baixa dos preços coincidiu com o perfil sazonal da produção leiteira e foi agravada pelo aumento da oferta de leite na União Europeia e nas principais regiões fornecedoras de leite do mundo. No mesmo período, os preços das rações aumentaram, comprimindo as margens dos produtores de leite. Desde maio de 2012, assiste-se a uma recuperação dos preços dos produtos lácteos e dos preços do leite no mercado «*spot*», que em breve devem refletir-se nos preços do leite no produtor. A última média, correspondente a julho, já mostra que a tendência decrescente parou.

A organização comum de mercado no setor do leite e dos produtos lácteos dispõe de uma série de mecanismos de rede de segurança que podem ser ativados para enfrentar situações de crise. É o caso da compra de manteiga e de leite em pó desnatado no âmbito do regime de armazenagem pública e da concessão da ajuda à armazenagem privada de manteiga. Os operadores não têm recorrido a estes mecanismos, com exceção do regime de armazenagem privada de manteiga, caso em que as quantidades armazenadas em 2012 se situaram dentro dos limites históricos. A Comissão tem vindo a acompanhar os efeitos do aumento recente do preço das rações no setor da produção animal — produção de leite incluída — e dispõe-se a examinar a adoção de medidas, no âmbito do artigo 68.° do Regulamento (CE) n.° 73/2009 ou dos programas de desenvolvimento rural, que se revelem adequadas para apoiar a reestruturação dos setores em causa.

A última iniciativa da Comissão para ajudar o setor leiteiro foi a proposta «Pacote do Leite» ([1]), adotada pelo Conselho e pelo Parlamento Europeu no início de 2012 e plenamente aplicável a partir de 3 de outubro de 2012. Esta proposta, que possibilita a negociação coletiva de condições contratuais, incluindo o preço, por parte dos produtores de leite, pretende reforçar o poder negocial destes relativamente aos industriais de produtos lácteos, com vista a uma distribuição mais justa de valor ao longo da fileira.

([1]) Regulamento (UE) n.° 261/2012 do Parlamento Europeu e do Conselho que altera o Regulamento (CE) n.° 1234/2007 do Conselho no que diz respeito às relações contratuais no setor do leite e dos produtos lácteos.

(English version)

Question for written answer P-007715/12
to the Commission
Luis Manuel Capoulas Santos (S&D)
(28 August 2012)

Subject: Crisis in the dairy sector

The crisis in the dairy sector has worsened in recent weeks owing to the combined effect of the drop in prices paid to producers and the increase in the cost of animal feedingstuffs. All the indications are that this trend will continue.

At the moment the price paid to producers barely covers the cost of feeding their animals. Many producers are desperate, as I witnessed during my recent visit to Portugal. Unless urgent action is taken, many farms will be forced to close in the very near future.

European and national policy-makers cannot remain indifferent to this situation. Can the Commission therefore provide information on the initiatives it intends to take in this context?

Given that the current problem is caused by the low prices paid to producers, adequate measures need to be taken to regulate the market, taking account of the specific characteristics of farming as recognised in Community legislation, including derogations from competition law, in order to guarantee prices to producers that are at least viable.

Answer given by Mr Çioloş on behalf of the Commission
(1 October 2012)

Farm gate milk prices have been decreasing since December 2011, following a situation of high milk prices. Price decreases coincided with the seasonal pattern of milk production, and were reinforced by increased milk supply in the EU and in the major milk supplying regions of the world. In the same period, feed prices have increased, putting pressure on milk producers' margins. Since May 2012, dairy product prices and spot milk prices have recovered, which should soon be reflected in farm gate milk prices. The latest average for July already shows that the downward trend has stopped.

The Common Market Organisation for Milk contains a range of safety net tools that can be activated to face crisis situations. These include the buying-in of butter and skimmed milk powder into public stocks, and the granting of private storage aid to butter. Those tools were not used by operators, except for the butter private storage scheme under which this year's intake stays within the historical range. The Commission is currently monitoring the impact of the recent feed cost increase in the livestock sector, including milk, and is ready to analyse appropriate measures under Article 68 of Regulation (EC) No 73/2009 or Rural Development programmes in order to support the restructuring of the concerned sectors.

The latest initiative taken by the Commission to help the milk sector was the proposal of the Milk Package ([1]), which was adopted by the Council and the European Parliament at the beginning of 2012 and will fully apply from 3 October 2012. It notably aims at strengthening the bargaining power of milk producers vis-à-vis dairy processors, in view of a fairer value distribution along the supply chain, by allowing them to jointly negotiate contract terms, including the price.

([1]) Regulation (EU) No 261/2012 of the European Parliament and of the Council amending Council Regulation (EC) No 1234/2007 as regards contractual relations in the milk and milk products sector.

(English version)

Question for written answer E-007718/12
to the Commission
Syed Kamall (ECR)
(28 August 2012)

Subject: Bushmeat trade in Cameroon

I have been contacted by a constituent who is concerned about the reported increase in the bushmeat trade in Cameroon and the subsequent loss of wildlife.

My constituent tells me that poachers are killing and eating animals such as gorillas, chimps, forest cats, anteaters and monkeys. She informs me that local rangers used to be funded by the EU to help protect the wildlife. However, she claims that the money has now run out and that the rangers have very few or no resources. She shares their concern that this could lead to the gorillas becoming extinct within five years.

Given that my constituent alleges that this illegal poaching is decreasing the numbers of animals in Cameroon, some to the point of extinction, could the Commission answer the following:

1. Is it aware of this alleged illegal poaching?

2. What action is it currently taking to stop any trade in these illegal products?

3. Are there any plans to resume EU funding so the local rangers can help to prevent this trade?

Answer given by Mr Piebalgs on behalf of the Commission
(8 October 2012)

The Commission is aware of these illegal poaching activities and tries to prevent them through projects and political dialogue with the authorities of Cameroon. In the case of the recent massacre of elephants in the Bouba Ndjida Park, the EU Delegation immediately pushed the authorities to take action.

An important project in this area is the regional programme 'ECOFAC' for supporting Protected Areas in Central Africa. All ECOFAC projects have had components related to funding of local rangers. The current ECOFAC project foresees specific interventions in Cameroon in order to fight poaching and bush meat trade. The Commission is also preparing 2 new projects; the follow-up to the MIKE programme ([1]) which will include all endangered species, not only elephants, and a joint project with 3 NGOs on international traffic of big apes and other endangered species in Cameroon, Gabon and Congo.

The Commission also cooperates with the International Consortium for Combating Wildlife Crime (ICCWC), which comprises 5 international organisations with expertise in law enforcement, wildlife trafficking and project management and is tasked with tackling transnational wildlife crime ([2]). In the framework of the World Conservation Congress 2012 in Korea, the EU is cooperating with Member States and other donors for a coordinated response to the recent biodiversity crisis in Central Africa.

The support to protected areas, including financing of local rangers, will remain a priority of the EU also in the future. The Commission is currently in the process of preparing a set of specific projects and programmes for preserving the protected areas in Central Africa and plans to set up an Observatory to monitor the protected species in the region.

([1]) Minimising the Illegal Killing of Elephants.
([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-007720/12
to the Commission
Syed Kamall (ECR)
(28 August 2012)

Subject: Installation of approved septic tanks in properties without mains drainage

A constituent has written to me asking for clarification on any EC laws concerning drainage for properties which have no mains drainage.

1. Can the Commission state whether there is any EC law which requires — or whether it has any plans for EC law to require — that approved septic tanks be installed in properties in the EU which do not have mains drainage?

2. If so, can the Commission offer advice as to whether there are any grants to assist with the installation of such equipment and, if so, whom my constituent should contact to apply for such a grant?

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

The Urban Waste Water Treatment Directive ([1]) obliges Member States to 'ensure that all agglomerations are provided with collecting systems for urban waste water' (Art. 3 (1)). This means that a sanitation system with sewers and treatment is normally required. However, the same article provides for an exception: 'Where the establishment of a collecting system is not justified either because it would produce no environmental benefit or because it would involve excessive cost, individual systems or other appropriate systems (IAS) which achieve the same level of environmental protection shall be used'. Thus, there is a clear preference for a collecting system but, where it is not justified for one of the reasons listed above, an approved septic tank could fulfill the requirements of the directive.

The technical European Standard for small wastewater treatment systems for up to 50 persons is defined in EN-12566.

The European Commission does not offer any grants for such installations. Constituents should refer themselves to the national authorities of their Member State to find out whether there are grants available for this type of installation within their country.

([1]) Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment, OJ L 135, 30.5.1991.

(English version)

Question for written answer E-007721/12
to the Commission
Syed Kamall (ECR)
(28 August 2012)

Subject: Proposed standard for power line transmission devices

I have been contacted by several constituents who are concerned about a proposed standard for power line transmission devices.

They believe that if this standard is approved, the level of interference to all broadcast radio reception would increase to a level making it impossible to use a radio.

They explain that in 2011 a power line telecommunications (PLT) electromagnetic compatibility (EMC) standard known as prEN 50561-1 was proposed by the European Committee for Electrotechnical Standardisation (CENELEC). My constituents allege that the proposed PLT standard was rejected by a majority of the National Standards Committees (NCs) while many NCs suggested improvements to the proposed standard. Apparently, some comments questioned the very high radio pollution levels that would be permitted from PLT devices, while other suggestions were aimed at improving the test methodology.

However, a revised version of the PLT standard is about to be circulated, which my constituents believe is identical to the previous rejected standard, rejecting the suggestions from the NCs.

My constituents claim that representatives of PLT manufacturers dominate the CENELEC Working Group 11 (WG11) that wrote the proposed standard and are lobbying NCs to support that standard since it would provide a legal basis for high PLT emission levels.

My constituents also tell me that even though the Commission's EMC advisor has notified CENELEC that the proposed PLT standard does not meet the essential requirements of the EMC Directive, CENELEC has ignored this advice and will continue to push the proposed PLT standard to be voted by the NCs.

1. Does the Commission share the concerns of my constituents over the proposed PLT EMC standard prEN 50561-1?

2. If CENELEC approves the proposed standard, is the Commission able to block it, and will it do so until it is deemed to meet the requirements of the EMC Directive?

Answer given by Mr Tajani on behalf of the Commission
(16 October 2012)

The Commission would refer the Honourable Member to its answer to Written Question E-007745/2012 by Sir Graham Watson ([1]).

1. The Commission services observe that there has been no significant number of PLT disturbance cases until now. The development and adoption of standards is an internal matter of the standardisation organisations. The Commission services have been involved as observers in the work undertaken in CENELEC to produce the standard in question. The current results are the outcome of a long process where all the stakeholders have participated. To our knowledge the procedure for submitting the draft standard to vote has been scrupulously adhered to.

2. When the harmonised standard is submitted to the Commission for publication in the Official Journal of the EU, the Commission and the Member States have the possibility to raise a formal objection in case that the standard does not fulfil the essential requirements of the EMC Directive.

([1]) http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html

(Version française)

Question avec demande de réponse écrite E-007725/12
à la Commission
Franck Proust (PPE)
(29 août 2012)

Objet: TVA réduite applicable aux centres équestres

Le 8 mars 2012, la Cour de justice a condamné la France ([1]) pour mauvaise application de la directive 2006/112/CE relative au système commun de taxe sur la valeur ajoutée. La République d'Irlande ([2]), l'Allemagne ([3]) et l'Autriche ([4]) ont fait l'objet de condamnations similaires.

Il y a là de quoi s'inquiéter des répercussions que cela pourrait avoir sur la filière. Les chevaux de course et de compétition permettent de produire une viande de très grande qualité, très maigre. Ces animaux sont élevés au grand air, nourris avec les meilleurs aliments et bien soignés. Ils sont un exemple du respect du bien-être animal et un maillon essentiel de l'agriculture de beaucoup de pays européens.

Dans sa communication du 6 décembre 2011 sur l'avenir de la TVA, la Commission indique que les taux réduits de TVA seront supprimés:

— lorsqu'ils constituent un obstacle au bon fonctionnement du marché intérieur;

— lorsque la consommation des produits ou services qui en bénéficient est découragée par d'autres politiques de l'Union.

Il semble que les centres équestres ne rentrent dans aucune des ces catégories. Par conséquent, la Commission envisage-t-elle de permettre aux centres équestres de bénéficier à nouveau d'un régime de TVA réduite? Si tel est le cas, par quels moyens? Sinon, quelles sont les raisons de ce refus?

Réponse donnée par M Šemeta au nom de la Commission
(5 octobre 2012)

Comme indiqué dans sa Communication du 6 décembre 2011 sur l'avenir de la TVA ([5]), la Commission préconise une utilisation limitée des taux réduits de TVA en particulier pour accroître l'efficacité du système de TVA. La Commission a donc lancé en 2012 une évaluation de la structure des taux de TVA en vigueur à la lumière de certains principes directeurs (suppression des taux réduits qui constituent un obstacle au bon fonctionnement du marché intérieur ou qui sont incohérents avec d'autres politiques de l'UE et traitement égal des biens et services similaires).

À ce stade de ce processus, la Commission n'est pas en mesure de se prononcer sur le sens de ses propositions futures en particulier sur le traitement des opérations relatives aux chevaux.

([1]) CJUE, 8 mars 2012, Commission européenne/République française, Affaire C-596/10.
([2]) CJUE, Commission européenne/Irlande, Affaire C-108-11.
([3]) CJUE, 12 mai 2011, Commission européenne/République fédérale d'Allemagne, Affaire C-453/09.
([4]) CJUE, 12 mai 2011, Commission européenne/République d'Autriche, Affaire C-441-09.
([5]) COM(2011) 851 final, 6.12.2011.

(English version)

Question for written answer E-007725/12
to the Commission
Franck Proust (PPE)
(29 August 2012)

Subject: Reduced rate of VAT applicable to equestrian centres

On 8 March 2012, the Court of Justice condemned France ([1]) for its incorrect application of Directive 2006/112/EC on the common system of value added tax. The Republic of Ireland ([2]), Germany ([3]) and Austria ([4]) were subject to similar rulings.

This is causing some alarm as to the impact it could have on the industry. Racehorses and horses used in competitions produce high-quality, very lean meat. These animals are raised outdoors, fed with the best food and cared for. They are an example of respect for animal welfare and a key part of agriculture in many European countries.

In its communication of 6 December 2011 on the future of VAT, the Commission states that reduced VAT rates will be abolished:

— where they are an obstacle to the proper functioning of the internal market;

— where the consumption of products or services that benefit from such rates is discouraged by other EU policies.

It would appear that equestrian centres do not fit into any of these categories. Will the Commission therefore consider allowing equestrian centres to benefit from reduced VAT once again? If so, how? If not, for what reasons?

Answer given by Mr Šemeta on behalf of the Commission
(5 October 2012)

As was stated in its communication of 6 December 2011 on the future of VAT ([5]), the Commission favours a limited use of reduced VAT rates in particular in order to increase the efficiency of the VAT system. In 2012 the Commission therefore launched an assessment of the current VAT rates structure in the light of certain guiding principles (abolition of reduced rates which constitute an obstacle to the proper functioning of the internal market or which are inconsistent with other EU policies and the equal treatment of similar goods and services).

At this stage in the process, the Commission is unable to say what exactly its future proposals will consist of, in particular with respect to transactions concerning horses.

([1]) CJEU, 8 March 2012, *European Commission* v *French Republic*, Case C-596/10.
([2]) CJEU, *European Commission* v *Ireland*, Case C-108/11.
([3]) CJEU, 12 May 2011, *European Commission* v *Federal Republic of Germany*, Case C-453/09.
([4]) CJEU, 12 May 2011, *European Commission* v *Republic of Austria*, Case C-441/09.
([5]) COM(2011) 851 final, 6.12.2011.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-007727/12
aan de Commissie
Laurence J. A. J. Stassen (NI) en Lucas Hartong (NI)
(29 augustus 2012)

Betreft: Iran wil uithuwelijking van meisjes vanaf 9-jarige leeftijd legaliseren

In Iran heeft het parlement het plan opgevat om de minimumleeftijd waarop meisjes mogen worden uitgehuwelijkt, te verlagen naar 9 jaar, omdat het zogezegd „tegen de islamitische sharia in zou druisen wanneer meisjes die de puberteit hebben bereikt niet zou worden toegestaan om te trouwen" ([1]). Volgens Iran zouden meisjes de puberteit op de leeftijd van 9 jaar hebben bereikt. Dit Iraanse voorstel is volstrekt verwerpelijk en vormt een zeer grove schending van vrouwenrechten. Toch ontvangt Iran jaarlijks miljoenen euro's aan financiële steun van de EU ([2]).

1. Is de Commissie het met de PVV eens dat het uithuwelijken van onvolwassen 9-jarige meisjes volstrekt verwerpelijk is en indruist tegen de meest fundamentele vrouwenrechten? Zo neen, waarom niet?

2. Is de Commissie met de PVV van mening dat financiële steun aan een (schurken)staat als Iran — dat nu zelfs de uithuwelijking van 9-jarige kinderen wenst te legaliseren — per direct moet worden gestaakt? Zo neen, waarom niet?

3. Is de Commissie met de PVV van mening dat Europa zich in duidelijke en keiharde bewoordingen dient uit te spreken tegen deze walgelijke implementatie van de islamitische sharia in Iran? Zo neen, waarom niet?

Antwoord van hoge vertegenwoordiger/vicevoorzitter Ashton namens de Commissie
(12 oktober 2012)

De EU zet zich sinds lange tijd in voor de rechten van kinderen en voor de gelijkheid van mannen en vrouwen. Zij bepleit actief een samenhangende aanpak om de rechten van kinderen overal ter wereld te bevorderen en te beschermen.

Kinderhuwelijken zijn een schending van de mensenrechten van meisjes, omdat zij zelf geen stem krijgen bij de keuze van de huwelijksleeftijd en de huwelijkspartner. Kinderhuwelijken zijn in strijd met de grondrechten die door verschillende internationale verdragen worden erkend. Met name wordt het recht om vrij en volledig in te stemmen met een huwelijk erkend in de universele verklaring van de rechten van de mens. In artikel 16 van het Verdrag inzake de uitbanning van alle vormen van discriminatie van vrouwen (CEDAW) wordt het recht op bescherming tegen kinderhuwelijken genoemd. Huwelijken van kinderen zijn ook onverenigbaar met het VN-Verdrag inzake de rechten van het kind en de twee facultatieve protocollen daarbij.

De EU werkt thans samen met Unicef wat kinderhuwelijken betreft.

De EU roept Iran met regelmaat op om zijn internationale verplichtingen inzake mensenrechten na te leven. Daarnaast blijft de EU gerichte beperkende maatregelen toepassen tegen een aantal Iraanse personen die verantwoordelijk zijn voor grootschalige schendingen van de mensenrechten.

Wat financiële samenwerking betreft, verleent de Commissie geen rechtstreekse financiële bijstand aan Iran, behalve in het kader van Erasmus Mundus, een programma dat ten goede komt aan studenten en academici en tot doel heeft interpersoonlijke contacten en betrekkingen aan te moedigen, wat onzes inziens in deze context zeker nuttig is.

([1]) http://digitaljournal.com/article/329317.
([2]) Begrotingslijn 19 10 03 — Samenwerking met Irak, Iran en Jemen:
2011 — EUR 38 947 000;
2012 — EUR 52 651 000.
Begrotingslijn 19 10 04 — Samenwerking anders dan officiële ontwikkelingshulp (Azië, Centraal-Azië, Irak, Iran en Jemen):
2011 — EUR 28 000 000;
2012 — EUR 18 500 000.

(English version)

Question for written answer E-007727/12
to the Commission
Laurence J.A.J. Stassen (NI) and Lucas Hartong (NI)
(29 August 2012)

Subject: Iran seeking to legalise marriage for girls as young as nine years old

The Iranian Parliament is planning to reduce to nine the minimum legal age of marriage for girls on the grounds that to prevent girls who have reached puberty from getting married would be to contradict Islamic law (sharia) ([1]), girls being considered to have reached puberty by that age in Iran. This is an utterly reprehensible proposal and constitutes a serious infringement of women's rights. Despite this, Iran is continuing to receive EU funding amounting to millions of euro ([2]).

1. Does the Commission agree with the PVV that the marriage of nine-year-old girls is utterly reprehensible and an infringement of the most fundamental rights of women? If not, why not?

2. Does the Commission agree with the PVV that funding for a (rogue) state such as Iran — which is now going so far as to legalise the marriage of nine year old children — must be ended forthwith? If not, why not?

3. Does the Commission agree with the PVV that Europe should make known clearly and in no uncertain terms its objections to this repulsive measure implementing Islamic law (sharia) in Iran? If not, why not?

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

The EU as a whole has a long-standing commitment to promote children's rights and gender equality and actively advocates for a coherent approach to promote and protect children's rights worldwide.

Child marriage violates girls' human rights by excluding them from decisions regarding the timing of marriage and choice of spouse. It goes against fundamental rights recognised by several international instruments. In particular, the right to free and full consent to marriage is recognised in the Universal Declaration of Human Rights. The Convention on the elimination of all Forms of discrimination against Women (CEDAW) also mentions, in Article 16, the right to protection from child marriage. Child marriage is also incompatible with the UN Convention on the Rights of the Child and its two Optional Protocols.

The EU is at present cooperating with Unicef on the question of child marriage.

The EU regularly calls on Iran to live up to the international obligation in the area of human rights obligations. In addition, the EU continues to apply targeted restrictive measures on a number of Iranian individuals responsible for massive human rights violations.

With regard to financial cooperation, the Commission does not have any direct funding with Iran except for within the framework of Erasmus Mundus, a programme which benefits students and academics with the objective to encourage people-to-people contacts and relations which, we think, would certainly be beneficial in the present context.

([1]) http://digitaljournal.com/article/329317.
([2]) Budget line 19 10 03 — Cooperation with Iraq, Iran and Yemen:
2011 - E 38.947.000;
2012- E 52.651.000.
Budget line 19 10 04 — Cooperation activities other than Official Development Assistance (Asia, Central Asia, Iraq, Iran and Yemen):
2011 - E 28.000.000;
2012- E 18.500.000.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-007728/12
aan de Commissie (Vicevoorzitter — Hoge Vertegenwoordiger)
Cornelis de Jong (GUE/NGL)
(29 augustus 2012)

Betreft: VP/HR — Mishandeling Palestijnse kinderen door Israëlische militairen

1. Is de hoge vertegenwoordiger/vicevoorzitter bekend met het recentelijk door Breaking the Silence gepubliceerde rapport „Children and Youth — Soldiers' Testimonies 2005-2011" ([1])? In dit rapport stellen Israëlische oud-soldaten en ex-officieren dat het Israëlische leger stelselmatig Palestijnse kinderen mishandelt. Er wordt gesproken over intimidatie, verbaal geweld en vernedering van Palestijnse kinderen door militairen.

Er wordt gerapporteerd over arrestaties van kinderen en mensonterende behandeling van kinderen in gevangenschap. Bijvoorbeeld een nacht lang vastgebonden en geblinddoekt eenzaam op een stoel zitten, zonder duidelijke aanleiding in elkaar geslagen worden, uitschelden of weigeren om een dokter te laten komen. Ook wordt melding gemaakt van het gebruik van kinderen als fysiek schild door militairen, terwijl dit verboden is. Traangas wordt ingezet op stenen gooiende kinderen en er wordt zelfs op hen geschoten.

2. Wat vindt de hoge vertegenwoordiger/vicevoorzitter van dit rapport? Op welke wijze zullen de bevindingen ter sprake gebracht worden in de relatie van de EU met Israël?

3. Ziet de hoge vertegenwoordiger/vicevoorzitter grond om de huidige onderhandelingen over nieuwe akkoorden, zoals die momenteel lopen op het gebied van handel en het openen van het luchtruim, op te schorten totdat concrete maatregelen zijn genomen en bewijs is geleverd dat deze praktijken niet meer plaatsvinden en in de toekomst voorkomen zullen worden?

Antwoord van hoge vertegenwoordiger/vicevoorzitter Ashton namens de Commissie
(12 oktober 2012)

De hoge vertegenwoordiger/vicevoorzitter is bekend met het door Breaking the Silence gepubliceerde verslag „Children and Youth-Soldiers' Testimonies 2005-2011".

De EU blijft uiting geven aan haar bezorgdheid over hoe Palestijnse kinderen in het Israëlische rechts- en gevangenissysteem behandeld worden. Volgens het ENB-voortgangsrapport van 2012 inzake Israël zaten er eind 2011 4 281 Palestijnse gevangenen in een Israëlische gevangenis, waaronder 135 kinderen. Eind 2011 zat er ook één minderjarige in administratieve detentie.

Het is positief dat in het militair recht dat van toepassing is in bezet Palestijns gebied, de leeftijd waarop iemand meerderjarig wordt, in september 2011 is verhoogd van 16 naar 18 jaar, maar de EU blijft bezorgd over het gebrek aan bescherming voor kinderen tijdens hun arrestatie en opsluiting. Voornamelijk het feit dat kinderen vaak zonder begeleiding van een advocaat en een ouder worden ondervraagd, is zorgwekkend. Er zijn nog steeds zaken van kinderen in eenzame opsluiting, hoewel dit in strijd is met artikel 16 van het Verdrag tegen foltering. Vrijlating op borgtocht wordt nog steeds ongeveer 90 % van de kinderen geweigerd, wat in strijd is met het VN-verdrag inzake de rechten van het kind, en de meeste Palestijnse kinderen zitten nog opgesloten in Israël, wat in strijd is met artikel 76 van het vierde Verdrag van Genève.

De EU heeft herhaaldelijk haar bezorgdheid over deze praktijken meegedeeld aan de Israëlische autoriteiten in het kader van haar regelmatige politieke en mensenrechtendialoog. De EU verklaarde, meest recent op de Associatieraad EU-Israël van juli 2012, dat enige verdere verbetering in de betrekkingen gebaseerd moet zijn op de gemeenschappelijke waarden van beide partijen en in het bijzonder op democratie en eerbiediging van mensenrechten, de rechtsstaat en fundamentele vrijheden, goed bestuur en het internationaal humanitair recht.

([1]) http://www.breakingthesilence.org.il/wp-content/uploads/2012/08/Children_and_Youth_Soldiers_Testimonies_2005_2011_Eng.pdf

(English version)

Question for written answer E-007728/12
to the Commission (Vice-President/High Representative)
Cornelis de Jong (GUE/NGL)
(29 August 2012)

Subject: VP/HR — Ill-treatment of Palestinian children by Israeli army

1. Is the Vice-President/High Representative aware of the recent report published by Breaking the Silence entitled 'Children and Youth — Soldiers' Testimonies 2005-2011' ([1])? In this report, former Israeli soldiers and officers describe how the Israeli army routinely ill-treats Palestinian children. The report speaks of intimidation, verbal violence and humiliation of Palestinian children by army personnel.

It tells of children being arrested and undergoing degrading treatment in prison, including being left alone all night tied up and blindfolded on a chair, beatings administered for no apparent reason, verbal abuse and refusal to allow a doctor to visit. It also reports the use of children as human shields by the army, although this is against the law. Tear gas, and even live rounds, are fired at children throwing stones.

2. What is the VP/HR's opinion of this report? How should these findings be raised in the context of EU-Israel relations?

3. Does the VP/HR consider that the ongoing negotiations on new agreements, such as those currently under way in the field of trade and the opening of airspace, should be halted until concrete measures are taken and evidence provided that these practices are no longer being carried out and will be prevented in future?

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

The HR/VP is aware of the report published by Breaking the Silence entitled 'Children and Youth — Soldiers' Testimonies 2005-2011.

The EU continues to voice its concerns about the treatment of Palestinian children in the Israeli judicial and detention system. As reported in the 2012 ENP Country Progress Report on Israel, by the end of 2011 there were 4 281 Palestinian prisoners in Israeli jails, of which 135 were children. There was also one minor in administrative detention at the end of 2011.

Although the raising of the majority age from 16 to 18 in the military law applicable to the occupied Palestinian territory in September 2011 was a welcome development, the EU remains concerned about insufficient protection of children during arrest and detention, in particular the failure to permit children to be accompanied by a lawyer and parent during questioning. Cases of solitary confinement of children continue, in contravention of Article 16 of the Convention against Torture. Around 90% of children are still denied bail in violation of the UN Convention on the Rights of the Child and most Palestinian children are still detained inside Israel in violation of Article 76 of the Fourth Geneva Convention.

The EU has repeatedly conveyed its concerns about these practices to the Israeli authorities in the framework of its regular political and human rights dialogue. The EU has stated, most recently on the occasion of the July 2012 EU-Israel Association Council, that any future upgrade in relations must be based on the shared values of both parties, and particularly on democracy and respect for human rights, the rule of law and fundamental freedoms, good governance and international humanitarian law.

([1]) http://www.breakingthesilence.org.il/wp-content/uploads/2012/08/Children_and_Youth_Soldiers_Testimonies_2005_2011_Eng.pdf

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-007729/12
adresată Comisiei
Petru Constantin Luhan (PPE)
(29 august 2012)

Subiect: Sprijin UE pentru studiile post autorizare

Regulamentul (UE) nr. 1235/2010 al Parlamentului European și al Consiliului prevede, la articolul 16, posibilitatea „împuternicirii Comisiei Europene de a impune deținătorilor de autorizație de punere pe piață obligația de a organiza studii post autorizare asupra siguranței și eficacității unui medicament (…). Asemenea studii sunt destinate să colecteze date pentru a permite evaluarea siguranței și eficacității unui medicament pentru uz uman în practica zilnică".

Fiecare deținător de autorizație de punere pe piață a produsului medicamentos a organizat unul sau mai multe studii clinice pentru autorizarea unui medicament într-una sau mai multe țări UE.

Pentru o mai bună acuratețe a unui studiu post autorizare, este recomandabil să se colecteze date despre siguranță și eficacitate, luând în considerare, în mod privilegiat, informațiile obținute de la pacienții și investigatorii incluși în studiile cu privire la acest medicament, în care au fost tratați și monitorizați.

Cu toate acestea, în anumite țări, cum este România, pacienții care au participat la studiile dinaintea autorizării pot să nu mai continue, după terminarea studiului, tratamentul cu un medicament similar autorizat existent pe piață din cauza prețului mare, astfel nefiind disponibil în rețelele farmaceutice, ci doar în cadrul unui Program Național care posedă un buget limitat din cauza fondului național redus alocat sănătății. Astfel, se pierd date importante referitoare la evoluția bolii, precum și la siguranța și eficacitatea unui anumit medicament, cunoscut fiind faptul că cele mai multe efecte adverse se înregistrează după un studiu clinic.

Deși regulamentul amintit prevede înființarea unui portal la care să se poată trimite orice informație referitoare la reacția adversă a unui medicament autorizat, accesibil atât medicilor care monitorizează pacienții tratați cu respectivul medicament, cât și pacienților, mulți dintre cei care au avut șansa sa fie tratați și monitorizați în studii clinice nu au mai beneficiat de medicație din cauza situației descrise mai sus.

Acesta este și cazul medicamentelor destinate tratării sclerozei multiple.

Poate Comisia să prevadă fonduri în cadrul Programului Orizont 2020 pentru susținerea Programelor Naționale de acordare a medicamentelor pentru boli incurabile, cum este scleroza multiplă, ca soluție pentru a beneficia de continuarea tratamentului în urma studiilor clinice, sprijinind astfel inclusiv studiile post autorizare prevăzute în noul Regulament (UE) nr.1235/2010?

Răspuns dat de dl Dalli în numele Comisiei
(5 octombrie 2012)

Unul dintre obiectivele propunerii Comisiei pentru programul-cadru pentru cercetare și inovare „Orizont 2020" este de a contribui la reducerea decalajului între cercetare și piață. Provocarea societală „Sănătate, schimbări demografice și bunăstare", care face parte din propunere, face referire la sprijinirea dezvoltării de instrumente științifice, metode și statistici de evaluare a siguranței, eficienței și calității tehnologiilor din domeniul sănătății, inclusiv medicamente, produse biologice, terapii avansate și dispozitive medicale noi. Cu toate acestea, finanțarea programelor naționale de furnizare a medicamentelor este în afara domeniului de aplicare al propunerii vizând programul „Orizont 2020".

În conformitate cu articolul 168 din Tratatul privind funcționarea Uniunii Europene, statele membre sunt responsabile în ceea ce privește definirea politicii lor de sănătate, precum și organizarea și prestarea de servicii de sănătate și de îngrijire medicală, inclusiv furnizarea de medicamente pe teritoriul lor. Finanțarea furnizării de medicamente către cetățenii UE se află în afara responsabilităților Comisiei.

(English version)

Question for written answer E-007729/12
to the Commission
Petru Constantin Luhan (PPE)
(29 August 2012)

Subject: EU support for post-authorisation studies

Article 16 of Regulation (EU) No 1235/2010 of the European Parliament and of the Council provides for the possibility of the Commission being empowered to impose on marketing authorisation holders of medicinal products the obligation to conduct post-authorisation studies on the safety and efficacy of those products. Such studies are aimed at collecting data to enable assessment of the safety and efficacy of medicinal products for human use in everyday medical practice.

Each marketing authorisation holder for a medicinal product has conducted one or more clinical trials for the authorisation of that medicinal product in one or more EU countries.

In order to improve the accuracy of post-authorisation studies, it is recommendable that data on safety and efficacy be collected on the medicinal products, taking into prime consideration the information received from the patients and researchers involved in those studies, in which they have been treated and monitored.

Despite this, in some countries such as Romania, it may be that patients who have participated in pre-authorisation trials do not continue taking an analogous authorised medicinal product already on the market once that trial has ended, on account of its high price and the fact that it is not available in pharmacies but only under national programmes whose budgets are limited owing to the reduction in health funding. This means that important data is lost relating to the course of the disease and the safety and efficacy of the medicinal product; it is widely known that most adverse effects manifest themselves after the clinical trials.

Although the regulation provides for the creation of a portal to which any information relating to adverse reactions to an authorised product can be sent, and which can be accessed both by the doctors monitoring patients being treated with the product in question and by the patients themselves, many of the patients who had the fortunate to receive treatment and monitoring in clinical trials no longer have access to medicinal products owing to the aforementioned funding crisis.

This is the case, *inter alia*, for medicinal products for the treatment of multiple sclerosis.

Can the Commission allocate funding under the Horizon 2020 Programme to national programmes for the provision of medicinal products for incurable diseases, such as multiple sclerosis, so that patients can continue to receive treatment after clinical trials have ended, as this would also support the post-authorisation studies provided for in the new Regulation (EU) No 1235/2010?

Answer given by Mr Dalli on behalf of the Commission
(5 October 2012)

One of the aims of the Commission proposal for the Horizon 2020 Framework Programme for Research and Innovation is to help bridge the gap between research and the market. The Societal Challenge for Health, demographic change and wellbeing part of the proposal makes reference to supporting development of scientific tools, methods and statistics for assessment of the safety, efficacy and quality of health technologies including new drugs, biologics, advances therapies and medical devices. However, funding of national programmes for the provision of medicinal products is outside the scope of Horizon 2020 proposal.

In accordance with Article 168 of the Treaty on the functioning of the European Union, Member States are responsible for the definition of their health policy and for the organisation and delivery of health services and medical care including the provision of medicinal products in their territory. The funding of the provision of medicinal products to the EU citizens is outside the responsibilities of the Commission.