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 88 E/01)

Treść **Strona**

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001000/12
lill-Kummissjoni
David Casa (PPE)
(6 ta' Frar 2012)

Suġġett: Ir-regolamentazzjoni tal-Internet

Żewġ testi leġiżlattivi li bħalissa qed jiġu diskussi fil-Kungress tal-Istati Uniti jista' jkollhom effett fuq il-libertà tal-utenti tal-Internet globalment. L-SOPA u l-PIPA għandhom l-għan li jrażżnu t-tniżżil u t-tqassim ta' fajls illegali ta' materjal protett mid-drittijiet tal-awtur.

Dawn l-abbozzi ta' liġijiet jistgħu potenzjalment jippermettu lill-awtoritajiet federali tal-Istati Uniti jagħlqu ismijiet ta' domains amministrati mill-Istati Uniti madwar id-dinja u jistgħu wkoll jillimitaw lil fornituri tas-servizz u siti ta' tiftix ibbażati fl-Istati Uniti milli jittrattaw ma' siti mill-UE suspettati li jippermettu tniżżil illegali. F'deċiżjoni ta' Novembru 2011 (SABAM v. Scarlet Extended SA), il-Qorti Ewropea tal-Ġustizzja indikat li l-liġi tal-UE ma tippermettix l-istallazzjoni ta' salvagwardji kontra t-tniżżil illegali minn fornituri tas-servizz.

Il-pożizzjoni tal-Kunsill dwar it-tniżżil u t-tqassim ta' fajls illegali ta' materjal protett mid-drittijiet tal-awtur kif tikkompara maż-żewġ abbozzi tal-kungress?

Liema azzjoni, jekk hemm, ħadet il-Kummissjoni sabiex tinfluwenza l-pożizzjoni tal-gvern tal-Istati Uniti dwar dawn l-abbozzi?

Tweġiba mogħtija mis-Sinjura Kroes f'isem il-Kummissjoni
(13 ta' Marzu 2012)

Il-Kummissjoni tqis bis-serjetà t-tħassib dwar il-leġiżlazzjoni tal-Istati Uniti.

Minkejja li l-Kummissjoni ma għandha l-ebda dritt fuq inizjattivi leġiżlattivi fl-Istati Uniti jew pajjiż barrani ieħor, qed insegwu mill-qrib id-diskussjonijiet dwar SOPA/PIPA, b'mod partikolari minħabba l-fatt li l-miżuri previsti setgħu effettwaw l-użu tal-internet miftuħ madwar id-dinja kollha u mminawlu l-istabbiltà.

Il-Kummissjoni qed tippjana li toħroġ bi proposta għal reviżjoni tad-Direttiva dwar l-Infurzar tad-Drittijiet tal-Proprjetà Intellettwali (2004/48/KE). Il-Kummissjoni se tirrifletti fuq il-mod ta' kif tista' ssib bilanċ ġust bejn il-protezzjoni tad-drittijiet tal-proprjetà intelletwali u drittijiet fundamentali oħra, b'mod partikolari l-libertà tan-negozju, il-protezzjoni tad-dejta personali u l-libertà tal-informazzjoni.

(English version)

Question for written answer E-001000/12
to the Commission
David Casa (PPE)
(6 February 2012)

Subject: Regulating the Internet

Two pieces of legislation currently being debated in the US Congress could impinge on the freedom of Internet users globally. The 'Stop Anti-Piracy Act' (SOPA) and the 'Protect IP' act (PIPA) aim to curb illegal downloads and filesharing of copyright material.

These draft laws could potentially allow US federal authorities to shut down US-managed domain names worldwide and could also restrict US-based service providers and search engines from dealing with EU sites suspected of enabling illegal downloads. In a ruling of November 2011 (SABAM v Scarlet Extended SA), the European Court of Justice indicated that EC law precludes the installing of safeguards by service providers against illegal downloads.

How does the Commission's position on illegal downloads and filesharing of copyright material compare to the two congressional bills?

What, if any, action has the Commission taken in order to influence the position of the US government on these bills?

Answer given by Ms Kroes on behalf of the Commission
(13 March 2012)

The Commission takes seriously the concerns expressed regarding the US legislation.

Even though the Commission has no say on legislative initiatives taken in US or any other foreign country, we have been closely following the discussions on SOPA/PIPA, in particular since the measures it had envisaged could have affected the use of the open Internet anywhere in the world and undermined its stability.

The Commission plans to come up with a proposal for review of the IPR Enforcement Directive (2004/48/EC). The Commission will reflect on the way to strike a fair balance between the protection of intellectual property rights and other fundamental rights, in particular the freedom to conduct business, the protection of personal data or the freedom of information.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001001/12
lill-Kummissjoni
David Casa (PPE)
(6 ta' Frar 2012)

Suġġett: It-taxxa fuq it-tranżazzjonijiet finanzjarji taż-żona euro

Kemm hi vijabbli l-introduzzjoni ta' taxxa fuq it-tranżazzjonijiet finanzjarji fil-livell taż-żona euro biss?

Twettqu xi studji sabiex jiġu vvalutati l-implikazzjonijiet f'termini ta' tranżazzjoni u migrazzjoni fiżika mill-Istati Membri taż-żona euro?

Tweġiba mogħtija mis-Sur Šemeta f'isem il-Kummissjoni
(19 ta' Marzu 2012)

Il-Kummissjoni ppreżentat proposta għal Direttiva tal-Kunsill dwar sistema komuni ta' taxxa fuq it-tranżazzjonijiet finanzjarji u li temenda d-Direttiva 2008/7/KE (COM(2011) 594) li għandha tapplika għall-Unjoni Ewropea kollha.

Sistema armonizzata għall-UE għandha tevita t-tgħawwiġ u tassazzjoni doppja jew nuqqas ta' tassazzjoni fil-livell tal-UE. Għaldaqstant, il-Kummissjoni, qed tikkontribwixxi b'mod attiv għad-diskussjonijiet dwar il-proposta tagħha fil-Parlament Ewropew u l-Kunsill bil-għan ta' adozzjoni fil-livell tas-27 Stat Membru kollha.

Il-Kummissjoni ma wettqet l-ebda studju dwar il-fattibbiltà ta' taxxa fuq it-tranżazzjonijiet finanzjarji fiż-żona komuni tal-euro.

(English version)

Question for written answer E-001001/12
to the Commission
David Casa (PPE)
(6 February 2012)

Subject: Eurozone financial transaction tax

How viable is the introduction of a financial transaction tax at eurozone level only?

Have any studies been carried out in order to assess the implications in terms of transaction and physical migration from eurozone Member States?

Answer given by Mr Šemeta on behalf of the Commission
(19 March 2012)

The Commission has presented a proposal for a Council Directive on a common system of financial transaction tax and amending Directive 2008/7/EC (COM(2011) 594) which would apply to the entire European Union.

A harmonised EU system would avoid distortions and double or non-taxation at the EU level. The Commission is therefore actively contributing to discussions on its proposal in the European Parliament and the Council with a view to an adoption at the level of all 27 Member States.

The Commission has not undertaken any study about the feasibility of a common euro area financial transaction tax.

(English version)

Question for written answer E-001003/12
to the Commission
Daniel Hannan (ECR)
(6 February 2012)

Subject: Commission funding of NGOs in 2011

Did any of the following organisations receive money from the Commission in 2011, how much and over what period of time?

I require a detailed response from the Commission regarding each specific NGO, the organisations I require information for being:

Grüne Bildungswerkstatt; Rosa-Luxembourg-Stiftung; Alfred Mozer Stichting (AMS); Hanns-Seidel-Stiftung Brüssel; Committee of European Securities Regulators; Babel International; act4europe; Foundation for Education for Democracy; Centre for Public Policy PROVIDUS; Institut für Europäische Politik; European Public Law Center (EPLC); European Bureau for Lesser-Used Languages (EBLUL); European Forum of the Arts and Heritage European Cultural Foundation; European Center for Nature Conservation; BirdLife International European Community Office ('Green Ten' network); European Federation for Transport and Environment ('Green Ten' network); WWF European Policy Office ('Green Ten' network); CEE Bankwatch Network ('Green Ten' network); Coalition for the International Criminal Court; Foro Civil Euromed; the European Peacebuilding Liaison Office (EPLO); International Federation for Human Rights (FIDH); International Federation Terre des Hommes; Greenpeace; World Wildlife Fund; Friends of the Earth; European Environmental Bureau; Birdlife International; BEUC (European Consumers Organisation); Transport & Environment; Rainforest Action Network; Rainforest Portal; Youth & Environment Europe; EAZA (European Associations of Zoos and Aquaria); Concord; Via Campesina; Union Sociale pour l'habitat; Union of Ecologists; FERN; Biofuel Watch; Wetlands International; Oxfam; Transparency International; Green Alliance; Grüne Jugend Bundesgeschäftsstelle; Federation of Young European Greens; Minority Rights Group International; PLAN International; People and Planet; Unrepresented Nations and Peoples Organisation (UNPO); the National Council of Women of Finland; Social Platform; European Civil Society Platform on Lifelong Learning (EUCIS-LLL).

Question for written answer E-001004/12
to the Commission
Daniel Hannan (ECR)
(6 February 2012)

Subject: Commission funding of NGOs 1999-2007

Did any of the following organisations receive money from the Commission between 1999 and 2007, how much and over what period of time?

I require a detailed response from the Commission regarding each specific NGO, the organisations I require information for being:

Grüne Bildungswerkstatt; Rosa-Luxembourg-Stiftung; Alfred Mozer Stichting (AMS); Hanns-Seidel-Stiftung Brüssel; Committee of European Securities Regulators; Babel International; act4europe; Foundation for Education for Democracy; Centre for Public Policy PROVIDUS; Institut für Europäische Politik; European Public Law Center (EPLC); European Bureau for Lesser-Used Languages (EBLUL); European Forum of the Arts and Heritage European Cultural Foundation; European Center for Nature Conservation; BirdLife International European Community Office ('Green Ten' network); European Federation for Transport and Environment ('Green Ten' network); WWF European Policy Office ('Green Ten' network); CEE Bankwatch Network ('Green Ten' network); Coalition for the International Criminal Court; Foro Civil Euromed; the European Peacebuilding Liaison Office (EPLO); International Federation for Human Rights (FIDH); International Federation Terre des Hommes; Greenpeace; World Wildlife Fund; Friends of the Earth; European Environmental Bureau; Birdlife International; BEUC (European Consumers Organisation); Transport & Environment; Rainforest Action Network; Rainforest Portal; Youth & Environment Europe; EAZA (European Associations of Zoos and Aquaria); Concord; Via Campesina; Union Sociale pour l'habitat; Union of Ecologists; FERN;

Biofuel Watch; Wetlands International; Oxfam; Transparency International; Green Alliance; Grüne Jugend Bundesgeschäftsstelle; Federation of Young European Greens; Minority Rights Group International; PLAN International; People and Planet; Unrepresented Nations and Peoples Organisation (UNPO); the National Council of Women of Finland; Social Platform; European Civil Society Platform on Lifelong Learning (EUCIS-LLL).

Joint answer given by Mr Lewandowski on behalf of the Commission
(2 March 2012)

As mentioned in the reply to Question E-006515/2011 ([1]), the Commission would like to invite the Honourable Member to consult the Financial Transparency System (FTS) ([2]) which allows search by criteria such as the name of the beneficiary, its country, the Commission department which gave the grant or contract, the relevant budget line or the amount.

The FTS includes information from 2007 on all beneficiaries of EU funds implemented by the Commission under centralised direct and centralised indirect management modes, and by Executive Agencies under the centralised indirect management mode. Information regarding other management modes (decentralised, shared, and joint) can be found in the relevant management authority's website ([3]). Data for year 2011 will be published at the end of the first semester 2012.

The Commission regrets it cannot undertake the lengthy and costly research that would be required to provide comprehensive information between 1999 and 2006, due to the absence of centralised data for those years.

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp
([2]) http://ec.europa.eu/beneficiaries/fts/index_en.htm
([3]) http://ec.europa.eu/beneficiaries/fts/beneficiaries_en.htm

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-001005/12
adresată Comisiei
George Sabin Cutaş (S&D)
(6 februarie 2012)

Subiect: Sistemul de certificate verzi din România

În România, generarea electricității din surse regenerabile este susținută prin sistemul de certificate verzi.

Aș dori sa vă atrag atenția asupra faptului că Ordonanța de urgență nr. 88 din 12 octombrie 2011, din România, privind modificarea și completarea Legii nr. 220/2008 este aplicată cu referire la metodele utilizate pentru producerea de biogaz. Consider că o astfel de interpretare a legii poate cauza pierderi în rândul investitorilor.

Referitor la notificarea Comisiei C (2011) 4938 intitulată „România — Certificate verzi pentru promovarea producerii energiei electrice din surse regenerabile", ar putea spune Comisia câte certificate verzi ar trebui acordate pe megawatt-oră generat din biogazul obținut din biomasa provenită din fracțiunile biodegradabile ale deșeurilor municipale?

Răspuns dat de dl Oettinger în numele Comisiei
(12 martie 2012)

Statele membre sunt cele care decid cu privire la nivelul de sprijin financiar pe care îl acordă energiei electrice produse din surse regenerabile, în limitele stabilite prin orientările privind ajutorul pentru protecția mediului. Cu toate acestea, Comisia a invitat statele membre să se asigure că schemele de sprijin pentru energia din surse regenerabile sunt eficace și stabile și că orice revizuire a instrumentelor de finanțare se realizează într-o manieră în care să se evite generarea de incertitudine pentru investitori ([1]).

În ceea ce privește decizia referitoare la ajutorul de stat menționat, privind schema de certificate verzi, Comisia a evaluat schema de sprijin din România și a concluzionat că numărul de certificate verzi stabilit de autoritățile române nu a condus la supracompensare, fiind în conformitate cu orientările privind ajutorul pentru protecția mediului. Comisia a aprobat măsura notificată de instituire a schemei de sprijin din România prin decizia sa din 13 iulie 2011.

([1]) COM(2011)31 „Energia din surse regenerabile: progrese către obiectivul 2020".

(English version)

Question for written answer E-001005/12
to the Commission
George Sabin Cutaş (S&D)
(6 February 2012)

Subject: Romanian green certificates scheme

In Romania, the generation of electricity from renewable sources benefits from the support of the green certificates scheme.

I would like to draw your attention to the fact that Romanian Emergency Ordinance No 88 of 12 October 2011, amending and completing Law No 220/2008, is applied by reference to the methods used for the production of biogas. I believe this interpretation of the law can often lead to losses for investors.

With regard to Commission notification C (2011) 4938 on 'Romania — Green certificates for promoting electricity from renewable sources', could the Commission say how many green certificates should be awarded per megawatt-hour generated from biogas derived from biomass from the biodegradable fraction of municipal waste?

Answer given by Mr Oettinger on behalf of the Commission
(12 March 2012)

It is for the Member States to decide on the level of financial support to be given to electricity produced from renewable energy technologies, within the limits set by the Environmental Aid Guidelines. The Commission, however, called on the Member States to ensure that support schemes for renewable energy are effective and stable, and that any revision of financing instruments should be pursued in a way that avoids creating investor uncertainty ([1]).

As regards the mentioned state aid decision on the green certificates scheme, the Commission assessed the Romanian support scheme and concluded that the number of green certificates set by the Romanian authorities did not lead to overcompensation and complied with the Environmental Aid Guidelines. The Commission approved the notified measure setting the Romanian support scheme by its decision of 13 July 2011.

([1]) COM(2011) 31 final, 'Renewable energy: Progressing towards the 2020 target'.

(Svensk version)

Frågor för skriftligt besvarande E-001006/12
till kommissionen
Marita Ulvskog (S&D)
(6 februari 2012)

Angående: VP/HR – Situationen efter valet i Demokratiska republiken Kongo

Den 16 december 2011 bekräftade högsta domstolen i Demokratiska republiken Kongo den sittande presidenten Joseph Kabilas seger i det omtvistade presidentvalet den 28 november 2011, och avvisade därmed kraven från oppositionen på att valet skulle ogiltigförklaras efter anklagelser om fusk. Även Demokratiska republiken Kongos valkommission förklarade Kabila som vinnare i valet som enligt observatörer saknade trovärdighet och präglades av oegentligheter och våld. Oppositionspartierna uppgav omedelbart att de ”helt förkastade” avgörandet.

Europeiska unionens observatörsgrupp förklarade den 13 december 2011 att valet var uppgjort och att den kaotiska sammanställningsprocessen och bristen på insyn i valräkningen undergrävde resultatens trovärdighet. EU-observatörerna hindrades från att göra sitt jobb i vissa delar av landet där röster försvann från över 2 000 vallokaler.

Valen syftade till att skapa större stabilitet i Demokratiska republiken Kongo men kännetecknades istället av våld och kaotiska förberedelser utöver anklagelserna om valfusk.

Vad anser vice ordföranden/den höga representanten om ett fredsbevarande uppdrag?

Vad gör vice ordföranden/den höga representanten för att förhindra en liknande situation som den vi bevittnade i Elfenbenskusten i fjol?

Vilka konkreta åtgärder har vice ordföranden/den höga representanten vidtagit för att hjälpa Demokratiska republiken Kongo i denna svåra och mycket känsliga situation?

Svar från den höga representanten/vice ordförande Catherine Ashton på kommissionens vägnar
(26 mars 2012)

Den höga representanten/vice ordföranden delar EU:s valobservatörsuppdrags och parlamentsledamotens oro över att presidents- och parlamentsvalen har präglats av oegentligheter och allvarlig oordning.

I fråga om fredsbevarande stöder EU Monuscos (FN:s stabiliseringsuppdrag i Demokratiska republiken Kongo) insatser som redan är igång enligt ett mandat som avtalats enligt FN-stadgans kapitel VII. Hittills har våldet hållits tillbaka, trots den politiska krisen och de oroande men lokala brotten mot de mänskliga rättigheterna.

Som den höga representanten/vice ordföranden uttryckte i sitt uttalande den 20 december 2011 angående valen i Demokratiska republiken Kongo, förespråkar hon ytterligare insyn vid valen och insisterar på behovet att dra lärdom av erfarenheterna samt att ta valobservatörsuppdragens rekommendationer i beaktande. Detta tillvägagångssätt som betraktades som avgörande för att lugna situationen och underlätta återupprättandet av en politisk konsensus i Demokratiska republiken Kongo, upprepades återigen den 3 februari 2012 genom en lokal EU-deklaration efter tillkännagivandet av parlamentsvalresultaten.

EU har för avsikt att förbli en engagerad partner i befästandet av ett öppet politiskt system i Demokratiska republiken Kongo, i nära kontakt med kongolesiska aktörer liksom med landets internationella och regionala partner.

För att undvika bakslag i Demokratiska republiken Kongos stabiliseringsinsatser och för att påskynda landets väg mot demokratisering, är det viktigt i detta avseende att främja en konstruktiv dialog mellan kongolesiska aktörer inom ramen för landets institutioner, samtidigt som tilltron till valprocessen måste återupprättas.

Vad gäller EU:s valobservatörsuppdrag håller detta på att färdigställa en sammanfattande rapport som kommer att ges ut efter offentliggörandet av de slutliga resultaten av parlamentsvalen.

(English version)

Question for written answer E-001006/12
to the Commission
Marita Ulvskog (S&D)
(6 February 2012)

Subject: VP/HR — post-election situation in the Democratic Republic of the Congo

On 16 December 2011 the Supreme Court of the Democratic Republic of the Congo (DRC) confirmed the incumbent Joseph Kabila as the winner of the disputed presidential election held on 28 November 2011, rejecting opposition demands for the vote to be annulled over fraud allegations. The DRC's election commission also declared Kabila the winner of the vote, which observers said lacked credibility and was marred by irregularities and violence. Opposition parties immediately said they 'totally rejected' the ruling.

The European Union's observer mission stated on 13 December 2011 that the vote had been flawed and that the chaotic compilation process and the lack of transparency during the counting process undermined the credibility of the results. The EU observers were prevented from doing their job in some parts of the country, where votes from more than 2 000 polling stations disappeared.

The elections were meant to move the DRC towards greater stability, but were instead marked by violence and chaotic preparations in addition to the allegations of fraud.

What are the VP/HR's thoughts as regards a peace-keeping mission?

What is the VP/HR doing to prevent a similar situation to the one we witnessed in the Ivory Coast last year?

What concrete action has the VP/HR taken to help the DRC with this difficult and highly sensitive situation?

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

The High Representative/Vice-President (HR/VP) shares the concerns of the EU Election Observation Mission (EU EOM) and of the Honourable Member regarding the presidential and legislative elections marred by irregularities but also by severe disorganisation.

As far as peacekeeping is concerned, the EU supports the work of the MONUSCO which is already in place with a mandate agreed under Chapter VII of the UN chart. Moreover, despite the political crisis and worrying but localised human rights violations, violence has been so far contained.

As expressed in her statement of 20 December 2011 on the Democratic Republic of the Congo (DRC) elections, the HR/VP advocated further electoral transparency and insisted on the need to take into consideration the 'lessons learned' and the recommendations of the electoral observation missions. This approach, considered as crucial in order to appease the situation and to facilitate the restoration of a political consensus in the DRC, was reiterated on 3 February 2012 by a local EU Declaration in the aftermath of the announcement of the legislative elections results.

The EU intends to remain a committed partner towards the consolidation of an open political system in the DRC in close contact with Congolese stakeholders as well as DRC's international and regional partners.

In this regard, in order to avoid set backs in the DRC stabilisation efforts and to encourage progress in the path towards the democratisation of the country, it is important to support the emergence of a constructive dialogue among Congolese stakeholders in the framework of the DRC institutions, while restoring credibility in the electoral process.

As regards the EU EOM, it is now finalising its comprehensive report which will be released after the publication of the final results of the legislative elections.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001008/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mara Bizzotto (EFD)
(30 gennaio 2012)

Oggetto: VP/HR — Tribunale islamico del Kashmir e verdetto di espulsione di pastori cristiani

Il Consiglio Globale dei Cristiani Indiani ha denunciato le gravi affermazioni del Ministro per le energie rinnovabili del governo indiano, Farooq Abdullah, riguardanti il recente verdetto di espulsione pronunciato da un tribunale islamico del Kashmir nei confronti di alcuni missionari cristiani accusati di proselitismo. Il Ministro ha sostenuto la legittimità del verdetto, dando il suo pubblico appoggio alla pronuncia del tribunale shariatico sulla base della constatazione che l'attività di missionari e pastori cristiani che convertono fedeli islamici al cristianesimo è contraria ai principi costituzionali. Il Consiglio dei Cristiani Indiani ha inoltre chiesto, vista la gravità delle affermazioni, che il Ministro venga rimosso dal governo indiano.

È l'Alto Rappresentante a conoscenza dei fatti esposti?

Ritiene di dover presentare rimostranze nei confronti del governo indiano?

Intende l'Alto Rappresentante fare pressione sul governo indiano affinché il verdetto sui pastori cristiani condannati per la loro attività missionaria nella regione del Kashmir sia rivisto e si arrivi così ad una pronuncia del caso rispettosa del diritto alla libertà di religione?

Ha chiesto l'Alto Rappresentante al governo indiano, per questo ed altri casi, di impegnarsi maggiormente per il rispetto pieno ed effettivo dei diritti umani, che rappresenta un elemento fondamentale dell'accordo di cooperazione UE-India del 1994?

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

L'Unione europea segue attentamente la situazione delle minoranze religiose in India e affronta regolarmente le problematiche ad essa connesse, tramite i vari canali e strumenti cui ha accesso. Tra questi figurano il dialogo annuale sui diritti umani con il governo indiano, le relazioni con i membri della Commissione nazionale per le minoranze e i contatti con le organizzazioni della società civile di tutte le comunità religiose.

La delegazione dell'UE a New Delhi ha inoltre seguito da vicino i recenti fatti in Kashmir cui si riferisce l'interrogazione scritta. Sono in corso discussioni con i consueti gruppi di contatto per stabilire come reagire a tali eventi.

(English version)

Question for written answer E-001008/12
to the Commission (Vice-President/High Representative)
Mara Bizzotto (EFD)
(30 January 2012)

Subject: VP/HR — Judgment of Islamic court in Kashmir ordering the expulsion of Christian pastors

The Global Council of Indian Christians has condemned the disturbing comments made by India's Minister for New and Renewable Energy, Farooq Abdullah, regarding the recent judgment of an Islamic court in Kashmir ordering the expulsion of Christian missionaries accused of proselytism. The minister has maintained that this judgment is legitimate, thus giving public support to the Sharia court's verdict, on the grounds that the activity of Christian missionaries and pastors converting Muslims to Christianity is contrary to constitutional principles. Given the disturbing nature of these comments, the Council of Indian Christians has also requested that the minister be removed from the Indian Government.

Is the High Representative aware of the facts outlined above?

Does she believe a complaint should be made to the Indian Government?

Will the High Representative exert pressure on the Indian Government so that the judgment condemning the Christian pastors charged for their missionary work in Kashmir is reviewed and a ruling which respects the right to freedom of religion can be reached?

Has the High Representative called on the Indian Government, in this case and other cases, to make greater efforts to ensure that human rights are fully and effectively respected, given that this is a fundamental element of the EU-India cooperation agreement signed in 1994?

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

The EU is following the situation of religious minorities in India closely, and regularly addresses the subject through the various channels and means that are open to it. These include the local annual human rights dialogue with the Indian government, interaction with members of the National Commission for Minorities, and exchanges with civil society organisations from all religious communities.

The EU Delegation in Delhi has furthermore been monitoring the recent events in Kashmir referred to in the written question, and the reaction to these events is being discussed with its regular contact groups.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001009/12
alla Commissione
Mara Bizzotto (EFD)
(6 febbraio 2012)

Oggetto: VP/HR — Elezioni presidenziali in Russia e timori di irregolarità

Dopo le manifestazioni di protesta verificatesi in Russia lo scorso dicembre, a seguito dei presunti brogli elettorali durante le elezioni legislative russe, le organizzazioni non governative locali e il partito di opposizione *Jabloko* denunciano le pressioni del potere centrale e del Cremlino nei confronti dei soggetti che a marzo si contrapporranno alla lista di Vladimir Putin. Vi sarebbero infatti fondati timori relativi a possibili tentativi filo-governativi di indebolire le opposizioni nel periodo pre-elettorale nonché di ricorrere a irregolarità varie durante il voto del 4 marzo prossimo.

Considerando l'importanza dell'appuntamento elettorale russo, ha l'Alto Rappresentante intenzione di attivarsi per chiedere al governo russo di garantire la piena regolarità della consultazione elettorale?

Potrebbe l'Alto Rappresentante far sapere se è stato informato della situazione, in particolare dei timori delle ONG, grazie a contatti diretti tra gli uffici del servizio europeo per l'azione esterna e il personale delle ONG stesse?

È l'Alto Rappresentante in grado di dire se e quanti osservatori europei saranno presenti per specifiche missioni di osservazione elettorale in Russia nel periodo delle elezioni presidenziali?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(27 marzo 2012)

L'UE è impegnata in un dialogo attivo con la Federazione russa in merito ad elezioni libere e regolari e agli impegni della Russia in tal senso. Il 22 giugno 2011, in occasione del rifiuto della domanda di registrazione del Partito della libertà popolare (PARNAS), l'Alta Rappresentante/Vicepresidente ha rilasciato una dichiarazione in cui esprimeva apprensione per il mancato rispetto del pluralismo politico nel paese. Nel dicembre 2011, l'AR/VP ha inoltre manifestato la propria preoccupazione per le irregolarità nelle elezioni per la Duma e la violenta repressione delle pacifiche proteste che ne sono seguite.

La questione è stata nuovamente sollevata in occasione del vertice UE-Russia del 15 dicembre 2011 e il problema dei diritti elettorali dei cittadini è stato dibattuto anche nel corso delle consultazioni UE-Russia in materia di diritti dell'uomo del 29 novembre 2011.

L'Unione europea e l'AR/VP in persona hanno esortato in tutte le occasioni la Russia a rispettare gli impegni internazionali assunti in merito ad elezioni libere e regolari e il diritto dei cittadini alla libertà di riunione ed espressione. Ciò acquista particolare importanza alla luce delle elezioni presidenziali del 4 marzo 2012. In merito alla questione degli osservatori europei alle votazioni, l'AR/VP ha accolto favorevolmente l'invito fatto agli osservatori ODIHR per le elezioni presidenziali del 4 marzo.

Il servizio europeo per l'azione esterna è in costante contatto con i rappresentanti della società civile russa, e quindi anche con coloro che partecipano attivamente al monitoraggio elettorale, e i leader dell'opposizione.

(English version)

Question for written answer E-001009/12
to the Commission
Mara Bizzotto (EFD)
(6 February 2012)

Subject: VP/HR — Presidential election in Russia and fears of irregularities

After the protests which took place in Russia in December following the alleged poll-rigging during the Russian parliamentary elections, local non-governmental organisations and the opposition party *Jabloko* are speaking out against the pressure being exerted by the Government and the Kremlin on those who will be standing against Vladimir Putin in March. It is feared, apparently with good reason, that government supporters might attempt to weaken the opposition in the run-up to the election and commit irregularities of various kinds during the upcoming vote on 4 March.

Considering the importance of the Russian election, will the High Representative call on the Russian Government to guarantee the full regularity of the electoral process?

Has she been informed of the situation, and of the NGOs' fears in particular, through direct contact between the offices of the European External Action Service and the staff of the NGOs themselves?

Can she say whether, and, if so, how many, European observers will be sent on specific election observation missions to Russia during the presidential election?

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

The EU has engaged in an active dialogue with the Russian Federation on free and fair elections and Russia's obligations in this regard. On the occasion of the denial of registration for the Party of People's Freedom on 22 June 2011, the HR/VP has issued a statement, noting her concern with constraints to political pluralism in the country. In December 2011, she also expressed her concerns with regard to the irregularities of the Duma elections, and the violent crack down on the peaceful protesters in their aftermath.

All these messages were passed again during the EU-Russia Summit on 15 December 2011, while the issue of the people's electoral rights were also discussed during the EU-Russia human rights consultations, which took place 29 November 2011.

The EU, and the HR/VP personally, urges Russia, on all occasions, to respect international commitments it has undertaken with regard to both free and fair elections as well as the right of the people to freedom of assembly and expression. This is especially important in light of the Presidential elections on 4 March 2012. As regards the question on the European observers, the HR/VP welcomes the invitation to ODIHR observers for presidential elections 4 March.

The EEAS is regularly meeting with the civil society representatives from Russia, including those actively involved in elections observation, and opposition leaders.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001010/12
alla Commissione
Mara Bizzotto (EFD)
(6 febbraio 2012)

Oggetto: VP/HR — Tribunale islamico del Kashmir e verdetto di espulsione per alcuni pastori cristiani

Il Consiglio globale dei Cristiani indiani ha denunciato le gravi affermazioni del ministro per le Energie rinnovabili del governo indiano, Farooq Abdullah, riguardanti il recente verdetto di espulsione pronunciato da un tribunale islamico del Kashmir nei confronti di alcuni missionari cristiani accusati di proselitismo. Il ministro ha sostenuto la legittimità del verdetto offrendo pubblicamente il suo appoggio alla pronuncia del tribunale shariatico sulla base della constatazione che l'attività di missionari e pastori cristiani che convertono fedeli islamici al cristianesimo è contraria ai principi costituzionali. Il Consiglio dei Cristiani indiani ha inoltre chiesto, vista la gravità delle affermazioni, che il ministro sia rimosso dal governo indiano.

È l'Alto Rappresentante a conoscenza dei fatti descritti?

Può far sapere se ha ritenuto necessario presentare le proprie rimostranze al governo indiano?

Intende l'Alto Rappresentante esercitare pressioni sul governo indiano affinché il verdetto con cui i pastori cristiani sono stati condannati per la loro attività missionaria nella regione del Kashmir sia rivisto, e si arrivi così a una pronuncia sul caso rispettosa del diritto alla libertà di religione?

Potrebbe l'Alto Rappresentante far sapere se ha chiesto al governo indiano, in relazione al caso in oggetto e ad altri casi, di impegnarsi maggiormente ai fini del pieno ed effettivo rispetto dei diritti umani in quanto elemento fondamentale dell'accordo di cooperazione UE-India del 1994?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(15 marzo 2012)

L'Unione europea segue attentamente la situazione delle minoranze religiose in India e affronta regolarmente il tema, tramite i vari canali e strumenti cui ha accesso. Tra questi figurano il dialogo annuale sui diritti umani con il governo indiano, le relazioni con i membri della Commissione nazionale per le minoranze e gli scambi con le organizzazioni della società civile di tutte le comunità religiose.

La delegazione UE di New Delhi ha inoltre seguito attentamente i recenti avvenimenti in Kashmir cui si riferisce l'interrogazione scritta. La reazione a tali eventi è attualmente oggetto di dibattito con i suoi consueti gruppi di contatto.

(English version)

Question for written answer E-001010/12
to the Commission
Mara Bizzotto (EFD)
(6 February 2012)

Subject: VP/HR — Islamic Court of Kashmir and verdict to expel a number of Christian pastors

The Global Council of Indian Christians has condemned the disgraceful statements made by the Minister for Renewable Energy in the Indian Government, Farooq Abdullah, concerning the recent verdict handed down by an Islamic court in Kashmir ordering the expulsion of a number of Christian missionaries accused of proselytism. The minister maintained that the verdict was legitimate and offered public support for the Sharia court's ruling on the grounds that Christian missionaries and pastors who seek to convert devout Muslims to Christianity are acting in breach of constitutional principles. Given the serious nature of the statements, the Global Council of Indian Christians has also called for the minister to be sacked.

Is the High Representative aware of this matter?

Has she made representations of her own to the Indian Government?

Does the High Representative intend to put pressure on the Indian Government to have the verdict punishing the Christian pastors for their missionary work in the Kashmir region reviewed so that a judgment consistent with the principle of freedom of religion can be reached?

Has she urged the Indian Government, in the context of this and other cases, to make greater efforts to enforce human rights, given that this is a fundamental element of the EU-India cooperation agreement of 1994?

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

The EU is following the situation of religious minorities in India closely, and regularly addresses the subject through the various channels and means that are open to it. These include the local annual human rights dialogue with the Indian government, interaction with members of the National Commission for Minorities, and exchanges with civil society organisations from all religious communities.

The EU Delegation in Delhi has furthermore been monitoring the recent events in Kashmir referred to in the written question, and the reaction to these events is being discussed with its regular contact groups.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001011/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mara Bizzotto (EFD)
(7 febbraio 2012)

Oggetto: VP/HR — Scontri in Libia tra miliziani e clan tribali, prigionieri detenuti clandestinamente e controllo del territorio

L'inviato speciale dell'ONU Ian Martin ha recentemente definito «preoccupante» la situazione in Libia, in particolare nelle città di Beni Ulid (Bani Walid) e Bengasi, dal punto di vista della capacità del governo di transizione di controllare il territorio. Stando alle informazioni disponibili, sarebbero infatti rimaste in attività truppe di miliziani che, a seguito della caduta di Gheddafi, starebbero continuando a combattere contro gruppi disorganizzati di lealisti e, a quanto pare, ormai in molti casi gli scontri a fuoco sarebbero dovuti a regolamenti di conti tra bande di miliziani di opposte fazioni che agiscono per motivi tribali piuttosto che per ragioni politiche. In ogni caso, il rapporto dell'inviato dell'ONU parla di una preoccupante quantità di armi ancora in circolazione nelle aree del paese dove nei mesi scorsi era stata più intensa la battaglia per la cacciata di Gheddafi. Inoltre, secondo indiscrezioni esisterebbe la possibilità che oltre 8 000 prigionieri lealisti siano ancora detenuti clandestinamente da gruppi di ex-miliziani insorti.

Considerando la vicinanza geografica della Libia all'Europa e l'importanza strategica del paese nordafricano, anche per gli interessi del nostro continente, nonché l'impegno diretto di alcuni governi europei nella guerra libica, in che modo intende l'Alto Rappresentante agire diplomaticamente affinché la situazione in Libia, dopo mesi di guerra, sia gestita dal governo locale di transizione in un'ottica di pacificazione e stabilizzazione interna del paese quanto più possibile rapide?

Ha l'Alto Rappresentante intenzione di chiedere al governo libico di adoperarsi per ottenere la consegna delle armi da parte dei miliziani e di chiarire se vi siano effettivamente migliaia di prigionieri lealisti detenuti clandestinamente?

Quale strategia diplomatica metterà in opera nei prossimi mesi l'Alto Rappresentante per assicurare la collaborazione dell'UE in vista della pacificazione della società libica e dell'ottenimento della piena funzionalità e del totale controllo sul territorio da parte del governo libico?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(27 marzo 2012)

L'Unione europea sostiene il governo provvisorio nel suo impegno per guidare il paese attraverso il difficile processo di transizione verso l'elezione di un Consiglio nazionale, prevista per il giugno 2012. In particolare, l'Unione aiuta le autorità e le altre parti coinvolte, tra cui la società civile, a rafforzare le loro capacità durante questo processo e ad affrontare alcune delle esigenze più immediate della Libia.

Per quanto riguarda le iniziative diplomatiche, l'UE continuerà a impegnarsi nel dialogo con le autorità relativo al processo di transizione, pur riconoscendo l'intera titolarità di quest'ultimo al popolo libico. Per sostenere tale obiettivo, l'Unione intende potenziare ulteriormente la sua presenza in Libia, rafforzando la sua delegazione a Tripoli. Continuerà inoltre a organizzare visite periodiche ad alto livello nel paese, in modo da mantenere il suo forte impegno con le autorità.

La questione del maltrattamento dei detenuti è regolarmente sollevata dall'Unione europea nelle discussioni con le autorità libiche. In una recente dichiarazione, l'Alta Rappresentante/Vicepresidente ha chiesto che tutti i detenuti in Libia siano rispettati secondo le norme internazionali. L'AR/VP ha inoltre chiesto alle autorità di accelerare il processo con cui stanno ponendo sotto il loro controllo tutti i luoghi di detenzione e di indagare sulle denunce relative a violazioni dei diritti dei detenuti. Il governo libico ha reagito positivamente a questi inviti e ha dichiarato che sta attuando misure volte a trasferire il controllo delle strutture di detenzione al Ministero della Giustizia.

(English version)

Question for written answer E-001011/12
to the Commission (Vice-President/High Representative)
Mara Bizzotto (EFD)
(7 February 2012)

Subject: VP/HR — Clashes in Libya between militias and tribal clans, illegal detention of prisoners and control of the country

The UN special envoy, Ian Martin, recently summed up the situation in Libya, particularly in the cities of Bani Walid and Benghazi, as 'worrying' in terms of the government's ability to control certain parts of the country. According to the information available, militia groups still active following the fall of the Gaddafi regime are continuing to fight against disorganised groups of Gaddafi loyalists and it would seem that many of the gun battles now taking place reflect the settling of tribal rather than political scores between groups from opposing factions. In any event, the UN envoy's report refers to the worrying volume of arms still in circulation in the areas of the country where, over the last few months, the fight to expel Gaddafi was particularly intense. Moreover, there are rumours that more than 8 000 loyalist prisoners are still being held illegally by insurgent militia groups.

Given Libya's geographical proximity to and strategic importance for Europe, not to mention the direct involvement of certain European governments in the Libyan war, what diplomatic action does the High Representative intend to take in order to ensure that the situation in Libya, after months of war, is managed by the local transitional government with a view to restoring peace and stability as quickly as possible?

Does the High Representative intend to ask the Libyan Government to work to secure the surrender of their weapons by militia groups and to determine whether thousands of loyalist prisoners are indeed being held illegally?

What diplomatic strategy will the High Representative employ over the coming months to ensure that the EU plays a full part in restoring peace in Libya and enabling the Libyan Government to function properly and secure control over the whole country?

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

The EU supports the interim government in bringing the country through the difficult process of transition towards the election of a National Council scheduled for June 2012. The EU is currently providing assistance to the authorities during this process as well as to other partners including civil society, notably to strengthen capacity and address some of the most pressing needs Libya faces at present.

As regards diplomatic initiatives, the EU will continue to engage in dialogue with the authorities regarding the transition process while recognising that ownership of this process lies with the Libyan people. In support of this goal the EU will further enhance its presence in Libya by strengthening the EU Delegation in Tripoli. It will also continue to ensure regular high-level visits to the country to ensure its strong engagement with the authorities.

The EU has regularly raised the issue of ill-treatment of detainee's in its discussions with the Libyan authorities. Most recently the High Representative/Vice-President issued a statement where she called for the respect of all detainees in Libya in accordance with international standards. The HR/VP also called on the authorities to accelerate the process of bringing all places of detention under their control and to investigate allegations of violations of detainee's rights. The Libyan government has reacted positively to these calls and has stated that it is in the process of implementing measures aiming at transferring the control of detention facilities to the Ministry of Justice.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001012/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mara Bizzotto (EFD)
(7 febbraio 2012)

Oggetto: VP/HR — Imam salafita denunciato per incitamento alla violenza anticristiana: diffusione del fanatismo islamico in Egitto e azione dell'UE a riguardo

Il Free Egyptians Party (FEP), formazione politica capeggiata da un musulmano moderato, Mahmoud Salem, ha presentato denuncia contro l'imam salafita Yasser al-Bourhami per le continue e gravissime minacce rivolte pubblicamente contro la comunità cristiana egiziana e per il violento incitamento all'odio anticristiano che da tempo contraddistingue le parole del religioso estremista. Il FEP si dice cosciente che la denuncia non avrà seguito, data la complicità tra estremisti musulmani e settori delle istituzioni statali, ma si professa pronto a continuare la battaglia, anche sul piano legale, contro il fanatismo di una larga parte dell'Islam egiziano.

Le preoccupazioni circa il rapido diffondersi del radicalismo islamico in Egitto vengono condivise da quasi tutti gli osservatori internazionali, soprattutto dopo il grande successo delle formazioni politiche islamiste nelle elezioni a seguito della caduta di Mubarak.

A riguardo, considerando la rilevanza del ruolo geopolitico dell'Egitto nel bacino del Mare Mediterraneo e l'importanza, anche per gli interessi europei, di assicurare una transizione pacifica all'Egitto e un futuro solidamente democratico alla sua società e architettura politica, in quale modo l'Alto Rappresentante intende agire sul piano diplomatico affinché le formazioni politiche islamiche rispettino la libertà religiosa dei cristiani e in generale delle minoranze religiose in Egitto, visto il tragico aumento delle violenze anticristiane negli ultimi mesi?

Sono in programma incontri con le autorità egiziane per discutere, tra l'altro, dell'emergenza posta dai numerosissimi casi di violenza anticristiana?

L'Alto Rappresentante è a conoscenza dei fatti sopra esposti?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(24 maggio 2012)

L'articolo 2 dell'accordo di associazione stipulato tra l'UE e l'Egitto prevede che le relazioni tra le due parti si basino sul rispetto dei principi democratici e dei diritti fondamentali, tra cui la libertà di religione o di credo. Tutti gli egiziani, compresi quelli appartenenti alle minoranze religiose, devono poter avere un loro spazio nel «nuovo Egitto» e nel processo di transizione che lo sta determinando. La Commissione auspica che le politiche attuate dall'attuale e dal prossimo governo egiziano siano conformi al rispetto dei diritti umani e delle libertà fondamentali, tra cui la libertà di religione o di credo. In tal senso, riveste una grande importanza la rapida adozione di un testo unico relativo alla costruzione dei luoghi di culto, promessa dalle autorità di transizione.

In varie occasioni, l'UE ha ribadito la sua profonda preoccupazione e la condanna di ogni forma di intolleranza, discriminazione o violenza nel paese. In seguito ai fatti di Maspero, il 10 ottobre 2011 l'Alta Rappresentante/Vicepresidente ha rilasciato una dichiarazione nella quale ha condannato il pesante intervento dell'esercito, invitando alla calma e alla moderazione dei toni e chiedendo un'indagine per chiarire i fatti. In due dichiarazioni rilasciate il 9 maggio 2011 e il 14 marzo 2011, l'Alta Rappresentante/Vicepresidente ha duramente condannato gli atti di violenza settaria. L'Alta Rappresentante/Vicepresidente e il Presidente della Commissione, durante le loro visite in Egitto rispettivamente del 14 marzo 2011 e del 14 luglio 2011, hanno espresso la preoccupazione dell'UE direttamente al Maresciallo Tantawi. Le conclusioni adottate dal Consiglio «Affari esteri» nel febbraio 2011 hanno ribadito la profonda preoccupazione e la condanna dell'UE per qualsiasi tipo di intolleranza, discriminazione o violenza, come ad esempio i recenti atti di violenza e di terrorismo perpetrati in vari paesi contro i cristiani e i loro luoghi di culto, i pellegrini musulmani e altre comunità religiose.

(English version)

Question for written answer E-001012/12
to the Commission (Vice-President/High Representative)
Mara Bizzotto (EFD)
(7 February 2012)

Subject: VP/HR — Salafi imam reported for inciting anti-Christian violence: spreading of Islamic fanaticism in Egypt and appropriate action by the EU

The Free Egyptians Party (FEP), a political group headed by a moderate Muslim, Mahmoud Salem, has lodged a complaint against Salafi Imam Yasser al-Bourhami for having made continuous and very serious threats publicly against the Egyptian Christian community and for violent incitement to anti-Christian hatred, which for some time had characterised the speech of the religious extremist. The FEP declares that it is aware that the complaint will not be followed up given the complicity between Muslim extremists and sectors of state institutions, but claims that it is ready to continue to fight, including on a legal level, against the fanaticism of a large part of Egyptian Islam.

The worries regarding the rapid spread of Islamic radicalism in Egypt are shared by almost all international observers, especially after the huge success of the Islamist political parties in the elections following the fall of Mubarak.

In this respect, considering the significance of Egypt's geopolitical role in the Mediterranean basin and the importance, including for European interests, of ensuring that Egypt enjoys a peaceful transition and that its society and political framework have a solidly democratic future, what diplomatic action does the High Representative intend to take so that the Islamic political groups respect the religious freedom of Christians and, in general, of the religious minorities in Egypt, given the tragic increase in anti-Christian violence over the last few months?

Are there any meetings scheduled with the Egyptian authorities to discuss, among other things, the emergency situation resulting from the numerous cases of anti-Christian violence?

Is the High Representative aware of the above?

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

Article 2 of the Association Agreement between the EU and Egypt stipulates that the relations between both parties should be based on the respect for democratic principles and fundamental rights which include freedom of religion or belief. All Egyptians, including persons belonging to religious minorities, should have a place in the 'New Egypt' and in the transition process leading to it. The Commission expects that the policies implemented by the current and forthcoming Egyptian governments are and will be in line with the respect of human fundamental rights, including freedom of religion or belief. In this respect, the adoption at the earliest of the unified law on the building of places of worship promised by the interim authorities is of the utmost importance.

The EU has on several occasions reiterated its serious concern and condemnation of intolerance, discrimination or violence in the country. Following the Maspero events, the High Representative/Vice-President (HR/VP) issued a statement on 10 October 2011 condemning the crack down by the army, calling for calm and restraint and asking for an investigation. Sectarian violence has been strongly condemned in two HR/VP statements issued on 9 May 2011 and 14 March 2011. EU concerns in this matter were also directly communicated to Marshal Tantawi by the HR/VP during her visit to Egypt on 14 March 2011 and by the President of the Commission when he visited the country on 14 July 2011. The Foreign Affairs Council conclusions adopted in February 2011 reiterated the EU's serious concern and condemnation over any intolerance, discrimination or violence as epitomised by recent violence and acts of terrorism, in various countries, against Christians and their places of worship, Muslim pilgrims and other religious communities.

(Version française)

Question avec demande de réponse écrite E-001014/12
au Conseil
Catherine Grèze (Verts/ALE)
(7 février 2012)

Objet: Les droits des bascophones et catalanophones de France

Selon un arrangement administratif de 2006 (JO 2006/C 40/02 du 17 février 2006) se fondant sur les conclusions du Conseil du 13 juin 2005 relatives à l'emploi officiel de langues additionnelles au sein des institutions européennes, les citoyens espagnols peuvent utiliser, dans leur communication écrite avec le Conseil, les langues officielles de l'État espagnol autres que le castillan, et notamment le basque et le catalan.

Ces deux langues sont aussi traditionnellement parlées en France. J'aurais donc voulu savoir si cet arrangement s'applique également aux citoyens français de langue catalane ou basque.

Réponse
(2 avril 2012)

L'arrangement administratif en question a été conclu entre le Royaume d'Espagne et le Conseil de l'Union européenne. Il s'applique aux citoyens espagnols ([1]) qui souhaitent utiliser, dans leurs communications écrites avec le Conseil, une langue autre que le castillan (espagnol) dont le statut est reconnu par la Constitution espagnole.

Conformément à cet arrangement administratif, les communications entre le Conseil et les citoyens espagnols dans les langues autres que le castillan ne se font pas directement mais passent par l'organe désigné par le gouvernement espagnol à cet effet («l'organe compétent»). Le gouvernement espagnol assume les coûts (tels que les frais de traduction et d'interprétation) supportés par le Conseil du fait de la mise en œuvre de l'arrangement ([2]).

Cet arrangement ne s'applique pas aux citoyens français.

([1]) Point 1 de l'arrangement administratif.
([2]) Points 11 et 12 de l'arrangement administratif.

(English version)

Question for written answer E-001014/12
to the Council
Catherine Grèze (Verts/ALE)
(7 February 2012)

Subject: Rights of Basque and Catalan speakers in France

In accordance with an administrative arrangement of 2006 (OJ C 40, 17.2.2006, p. 2) based on the Council conclusions of 13 June 2005 relating to the official use of additional languages within European institutions, Spanish citizens can, in their written communications with the Council, use the official languages of the Spanish State other than Castilian (Spanish), in particular Basque and Catalan.

These two languages are also traditionally spoken in France. Can the Council therefore state whether this arrangement will also apply to French citizens who speak Catalan or Basque?

Reply
(2 April 2012)

The administrative arrangement in question was concluded between the Kingdom of Spain and the Council of the European Union and applies to Spanish citizens ([1]) wishing to use in their written communications with the Council a language other than Castilian (Spanish), whose status is recognised by the Spanish Constitution.

In accordance with this administrative arrangement, the communication between the Council and the Spanish citizen in languages other than Castilian is not direct but is made through the intermediary of the body designated by the Spanish Government for this purpose ('the competent body'). The costs accruing to the Council (such as translation and interpretation) from the implementation of the arrangement are borne by the Spanish government ([2]).

This arrangement does not apply to French citizens.

([1]) Point 1 of the administrative arrangement.
([2]) Points 11-12 of the administrative arrangement.

(Version française)

Question avec demande de réponse écrite E-001016/12
au Conseil
Catherine Grèze (Verts/ALE)
(7 février 2012)

Objet: Les droits des occitanophones

Selon un arrangement administratif de 2006 (JO 2006/C 40/02 du 17 février 2006) se fondant sur les conclusions du Conseil du 13 juin 2005 relatives à l'emploi officiel de langues additionnelles au sein des institutions européennes, les citoyens espagnols peuvent utiliser, dans leur communication écrite avec le Conseil, les langues officielles de l'État espagnol autres que le castillan. Cette mesure s'applique explicitement en plusieurs endroits au catalan, au basque et au galicien.

Or l'occitan (parlé dans le Val d'Aran, en Catalogne) est également, depuis le statut du 9 août 2006 (étendu par la loi catalane du 22 septembre 2010), une langue officielle de la Catalogne, et donc de l'Espagne, conformément à l'article 3, alinéa 2, de la constitution de l'Espagne. J'aurais donc voulu avoir confirmation que l'arrangement de 2006 évoqué ci-dessus s'applique également à l'occitan.

Réponse
(30 avril 2012)

L'arrangement administratif en question a été conclu entre le Royaume d'Espagne et le Conseil de l'Union européenne et il s'applique lorsque, conformément au droit espagnol, des citoyens espagnols ([1]) souhaitent utiliser, dans leurs communications écrites avec le Conseil, une langue autre que l'espagnol/castillan dont le statut est reconnu par la Constitution espagnole.

Conformément à cet arrangement administratif, la communication entre le Conseil et les citoyens espagnols qui emploient une langue autre que le castillan n'est pas directe, mais se fait par l'intermédiaire d'un organe désigné à cette fin («l'organe compétent») par le gouvernement espagnol. Les citoyens espagnols transmettent leurs communications à l'organe compétent qui, comme prévu par l'arrangement administratif, est chargé de les traduire si la langue employée est reconnue par la Constitution espagnole. Il n'appartient dès lors pas au Conseil de confirmer à l'Honorable Parlementaire si l'arrangement administratif s'applique également à l'occitan.

([1]) Point 1 de l'arrangement administratif.

(English version)

Question for written answer E-001016/12
to the Council
Catherine Grèze (Verts/ALE)
(7 February 2012)

Subject: Rights of Occitan speakers

In accordance with an administrative arrangement of 2006 (OJ C 40, 17.2.2006, p. 2) based on the Council conclusions of 13 June 2005 relating to the official use of additional languages within European institutions, Spanish citizens can, in their written communications with the Council, use the official languages of the Spanish State other than Castilian (Spanish). This measure specifically applies in various parts of Spain to Catalan, Basque and Galician.

However, under the terms of the statute of 9 August 2006, whose scope was extended by the Catalan law of 22 September 2010, Occitan, which is spoken in the Val d'Aran, in Catalonia, is also an official language of Catalonia, and therefore of Spain, in accordance with Article 3(2) of the Spanish Constitution. Can the Council therefore confirm that the aforementioned arrangement of 2006 will also apply to Occitan?

Reply
(30 April 2012)

The administrative arrangement in question was concluded between the Kingdom of Spain and the Council of the European Union and applies where in application of Spanish law, Spanish citizens ([1]) wish to use in their written communications with the Council a language, other than Castilian (Spanish), whose status is recognised by the Spanish Constitution.

In accordance with this administrative arrangement, communication between the Council and the Spanish citizen in languages other than Castilian is not direct but is made through the intermediary of the body designated by the Spanish Government for that purpose ('the competent body'). Spanish citizens forward their communications to the competent body and it is the competent body that is responsible for the translation of the communication as provided for in the administrative arrangement, on condition that the language of communication is recognised by the Spanish Constitution. It is not therefore for the Council to confirm to the Honourable Member whether the administrative arrangement also applies to Occitan.

([1]) Point 1 of the administrative arrangement.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001018/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(7 febbraio 2012)

Oggetto: Aziende a rischio insolvenza in Europa

Per le aziende italiane è destinato ad aumentare e di molto il rischio di incappare in un cliente insolvente. Il numero delle imprese che potrebbero precipitare in questo stato, molto spesso anticamera del fallimento, dovrebbe toccare le 15 000 unità nel 2012, contro le 12 300 del 2011 (+22 %) e gli 11 400 casi dell'anno precedente. L'aumento di questo numero è legato a doppio filo con quello dell'andamento del PIL e dell'economia mondiale.

A prevederlo è un noto ufficio di una società specializzata nell'assicurazione dei crediti commerciali, che nell'ultimo rapporto economico analizza la situazione macroeconomica e l'andamento del rischio d'insolvenza nei paesi più industrializzati. La stima italiana per il 2012 è stata calcolata considerando il doppio downgrade di Standard & Poor's e la revisione al ribasso del PIL, visto in forte contrazione, tra il —1,5 % e il —1,2 % dalla Banca d'Italia, e dal Fondo monetario internazionale (-2,2 %).

Non è molto diversa la situazione in altri paesi dell'area del Mediterraneo. In Spagna le insolvenze aumenteranno di un ulteriore 20 %, facendo segnare il record storico, dopo il +11 % registrato nel 2011. Sul banco degli imputati continua a restare il mercato immobiliare: in questo settore si registra quasi un terzo dei casi d'incapacità di saldare i debiti. Anche in Grecia, paese che sta discutendo su come ristrutturare il proprio debito, la situazione è molto simile a quella spagnola. Per questi due paesi le prospettive di una ripresa sono rimandate a fine anno.

Nell'Eurozona il trend delle insolvenze è previsto in crescita del 12 % contro un +3 % a livello mondiale. In Europa è la crisi del debito sovrano e dei deficit pubblici a fare ritardare l'arrivo di una ripresa in grado di scuotere le economie del continente.

Alla luce di quanto esposto, può la Commissione far sapere:

1. Quali norme sono applicate a livello di Unione europea per i casi di fallimento aventi effetti transfrontalieri?

2. Costatato l'aumento del numero di aziende insolventi in Europa, quali norme europee sono previste per salvaguardare le aziende creditrici di aziende insolventi?

Risposta data da Antonio Tajani a nome della Commissione
(19 marzo 2012)

Gli strumenti di riferimento fondamentali a livello europeo in tema di fallimento di imprese sono:

— regolamento (CE) n. 1346/2000 relativo alle procedure d'insolvenza, volto a garantire pari diritti a tutti i creditori in caso d'insolvenza indipendentemente dal loro paese d'origine;

— direttiva 2002/74 relativa alla tutela dei lavoratori subordinati in caso d'insolvenza del datore di lavoro.

Nel 2012 la Commissione presenterà una relazione sull'applicazione del regolamento relativo all'insolvenza. La relazione fungerà da base per una proposta legislativa finalizzata alla revisione del regolamento (CE) n. 1346/2000 al fine di migliorare l'efficienza e l'efficacia dei procedimenti d'insolvenza transfrontalieri.

La Commissione sta elaborando una proposa di regolamento volta a facilitare il pagamento dei debiti transfrontalieri per il tramite di un Procedimento europeo d'ingiunzione di pagamento al fine di consentire ai creditori di congelare gli attivi sul conto corrente del debitore per recuperare i crediti in mora.

Altre misure volte a offrire alle PMI un accesso più equo e più ampio ai finanziamenti sono:

— la direttiva 2011/7/UE sui ritardi di pagamento che deve essere attuata da tutti gli Stati membri entro il 16 marzo 2013, in forza della quale tutte le amministrazioni pubbliche dovranno saldare le loro fatture entro un massimo di 30 giorni;

— la direttiva 2010/45/UE, da attuarsi entro il 31 dicembre 2012, in forza della quale gli Stati membri hanno la possibilità di autorizzare la contabilizzazione dell'IVA tramite un regime di contabilità di cassa che consenta al fornitore di pagare l'IVA all'autorità competente quando ha ricevuto il pagamento relativo alla prestazione. La direttiva stabilisce inoltre il diritto a detrazione quando un'azienda paga una prestazione.

Tali strumenti saranno essenziali per le PMI dei paesi menzionati nell'interrogazione poiché sono i paesi che presentano i tempi di pagamento più lunghi e i ritardi di pagamento maggiori nell'UE. Tale situazione determina un'inutile pressione finanziaria per le PMI e può portare all'insolvenza delle imprese interessate.

(English version)

Question for written answer E-001018/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(7 February 2012)

Subject: Companies at risk of insolvency in Europe

The risk of Italian companies' customers becoming insolvent is set to increase considerably. The number of businesses that could become insolvent, which is very often a precursor to bankruptcy, is expected to reach 15 000 in 2012, compared to 12 300 in 2011 (+22 %) and the 11 400 cases in 2010. This increase in number is closely tied to developments in GDP and the world economy.

This is the forecast of a well-known office of a company specialising in commercial credit insurance, which in its most recent economic report analyses the macroeconomic situation and the risk of insolvency in the most industrialised countries. The estimate for Italy for 2012 was calculated taking into consideration the double downgrade by Standard & Poor's and the downward revision of GDP, which both the Bank of Italy (between -1.5 % and -1.2 %) and the International Monetary Fund (-2.2 %) estimate will fall significantly.

The situation is not very different in other Mediterranean countries. In Spain, insolvencies will increase by a further 20 %, which will be an all-time record, after the +11 % recorded in 2011. The property market still stands accused of being responsible: almost a third of recorded cases of inability to pay debts are in this sector. The situation in Greece, which is debating how to restructure its debt, is very similar to that in Spain. For these two countries, there is now no prospect of recovery before the end of the year.

In the Eurozone, insolvencies are set to increase by 12 %, compared to a 3 % increase globally. In Europe, the sovereign debt and public deficit crisis have been responsible for delaying a recovery that could jolt the continent's economies back to life.

In light of the above, can the Commission state:

1. What rules are applied at EU level to cases of bankruptcy that have a cross-border impact?

2. Given the increase in the number of insolvent companies in Europe, what European rules are being contemplated to safeguard companies that are owed sums by insolvent companies?

Answer given by Mr Tajani on behalf of the Commission
(19 March 2012)

The key references on bankruptcy at European level are:

— Regulation 1346/2000 on insolvency proceedings to guarantee equal rights to all creditors in an insolvency case independent of their country of origin;

— Directive 2002/74 on the protection of employees in insolvency cases.

In 2012 the Commission will present a report on the application of the insolvency regulation. The report will serve as a basis for a legislative proposal for the revision of Regulation 1346/2000 to improve the efficiency and effectiveness of cross-border insolvency proceedings.

The Commission is working on a proposal for a regulation to facilitate payment of cross-border debts through a European Order to allow creditors freeze funds in the debtor's current account for overdue debts.

Other measures to offer SMEs a fairer and wider access to finance:

— The Late Payment Directive 2011/7/EU, to be implemented by all Member States before 16 March 2013, by which all public administrations will have to settle their bills in 30 days maximum;

— Directive 2010/45/EU, to be implemented before 31 December 2012, by which Member States are given the option, of allowing VAT to be accounted using a cash accounting scheme which allows the supplier to pay VAT to the competent authority when he receives payment for a supply and which establishes his right of deduction when he pays for a supply.

These instruments will be vital for SMEs of the countries mentioned in the question, as they are among those with the largest payment periods and largest payment delays in the EU. This situation creates unnecessary financial strain in SMEs and may lead to insolvency in affected companies.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001019/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(7 febbraio 2012)

Oggetto: Anziani e malnutrizione

Un milione di anziani italiani «ammalati» di malnutrizione nel 2011: questo è il dato riportato da un noto quotidiano italiano. L'Italia è la maglia nera d'Europa per colpa degli errori nutrizionali in quella che oggi si può chiamare la quarta età. Talvolta si tratta di anziani dimenticati, oppure soli. Nella maggioranza dei casi però si tratta di persone in buona parte accudite da badanti o da strutture, o addirittura ricoverate in ospedale per patologie specifiche.

Le malnutrizioni più frequenti sono date da uno scarso consumo proteico-calorico, osservato nel 10-38 % degli anziani non ospedalizzati, nel 5-12 % di quelli che vivono al proprio domicilio, nel 26-65 % di quelli ospedalizzati e nel 5-85 % degli individui cosiddetti «istituzionalizzati».

A volte si nutrono poco e male, hanno difficoltà nel preparare i cibi, si dimenticano se hanno mangiato, non deglutiscono bene, hanno il frigo sempre vuoto a causa della povertà, non hanno più il senso della fame e della sete. In media agli anziani mancano almeno 400 calorie al giorno, specie di origine proteica. Anche un solo mese di dieta «povera» aumenta del 25 % la probabilità di ricovero e accresce la mortalità. Questi i dati, che si crede persino siano sottostimati, presentati di recente al congresso della Società italiana di gerontologia e geriatria.

Alla luce di quanto precede, può la Commissione far sapere:

1. se intende intraprendere una campagna di sensibilizzazione in merito al peso della malnutrizione degli anziani in Europa;

2. con quali strumenti si è cercato di combattere questo tanto diffuso, quanto non conosciuto, problema sociale europeo e se esistono piani d'azione previsti per il futuro, sia attraverso atti legislativi che non legislativi?

Risposta data da John Dalli a nome della Commissione
(8 marzo 2012)

Nel contesto dell'attuazione della strategia europea per i problemi di salute legati all'alimentazione, al sovrappeso e all'obesità ([1]), adottata nel maggio 2007, e in particolare all'atto di fissare le priorità per gli interventi condotti assieme ai membri della Piattaforma d'azione europea per l'alimentazione, l'attività fisica e la salute ([2]), i problemi di salute associati alla cattiva alimentazione tra gli anziani ricevono un adeguato profilo.

Alcuni membri della piattaforma partecipano a NU-AGE, un progetto finanziato nell'ambito del settimo programma quadro per la ricerca, lo sviluppo tecnologico e la dimostrazione (FP7) ([3]) che esamina le strategie alimentari tenendo conto dei bisogni specifici della popolazione anziana dell'Europa. Nell'ambito del programma Salute la Commissione ha sostenuto lo sviluppo della rete europea per l'azione sull'invecchiamento e l'attività fisica ([4]) che si prefigge di migliorare la salute, il benessere e l'autonomia degli anziani.

Inoltre, il partenariato europeo per l'innovazione in materia di invecchiamento attivo e in buona salute prevede nel 2012 un'azione sulla fragilità fisiologica e la cattiva alimentazione tra gli anziani. Quest'azione rientra nell'ambito prioritario d'azione «prevenzione del declino funzionale e della fragilità» identificata dal gruppo direttivo nel contesto del piano strategico di attuazione del partenariato.

([1]) COM(2007)279 definitivo del 30.5.2007.
([2]) Alimentazione e attività fisica — Piattaforma d'azione europea per l'alimentazione, l'attività fisica e la salute/Sanità pubblica, Commissione europea
([3]) http://cordis.europa.eu/fetch?CALLER=FP7_PROJ_EN&ACTION=D&DOC=1&CAT=PROJ&QUERY=012fc18fbbe8:5434:55795320&RCN=98965
([4]) http://www.eunaapa.org/

(English version)

Question for written answer E-001019/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(7 February 2012)

Subject: The elderly and malnutrition

A million elderly Italians suffering from malnutrition in 2011: this is the figure provided by a well-known Italian daily newspaper. Italy is at the foot of the European table in this respect owing to nutritional failures in what could today be called the 'fourth age' group. Sometimes, the elderly concerned have been forgotten or live alone. In most cases however, they are people who are to a large extent looked after by carers or by care homes, or are even in hospital being treated for specific illnesses.

The most common malnutrition is due to low protein-calorie consumption, observed in 10-38 % of non-hospitalised elderly, in 5-12 % of those living in their own homes, in 26-65 % of those hospitalised and in 5-85 % of so-called 'institutionalised' individuals.

Sometimes they eat little or badly, have difficulty in preparing food, forget if they have eaten, cannot swallow properly, always have an empty fridge due to poverty, or no longer feel hunger or thirst. On average, the elderly consume 400 calories less than they should per day, especially of protein calories. Just one month of poor diet increases the chance of hospitalisation by 25 % and increases mortality. These data, which are even thought to be underestimates, were recently presented to the congress of the Italian Society of Gerontology and Geriatrics.

In light of the above, can the Commission state:

1. Whether it intends to launch a campaign to raise awareness of the significance of malnutrition in the elderly in Europe;

2. How it has tried to combat this very widespread, yet largely unknown, European social problem, and whether there are any action plans for the future, be this through legislative or non-legislative acts?

Answer given by Mr Dalli on behalf of the Commission
(8 March 2012)

In the context of the implementation of the strategy for Europe on Nutrition, Overweight and Obesity-related health issues ([1]), adopted in May 2007, and in particular in prioritizing areas for action with the members of the EU Platform for Action on Diet, Physical Activity and Health ([2]), the health problems associated with malnutrition among elderly people are given profile.

Some Platform members are participating in NU-AGE, a FP7 funded project ([3]), which is examining dietary strategies addressing the specific needs of elderly population in Europe. Under the Health Programme, the Commission supported the development of the European Network for Action on Ageing and Physical Activity ([4]) which aims at improving the health, wellbeing and independence of older people.

In addition, the European Innovation Partnership on Active and Healthy Ageing foresees an action in 2012 on physiological frailty and malnutrition among elderly people. This action forms part of the priority action area 'prevention of functional decline and frailty', as identified by the Steering Group in the Strategic Implementation Plan of the Partnership.

([1]) COM(2007) 279 final, 30.5.2007.
([2]) Nutrition and physical activity — EU platform for action on diet, physical activity and health | Public health, European Commission.
([3]) http://cordis.europa.eu/fetch?CALLER=FP7_PROJ_EN&ACTION=D&DOC=1&CAT=PROJ&QUERY=012fc18fbbe8:5434:55795320&RCN=98965
([4]) http://www.eunaapa.org/

(English version)

Question for written answer E-001021/12
to the Commission
Catherine Stihler (S&D)
(7 February 2012)

Subject: Cancellation notification period

In many Member States, cancelling one's membership of a sports club or gym can require up to three months' notice, even if the originally agreed twelve-month period has expired.

Given this, and given the unfairness of finding oneself still having a gym membership that is no longer required and facing a large bill, can the Commission consider looking into the matter with a view to the regulation of such contracts, as competition is not proving an effective mechanism?

Answer given by Mrs Reding on behalf of the Commission
(8 March 2012)

There is Union legislation which protects consumers against contract terms which make it unreasonably difficult to cancel gym or sports club memberships.

Directive 93/13/EEC on unfair terms in consumer contracts ([1]) provides that a contract term causing a significant imbalance between the parties to the detriment of the consumer shall be regarded as unfair and as such shall not be binding. In addition, under letter (h) of the annex, a term which automatically extends a contract of fixed duration where the consumer does not indicate otherwise, when the deadline fixed for the consumer to express this desire not to extend the contract is unreasonably early, may be regarded as unfair.

Any alleged breach of the directive should be brought to the attention of national authorities and courts which are primarily responsible for the enforcement of this legislation. Consumers which have been victims of such practices should report their case to the relevant competent authorities, whose contact details can be found using the following link: http://ec.europa.eu/consumers/empowerment/cons_networks_en.htm

As regards the enforcement of the directive in relation to gym contracts, the Commission would like to draw the Honourable Member's attention to a recent ruling of the British High Court in which a number of terms in gym membership contracts, including relating to cancellation conditions, were ruled to be unfair. More information on this ruling can be found using the following link: http://www.oft.gov.uk/news-and-updates/press/2011/60-11

([1]) OJ L 095, 21.4.1993.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej P-001022/12
do Komisji
Janusz Władysław Zemke (S&D)
(3 lutego 2012 r.)

Przedmiot: Problemy interpretacyjne mogące wyniknąć z niejasności pojęcia „baza eksploatacyjna" w rozporządzeniu Parlamentu i Rady (WE) nr 1071/2009

4 grudnia 2011 r. weszło w życie rozporządzenie Parlamentu Europejskiego i Rady (WE) nr 1071/2009 z dnia 21 października 2009 r. ustanawiające wspólne zasady dotyczące warunków wykonywania zawodu przewoźnika drogowego i uchylające dyrektywę Rady 96/26/WE.

W rozporządzeniu tym w art. 5 lit. c, określającym warunki związane z wymogiem posiadania siedziby przez przedsiębiorcę, stwierdzono, że aby spełnić warunek określony w art. 3 ust. 1 lit. 1 tegoż rozporządzenia, tj. posiadania rzeczywistej i stałej siedziby w jednym z państw członkowskich, przedsiębiorca musi prowadzić działalność związaną z pojazdami na określonych warunkach w tzw. bazie eksploatacyjnej. Pojęcie „baza eksploatacyjna" nie zostało niestety zdefiniowane w art. 2 rozporządzenia i stanowi tym samym przyczynę licznych kłopotów interpretacyjnych dla osób wykonujących zawód przewoźnika drogowego w Polsce.

Mając powyższe na uwadze, uprzejmie proszę o wskazanie, w jaki sposób definicja bazy eksploatacyjnej jest traktowana (ujęta) w innych państwach UE.

Odpowiedź udzielona przez Wiceprzewodniczącego Siima Kallasa w imieniu Komisji
(17 lutego 2012 r.)

Rozporządzenie (WE) 1071/2009 nr Parlamentu Europejskiego i Rady wprowadziło dla przewoźników, którzy chcą zajmować się transportem drogowym, wymóg prowadzenia przedsiębiorstwa transportowego w państwie członkowskim UE. Zgodnie z art. 5 lit. a) rozporządzenia, przewoźnicy muszą posiadać lokale, w których prowadzą główną działalność przedsiębiorstwa transportowego, w państwie członkowskim swojej siedziby. Aby uniknąć tworzenia przedsiębiorstw transportowych pod „adresem korespondencyjnym", art. 5 lit. c) wymaga też, aby przedsiębiorstwa transportowe prowadziły swoją działalność w bazie eksploatacyjnej, którą należy rozumieć jako miejsce wyposażone w odpowiedni sprzęt techniczny i urządzenia techniczne w celu umożliwienia rzeczywistego i ciągłego prowadzenia działalności. W sprawie C-124/09 Trybunał Sprawiedliwości zdefiniował bazę eksploatacyjną jako „miejsce, z którym kierowca jest normalnie związany, mianowicie placówkę przedsiębiorstwa transportowego, w którym podejmuje on regularnie wykonywanie swoich obowiązków i do której powraca po ich wykonaniu w ramach normalnego świadczenia swojej pracy, nie realizując szczególnych wskazówek swojego pracodawcy".

W skład bazy eksploatacyjnej może wchodzić jeden lub kilka poniższych elementów: miejsce parkingowe, miejsce załadunku, rozładunku lub łączenia ładunków przed rozpoczęciem operacji transportowej, lub miejsce, w którym odbywają się konserwacja lub naprawy pojazdów. Zgodnie z art. 28, państwa członkowskie są zobowiązane do przekazania Komisji tekstów przepisów ustawowych, wykonawczych i administracyjnych przyjętych w dziedzinie objętej rozporządzeniem nie później niż do dnia 4 grudnia 2011 r. Obecnie Komisja stale otrzymuje powyższe informacje i jest w trakcie oceny ich zgodności z rozporządzeniem.

(English version)

Question for written answer P-001022/12
to the Commission
Janusz Władysław Zemke (S&D)
(3 February 2012)

Subject: Potential problems of interpretation arising from lack of clarity concerning the notion of 'operating centre' contained in Regulation (EC) No 1071/2009

Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC entered into force on 4 December 2011.

Article 5(c) of the aforementioned Regulation concerns the conditions relating to the requirement of establishment by an undertaking. It is stated therein that in order to satisfy the requirement laid down in Article 3(1)(a) of the regulation, namely to have an effective and stable establishment in a Member State, an undertaking must conduct operations concerning vehicles in compliance with certain conditions in an 'operating centre'. Unfortunately, the notion of 'operating centre' was not defined in Article 2 of the regulation and has therefore given rise to many difficulties of interpretation by individuals pursuing the occupation of transport operator in Poland.

Bearing the above in mind, I would be grateful for information on how the definition of an operating centre is dealt with/understood in other Member States of the European Union.

Answer given by Mr Kallas on behalf of the Commission
(17 February 2012)

Regulation (EC) 1071/2009 of the European Parliament and of the Council introduced a requirement for operators wishing to engage in road transport activities, namely the establishment of the transport undertaking in a Member State of the EU. Article 5(a) of the regulation requires operators to set up their premises where core business documents of the transport undertaking are kept in the Member State where it is established. In order to avoid the creation of so-called 'P.O. Box' transport companies, Article 5(c) also requires that transport undertakings conduct their operations at an operating centre, which is to be understood as a place equipped with the appropriate technical equipment and facilities to allow transport operations to be conducted effectively and continuously. In its Case C-124/09, the Court of Justice gave a definition of the operating centre as being 'the place to which the driver is actually attached, namely the transport undertaking facilities from which he usually carries out his service and to which he returns at the end of that service, in the normal exercise of his functions and without complying with specific instructions from his employer'.

An operating centre could comprise one or several of the following: parking place, place for loading, unloading or aggregating the freight before starting the transport operation or place where the maintenance or repairs of the vehicles are being done. Article 28 contains an obligation for the Member States to communicate to the Commission the laws, regulations and administrative provisions adopted in the field governed by this regulation at the latest by 4 December 2011. The Commission is still in the process of receiving this information and assessing its compliance with the regulation.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001024/12
προς την Επιτροπή
Georgios Koumoutsakos (PPE)
(7 Φεβρουαρίου 2012)

Θέμα: Ανάκληση πιπίλας της μάρκας MAM

Στις 19 Ιανουαρίου 2012, ο ελληνικός Ενιαίος Φορέας Ελέγχου Τροφίμων (ΕΦΕΤ), κατόπιν ενημέρωσης από την Ευρωπαϊκή Επιτροπή και το Σύστημα Έγκαιρης Προειδοποίησης για τα Τρόφιμα και τις Ζωοτροφές (Rapid Alert System for Food and Feed), έδωσε εντολή άμεσης ανάκλησης και απόσυρσης του ψευδοθήλαστρου (πιπίλας), ουγγρικής προέλευσης, με την εμπορική επωνυμία «MAM Air», λόγω ύπαρξης N-νιτροζώσιμων ουσιών (N-nitrosatable substances) σε υψηλότερα επίπεδα από τα νομοθετημένα όρια.

Δεδομένου ότι στην εποχή μας όλο και περισσότεροι γονείς χρησιμοποιούν ψευδοθήλαστρα στα βρέφη τους και ότι η εν λόγω ουσία έχει χαρακτηριστεί επικίνδυνη από τους επιστήμονες, ως ερωτάται η Επιτροπή:

1. Πώς εξασφαλίζεται η αυστηρή τήρηση των ορίων που θέτει η οδηγία 93/11/ΕΟΚ της Επιτροπής σχετικά με την ελευθέρωση N-νιτροζαμινών και N-νιτροζώσιμων από τις θηλές θηλάστρων και τα ψευδοθήλαστρα (πιπίλες) από ελαστομερές ή καουτσούκ (ΕΕ L 93 της 17.4.1993, σ. 37-38), ιδίως από κατασκευαστές που εδρεύουν σε κράτος-μέλος της ΕΕ;

2. Θα ήταν δυνατόν να αποφευχθούν παρόμοιες καταστάσεις απόσυρσης προϊόντων που θέτουν σε κίνδυνο την υγεία βρεφών, εάν οι έλεγχοι γίνονταν πριν την εξαγωγή του προϊόντος από ένα κράτος μέλος;

3. Υπάρχουν νέες έρευνες για την επικινδυνότητα των ουσιών αυτών; Προτίθεται να αναθεωρήσει την εν λόγω οδηγία, που χρονολογείται από το Μάρτιο του 1993;

Απάντηση του κ. Dalli εξ ονόματος της Επιτροπής
(14 Μαρτίου 2012)

Η ασφάλεια καταναλωτικών προϊόντων όπως οι πιπίλες, πρέπει, καταρχάς, να διασφαλίζεται από τους παραγωγούς, όπως προβλέπεται στο άρθρο 3 παράγραφος 1 της οδηγίας 2001/95/ΕΚ για τη γενική ασφάλεια των προϊόντων (ΟΓΑΠ) ([1]), ως προς το ότι οι «παραγωγοί οφείλουν να διαθέτουν στην αγορά μόνο ασφαλή προϊόντα». Εφόσον η οδηγία 93/11/ΕΟΚ ([2]) θεσπίζει συγκεκριμένα όρια συγκέντρωσης για τις νιτροζαμίνες και τις νιτροζώσιμες ουσίες όσον αφορά τις θηλές θηλάστρων και τα ψευδοθήλαστρα (πιπίλες), δηλαδή 0,01 mg/kg για τις νιτροζαμίνες και 0,1 mg/kg για τις νιτροζώσιμες ουσίες, όλοι οι παραγωγοί, συμπεριλαμβανομένων των κατασκευαστών και των εισαγωγέων, οφείλουν να διασφαλίζουν ότι οι πιπίλες συμμορφώνονται με αυτά τα όρια.

Επιπλέον, τα κράτη μέλη έχουν την αρμοδιότητα να επιβάλουν την τήρηση αυτών των ορίων μέσω των οικείων αρχών εποπτείας της αγοράς. Υποχρεούνται επίσης να κοινοποιούν τυχόν σοβαρούς κινδύνους που ενέχουν οι πιπίλες (ή οποιοιδήποτε άλλο καταναλωτικό προϊόν που δεν είναι τρόφιμο) μέσω του συστήματος ταχείας ειδοποίησης RAPEX ([3]). Όλα τα άλλα κράτη μέλη υποχρεούνται στη συνέχεια να ελέγχουν το συγκεκριμένο προϊόν στην αγορά τους και να λαμβάνουν τα αναγκαία μέτρα.

Η Επιτροπή δεν έχει λάβει γνώση τυχόν νέων επιστημονικών στοιχείων όσον αφορά τους κινδύνους που εγκυμονούν για την υγεία οι νιτροζαμίνες και οι νιτροζώσιμες ουσίες που θα επέβαλαν την επανεξέταση των υφιστάμενων ορίων. Σε περίπτωση που της υποβληθούν ανάλογα αποδεικτικά στοιχεία η Επιτροπή θα τα εξετάσει κατά τον δέοντα τρόπο.

([1]) ΕΕ L 11 της 15.1.2002.
([2]) Οδηγία 93/11/ΕΟΚ της Επιτροπής της 15ης Μαρτίου 1993 σχετικά με την ελευθέρωση N-νιτροζαμινών και N-νιτροζώσιμων από τις θηλές θηλάστρων και τα ψευδοθήλαστρα (πιπίλες) από ελαστομερές ή καουτσούκ, ΕΕ L 93 της 17.4.1993, σ. 37.
([3]) http://ec.europa.eu/consumers/safety/rapex/index_en.htm.

(English version)

Question for written answer E-001024/12
to the Commission
Georgios Koumoutsakos (PPE)
(7 February 2012)

Subject: Recall of MAM pacifier

On 19 January 2012, according to the European Commission and the Rapid Alert System for Food and Feed, the Hellenic Food Authority (EFET), ordered the immediate recall and withdrawal of a Hungarian pacifier (dummy), available under the tradename 'MAM Air', due to the presence of N-nitrosatable substances at levels exceeding statutory limits.

Given that increasing numbers of parents currently give pacifiers to their infants and the specific substance has been classified by scientists as dangerous, will the Commission answer the following:

1. What is being done to guarantee strict adherence to the limits imposed by Commission Directive 93/11/EEC regarding the release of N-nitrosamines and N-nitrosatables from the nipples of nursing bottles and pacifiers made from elastomer or rubber material (Official Journal L 93, 17.4.1993, p. 37-38), especially by manufacturers situated in EU Member States?

2. Would it be possible to avoid similar occurrences necessitating the withdrawal of products that pose a risk to the health of infants if controls were carried out before the product was exported by a Member State?

3. Is any fresh research being carried out into the degree of risk from these substances? Does it intend to review the above directive, which dates back to March 1993?

Answer given by Mr Dalli on behalf of the Commission
(14 March 2012)

The safety of consumer products, such as pacifiers, is to be ensured by manufacturers in the first place, as provided for in Article 3 (1) of Directive 2001/95/EC on general product safety (GPSD) ([1]), in that 'Producers shall be obliged to place only safe products on the market'. Since Directive 93/11/EEC ([2]) sets specific concentration limits for nitrosamines and nitrosatable substances in pacifiers, namely 0.01 mg/kg for nitrosamines and 0.1 mg/kg for nitrosatable substances, all producers, including manufacturers and importers, have to ensure that their pacifiers comply with those limits.

Furthermore, Member States have powers to enforce compliance with such limits through their market surveillance authorities. They are also obliged to notify any serious risk from pacifiers (or any other non-food consumer product) through the RAPEX rapid alert system ([3]). All other Member States are then obliged to check whether the same product is on their market, and take appropriate measures.

The Commission is not aware of new scientific evidence regarding the health risks from nitrosamines and nitrosatable substances that would require reviewing existing limits. Should such evidence however become available, the Commission would revise them appropriately.

([1]) OJ L 11, 15.1.2002.
([2]) Commission Directive 93/11/EEC of 15 March 1993 concerning the release of the N-nitrosamines and N-nitrosatable substances from elastomer or rubber teats and soothers, OJ L 93, 17.4.1993, p. 37.
([3]) http://ec.europa.eu/consumers/safety/rapex/index_en.htm

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001025/12
προς την Επιτροπή
Georgios Koumoutsakos (PPE)
(7 Φεβρουαρίου 2012)

Θέμα: Αυξημένη περιγεννητική θνησιμότητα στην Ελλάδα

Σύμφωνα με δημοσιεύματα, 900 περίπου βρέφη χάνουν τη ζωή τους ετησίως στην Ελλάδα εξαιτίας της κακής περιγεννητικής φροντίδας ως συνέπεια της οικονομικής κρίσης. Υπάρχει έλλειψη μονάδων εντατικής φροντίδας νεογνών θέτοντας σε κίνδυνο τη ζωή των βρεφών αλλά και των εγκύων γυναικών.

Αναφέρεται επίσης ότι ακόμη και στα νοσοκομεία που διαθέτουν τέτοιες μονάδες, αυτές είτε δεν λειτουργούν καθόλου είτε υπολειτουργούν λόγω έλλειψης ιατρικού και νοσηλευτικού προσωπικού.

Εκτός από την αυξημένη θνησιμότητα όμως, πολλές είναι και οι περιπτώσεις βρεφών με εγκεφαλική παράλυση, διαταραχές στην ανάπτυξη, την όραση και την ακοή, με μεγάλο κοινωνικό και οικονομικό κόστος.

Είναι χαρακτηριστικό δε ότι δεν υπάρχει σύστημα εθνικής καταγραφής αυτών των θανάτων.

Σύμφωνα με τα παραπάνω, ερωτάται η Επιτροπή:

1. Διαθέτει στοιχεία για την περιγεννητική θνησιμότητα στα κράτη μέλη;

2. Επιβεβαιώνει τα στοιχεία που αναφέρονται στον ελληνικό τύπο; Διαθέτει στοιχεία σχετικά με την περιγεννητική θνησιμότητα εξαιτίας της έλλειψης του απαραίτητου εξοπλισμού ή/και προσωπικού;

3. Προτίθεται να προωθήσει πρωτοβουλίες για την καλύτερη περιγεννητική φροντίδα για την αποφυγή θανάτων βρεφών και εγκύων γυναικών; Υπάρχουν βέλτιστες πρακτικές που θα μπορούσαν να εφαρμοστούν;

Απάντηση του κ. Dalli εξ ονόματος της Επιτροπής
(16 Μαρτίου 2012)

Τα κράτη μέλη υποβάλλουν στην Επιτροπή κατά τακτά διαστήματα στοιχεία για την περιγεννητική θνησιμότητα, σε προαιρετική βάση. Στο διάστημα από το 2009 έως το 2010, η εν λόγω θνησιμότητα ([1]) στην Ελλάδα σημείωσε μικρή αύξηση και έφθασε από 4,6 σε 5,0 επί συνόλου χιλίων γεννήσεων. Συνολικά, η κατάσταση στην Ελλάδα βελτιώθηκε τις δύο τελευταίες δεκαετίες, αν ληφθεί υπόψη το γεγονός ότι το 1993 το ελληνικό ποσοστό περιγεννητικής θνησιμότητας ήταν 10,9 επί συνόλου χιλίων γεννήσεων.

Τα ποσοστά παιδικής θνησιμότητας ([2]) με βάση τις γεννήσεις ζώντων βρεφών μειώθηκαν κατά το ήμισυ στην ΕΕ-27 και έφθασαν, από 8,7 το 1993 σε 4,3 το 2009, επί συνόλου χιλίων γεννήσεων·ζώντων βρεφών· στην Ελλάδα, η τάση είναι παρόμοια, αφού ο συντελεστής παιδικής θνησιμότητας μειώθηκε από 8,5 το 1993 σε 3,1 το 2009, ανά χίλιες γεννήσεις ζώντων βρεφών.

Πρέπει, επίσης, να σημειωθεί ότι στην Ελλάδα, ο αριθμός των εν ενεργεία ιατρών αυξήθηκε σημαντικά από 55 556 το 2005 σε 69 030 το 2009. Όσον αφορά τον αριθμό του νοσηλευτικού προσωπικού σημειώθηκε μια μικρή αύξηση, από 36 666 το 2005 σε 37 306 το 2009, ενώ αύξηση σημειώθηκε και στον αριθμό νοσοκομειακών κλινών, αφού από 42 884 το 2005 αυξήθηκαν σε 45 729 το 2009. Εντούτοις, τα εν λόγω στοιχεία για τους επαγγελματίες και το νοσοκομειακό εξοπλισμό δεν είναι δυνατό να συνδεθούν ειδικά με την περιγεννητική φροντίδα.

Η Επιτροπή συγχρηματοδοτεί το σχέδιο Europeristat ([3]) που είναι ένα δίκτυο εμπειρογνωμόνων από ολόκληρη την Ευρώπη οι οποίοι επεξεργάζονται δείκτες για την υγεία των βρεφών. Τον Δεκέμβριο του 2008 δημοσιεύτηκε η πρώτη ευρωπαϊκή έκθεση για την υγεία των βρεφών, η οποία θα επικαιροποιηθεί στα τέλη του 2012.

([1]) Το «ποσοστό βρεφικής θνησιμότητας» υπολογίζεται με βάση το λόγο του αριθμού θανάτων παιδιών ηλικίας μικρότερης της μιας εβδομάδας συν τον αριθμό θνησιγενών και του αριθμού των συνολικών γεννήσεων κατά το εν λόγω έτος (συμπεριλαμβανομένων των θνησιγενών).

([2]) Το «ποσοστό παιδικής θνησιμότητας» υπολογίζεται με βάση το λόγο του αριθμού θανάτων παιδιών ηλικίας κάτω του ενός έτους και του αριθμού γεννήσεων ζώντων βρεφών κατά το εν λόγω έτος.

([3]) http://www.europeristat.com/.

(English version)

Question for written answer E-001025/12
to the Commission
Georgios Koumoutsakos (PPE)
(7 February 2012)

Subject: Increased perinatal mortality in Greece

It is reported that about 900 infants die in Greece every year due to poor natal care as a consequence of the current economic crisis. There is a lack of intensive care units for newborns, thus putting the lives of newborns and pregnant women at risk.

It is also reported that, even in hospitals that operate such units, they are either out of service or run below capacity, due to medical and nursing staff shortages.

However, in addition to increased mortality, there are several cases of newborns suffering from cerebral palsy and growth, visual and hearing impediments, all of which have major social and financial consequences.

Significantly, there is no national system for documenting these fatalities.

In view of this:

1. Does the Commission have information regarding perinatal mortality in the Member States?

2. Can it confirm the information published by the Greek press? Does it have information regarding perinatal mortality caused by shortages of necessary equipment and/or staff?

3. Does the Commission intend to foster initiatives for improved natal care to avoid fatalities of infants and pregnant women? Are there best practices that could be applied?

Answer given by Mr Dalli on behalf of the Commission
(16 March 2012)

Member States provide perinatal mortality data to the Commission regularly on a voluntary basis. There was a slight increase in such mortality ([1]) in Greece from 2009 to 2010 from 4.6 to 5.0 per thousand of total births. Overall, the situation has however improved in Greece in the past two decades taking into account that the Greek perinatal mortality rate in 1993 was 10.9 per thousand of total births.

Infant mortality rates ([2]) that focus on live births have halved in the EU-27, from 8.7 to 4.3 per thousand of live births between 1993 and 2009; in Greece, the trend is very similar, infant mortality rate has declined from 8.5 per thousand live births in 1993 to 3.1 in 2009.

It should also be noted that in Greece, the number of active physicians or doctors has increased significantly from 55 556 in 2005 to 69 030 in 2009. As regards the number of nurses, there is a slight increase, from 36 666 in 2005 to 37 306 in 2009, as well as for the number of hospital beds from 42 884 in 2005 to 45 729 in 2009. However, it is not possible to link this information on professionals/facilities to natal care in particular.

The Commission is co-funding the project Europeristat ([3]) which is a network of experts from all over Europe working on indicators on perinatal health. A first European Perinatal Health Report was published in December 2008 and will be updated by the end of 2012.

([1]) The 'perinatal mortality rate' is calculated as the ratio between the number of deaths of children under one week of age plus the stillbirths to the number of total births in that year (including stillbirths).
([2]) The 'infant mortality rate' is calculated as the ratio between the number of deaths of children under one year of age to the number of live births in that year.
([3]) http://www.europeristat.com/.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001027/12
προς την Επιτροπή
Kriton Arsenis (S&D)
(7 Φεβρουαρίου 2012)

Θέμα: Απαγόρευση της δραστικής ουσίας glyphosate του ζιζανιοκτόνου Roundup μέσω της άμεσης επαναξιολόγησης

Έρευνα Ισπανών επιστημόνων (Sanchís *et al.,* 2011) αποδεικνύει ότι το glyphosate, δραστική ουσία του ζιζανιοκτόνου Roundup με τις μεγαλύτερες πωλήσεις παγκοσμίως, διαφεύγει στα υπόγεια ύδατα. Η έρευνα που διεξήχθη σε 11 περιοχές στην Καταλονία επιβεβαίωσε την παρουσία του glyphosate στο 41 % των δειγμάτων των υπόγειων υδάτων, με τα μεγαλύτερα επίπεδα να εμφανίζονται σε περιοχές με εντατική καλλιέργεια. Η έρευνα τεκμηριώνει για πρώτη φορά στην Ευρώπη την παρουσία του glyphosate στα υπόγεια ύδατα, ενώ τονίζει τον κίνδυνο για την κατάληξή του στο πόσιμο νερό καταρρίπτοντας τους αντίθετους ισχυρισμούς της παρασκευάστριας εταιρείας Monsanto. Επιστημονικές μελέτες συνδέουν το glyphosate με καρκινογενέσεις και αναπαραγωγικές, νευρολογικές και ενδοκρινικές διαταραχές στον άνθρωπο αλλά και με δυσμενείς επιπτώσεις στη βιοποικιλότητα, ενώ το ενοχοποιούν και για τη δημιουργία ανθεκτικών ζιζανίων.

Παρά την αποδεδειγμένη τοξικότητά του και την καταχώρησή του στο Παράρτημα ΙΙΙ της Οδηγίας 2008/105/ΕΚ ως ουσία υποκείμενη σε επανεξέταση για πιθανό χαρακτηρισμό ως «ουσία προτεραιότητας» ή ως «επικίνδυνη ουσία προτεραιότητας», η Επιτροπή μετέφερε την προθεσμία αξιολόγησής του από το 2012 στο 2015. Πρέπει να σημειωθεί ότι, αν και στην ΕΕ δεν καλλιεργούνται φυτά που να έχουν τροποποιηθεί γενετικά (ΓΤΟ) ώστε να είναι ανθεκτικά στο glyphosate, ήδη διενεργούνται δοκιμές πεδίου σε έξι κράτη μέλη, με τις αντίστοιχες αιτήσεις για έγκριση να βρίσκονται στη διαδικασία της αδειοδότησης. Σε περίπτωση έγκρισης, αναμένεται αύξηση της χρήσης του glyphosate στην ΕΕ. Υπό το φως των νέων δεδομένων και, σε συνδυασμό με τα έως τώρα επιστημονικά στοιχεία, είναι αναγκαίο η Ευρωπαϊκή Επιτροπή να μην εγκρίνει τις αιτήσεις για καλλιέργεια ΓΤΟ με ανοχή στο glyphosate και να προβεί σε απαγόρευση μέσω της επιτάχυνσης της επαναξιολόγησης του.

Λαμβάνοντας υπόψη τα ανωτέρω ερωτάται η Επιτροπή:

1. Είναι εν γνώσει της η συγκεκριμένη έρευνα;

2. Υπό το φως των νέων επιστημονικών στοιχείων θα προβεί σε απαγόρευση της ουσίας glyphosate;

3. Σκοπεύει να απορρίψει τις αιτήσεις για καλλιέργεια ΓΤΟ με ανοχή στο glyphosate δεδομένων των αποδεδειγμένων αρνητικών επιπτώσεων που έχουν για την ανθρώπινη υγεία και το περιβάλλον;

Απάντηση του κ. Dalli εξ ονόματος της Επιτροπής
(14 Μαρτίου 2012)

1. Η Επιτροπή γνωρίζει τη μελέτη Sanchis (2011) στην οποία αναφέρεται η παρουσία glyphosate στο 41 % των δειγμάτων των υπόγειων υδάτων σε διάφορες περιοχές της Καταλωνίας. Έχει ζητηθεί από τις ισπανικές αρχές να διατυπώσουν την άποψή τους σχετικά με το θέμα αυτό, το οποίο παρακολουθείται στενά από τη μόνιμη επιτροπή για την τροφική αλυσίδα και την υγεία των ζώων.

2. Όσον αφορά τις ανησυχίες για την ασφάλεια και την κατάσταση σχετικά με την επαναξιολόγηση του glyphosate, η Επιτροπή παραπέμπει τον κ. βουλευτή στις απαντήσεις της στις ερωτήσεις P-010522/2010, E-006135/2011, E-006365/2011, E-007160/2011, E-007546/2011, E-007708/2011, E-008116/2011 και E-009044/2011 ([1]). Σημειώνει, επίσης, ότι το παράρτημα ΙΙΙ της οδηγίας 2008/105/ΕΚ περιέχει κατάλογο των ουσιών που υπόκεινται σε επανεξέταση για πιθανό χαρακτηρισμό ως ουσίες προτεραιότητας ή ως επικίνδυνες ουσίες προτεραιότητας, και ότι κατά την τελευταία επανεξέταση ([2]) δεν διαπιστώθηκε ότι το glyphosate παρουσιάζει ιδιαίτερο κίνδυνο για το υδάτινο περιβάλλον ούτε κατά τη διάδοσή του μέσω αυτού που να δικαιολογεί την εγγραφή του στον κατάλογο των ουσιών προτεραιότητας. Στις επανεξετάσεις που θα γίνουν στο μέλλον θα ληφθούν υπόψη οποιαδήποτε διαθέσιμα νέα στοιχεία.

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN.
([2]) COM(2011)875 final http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0875:FIN:EN:PDF.

3. Δεν είναι δυνατόν να απορριφθούν εκ των προτέρων αιτήσεις για καλλιέργεια γενετικώς τροποποιημένων (ΓΤ) φυτών με ανοχή στο glyphosate, οι οποίες έχουν υποβληθεί σύμφωνα με τη νομοθεσία της ΕΕ σχετικά με τους ΓΤΟ ([3]), αφού πρέπει να ακολουθηθούν οι διαδικασίες που προβλέπονται στην εν λόγω νομοθεσία. Κάθε αίτηση υποβάλλεται σε κατά περίπτωση εκτίμηση του κινδύνου όπως ορίζεται από τη νομοθεσία της ΕΕ. Πρέπει να σημειωθεί ότι σύμφωνα με τη νομοθεσία αυτή οι κοινοποιούντες υποχρεούνται να αξιολογήσουν τις ταχυφανείς και/ή οψιφανείς, τις άμεσες και έμμεσες περιβαλλοντικές επιπτώσεις των ειδικών τεχνικών που χρησιμοποιούνται για τη διαχείριση του ΓΤ φυτού όπου αυτές είναι διαφορετικές από τις χρησιμοποιούμενες για τα μη ΓΤ φυτά. Αυτό σημαίνει ότι οι επιπτώσεις από την αλλαγή ζιζανιοκτόνου, π.χ. χρήση glyphosate, πρέπει να εξεταστούν για οποιαδήποτε έγκριση ΓΤ φυτών με ανοχή στο glyphosate.

([3]) Οδηγία 2001/18/ΕΚ για τη σκόπιμη ελευθέρωση γενετικώς τροποποιημένων οργανισμών στο περιβάλλον· ΕΕ L 106 της 17.4.2001.

(English version)

Question for written answer E-001027/12
to the Commission
Kriton Arsenis (S&D)
(7 February 2012)

Subject: Ban on glyphosate, active ingredient of the Roundup herbicide, following an immediate re-evaluation

A study by Spanish scientists (Sanchís et al., 2011) has revealed ground water contamination by glyphosate, an active ingredient of the internationally best-selling Roundup herbicide. The study, which was carried out in 11 regions of Catalonia, confirmed the presence of glyphosate in 41 % of ground water samples, with the highest levels appearing in areas of intensive cultivation. The study is the first documented proof in Europe of the presence of glyphosate in ground water. It emphasises the danger that the chemical is finding its way into drinking water, contesting assertions to the contrary by the manufacturing company Monsanto. Scientific studies link glyphosate to carcinogenesis and reproductive, neurological and endocrinal disorders in humans as well as detrimental effects on biodiversity, and the emergence of more herbicide-resistant weeds.

Despite its proven toxicity and its inclusion in Appendix III of Directive 2008/105/EC as a substance undergoing re-examination for probable characterisation as a 'priority substance' or 'dangerous priority substance', the Commission moved the deadline for re-evaluating it from 2012 to 2015. It should be noted that although in the EU there is no cultivation of plants that have been genetically modified to resist glyphosate (GMOs), field testing is already under way in six Member States, with applications for licensing approval being processed. In the event of approval being granted, it is expected that there will be an increase in the use of glyphosate in the EU. In light of the new data and in conjunction with the scientific findings to date, it is imperative that the European Commission does not approve the applications for cultivation of GMOs with glyphosphate tolerance and that it impose a ban following a faster re-evaluation procedure.

In view of this:

1. Is the Commission aware of the study in question?

2. In light of the new scientific data, will it proceed to implement a ban on glyphosate substance?

3. Does it propose to reject the applications for cultivation of GMOs with glyphosate tolerance, given the proven harmful impact on human health and the environment?

Answer given by Mr Dalli on behalf of the Commission
(14 March 2012)

1. The Commission is aware of the Sanchis (2011) study which reports the presence of glyphosate in groundwater sampled at different locations in Catalonia. The Spanish authorities have been requested to provide their views on this matter, which is being closely followed by the Standing Committee on the Food Chain and Animal Health.

2. As regards the alleged safety concerns and the situation on the re-evaluation of glyphosate, the Commission refers the Honourable Member to its responses to Questions P-010522/2010, E-006135/2011, E-006365/2011, E-007160/2011, E-007546/2011, E-007708/2011, E-008116/2011 and E-009044/2011 ([1]). It also notes that Annex III to Directive 2008/105/EC contains a list of substances subject to review for possible identification as priority (hazardous) substances, and that the latest review ([2]) did not find evidence of a significant risk from glyphosate to or via the aquatic environment that would justify its listing as a priority substance. Future reviews would consider any new evidence available.

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN.
([2]) COM(2011) 875 final, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0875:FIN:EN:PDF.

3. It is not possible to reject a priori applications concerning cultivation of genetically modified (GM) plants tolerant to glyphosate submitted under the EU legislation related to GMOs ([3]) as the procedures defined in this legislation need to be followed. Each application must go through a case-by-case risk assessment as established in the EU legislation. It should be mentioned that this legislation requests the notifiers to assess the immediate and/or delayed, direct and indirect environmental impacts of the specific management techniques used for the GM plant where they are different from those used for non-GM plants. This means that the impacts of the change of herbicide use, e.g. switch to glyphosate, have to be considered for any authorisations of GM plants tolerant to glyphosate.

([3]) Directive 2001/18/EC on deliberate release into the environment of genetically modified organisms, OJ L 106, 17.4.2001.

(English version)

Question for written answer E-001028/12
to the Commission
Catherine Stihler (S&D)
(7 February 2012)

Subject: Implementation of the CPR

Following the adoption of the Construction Products Regulation in Spring last year, some concerns have been raised about insufficient communication from the Commission to allow companies to conform to the implementing acts. Criticism has been aimed at the lack of general information being disseminated but also the period of time being too short between information regarding changes which will need to be made to conform, and the implementation date for the new rules.

Can the Commission comment on the progress of implementation of the CPR?

Answer given by Mr Tajani on behalf of the Commission
(6 March 2012)

In general, the implementation of the CPR (305/2011/EU) is fully on track. The Commission delivered already last spring notably to the European Parliament a Roadmap of the measures envisaged for this purpose. This Roadmap has subsequently been disseminated to all relevant stakeholders, also in the context of the newly established Standing Committee on Construction (SCC; cf. Article 64 of the CPR), and regularly updated. Its most recent version has been included in the SCC documentation for the meeting of 24 January 2012, where also the European Parliament was invited to attend.

As described in the Roadmap, the communication and information actions of the Commission on this topic have been significantly intensified, so as to ensure the uniform application of the CPR. Apart from the SCC context, the construction website on Europa has been thoroughly and comprehensively updated. The Commission is also organising a Conference on the CPR, scheduled to take place in Brussels on 25 June 2012. Moreover, the Member States and other stakeholders have been forcefully encouraged to inform the Commission about steps taken in the domain of implementing the CPR.

For the preparation of implementing acts, it is necessary to refer to Article 68 of the CPR, pursuant to which the relevant provisions shall apply first from 1 July 2013. The only implementing act explicitly foreseen in the CPR is the decision on the European Technical Approval format (Article 26(3)), for which the informal preparations have already been launched. The same goes for CPR-based delegated acts. All this has been duly reflected in the Roadmap.

(English version)

Question for written answer E-001029/12
to the Commission
Catherine Stihler (S&D)
(7 February 2012)

Subject: PIP implants

In light of the PIP implant scandal and lack of regulation of this sector, will the Commission be introducing new rules on the cosmetic fillers and Botox industry?

Will the Commission consider including a pan-European insurance scheme which clinics and producers must contribute towards to avoid endangering women's health, should the same situation occur again in the future?

Answer given by Mr Dalli on behalf of the Commission
(8 March 2012)

Botox is a medicinal product authorised under Directive 2001/83/EC ([1]) for medical indications only. Its use for cosmetic purpose is not covered by the marketing authorisation; it is a so-called off-label use of the product done under the healthcare professional responsibility.

In its revision of the medical devices legislation, planned in 2012, the Commission is considering the possible inclusion of filling products intended for aesthetic use only under this legislation. This would ensure that these products are not regulated differently in the Member States and, through a harmonised regime, will secure a uniform level of citizen safety in the European Union.

Under Article 168 of the Treaty, the organisation and delivery of health services and medical care are the responsibility of Member States. This includes health insurance and reimbursement policies. The Commission does not intend therefore to introduce a pan-European insurance scheme in the upcoming revision of the medical devices legislation.

([1]) Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (L 311, 28.11.2001, p. 67).

(English version)

Question for written answer E-001030/12
to the Commission
Jim Higgins (PPE)
(7 February 2012)

Subject: Personal breathalysers

Following French plans to force drivers to carry personal breathalysers from spring this year, when travelling by car in that country, has the Commission any plans to make such an item mandatory across the EU?

Answer given by Mr Kallas on behalf of the Commission
(1 March 2012)

No, the Commission does not intend to make carrying breathalysers by drivers when travelling mandatory.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-001031/12
à Comissão
Rui Tavares (Verts/ALE)
(7 de fevereiro de 2012)

Assunto: Feriados civis e religiosos em Portugal

O Ministro da Economia de Portugal, Álvaro Santos Pereira, anunciou em nome do governo a intenção de extinguir vários feriados, enunciando para tal um critério de «simetria» entre dois feriados a extinguir a pedido da Igreja Católica (considerados «religiosos») e dois feriados a extinguir diretamente pelo governo (considerados «civis»). Na mesma ocasião, o Ministro anunciou que os dois feriados «civis» a extinguir seriam os que comemoram a República Portuguesa (no dia da sua implantação, a 5 de outubro de 1910) e o exercício de autodeterminação conhecido como a Restauração da Independência de 1 de dezembro de 1640.

1. Deu a Comissão qualquer indicação ao governo português em matéria de extinção de feriados?

2. Tem a Comissão opinião sobre a eficácia de medidas como esta? Estudou a Comissão o impacto delas (positivo ou negativo) na economia portuguesa?

3. Uma vez que tal extinção de feriados não é mencionada no memorando de entendimento assinado entre o governo português e a «troika» de que faz parte a Comissão, considera a Comissão que tem o governo português qualquer obrigação contratual de extinguir feriados?

4. Tendo em conta que as datas do culto católico são objeto de devoção própria à sua Igreja, mas que os feriados que celebram a autodeterminação e a forma de governo própria à República Portuguesa dizem respeito a todos os cidadãos dela, considera a Comissão que a extinção «simétrica» de feriados «civis» e «religiosos» respeita o princípio da não-discriminação, tal como descrito pelo artigo 21.° da Carta Europeia dos Direitos Fundamentais, ou tal como enquadrado pela diretiva que aplica o princípio da igualdade de tratamento entre as pessoas, independentemente da sua religião ou crença (CNS 2008/140)?

5. Considera a Comissão que a decisão do governo português respeita o direito a uma boa administração (artigo 41.° da Carta dos Direitos Fundamentais) que obriga os governos da UE a tomarem as suas decisões de forma «imparcial e equitativa»?

6. Considera a Comissão, enquanto «guardiã dos tratados», que o tratamento «simétrico» de feriados que dizem respeito a todos os portugueses ou apenas a uma crença religiosa se compagina com os artigos 10.° e 19.° do Tratado de Lisboa (obrigação de combater discriminações)? Como tenciona fazer cumprir esses princípios?

Resposta dada pelo Presidente José Manuel Barroso em nome da Comissão
(19 de março de 2012)

A UE não tem competência relativamente aos feriados nos Estados-Membros e a Comissão não pode emitir instruções vinculativas a este respeito. Portugal não está contratualmente obrigado a suprimir feriados. O Memorando de Entendimento não prevê qualquer obrigação relativa à abolição de feriados.

Em conformidade com o artigo 51.° da Carta dos Direitos Fundamentais da União Europeia, as disposições da Carta apenas se aplicam às instituições da UE e aos Estados-Membros quando apliquem o direito da União.

O artigo 10.° do Tratado sobre o Funcionamento da União Europeia (TFUE) estabelece disposições de aplicação geral para as políticas da União (e não para as políticas dos Estados-Membros). O artigo 19.° do TFUE prevê uma base jurídica para ação legislativa a nível da UE. A Diretiva a que o Senhor Deputado se refere e que tem por base este artigo não é aplicável aos feriados dos Estados-Membros e, além disso, ainda não foi adotada.

(English version)

Question for written answer E-001031/12
to the Commission
Rui Tavares (Verts/ALE)
(7 February 2012)

Subject: State and religious holidays in Portugal

The Portuguese Minister for the Economy, Álvaro Santos Pereira, has announced that the government intends to abolish several public holidays, citing the criterion of 'symmetry' between abolishing two public holidays requested by the Catholic Church (deemed 'religious'), and the government directly abolishing two public holidays (deemed 'state'). On the same occasion, Mr Santos Pereira announced that the two 'state' holidays to be abolished would be those celebrating the Portuguese Republic (on the day of its establishment, 5 October 1910) and the right to self-determination, known as the Restoration of Independence, 1 December 1640.

1. Did the Commission provide the Portuguese Government with any instruction regarding abolition of public holidays?

2. What is the Commission's opinion regarding the effectiveness of measures like these? Has the Commission examined their impact (positive or negative) on the Portuguese economy?

3. Since abolishing public holidays in this way is not mentioned in the memorandum of understanding concluded between the Portuguese Government and the 'Troika', of which the Commission is part, does the Commission consider the Portuguese Government to have any contractual obligation to abolish public holidays?

4. Given that Catholic religious dates are the subject of private devotion to that Church, but public holidays celebrating the self-determination and system of government characteristic of the Portuguese Republic relate to all of its citizens, does the Commission consider the 'symmetrical' abolition of 'state' and 'religious' public holidays to comply with the principle of non-discrimination, as laid down in Article 21 of the Charter of Fundamental Rights of the European Union, or in the directive on implementing the principle of equal treatment between persons irrespective of religion or belief (CNS 2008/104)?

5. Does the Commission believe that the Portuguese Government's decision complies with the right to good administration (Article 41 of the Charter on Fundamental Rights), which compels EU governments to make their decisions 'impartially' and 'fairly'?

6. Does the Commission, as 'guardian of the Treaties', consider the 'symmetrical' treatment of public holidays relating to all Portuguese people and those that merely affect those of one religious belief consistent with Articles 10 and 19 of the Treaty of Lisbon (duty to combat discrimination)? How does the Commission intend to enforce compliance with these principles?

Answer given by Mr Barroso on behalf of the Commission
(19 March 2012)

The EU has no competence relating to public holidays in the Member States and the Commission cannot issue binding instructions in this regard. Portugal is not contractually bound to abolish public holidays. The Memorandum of Understanding does not contain any requirement to abolish public holidays.

According to Article 51 of the Charter of Fundamental Rights of the European Union , the provisions of the Charter apply to EU institutions and Member States only when they are implementing Union law.

Article 10 of the Treaty on the Functioning of the European Union (TFEU) sets out provisions having general application to Union policies (and not Member States' policies). Article 19 of the TFEU provides a legal basis for legislative action at EU level. The directive that the Honourable Member refers to and that is based on this article does not apply to Member States' public holidays and, furthermore, has not been adopted yet.

(English version)

Question for written answer E-001032/12
to the Council
Phil Prendergast (S&D)
(7 February 2012)

Subject: Parties to the Anti-Counterfeiting Trade Agreement

— Is the Council aware of the reasons why China, Brazil and India were not invited to participate in the negotiations on the Anti-Counterfeiting Trade Agreement (ACTA)? Given that they are not parties to ACTA, how is the agreement expected to bring benefits to EU citizens, as these countries are considered to be the main sources of counterfeit products?

— Given the negative views expressed by the aforementioned countries at the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) Council proceedings, both on the process and substance of ACTA, does the Council still hold ACTA as a model regime for third countries in the future, either within or outside the multilateral frameworks provided by the World Intellectual Property Organisation (WIPO) and the World Trade Organisation (WTO)?

— Does it agree that the ACTA provisions fall under Articles 3 and 4 of the TRIPS agreement? In this light, what kind of extended protection will EU citizens enjoy, beyond that afforded by the TRIPS agreement, seeing as the latter does not foresee a regional or Free Trade Agreement exception under the General Agreement on Tariffs and Trade regime?

Reply
(12 April 2012)

The negotiations on the Anti-Counterfeiting Trade Agreement (ACTA) started in June 2008 and were finalised in November 2010. China, Brazil and India were informed about ACTA negotiations but have never requested to participate in the negotiations. In any case, although they are not Parties to ACTA, counterfeit and pirated products imported from those countries will be stopped at EU borders or within EU territory, as well as in the territories of other ACTA parties. Given the objectives of ACTA to combat intellectual property rights (IPR) infringement by strengthening international cooperation and enforcement, applications to accede to the Agreement by other WTO Members would be welcome.

The Honourable Member is certainly aware that the EU has made a number of proposals to address problems with the enforcement of intellectual property rules and has done so in international organisations, such as the WTO and WIPO. ACTA can be considered as a start, aimed at ensuring that the EU's high standard of protection for intellectual property rights can be enforced globally. It must be noted that the 37 countries which negotiated ACTA represent more than half of world trade. The Council foresees that other WTO Members, including emerging economies, will have the interest and the capacity to accede to the Agreement. For this reason, outreach activities have already started both in the WTO TRIPS Council and bilaterally to present ACTA to partners.

The Council considers that ACTA is compatible with, mutually supportive of and complementary to the commitments undertaken by the EU and its Member States under existing international agreements on intellectual property, including TRIPS. Accordingly, ACTA Parties will continue to comply to the principles of 'national treatment' (Article 3 TRIPS) and 'most favourable nation' (Article 4 TRIPS). As a consequence, the ACTA Parties commit, to each other, to provide the level of protection stipulated in ACTA, while this level of protection will apply equally to all within the Parties' territories regardless of nationality (*erga omnes*).

As the Honourable Member certainly knows, the Commission decided very recently to refer the ACTA agreement to the European Court of Justice to confirm its compatibility with EC law.

(English version)

Question for written answer E-001033/12
to the Commission
Phil Prendergast (S&D)
(7 February 2012)

Subject: Parties to the Anti-Counterfeiting Trade Agreement

— Is the Commission aware of the reasons why China, Brazil and India were not invited to participate in the negotiations on the Anti-Counterfeiting Trade Agreement (ACTA)? Given that they are not parties to ACTA, how is the agreement expected to bring benefits to EU citizens, as these countries are considered to be the main sources of counterfeit products?

— Given the negative views expressed by the aforementioned countries at the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) Council proceedings, both on the process and substance of ACTA, does the Commission still hold ACTA as a model regime for third countries in the future, either within or outside the multilateral frameworks provided by the World Intellectual Property Organisation (WIPO) and the World Trade Organisation (WTO)?

— Does it agree that the ACTA provisions fall under Articles 3 and 4 of the TRIPS agreement? In this light, what kind of extended protection will EU citizens enjoy, beyond that afforded by the TRIPS agreement, seeing as the latter does not foresee a regional or Free Trade Agreement exception under the General Agreement on Tariffs and Trade regime?

Answer given by Mr De Gucht on behalf of the Commission
(16 March 2012)

1. China, Brazil and India were informed about ACTA negotiations but never requested to participate in these negotiations. On the contrary, for a number of years, these and other emerging economies opposed any discussion of intellectual property enforcement in multilateral organisations such as the World Trade Organisation (WTO) or the World Intellectual Property Organisation (WIPO). However, the fact that they are not Parties to ACTA will not prevent counterfeit products imported from these countries from being stopped at the EU's borders or within the EU territory, as well as on the territories of other ACTA parties.

2. ACTA sets a valuable new international standard in the enforcement of Intellectual Property Rights, endorsed by 37 countries, representing more than half of global trade. The EU certainly expects other countries, including emerging economies, to adopt such standards in the medium term. Discussions have already started both in the TRIPS Council and bilaterally to present ACTA to the EU's partners.

3. It is clear that the ACTA Parties are bound by the principles of 'national treatment' (Article 3 TRIPS) and 'most favourable nation' (Article 4 TRIPS). However, the aim of ACTA is not to provide to EU citizens extended protection within the EU, compared to citizens from a country not a Party of ACTA. That would be an infringement of WTO rules. Its aim is to establish at a plurilateral level a modern and enhanced enforcement of intellectual property rights legal framework that will work to the benefit of EU stakeholders precisely because many of them export their intellectual property rights into the globalised economy and need to ensure that they are efficiently protected against misappropriation.

(English version)

Question for written answer E-001034/12
to the Commission
Phil Prendergast (S&D)
(7 February 2012)

Subject: Professional Qualifications Directive and health hazards

— In the context of the upcoming review of the Professional Qualifications Directive (2005/36/EC), what action does the Commission envisage to ensure that healthcare workers are protected from health risks when performing work in different European Union Member States, in line with the levels of protection provided for Member State nationals, where measures exist to protect healthcare workers, such as Council Directive 2010/32/EU on sharp injuries?

— Furthermore, in the context of this review, does the Commission see scope for improvement in terms of prevention of Healthcare Associated Infection hazards to both patients and practitioners, as far as training assessment and recognition are concerned?

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

The Professional Qualifications Directive 2005/36/EC covers recognition of qualifications of migrating professionals between EU Member States. The directive establishes rules and procedures according to which the access to or a pursuit of a regulated profession in another Member State is contingent upon possession of specific professional qualifications — diplomas, studies, training, experience.

The regulation of health risks for healthcare workers is outside the scope of Directive 2005/36/EC and it is therefore not covered by the current revision of the directive. Healthcare workers are covered by the EU legislation on Health and Safety at work, in particular the 'framework' Directive 1989/391/EEC ([1]) and its individual directives. Directive 2010/32/EC ([2]) addresses in particular the prevention from sharp injuries in the hospital and healthcare sector.

Recognising the serious burden on patients caused by healthcare associated infections, a Council recommendation on patient safety, including the prevention and control of healthcare associated infections was adopted in 2009 ([3]), following a proposal by the Commission. The Commission plans to adopt in 2012 a report on the implementation of this Council recommendation by the Member States.

([1]) OJ L 183, 29.6.1989.
([2]) OJ L 134, 1.6.2010.
([3]) OJ C 151, 3.7.2009, p. 1-6.

(English version)

Question for written answer E-001035/12
to the Commission
Phil Prendergast (S&D)
(7 February 2012)

Subject: Medical devices, 'CE' marking and individual safety checks

In the context of the placing of medical devices on the European market, could the Commission outline the requirements under the 'CE' marking system and the Medical Devices Directive (2007/47/EC) in terms of the safety checks, if any, which have to be performed on each individual device prior to use?

Could the Commission indicate the consequences, for the parties to whom requirements under the 'CE' marking system apply, of misleading declarations by manufacturers concerning product safety, of failures on the part of importers to verify the accuracy of such declarations, and of negligence on the part of distributors in identifying and withdrawing unsafe products?

Could the Commission also indicate who is responsible for monitoring compliance with requirements under the 'CE' marking system and enforcing penalties for non-compliance? Does the Commission plan to make these requirements more stringent?

Answer given by Mr Dalli on behalf of the Commission
(8 March 2012)

Medical devices must be designed and manufactured in such a way that they do not compromise patient safety. Directive 93/42/EEC ([1]) provides for different types of conformity assessment procedures, based on the class of risk of the device. The procedure for Class I devices can, as a general rule, be carried out under the responsibility of the manufacturer due to the low risk of these products. For Class IIa, IIb and III devices, the level of intervention of a notified body in the conformity assessment procedure increases with the risk.

Regulation (EC) No 765/2008 ([2]) lays down the obligations of Member States with regard to market surveillance, and requires them to perform appropriate checks on the characteristics of products, by means of documentary checks and, where appropriate, physical and laboratory checks on the basis of adequate samples. Directive 93/42/EEC establishes procedures which the national authorities must follow when they consider that an unsafe device should be withdrawn from the market, or when a CE marking is unjustifiably affixed to a device or is missing.

The Commission intends to adopt a proposal to revise the medical device legislation in 2012. Improved vigilance and market surveillance as well as strengthening the designation, monitoring and functioning of Notified Bodies are among the issues that the proposal should address.

([1]) Council Directive 93/42/EEC of 14 June 1993 concerning medical devices (OJ L 169, 12.7.1993, p. 1).
([2]) Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

(English version)

Question for written answer E-001036/12
to the Commission
Phil Prendergast (S&D)
(7 February 2012)

Subject: Medical device failure and national authority advice

In the light of the recent scandal involving Poly Implant Prothèse (PIP) silicone implants, and given the considerable health risks that patients with PIP silicone implants are now known to be facing, what view does the Commission take of the differing medical advice being provided by the various Member State authorities concerned?

Given the disparate nature of the advice being provided, does the Commission see the need for action at EU level to complement the review of the Medical Devices Directive?

If not, why not?

If so, which kinds of action are envisaged, particularly in the light of reports, some as recent as this week, that Member State regulatory agencies have no power to perform checks on devices unless failures are reported to them, and that such checks are often announced in advance to the entities undergoing scrutiny?

Answer given by Mr Dalli on behalf of the Commission
(26 March 2012)

The Commission would refer the Honourable Member to its answers to Written Questions E-001477/2012, E-000366/2012 and P-001626/2012 ([1]).

([1]) http://www.europarl.europa.eu/QP-WEB/home.jsp?language=en.

(English version)

Question for written answer E-001038/12
to the Commission
Phil Prendergast (S&D)
(7 February 2012)

Subject: Anti-Counterfeiting Trade Agreement, in-transit procedures and patents

Is the Commission in a position to guarantee that Member States' border measures will not apply in-transit procedures to patents, thus circumscribing such procedures to counterfeit trademark goods as defined by ACTA Article 5(d)?

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

Chapter II, Section 3 of ACTA concerning border measures, defines a plurilateral legal framework for the enforcement of intellectual property rights at the borders. This legal framework does not apply to patents.

The EU will comply with this Section of ACTA on the basis of the existing Custom Regulation 1383/2003 ([1]), which will not have to be modified because of ACTA. Member States will continue to take border measures, as it is the case today, according to the Custom Regulation. The Customs Regulation allows for the detention of goods suspect of infringing a patent (Article 2.1(c)(i)) when they are placed under customs supervision (Article 1). This may include situations when the suspected good is in transit.

For the sake of completeness, the Commission recalls that the Customs Regulation is currently under review before the Parliament and the Council, further to a Commission proposal adopted on 24 May 2011 ([2]).

([1]) http://europa.eu/legislation_summaries/customs/l11018c_en.htm .
([2]) COM(2011) 285 final.

(English version)

Question for written answer E-001040/12
to the Commission
Phil Prendergast (S&D)
(7 February 2012)

Subject: Protocol on the Anti-Counterfeiting Trade Agreement and the *acquis communautaire*

Could a protocol stating that no changes whatsoever to the EU's *acquis communautaire* are necessitated by the implementation of ACTA be negotiated with the other parties to the agreement?

Answer given by Mr De Gucht on behalf of the Commission
(15 March 2012)

ACTA negotiations were finalised in October 2010 and the agreement was signed by the EU on 26 January 2012. Therefore no additional protocol can be added to this Agreement.

Besides, the Commission's assessment that ACTA does not require any changes to the EU *acquis* is a purely internal matter to the EU which finds no place in an international agreement.

(English version)

Question for written answer E-001041/12
to the Council
Phil Prendergast (S&D)
(7 February 2012)

Subject: US Congressional Research Service's legal study of the Anti-Counterfeiting Trade Agreement (ACTA)

Is the Council aware of the reasons why the United States Congressional Research Service's study of ACTA and its legality, which was shared with the US Trade Representative, was made confidential and disclosure further to a request under the Freedom of Information Act denied?

Reply
(12 March 2012)

The Council has not discussed this question, as it does not fall within its sphere of competence.

(English version)

Question for written answer E-001042/12
to the Commission
Phil Prendergast (S&D)
(7 February 2012)

Subject: US Congressional Research Service's legal study of the Anti-Counterfeiting Trade Agreement (ACTA)

Is the Commission aware of the reasons why the United States Congressional Research Service's study of ACTA and its legality, which was shared with the US Trade Representative, was made confidential and disclosure further to a request under the Freedom of Information Act denied?

Answer given by Mr De Gucht on behalf of the Commission
(7 March 2012)

The Commission is neither aware of such study nor of any reasons why it would have been considered confidential in the United States.

(English version)

Question for written answer E-001043/12
to the Council
Phil Prendergast (S&D)
(7 February 2012)

Subject: Implementation of the Anti-Counterfeiting Trade Agreement in the Member States

As the Council takes the view that no changes to the *acquis communautaire* are necessitated by ACTA, could it specify the legislative and non-legislative measures required for its implementation at Member State level?

Reply
(12 April 2012)

Since ACTA is a mixed agreement, a distinction needs to be made between those parts of the agreement that have been negotiated by the Commission on behalf of the EU, and those parts of the agreement that have been negotiated by the Presidency on behalf of Member States.

As the Honourable Member rightly points out, accession by the EU to ACTA will not require any changes to the current *acquis communautaire*, since the provisions of ACTA are already implemented through existing EU legislation. ACTA does not require the introduction of any non-legislative measures either. Any-measures undertaken in the areas that have been negotiated on behalf of the EU, will therefore result from the abovementioned acquis, and not from ACTA.

The chapter on criminal enforcement was negotiated by the Presidency on behalf of the Member States, because there is no harmonised EU legislation in this area. The same method was used in the Free Trade Agreement with the Republic of Korea. With regard to this chapter, all positions by the Member States were agreed by consensus in the Council. Since this chapter has been negotiated on behalf of the Member States, the Council has not made its own analysis on whether or not this chapter could require minor changes in certain Member States.

In order for ACTA to enter into force in the EU and its Member States, all 27 Member States have to sign and ratify it in line with their relevant domestic constitutional requirements. The Council will adopt the decision concluding ACTA after having obtained the consent of the European Parliament (Article 218(6) TFEU) and the national procedures have been successfully finalised.

As the Honourable Member certainly knows, the Commission decided recently to refer the ACTA agreement to the European Court of Justice to confirm its compatibility with EC law.

(English version)

Question for written answer E-001044/12
to the Commission
Phil Prendergast (S&D)
(7 February 2012)

Subject: Implementation of the Anti-Counterfeiting Trade Agreement

As the Commission takes the view that no changes to the *acquis communautaire* are necessitated by ACTA, could it specify the non-legislative measures required for its implementation?

Answer given by Mr De Gucht on behalf of the Commission
(15 March 2012)

As the Honourable Member rightly points out, no changes to the *acquis communautaire* have to be introduced because of ACTA. This is because the EU already complies with the provisions of ACTA on the basis of the existing EU legislation. ACTA does not require the introduction of any non-legislative measures either.

Once the Agreement will enter into force, the ACTA Parties envisage to exchange certain information on their enforcement practices as part of their international cooperation foreseen in Chapter IV of ACTA. Their enforcement practices will remain subject to the general privacy and confidentiality safeguards set out in Article 4 ACTA.

(English version)

Question for written answer E-001046/12
to the Commission
Phil Prendergast (S&D)
(7 February 2012)

Subject: Anti-Counterfeiting Trade Agreement implementation and dispute settlement

In the absence of any provisions in ACTA regarding dispute settlements or international arbitration, could the Commission clarify whether it is legally possible for the ACTA Committee to consensually decide on party compliance with ACTA and to deem implementing legislation necessary?

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

As the Honourable Member rightly points out, it was a deliberate decision of the negotiating parties not to introduce in ACTA a mechanism of dispute settlement or of authoritative interpretation regarding its content. The roles of the ACTA Committee are described in Article 36 of the ACTA Agreement. The first one will be to monitor the implementation of the Agreement. The second will be to consider any future amendments (bearing in mind that any amendment of ACTA proposed by the Committee would have to be approved by the signatories through their domestic ratification procedures, which in the EU would require, *inter alia*, the consent of the European Parliament). The third role is to decide upon the terms of accession for each new applicant. Crucially, all decisions of the Committee shall be taken by consensus.

The Committee has no role or powers to take decisions on whether a Party complies with ACTA or needs to introduce any particular implementing legislation.

(English version)

Question for written answer E-001047/12
to the Council
Phil Prendergast (S&D)
(7 February 2012)

Subject: Relationship between the Anti-Counterfeiting Trade Agreement and the Agreement on Trade Related Aspects of Intellectual Property Rights

Article 1 of the Anti-Counterfeiting Trade Agreement (ACTA) binds its parties to their obligations under existing agreements, including the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS). Could the Council clarify whether this nullifies TRIPS Agreement safeguards when these apply to voluntary standards set therein, in those cases where a mandatory standard is set by ACTA?

How does the Council view the relationship between Article 11 of ACTA and Article 47 of TRIPS as regards the mandatory nature of the former and the voluntary nature of the latter, as well as the lack of a proportionality test in the former? Does the Council regard Article 11 as a TRIPS-plus provision?

Reply
(30 April 2012)

The Council is of the view that ACTA is compatible with, mutually supportive of and complementary to the commitments undertaken by the EU and its Member States under existing intellectual property international agreements, including TRIPS.

ACTA builds on some general provisions of TRIPS, in some instances adding additional obligations or safeguards which exist in the *acquis communautaire* but not in international agreements. This is provided for in Article 1 of TRIPS, which states both that 'Members shall be free to determine the appropriate method of implementing the provisions of this Agreement within their own legal system and practice' and that 'Members may (…) implement in their law more extensive protection than is required by this Agreement, provided that such protection does not contravene the provisions of this Agreement'.

As concerns your question on the relationship between Article 11 of ACTA and Article 47 of TRIPS, the Council notes that the provision in ACTA is mandatory ('shall') while the provision in TRIPS is voluntary ('may'). The Council also notes that Article 6.3 of ACTA contains a general provision on proportionality, which stipulates that 'In implementing the provisions of this Chapter, each Party shall take into account the need for proportionality between the seriousness of the infringement, the interests of third parties, and the applicable measures, remedies and penalties'.

As the Honourable Member certainly knows, the Commission decided very recently to refer the ACTA agreement to the European Court of Justice to confirm its compatibility with EC law.

(English version)

Question for written answer E-001048/12
to the Commission
Phil Prendergast (S&D)
(7 February 2012)

Subject: Relationship between the Anti-Counterfeiting Trade Agreement and the Agreement on Trade Related Aspects of Intellectual Property Rights

Article 1 of the Anti-Counterfeiting Agreement (ACTA) binds its parties to their obligations under existing agreements, including the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS). Could the Commission clarify whether this nullifies TRIPS Agreement safeguards when these apply to voluntary standards set therein, in those cases where a mandatory standard is set by ACTA?

How does the Commission view the relationship between Article 11 of ACTA and Article 47 of TRIPS as regards the mandatory nature of the former and the voluntary nature of the latter, as well as the lack of a proportionality test in the former? Does the Commission regard Article 11 as a TRIPS-plus provision?

Could the Commission further indicate which elements of the *acquis communautaire* implement Article 11 of ACTA?

Answer given by Mr De Gucht on behalf of the Commission
(12 March 2012)

The aim of ACTA is to build on and to complement some general provisions of the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) while preserving already existing safeguards under this Agreement and in some instance even adding additional safeguards which exist under EC law but not in international law. Article 1 of TRIPS indeed gives states the freedom 'to determine the appropriate method of implementing the provisions [of the TRIPS Agreement] within their own legal system and practice' which may include providing 'in their law more extensive protection than is required by [the TRIPS] Agreement provided that such protection does not contravene the provisions of [the TRIPS] Agreement'.

Article 11 of ACTA is a clarification of Article 47 of TRIPS and also makes compulsory for the ACTA Parties this optional provision of TRIPS, precisely because all ACTA Parties decided to implement Article 47 of TRIPS in this way. This new provision is one of the important contributions of ACTA because it will help right holders to better gather evidence for their civil claims. However, due to the extreme sensitivity of this provision, the Commission ensured in the ACTA negotiations that specific safeguards were added which are not foreseen in Article 47 of TRIPS concerning, among others, the protection of confidentiality of information sources and the processing of personal data. Furthermore, when implementing Article 11 of ACTA Article 6.3 of ACTA obliges the ACTA Parties to 'take into account the need for proportionality between the seriousness of the infringement, the interests of third parties, and the applicable measures, remedies and penalties'.

Article 11 of ACTA is similar to Article 8 of the Enforcement of intellectual property rights Directive (Directive 2004/48/EC of 29 April 2004 ([1])).

([1]) OJ L 157, 30.4.2004.

(българска версия)

Въпрос с искане за писмен отговор E-001049/12
до Комисията
Слави Бинев (NI)
(7 февруари 2012 г.)

Относно: Корупционни концесии в България

Уважаемата Комисия все още не е изнесла данни дали е направила проверка, както е залегнало в отговора ѝ на мое запитване към нея (22.7.2011 г. — E-007272/2011), относно разрушаващите последствия от бъдещ златодобив в град Крумовград, България. Концесията, дадена на компанията „Болкан Минерал енд Майнинг“ е в рязко несъответствие със законите. Присъединявайки се към писмото на гражданско движение против концесията, искам отново да изтъкна някои фрапантни пропуски в разрешението за добив, които будят сериозно съмнение за корупция: решението по оценка на въздействието върху околната среда (ОВОС) е взето от колектив, който по никакъв начин не притежава нужните квалификация и опит да извърши подобна оценка.Този екип е одобрен от министъра на околната среда. В целия колектив няма нито един тесен специалист в областите, в които трябва да се направи проучването.

Според известни експерти от България и САЩ подобна ОВОС в никакъв случай няма да бъде одобрена в САЩ, Канада или вдруга държава от ЕС. Такива решения на правителството подлагат на съмнение цялостната политика на управляващите. А с оглед и на факта, че тази концесия не е изолиран случай на погазване на закони при подобни решения на Министерския съвет, смятам, че е наложителна щателна проверка от Комисията. Призовавам Ви да изискате цялата документация от българското правителство и да прецените обективно ситуацията. Тяхното решение очевидно е покварено от неясни мотиви.

Става въпрос да се спаси уникална флора и фауна, туристически забележителности на хиляди години и животът и здравето на десетки хиляди хора в две държави — България и Гърция.

Моите въпроси са:

1. Какво е предприела Комисията по въпроса до момента?

2. Какви ще бъдат бъдещите стъпки на Комисията по темата?

Отговор, даден от г-н Поточник от името на Комисията
(5 март 2012 г.)

Комисията изпрати до българските компетентни органи официално искане за информация във връзка с проекта за добив на злато край Крумовград. Органите ще трябва да отговорят до края на февруари 2012 г., въз основа на което службите на Комисията ще преценят доколко проектът е съвместим със законодателството на ЕС в областта на околната среда. Комисията няма да се поколебае да вземе необходимите мерки в случай на нарушение на законодателството на ЕС.

(English version)

Question for written answer E-001049/12
to the Commission
Slavi Binev (NI)
(7 February 2012)

Subject: Corruption surrounding concessions in Bulgaria

The Commission has still not given details of whether it has conducted a verification, as outlined in its answer to my question (22.7.2011 — E-007272/2011), on the devastating consequences of a future gold mining operation in Krumovgrad, Bulgaria. The concession granted to the company Balkan Mineral and Mining is in stark non-compliance with the law. I concur with the letter from the citizens' movement against the concession, and would like to re-emphasise some of the shocking omissions in the issuing of the mining permit, which raise serious concerns of corruption. The Environmental Impact Assessment (EIA) decision was made by a team that in no way had the necessary qualifications and experience to conduct such an assessment. In the whole team, there was not one narrow specialist in any of the areas under investigation.

According to prominent experts from Bulgaria and the USA, such EIAs would not be approved under any circumstances in the USA, Canada, or any other EU Member State. Such government decisions cast doubt on the whole policy being pursued by the authorities. In view of the fact, also, that this concession is not an isolated case of the law being infringed through such decisions by Bulgaria's Council of Ministers, I believe that the Commission needs to conduct a thorough investigation. I appeal to you to demand full documentation from the Bulgarian government and to assess the situation objectively. Its decision was clearly corrupted by shadowy motives.

It is a matter of saving unique flora and fauna, centuries-old tourist landmarks, and the lives and health of tens of thousands of people in two countries — Bulgaria and Greece.

My questions are:

1. What has the Commission done so far on this issue?

2. What are the next steps the Commission will take on this matter?

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

The Commission has sent a formal request for information to the competent Bulgarian authorities regarding the Krumovgrad gold mining project. The authorities will have to reply by the end of February 2012 on the basis of which the Commission Services will assess the project's compatibility with the EU environmental legislation. The Commission will not hesitate to take appropriate measures should there be a breach of the EU legislation.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-001050/12
aan de Commissie
Barry Madlener (NI)
(7 februari 2012)

Betreft: Euro-obligaties

1. Kan de Commissie aangeven welke de incrementele (rente-)kosten zullen zijn voor Nederland als besloten zou worden over te gaan tot de toekomstige uitgifte van euro-obligaties? (volgens benadering 1: een volledige vervanging van nationale emissies door euro-obligaties, met hoofdelijke garanties)

2. Wat is de actuele status van de juridische implicaties van de artikelen 125 en 352 van het Verdrag betreffende de Werking van de Europese Unie voor de uitgifte van euro-obligaties?

3. Op welke wijze denkt de Commissie „moral hazard" van lidstaten te voorkomen? Men name daar waar een strenge begrotingsdiscipline het economisch concurrentievermogen van die betreffende lidstaat bedreigt c.q. vermindert?

4. Kan de Commissie (kort) aangeven waarom de uitgifte van euro-obligaties, uiteraard mits in overeenstemming met de geldende Europese Verdragen, meer in het belang is van Nederland dan het huidige systeem van nationale obligaties? Immers, de markten zullen de kredietkwaliteit van euro-obligaties waarschijnlijk (veel) lager beoordelen dan de huidige Nederlandse staatsobligaties (u schrijft zelf in uw Groenboek dat de creditrating van euro-obligaties in de eerste plaats afhangt van de kredietkwaliteit van de deelnemende lidstaten zelf en hun onderliggende garantiestructuur).

5. Stel dat niet alle parlementen van alle lidstaten het komende ESM-Verdrag zullen ratificeren, ook niet voor 90 %, betekent dat dan dat benadering 1 van euro-obligaties pas mogelijk is na aanpassing van de EU-Verdragen?

6. Is er al duidelijkheid over de taakverdeling tussen het bestuur van het ESM en het ASB (Agentschap voor het Schuldbeheer)?

Antwoord van de heer Rehn namens de Commissie
(12 april 2012)

In het groenboek van de Commissie over stabiliteitsobligaties (de zogeheten „euro-obligaties") worden drie algemene opties gepresenteerd en wordt nader ingegaan op de problemen die de gemeenschappelijke emissie van dergelijke obligaties met zich mee kunnen brengen (zoals onder meer „moral hazard"), zonder dat echter een voorkeur voor één van de geschetste benaderingen wordt uitgesproken. In het groenboek wordt aangevoerd dat gemeenschappelijke emissie alle lidstaten ten goede kan komen, zelfs die waarvoor er momenteel van een lage rente op staatsobligaties sprake is. De emissie van stabiliteitsobligaties kan resulteren in het ontstaan van een zeer grote en liquide markt en, afhankelijk van de institutionele kenmerken ervan, zeer veilige effecten. Een dergelijke markt kan ook een belangrijke rol spelen als mondiaal ijkpunt. Al deze factoren kunnen ertoe leiden dat de rendementen van stabiliteitsobligaties teruglopen tot eenzelfde of zelfs een lager peil dan de huidige rendementen van benchmarkobligaties. Een ander voordeel voor alle lidstaten is dat de staatsobligatiemarkten in de eurozone zich zullen stabiliseren, mede omdat Nederlandse banken minder aan nationale obligaties van kwetsbare lidstaten zullen zijn blootgesteld en omdat ook in andere lidstaten gevestigde banken, die als tegenpartijen van de Nederlandse banken fungeren, minder aan hun nationale overheidsemittent zullen zijn blootgesteld. In het groenboek wordt vrij uitvoerig ingegaan op het probleem van de „moral hazard". Daarbij wordt erop gewezen dat de omvang van dit probleem en de mogelijke oplossingen ervan (waarvan er diverse in het groenboek worden genoemd) in doorslaggevende mate afhangen van de specifieke benadering die voor de invoering van stabiliteitsobligaties wordt gekozen.

De ratificatie van het ESM-Verdrag door de nationale parlementen staat los van de implicaties van de EU-Verdragen voor de emissie van stabiliteitsobligaties. De juridische aspecten van de invoering van stabiliteitsobligaties zijn sterk afhankelijk van de gekozen optie en vereisen verdere analyse. Het is niet uitgesloten dat artikel 125 VWEU moet worden gewijzigd om stabiliteitsobligaties onder een op hoofdelijke garanties gebaseerde regeling uit te geven.

De vele vragen die de mogelijke emissie van stabiliteitsobligaties oproept, vereisen verder onderzoek, onder meer van het institutionele kader en van de interactie van dit kader met het ESM.

(English version)

Question for written answer E-001050/12
to the Commission
Barry Madlener (NI)
(7 February 2012)

Subject: Eurobonds

1. Can the Commission indicate what the incremental costs — notably interest costs — will be for the Netherlands if a decision is taken to issue Eurobonds in future? (According to approach 1: a complete replacement of national issues by Eurobonds, with joint and several guarantees)

2. What is the current status of the legal implications of Articles 125 and 352 of the Treaty on the Functioning of the European Union for the issuing of Eurobonds?

3. How does the Commission propose to avoid 'moral hazard' affecting the conduct of Member States? Especially where a strict budgetary discipline threatens to affect and/or affects the economic competitiveness of the Member State in question?

4. Can the Commission provide a short explanation why the issuing of Eurobonds, provided, of course, that this is carried out in line with the European Treaties in force, serves the Netherlands' interests better than the current system of national bonds? After all, the markets will probably rate the credit quality of Eurobonds as lower or even much lower than that of the current Dutch state bonds (the Commission's Green Paper does say that the credit quality of Eurobonds would primarily depend on the credit rating of the participating Member States and the underlying guarantee structure).

5. Suppose that not all the parliaments of all the Member States will ratify the forthcoming ESM Treaty, and not even 90 % of them. Would that mean then that approach 1 for Eurobonds would only work after the EU Treaties have been amended?

6. Is there already a clear division of tasks between the management of the ESM and the Debt Management Agency?

Answer given by Mr Rehn on behalf of the Commission
(12 April 2012)

The Commission's Green Paper on Stability Bonds (i.e. so-called 'Eurobonds') presented three generic options, as well as issues related to the common issuance, such as moral hazard, while not endorsing any of these approaches. It argued that common issuance could benefit all Member States, even those currently enjoying low interest rates on government bonds. Stability Bonds could create a very large and liquid market, and depending on the institutional features, very safe securities. Such a market could also play an important role as a global benchmark. These factors could let Stability Bonds yields fall to or even below levels for current benchmark issuers. An additional benefit for all Member States stems from a stabilisation of government bond markets in the euro area, also due to reducing Dutch banks' exposure to national bonds of vulnerable Member States, as well as reduced exposure of banks in other Member States, which are counterparties of Dutch banks, to their national sovereign issuer. The Green Paper discusses the challenge of moral hazard quite extensively, arguing that its extent, and possible remedies, of which several are mentioned in the Green paper, would crucially depend on specific approach chosen for Stability Bonds.

The ratification of the ESM Treaty by national parliaments is independent of the implications of EU Treaties for the issuance of Stability Bonds. The legal considerations for Stability Bonds would depend very much on the chosen option and require further analysis. Article 125 TFEU may have to be modified for the issuing of Stability Bonds in a joint and several guarantee scheme.

Many issues surrounding the possible issuance of Stability Bonds require further analysis, including the institutional framework and its interaction with the ESM.

(English version)

Question for written answer E-001051/12
to the Commission
David Martin (S&D)
(7 February 2012)

Subject: Enforcement by France of Directive on Welfare of Pigs

In 2010 the Food and Veterinary Office produced a report evaluating the implementation of controls for animal welfare on farms in France: DG (SANCO) 2010-8390. The report stated that routine tail docking was carried out on all the farms visited (contrary to Point 8 of Chapter I of Annex I to Directive 2008/120/EC). The report also stated that there was a general lack of manipulable material and that insufficiently clear guidance was given by the French central competent authority (CCA) regarding the requirement to provide manipulable material for pigs. For example, the use of chains was considered by the CCA to be in line with the legislation. However, the Commission made it clear in its answer to a written question (E-5360/09) that since indestructible objects such as chains are not sufficient to provide for the manipulatory need of pigs 'they may be used as supplement to destructible and rooting materials but not as a substitute for them'.

The FVO concluded that gaps in the guidelines together with poor enforcement action resulted in major deficiencies in the French pig sector, including mutilations, not having been addressed by the competent authority.

— Is the Commission satisfied that the French CCA is no longer advising that chains meet the requirements of Point 4 of Chapter I of Annex I to Directive 2008/120/EC?

— Is the Commission satisfied that France is now properly enforcing Points 4 and 8 of Chapter I of Annex I to the directive?

Answer given by Mr Dalli on behalf of the Commission
(19 March 2012)

The report DG(SANCO)/2010-8390 ([1]) of the audit carried out in France by the Commission ([2]), highlighted deficiencies in the system of controls on welfare of pigs. In line with those conclusions, the Commission made recommendations to the French authorities to ensure that actions are taken to correct the deficiencies regarding the implementation of Directive 2008/120/EC ([3]) and in particular regarding the avoidance of routine tail docking and the provisions of proper enrichment materials.

The French authorities provided an action plan ([4]) to the Commission where they indicate that they revised instructions to their staff performing animal welfare controls. In addition, an ordinance was subsequently issued to simplify and extend the scope of enforcement actions that inspectors can use in case of deficiencies.

A further animal welfare audit is planned by the FVO for the second semester of 2012. On that basis, the Commission will be able to assess whether the corrective measures put in place by the French authorities have been effective in addressing the deficiencies observed.

([1]) http://ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2468.
([2]) Inspection service of Directorate-General 'Health and Consumers' (FVO — Food and Veterinary Office located in Grange, Ireland).
([3]) OJ L 47, 18.2.2009.
([4]) The action plan of the French authorities is available at http://ec.europa.eu/food/fvo/ap/ap_fr_2010-8390.pdf

(English version)

Question for written answer E-001052/12
to the Commission
David Martin (S&D)
(7 February 2012)

Subject: Lift safety

Can the Commission indicate the number of deaths and injuries annually in lift accidents for the EU-15, for the five years prior to the introduction of the lifts directive (95/16/EC) in 1995?

Answer given by Mr Tajani on behalf of the Commission
(6 March 2012)

The Commission does not have data on accidents caused by lifts prior to the introduction of the Lifts Directive (95/16/EC).

The only data used for the assessment of economic and social impact of the Lifts Directive proposal (which was provided by the European Elevators Association) indicated the low number of accidents caused by lifts (two-three per year in France only) when the total number of lifts used in the EU was 2 500 000 of which 1 500 000 were more than 20 years old.

(English version)

Question for written answer E-001053/12
to the Commission
David Martin (S&D)
(7 February 2012)

Subject: Escalator safety

Can the Commission indicate the number of deaths and injuries annually in escalator accidents for the EU-15, for the five years prior to the introduction of the machinery safety directive (2006/42/EC) in 2006?

Answer given by Mr Tajani on behalf of the Commission
(6 March 2012)

The Commission does not have collection of data on fatal accidents or injuries caused by escalators prior to the introduction of the Machinery Directive (2006/42/EC).

The total number of accidents related to escalators according to the European Lifts Association statistics for 2008-2010 reached 147. No fatal accident was recorded. The following countries of the EU-15 provided their data: Belgium, Finland, France, Germany, Italy, Luxembourg, United Kingdom.

(English version)

Question for written answer E-001054/12
to the Commission
David Martin (S&D)
(7 February 2012)

Subject: Cableway safety

Can the Commission indicate the number of deaths and injuries annually in cableway accidents for the EU-15, for the five years prior to the introduction of the 'Cableway' directive (2000/9/EC) in 2000?

Answer given by Mr Tajani on behalf of the Commission
(6 March 2012)

The Commission does not have data on fatal accidents or injuries in cableway installations for the EU-15 prior to the introduction of the Cableways Directive 2000/9/EC.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001055/12
προς την Επιτροπή
Spyros Danellis (S&D)
(7 Φεβρουαρίου 2012)

Θέμα: Μέγιστα Επιτρεπτά Όρια για Βαρέα Μέταλλα

Σε δειγματοληψίες που κατά καιρούς γίνονται σε νωπά γεωργικά προϊόντα στην Ευρωπαϊκή Ένωση ανιχνεύονται βαρέα μέταλλα, όπως ο υδράργυρος, το αρσενικό, το νικέλιο, το χρώμιο, ο χαλκός και ο ψευδάργυρος, για τα οποία δεν έχουν καθορισθεί ανώτατα επιτρεπτά όρια σε επίπεδο ΕΕ (Ευρωπαϊκός Κανονισμός (ΕΚ) αριθ. 1881/2006).

Ερωτάται η Επιτροπή:

1. Γιατί δεν έχουν ορισθεί ανώτατα επιτρεπτά όρια για αυτά τα βαρέα μέταλλα σε νωπά γεωργικά προϊόντα;

2. Ποιες είναι οι συνθήκες στις οποίες τα βαρέα αυτά μέταλλα είναι τοξικά ή καρκινογόνα;

3. Ποιες είναι οι συνθήκες που προκαλούν τη συγκέντρωση αυτών των βαρέων μετάλλων σε νωπά γεωργικά προϊόντα;

4. Επηρεάζει η μέθοδος ανάλυσης που χρησιμοποιείται τις τιμές συγκέντρωσης που δείχνει η ανίχνευση;

5. Επηρεάζει ο χρόνος έκθεσης σε αυτά τα βαρέα μέταλλα, μέσω συνεχούς λήψης τροφίμων με υψηλή συγκέντρωση σε αυτά, τον κίνδυνο που διατρέχει η υγεία των πολιτών;

6. Προτίθεται να προβεί στη λήψη μέτρων σε όλη την ΕΕ, ώστε να διασφαλισθεί η ασφάλεια της ευρωπαϊκής γεωργικής παραγωγής και η υγεία των πολιτών της ΕΕ; Εάν ναι, ποια θα είναι τα μέτρα απόλυτης προτεραιότητας;

Απάντηση του κ. Dalli εξ ονόματος της Επιτροπής
(22 Μαρτίου 2012)

Τα μέταλλα υπάρχουν στο περιβάλλον και είναι δυνατόν να προέρχονται από διάφορες πηγές, φυσικές (ηφαιστειακή δραστηριότητα, αποσάθρωση βράχων) ή ανθρωπογενείς (βιομηχανική δραστηριότητα, καύση απορριμμάτων, απόβλητα). Η συγκέντρωση μετάλλων στα νωπά γεωργικά προϊόντα γίνεται είτε μέσω των ριζών από τα καλλιεργούμενα εδάφη είτε με απόθεση μέσω του αέρα. Τα επίπεδα μετάλλων στα καλλιεργούμενα εδάφη είναι δυνατόν να αυξηθούν λόγω της χρήσης λιπασμάτων, φυτοφαρμάκων, κοπριάς και ιλύος καθαρισμού λυμάτων, καθώς και λόγω της απόθεσης μέσω του αέρα.

Ανώτατα όρια για τον υδράργυρο καθορίζονται μόνο για τα ψάρια και τα θαλασσινά επειδή τα τρόφιμα αυτά περιέχουν την τοξικότερη μορφή υδραργύρου και μεθυλικού υδραργύρου. Στα νωπά γεωργικά προϊόντα, είναι δυνατόν να υπάρχει ανόργανος υδράργυρος ο οποίος είναι λιγότερο τοξικός από τον μεθυλικό υδράργυρο. Η Επιτροπή έχει ζητήσει από την Ευρωπαϊκή Αρχή για την Ασφάλεια των Τροφίμων (EFSA) να επικαιροποιήσει τη γνωμοδότησή της για τον υδράργυρο η οποία είχε εκδοθεί το 2004. Η επικαιροποίηση αυτή θα είναι διαθέσιμη στα μέσα του 2012. Με βάση τη γνώμη της EFSA σχετικά με την έκθεση των καταναλωτών στο αρσενικό, η Επιτροπή εξετάζει επί του παρόντος την εισαγωγή ανώτατων ορίων για το αρσενικό στο ρύζι. Η συζήτηση συνεχίζεται με τα κράτη μέλη σε τεχνικό επίπεδο.

Έως τώρα δεν έχουν διατυπωθεί ανησυχίες για την ασφάλεια των τροφίμων, όσον αφορά το νικέλιο, τον ψευδάργυρο και τον χαλκό στα νωπά γεωργικά προϊόντα, οι οποίες να απαιτούν ρυθμιστικές ενέργειες.

Ο κανονισμός (ΕΚ) 333/2007 ([1]) για τον καθορισμό μεθόδων δειγματοληψίας και ανάλυσης απαιτεί οι αναλυτικές μέθοδοι που χρησιμοποιούνται για τους επίσημους ελέγχους να πληρούν ορισμένα κριτήρια επίδοσης. Οι μέθοδοι πρέπει να επικυρώνονται ώστε να διασφαλίζεται ότι η συγκέντρωση στα τρόφιμα δεν επηρεάζεται από τη μέθοδο που χρησιμοποιείται.

([1]) Κανονισμός (ΕΚ) αριθ. 333/2007 της Επιτροπής, της 28ης Μαρτίου 2007, για τον καθορισμό μεθόδων δειγματοληψίας και ανάλυσης για τον επίσημο έλεγχο των επιπέδων μολύβδου, καδμίου, υδραργύρου, ανόργανου κασσιτέρου, 3-μονοχλωροπροπανοδιόλης και βενζο[a]πυρενίου στα τρόφιμα (ΕΕ L 88 της 29.3.2007, σ. 29).

(English version)

Question for written answer E-001055/12
to the Commission
Spyros Danellis (S&D)
(7 February 2012)

Subject: Maximum permissible limits applicable to heavy metals

Heavy metals such as mercury, arsenic, nickel, chromium, copper and zinc, are detected in sampling operations performed from time to time on fresh agricultural products; for such substances there are no maximum permissible limits defined at EU level (Commission Regulation (EC) No 1881/2006).

Will the Commission answer the following:

1. Why have maximum permissible limits not been established for these heavy metals in fresh agricultural products?

2. Under what conditions are these heavy metals toxic or carcinogenic?

3. What conditions cause such heavy metals to concentrate in fresh agricultural products?

4. Does the method of analysis affect the concentration levels detected?

5. Does the period of exposure to these heavy metals, through the continuous consumption of foods containing high concentrations of such metals, affect the risk to citizens' health?

6. Does the Commission intend to adopt EU-wide measures to ensure the safety of European agricultural production and the health of EU citizens? If so, which measures will be given top priority?

Answer given by Mr Dalli on behalf of the Commission
(22 March 2012)

Metals are present in the environment from multiple sources which can be natural ones (volcanic activity, weathering of rocks) as well as anthropogenic ones (industrial activity, waste incineration, waste water). Fresh agricultural products can accumulate metals by root uptake from agricultural soils or by air deposition. Metal levels in agricultural soils can be increased by the use of fertilisers, pesticides, manure and sewage sludge, as well as by air deposition.

Maximum levels for mercury are established for fish and seafood only as these foodstuffs contain the most toxic form of mercury, the methyl mercury. In fresh agricultural products, inorganic mercury may be present which is less toxic than methyl mercury. The Commission asked the European Food and Safety Agency (EFSA) to update their 2004 opinion on mercury. This update will be available by mid-2012. Based upon an EFSA-opinion about consumer exposure to arsenic, the Commission is currently considering the introduction of maximum levels for arsenic in rice. The discussion is still ongoing at technical level with the Member States.

No food safety concerns have been raised so far with regards to nickel, zinc and copper in fresh agricultural products requiring regulatory action.

Regulation (EC) No 333/2007 ([1]) on sampling and analysis requires certain performance criteria to be met by analytical methods used in official control. The methods must be validated which ensures that the concentration in the foodstuffs are not affected by the method used.

([1]) Regulation (EC) No 333/2007 of 28 March 2007 laying down the methods of sampling and analysis fort he official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo(a)pyrene in foodstuffs (OJ L 88, 29.3.2007, p. 29).

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001056/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(7 febbraio 2012)

Oggetto: Diffusione di internet e dialogo tra cittadini e pubbliche amministrazioni negli Stati membri

Secondo un articolo pubblicato su uno dei maggiori quotidiani del paese, in Italia quattro famiglie su dieci non si sono mai connesse a internet.

Anche il dato percentuale di cittadini che negli ultimi 3 mesi hanno inviato o ricevuto un documento della pubblica amministrazione online è significativamente basso: appena il 10,7 %. Un dato peggiorato negli ultimi due anni visto che tra il 2008 e il 2010 si è registrata una riduzione di quasi due punti percentuali: nel 2006 l'Italia era al 13,7 %.

Alla luce dei fatti sopraesposti, si chiede alla Commissione:

1. Può tracciare un quadro europeo sulla diffusione di internet nelle popolazioni dei vari Stati membri?

2. Può tracciare un quadro europeo sul dialogo telematico tra i cittadini e le pubbliche amministrazioni nei vari Stati membri?

3. Quali provvedimenti intende assumere per promuovere l'utilizzo di internet nelle fasce di popolazione che soffrono maggiormente del Digital divide?

Risposta data da Neelie Kroes a nome della Commissione
(6 marzo 2012)

La Commissione renderà noti i dati del 2011 relativi all'uso di internet nei vari Stati membri nel Digital Agenda Scoreboard (quadro di valutazione dell'agenda digitale) di quest'anno, la cui pubblicazione è prevista per maggio 2012. Nel frattempo è possibile consultare i dati relativi al 2010, contenuti nella stessa pubblicazione dello scorso anno, agli indirizzi web riportati nelle note a piè di pagina ([1]).

Negli Stati membri esiste un gran numero di attività relativa al dialogo telematico tra cittadini e pubbliche amministrazioni. Le esperienze spaziano, ad esempio, dal miglioramento dei servizi pubblici alla segnalazione di problemi che necessitano di una soluzione a livello locale, da consultazioni online riguardo alla legislazione proposta a petizioni online. Un esempio di dialogo relativo ad una questione locale è dato dal coinvolgimento dei cittadini nella riqualificazione della stazione centrale di Ulm in Germania ([2]). Un altro esempio di progetto a livello nazionale è costituito dal progetto estone TID (Today I Decide([3]), che permette alle organizzazioni governative e non governative che cercano di dare ai cittadini la possibilità di prendere l'iniziativa, di proporre e discutere le nuove normative.

L'agenda digitale europea mira a dimezzare entro il 2015 la percentuale di persone che non hanno mai usato internet nell'UE 27, portandola al 15 %. A tal fine, nel 2012 la Commissione sostiene due importanti attività di sensibilizzazione che coinvolgono tutta l'Europa: la settimana della navigazione in rete (Get Online Week([4])) e la settimana europea delle competenze digitali (e-Skills Week), entrambe previste per il periodo dal 26 al 30 marzo di quest'anno. Sono inoltre disponibili finanziamenti nell'ambito del programma PSP (programma di sostegno alla cooperazione) CIP (programma per la competitività e l'innovazione) TIC (tecnologie dell'informazione e delle comunicazioni) 2012, e, nell'ambito del quadro europeo delle qualifiche, vengono compiuti notevoli sforzi per migliorare le competenze dei tecnici e degli utenti delle TIC. Oltre a ciò, la tabella di marcia di Danzica ([5]), che costituisce il risultato della collaborazione tra le parti interessate in tutta Europa, definisce aree d'azione concrete.

([1]) http://ec.europa.eu/information_society/digital-agenda/scoreboard/index_en.htm
http://ec.europa.eu/information_society/digital-agenda/scoreboard/docs/pillar/egovernment.pdf
([2]) http://www.ulm-citybahnhof.de/
([3]) http://tom.riik.ee/
([4]) www.getonlineweek.eu
([5]) www.innodig.eu

(English version)

Question for written answer E-001056/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(7 February 2012)

Subject: Increased use of the Internet and dialogue between citizens and public administrations in the Member States

According to an article published in one of the main Italian daily newspapers, four families in ten in Italy have never used the Internet.

Even the percentage of people who have sent or received public administration documents online over the last 3 months is significantly low, i.e. just 10.7 %. And the figure has fallen in the last two years. Between 2008 and 2010, there was a decrease of almost two per cent. In 2006, it stood at 13.7 %.

In light of these facts, the Commission is asked to answer the following:

1. Will it provide an overview of Internet use in the various Member States?

2. Will it provide an overview of online dialogue between citizens and public administrations in the various Member States?

3. What measures does it intend to take to promote Internet in in the population groups which suffer most from the digital divide?

Answer given by Ms Kroes on behalf of the Commission
(6 March 2012)

The Commission will be releasing 2011 data on Internet use in the various Member States in its Digital Agenda Scoreboard publication due by May 2012. For the moment you can find the 2010 data in last year's publication at the URL in the footnotes ([1]) .

There is a proliferation of activities in the Member States around online dialogue between citizens and public administrations. The experiences range from e.g. improving public services, to reporting tasks which need fixing in the neighbourhood, to online consultations of proposed legislation and ePetition activities. One example of a dialogue on a local issue is the involvement of citizens in the redevelopment of the Ulm Central Station in Germany ([2]). Another example of a project at national level is the Estonian TID project (Today I Decide ([3])) which enables governmental and non-governmental organisations that are looking for a solution to allow citizens to take the initiative in proposing and discussing new regulation.

The Digital Agenda for Europe aims at halving the share of individuals in the EU-27 who have never used the Internet to 15 % by 2015. To this end, in 2012 the Commission supports two major awareness activities across Europe; the Get Online Week ([4]) and the e-Skills Week, both taking place from March 26-30, 2012. In addition, there is relevant funding available from CIP ICT PSP programme 2012, while significant efforts are undertaken on competences of ICT practitioners and users, in the context of the European Qualifications Framework. Additionally, the Gdansk Roadmap ([5]), which is the result of stakeholders around Europe already working together, sets out concrete areas for action.

([1]) http://ec.europa.eu/information_society/digital-agenda/scoreboard/index_en.htm
http://ec.europa.eu/information_society/digital-agenda/scoreboard/docs/pillar/egovernment.pdf
([2]) http://www.ulm-citybahnhof.de/
([3]) http://tom.riik.ee/
([4]) www.getonlineweek.eu
([5]) www.innodig.eu

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001057/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Sergio Paolo Frances Silvestris (PPE)
(7 febbraio 2012)

Oggetto: VP/HR — Embargo europeo sul petrolio dall'Iran

A seguito dell'embargo europeo sul petrolio dall'Iran, in modo da tagliare le sue fonti di finanziamento al programma atomico, e del congelamento dei beni della Banca centrale iraniana nell'UE per impedire ogni transazione fra Teheran e l'Occidente, si temono ora ripercussioni conseguenti alla dichiarazione di Teheran sulla chiusura dello stretto di Hormuz. Tale notizia ha messo in allarme gli Stati Uniti e porterebbe a un intervento della marina da guerra americana: la portaerei Abraham Lincoln è già nel Golfo Persico.

Teheran parla di embargo ingiusto, incompatibile con la crisi economica dei paesi dell'UE e avverte che non cambierà linea. Uno scontro militare dell'Occidente con l'Iran avrebbe sviluppi potenzialmente devastanti per l'economia europea e anche l'embargo da solo, che comprende importazione, acquisto e trasporto del petrolio, non è una scelta gratuita.

L'Iran esporta 2,5 milioni di barili di petrolio al giorno, per il 20 % in Europa. L'Italia è il primo paese importatore nell'UE, e il quarto al mondo dopo Cina, Giappone e India.

Alla luce dei fatti sovraesposti, può il Vicepresidente/Alto Rappresentante far sapere:

Come intenda garantire la sicurezza dell'approvvigionamento energetico ed attuare misure e creare partenariati che garantiscano la sicurezza degli approvvigionamenti energetici in un contesto di vulnerabilità delle importazioni, come risulta in seguito all'embargo sul petrolio iraniano, e di incertezza sugli approvvigionamenti futuri?

Risposta data da Günther Oettinger a nome della Commissione
(15 marzo 2012)

Alla luce della recente decisione di rafforzare le sanzioni dell'UE relative al settore energetico iraniano, la Commissione svolge un monitoraggio continuo del mercato ed è pronta ad affrontare gli ulteriori sviluppi. Le ripercussioni del divieto di importazione imposto dall'UE dipenderanno in gran parte dalla reazione degli altri produttori e dagli acquirenti asiatici di petrolio iraniano.

Le preoccupazioni espresse da alcuni Stati membri relative alla disponibilità di taluni greggi sono reali e comprensibili. Tuttavia, gli altri paesi produttori come ad esempio l'Arabia Saudita hanno segnalato la loro capacità e disponibilità a soddisfare la crescente domanda di petrolio dei clienti esistenti.

Il pacchetto di sanzioni comprende un periodo di transizione per contratti già conclusi, che concederà una certo periodo di tempo per adeguarsi alla misura. Si procederà a un riesame per fare il punto degli effetti della misura prima della data limite, in particolare per quanto riguarda gli aspetti specifici di alcuni Stati membri. Le scorte dell'UE attualmente sono a livelli adeguati (120 giorni).

La Commissione è pronta ad aiutare gli Stati membri colpiti dalle sanzioni a cercare forniture alternative di greggio, se necessario.

(English version)

Question for written answer E-001057/12
to the Commission (Vice-President/High Representative)
Sergio Paolo Frances Silvestris (PPE)
(7 February 2012)

Subject: VP/HR — European embargo on oil from Iran

Following the embargo imposed by the EU on oil from Iran in order to cut off the nuclear programme's sources of funding, and the freezing of the assets of the Iranian central bank in the EU to prevent any transactions between Iran and the West, there are now fears that there will be repercussions following Iran's statement on closing the Strait of Hormuz. This development has alarmed the United States and could lead to intervention by US marines: the aircraft carrier Abraham Lincoln is already in the Persian Gulf.

Iran says that the embargo is unjust and incompatible with the economic crisis in the EU countries, and warns that it will not change its course of action. A military clash between the West and Iran could have a potentially devastating effect on the European economy, and even the embargo alone, which covers the import, purchase and transport of oil, is not a choice that is devoid of consequences.

Iran exports 2.5 million barrels of oil a day, 20 % of which goes to Europe. Italy is the EU's largest importer and the world's fourth largest importer after China, Japan and India.

In light of the above, can the Vice-President/High Representative state:

how she intends to ensure security of energy supply and to put in place the necessary measures and partnerships with a view to that end, given the precarious import situation resulting from the embargo on Iranian oil, as well as the uncertainty regarding future supplies?

Answer given by Mr Oettinger on behalf of the Commission
(15 March 2012)

In light of the recent decision on enhance EU sanctions affecting the Iranian energy sector, the Commission is continuously monitoring the market and stands ready to address further developments. Impacts of the EU import ban will largely depend on the reaction of other producers and Asian buyers of Iranian oil.

Concerns expressed by some Member States regarding the availability of certain crudes are valid and understandable. However, other producer countries such as Saudi Arabia have indicated their ability and readiness to satisfy increasing demand for its oil for existing customers.

The sanctions package includes a transition period for prior contracts, which will allow some time to adjust to the measure. A review is built in to take stock of effects of the measure before the cut-off date, in particular with regard to the specific concerns of some Member States. EU stocks are currently at adequate levels (120 days).

The Commission stands ready to help Member States affected by the sanctions to investigate alternative crude supplies if needed.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001058/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(7 febbraio 2012)

Oggetto: Frodi mediche ed azione UE

In Italia sono stati scoperti falsi dentisti che operavano ignari clienti con l'aiuto di due medici prestanome. La prima è una donna, rappresentante di commercio che nella sua abitazione aveva allestito un ambulatorio per operazioni di chirurgia estetica, e il secondo si spacciava da odontoiatra e curava decine di persone senza averne i requisiti. Questa è la scoperta della Guardia di Finanza di Bergamo (Italia), nell'ambito di un'indagine denominata «sanità sicura». I militari hanno denunciato sei persone e sequestrato due ambulatori in un centro medico di Seriate, dove hanno sorpreso al lavoro i due falsi medici.

Complessivamente sono state sequestrate circa 400 confezioni di medicinali, prodotti cosmetici e anabolizzanti per un valore di circa ventimila euro. I finanzieri hanno inoltre scoperto che nel centro medico, oltre alle cure dentistiche abusive, venivano effettuate anche prestazioni medico-estetiche, quali infiltrazioni di botulino e di acido ialuronico.

Tutto ciò senza che nessuno dei medici fosse abilitato all'esercizio della professione, all'insaputa dei clienti.

In considerazione di quanto premesso, può la Commissione rispondere ai seguenti quesiti:

1. È il documento COM(2008)0837 del 15 dicembre 2008 sulla sicurezza dei pazienti applicabile al caso esposto?

2. Quali azioni ha messo in atto a favore della sicurezza dei pazienti e, fermo restando che la competenza in materia rimane dei singoli paesi, in che modo sta stimolando la cooperazione tra gli Stati membri in materia di sostegno allo sviluppo di sistemi, procedure e strumenti più sicuri?

Risposta data da John Dalli a nome della Commissione
(14 marzo 2012)

Gli Stati membri sono responsabili dell'organizzazione e della fornitura di servizi sanitari e di assistenza medica, compresa la responsabilità per il controllo delle qualifiche degli operatori della sanità.

La raccomandazione 2009/C 151/01 del Consiglio ([1]) del 9 giugno 2009 sulla sicurezza dei pazienti, comprese la prevenzione e il controllo delle infezioni associate all'assistenza sanitaria, non è applicabile alla situazione di coloro che, sprovvisti di qualifiche mediche, espletano illegalmente le mansioni di operatore sanitario. Tale raccomandazione espone una serie di misure da attuarsi sia a livello degli Stati membri che di UE al fine di affrontare le problematiche legate alla sicurezza dei pazienti e di assicurare un'assistenza sanitaria quanto più sicura possibile per tutti i pazienti europei nell'UE. Essa però non affronta la questione delle qualifiche formali degli operatori della sanità. Per attuare la raccomandazione del Consiglio summenzionata, nel piano di lavoro 2012 del programma Salute è prevista un'azione comune per la sicurezza dei pazienti e la qualità dell'assistenza finalizzata a costituire una rete di sostegno per gli Stati membri e le parti interessate al fine di condividere buone pratiche volte al miglioramento della sicurezza dei pazienti.

La legislazione dell'UE, segnatamente la direttiva sulle qualifiche professionali ([2]) fissa le regole per il riconoscimento reciproco delle qualifiche mediche acquisite in un altro Stato membro. Le disposizioni della direttiva non risultano applicarsi al presente caso, poiché nessuna delle persone coinvolte possedeva una qualifica medica e pertanto non vi è nessun elemento attinente al riconoscimento transfrontaliero delle qualifiche nell'UE.

([1]) http://eur-lex.europa.eu/JOHtml.do?uri=OJ:C:2009:151:SOM:en:HTML.
([2]) Direttiva 2005/36/CE relativa al riconoscimento delle qualifiche professionali, GU L255 del 30.9.2005.

(English version)

Question for written answer E-001058/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(7 February 2012)

Subject: Medical frauds and EU action

In Italy, sham dentists have been uncovered who were operating on unsuspecting clients with the help of two doctors acting as front-men. The first is a woman, a sales representative who had fitted out a cosmetic surgery clinic in her home, while the second passed himself off as a dental surgeon who treated dozens of patients without having the necessary qualifications. This discovery was made by the Guardia di Finanza (Fiscal Police) in Bergamo, Italy, as part of an investigation entitled 'sanità sicura' ('safe health'). The police charged six people and raided two clinics in a medical centre in Seriate, where they surprised the two fake dentists at work.

Overall, around 400 boxes of medicines, cosmetic products and anabolic steroids were seized with a value of around EUR 20 000. The police also discovered that in the medical centre, in addition to unlawful dental treatment, cosmetic treatments such as botulinum toxin injections and hyaluronic acid injections were also being carried out.

All of this took place, unbeknown to their clients, without any of the doctors being professionally qualified.

In light of the above, can the Commission answer the following questions:

1. Is document COM(2008)0837 of 15 December 2008 on patient safety applicable in this case?

2. What action has it taken to ensure patient safety and, on the understanding that competence in this matter remains with the individual countries concerned, how is it fostering cooperation between Member States in regard to supporting the development of safer systems, procedures and instruments?

Answer given by Mr Dalli on behalf of the Commission
(14 March 2012)

Member States are responsible for the organisation and delivery of health services and medical care, including the responsibility for the control of the qualifications of medical professionals.

The Council Recommendation (2009/C 151/01) ([1]) of 9 June 2009 on patient safety, including the prevention and control of healthcare associated infections, to which the Honourable Member refers, is not applicable to the situation of people with no medical qualifications illegally performing the tasks of a health professional. This recommendation puts forward a series of measures to be implemented both at Member State and EU level with the aim of addressing the patient safety challenge and ensuring the safest possible healthcare for all European patients in the EU. However, it does not address the formal qualifications of healthcare professionals. To implement the abovementioned Council recommendation, a joint action on patient safety and quality of care — foreseen in the 2012 work plan of the Health Programme — will provide a network to support Member States and stakeholders in sharing good practices for improving patient safety.

EU legislation — the Professional Qualifications Directive ([2]) — provides for rules on the mutual recognition of medical qualifications acquired in another EU Member State. The provisions of the directive do not seem to apply to this case as none of the persons involved had medical qualifications and there is no element of EU cross-border recognition of qualifications.

([1]) http://eur-lex.europa.eu/JOHtml.do?uri=OJ:C:2009:151:SOM:en:HTML.
([2]) Directive 2005/36/EC on the recognition of professional qualifications, OJ L 255 30.9.2005.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001059/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Sergio Paolo Frances Silvestris (PPE)
(7 febbraio 2012)

Oggetto: VP/HR — Ripresa delle ostilità in Libia

Un consistente gruppo di nostalgici, equipaggiato con razzi e mitraglie pesanti, ha preso il controllo della cittadina rimasta fino all'ultimo schierata con il Colonnello. La notizia è stata confermata dal portavoce del Consiglio locale della città, Mahmud el Werfelli. Negli scontri sono morti quattro miliziani del Cnt (Consiglio nazionale di transizione, l'organismo che governa la nuova Libia) e altri venti sono stati feriti. Bani Walid è stata una delle ultime difese gheddafiane a cadere: evidentemente non è mai stata davvero pacificata.

Ma l'intero paese è scosso da tensioni inquietanti. L'epicentro è Bengasi, la capitale della Cirenaica, la prima grande città a ribellarsi al Raìs e ora sempre più insofferente rispetto agli equilibri che si stanno formando al vertice.

La transizione, dunque, si sta rivelando un percorso pieno di insidie e ancora segnato dalla violenza. Il regime provvisorio, fra dimissioni annunciate come quelle di Abdel Hafiz Ghoga (Vicepresidente nazionale del Consiglio nazionale di transizione) e di Hafed Gaddur (ambasciatore libico in Italia), appare paralizzato e impotente di fronte alla ripresa delle ostilità in Libia.

Tutto ciò premesso, si chiede al Vicepresidente/Alto Rappresentante:

1. Intende l'UE appropriarsi del dossier Libia, per smorzare sul nascere il rischio di ulteriori frammentazioni tra i paesi alleati e far sentire il suo peso insieme con altre forze internazionali come la NATO e le Nazioni Unite, evitando così la problematica uscita positiva dalla crisi attuale?

2. Intende il Vicepresidente/Alto Rappresentante affrontare, oltre la sola questione libica, in modo più compiuto tutto il complesso dossier dei mutamenti politici in corso nel mondo arabo, con soluzioni di lungo periodo ed ampia prospettiva che vadano dall'aiuto, alla modernizzazione e democratizzazione di questi paesi, sino alla gestione dei problemi di sicurezza della regione mediterranea (terrorismo, criminalità organizzata, movimenti migratori, conflittualità regionali eccetera)?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(23 aprile 2012)

1. L'UE collabora attivamente con le autorità libiche, sostenendo i loro sforzi per guidare il paese nel difficile processo di transizione verso l'elezione di un Consiglio nazionale, prevista per giugno 2012. A tal fine, l'approccio dell'UE si articola nei seguenti punti: i) avviare un dialogo con le autorità libiche a tutti i livelli per affrontare le necessità del paese e la situazione in atto sul territorio; ii) fornire assistenza urgente ove necessario per la stabilizzazione a breve e medio termine. Ad oggi, l'Unione ha messo a disposizione 30 milioni di EUR, che si sommano agli 80,5 milioni di EUR stanziati per l'assistenza umanitaria. Per il 2012, altri 50 milioni di EUR sono a disposizione per la Libia. L'UE sta altresì realizzando una serie di valutazioni delle esigenze in settori chiave, quali la gestione delle frontiere, la società civile e i media; iii) sostenere la società civile e altri soggetti impegnati in Libia; iv) rafforzare la presenza dell'UE in Libia attraverso la Delegazione in loco; v) intrattenere un dialogo con i partner internazionali, fra cui l'Organizzazione del trattato dell'Atlantico del Nord (NATO) e le Nazioni Unite (ONU); vi) rendere gradualmente accessibili vari programmi dell'UE volti ad aiutare il paese nella transizione verso la democrazia e la ripresa economica.

2. Per quanto concerne la regione in senso più ampio, l'Alta Rappresentante/Vicepresidente si è impegnata fin dall'inizio della Primavera araba a sostegno dei processi di transizione democratica, insieme ai partner dell'Unione e agli altri attori internazionali quali l'ONU e la Lega araba. La Commissione ha inoltre messo a punto una serie di risposte, contenute nelle comunicazioni congiunte di marzo 2011 e maggio 2011, per contribuire a realizzare le aspirazioni dei popoli della regione. Queste risposte prevedono, tra le altre cose, un maggiore sostegno finanziario a favore della regione, un migliore accesso al mercato, partenariati per la mobilità e il rafforzamento della cooperazione settoriale.

(English version)

Question for written answer E-001059/12
to the Commission (Vice-President/High Representative)
Sergio Paolo Frances Silvestris (PPE)
(7 February 2012)

Subject: VP/HR — Renewal of hostilities in Libya

A sizeable group of diehards, equipped with rockets and heavy machine guns, have taken control of the small town which was until the very last a stronghold of Colonel Gaddafi. This has been confirmed by the municipal council spokesperson, Mahmud el Werfelli. During the fighting, four militants of the NTC (National Transitional Council, the governing body of the new Libya) were killed and another twenty were injured. Bani Walid was one of the last Gaddafi defences to fall: clearly it has never really ended hostilities.

At the same time tensions are growing alarmingly throughout the country. The epicentre is Benghazi, the capital of Cyrenaica and the first major city to revolt against the Raìs. It is now growing increasingly intolerant of the balance of power being established at the top.

Hence the transition is proving to be full of pitfalls and marked by continued violence. The temporary regime, following the resignations of Abdel Hafiz Ghoga (national vice-president of the National Transitional Council) and Hafed Gaddur (the Libyan Ambassador to Italy) for example, appears paralysed and powerless in the face of the renewed hostilities in Libya.

In view of this:

1. Can the Vice-President/High Representative indicate whether the EU intends to take possession of the Libya dossier to reduce the risk of further fragmentation between allied countries and to make its weight felt together with other international forces such as NATO and the United Nations, thereby averting problems which might prevent a favourable resolution of the current crisis?

2. Does the Vice-president/High Representative intend to address, in addition to the Libyan matter, the entire dossier of political changes underway in the Arab world more thoroughly, examining comprehensive long-term solutions ranging from aid, the modernisation and democratisation of these countries, to the management of security issues in the Mediterranean region (terrorism, organised crime, migration, regional conflicts, etc.)?

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

1. The EU is working closely with the Libyan authorities in support of their efforts to guide the country through the difficult process of transition towards the elections of a National Council scheduled for June 2012. To this end, the EU's approach consists of (i) engaging in dialogue with the Libyan authorities at all levels as regards their needs and the developing situation on the ground; (ii) providing urgent assistance where needed for short-term stabilisation as well as medium term stabilisation. To date, EUR 30 million has been made available, in addition to EUR 80.5 million for humanitarian assistance. A further EUR 50 million is available for Libya in 2012. The EU is also leading needs assessments in key sectors such as border management, civil society and the media; (iii) supporting civil society and other actors in Libya; (iv) strengthening its presence in Libya through its Delegation there (v) maintaining a dialogue with international partners including the North Atlantic Treaty Organisation (NATO) and the United Nations (UN); (vi) progressively making available different relevant EU programmes to assist in the transition to democracy and economic recovery.

2. As regards the wider region, the HR/VP has been fully engaged since the beginning of the Arab Spring in supporting processes of democratic transition together with EU partners and other international actors such as the UN and the Arab League. The Commission has also developed a set of responses to the aspirations of the people of the region contained in Joint Communications in March 2011 and May 2011. These provide, *inter alia*, for greater EU financial support for the region; increased market access; partnerships on mobility and strengthened sectoral cooperation.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001060/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Sergio Paolo Frances Silvestris (PPE)
(7 febbraio 2012)

Oggetto: VP/HR — Terroristi iracheni responsabili della strage di Nassiriya

In Iraq sono stati catturati sette terroristi con l'accusa di aver preso parte alla strage di Nassiriya, ovvero il massacro che il 12 novembre 2003 sconvolse l'Italia. Con un'azione suicida i terroristi fecero irruzione nella base Maestrale alla guida di un'autocisterna imbottita di esplosivo. L'edificio fu sventrato e 28 persone, tra cui 12 carabinieri, 5 militari dell'esercito, 2 civili e 9 iracheni, rimasero uccise. I feriti furono 58, 19 dei quali italiani.

I sette arrestati hanno ammesso di aver appoggiato e assistito l'attentatore suicida, un marocchino di nome Abu al-Kacem abu Leile. L'attacco era stato preparato dall'organizzazione al-Tawid wal-Jihad, collegata ad Al Qaeda.

Anche se non si conoscono i nomi delle sette persone arrestate ieri, si sa che esse hanno avuto un ruolo di assistenza nella preparazione dell'orrenda carneficina. Gli inquirenti le hanno catturate indagando sugli attentati che nelle ultime settimane sono tornati a insanguinare il territorio iracheno, dove la tensione è di nuovo altissima. Ad esempio sono deflagrate bombe a Khadimyah e Sadr City, zone abitate da sciiti. Inoltre all'inizio di gennaio un gruppo di pellegrini sciiti, diretto a Kerbala per la celebrazione di un rito che cade 40 giorni dopo la *Ashura*, ha subito un attacco nei pressi di Nassiriya. Il bilancio è stato di 45 morti e 68 feriti.

Alla luce dei fatti sopraesposti l'interrogante chiede al Vicepresidente/Alto Rappresentante:

considerando che il terrorismo rappresenta una minaccia per la sicurezza, la libertà e i valori dell'Unione europea e dei suoi cittadini, quali sono l'approccio globale e la risposta appropriata e adeguata dell'Unione europea alla lotta contro tale fenomeno?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(26 marzo 2012)

L'Unione europea affronta il problema del terrorismo nel contesto delle Nazioni Unite e nelle relazioni con i paesi terzi e le organizzazioni internazionali. La risposta dell'UE è guidata dal principio secondo cui misure efficaci di lotta al terrorismo da una parte e tutela dei diritti umani, delle libertà fondamentali e dello Stato di diritto dall'altra, sono obiettivi complementari tra loro che si rinforzano vicendevolmente. In termini di settori tematici, la priorità viene data alla prevenzione e alla lotta contro la radicalizzazione, il reclutamento e il finanziamento del terrorismo.

L'UE ha instaurato un dialogo politico e forme di cooperazione con gli Stati terzi e le organizzazioni internazionali. Il principale strumento finanziario per sostenere le attività di prevenzione e lotta al terrorismo dei paesi terzi è lo strumento per la stabilità.

L'Unione europea è considerata uno dei più strenui sostenitori della strategia globale antiterrorismo dell'ONU e del suo approccio globale. L'UE ha fortemente sostenuto la creazione del forum globale antiterrorismo (GCTF) volto a promuovere la cooperazione multilaterale e nel settore civile nonchè il rafforzamento delle capacità degli Stati vulnerabili al terrorismo. Il GCTF si adopera per la piena attuazione della strategia globale antiterrorismo delle Nazioni Unite e tra i suoi obiettivi primari rientrano il coordinamento con i partner internazionali, la promozione di un multilateralismo efficace che affronti il terrorismo come una delle principali cause di instabilità, e il sostegno al rafforzamento delle capacità. L'UE partecipa attivamente alle attività del GCTF e, insieme alla Turchia, detiene la copresidenza del gruppo di lavoro sulla regione del Corno d'Africa.

(English version)

Question for written answer E-001060/12
to the Commission (Vice-President/High Representative)
Sergio Paolo Frances Silvestris (PPE)
(7 February 2012)

Subject: VP/HR — Iraqi terrorists responsible for the Al-Nasiriyah massacre

In Iraq, seven terrorists have been captured and charged with taking part in the Al-Nasiriyah massacre which shocked Italy on 12 November 2003. In a suicide attack, the terrorists burst into the Italian headquarters there, driving a tanker packed with explosives. The building was demolished and 28 people (12 *carabinieri*, 5 soldiers, 2 Italian civilians and 9 Iraqis) were killed. 58 people were injured, including 19 Italians.

The seven arrested admitted to having supported and assisted the suicide attacker, a Moroccan called Abu al-Kacem abu Leile. The attack had been organised by the organisation al-Tawid wal-Jihad, linked to Al Qaeda.

Even if the names of the seven people arrested yesterday are unknown, we do know that they had a role in preparing the horrific massacre. The officers caught them when investigating the renewed attacks which have occurred in the last few weeks, causing bloodshed in Iraq where tensions are again running very high. For example, bombs have exploded in Khadamayah and Sadr City, areas inhabited by Shias. Furthermore, at the beginning of January, a group of Shia pilgrims on their way to Kerbala for the celebration of a ritual which takes place 40 days after *Ashura*, suffered an attack on the outskirts of Al-Nasiriyah. 45 people were killed and 68 injured.

In the light of the above and considering that terrorism is a threat to the security, freedom and values of the EU and its citizens, can the Vice-President/High Representative explain the global approach and state what appropriate and adequate action the Union is taking in response to the need to fight this phenomenon?

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

The EU is addressing the terrorist threat in the framework of the UN and in its relations with third countries and international organisations. In doing this, it is guided by the principle that effective counter-terrorism measures and the protection of human rights, fundamental freedoms and the rule of law are complementary and mutually reinforcing goals. In terms of thematic areas, priority is given to prevention, the fight against radicalization and recruitment, and financing of terrorism.

The EU has established its political dialogue and cooperation with third states and international organisations. The main financial instrument to support third countries in their efforts to prevent and counter terrorism is the Stability Instrument (IfS).

The European Union is regarded as one of the strongest proponents of the UN Global Counter-Terrorism Strategy and its overall approach that it embodies. The launch of the Global Counter-Terrorism Forum (GCTF) aimed at promoting multilateral and civilian led cooperation on counter-terrorism and capacity building in terrorist vulnerable states was strongly supported by the EU. GCTF promotes the full implementation of the UN Global CT Strategy. The overall objectives of the GCTF aim at coordination with international partners and promotion of effective multilateralism to tackle terrorism as one of the root causes of instability and promotion of capacity building. The EU is actively involved in the GCTF activities, co-chairs with Turkey the working group on the Horn of Africa region.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001061/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(7 febbraio 2012)

Oggetto: Fenomeno dell'Italian sounding

Il ministero dello Sviluppo economico ha incentivato e finanziato alcune aziende controllate dallo stesso dicastero che producevamo cibi «Made in Italy» contraffatti. È quanto emerge dalla prima relazione sulla contraffazione alimentare firmata dalla commissione parlamentare di inchiesta sui fenomeni della contraffazione e della pirateria in campo commerciale.

Il fenomeno, noto come *Italian sounding*, consiste nello spacciare per italiani determinati prodotti mediante un packaging che gioca sulla bandiera tricolore, sullo stivale e su denominazioni varie. In questo modo viene alimentata una truffa da 60 miliardi di euro l'anno. Tra le contraffazioni più curiose figurano il salame napoletano di Bucarest, la «pummarola» brasiliana, il pesto della Pennsylvania e il prosecco tedesco.

Alla luce dei fatti sopraesposti l'interrogante chiede alla Commissione:

1. considerando che l'etichetta è diventata negli ultimi anni il principale strumento di informazione dei consumatori sugli alimenti in commercio, e che l'attività illecita descritta nuoce non solo al commercio dei prodotti specifici ma anche alla tutela dei diritti dei consumatori, quali sono le normative europee applicabili nell'ambito della lotta al fenomeno dell'*Italian sounding* e, più in generale, in materia di contraffazione alimentare ed etichettatura?

Risposta data da John Dalli a nome della Commissione
(2 marzo 2012)

Come stabilito all'articolo 8 del regolamento (CE) n. 178/2002 ([1]), uno degli obiettivi che la normativa alimentare dell'UE persegue è la prevenzione delle pratiche fraudolente e ingannevoli, dell'adulterazione degli alimenti nonché di ogni altro tipo di pratica in grado di indurre in errore il consumatore. Inoltre, le pratiche di etichettatura fuorvianti sono chiaramente proibite dalle regole generali sull'etichettatura degli alimenti. L'articolo 2 della direttiva 2000/13/CE ([2]) stabilisce che l'etichettatura e le relative modalità di realizzazione non devono essere tali da indurre in errore l'acquirente, specialmente per quanto riguarda le caratteristiche del prodotto alimentare, la sua origine o provenienza. Ciò vale anche per la presentazione e la pubblicità degli alimenti.

Inoltre, a partire dal 13 dicembre 2014 qualsiasi dichiarazione volontaria che possa essere considerata alla stregua di un'indicazione d'origine dovrà ottemperare alle nuove regole relative all'informazione ai consumatori ([3]). Conformemente a tali regole, il paese d'origine degli alimenti trasformati ottenuti non totalmente in un unico paese corrisponde al paese dell'ultima trasformazione sostanziale dell'alimento. Se il suo ingrediente primario proviene da un luogo diverso, si deve fornire inoltre l'indicazione del paese d'origine o del luogo di provenienza di tale ingrediente.

Ulteriori iniziative sulle regole in materia di commercializzazione e sui regimi di qualità dei prodotti agricoli ([4]) sono attualmente dibattute in prima lettura nell'arco del processo legislativo e potrebbero contribuire a migliorare ulteriormente le pratiche commerciali.

([1]) Regolamento (CE) n. 178/2002 del Parlamento europeo e del Consiglio, del 28 gennaio 2002, che stabilisce i principi e i requisiti generali della legislazione alimentare, istituisce l'Autorità europea per la sicurezza alimentare e fissa procedure nel campo della sicurezza alimentare, GU L 31 dell'1.2.2002.

([2]) Direttiva 2000/13/CE del Parlamento europeo e del Consiglio, del 20 marzo 2000, relativa al ravvicinamento delle legislazioni degli Stati membri concernenti l'etichettatura e la presentazione dei prodotti alimentari, nonché la relativa pubblicità, GU L 109 del 6.5.2000, pag. 29.

([3]) Regolamento (UE) n. 1169/2011 del Parlamento europeo e del Consiglio, del 25 ottobre 2011, relativo alla fornitura di informazioni sugli alimenti ai consumatori, che modifica i regolamenti (CE) n. 1924/2006 e (CE) n. 1925/2006 del Parlamento europeo e del Consiglio e abroga la direttiva 87/250/CEE della Commissione, la direttiva 90/496/CEE del Consiglio, la direttiva 1999/10/CE della Commissione, la direttiva 2000/13/CE del Parlamento europeo e del Consiglio, le direttive 2002/67/CE e 2008/5/CE della Commissione e il regolamento (CE) n. 608/2004 della Commissione, GU L 304 del 22.11.2011, pag. 18.

([4]) Proposta di regolamento del Parlamento europeo e del Consiglio recante modifica del regolamento (CE) n. 1234/2007 del Consiglio in ordine alle norme di commercializzazione, COM(2010)738 definitivo; proposta di regolamento del Parlamento europeo e del Consiglio sui regimi di qualità dei prodotti agricoli, COM(2010)733 definitivo.

Gli Stati membri hanno la responsabilità di far rispettare la normativa alimentare dell'UE e di verificare, organizzando controlli ufficiali, che le disposizioni pertinenti della stessa siano applicate dagli operatori economici. Controlli ufficiali devono essere effettuati regolarmente, con cadenza appropriata, e si devono adottare misure idonee per eliminare i rischi e assicurare il rispetto della normativa alimentare dell'UE.

(English version)

Question for written answer E-001061/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(7 February 2012)

Subject: The 'Italian sounding' phenomenon

The Italian Ministry for Economic Development has supported and financed a number of companies (also monitored by that ministry) which are responsible for producing counterfeit 'Made in Italy' food products. This is what has emerged from the first report on food counterfeiting by a parliamentary committee of inquiry into commercial counterfeiting and piracy.

This phenomenon, known as 'Italian sounding', involves passing off certain products as Italian through the use of packaging that displays the tricolour flag, the boot and various distinctive names. The result is fraud to the value of EUR 60 billion each year. The most curious fakes include 'Neapolitan salami' from Bucharest, Brazilian 'pummarola', 'pesto' from Pennsylvania and German 'prosecco'.

In the light of the above facts, and given that in recent years labelling has become the main means of informing consumers concerning food products on the market, while the illegal activities described are harmful not only to the sale of specific products but also to consumer rights, can the Commission state what EU legislation can be invoked in the fight against this phenomenon of 'Italian sounding' and, more generally, counterfeiting activities relating to food products and their labelling?

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

As provided in Article 8 of Regulation (EC) No 178/2002 ([1]), the prevention of fraudulent or deceptive practices, the adulteration of food as well as any other practices which may mislead the consumer, is one of the objectives pursued by EU food law. Furthermore, misleading labelling practices are clearly prohibited by the general rules on food labelling. Article 2 of Directive 2000/13/EC ([2]) requires that the labelling and methods used must not be such as could mislead the purchaser, particularly as to the characteristics of the food, its origin or provenance. This applies also to the presentation and advertising of foods.

In addition, any voluntary statement that can be considered as an indication of origin should, from 13 December 2014, comply with the new rules established in EU Regulation on food information to consumers ([3]). According to them, the country of origin of processed foods not wholly obtained in one single country corresponds to the country of the last substantial transformation of the food. If its primary ingredient originates from a different place, the country of origin or place of provenance of this ingredient should be also provided.

Additional initiatives on marketing standards and quality schemes of agricultural products ([4]) are currently debated in the first reading of the legislative process and could contribute to further improvement of commercial practices.

Member States are responsible for the enforcement of EU food law and verify, through the organisation of official controls, that the relevant requirements thereof are fulfilled by business operators. Official controls must be carried out regularly, with appropriate frequency and appropriate measures must be taken to eliminate risk and ensure enforcement of EU food law.

([1]) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, OJ L 31, 1.2.2002.

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

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

([4]) Proposal for a regulation of the European Parliament and Council amending Council Regulation (EC) No 1234/2007 as regards marketing standards, COM(2010) 738 final; proposal for a regulation of the European Parliament and Council on agricultural product quality schemes, COM(2010) 733 final.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001062/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(7 febbraio 2012)

Oggetto: Scandalo del pane cucinato utilizzando legno di bare e pneumatici

Un'inchiesta pubblicata da un noto quotidiano italiano ha svelato che oltre il 25 % del pane confezionato e venduto nei supermercati del nord e del centro della penisola proviene dai forni della Bulgaria, Slovenia e, soprattutto, della Romania.

Il «pane rumeno» è perlopiù surgelato o precotto e poi riscaldato in forno: un esempio è rappresentato dalle baguette «francesi» vendute da tutti i grandi distributori. I prezzi sono inferiori alla metà di quelli praticati dai produttori italiani e il business è in piena espansione, basti pensare che negli ultimi 12 mesi sono stati importati dalla Romania 1,3 milioni di chili di pane, a fronte dei 6 733 chili di dieci anni fa (fonte Coldiretti), ossia il 135 % in più di importazioni rispetto all'anno precedente.

Secondo l'inchiesta, nei forni a gestione familiare filoni e baguette vengono cucinati utilizzando legna di dubbia provenienza, scarti di bare, residui di traslochi e scheletri di fabbriche dismesse (sono migliaia). Persino pneumatici.

Alla luce dei fatti sovraesposti, può la Commissione far sapere:

1. se intende tracciare un quadro generale sulla questione, al fine di indagare se la vicenda è isolata o, come più probabile vista la portata del caso oramai transnazionale, esiste una rete europea di commercio illecito di pane prodotto in maniera illegale e pericolosa per la salute e gli interessi dei consumatori europei;

2. se si può fare riferimento alle norme di sicurezza alimentare europee in materia di commercio estero nel settore sanitario e fitosanitario, in particolar modo per quanto concerne il rispetto degli obblighi internazionali in materia di attenzione alle misure di tutela degli alimenti?

Risposta data da John Dalli a nome della Commissione
(26 marzo 2012)

Le regole in tema di igiene alimentare sono enunciate nel regolamento (CE) n. 852/2004 ([1]). Conformemente all'articolo 1 di tale regolamento, la responsabilità precipua della sicurezza alimentare compete agli operatori del settore alimentare. L'allegato II dello stesso regolamento stabilisce certi requisiti generali in materia di igiene cui gli operatori devono ottemperare. Tra l'altro essi devono adottare una serie di misure e precauzioni per assicurare che i locali in cui vengono trattati gli alimenti e tutto il materiale, le apparecchiature e le attrezzature che vengono a contatto con gli alimenti siano gestiti in modo tale da evitare o ridurre al minimo il rischio di contaminazione. Non sono definite regole specifiche per quanto concerne il tipo di materiale usato per riscaldare i forni.

Si rammenta che gli Stati membri hanno la responsabilità di far rispettare la normativa UE sui mangimi e gli alimenti e di verificare, attraverso l'organizzazione di controlli ufficiali, che le pertinenti disposizioni della stessa siano rispettate dagli operatori in tutte le fasi della produzione, della trasformazione e della distribuzione. I controlli ufficiali vanno eseguiti regolarmente, in base al rischio, con opportuna frequenza e si devono adottare misure appropriate per eliminare i rischi e assicurare il rispetto della normativa alimentare UE in relazione sia ai prodotti domestici che a quelli importati.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:226:0003:0021:EN:PDF.

(English version)

Question for written answer E-001062/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(7 February 2012)

Subject: Scandal of bread baked using coffin wood and tyres

An investigation published by a leading Italian newspaper has revealed that over 25 % of bread packaged and sold in supermarkets in the north and centre of Italy originates from bakeries in Bulgaria, Slovenia and, in particular, Romania.

'Romanian bread' is usually frozen and precooked and then reheated in the oven: an example is the 'French' baguettes sold by all large distributors. Prices are less than half those of Italian producers, and business is booming if we think that over the last 12 months 1.3 million kilos of bread were imported, compared to 6 733 kilos 10 years ago (source: Coldiretti), and imports totalled 135 % more than in the previous year.

According to the investigation, in family-run bakeries French loaves and baguettes are being baked using wood of dubious origin: coffin scraps, objects left over from people moving house, and frames from disused factories (thousands of these are used). Even tyres are being used.

In the light of the above, can the Commission state:

1 whether it will seek to obtain a general view of the problem, with a view to investigating whether we are dealing with an isolated phenomenon or, as is more likely given a situation which is now transnational, whether there is a European network for illegal trade in illegally produced bread that is liable to endanger the health and wellbeing of consumers in Europe;

2. whether it is possible to invoke the EU legislation on food safety in the context of external trade in the health and plant health sector, particularly in respect of compliance with international food safety obligations?

Answer given by Mr Dalli on behalf of the Commission
(26 March 2012)

The rules on food hygiene are enshrined in Regulation No (EC) 852/2004 ([1]). According to Article 1 of the latter, the primary responsibility for food safety rests with food business operators. Annex II of the same Regulation lays down certain general hygiene requirements which business operators are required to comply with. Amongst other things, they must take a series of measures and precautions to ensure that food premises and all articles, fittings and equipment with which food comes into contact are managed in such a way so as to avoid or minimise the risk of contamination. No specific rules are laid down regarding the type of material they use to heat ovens.

It should be recalled that Member States are responsible for the enforcement of EU feed and food law and verify, through the organisation of official controls, that the relevant requirements thereof are fulfilled by business operators at all stages of production, processing and distribution. Official controls must be carried out regularly, on a risk basis, with appropriate frequency and appropriate measures must be taken to eliminate risk and ensure enforcement of EU food law in relation to both domestic and import products.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:226:0003:0021:EN:PDF.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001063/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(7 febbraio 2012)

Oggetto: Programmi per fondi diretti, città di Taranto

Gli enti territoriali, quali Comuni e Province, sono tra i primi possibili beneficiari dei Fondi diretti programmati ed erogati dalle direzioni generali della Commissione europea. Tra i fondi disponibili ci sono, ad esempio, il programma dedicato alla cultura, il programma per l'occupazione e la solidarietà sociale «Progress», il programma per la cittadinanza «Europa per i cittadini», quello per l'ambiente «Life +», quello dedicato alla gestione dei flussi migratori: programma «Solidarietà e gestione dei flussi migratori», quello dedicato alle risorse umane: programma «Investire nelle persone» e tanti altri.

In merito a questo e ad altri programmi disponibili, può la Commissione rispondere ai seguenti quesiti:

1. Ci sono programmi per i quali la città di Taranto ha fatto richiesta?

2. In caso affermativo, quali sono i progetti che hanno avuto accesso a fondi europei e con quali risultati suddetti programmi sono stati portati a termine?

Risposta data da Janusz Lewandowski a nome della Commissione
(12 marzo 2012)

La provincia di Taranto riceve finanziamenti nell'ambito del programma LIFE+ come beneficiario associato per il progetto «PROVIDUNE: Conservazione e ripristino di habitat dunali nei siti delle Province di Cagliari, Matera, Taranto e Caserta» (2007). Il progetto è iniziato a gennaio 2009 e si concluderà a giugno 2013, con un contributo da parte dell'UE di 2 396 010 EUR. Il progetto è tuttora in corso. La maggior parte delle azioni preparatorie sono state completate e le azioni di conservazione sono in corso di svolgimento.

La provincia di Taranto è stata anche il beneficiario incaricato del coordinamento nell'ambito del programma LIFE III (il predecessore di LIFE+) per il progetto «Sea-Land System: azioni concertate per la gestione delle aree costiere» (2000), che ha ottenuto un contributo UE di 541 170 EUR.

Tra i risultati raggiunti dal progetto figurano:

— la realizzazione di una piattaforma galleggiante con applicazioni wireless per il monitoraggio in tempo reale della qualità delle acque lungo le coste di Bari, Lecce e Taranto;

— la costruzione di un impianto sperimentale per il trattamento delle acque reflue accanto all'impianto di depurazione già esistente a Taranto;

— la ristrutturazione di tre torri costiere (una per provincia), e il loro utilizzo come centri per l'educazione all'ecologia.

Non risultano altre richieste di finanziamenti diretti da parte della città o della provincia di Taranto.

(English version)

Question for written answer E-001063/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(7 February 2012)

Subject: Direct funding programmes — city of Taranto

Local and regional authorities, such as municipalities and provinces, are among the first possible direct beneficiaries of the direct funding administered and allocated by the Directorates-General of the Commission. The funds available include the Culture Programme, the Progress Programme for Employment and Social Solidarity, the Europe for Citizens programme aimed at promoting citizenship, the Life+ programme for the environment, the Migration Flow Management and Solidarity programme and the programme for human resources (Investing in People) and many others.

With regard to this and other available programmes:

1. Can the Commission specify whether there are any programmes under which the city of Taranto has applied for funding;

2. If so, which projects have been given access to European funds, and what was the outcome of the programmes concerned?

Answer given by Mr Lewandowski on behalf of the Commission
(12 March 2012)

The Province of Taranto is receiving funding under the LIFE+ Programme as associated beneficiary for the project 'PROVIDUNE: Conservazione e ripristino di habitat dunal nei siti delle Province di Cagliari, Matera, Taranto e Caserta' (2007). The duration of the project runs from January 2009 to June 2013. The EU contribution for this project is EUR 2 396 010.00. This project is still ongoing. Most of the preparatory actions are completed and the conservation actions are in progress.

Furthermore, the Province of Taranto has been the coordinating beneficiary under the LIFE III programme (LIFE+ predecessor) for the project 'Sea-Land System: concerted Actions for the Coastal Zone Management' (2000) as an associated beneficiary. The EU contribution for this project totalled EUR 541 170.00.

The project achieved among other the following results:

— A floating platform was successfully launched, with wireless applications to carry out real-time monitoring of water-quality along the coasts of Bari, Lecce and Taranto.

— A pilot waste water treatment (WWT) plant was constructed alongside the existing depuration plant in Taranto.

— The renovation of three coastal towers (one per province), and their use as environmental education centres, was also completed.

No other application for direct funding by the City or Province of Taranto has been recorded.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001065/12
an die Kommission
Franz Obermayr (NI)
(7. Februar 2012)

Betrifft: Schariarecht in der EU

Durch den Vertrag von Lissabon verpflichtete sich die EU der Europäischen Menschenrechtskonvention beizutreten. In ständiger Rechtsprechung entschied der Europäische Gerichtshof für Menschenrechte in Straßburg (Urteil vom 13. Februar 2003 — Beschwerden Nrn. 41340/98, 41342/98, 41343/98 und 41344/98), dass Schariarecht mit den demokratischen Grundrechten in der EMRK nicht vereinbar sei („The Court concurs in the Chamber's view that sharia is incompatible with the fundamental principles of democracy, as set forth in the Convention", Randnr. 123 des Urteils).

In Deutschland existiert ebenfalls Judikatur, welche die Anwendung von Schariarecht nur zulässt, soweit sie mit dem „ordre public", also den Grundprinzipien der Verfassung, vereinbar ist. In einigen Mitgliedstaaten kam es jedoch in den letzten Jahren zu bedenklichen Entwicklungen, wie etwa in Belgien, den Niederlanden und insbesondere in Großbritannien: So existieren bereits Hunderte islamische Schiedsgerichte in Großbritannien, welche auf Basis des Korans Streitsachen schlichten. Zehntausende Briten sammelten über das Internet Unterschriften gegen die Unterwanderung der staatlichen Rechtsordnung durch Schariagerichte.

1. Wie steht die Kommission zur zunehmenden Anwendung von Schariarecht in den Mitgliedstaaten?

2. Wie steht die Kommission zur Anwendung von Schariarecht durch nationale Gerichte im Rahmen des Internationalen Privatrechts? Gibt es nach Meinung der Kommission eine „ordre public"-Grenze?

3. Wie steht die Kommission zur oben erwähnten Ausbreitung von Scharia-Schiedsgerichten? Kommt es dadurch zu einer Parallelgerichtsbarkeit, die die staatliche Rechtsordnung unterwandert? Wie kann eine staatliche Kontrolle gewährleistet werden, wenn die Schiedsgerichte häufig im Untergrund, in Moscheen oder privaten Häusern, operieren?

4. Ist es angesichts des oben erwähnten Beitritts zur EMRK vertretbar, die Anwendung von Schariarecht in der EU zuzulassen?

5. Welche Maßnahmen gedenkt die Kommission zu setzen, um eine mit europäischen Grundwerten, speziell betreffend die Gleichstellung der Geschlechter, nicht vereinbare Rechtsprechung hintanzuhalten?

Antwort von Frau Reding im Namen der Kommission
(16. März 2012)

1. Die Kommission hat in ihrer Antwort auf die Anfrage E-9450/2011 ([1]) darauf hingewiesen, dass die „Scharia" ein allgemeines Konzept ist, das verschiedene rechtliche Aspekte umfasst und sowohl in den Ländern, in denen es angewendet wird, als auch von Fachleuten unterschiedlich ausgelegt wird. Die Kommission ist entschlossen, sicherzustellen, dass die in der EU-Charta der Grundrechte verankerten Rechte bei allen EU-Vorschriften wie auch bei der Umsetzung des Unionsrechts durch die Mitgliedstaaten geachtet werden. In Bereichen jenseits des EU-Rechts obliegt es einzig den Mitgliedstaaten, die Achtung der Grundrechte in Übereinstimmung mit ihrem nationalen Recht und ihren internationalen Verpflichtungen zu gewährleisten.

2. In den Mitgliedstaaten geltende privatrechtrechtliche Vorschriften einschließlich der auf EU-Recht gestützten Vorschriften können zur Folge haben, dass ausländische Vorschriften, denen Scharia-Recht zugrunde liegt, zur Anwendung kommen Diese Vorschriften des internationalen Privatrechts sehen im Allgemeinen die Möglichkeit der Nicht-Anwendung einer Bestimmung eines ausländischen Rechts vor, das eindeutig nicht mit der öffentlichen Ordnung des betreffenden Mitgliedstaats vereinbar ist.

3. Die Vereinigungsfreiheit gehört zu den wesentlichen Grundsätzen des EU-Rechts und der Vorschriften der Mitgliedstaaten. Gemäß den Verträgen ist die Kommission nicht befugt zu untersagen, dass Schariagerichte als Organisationen kulturell, sozial oder in anderer Weise tätig werden. Gleichwohl können die „Entscheidungen" dieser Organisationen nicht als Schiedssprüche gelten, besitzen keinen justiziellen Charakter und können einzig auf der Basis nationaler Bestimmungen anerkannt und angewendet werden.

([1]) http://www.europarl.europa.eu/sidesSearch/sipadeMapUrl.do?L=EN&PROG=QP&SORT_ORDER=DAA&REF_QP=2011-9450&F_REF_QP=9450/2011&S_RANK=%&LEG_ID=7.

4.-5. Das EU-Recht enthält entsprechende Garantien (die Rom-I- und die Rom-II-Verordnung sowie den Entwurf der Rom-III-Verordnung). Somit finden die Teile des Scharia-Rechts, die mit den Grundrechtestandards der EU nicht vereinbar sind, keine Anwendung. Diejenigen Entscheidungen ausländischen Rechts, die sich auf mit den EU-Standards unvereinbare Scharia-Bestimmungen stützen, werden in der EU weder anerkannt noch angewendet.

(English version)

Question for written answer E-001065/12
to the Commission
Franz Obermayr (NI)
(7 February 2012)

Subject: Sharia law in the EU

In the Treaty of Lisbon, the EU committed itself to sign up to the European Convention of Human Rights. The European Court of Human Rights in Strasbourg has consistently ruled (see the judgment of 13 February 2003 on applications 41340/98, 41342/98, 41343/98 and 41344/98) that sharia law is not compatible with the fundamental principles of democracy in the ECHR ('The Court concurs in the Chamber's view that sharia is incompatible with the fundamental principles of democracy, as set forth in the Convention').

Case law also exists in Germany that only permits sharia law to be applied provided this is compatible with 'ordre public', in other words the fundamental principles of the constitution. In some Member States, however, there have been some disturbing developments in recent years, for example in Belgium, the Netherlands and, in particular, the United Kingdom: thus, hundreds of Islamic courts already exist in the United Kingdom where disputes are arbitrated upon on the basis of the Koran. Tens of thousands of Britons have signed Internet petitions against the undermining of the state's legal system by sharia courts.

1. What is the Commission's position in relation to the application of sharia law in the Member States?

2. What is the Commission's position in relation to the application of sharia law by national courts in the context of private international law? In the opinion of the Commission, does a limit exist in relation to 'ordre public'?

3. What is the Commission's position in relation to the aforementioned increasing number of sharia courts? Does this lead to a parallel jurisdiction that undermines the state's legal system? How can state control be assured when the courts frequently operate on an underground basis, in mosques or private houses?

4. In view of the EU's aforementioned accession to the ECHR, is it possible to justify allowing sharia law to be applied in the EU?

5. What measures is the Commission considering putting in place to prevent judicial administration that is incompatible with basic European values, in particular in relation to the equality of the sexes?

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

1. As the Commission has pointed out in its reply to Question E-9450/2011 ([1]), 'sharia' is a general concept that encompasses several legal aspects and is subject to varying interpretations both in the countries where it is applied and among specialists. The Commission is committed to ensuring that any EU legislation as well as the Member States, when implementing Union law, respect the rights enshrined in the Charter of Fundamental Rights of the European Union. In areas beyond EC law, it is for Member States alone to safeguard the respect of fundamental rights, in accordance with their national laws and international obligations.

2. Private international law rules in force in the Member States, including those based on EC law, may lead to the application of a foreign law which is based on sharia law. However, these private international law rules in general provide for a possibility not to apply a provision of the designated foreign law which is manifestly incompatible with the public policy of the Member State concerned.

3. Freedom of association is a basic principle of EC law and national laws as well. The Commission does not have the power under the Treaties to prohibit that sharia court like organisations exercise cultural, social and other activities. Nevertheless, the 'decisions' of these organisations cannot be considered as arbitration awards, do not have a judicial character and can be recognised and enforced only on the basis of national laws.

([1]) http://www.europarl.europa.eu/sidesSearch/sipadeMapUrl.do?L=EN&PROG=QP&SORT_ORDER=DAA&REF_QP=2011-9450&F_REF_QP=9450/2011&S_RANK=%&LEG_ID=7.

4-5. There are safeguards in place in EC law (Rome I Regulation, Rome II Regulation and the draft Rome III Regulation). Consequently, those parts of sharia law which are not compatible with EU fundamental rights standards will not be applied, and those foreign judicial decisions, which are based on provisions of sharia law that are incompatible with these standards will not be recognised and enforced in the EU.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001066/12
an die Kommission
Andreas Mölzer (NI)
(7. Februar 2012)

Betrifft: Senkung des Autolärms

Die EU-Kommission plant, den Fahrzeuglärm um ein Viertel zu senken (von 68 Dezibel auf max. 74 Dezibel in sieben Jahren), wobei für Sportwagen eine Sonderregel geplant ist. Im neuen Vorschlag werden Auflagen für Busse und Lastwagen, nicht jedoch für Motorräder gemacht. Hingegen sollen Elektro- und Hybridautos lauter werden, um von Fußgängern akustisch wahrgenommen zu werden.

1. Sieht die Kommission es nicht als sinnvoller an, im Rahmen des UN-Gremiums, der UN/ECE, das weltweite Automobilstandards setzt, eine Lärmreduktion anzupeilen?

2. Aus welchem Grund wurden Motorräder nicht im Vorschlag zur Reduktion von Verkehrslärm berücksichtigt?

3. Auf Europas Straßen ist eine Vielzahl an Schrott-LKW aus Drittländern unterwegs, die sicherlich auch nicht den Vorschriften bezüglich des Fahrzeuglärms entsprechen. Wie steht die Kommission dazu, dass auf diese Weise (neben Sicherheitsbestimmungen) die Reduktionsvorschriften umgangen werden können?

4. Was ist hinsichtlich der Lärmerzeugung im Flugverkehr geplant?

Antwort von Herrn Tajani im Namen der Kommission
(30. April 2012)

1. Mit dem Vorschlag der Kommission für eine Verordnung über den Geräuschpegel von Kraftfahrzeugen ([1]) wird ein Prüfverfahren zur Messung von Geräuschemissionen eingeführt, das auf der Methode beruht, die von der UN/ECE entwickelt wurde. Da der Gesetzgeber der Kommission ([2]) keine Befugnis zum Erlass neuer Geräuschgrenzwerte übertragen hat, kann die Kommission keinen diesbezüglichen Vorschlag auf der Ebene der UN/ECE vorlegen, bevor der Text von Parlament und Rat angenommen ist.

2. Die vorgeschlagene Verordnung gilt für neue Pkw, Busse, leichte und schwere Lkw. Motorräder fallen unter eine andere Verordnung ([3]), die derzeit in Parlament und Rat erörtert wird.

3. In Drittländern zugelassene und auf den Straßen der EU fahrende Kfz fallen nicht unter EU-Verordnungen. Ihr Einsatz im grenzüberschreitenden Verkehr wird durch das Wiener Übereinkommen über den Straßenverkehr ([4]) von 1968 geregelt und sie können von nationalen Rechtsvorschriften über die Lärmbelästigung erfasst werden.

4. Was Fluglärm betrifft, gibt es eine spezielle Rechtsvorschrift, mit der der Einsatz der lautesten Flugzeuge verboten ([5]) und ein spezifisches Lärmbewertungsverfahren vorgeschrieben wird, das befolgt werden muss, wenn lärmbedingte Betriebsbeschränkungen ([6]) vorgenommen werden. Außerdem wirkt die Kommission in der ICAO ([7]) mit, die weltweite Lärmschutzstandards für Luftfahrzeuge festlegt.

([1]) KOM(2011)0856 endg. — 2011/0409 (COD), angenommen am 9. Dezember 2011.
([2]) Siehe Artikel 3 der Richtlinie 70/157/EWG.
([3]) KOM(2010)542 endg. — 2010/0271 (COD).
([4]) Übereinkommen der Vereinten Nationen über den Straßenverkehr, abgeschlossen in Wien am 8. November 1968 (englische Fassung): http://www.unece.org/trans/conventn/Conv_road_traffic_EN.pdf
([5]) Richtlinie 2006/93/EG, ABl. L 374 vom 27.12.2006, S. 1-4.
([6]) Richtlinie 2002/30/EG, ABl. L 85 vom 28.3.2002, S. 40-46, wird derzeit überprüft.
([7]) International Civil Aviation Organisation (Internationale Zivilluftfahrt-Organisation).

Im Anschluss an ihren Bericht ([8]) über die Durchführung der Richtlinie 2002/49/EG über Umgebungslärm ([9]) prüft die Kommission derzeit die Optionen für eine Überarbeitung der Richtlinie. Gemäß der Richtlinie sind die Mitgliedstaaten verpflichtet, Lärmkarten und Aktionspläne für Hauptverkehrsstraßen, Haupteisenbahnstrecken, Großflughäfen und Ballungsräume auszuarbeiten. Alle Mitgliedstaaten haben — wenn auch nicht in allen Fällen vollständige — Informationen bezüglich der Karten vorgelegt, doch mehrere Mitgliedstaaten haben noch keine Aktionspläne. Die Kommission traf sich im September 2011 mit Vertretern der Mitgliedstaaten und der Interessengruppen, um über die Ergebnisse des Berichts und über Möglichkeiten zur Verbesserung der Wirksamkeit der Rechtsvorschriften zum Lärmschutz zu diskutieren. Die Kommission wird in Bälde eine Online-Konsultation zur Überarbeitung der Richtlinie einleiten.

([8]) KOM(2011)321 vom Juni 2011.
([9]) ABl. L 189 vom 18.7.2002, S. 12-25.

(English version)

Question for written answer E-001066/12
to the Commission
Andreas Mölzer (NI)
(7 February 2012)

Subject: Reduction in noise from motor vehicles

The EU Commission plans to reduce the noise from motor vehicles by one quarter (from 68 decibels to a maximum of 74 decibels in seven years), with a special provision for sports cars. The new proposal contains regulations for buses and heavy goods vehicles, but not for motorcycles. On the other hand, electric and hybrid vehicles are to be made louder to ensure that they are heard by pedestrians.

1. Does the Commission not consider that it would be more useful to seek a reduction in noise levels though the UNECE, the United Nations body that sets worldwide standards for motor vehicles?

2. Why is it that motorcycles were not included in the proposal to reduce noise from traffic?

3. There are many scrap-grade cars from third countries to be found on Europe's roads which certainly do not comply with the rules regarding noise from motor vehicles. What is the position of the Commission with regard to the fact that the noise reduction regulations (as well as safety provisions) can be flouted in this way?

4. What are the plans in relation to the noise generated by air traffic?

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

1. The Commission proposal for a regulation on the sound level of motor vehicles ([1]), introduces a test method for the measurement of noise emissions based on the method developed by the UNECE. The legislator has not delegated to the Commission ([2]) the power to adopt new noise limits, so it can not submit such a proposal at the UNECE level before it is endorsed by EP and Council.

2. The scope of the proposed Regulation concerns new cars, buses, coaches, light trucks and heavy trucks. Motorcycles fall within the scope of another Regulation currently discussed within EP and Council ([3]).

3. Cars registered in third countries driving on EU roads do not fall within the scope of EU Regulations. Their use in international traffic is governed by the 1968 Vienna Convention on road traffic ([4]), and may be subject to national laws on noise nuisance.

4. There is a specific legislation banning the noisiest aircrafts from European skies ([5]) and imposing a specific noise assessment process when introducing noise-related operating restrictions ([6]). The Commission is also active in the ICAO ([7]), which sets noise stringency standards for aircrafts at global level.

Following its report ([8]) on the implementation of Directive 2002/49/EC ([9]) on environmental noise, the Commission is studying options for its review. The directive requires Member States to prepare noise maps and noise action plans for major roads, railways, airports and agglomerations. All Member States have provided information on the maps, albeit not always complete, while several lack action plans. The Commission met Member States and stakeholders in September 2011 to discuss the report's findings and options to improve the effectiveness of the legislation and it will shortly launch an online consultation on its review.

([1]) COM(2011) 0856 final — 2011/0409 (COD), adopted on 9 December 2011.
([2]) See Article 3 of Directive 70/157/EEC.
([3]) COM(2010) 542 final — 2010/0271 (COD).
([4]) United Nations Convention on Road Traffic done at Vienna on 8 November 1968: http://www.unece.org/trans/conventn/Conv_road_traffic_EN.pdf
([5]) Directive 2006/93/EC, OJ L 374, 27.12.2006, p. 1-4.
([6]) Directive 2002/30/EC, OJ L 85, 28.3.2002, p. 40-46, currently reviewed.
([7]) International Civil Aviation Organisation.
([8]) COM(2011) 321 of June 2011.
([9]) OJ L 189, 18.7.2002, p. 12-25.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001067/12
an die Kommission
Andreas Mölzer (NI)
(7. Februar 2012)

Betrifft: Anerkennung der deutschen Minderheit in Slowenien

Im Staatsgebiet der Republik Slowenien leben auch nach den tragischen Ereignissen des 20. Jahrhunderts mehrere Tausend Volksdeutsche, die zum Teil seit 800 Jahren dort angesiedelt sind und denen bis heute im Gegensatz zu anderen in Slowenien ansässigen Minderheiten (Ungarn, Italiener) jede Anerkennung als Minderheit verwehrt wird.

Was ist auf EU-Ebene geplant, um die Republik Slowenien zur Erfüllung ihrer europäischen Verpflichtungen gegenüber der deutschen Minderheit im Lande zu veranlassen?

Antwort von Frau Reding im Namen der Kommission
(5. März 2012)

Die Kommission hat in ihren Antworten auf die schriftlichen Anfragen E-1926/11, E-3555/2011 und E-6415/2011 ([1]) erklärt, dass sie keine allgemeine Befugnis in der Frage von Minderheiten besitzt. So hat sie insbesondere keine Befugnis für die Definition dessen, was eine nationale Minderheit ausmacht, die Anerkennung des Status von Minderheiten, ihre Selbstbestimmung und Autonomie oder die Regelung für die Verwendung von Regional- oder Minderheitensprachen.

Die Kommission unterstrich in diesem Zusammenhang, dass Mitgliedstaaten alle ihnen zur Verfügung stehenden rechtlichen Instrumente nutzen müssen, um zu gewährleisten, dass die Grundrechte der in ihrem Hoheitsgebiet lebenden nationalen Minderheiten entsprechend ihrer verfassungsmäßigen Ordnung und ihren völkerrechtlichen Verpflichtungen, einschließlich der diesbezüglichen Instrumente des Europarats, konkret geschützt werden.

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=DE.

(English version)

Question for written answer E-001067/12
to the Commission
Andreas Mölzer (NI)
(7 February 2012)

Subject: Recognition of the German minority in Slovenia

Even after the tragic events of the 20th century, several thousand ethnic Germans are still living in the territory of the Republic of Slovenia, where they have been settled for 800 years in some cases. However, unlike other minorities living in Slovenia (Hungarians and Italians), to date this group has been denied any recognition as a minority.

What are the plans at EU level to ensure that the Republic of Slovenia fulfils its European obligations to the German minority in the country?

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

As explained in replies to Written Questions E-1926/11, E-3555/2011 and E-6415/2011 ([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, their self-determination and autonomy or the regime governing the use of regional or minority languages.

The Commission has also emphasised in this context that Member States must use all legal instruments available to them in order to guarantee that fundamental rights of national minorities living on their territories are effectively protected in accordance with their constitutional order and obligations under international law, including the relevant instruments of the Council of Europe.

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

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001068/12
an die Kommission
Andreas Mölzer (NI)
(7. Februar 2012)

Betrifft: Einsparungen bei EU-Organen

Die Europäische Kommission fordert die EU-Organe auf, 2013 bei den Voranschlägen für ihre jeweiligen Verwaltungshaushalte zu sparen. Die Kommission verpasst sich selbst ein neues Logo. 135 000 EUR wurden einer belgischen Agentur für den Entwurf gezahlt, und weitere 250 000 EUR kommen noch hinzu, weil Briefköpfe und Ähnliches umgestellt werden müssen. Insgesamt schlagen die Kosten also mit 385 000 EUR zu Buche.

1. Wie passen diese Ausgaben für ein neues Logo in die Sparpläne der Kommission?

2. Welche Sparmaßnahmen werden innerhalb der Kommission durchgeführt bzw. sind geplant?

3. In welchem Ausmaß sind Einsparungen bei der Vielzahl der EU-Agenturen geplant?

Antwort von Herrn Lewandowski im Namen der Kommission
(20. März 2012)

1. Wie die Kommission in ihrer Antwort auf die schriftliche Anfrage E-000510/2012 ([1]) bereits dargelegt hat, wurden bisher für ihre Programme, Kampagnen, Veranstaltungen, Projekte usw. sehr viele verschiedene Logos verwendet. Die Einführung einer einheitlichen visuellen Identität wird langfristig erhebliche Einsparungen ermöglichen, da die verschiedenen Generaldirektionen und Dienststellen kein Geld für eigene Logos und visuelle Identitäten mehr ausgeben müssen.

2-3. Die Kommission hat alle EU-Einrichtungen aufgefordert, ihre Verwaltungsausgaben zu überprüfen und zu ermitteln, wo Effizienzgewinne und Kosteneinsparungen möglich sind. So wurde in der MFR-Mitteilung KOM(2011)500 endg. für den kommenden mehrjährigen Finanzrahmen insbesondere ein Personalabbau in sämtlichen Organen/Diensten, Agenturen und sonstigen Einrichtungen um 5 % vorgeschlagen. Dies soll schrittweise durch eine jährliche Stelleneinsparung von 1 % in den Jahren 2013 bis 2017 erreicht werden.

Dieser Stellenabbau in der Kommission wird erstmals im Haushaltsvorentwurf für 2013 zu Buche schlagen. In seinem Schreiben vom 23. Januar 2012 forderte das für Finanzplanung und Haushalt zuständige Mitglied der Kommission die anderen Organe auf, diesen Plan der Kommission zu befolgen. Darüber hinaus werden auch die Verwaltungsmittel der anderen (beispielsweise der dezentralen) Agenturen ab 2013 gekürzt. Die Kommission wird jedoch insbesondere bei neu geschaffenen Agenturen der jeweiligen Situation Rechnung tragen.

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=DE

(English version)

Question for written answer E-001068/12
to the Commission
Andreas Mölzer (NI)
(7 February 2012)

Subject: Savings by the EU institutions

The Commission is calling on the EU institutions to make savings when they draw up the estimates for their 2013 administrative budgets. At the same time, the Commission has decided to give itself a new logo. A Belgian agency was paid EUR 135 000 to design it and a further EUR 250 000 will be spent in changing letterheads, etc. The total cost thus will be EUR 385 000.

1. How does this expenditure on a new logo fit in with the Commission's cost-cutting plans?

2. What savings are being implemented or planned by the Commission itself?

3. What is the extent of the planned savings by the EU's many agencies?

Answer given by Mr Lewandowski on behalf of the Commission
(20 March 2012)

1. As mentioned in the Commission's reply to Written Question E-000510/2012 ([1]), a large number of individual logos were used by the Commission for programmes, campaigns, events, projects, etc., The introduction of a single visual identity will result in significant savings in the longer term, since it will replace expenses on multiple logos and visual identities used by Commission Directorates-General and Services.

2-3. The Commission has urged all EU institutions to review their administrative expenditure in order to identify sources of efficiency and cost reduction. It has notably proposed in its MFF Communication COM(2011) 500 final a 5 % reduction in the staffing levels of each institution/service, agency and other body, as part of the next Multiannual Financial Framework. This measure should be implemented through a gradual 1 % annual decrease from 2013 to 2017.

The first annual reduction of Commission staff will be implemented in the draft budget 2013. Through a letter dated 23 January 2012, the Member of the Commission responsible for Financial Programming and Budget called on the other Institutions to follow the Commission's approach. A similar decrease of administrative resources will have to be applied from 2013 onwards to other bodies, such as decentralised agencies. However, in this context, the Commission will take account of the specific circumstances of individual agencies, in particular as regards agencies which have recently been created.

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

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001069/12
an den Rat
Andreas Mölzer (NI)
(14. Februar 2012)

Betrifft: Mehrfach befristete Arbeitsverhältnisse

Der Europäische Gerichtshof in Luxemburg hat kürzlich entschieden, dass befristete Arbeitsverträge mehrfach verlängert werden können, wenn dafür sachliche Gründe vorliegen. Der EuGH forderte die EU-Staaten auf, mit klaren Regeln einen Missbrauch durch aufeinanderfolgende befristete Arbeitsverträge (sog. Kettenverträge) zu verhindern.

In welchem Ausmaß wird auf EU-Ebene hinsichtlich der vom EuGH geforderten „klaren Regeln" zusammengearbeitet?

Antwort
(19. März 2012)

Eines der Hauptziele der Richtlinie 1999/70/EG des Rates vom 28. Juni 1999 zu der EGB-UNICE-CEEP-Rahmenvereinbarung über befristete Arbeitsverträge ([1]) ist die Schaffung eines Rahmens, der den Missbrauch durch aufeinanderfolgende befristete Arbeitsverträge oder Beschäftigungs-verhältnisse verhindert ([2]). Diese Richtlinie wurde in den Mitgliedstaaten in einzelstaatliches Recht umgesetzt. Es ist Sache der Kommission, die ordnungsgemäße Umsetzung der Richtlinie in den einzelnen Mitgliedstaaten zu überprüfen. Somit obliegt es der Kommission, dabei die Recht-sprechung des EuGH zu berücksichtigen und erforderlichenfalls Vorschläge einschließlich Emp-fehlungen für eine diesbezügliche Zusammenarbeit zu unterbreiten.

([1]) ABl. L 175 vom 10.7.1999, S. 43.
([2]) Ebd., Erwägungsgrund 14.

(English version)

Question for written answer E-001069/12
to the Council
Andreas Mölzer (NI)
(14 February 2012)

Subject: Use of successive fixed-term employment contracts

The European Court of Justice in Luxembourg recently ruled that fixed-term employment contracts can be extended several times if there are objective reasons for doing so. The ECJ called on the EU Member States to establish clear rules to prevent unfair practices involving the use of successive fixed-term employment contracts (so-called chain contracts).

What forms of cooperation are taking place at EU level with a view to establishing the 'clear rules' called for by the ECJ?

Reply
(19 March 2012)

One of the main aims of Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP ([1]) is to establish a framework to prevent abuse arising from the use of successive fixed-term employment contracts or relationships ([2]). The directive has been transposed into national legislation by Member States. It is the duty of the Commission to monitor whether the directive is properly implemented by Member States. It is therefore for the Commission to take into account the Court's case-law in this context and make proposals if necessary, including suggestions for ways of cooperating to address the issue raised.

([1]) OJ L 175, 10.7.1999, p. 43.
([2]) Idem, Recital 14.

(English version)

Question for written answer E-001070/12
to the Commission
Glenis Willmott (S&D)
(7 February 2012)

Subject: Health technology assessments

The European Union can lead the way in involving patients in health technology assessments (HTAs). Directive 2011/24/EU of 9 March 2011 on the application of patients' rights in cross-border healthcare actually states in Article 15 that the EU will ensure that stakeholders are consulted appropriately in HTA appraisals. This will ensure the formulation of safe and effective health policies that are patient-focused and achieve the best value.

1. Can the Commission provide more details on how it intends to achieve an appropriate consultation of patients groups?

2. Does the Commission intend for the Health for Growth Programme or other policy initiatives to empower patient groups which focus on rare diseases, where information is particularly scarce?

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

The Commission is preparing a number of measures implementing Directive 2011/24/EU ([1]), one of them being on the establishment of a voluntary Health Technology Assessment (HTA) network (Article 15). Although the network consists of HTA bodies designated by the Member States, the abovementioned Directive indicates that the network may receive Union support to facilitate the consultation of stakeholders on the work of the network.

The Joint Action on HTA (2010-2012), a project co-financed by the Commission through the Health Programme and bringing together all major HTA bodies in the Member States, has established a Stakeholder Forum with the view to consulting healthcare industry, patients and consumers, health professionals and health insurers/payers.

The model thus developed for the Stakeholder Forum could serve as a basis for future stakeholder consultations within the HTA network. However, further discussion with both Member States and other stakeholders are necessary before more specific information on how future patient consultations will take place can be provided.

In its proposal for a new Health for Growth programme ([2]), the Commission proposed that actions in the field of HTA should be eligible for funding. Such funding could also include support to facilitate the consultation of stakeholders in the HTA network's activities.

([1]) Directive 2011/24/EU of the European Parliament and the Council on the application of patient rights in cross-border healthcare, [2011] OJ L 88/45.

([2]) Proposal for a regulation of the European Parliament and of the Council on establishing a Health for Growth Programme, the third multi-annual programme of EU action in the field of health for the period 2014-2020, COM(2011) 709 final of 9.11.2011.

(English version)

Question for written answer E-001072/12
to the Commission
Sir Graham Watson (ALDE)
(7 February 2012)

Subject: Flight replacement cancellations and Regulation (EC) No 261/2004

Under European Regulation (EC) No 261/2004, carriers departing from the European Union now have specific obligations towards their passengers if flights are delayed or cancelled.

When a flight is cancelled, airlines have a duty of care (under Article 9) and passengers should be offered assistance with meals and refreshments and, where necessary, accommodation. In addition, there is the right to compensation under Article 7 (notwithstanding the exceptions highlighted when a cancellation is caused by extraordinary circumstances). Passengers have two options regarding their travel: they can take a refund and no longer be covered by the carrier's obligation to carry them, or ask to be booked onto another flight or travel by other means (Article 8).

If an airline cancels a specific flight on the day of departure, and offers to reroute passengers on a replacement flight the following day under Article 8 (in addition to caring for the passengers affected under Article 9 and providing compensation under Article 7), can the Commission confirm, if that replacement flight is also cancelled, whether further compensation (under Article 7) is payable for cancellation of the second flight (that is to say: is a second compensation payment due to a passenger if the subsequent replacement flight is cancelled, as that second flight is unconnected to the first flight)?

Answer given by Mr Kallas on behalf of the Commission
(2 March 2012)

Article 5 of Regulation EC No 261/2004 specifies that 'in case of cancellation of a flight', the passenger shall have a right to assistance in accordance with Article 8, i.e. the operating carrier shall offer the passenger the choice between reimbursement, re-routing at the earliest opportunity, or rerouting on a flight at a later date at the passenger's convenience. In addition, the passenger shall have a right to care in accordance with Article 9 and shall have a right to financial compensation in accordance with Article 7 except if the cancellation is caused by extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken.

In case the passenger opts for the re-routing, he will be rebooked on another flight (except if the rerouting had to take place via another mode of transport). Article 5 applies to the cancellation of a 'flight' and does not indicate that it would not apply if the flight were the replacement of another flight. It follows for the Commission that the cancellation of a flight that was offered in view of the rerouting of a passenger gives rise to the same rights for care, assistance and compensation as the cancellation of any other flight. It is recalled that the Court of Justice of the European Union has the sole competence with regard to the interpretation of EC law.

(English version)

Question for written answer E-001073/12
to the Commission
Sir Graham Watson (ALDE)
(7 February 2012)

Subject: TuBerculosis Vaccines Initiative

Tuberculosis (TB) kills 1.5 million people every year, with almost 9 million new cases of this infectious disease recorded each year. The World Bank estimate that TB costs 0.52 % of the world's gross national income (GNI).

The EU has been supporting research into TB under the 7th Framework Programme for Research and Technological Development, which has included contributions to the TuBerculosis Vaccines Initiative (TBVI) — an independent non-profit Project Development Partnership. This network of universities and research partners has identified some 39 candidate TB vaccines and is looking to invest further into researching these vaccines.

I understand the TBVI are looking to secure EUR 560 million in guarantees from Member States so as to bring a vaccine to market by 2020, and hope to secure some of these loan guarantees from the European Investment Bank (EIB).

1. Is the Commission aware of these proposals and scientific developments?

2. Will the Commission support such a loan guarantee by the EIB; and will it encourage Member States to also do so?

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

The Commission is aware of and is closely following recent developments of the plan suggested by TBVI to raise more funds for clinical development of candidate vaccines against tuberculosis.

TBVI's investment and finance plan to 2020 does not provide sufficient assurance that the financing (EUR 560 million) will be repaid. Without these assurances, and coupled with the uncertain nature of vaccine development, the European Investment Bank (EIB) is unable to provide a loan.

One possible approach for TBVI's project could be to break down the total investment and funding costs into phases, in line with the clinical trials. Funding could then be discussed for each phase, and industrial partners involved from proof-of-concept forward. Again, due to the risk of failure related to vaccine development at this early stage, loan finance from the EIB for this phase-by-phase approach would require guarantees from Member States.

(English version)

Question for written answer E-001074/12
to the Commission
Sir Graham Watson (ALDE)
(7 February 2012)

Subject: National Enforcement Bodies: delays and approach

Article 16 of Regulation (EC) No 261/2004 states that Member States must designate a body responsible for the enforcement of the regulation. It allows passengers to complain to any body designated as a National Enforcement Body (NEB) when an infringement takes place anywhere within the European Union.

When a flight starts its journey in another EU Member State with its destination as the UK, passengers understandably complain more often than not to the UK Civil Aviation Authority. However, as the starting point of the flight is in a second Member State, the UK NEB will highlight that the main mandate to resolve the matter between the airline and the passenger rests with the NEB in that second Member State.

1. Is the Commission satisfied with this approach? More often than not, it can mean that even after contacting a NEB in their own Member State citizens will have to correspond with a NEB in the Member State where the flight began its journey, which can cause linguistic and translation problems and inconvenience for citizens.

2. My attention has recently been drawn to NEBs taking well over a year to resolve simple concerns. Is the Commission concerned about such delays in NEBs addressing passengers' complaints?

Answer given by Mr Kallas on behalf of the Commission
(8 March 2012)

1. The approach mentioned by the Honourable Member was agreed between the Commission and the NEBs in a voluntary agreement of 2007 on the complaint handling procedure under Regulation (EC) No 261/2004 ([1]). This approach has proved to be positive due to a better availability of the data on the events causing the flight disruption in the Member State where the incident occurred, allowing therefore a more effective enforcement by the corresponding NEB. Passengers may complain to the NEB of their choice but, in accordance with this agreement, the complaint will be transferred by the NEB receiving it to the NEB of the Member State where the incident took place. Passengers facing linguistic difficulties can contact the European Consumer Centres Network ([2]), which provides valuable assistance to travellers who need information and guidance regarding their claim.

2. The Commission believes that a quick treatment of complaints by NEBs is desirable and experience has shown the importance of fixing time limits for complaint handling. Since Regulation (EC) No 261/2004 does not include binding deadlines for complaint handling, the NEBs have agreed on time limits within the abovementioned agreement. As experience has shown that the duration of the complaint handling in some cases still exceeds the agreed targets ([3]), the current impact assessment regarding a possible revision of the regulation is assessing the need for NEBs to handle complaints in a set time limit.

([1]) http://ec.europa.eu/transport/passengers/air/doc/neb/neb_complaint_handling_procedures.pdf
([2]) http://ec.europa.eu/consumers/index_en.htm
([3]) COM(174) 2011.

(English version)

Question for written answer E-001075/12
to the Commission
Sir Graham Watson (ALDE)
(7 February 2012)

Subject: Sanctions under Regulation (EC) No 261/2004

Article 16 of Regulation (EC) No 261/2004 states that Member States shall designate a National Enforcement Body (NEB) to enforce said Regulation. Where appropriate this NEB shall take appropriate measures to ensure that the rights of passengers are respected, and Member States are allowed to lay down sanctions for infringements of the regulation that are effective, proportionate and dissuasive.

1. Is the Commission aware of what sanctions and mechanisms for implementing these sanctions are in place in each Member State?

2. Is the Commission satisfied that every Member State's sanctions are effective, proportionate and dissuasive?

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

1. The sanction regimes related to Regulation (EC) No 261/2004 on air passenger rights have been indeed notified to the Commission. The Commission notably published a Commission Staff working paper ([1]) accompanying its communication on the application of Regulation (EC) No 261/2004 in April 2011 ([2]), which provides in particular figures on the level of sanctions and the mechanisms for implementing them in Member States.

2. In the abovementioned working-paper the Commission has identified certain elements as regards sanctions which might hamper proper enforcement of the regulation in some Member States. The Commission is closely working with the competent bodies concerned to examine the situation and find ways to address the possible shortcomings, and is also assessing the opportunity to improve enforcement in the scope of the current review of the legislation. Appropriate measures may nevertheless be taken if it is considered that the sanctions are not effective, proportionate and dissuasive according to Article 16 of Regulation (EC) No 261/2004.

([1]) SEC(2011) 428 final.
([2]) COM(2011) 174 final.

(English version)

Question for written answer E-001076/12
to the Commission
Sir Graham Watson (ALDE)
(7 February 2012)

Subject: Council Framework Decision 2001/220/JHA

The Commission highlighted, in response to my parliamentary Question E-007778/2011, Council Framework Decision 2001/220/JHA of 15 March 2001. This states under Article 11 that, 'Each Member State shall ensure that the victim of an offence in a Member State other than the one where he resides may make a complaint before the competent authorities of his State of residence if he was unable to do so in the Member State … The competent authority to which the complaint is made, insofar as it does not itself have competence in this respect, shall transmit it without delay to the competent authority in the territory in which the offence was committed. The complaint shall be dealt with in accordance with the national law of the State in which the offence was committed.'

When constituents have approached the police within my constituency about being victims of crimes whilst present in another Member State, whilst sympathetic and professional the police have told the citizens that bar recording the crime there is nothing further they can do.

In light of Council Framework Decision 2001/220/JHA is the Commission satisfied that the UK:

1. Has put in place legislation to reflect its obligations towards citizens under Article 11?

2. Has implemented a mechanism to allow citizens to report crimes as set out in Article 11?

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

In its 2009 implementation report regarding Council Framework Decision 2001/220/JHA (COM(2009) 166 final), the Commission concluded that Article 11 had not been fully transposed by Member States, including the United Kingdom. The UK had informed the Commission about arrangements to allow a statement to be taken from a resident in another Member State under the auspices of the 1957 European Convention on Mutual Assistance. The UK also confirmed that UK legislation provides several different methods by which a witness resident in a different Member State can provide his or her evidence to the court, without needing to attend. However, information was lacking as to how UK authorities ensure that their own citizens can report a crime that occurred in another Member State and how UK authorities transmit such complaints to the other Member State.

Since the Commission does not have enforcement powers regarding Framework Decisions it cannot pursue an infringement procedure against the UK for non-compliance. However, the UK will need to fully transpose the proposed Directive establishing minimum standards on the rights, support and protection of victims of crime, which contains in Article 16 similar provisions to Article 11 of the framework Decision.

(English version)

Question for written answer E-001077/12
to the Commission
Catherine Bearder (ALDE)
(7 February 2012)

Subject: Orangutans and palm oil in Borneo

Orangutans in Borneo are being targeted by palm oil companies in a systematic programme of extermination. The critically endangered orangutans are straying into palm oil plantations in a desperate search for food as their forest homes are destroyed to make way for palm oil. Companies pay villagers and palm oil workers to kill these animals. Frequently, the adults are killed outright and their offspring are sold to the illegal pet trade.

The EU imports palm oil from both Indonesia and Malaysia in vast quantities.

Will the Commission consider a ban on palm oil imports from Indonesia and Malaysia to send a strong signal to their governments that, unless the killing is stopped and orangutans are protected, palm oil will no longer be imported into the EU from either nation?

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

The Commission is very concerned about reports of killing of orang-utans in oil palm plantations. The Commission understands that such actions are illegal under the legislation of both Indonesia and Malaysia, and supports the enforcement of the relevant legislation by the Indonesian and Malaysian governments.

The Commission is not considering a ban on palm oil imports from Indonesia and Malaysia. Such a ban would not be in line with the EU's obligations under the WTO. Furthermore, the Commission believes that not all palm oil from these two countries is linked to the practices referred to by the Honourable Member and thus a ban on palm oil imports would be disproportionate.

The Commission promotes sustainable forest management and biodiversity conservation more broadly in Indonesia and Malaysia through financing several projects in these areas. In addition a number of measures have been put in place at EU level that are intended to encourage the use of products made from palm oil managed in an environmentally sound manner, including from land that has not been recently deforested.

(English version)

Question for written answer E-001078/12
to the Council
Sir Graham Watson (ALDE)
(7 February 2012)

Subject: Hague Convention and the Brussels II Convention and grandparents

The Hague Convention and the Brussels II Convention, under Council Regulation (EC) No 2201/2003, reinforce the right of the child to maintain contact with both parents by ensuring access rights for the former spouse which are recognised across national boundaries.

Research by HSBC Bank suggests that 16 % of grandparents in their sixties provide financial support to their grandchildren, with 27 % of children aged 11 to 16 stating they can share things with their grandparents which they cannot talk about to their parents.

Currently there is no right of contact for grandparents to contact their grandchildren under the Convention. Will the Council consider drafting proposals to widen the current Convention?

Reply
(19 March 2012)

The Commission is expected to present a report on the application of Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility ([1]) (the so-called 'Brussels IIa regulation') in accordance with Article 65 of the regulation.

If, in that context, the Commission were to propose changes to the regulation aimed at ensuring access rights for grandparents as suggested by the Honourable Member, the Council would examine those proposals.

([1]) OJ L 338, 23.12.2003, p. 1.

(English version)

Question for written answer E-001079/12
to the Commission
Sir Graham Watson (ALDE)
(7 February 2012)

Subject: Hague Convention and the Brussels II Convention and grandparents

The Hague Convention and the Brussels II Convention, under Council Regulation (EC) No 2201/2003, reinforce the right of the child to maintain contact with both parents by ensuring access rights for the former spouse which are recognised across national boundaries.

Research by HSBC Bank suggests that 16 % of grandparents in their sixties provide financial support to their grandchildren, with 27 % of children aged 11 to 16 stating they can share things with their grandparents which they cannot talk about to their parents.

Currently there is no right of contact for grandparents to contact their grandchildren under the Convention. Has the Commission considered drafting proposals to widen the current Convention?

Answer given by Mrs Reding on behalf of the Commission
(23 March 2012)

The Honourable Member points out that currently both in the EU and international legislation there is no right for grandparents to contact their grandchildren.

The Commission would like to inform the Honourable Member that the legal relationship between children and their grandparents or other relatives is regulated by the national law of the Member States and that no EC law is applicable in this regard.

Some Member States did not grant any particular right to grandparents on contact matters. However, in other Member States the grandparents either have a right to contact or only a right to apply for contact.

To improve certain aspects of the right of national and cross-border contact, the Member States of the Council of Europe have agreed on a Convention on contact concerning children. The Commission presented already in 2002 a proposal related to the signature of this Convention which is still pending in the Council due to the lack of unanimity of Member States.

However, if a court of a Member State of the European Union has granted to the grandparents the right to maintain contacts with their grandchildren ('access rights'), this decision falls into the scope of Council Regulation (EC) No 2201/2003 of 27 November 2003 ('Brussels IIa regulation') and it is directly recognised and enforceable in another Member State, provided it is accompanied by the certificate pursuant to Articles 40-41 of the regulation.

(Versión española)

Pregunta con solicitud de respuesta escrita E-001080/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(7 de febrero de 2012)

Asunto: Moratoria del Gobierno español a las energías renovables

La moratoria anunciada por el Gobierno español sobre las energías renovables supone condenar al paro a decenas de miles de personas, paraliza uno de los pocos sectores en los que este país tiene perspectivas de progreso y exportación, y va en dirección contraria a las normativas europeas que obligan a los Estados miembros a desarrollar las energías renovables.

España está obligada a alcanzar un objetivo del 20 % de energía de origen renovable para 2020, tal como establece la Directiva 2009/28/CE.

La ONG Greenpeace ha denunciado que «España necesita más energías renovables para crear empleo, reducir las emisiones y romper la actual dependencia de fuentes de energía que no tenemos y que cada vez cuestan más».

España sigue apostando por energías obsoletas, como el carbón y las nucleares, cuando un informe de la Agencia Internacional de la Energía Renovable (IRENA) muestra que la energía solar crea cinco veces más empleo que la nuclear o los combustibles fósiles para producir la misma energía.

1. ¿Está informada la Comisión sobre esta moratoria? ¿Qué hará la Comisión para garantizar que España cumpla los objetivos de 20 % de renovables para 2020?

2. ¿Qué medidas en términos de competencia del mercado eléctrico recomienda la Comisión para que el problema del déficit tarifario se resuelva sin afectar a la inversión en energías renovables?

Respuesta del Sr. Oettinger en nombre de la Comisión
(19 de marzo de 2012)

La Comisión está al corriente de la reciente suspensión de los incentivos financieros a nuevos proyectos de energías renovables en España, pero no ha recibido la notificación oficial de esta medida.

La Comisión recomienda que las reformas de los regímenes de apoyo a la energía procedente de fuentes renovables se realicen según las mejores prácticas de toda Europa. Los Estados miembros deben evitar los planteamientos de arranques y paradas repentinos y esforzarse por reducir al mínimo las perturbaciones y la confusión entre los inversores y los agentes del mercado.

Urge la incorporación del tercer paquete energético al ordenamiento jurídico nacional, que está aún pendiente en España, a fin de garantizar el funcionamiento del sector de la electricidad en condiciones de mercado, de reforzar las competencias de la Comisión Nacional de Energía (CNE), especialmente en lo que se refiere a fijar o aprobar las tarifas, y de prevenir futuros desfases entre el coste de la producción y los ingresos.

(English version)

Question for written answer E-001080/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(7 February 2012)

Subject: Spanish Government moratorium on renewable energies

The Spanish Government's announcement that it will be suspending subsidies for renewable energies will mean unemployment for tens of thousands of people, paralyzing one of the few sectors in this country with growth and export potential, and is at odds with the European legislation that requires Member States to develop renewable energies.

Under Directive 2009/28/EC, Spain is required to meet the target of 20 % of energy from renewable sources by 2020.

The NGO Greenpeace criticised the move, saying: 'Spain needs more renewable energies in order to create jobs, reduce emissions and end its current dependence on energy sources that we do not have and that are ever more expensive'.

Spain remains committed to outdated energy sources like coal and nuclear power, even though a report from the International Renewable Energy Agency (IRENA) has shown that solar power creates five times more jobs than nuclear power or fossil fuels in order to generate the same amount of energy.

1. Has the Commission been notified about this moratorium? What will the Commission do to ensure that Spain meets the target of 20 % of energy from renewable sources by 2020?

2. In terms of competition in the electricity market, what measures does the Commission recommend for resolving the tariff deficit without impeding investment in renewable energies?

Answer given by Mr Oettinger on behalf of the Commission
(19 March 2012)

The Commission is aware of the recent suspension of financial incentives for new renewable energy projects in Spain but has not been formally notified of this measure.

The Commission recommends that reforms to renewable energy support schemes are undertaken following best practice across Europe. Member States should avoid sudden stop-start approaches and strive to minimise disruption and confusion to investors and market players.

The transposition of the Third Energy Package, still pending in Spain, is urgently required, in order to ensure the functioning of the electricity market on a market basis, to reinforce the powers of the energy regulator (CNE), notably regarding fixing or approving tariffs, and to prevent future gaps between the cost of generation and the revenues.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001081/12
an die Kommission
Franz Obermayr (NI)
(7. Februar 2012)

Betrifft: Kartellrecht: Akteneinsicht für Schadenersatzkläger in Dokumente eines Kronzeugenverfahrens

Der EuGH entschied in seinem Urteil in der Sache Pfleiderer C-360/09, dass es das Gemeinschaftsrecht nicht verbiete, geschädigten Personen Akteneinsicht vor nationalen Behörden in Bezug auf Dokumente eines Kronzeugenverfahrens einzuräumen. Es sei jedoch Sache der Gerichte der Mitgliedstaaten, auf Basis nationalen Rechts und unter Abwägung von Gemeinschaftsrecht zu bestimmen, unter welchen Voraussetzungen ein solcher Zugang tatsächlich zu gewähren ist. Demnach ist der Zugriff auf Dokumente, die durch Kronzeugenanträge vorgelegt wurden, nach EU-Recht nicht ausgeschlossen, aber auch nicht automatisch freigegeben. Vielmehr kommt es auf eine im Einzelfall vorzunehmende Gesamtbetrachtung zwischen wirksamer behördlicher Durchsetzung und wirksamer Durchsetzung von Schadenersatzansprüchen an. Grundsätzlich erfasst das Urteil bloß die Behörden und Gerichte der Mitgliedstaaten. Zudem erklärte Kommissar Almunia in Folge des Urteils, dass die Kommission an der Geheimhaltung von Kronzeugendokumenten in Verfahren vor der Kommission festhalten werde.

1. Welche konkreten Auswirkungen könnte das Urteil nach Meinung der Kommission auf potenzielle Kronzeugen haben? Könnte die entstandene Rechtsunsicherheit, wie von Generalstaatsanwalt Mazàk befürchtet, eine Abkühlung der Kronzeugenprogramme in der EU zur Folge haben?

2. Nachdem der EuGH die Gewährung von Akteneinsicht in Akten aus Kronzeugenverfahren den nationalen Gerichten nach nationalem Recht überlässt, könnte daraus eine Rechtszersplitterung im Gemeinschaftsgebiet resultieren. Oft müssen Kronzeugenanträge mit grenzüberschreitendem Bezug in mehreren Mitgliedstaaten eingebracht werden, was wiederum für Schadenersatzkläger die Möglichkeit von „forum shopping“ eröffnet. Wie steht die Kommission dazu? Welche Auswirkungen hat das Urteil in der Sache Pfleiderer auf das Europäische Wettbewerbsnetz?

3. Im Dezember 2011 sprach sich das Europäische Gericht in der Sache T-437/08 für die Akteneinsicht in Dokumente eines Kronzeugenverfahrens der Kommission aus. Steht dieses Urteil im Widerspruch zu den oben erwähnten Aussagen Almunias hinsichtlich der Beibehaltung der Geheimhaltung von Akten im Kronzeugenverfahren?

4. Gedenkt die Kommission legislative Vorschläge zu einer EU-weiten Regelung der Akteneinsicht in Kronzeugenakten zu erarbeiten? Wenn ja, wie ist der Status und wie sieht der Zeitplan aus?

5. Der EuGH unterscheidet in der Rechtssache Pfleiderer nicht zwischen dem Kronzeugenantrag selbst und sonstigem freiwillig beigebrachten Beweismaterial. Wird die Kommission in einem allfälligen legislativen Vorschlag an der Unterscheidung nach der Natur des Dokuments festhalten?

Antwort von Herrn Almunia im Namen der Kommission
(23. März 2012)

1. Die Kommission nimmt die Bedenken potenzieller Kronzeugen, dass die Offenlegung ihrer Unternehmenserklärungen sie bei Schadenersatzklagen benachteiligen würde, weiterhin sehr ernst. Es ist daher die grundsätzliche Politik der Kommission, speziell im Rahmen der Kronzeugenregelung abgelegte Unternehmenserklärungen sowohl während als auch nach Abschluss der Untersuchung vor der Offenlegung zu schützen.

In Ermangelung einschlägigen EU-Rechts bleibt es den nationalen Gerichten überlassen, die vom Gerichtshof in der Rechtssache *Pfleiderer* zitierte Abwägung vorzunehmen. In der genannten Rechtssache hat das Amtsgericht Bonn den Zugriff auf Informationen, die der deutschen Kartellbehörde von Kronzeugen zur Verfügung gestellt wurden, verweigert, da ein solcher Zugriff dem Sinn und Zweck der Kronzeugenregelung zuwiderlaufen würde.

2. Die Bedingungen, unter denen die Kommission Informationen aus Kronzeugenverfahren mit nationalen Wettbewerbsbehörden teilt, sind in den einschlägigen Mitteilungen der Kommission festgelegt. Die Kommission und die nationalen Wettbewerbsbehörden haben ein gemeinsames Interesse an der Gewährleistung der Wirksamkeit ihrer Kronzeugenprogramme.

3. Rechtssache T-437/08 bezieht sich auf einen Antrag auf Einsichtnahme in eine Liste von Unterlagen, die von den Kommissionsdienststellen im Rahmen eines Kartellverfahrens erstellt wurde, und nicht auf Einsicht in Unterlagen eines Kronzeugen.

4. Vizepräsident Almunia hat im November 2011 vor dem Parlament erklärt, dass er die Einführung von EU-Rechtsvorschriften zur Koordination privater Schadenersatzforderungen und behördlicher Kartellverfahren prüfen werde, damit Kronzeugenprogramme geschützt werden können, ohne dass dabei das Recht auf Schadenersatz infrage gestellt wird.

5. In diesem Zusammenhang wird die Kommission darüber nachdenken, ob zwischen verschiedenen Arten von Dokumenten unterschieden werden soll.

(English version)

Question for written answer E-001081/12
to the Commission
Franz Obermayr (NI)
(7 February 2012)

Subject: Antitrust law: access for plaintiffs in compensation cases to documents relating to a leniency procedure

In its judgment on the Pfleiderer case, C-360/09, the ECJ ruled that Community law did not preclude persons who had suffered damages from being allowed access to documents relating to leniency procedures before national authorities. However, it found that it was a matter for the courts of the Member States to decide the conditions under which such access is actually to be allowed on the basis of national law and in consideration of Community law. Accordingly, while access to documents submitted through applications for leniency is not excluded under EC law, nor is it automatically afforded. Instead, the respective interests of ensuring effective law enforcement and ensuring the effective enforcement of compensation entitlements should be assessed in each individual case. In essence, the judgment simply encompasses the authorities and courts of the Member States. In addition, as a consequence of the judgment, Commissioner Almunia declared that the Commission would adhere to the principle of confidentiality in relation to leniency application documents in procedures before the Commission.

1. In the opinion of the Commission, what influence could the judgment have on potential state witnesses? Could the resulting legal uncertainty lead to a decline in state witness programmes in the EU, as feared by Principal State Prosecutor Mazàk?

2. As the ECJ leaves it to the national courts to decide on access to files in leniency procedures according to national law, this could lead to a fragmentation of the law within the Community. Leniency applications with cross-border implications often need to be made in several Member States, opening up the possibility of 'forum shopping' for plaintiffs in compensation cases. What is the position of the Commission in this regard? What are the implications of the Pfleiderer judgment for the European competition network?

3. In December 2011, the European Court of Justice found in favour of allowing access to documents relating to a Commission leniency procedure in case T-437/08. Does this judgment contradict the statements made by Commissioner Almunia referred to above in relation to the confidentiality of files in leniency procedures?

4. Is the Commission considering legislative proposals for EU-wide regulation of access to documents involved in leniency procedures? If so, what is the current status of this matter and what is the timetable?

5. In the Pfleiderer case the ECJ does not differentiate between the leniency application itself and other voluntarily provided evidence. Will the Commission draw a distinction according to the nature of the document in any legislative proposal?

Answer given by Mr Almunia on behalf of the Commission
(23 March 2012)

1. The perception by potential leniency applicants that disclosure of their corporate statements would disadvantage them in damages actions remains an important concern for the Commission. This is why the Commission adopted its general policy protecting corporate statements specifically prepared for the leniency programme from disclosure both during and after its investigation.

Absent EU legislation, it is for the national courts to carry out the balancing exercise referred to by the Court of Justice in *Pfleiderer*. In that case, the Amtsgericht Bonn refused access to information provided by leniency applicants to the German competition authority as such access would undermine leniency programmes.

2. The conditions under which the Commission would exchange leniency information with National Competition Authorities (NCAs) are set out in the relevant Commission Notices. The Commission and NCAs have the same interest in securing the effectiveness of their leniency programmes.

3. Case T-437/08 related to a request for access to a list of documents that Commission staff prepared in the context of a cartel procedure, not access to documents of a leniency applicant.

4. VP Almunia announced in Parliament in November 2011 that he will examine whether European legislation on the interaction between private and public enforcement should be introduced in order to protect leniency programmes without jeopardising the right to effectively claim damages.

5. In that context, the Commission will reflect on whether any distinction should be made between different kinds of documents.

(English version)

Question for written answer P-001083/12
to the Commission
Jim Higgins (PPE)
(7 February 2012)

Subject: Low-value consignment relief (LVCR) of EUR 22 on imports into Ireland

Could the Commission say whether or not it is planning to change the rules which allow LVCR of EUR 22, meaning that goods with a total intrinsic value not exceeding EUR 22 can be imported into Ireland, or elsewhere in the EU, from outside the EU without payment of VAT?

Imports of goods into Ireland from outside the EU with a value of between EUR 22.01 and EUR 150.00 are not subject to customs duties, but they are subject to VAT. These are practical measures which should be retained.

Could the Commission make a statement on this?

Answer given by Mr Šemeta on behalf of the Commission
(9 March 2012)

The VAT relief for low value commercial consignments is provided for in Article 23 of Council Directive 2009/132/EC ([1]) which requires Member States to grant an exemption for imported goods of a total value not exceeding EUR 10 (a threshold which Member States may raise up to EUR 22). Member States may also exclude from the exemption goods imported by mail order.

The Commission does not intend to propose any increase of the mentioned threshold. The reason is that raising this threshold would increase the distortion of competition with equivalent products traded within the EU which are subject to VAT.

The Commission is aware of cases under the current rules where such distortions exist. The current rules do however provide certain options for Member States to prevent such situations.

However, the Commission services are currently examining how to simplify the customs and fiscal treatment at the importation of low value consignments.

([1]) Council Directive 2009/132/EC of 19 October 2009 determining the scope of Article 143(b) and (c) of Directive 2006/112/EC as regards exemption from value added tax on the final importation of certain goods, OJ L 292, 10.11.2009.

(English version)

Question for written answer E-001084/12
to the Commission (Vice-President/High Representative)
Jill Evans (Verts/ALE)
(14 February 2012)

Subject: VP/HR — Arrests of Khaled Abu Arafeh and Mohammed Totah

What actions is the Vice-President/High Representative planning on taking in response to the recent arrest of two members of the Palestinian Parliament in the International Red Cross compound in East Jerusalem?

The arrests of Khaled Abu Arafeh and Mohammed Totah bring the total number of illegal arrests of PLC members to 27. These arrests go against international law, as they are in breach of several agreements related to occupied territories, including the Geneva Convention.

How is the Vice-President/High Representative planning on securing the right to remain in Jerusalem for all Palestinian Members of Parliament?

How is the Vice-President/High Representative addressing Israel's continued disregard for international law?

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

The EU has been following the cases of Palestinian legislators held in administrative detention in Israel for a number of years. On 23 July 2007, the Council of the EU called for the immediate release of Palestinian legislators detained by Israel. Through its representation in East Jerusalem, the EU has also followed closely the case of Palestinian legislators who, since July 2010, had found shelter against deportation orders in the office of the International Committee of the Red Cross (ICRC) in East Jerusalem. The EU also raised this matter publicly at the Human Rights Council in March 2011.

Following the recent arrests of Palestinian Legislative Council member Mohammed Totah and former Minister for Jerusalem Affairs Khaled Abu Arafeh, the EU Missions in Jerusalem and Ramallah issued a local statement on 28 January 2012 expressing their concern. They also made reference to the arrests of PLC Speaker Aziz Dweik and PLC members Khaled Tafesh and Abduljabbar Foqaha. The EU considers that such actions are not conducive to the confidence building efforts, in which the EU is fully engaged, aiming at the resumption of direct peace negotiations. The EU regularly raises its concerns about the practice of administrative detention without charge with the government of Israel.

The EU has also continuously called on Israel to adhere to its obligations deriving from the application of international law instruments, such as the 4th Geneva Convention of 1949.

(English version)

Question for written answer P-001085/12
to the Commission
Syed Kamall (ECR)
(3 February 2012)

Subject: Anti-Counterfeiting Trade Agreement

I have been contacted by a civil society organisation which tells me that according to the Commission's summary of its 'Civil Society Meeting' on 25 March 2011, 'many rumours have circulated on "three strikes" measures and other measures restricting the access to Internet. It is important to clarify that no such rules were ever proposed by any of the parties involved in the ACTA negotiations' ([1]).

The civil society organisation claims that this assertion from the Commission directly contradicts an alleged leak of the digital chapter of ACTA (originally published in March 2010 and reproduced in a European Parliament briefing document ([2])), which contains a footnote which proposed disconnection of (presumably 'alleged') repeat infringers as 'an example of such a policy'. The full text of the footnote was:

'[a]n example of such a policy is providing for the termination in appropriate circumstances of subscriptions and accounts in the service provider's systems or network of repeat infringers'.

1. Can the Commission either confirm or deny the existence of that footnote in the preparatory works of ACTA?

2. If it confirms the existence of that footnote, can the Commission point to subsequent preparatory work that confirms that disconnection of end users is not an example of the type or severity of punishment that should be imposed in the proposed private law enforcement foreseen by ACTA?

Answer given by Mr De Gucht on behalf of the Commission
(7 March 2012)

The final text of the Anti-Counterfeiting Trade Agreement (ACTA) is the result of a negotiating process where various proposals made by all parties were discussed, some of which were rejected. The Commission confirms its previous statement that no party proposed rules such as mandatory 'three strikes' measures. It is also correct that one party, early in the negotiations, proposed to discuss the possibility to implement policies to address the unauthorised storage of protected materials. In its proposal, this party made reference to systems of self-regulation by Internet service providers which may include in their contractual conditions of use policies allowing for the termination of contract for users repeatedly infringing Intellectual Property (IP) rights.

This proposal was flatly rejected by the EU because it did not comply with the E-Commerce Directive ([3]). It was also opposed by most of the other negotiating parties. The fact that this proposal was never accepted and therefore never included in the agreement is an unambiguous signal that it is not the intention of the parties for the agreement to address the unauthorised storage of protected materials.

It was intentionally decided by the ACTA parties not to create a dispute settlement mechanism which could impose a particular interpretation of ACTA against the views of one of its Parties. The final text of ACTA only refers to the possibility for stakeholders to cooperate between themselves. This cooperation is strictly limited by the rules on fundamental principles. The EU will continue to implement such a provision in line with the existing legislation which foresees, for instance, the creation of dialogues between stakeholders, such as those between Internet actors under the framework of the Enforcement Directive ([4]).

([1]) http://trade.ec.europa.eu/doclib/docs/2011/february/tradoc_147497.pdf
([2]) European Parliament briefing document: http://www.edri.org/files/acta_disconnection.pdf
([3]) Directive 2000/31/EC of Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the internal market (<QT.START>'</QT.START>Directive on electronic commerce<QT.END>'</QT.END>), OJ L 178, 17.7.2000.
([4]) Directive 2004/48/EC of Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights, OJ L 157, 30.4.2004.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-001086/12
alla Commissione
Mario Mauro (PPE)
(3 febbraio 2012)

Oggetto: Fondi BCE agli istituti bancari europei

Lo scorso 21 dicembre 2011 le banche europee hanno ottenuto circa 500 miliardi di nuovi fondi al conveniente tasso dell'1 %, in occasione della prima asta di rifinanziamento organizzata dalla Banca Centrale Europea, in base alle nuove regole volute dalle autorità UE per combattere il «credit crunch».

In quell'occasione gli istituti bancari italiani, ad esempio, hanno chiesto ed ottenuto 116 miliardi.

La BCE ha più volte dichiarato che tali risorse erano vincolate a una precisa finalizzazione: dare credito all'economia reale in modo da permettere alle banche di avere più liquidità ad un costo basso da mettere a disposizione di imprese e famiglie.

Si chiede alla Commissione:

quali iniziative intende disporre affinché sia verificato il corretto utilizzo da parte degli istituti bancari europei delle risorse ottenute dalla BCE a sostegno di imprese e famiglie?

Risposta data da Olli Rehn a nome della Commissione
(27 febbraio 2012)

La nuova operazione di rifinanziamento triennale (LTRO — Long Term Refinancing Operation) avviata dalla BCE il 21 dicembre 2011 è finalizzata a sostenere le attività di prestito delle banche e la liquidità nei mercati dell'area dell'euro. La BCE non pone alcuna condizione circa la destinazione di tale credito. Nel quadro della propria valutazione rischio-rendimento, le banche possono pertanto scegliere liberamente come impiegare tale liquidità. È ancora presto per trarre conclusioni definitive sull'impatto dei recenti interventi della BCE in materia di crediti al mercato privato, poiché non sono ancora disponibili dati sufficienti per procedere all'analisi. Va comunque notato che nel primo mese di quest'anno alcuni segmenti dei mercati finanziari dell'area dell'euro hanno dato segni di miglioramento, il che potrebbe indicare che il cosiddetto *credit crunch* sia stato evitato.

(English version)

Question for written answer P-001086/12
to the Commission
Mario Mauro (PPE)
(3 February 2012)

Subject: Transfers of ECB funds to European banks

On 21 December 2011, European banks received EUR 500 billion in new funds at the affordable rate of 1 %, during the first refinancing tender organised by the European Central Bank, in accordance with new rules demanded by the EU authorities to combat the credit crunch.

At that moment, the Italian banks, for example, requested and received EUR 116 billion.

The ECB has repeatedly stated that these resources were tied to a specific end: to provide credit to the current economy in such a way as to enable the banks to have more liquid assets at a low rate, which can be made available to businesses and households.

What measures will the Commission take to verify that these European banks use the resources received from the ECB correctly, for purposes of supporting businesses and households?

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

The new three-year refinancing operation (LTRO) launched by the ECB on 21 December 2011 aimed at supporting bank lending and liquidity in the euro area money markets. The ECB does not put any conditionality on how the credits should be used. It is in the banks' autonomy, depending on their risk and return business assessment, how to use the new liquidity. It is still early to draw definitive conclusions about the impact of the recent ECB measures on credit to the private sector, as sufficient data are not available yet to conduct this analysis. It is nevertheless noteworthy that some segments of the euro area financial markets have shown signs of improvement in the course of January 2012, which suggest that a credit crunch has been avoided.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001090/12
προς την Επιτροπή
Spyros Danellis (S&D)
(7 Φεβρουαρίου 2012)

Θέμα: Ανταγωνισμός στον κλάδο των αερογραμμών

Στις 27 Ιανουαρίου 2012, η Ευρωπαϊκή Επιτροπή ανακοίνωσε την έναρξη εξέτασης της κοινοπραξίας των εταιριών Air France-KLM, Alitalia και Delta για τυχόν παραβίαση της νομοθεσίας ανταγωνισμού της ΕΕ. Τρεις παγκόσμιες συμμαχίες αερογραμμών έχουν καταλάβει δεσπόζουσα θέση στην αγορά των υπερατλαντικών δρομολογίων μεταξύ ΕΕ και ΗΠΑ, με ποσοστό 75 % της αγοράς, σύμφωνα με αναλυτές της Deutsche Bank, όπως αναφέρουν οι Financial Times.

Σε μελέτη του 2008, με θέμα «Επιχειρηματικά Μοντέλα Αεροπορικών Εταιριών», το Ινστιτούτο Έρευνας Αεροπορικών Μεταφορών και Αερολιμένων υπογράμμιζε τη κρισιμότητα της διατήρησης της προσβασιμότητας στην αγορά των αεροπορικών μεταφορών, ενόψει του επικείμενου γύρου συγχωνεύσεων και εξαγορών. Στην περίοδο που ακολούθησε, η Lufthansa εξαγόρασε την BMI και τη Brussels Airlines, ενώ η British Airways και Iberia συγχωνεύτηκαν για να σχηματίσουν την τρίτη μεγαλύτερη αεροπορική εταιρεία της Ευρώπης. Η χρεοκοπία της Spanair τις τελευταίες μέρες υπογραμμίζει περαιτέρω το επίπεδο δυσκολίας που ενέχει ο ανταγωνισμός με τις τρεις μεγάλες συμμαχίες αεροπορικών εταιριών.

Ερωτάται η Επιτροπή:

1. Τι τάσεις παρατηρεί στις τιμές των εισιτηρίων και στη διαθεσιμότητα δρομολογίων εντός και εκτός της ΕΕ; Τι επιπτώσεις είχαν οι εξαγορές και συγχωνεύσεις για τον καταναλωτή; Σκέφτεται να προχωρήσει σε εξέταση και άλλων αεροπορικών εταιριών;

2. Τι μέτρα θα μπορούσαν να συμπεριληφθούν στον υπό αναθεώρηση κανονισμό για τις χρονοθυρίδες ώστε η εμπορία χρονοθυρίδων να μην επιτρέψει πρακτικές που θίγουν τον ανταγωνισμό και προωθούν την περαιτέρω ανισομερή ενδυνάμωση των μεγαλύτερων εταιριών;

Απάντηση του κ. Almunia εξ ονόματος της Επιτροπής
(2 Απριλίου 2012)

Η ελευθέρωση των υπηρεσιών εναέριας μεταφοράς επιβατών έχει αλλάξει το ανταγωνιστικό τοπίο. Ο αριθμός δρομολογίων εντός της ΕΕ, την εκμετάλλευση των οποίων έχουν περισσότεροι από δύο αερομεταφορείς, καθώς και ο αριθμός των διασυνοριακών δρομολογίων εντός της ΕΕ, έχει υπερδιπλασιαστεί. Η εμφάνιση αερομεταφορέων χαμηλού κόστους είχε ως αποτέλεσμα τη μείωση των μέσων ναύλων.

Στις 27 Ιανουαρίου 2012, η Επιτροπή ανακοίνωσε την έναρξη των διαδικασιών έρευνας για την κοινή επιχείρηση SkyTeam ([1]). Αυτή η πράξη έπεται της απόφασης που εκδόθηκε για την υπόθεση oneworld τον Ιούλιο 2010 και της διεξαγόμενης έρευνας για την κοινή επιχείρηση Star alliance. Μια τόσο ενεργητική δράση για την επιβολή της νομοθεσίας δείχνει πως η Επιτροπή συμμετέχει σε σημαντικό βαθμό στην αξιολόγηση του ανταγωνισμού στον κλάδο των αερομεταφορών. Μέρος της συνήθους έρευνας της Επιτροπής είναι η αξιολόγηση των πιθανών επιπτώσεων στις τιμές και στην ποιότητα των υπηρεσιών (καθώς και στον αριθμό των προσφερόμενων προορισμών).

Επίσης, κατά τον έλεγχο των συγκεντρώσεων, η Επιτροπή αξιολογεί τις αναμενόμενες επιπτώσεις της συναλλαγής στους καταναλωτές, ιδίως σε σχέση με τη τιμή και τη ποιότητα των υπηρεσιών. Σε περιπτώσεις κατά τις οποίες η Επιτροπή έκρινε ότι η σχεδιαζόμενη συγκέντρωση πιθανόν να επηρέαζε αρνητικά τους καταναλωτές, οι συγχωνευόμενες εταιρείες έπρεπε να προτείνουν την ανάληψη δεσμεύσεων. Στις συγχωνευόμενες εταιρείες που δεν παρείχαν επαρκείς δεσμεύσεις, οι συναλλαγές απαγορεύτηκαν, όπως στην περίπτωση των εταιρειών *Olympic Air/Aegean Airlines*.

([1]) Δελτίο τύπου IP/12/79.

Ένας από τους στόχους πολιτικής της Επιτροπής στη πρόταση αναθεώρησης του κανονισμού για τις χρονοθυρίδες ([2]) είναι να εξεταστούν τα προβλήματα χωρητικότητας των αερολιμένων και να διασφαλιστεί η αποτελεσματική χρήση των χρονοθυρίδων προς όφελος των αεροπορικών εταιρειών και των καταναλωτών. Η βασική αλλαγή που εισήγαγε η πρόταση ήταν το ενιαίο πλαίσιο εμπορίας χρονοθυρίδων. Αυτό το ενιαίο πλαίσιο περιλαμβάνει μέτρα που έχουν ως στόχο τη διασφάλιση του ανταγωνισμού: διαφάνεια των όρων συναλλαγής και ευρύτερος ορισμός του όρου «νεοεισερχόμενος». Η Επιτροπή πιστεύει ότι το πλαίσιο αυτό είναι απαραίτητο για να διασφαλιστεί η αποτελεσματικότερη χρήση χρονοθυρίδων σε ορισμένους αερολιμένες που παρουσιάζουν μεγαλύτερη συμφόρηση.

([2]) COM/2011/0827.

(English version)

Question for written answer E-001090/12
to the Commission
Spyros Danellis (S&D)
(7 February 2012)

Subject: Competition in the airline sector

On 27 January 2012, the European Commission announced it was starting investigations into the consortium consisting of Air France-KLM, Alitalia and Delta for a possible breach of EU competition legislation. Three international competitors have acquired a dominant position in the market for transatlantic routes between the EU and the USA, with 75 % of the market, according to Deutsche Bank experts, as reported in the *Financial Times*.

In a 2008 report entitled 'Business Models for Airline Companies', the Institute for Research into Air Freight and Airports underlined the critical need to maintain the accessibility of the marketplace to air freight, in view of the imminent round of mergers and acquisitions. In the period that followed, Lufthansa bought out BMI and Brussels Airlines, while British Airways and Iberia merged to become the third largest airline in Europe. The recent bankruptcy of Spanair further underlines the level of difficulty involved in competing with the three big alliances of airline companies.

I would like to ask the Commission:

1. What trends is it observing in air ticket prices and in the availability of routes inside and outside the EU? What impacts have the mergers and acquisitions had on consumers? Is it considering investigating other airlines?

2. What measures could be included in the regulation under review for time slots such that the trade in time slots does not allow practices that damage competition and further strengthen the big companies' unequal position?

Answer given by Mr Almunia on behalf of the Commission
(2 April 2012)

The liberalisation of passenger air transport services has changed the competitive landscape. Both the number of intra-EU routes served by more than two carriers and the number of cross-border routes within the EU have more than doubled. The emergence of low-cost carriers has resulted in lower average fares.

On 27 January 2012 the Commission announced the opening of proceedings into the SkyTeam joint venture ([1]). This follows the decision in the *oneworld* case in July 2010 and pending investigation in the Star alliance. Such active enforcement work shows considerable involvement by the Commission in assessing competition in the airline industry. Part of the standard Commission investigation is assessment of the likely impact on price and quality of service (including the number of destinations offered).

Also when reviewing mergers, the Commission assesses the expected impact of the transaction on consumers, in particular in terms of price and quality of service. In cases where the Commission found that the planned concentration would be likely to affect consumers negatively, the merging companies had to propose commitments. If the merging companies did not offer sufficient commitments, the transactions were prohibited, as in the case of *Olympic Air/Aegean Airlines*.

One of the Commission's policy objectives in the proposed revision of the Slot Regulation ([2]) is to address airport capacity problems and ensure that slots are effectively used for the benefit of airlines and consumers. The main change introduced by the proposal is the uniform framework for the trading of slots. This uniform framework includes measures aimed at safeguarding competition: transparency in trading conditions and a broader definition of 'new entrant'. The Commission believes this is necessary to ensure that slots in some more congested airports will be more efficiently used.

([1]) Press Release IP/12/79.
([2]) COM(2011) 0827.

(English version)

Question for written answer E-001091/12
to the Commission
Sir Graham Watson (ALDE)
(7 February 2012)

Subject: Assessment of Article 13 claims under Regulation (EC) No1924/2009

The European Food Standards Agency's Panel on Dietetic Products, Nutrition and Allergies (NDA) has been assessing health claims under Article 13 of Regulation (EC) No 1924/2009. On 5 December 2011, the Standing Committee on the Food Chain and Animal Health (hereinafter 'the Standing Committee') gave a favourable opinion on a draft Regulation listing permitted health claims.

I understand the NDA has requested more information to further assess just over ninety further claims, where not enough information existed to present an opinion.

1. Can the Commission outline when it expects the NDA to have enough further information to present its findings on this further list to the Standing Committee?

2. If further health claims are accepted by the Standing Committee (and gain subsequent consent from the Council and Parliament), can the Commission confirm they will be added to the initial list considered on 5 December?

Answer given by Mr Dalli on behalf of the Commission
(14 March 2012)

The Commission has agreed with stakeholders and Member States that some claims would benefit from a further assessment process. This has allowed applicants to submit further evidence to the European Food Safety Authority (EFSA) for claims for which either the micro-organisms they relate to were not sufficiently characterised, or where the data to substantiate them were insufficient to establish a cause-and-effect relationship between the foods and the claimed effects.

The period for submission of additional information was opened on 1 June 2011 and by 15 November 2011 new evidence was submitted by the Member States for 91 health claims. The Commission has asked EFSA to revise the scientific opinions for these claims taking into account this new evidence. EFSA is expected to complete these reviews by the end of 2012. Where EFSA revised opinions would be favourable, the claims should be included in the list of permitted health claims.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001092/12
lill-Kummissjoni
David Casa (PPE)
(13 ta' Frar 2012)

Suġġett: Qgħad fost iż-Żgħażagħ

L-aktar Samit tal-UE riċenti ffoka iżjed fuq il-ħolqien tal-impjiegi u t-tkabbir, hekk kif l-istatistika tal-qgħad tkompli toħloq tħassib, speċjalment fir-rigward tal-qgħad fost iż-żgħażagħ. S'issa Spanja kienet l-aqħar li ntlaqtet, b'qgħad fost iż-żgħażagħ qrib il-50 %. Kien propost li biex jiġu evitati l-konsegwenzi soċjali li jistgħu jirriżultaw minn sitwazzjoni bħal din, il-gradwati għandhom jiġu offruti impjieg jew opportunità ta' taħriġ fi żmien erba' xhur wara tmiem l-istudji tagħhom. Mod ta' kif dan jista' jinkiseb hu bl-espansjoni tal-Programm Leonardo da Vinci.

Il-Kummissjoni kkunsidrat li timmodifika l-programm eżistenti sabiex tiżgura li jkollu rwol effikaċi fl-indirizzar tas-sitwazzjoni attwali?

Il-Kummissjoni kkunsidrat li tnaqqas temporanjament il-perjodu ta' studju sabiex tippermetti li aktar individwi jibbenefikaw mill-programm, anki jekk ma jkunx hemm żieda fil-finanzjament?

Il-Kummissjoni ser tfittex li jkollha fondi addizzjonali allokati għall-programm?

Tweġiba mogħtija mis-Sinjura Vassiliou f'isem il-Kummissjoni
(29 ta' Marzu 2012)

It-taħriġ appoġġat mill-Programm ta' Tagħlim Tul il-Ħajja jista' jagħmel kontribuzzjoni importanti għat-tranżizzjoni b'suċċess taż-żgħażagħ mill-edukazzjoni sal-impjieg.

Żdiedu EUR 95 miljun mal-baġit tal-2012 sabiex il-Programm ikun jista' jappoġġa l-kollokamenti tal-Leonardo da Vinci u l-Erasmus f'impriżi jew f'postijiet tax-xogħol oħrajn barra l-pajjiż. Fl-2012, huma mistennija jiġu appoġġati madwar 80 000 kollokament tal-Leonardo da Vinci għal apprentista fl-edukazzjoni vokazzjonali u t-taħriġ u 50 000 kollokament tal-Erasmus għal studenti fl-edukazzjoni għolja.

Il-kollokamenti jibqgħu prijorità fil-proposta tal-Kummisjoni għall-programm futur "Erasmus għal kulħadd", li l-għan tiegħu huwa li jappoġġa kollokamenti għal 700 000 apprentista mill-2014 sal-2020.

It-tul ta' żmien minimu tal-kollokamenti huwa definit fil-gwida tal-Programm ta' Tagħlim Tul il-Ħajja, bl-għan li jiġi żgurat li l-kollokament jkollu impatt fuq l-għarfien, il-ħiliet u l-kompetenzi tal-apprentista, u ma hemm l-ebda pjan li dan jiġi rivedut bħalissa.

(English version)

Question for written answer E-001092/12
to the Commission
David Casa (PPE)
(13 February 2012)

Subject: Youth unemployment

The most recent EU Summit has focused increasingly on job creation and growth as unemployment statistics continue to create concern, especially in relation to youth unemployment. Spain has been the worst-hit so far, with youth unemployment close to 50 %. It has been proposed that, to help avert the social consequences that could result from such a situation, graduates should be offered employment or a traineeship opportunity within four months following the completion of their studies. One way in which this could be partly achieved is by expanding the Leonardo da Vinci Programme.

Has the Commission considered modifying the existing programme so as to ensure that it plays an effective role in addressing the current situation?

Has the Commission considered temporarily shortening the study period so as to allow more individuals to benefit from the programme even if there is no increase in funding?

Will the Commission seek to have additional funds allocated to the programme?

Answer given by Ms Vassiliou on behalf of the Commission
(29 March 2012)

Traineeships supported by the Lifelong Learning Programme can make an important contribution to young people's successful transition from education to employment.

EUR 95 million have been added to the 2012 budget for the Programme to support both Leonardo da Vinci and Erasmus placements in enterprises or other workplaces abroad. Around 80 000 Leonardo da Vinci placements for learners in vocational education and training and 50 000 Erasmus placements for higher education students are expected to be supported in 2012.

Placements remain a priority in the Commission's proposal for the future 'Erasmus for All' programme, which aims to support placements for 700 000 learners from 2014 to 2020.

The minimum duration of placements is defined in the Lifelong Learning Programme guide, with the aim of ensuring that the placement makes an impact on the learner's knowledge, skills and competences, and there are no plans to revise it at present.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001093/12
lill-Kummissjoni
David Casa (PPE)
(13 ta' Frar 2012)

Suġġett: Rotazzjoni obbligatorja tal-aġenziji tal-klassifikazzjoni tal-kreditu

It-tweġiba bil-miktub E-010996/2011 tittratta r-rotazzjoni obbligatorja potenzjali kif ukoll iż-żieda ta' CRAs iżgħar bl-għan li tiżdied il-kompetizzjoni u jitnaqqas il-kunflitt ta' interess. X'inhuma l-aħħar żviluppi fuq din il-materja u l-Kummissjoni se twettaq studju sabiex tivvaluta l-impatt ta' inizjattivi bħal dawn? Il-Kummissjoni meta tipprevedi li toħroġ proposti konkreti?

Tweġiba mogħtija mis-Sur Barnier f'isem il-Kummissjoni
(12 ta' Marzu 2012)

L-Artikolu 6b tal-proposta tal-Kummissjoni ([1]) jintroduċi regoli dwar ir-rotazzjoni tal-aġenziji ta' klassifikazzjoni tal-kreditu (CRAs), inkluż CRAs iżgħar. L-għan ewlieni ta' dawn ir-regoli huwa li jimmitigaw b'mod sinifikanti kunflitti potenzjali ta' interess li jinħolqu mill-mudell prevalenti fejn l-emittenti jħallsu, u r-relazzjonijiet tan-negozju stabbiliti fit-tul bejn l-aġenziji tal-klassifikazzjoni tal-kreditu u l-emittenti li huma jikklassifikaw. Dawn ir-regoli għandhom joħolqu wkoll għażla u kompetizzjoni fis-suq tal-klassifikazzjoni u jipprovdu opportunitajiet ta' negozju għal CRAs iżgħar kif ukoll dawk ġodda.

L-analiżi tal-effetti tar-rotazzjoni obbligatorja u l-iżvilupp ta' netwerks ta' CRAs iżgħar qed jiġu ppreżentati fil-Valutazzjoni tal-Impatt ([2]) li takkumpanja l-proposta leġiżlattiva.

Il-proposta leġiżlattiva CRA III qed tiġi nnegozjata bħalissa fil-Kunsill u l-Parlament Ewropew.

([1]) Proposta għal Regolament tal-Parlament Ewropew u tal-Kunsill li jemenda r-Regolament (KE) Nru 1060/2009 dwar aġenziji li jiggradaw il-kreditu, http://ec.europa.eu/internal_market/securities/agencies/index_en.htm

([2]) Dokument ta' ħidma tal-persunal tal-Kummissjoni il-valutazzjoni tal-impatt mehmuża ma' dan id-dokument: Proposta għal Regolament li jemenda r-Regolament (KE) Nru 1060/2009 dwar aġenziji li jiggradaw il-kreditu u. Proposta għal Direttiva li temenda d-Direttiva 2009/65/KE dwar il-koordinazzjoni ta' liġijiet, regolamenti u dispożizzjonijiet amministrattivi fir-rigward tal-impriżi ta' investiment kollettiv f'titoli trasferibbli (UCITS) u d-Direttiva 2011/61/UE dwar Maniġers ta' Fondi ta' Investimenti Alternattivi.
http://ec.europa.eu/internal_market/securities/agencies/index_en.htm .

(English version)

Question for written answer E-001093/12
to the Commission
David Casa (PPE)
(13 February 2012)

Subject: Mandatory rotation of credit rating agencies

Written Answer E-010996/2011 speaks of potential mandatory rotation as well as the enhancement of smaller CRAs with the aim of increasing competition and decreasing conflicts of interest. What are the latest developments on this issue and will the Commission be carrying out any studies in order to assess the impact of such initiatives? When does the Commission foresee issuing concrete proposals?

Answer given by Mr Barnier on behalf of the Commission
(12 March 2012)

Article 6b of the Commission proposal ([1]) introduces rules regarding the rotation of credit rating agencies (CRAs) including smaller CRAs. The main objective of these rules is to significantly mitigate potential conflicts of interest arising from the prevailing issuer-pays model and the long business relationships between credit rating agencies and the issuers they rate. These rules should also foster choice and competition in the rating market and provide business opportunities for smaller CRAs as well as new entrants.

The analysis of the effects of the mandatory rotation and the development of networks of smaller CRAs are presented in the impact assessment ([2]) accompanying the legislative proposal.

The CRA III legislative proposal is currently under negotiation in the Council and European Parliament.

([1]) Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1060/2009 on credit rating agencies, COM(2011) 764, http://ec.europa.eu/internal_market/securities/agencies/index_en.htm

([2]) Commission staff working paper; impact assessment accompanying the document: proposal for a regulation amending Regulation (EC) No 1060/2009 on credit rating agencies and a proposal for a directive amending Directive 2009/65/EC on coordination on laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) and Directive 2011/61/EU on Alternative Investment Fund Managers, http://ec.europa.eu/internal_market/securities/agencies/index_en.htm

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001095/12
lill-Kummissjoni
David Casa (PPE)
(13 ta' Frar 2012)

Suġġett: Ftehim Kummerċjali dwar il-Ġlieda kontra l-Falsifikazzjoni

Il-Ftehim Kummerċjali dwar il-Ġlieda kontra l-Falsifikazzjoni (ACTA), iffirmat mill-Kummissjoni Ewropea kif ukoll minn bosta Stati Membri, għandha tiġi diskussa fil-Parlament Ewropew f'Ġunju ta' din is-sena. Ir-rapporteur tal-Parlament Ewropew, madanakollu, diġà rriżenja, u rrefera għall-bżonn li jiżdied l-għarfien dwar il-mod kif il-Kummissjoni nnegozjat l-ACTA.

Il-Kummissjoni ġiet ikkritikata għax naqset milli żżomm lill-Parlament Ewropew infurmat u għax ma żammitx mal-prattiċi aċċettati għat-tmexxija ta' negozjati internazzjonali f'isem l-Unjoni Ewropea.

Il-Kummissjoni, kif u meta biħsiebha tindirizza dan it-tħassib, meta tqis li l-ACTA teħtieġ l-approvazzjoni tal-Parlament Ewropew qabel ma tidħol fis-seħħ?

Tweġiba mogħtija mis-Sur De Gucht f'isem il-Kummissjoni
(16 ta' Marzu 2012)

Matul in-negozjati dwar l-ACTA, il-Kummissjoni infurmat kif xieraq lill-Parlament dwar l-andament tan-negozjati, f'konformità mal-obbligi tagħha skont it-Trattat ta' Lisbona u l-Ftehim ta' Qafas tal-2010 rivedut għar-Relazzjonijiet bejn il-Parlament u l-Kummissjoni.

Matul in-negozjati dwar l-ACTA, il-Kummissjoni għaddiet lill-Parlament seba' abbozzi suċċessivi tal-ftehim, tliet rapporti dettaljati bil-miktub dwar is-sensiela ta' negozjati u 14-il nota u dokument ta' ħidma interni.

Barra minn hekk, il-Kummissarju tal-Kummerċ Karel De Gucht u uffiċjali għolja tal-Kummissjoni infurmaw lill-Onorevoli Membri tal-Parlament dwar l-andament tan-negozjati f'bosta laqgħat, inklużi tliet dibattiti plenarji fl-2010, sitt laqgħat tal-Kumitat u erba' sessjonijiet informali ta' informazzjoni dwar in-negozjati, flimkien mat-tweġibiet għal iktar minn 50 mistoqsija bil-miktub dwar l-ACTA minn Jannar 2010 "l hawn. In-negozjaturi tal-UE qiesu u indirizzaw l-għadd kbir ta" kummenti li rċevew mill-Onorevoli Membri u ħafna minn dawn il-kummenti huma riflessi fit-test finali tal-ACTA. Għal itkar dettalji dwar id-dokumenti li ngħataw lill-Parlament u l-laqgħat li saru miegħu, il-Kummissjoni tirreferik għall-ħolqa li ġejja:
http://trade.ec.europa.eu/doclib/docs/2012/february/tradoc_149103.pdf.

Issa li l-Parlament beda l-proċedura ta' kunsens għall-ACTA, il-Kummissjoni tinsab ħerqana li tkompli tiddiskuti l-ACTA mal-Parlament, u li tindirizza l-mistoqsijiet u t-tħassib kollu pendenti f'dibattitu miftuħ.

(English version)

Question for written answer E-001095/12
to the Commission
David Casa (PPE)
(13 February 2012)

Subject: Anti-Counterfeiting Trade Agreement

The Anti-Counterfeiting Trade Agreement (ACTA), signed by the European Commission as well as by several Member States, is due to be debated in the European Parliament in June this year. The European Parliament's rapporteur has, however, already resigned, citing the need to raise awareness about the way in which the Commission negotiated ACTA.

The Commission has been criticised for failing to keep the European Parliament informed and for diverging from accepted practices when conducting international negotiations on behalf of the European Union.

Considering that ACTA would need to be approved by the European Parliament before entering into force, how and when does the Commission intend to assuage these concerns?

Answer given by Mr De Gucht on behalf of the Commission
(16 March 2012)

Throughout the negotiations of ACTA, the Commission has duly informed the Parliament of the conduct of the negotiations, in line with its obligations under the Lisbon Treaty and the 2010 revised Framework Agreement for Relations between the Parliament and the Commission.

During the ACTA negotiations, the Commission has shared with the Parliament seven successive draft texts of the agreement, three detailed written reports on the negotiation rounds and 14 notes and internal working papers.

Moreover, Trade Commissioner Karel De Gucht and senior Commission officials informed Honourable Members of Parliament on the state of play of negotiations in numerous meetings, including three plenary debates in 2010, six Committee meetings and four informal debriefings of negotiating rounds, in addition to replying to more than 50 written questions on ACTA since January 2010. The EU negotiators took into consideration and addressed the numerous comments received from Honourable Members and many of these comments are reflected in the final text of ACTA. For further details on documents shard and meetings held with the Parliament, the Commission refers to the following link: http://trade.ec.europa.eu/doclib/docs/2012/february/tradoc_149103.pdf

Now that the Parliament has initiated the consent procedure for ACTA, the Commission is looking forward to further discussing ACTA with the Parliament, and to address all outstanding questions and concerns in an open debate.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001096/12
lill-Kummissjoni (Viċi President / Rappreżentant Għoli)
David Casa (PPE)
(13 ta' Frar 2012)

Suġġett: VP/HR — Assistenza tal-UE lil-Libja fil-qasam tal-istat tad-dritt

Wara l-mewt ta' Muammar Gaddafi u l-istabbilità politika li bejn wieħed u ieħor irriżultat fil-Libja, issa huwa opportun li l-assistenza tiġi mmirata lejn it-twaqqif tal-istat tad-dritt, ir-riforma tas-settur tas-sigurtà, ir-riforma ġudizzjarja, u t-twaqqif ta' forza tal-pulizija ċivili effettiva u affidabbli sabiex iżżomm l-ordni.

Tista' r-Rappreżentant Għoli għall-Affarijiet Barranin u l-Politika tas-Sigurtà tagħti d-dettalji dwar l-assistenza finanzjarja u teknika li ngħatat għal dawn l-għanijiet?

Tweġiba mogħtija mir-Rappreżentant Għoli/il-Viċi President Ashton f'isem il-Kummissjoni
(29 ta' Marzu 2012)

Apparti l-indirizzar tal-aktar ħtiġijiet umanitarji urġenti, l-UE diġà qed tħejji kemm miżuri immedjati biex tappoġġja l-prijoritajiet ta' stabbilizzazzjoni tal-gvern interim, kif ukoll programmi ta' appoġġ fit-tul. Diġà tqiegħdu għad-dispożizzjoni kważi EUR 30 miljun, flimkien ma' EUR 80.5 miljun oħra għall-għajnuna umanitarja.

Skont dak li ġie miftiehem fil-konferenza internazzjonali f'Pariġi fit-2 ta' Settembru 2011, l-UE qed tmexxi valutazzjonijiet tal-ħtiġijiet għas-setturi li ġejjin: il-ġestjoni tal-fruntieri, it-tisħiħ tas-soċjetà ċivili u tad-drittijiet tan-nisa, u l-komunikazzjonijiet tal-midja/strateġiċi. Barra minn hekk, l-UE beħsiebha tikkontribwixxi l-għarfien espert tagħha għall-valutazzjonijiet tal-ħtiġijiet f'oqsma oħra fejn dan ikun iġib valur miżjud, notevolment fir-riforma tas-settur tas-sigurtà (RSS) u d-diżarm, id-demobilizzazzjoni u r-reintegrazzjoni.

B'mod parallel mal-proċess tal-valutazzjoni tal-ħtiġijiet, u biex tkopri l-ħtiġijiet immedjati identifikati mill-awtoritajiet, l-UE diġà baqħtet esperti kemm f'Bengażi kif ukoll fi Tripli biex jipprovdu appoġġ għal żmien qasir fir-RSS, fil-ġestjoni tal-fruntieri u fi kwistjonijiet usa' relatati mas-sigurtà. Barra minn hekk, l-UE allokat EUR 4.5 miljun f'Faċilità ta' Assistenza Teknika għall-appoġġ tal-amministrazzjoni Libjana. Din il-faċilità tista' tintuża biex taħdem fuq is-setturi msemmija mill-Onorevoli Membru sakemm l-awtoritajiet jindikawhom bħala l-prijoritajiet tagħhom.

Għall-2012-2013, hemm EUR 50 miljun disponibbli għall-kooperazzjoni mal-Libja. Dan il-finanzjament se jiġi allokat skont il-ħtiġijiet tal-awtoritajiet Libjani l-ġodda u r-riżultati tal-valutazzjoni kkoordinata tal-ħtiġijiet.

(English version)

Question for written answer E-001096/12
to the Commission (Vice-President/High Representative)
David Casa (PPE)
(13 February 2012)

Subject: VP/HR — EU assistance to Libya in the field of rule of law

Following the death of Muammar Gaddafi and the resulting relative political stability in Libya, it is now time to direct assistance towards establishing the rule of law, security sector reform, judicial reform, and the establishment of an effective and trusted civilian police force so as to maintain order.

Would the High Representative for Foreign Affairs and Security Policy detail the financial and technical assistance that has been provided for such purposes?

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

Beyond tackling the most pressing humanitarian needs, the EU is already preparing both immediate measures to support the stabilisation priorities of the interim government, as well as longer-term support programmes. Already nearly EUR 30 million has been made available, in addition to EUR 80.5 million for humanitarian assistance.

In line with what was agreed at the international conference in Paris on 2 September 2011 the EU is conducting needs assessments for the following sectors: border management, strengthening civil society and women's rights, and media/strategic communications. In addition, the EU intends to contribute expertise to needs assessments in other areas where it would bring added value, notably security sector reform (SSR) and disarmament, demobilisation and reintegration.

In parallel to the needs assessment process, and to cover immediate needs identified by the authorities, the EU has already deployed experts both to Benghazi and to Tripoli to provide short-term support in SSR, border management and broader security-related issues. Moreover, a EUR 4.5 million Technical Assistance Facility has been put in place by the EU to support the Libyan administration. This facility could be used to work on the sectors mentioned by the Honourable Member provided that the authorities indicate those as their priorities.

EUR 50 million is available for cooperation with Libya for 2012-2013. This funding will be allocated in accordance with the needs of the new Libyan authorities and the results of the coordinated needs assessment.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001097/12
lill-Kummissjoni (Viċi President / Rappreżentant Għoli)
David Casa (PPE)
(13 ta' Frar 2012)

Suġġett: VP/HR — Assistenza lir-refuġjati Libjani mill-UE

Matul ir-rivoluzzjoni tal-Libja, mijiet ta' eluf ta' Libjani ħarbu mill-kunflitt lejn pajjiżi ġirien, u anke qasmu l-Mediterran lejn l-Istati Membri tan-Nofsinhar tal-UE. Inħtieġu sforzi ta' koordinazzjoni internazzjonali fuq skala kbira sabiex setgħet tingħata protezzjoni internazzjonali kif ukoll assistenza materjali lil dawk fil-bżonn.

Ir-Rappreżentant Għoli għall-Affarijiet Barranin u l-Politika ta' Sigurtà tista' tipprovdi informazzjoni dwar il-kooperazzjoni loġistika u finanzjarja tal-UE mal-Kummissarju Għoli għar-Refuġjati tan-Nazzjonijiet Uniti fi sforzi bħal dawn?

Tweġiba mogħtija mir-Rappreżentant Għoli/il-Viċi President Ashton f'isem il-Kummissjoni
(10 ta' April 2012)

Sal-lum l-UE (il-baġit tal-UE flimkien mal-Istati Membri) ipprovdiet iktar minn EUR 155 miljun, inklużi EUR 80,5 miljun mill-baġit tal-UE, f'għajnuna umanitarja b'rispons għall-bżonnijiet umanitarji fil-Libja u fuq il-fruntiera tal-Libja.

Bl-appoġġ finanzjarju tal-UE, l-UNHCR ([1]) (EUR 8,5 miljun) u l-IOM ([2]) (EUR 20,62 miljun) ipprovdew assistenza tal-emerġenza immedjatament kif bdiet il-kriżi, inkluż it-trasportazzjoni ta' migranti għal postijiet sikuri u l-evakwazzjoni lejn il-pajjiżi tagħhom. B'kollox 56 000 Ċittadin ta' Pajjiżi Terzi ġew ripatrijati bl-għajnuna tas-sħab umanitarji tal-Kummissjoni u tal-assi tal-Istati Membri, koordinati mill-Mekkaniżmu għall-Protezzjoni Ċivili tal-UE u kofinanzjati mill-baġit tal-UE. Il-fondi kkontribwew ukoll biex jingħataw servizzi ta' protezzjoni permezz tat-twaqqif ta' kampijiet fuq il-fruntiera Tuneżina kif ukoll dik Eġizzjana mal-Libja, u biex issir il-manutenzjoni ta' bażi tad-dejta li regolarment tikkontrolla l-wasliet u l-evakwazzjonijiet tal-migranti.

Wieħed mill-għanijiet ewlenin tal-UE matul il-kriżi tal-Libja kien li tipproteġi u tagħti assistenza lil dawk in-nies li kienu qed ibatu mill-konsegwenzi tal-kunflitt armat, b'attenzjoni partikolari għal gruppi vulnerabbli bħal Persuni Spostati f'Pajjiżhom, Ċittadini ta' Pajjiżi Terzi u r-refuġjati Libjani fil-pajjiżi ġirien. L-UE ffinanzjat sħab umanitarji bħall-UNHCR (miljun Euro) u l-ICRC ([3]) (EUR 4 miljun) li qed jagħmlu monitoraġġ mill-qrib tas-sitwazzjoni rigward il-protezzjoni sabiex inaqqsu b'mod sinifikanti l-inċidenti relatati mal-protezzjoni u jipprovdu assistenza immedjata meta jkun meħtieġ. S'issa, saru żjarat lil iktar minn 9 000 detentut u ingħatat assistenza lil iktar minn 130 000 Persuna Spostata f'Pajjiżha. Attenzjoni speċjali qed tingħata lit-tfal minħabba li jikkostitwixxu wieħed mill-iktar gruppi vulnerabbli li sofrew mill-kriżi.

([1]) UNHCR = United Nations Refugee Agency (Uffiċċju tal-Kummissarju Għoli tan-Nazzjonijiet Uniti għar-Rifuġjati).
([2]) IOM = International Organization for Migration (L-Organizzazzjoni Internazzjonali għall-Migrazzjoni).
([3]) ICRC = International Committee of the Red Cross (Il-Kumitat Internazzjonali tas-Salib l-Aħmar).

(English version)

Question for written answer E-001097/12
to the Commission (Vice-President/High Representative)
David Casa (PPE)
(13 February 2012)

Subject: VP/HR — EU assistance to Libyan refugees

Over the course of the Libya revolution, hundreds of thousands of Libyans fled the conflict to neighbouring countries as well as across the Mediterranean to the EU's southern Member States. Providing international protection, as well as material assistance, to those in need necessitated large-scale efforts in international coordination.

Would the High Representative for Foreign Affairs and Security Policy provide information on the EU's logistical and financial cooperation with the United Nations High Commissioner for Refugees in such efforts?

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

The EU (EU budget plus Member States) has provided more than EUR 155 million, including EUR 80.5 million from the EU budget, in humanitarian aid to date in response to humanitarian needs inside Libya and on the Libyan border.

With the EU's financial backing, the UNHCR ([1]) (EUR 8.5 million) and the IOM ([2]) (EUR 20.62 million) provided emergency assistance right after the onset of the crisis, including transportation of migrants to safety and evacuation to their home countries. A total of 56 000 Third Country Nationals were repatriated with the assistance of the Commission's humanitarian partners and the assets of Member States, coordinated by the EU Civil Protection Mechanism and co-financed from the EU budget. Funds also contributed to the provision of protection services through the setting up of camps on the Tunisian and Egyptian borders with Libya, and to the maintenance of a regular database tracking the arrivals and evacuation of migrants

One of the EU's main objectives during the Libya crisis has been to protect and assist those people suffering from the effects of the armed conflict, with a particular focus on vulnerable groups such as Internally Displaced Persons, Third Country Nationals and Libyan refugees in neighbouring countries. The EU has funded humanitarian partners such as the UNHCR (EUR1 million) and the ICRC ([3]) (EUR4 million) who have been closely monitoring the protection situation in order to significantly decrease protection-related incidents and provide immediate assistance when needed. So far, more than 9 000 detainees have been visited and more than 130 000 Internally Displaced Persons assisted. A special focus is given to children as one of the most vulnerable groups that have suffered from the crisis.

([1]) UNHCR = United Nations Refugee Agency.
([2]) IOM = International Organisation for Migration.
([3]) ICRC = International Committee of the Red Cross.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001098/12
lill-Kummissjoni
David Casa (PPE)
(9 ta' Frar 2012)

Suġġett: L-amministrazzjoni tal-fruntieri bejn l-UE u l-Libja

Minħabba t-tranżizzjoni politika kurrenti fil-Libja, l-UE se jkollha l-opportunità tinnegozja arranġament ġust u effettiv fil-prattika għall-amministrazzjoni tal-fruntieri mal-gvern tranżitorju tal-Libja. Fil-konferenza internazzjonali dwar il-Libja li saret f'Pariġi fit-2 ta' Settembru 2011, kien miftiehem li jsiru tali diskussjonijiet.

L-awtoritajiet tranżitorji tal-Libja kkoperaw biex jiġi żgurat arranġament ġdid dwar il-fruntieri mal-UE u tista' l-Kummissjoni tirrapporta xi progress f'dan ir-rigward?

Tweġiba mogħtija mir-Rappreżentant Għoli/il-Viċi President Ashton f'isem il-Kummissjoni
(12 ta' April 2012)

Wara l-Ftehim ta' Pariġi, l-UE bħalissa qed tagħmel valutazzjoni tal-ħtiġijiet tal-Ġestjoni Integrata tal-Frunrtieri f'kooperazzjoni mill-qrib mal-kontraparti tagħha Libjani. L-awtoritajiet Libjani enfasizzaw l-importanza ta' din il-valutazzjoni u qed jikkooperaw biex tiġi ffaċilitata din il-missjoni.

(English version)

Question for written answer E-001098/12
to the Commission
David Casa (PPE)
(9 February 2012)

Subject: EU-Libya border management

Due to the current political transition in Libya, the EU will have the opportunity to negotiate a fair and workable border management arrangement with Libya's transitional government. At the international conference on Libya held in Paris on 2 September 2011, it was agreed that such talks would be held.

Have Libya's transitional authorities been cooperative in securing a new border arrangement with the EU and can the Commission report any progress in this regard?

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

Following the Paris Agreement, the EU is currently carrying out an Integrated Border Management needs assessment in close cooperation with its Libyan counterparts. The Libyan authorities have emphasised the importance of this assessment and are being cooperative in facilitating this mission.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001099/12
lill-Kunsill
David Casa (PPE)
(8 ta' Frar 2012)

Suġġett: Fondi u assi Libjani fl-UE

Sabiex jiġi żgurat li l-awtoritajiet Libjani ġodda jkollhom l-appoġġ materjali neċessarju biex imexxu t-tranżizzjoni politika fil-Libja u jreġġgħu l-ekonomija lejn it-tkabbir, huwa imperattiv li jiksbu lura l-aċċess għall-fondi pubbliċi Libjani miżmuma f'ġurisdizzjonijiet barranin, li l-aċċess għalihom ġie ffriżat fil-bidu tal-kunflitt. Wara d-deċizjoni tal-Kunsill tal-21 ta' Diċembru 2011 li l-fondi u l-assi kollha tal-Bank Ċentrali tal-Libja u tal-Bank Barrani Libjan miżmuma fl-UE ma jibqgħux iffriżati, baqa' xi fondi jew assi pubbliċi Libjani oħra ffriżati taħt il-ġurisdizzjoni tal-UE? Jekk hu hekk, meta se tittieħed deċiżjoni mill-Kunsill biex jiġu żblukkati kwalunkwe fondi jew assi li baqa'?

Tweġiba
(26 ta' Marzu 2012)

Il-fondi u r-riżorsi ekonomiċi tal-Libyan Investment Authority u l-Libyan Africa Investment Portfolio li jinsabu fl-UE għadhom iffriżati f'konformità mar-Riżoluzzjoni 1970 (2011) tal-Kunsill tas-Sigurtà tan-Nazzjonijiet Uniti tas-26 ta' Frar 2011 kif implimentata mid-Deċiżjoni 2011/137/PESK ([1]).

Minbarra dan, il-fondi u r-riżorsi ekonomiċi ta' ħames sussidjarji tal-Libyan Investment Authority (Sabatina Ltd, Dalia Advisory Limited, Ashton Global Investments Limited, Kinloss Property Limited, Baroque Investments Limited) u sussidjarja tal-Libyan Africa Investment Portfolio (LAP Green Networks) huma ukoll soġġetti għall-iffriżar tal-assi stabbilit fid-Deċiżjoni tal-Kunsill 2011/137/PESK.

Flimkien mal-awtoritajiet Libjani u l-komunità internazzjonali, l-UE ser tkompli taħdem biex tneħħi r-restrizzjonijiet fuq l-assi Libjani ffriżati barra mill-pajjiż f'konformità max-xewqat u l-ħtiġijiet tal-poplu Libjan u l-UNSCRs rilevanti.

([1]) ĠU L 58, 3.3.2011, p. 53.

(English version)

Question for written answer E-001099/12
to the Council
David Casa (PPE)
(8 February 2012)

Subject: Libyan funds and assets in the EU

So as to ensure that the new Libyan authorities have the necessary material support to lead Libya's political transition and return the economy to growth, it is imperative that they regain access to the Libyan public funds held in foreign jurisdictions, to which access was frozen at the start of the conflict. Following the Council decision of 21 December 2011 to unfreeze all funds and assets of the Central Bank of Libya and the Libyan Arab Foreign Bank held in the EU, do any further frozen Libyan public funds or assets remain under EU jurisdiction? If so, when will a Council decision be taken on unblocking any remaining funds or assets?

Reply
(26 March 2012)

The funds and economic resources of the Libyan Investment Authority and the Libyan Africa Investment Portfolio that are inside the EU remain frozen in accordance with UN Council Security Resolution 1970 (2011) of 26 February 2011 as implemented by Decision 2011/137/CFSP ([1]).

In addition, the funds and economic resources of five subsidiaries of the Libyan Investment Authority (Sabatina Ltd, Dalia Advisory Limited, Ashton Global Investments Limited, Kinloss Property Limited, Baroque Investments Limited) and a subsidiary of the Libyan Africa Investment Portfolio (LAP Green Networks) are also subject to the asset freeze laid down in Council Decision 2011/137/CFSP.

Together with the Libyan authorities and the international community, the EU will continue to work to lift restrictions on Libyan assets frozen abroad in conformity with the wishes and needs of the Libyan people and the relevant UNSCRs.

([1]) OJ L 58, 3.3.2011, p. 53.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001100/12
lill-Kummissjoni (Viċi President/Rappreżentant Għoli)
David Casa (PPE)
(31 ta' Jannar 2012)

Suġġett: VP/HR — Is-Sirja

Riżoluzzjoni tan-NU li ġiet abbozzata reċentement immexxija mill-Lega Għarbija sejħet għal tranżizzjoni politika ffaċilitata mill-President Assad. Madanakollu, il-vjolenza mill-amministrazzjoni ta' Assad kontra l-oppożizzjoni għada ma waqfitx, u l-Osservatorju Sirjan għad-Drittijiet tal-Bniedem qed jirraporta li l-vjolenza hija l-agħar li qatt kienet minn meta bdiet ir-ribelljoni kważi sena ilu.

Peress li l-missjoni tal-Lega Għarbija fis-Sirja kważi waslet fi tmiemha, ir-Rappreżentant Għoli x'taħseb li hu l-pass li jmiss li għandu jittieħed fir-rigward tal-vjolenza fis-Sirja?

Tweġiba mogħtija mir-Rappreżentant Għoli/il-Viċi President Ashton f'isem il-Kummissjoni
(10 ta' Mejju 2012)

L-UE kkundannat b'mod l-aktar qawwi r-repressjoni brutali kontinwa mmexxija mir-reġim tas-Sirja kontra l-popolazzjoni tagħha, inkluż l-użu ta' armi tqal f'żoni ċivili, li jirriskjaw li jkomplu jħarrxu l-ispirali ta' vjolenza, il-konfrontazzjonijiet settarji u l-militarizzazzjoni. L-UE kkundannat ukoll attakki reċenti bil-bombi f'Damasku u Aleppo li kkawżaw ħafna mwiet u korrimenti. Atti ta' terroriżmu ma jistgħu jiġu ġġustifikati taħt l-ebda ċirkostanza.

L-UE tinsab imwaħħxa bis-sejbiet ewlenin tar-rapport tal-Kummissjoni Internazzjonali Indipendenti ta' Inkjesta dwar is-Sirja, li ddikjara li twettqu reati kontra l-umanità u vjolazzjonijiet kbar oħra tad-drittijiet tal-bniedem f'dan il-pajjiż. L-UE tqis li ma għandu jkun hemm l-ebda l-impunità għall-awturi ta' reati allegati bħal dawk imsemmija fir-rapport. Hija taqbel mar-rapporti tal-Osservatorju Sirjan għad-Drittijiet tal-Bniedem li l-vjolenza hija l-agħar li qatt kienet minn meta bdiet ir-ribelljoni.

Sabiex titfa' pressjoni fuq l-awtoritajiet Sirjani, l-UE introduċiet miżuri restrittivi mmirati kontra r-reġim Sirjan f'Mejju 2011, li issa ġew estiżi 14-il darba. Sejħet ukoll għar-riżenja tal-President Bashar Al-Assad. L-UE tappoġġja bis-sħiħ l-isforzi tal-Mibgħut Speċjali tan-NU-Lega tal-Istati Għarab Kofi Annan biex iwaqqaf il-vjolenza u jiffaċilita djalogu paċifiku inklużiv u mmexxi mis-Sirjani li jwassal għal soluzzjoni politika li tilħaq l-aspirazzjonijiet demokratiċi tal-poplu tas-Sirja. F'dan ir-rigward, laqgħet id-Dikjarazzjoni Presidenzjali mill-Kunsill tas-Sigurtà tan-NU li tagħti spinta qawwija lill-missjoni tal-Mibgħut. L-UE tikkunsidra li huwa essenzjali li l-Kunsill tas-Sigurtà jibqa' aġġornat dwar din il-kwistjoni. Hija titlob li jkun hemm waqfien immedjat tal-vjolenza u aċċess umanitarju immedjat u bla xkiel.

(English version)

Question for written answer E-001100/12
to the Commission (Vice-President/High Representative)
David Casa (PPE)
(31 January 2012)

Subject: VP/HR — Syria

A recently drafted UN resolution pushed by the Arab League called for a political transition facilitated by President al-Assad. Still, violence from the al-Assad administration against the opposition has yet to cease, and the Syrian Observatory for Human Rights reports that the violence is the worst it has been since the uprising started almost a year ago.

With the Arab League mission to Syria on the way out, what does the High Representative see as the next step to take regarding the violence in Syria?

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

The EU has condemned in the strongest terms the ongoing brutal repression led by the Syrian regime against its population, including the use of heavy weaponry in civilian areas, which risk exacerbating further the spiral of violence, sectarian clashes and militarisation. The EU also condemned recent bomb attacks in Damascus and Aleppo causing scores of death and injuries. Acts of terrorism cannot be justified under any circumstances.

The EU is appalled by the main findings of the report of the Independent International Commission of Inquiry on Syria, which states that crimes against humanity and other gross violations of human rights have been committed in the country. The EU considers that there should be no impunity for the perpetrators of alleged crimes such as those referred to in the report. It agrees with the Syrian Observatory for Human Rights reports that the violence is the worst it has been since the uprising began.

In order to put pressure on the Syrian authorities, the EU introduced targeted restrictive measures against the Syrian regime in May 2011, which have been extended now 14 times. It has also called on President Bashar al-Assad to step aside. The EU fully supports the efforts of UN-League of Arab States Special Envoy Kofi Annan to stop violence and facilitate a peaceful Syrian-led and inclusive dialogue leading to a political solution that meets the democratic aspirations of the Syrian people. It welcomed in this respect the Presidential Statement by the UN Security Council which provides for a strong boost to the Envoy's mission. The EU considers it essential that the Security Council remains seized of the matter. It calls for an immediate cessation of violence and immediate and unhindered humanitarian access.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001102/12
lill-Kummissjoni
David Casa (PPE)
(8 ta' Frar 2012)

Suġġett: Il-prevenzjoni tal-obeżità, tad-dijabete u tal-mard tal-qalb

Numru ta' Stati Membri riċentament iddeċidew li jimponu taxxa fuq diversi tipi ta' ikel li mhuwiex tajjeb għas-saħħa sabiex jikkumbattu r-rati nazzjonali ta' obeżità, tal-mard tal-qalb u tad-dijabete, li kulma jmur qegħdin jiżdiedu.

Fil-fehma tal-Kummissjoni, dawn il-miżuri fiskali huma mezzi effettivi li jikkumbattu l-obeżità u mard relatat?

Mill-adozzjoni tal-"Istrateġija għall-Ewropa dwar kwistjonijiet ta" saħħa marbuta man-Nutriment, il-Piż Żejjed u l-Obeżità' tal-Kummissjoni ta' Mejju 2007, il-Kummissjoni wettqet xi riċerka oħra fuq miżuri mhux fiskali li jistgħu jittieħdu fuq il-livell tal-UE sabiex jiskoraġġixxu l-konsum mgħaġġel fl-Ewropa tal-ikel u x-xorb li mhuwiex tajjeb għas-saħħa?

Tweġiba mogħtija mis-Sur Dalli f'isem il-Kummissjoni
(14 ta' Marzu 2012)

L-Istati Membri tal-UE huma liberi li jintroduċu t-taxxi nazzjonali tagħhom stess li mhumiex armonizzati sakemm dawn ikunu kompatibbli mad-dispożizzjonijiet relevanti tal-liġi tal-UE.

Sa mill-adozzjoni fl-2007 tal-Istrateġija tal-UE għan-Nutrizzjoni, il-Kummissjoni qed taħdem mal-Istati Membri fil-Grupp ta' Livell Għoli dwar in-Nutrizzjoni u l-Attività Fiżika sabiex tiżgura li l-istrateġiji nazzjonali jużaw approċċi olistiċi biex jindirizzaw il-kwistjonijiet tal-obeżità. Il-Grupp ta' Livell Għoli dan l-aħħar iddiskuta ([1]) l-kwistjoni tat-tassazzjoni bħala miżura li tgħin fil-prevenzjoni tal-obeżità. Fid-diskussjoni, l-Istati Membri li implimentaw il-miżuri ta' tassazzjoni għarfu l-importanza li jsir monitoraġġ tal-effett ta' miżuri bħal dawn. Barra minn hekk, l-Istati Membri għarfu li l-miżuri ta' tassazzjoni waħedhom mhumiex biżżejjed biex tiġi indirizzata l-isfida tal-obeżità billi din teħtieġ approċċ usa' li jiġbor miżuri fuq livelli differenti. Il-Grupp qabel ukoll li se jsegwi l-iżviluppi fejn jidħlu l-inizjattivi tat-tassazzjoni fuq l-ikel u x-xorb li tnedew fi Stati Membri tal-UE sabiex tinġabar u tiġi diskussa informazzjoni dwar l-effikaċja tagħhom.

Barra minn hekk, permezz tal-ħidma mal-partijiet interessati fil-Pjattaforma tal-UE dwar id-Dieta, l-Attività Fiżika u s-Saħħa, saru iżjed minn 300 azzjoni li jindirizzaw il-kwistjonijiet tal-obeżità u n-nutrizzjoni madwar l-UE.

Il-Kummissjoni tikkofinanzja wkoll proġetti ta' riċerka fuq l-obeżità u d-dijabete li jiswew EUR 340 miljun fis-sitt u fis-seba' Programmi Qafas tar-Riċerka u l-Iżvilupp Teknoloġiku. Sa mill-bidu tas-seba' Programm Qafas fl-2007, ġew iddedikati iżjed minn EUR 270 miljun sabiex jinftiehem aħjar il-mard, u sabiex jinstabu approċċi terapewtiċi aħjar u markaturi għal dijanjożi iżjed bikrija, kif ukoll approċċi preventivi u restorattivi iżjed preċiżi.

([1]) http://ec.europa.eu/health/nutrition_physical_activity/docs/ev_20120202_flash_en.pdf

(English version)

Question for written answer E-001102/12
to the Commission
David Casa (PPE)
(8 February 2012)

Subject: Obesity, diabetes, and heart disease prevention

A number of Member States have recently decided to impose a tax on several unhealthy foods so as to combat rising national rates of obesity, heart disease and diabetes.

In the view of the Commission, are such fiscal measures an effective means of combating obesity and related diseases?

Since the adoption in May 2007 of the Commission's 'Strategy for Europe on nutrition, overweight and obesity-related health issues', has the Commission conducted any other research on non-tax measures that could be taken at EU level to discourage the rapid consumption of unhealthy food and drink in Europe?

Answer given by Mr Dalli on behalf of the Commission
(14 March 2012)

EU Member States are free to introduce their own non-harmonised national taxes provided that these are compatible with the relevant provisions of EC law.

Since the adoption of the 2007 EU Nutrition Strategy the Commission has been working with Member States in the High Level Group on Nutrition and Physical Activity to ensure national strategies take holistic approaches in tackling obesity issues. The High Level Group discussed recently ([1]) the issue of taxation as a measure to help prevent obesity. In that discussion, Member States that have implemented taxation measures identified the importance of monitoring the effect of such measures. Moreover, Member States acknowledged that taxation measures alone are not sufficient to tackle the obesity challenge which requires a wider approach encompassing measures at different levels. The Group has further agreed to follow developments concerning food and beverages' taxation initiatives launched in EU Member States in order to collect and discuss information on their efficacy.

Moreover, through the work with stakeholders in the Platform on Diet Physical Activity and Health, there have been more than 300 actions tackling obesity and nutrition issues across the EU.

The Commission has also been co-funding research projects on obesity and diabetes worth EUR 340 million in the 6th and 7th Framework programmes for Research and Technological Development. Since the start of the 7th Framework Programme in 2007, over EUR 270 million have been devoted to better understand the diseases, and to search for better therapeutic approaches and earlier diagnostic markers, as well more accurate preventive and restorative approaches.

([1]) http://ec.europa.eu/health/nutrition_physical_activity/docs/ev_20120202_flash_en.pdf

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001103/12
lill-Kummissjoni
David Casa (PPE)
(8 ta' Frar 2012)

Suġġett: Kriterji għall-kwoti ta' studenti mhux residenti

Mid-deċiżjoni tal-Qorti Ewropea tal-Ġustizzja tat-3 ta' April2010 li tippermetti l-impożizzjoni ta' kwoti fir-rigward ta' studenti barranin fejn hemm riskju għas-saħħa pubblika, il-Kummissjoni, żviluppat kriterji li magħhom għandhom ikunu konformi l-Istati Membri sabiex jimplimentaw kwoti għal studenti mhux residenti? Jekk hu hekk, hemm kriterji li jiżguraw li l-kwoti jiġu applikati mill-awtoritajiet tal-Istati Membri biss fejn ikun hemm tħassib ġustifikat dwar is-saħħa pubblika?

Tweġiba mogħtija mis-Sinjura Vassiliou f'isem il-Kummissjoni
(12 ta' Marzu 2012)

Il-Kummissjoni tixtieq l-ewwel nett tfakkar li, fid-Deċiżjoni tagħha tat-13ta' April 2010 (Il-Każ C-73/08 Bressol et al [2010] ECR I-0000), il-Qorti tal-Ġustizzja tal-Unjoni Ewropea ddeċidiet li l-Artikoli 18 u 21 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea jipprekludu l-leġiżlazzjoni nazzjonali li tillimita l-għadd ta' studenti mhux residenti li jistgħu jinkitbu għall-ewwel darba f'korsijiet tal-mediċina u paramediċi fi stabbilimenti ta' edukazzjoni għolja, sakemm ma jkunx stabbilit li din il-leġiżlazzjoni hija ġġustifikata b'mod oġġettiv għall-għan tal-ħarsien tas-saħħa pubblika.

F'din l-istess deċiżjoni, il-Qorti stipulat gwida għall-valutazzjoni dwar jekk teżistix theddida ġenwina għall-ħarsien tas-saħħa pubblika, u, jekk dan ikun minnu, jekk il-leġiżlazzjoni fil-kwistjoni tistax titqies li hija xierqa biex jinkiseb l-għan tal-ħarsien tas-saħħa pubblika u jekk dan l-għan jistax jintlaħaq permezz ta' miżuri inqas restrinġenti.

Il-gwida li tagħti l-Qorti fid-deċiżjoni msemmija hawn fuq tapplika għat-tħassib dwar is-saħħa pubblika. Filwaqt li wieħed ma jistax jeskludi, għall-inqas fit-teorija, li jistgħu, f'ċerti kundizzjonijiet ikun hemm għanijiet leġittmi oħra, li jiġġustifikaw l-impożizzjoni ta' kwoti simili, kull valutazzjoni ta' dan it-tip ta' kwistjoni bilfors li se tkun kumplessa u tvarja b'mod sinifikanti, skont is-sistema edukattiva u l-korsijiet speċifiċi involuti, u għaldaqstant din se titlob approċċ imfassal għaċ-ċirkostanzi li jkunu l-oġġett tal-proċeduri.

(English version)

Question for written answer E-001103/12
to the Commission
David Casa (PPE)
(8 February 2012)

Subject: Criteria for quotas of non-resident students

Since the European Court of Justice decision of 3 April 2010 to allow the imposition of quotas in respect of non-resident students where public health is at risk, has the Commission developed criteria that the Member States must comply with in order to implement such quotas? If so, are there criteria to ensure that quotas are applied by Member State authorities only if there are justifiable public health concerns?

Answer given by Ms Vassiliou on behalf of the Commission
(12 March 2012)

The Commission would first recall that, in its decision of 13 April 2010 (Case C-73/08 *Bressol and Others* [2010] ECR I-0000), the Court of Justice of the European Union has ruled that Articles 18 and 21 TFEU preclude national legislation which limits the number of non-resident students who may enrol for the first time in medical and paramedical courses at higher education establishments, unless it is established that the legislation in question is objectively justified in the light of the objective of protection of public health.

The Court has equally provided in the said judgment guidance in assessing whether there is a genuine risk to the protection of public health, and, in the affirmative, whether the legislation at issue can be regarded as appropriate for attaining the objective of protecting public health and whether the stated objective cannot be attained by less restrictive measures.

The guidance provided by the Court in the abovementioned judgment applies to concerns over public health. While it cannot be excluded, at least in theory, that other legitimate objectives might, under certain conditions, justify the imposition of similar quotas, any assessment on these issues is bound to be complex and vary significantly depending on the educational system and the specific courses that are involved, therefore requiring an approach that is tailored to the circumstances that are the object of the proceedings.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-001104/12
lill-Kummissjoni (Viċi President/Rappreżentant Għoli)
David Casa (PPE)
(31 ta' Jannar 2012)

Suġġett: VP/HR — Kompromess mar-Russja dwar is-Sirja

Riċentement ir-Russja kkritikat lill-UE u lill-Istati Uniti għaliex irreferew għal gwerra potenzjali mas-Sirja f'abbozz ta' riżoluzzjoni tan-NU. L-abbozz kurrenti ta' riżoluzzjoni tan-NU dwar is-Sirja aktarx ma jgħaddix mill-Kunsill tas-Sigurtà minħajr l-appoġġ tar-Russja.

Tista' r-Rappreżenant Għoli tagħti informazzjoni dwar kwalunke kompromess fil-ħidma mar-Russja dwar dan is-suġġett?

Tweġiba mogħtija mill-Rappreżentant Għoli/Viċi-President Ashton f'isem il-Kummissjoni
(10 ta' Mejju 2012)

L-UE se tkompli tinsisti għal azzjoni b'saħħitha tan-NU b'risposta għat-trażżin brutali kontinwu tar-reġim Sirjan fuq il-populazzjoni tiegħu u tistieden lill-membri kollha tal-Kunsill tas-Sigurtà, b'mod partikulari lir-Russja u liċ-Ċina, biex jappoġġaw il-missjoni tar-mibgħut konġunt tan-NU-LAS dwar is-Sirja u l-implimentazzjoni tar-riżoluzzjonijiet tal-Lega tal-Istati Għarab dwar is-Sirja. L-UE tilqa' l-adozzjoni unanima mill-Kunsill tas-Sigurtà tan-NU ta' Dikjarazzjoni Presidenzjali dwar is-Sirja, fejn jistqarr l-appoġġ sħiħ tiegħu għall-isforzi tal-Mibgħut Speċjali Konġunt tan-NU u l-Lega Għarbija, Kofi Annan, u l-pjan ta' sitt punti tiegħu għal soluzzjoni politika għall-kriżi. Hu jħeġġeġ lill-membri tal-Kunsill tas-Sigurtà biex ikomplu jaħdmu f'din id-direzzjoni.

(English version)

Question for written answer E-001104/12
to the Commission (Vice-President/High Representative)
David Casa (PPE)
(31 January 2012)

Subject: VP/HR — compromise with Russia on Syria

Russia has recently criticised the EU and the US for referring to potential war with Syria in a draft UN resolution. The current draft UN resolution on Syria is unlikely to pass through the Security Council without Russian support.

Can the High Representative give information on any working compromise with Russia on this subject?

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

The EU will continue to press for strong UN action in response to the ongoing brutal crackdown of the Syrian regime on its population and calls on all members of the Security Council, particularly Russia and China, to support the mission of the joint UN-LAS envoy on Syria and the implementation of the League of Arab States resolutions on Syria. The EU welcomes the unanimous adoption by the UN Security Council of a Presidential Statement on Syria, stating its full support to the efforts of the Joint Special Envoy of the UN and Arab League, Kofi Annan, and his six point plan for a political solution to the crisis. It encourages the Security Council members to keep on working in this direction.

(English version)

Question for written answer E-001106/12
to the Commission
Syed Kamall (ECR)
(8 February 2012)

Subject: UK copyright law reform

I have been contacted by a constituent who is an author and who has expressed concerns that some recent proposals for reform of UK copyright law may contravene European rules.

In December 2011 the UK Government published proposals for the reform of UK copyright law, which included expanding the scope of the current educational exceptions regime. The proposals also envisage the removal of the licensing schemes currently operating in the UK education sector, which provide access to large-scale repertoires of works and secure remuneration for authors, performers and other rightholders.

My constituent tells me that the Copyright Directive (Directive 2001/29/EC) permits Member States to introduce exceptions and limitations to copyright and related rights, but only in certain special cases which do not conflict with normal exploitation of the work or other subject matter and do not unreasonably prejudice the legitimate interests of the rightholder.

Does the Commission consider the UK Government's proposals for expanding the scope of educational copyright exceptions without remuneration to be consistent with the UK's obligations under the Copyright Directive?

Answer given by Mr Barnier on behalf of the Commission
(19 March 2012)

As indicated by the Honourable Member, the UK Government is currently consulting on the reform of UK copyright law. The Commission understands that the consultation document is seeking responses to the policy issues raised therein and at this stage there are no formal proposals for legislation. The Commission will continue to monitor this process including any proposals for legislation that might emerge in due course as a result of the consultation.

The UK Government has stated ([1]) that it is not considering going beyond the current scope of what is allowed under the Information Society Directive.

In relation to the scope of exceptions for educational purposes, Article 5 (2) and (3) of the directive provide a closed list of optional exceptions, covering, for example, exceptions from the right of reproduction 'in respect of specific acts of reproduction made by publicly accessible libraries, educational establishments or museums, or by archives, which are not for direct or indirect commercial advantage' (Article 5(2)(c)); and exceptions from the rights of reproduction and communication to the public for 'use for the sole purpose of illustration for teaching or scientific research' under certain conditions. It is correct that exceptions need to be considered in the light of the test in Article 5(5) to which the Honourable Member refers. However, the exceptions in the directive that appear most concerned with educational purposes are not conditional upon any requirement to pay remuneration and indeed are framed in rather general terms.

In light of the above, the Commission needs first to examine the details of the draft legislation before it is in a position to assess its compatibility with the *acquis communautaire* in the area of copyright.

([1]) http://www.ipo.gov.uk/consult-ia-bis0317.pdf, page 8.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-001107/12
aan de Commissie
Frieda Brepoels (Verts/ALE)
(8 februari 2012)

Betreft: Solidariteitsbijdrage en Verordening (EG) nr. 883/2004 — Vervolg

In haar antwoord op mijn vraag E-009599/2011 gaf de Commissie aan: „De Commissie heeft contact opgenomen met de Belgische autoriteiten om haar standpunt met betrekking tot het beginsel van de eenheid van de toepasselijke wetgeving uiteen te zetten en de zaak verder toe te lichten. De Commissie zal het geachte parlementslid op de hoogte brengen van het resultaat van de correspondentie."

In die context graag volgende opvolgvraag:

Kan de Commissie intussen de resultaten van de correspondentie bekendmaken?

Antwoord van de heer Andor namens de Commissie
(22 maart 2012)

De Commissie kan het geachte Parlementslid meedelen dat zij op dit ogenblik wacht op het formele antwoord van de Belgische autoriteiten. Na evaluatie van het betrokken antwoord zal de Commissie het geachte Parlementslid in kennis stellen van de verdere stappen die zij overweegt.

(English version)

Question for written answer E-001107/12
to the Commission
Frieda Brepoels (Verts/ALE)
(8 February 2012)

Subject: Solidarity contribution and Regulation (EC) No 883/2004 — follow-up question

In its answer to my Question E-009599/2011 the Commission stated: 'The Commission has contacted the Belgian authorities to express its position with regard to the principle of unity of applicable legislation and to clarify the matter further. The Commission will inform the Honourable Member of the outcome of the correspondence.'

In this context, I would like to put the following follow-up question:

Can the Commission now publish the results of the correspondence?

Answer given by Mr Andor on behalf of the Commission
(22 March 2012)

The Commission would inform the Honourable Member that it is currently awaiting the Belgian authorities' formal reply. After assessing the latter, it will inform her of any steps it contemplates taking.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001108/12
προς την Επιτροπή
Niki Tzavela (EFD)
(8 Φεβρουαρίου 2012)

Θέμα: Δημοσιονομικό σύμφωνο για την Ελλάδα

Το Δημοσιονομικό Σύμφωνο και η τελική συμφωνία για τον Ευρωπαϊκό Μηχανισμό Σταθερότητας (ESM) θα βρεθούν στο επίκεντρο της Συνόδου Κορυφής της ΕΕ στις Βρυξέλλες τη Δευτέρα 30 Ιανουαρίου. Ο πρωθυπουργός, Λουκάς Παπαδήμος, συναντήθηκε την Κυριακή 29 Ιανουαρίου με τους πολιτικούς αρχηγούς που στηρίζουν την ελληνική κυβέρνηση και συμφωνήθηκαν οι βασικές γραμμές της διαπραγμάτευσης εν όψει της Συνόδου Κορυφής. Τη στιγμή που ζητείται νέο πρόγραμμα που περιλαμβάνει σκληρούς και ταπεινωτικούς όρους για την Ελλάδα, ερωτάται η Επιτροπή:

1. Συνάδουν με το κοινοτικό δίκαιο οι όροι του νέου προγράμματος απαιτήσεων της τρόικας για την Ελλάδα στους επιμέρους τομείς που αναφέρονται στη νέα δανειακή σύμβαση της Ελλάδας;

2. Είναι οι όροι αυτοί σύννομοι με τη Συνθήκη της Λισαβόνας και συνάδουν με το κοινοτικό κεκτημένο;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(26 Μαρτίου 2012)

Η Επιτροπή δεν είναι ενήμερη για τη λήψη μέτρου στο πλαίσιο του προγράμματος οικονομικής προσαρμογής για την Ελλάδα που θα αντίκειτο με το δίκαιο της Ευρωπαϊκής Ένωσης. Σε κάθε περίπτωση, η Επιτροπή, ως θεματοφύλακας των συνθηκών, εξασφαλίζει την τήρηση της νομοθεσίας της ΕΕ.

Η Επιτροπή πιστεύει ότι τα μέτρα που προβλέπονται στο Πρόγραμμα Οικονομικής Προσαρμογής για την Ελλάδα είναι απαραίτητα προκειμένου η Ελλάδα να αποκαταστήσει την ανταγωνιστικότητα και τη δημοσιονομική βιωσιμότητα, καθώς και να διασφαλίσει τη χρηματοπιστωτική σταθερότητα και την προώθηση της ανάπτυξης και της απασχόλησης.

(English version)

Question for written answer E-001108/12
to the Commission
Niki Tzavela (EFD)
(8 February 2012)

Subject: Financial Pact for Greece

The Financial Pact and the final agreement on the European Stability Mechanism (ESM) will be at the heart of the Council of the EU Heads of State in Brussels on 30 January. The Prime Minister, Loukas Papademos, held a meeting on Friday, 29 January, with the political leaders who are supporting the Greek Government and the basic guidelines for the negotiations at the summit were agreed on. At a time when a new programme is being proposed that sets harsh, humiliating terms for Greece, I would like to ask the Commission:

1. Are the terms of the troika's new programme of demands for Greece in the sectors referred to in Greece's new loan agreement in alignment with Community law?

2. Do these terms comply with the Lisbon Treaty and are they in alignment with the Community *acquis*?

Answer given by Mr Rehn on behalf of the Commission
(26 March 2012)

The Commission is not aware of any measure agreed in the context of the economic adjustment programme for Greece which would be in contradiction with the EC law. In all circumstances, the Commission, as the guardian of the Treaties, ensures that the EC law is respected.

The Commission believes that the measures envisaged in the Economic Adjustment Programme for Greece are essential in order for Greece to restore competitiveness and fiscal sustainability and ensure financial stability, and to promote growth and jobs.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001109/12
προς το Συμβούλιο
Niki Tzavela (EFD)
(8 Φεβρουαρίου 2012)

Θέμα: Επίτροπος για την Ελλάδα

Σύμφωνα με δημοσιεύματα στο Reuters και στους Financial times, η Γερμανία πιέζει ώστε να παραχωρήσει η Ελλάδα σε ευρωπαϊκά όργανα και επιτροπές τον έλεγχο των δημοσιονομικών της, ως μέρος των προϋποθέσεων για το δεύτερο πακέτο βοήθειας, των 130 δισ. ευρώ. Πιο συγκεκριμένα, η Γερμανία πιέζει για τον διορισμό «Επιτρόπου Προϋπολογισμού» της ευρωζώνης με δικαίωμα αρνησικυρίας στις αποφάσεις της ελληνικής κυβέρνησης επί του προϋπολογισμού. Σύμφωνα με τα δημοσιεύματα, ο επίτροπος θα επιτηρεί όλες τις μεγάλες δαπάνες στην Ελλάδα και ταυτόχρονα θα μπορεί να ασκεί βέτο στις δημοσιονομικές αποφάσεις της κυβέρνησης σε περίπτωση που αυτές δεν συνάδουν με τους στόχους των δανειστών της.

Ερωτάται το Συμβούλιο:

— Ποια η άποψή του για την πρόταση αυτή της Γερμανικής κυβέρνησης;

— Θεωρεί ότι ένα τέτοιο μέτρο οικονομικής επιτήρησης σέβεται την κυριαρχία και την ανεξαρτησία ενός κράτους μέλους και συνάδει με τις αρχές της Ευρωπαϊκής Ένωσης;

— Μπορεί ένα κράτος μέλος να επιβάλει πολιτική η οποία ουσιαστικά καταργεί την εκτελεστική εξουσία της Επιτροπής και τον αποφασιστικό ρόλο του Συμβουλίου;

Απάντηση
(2 Απριλίου 2012)

Στις 20 Φεβρουαρίου 2012, η Ευρωομάδα δήλωσε ότι θεωρεί ουσιαστικής σημασίας να ενισχυθεί περαιτέρω η θεσμική ικανότητα της Ελλάδας. Κάλεσε την Επιτροπή να ενισχύσει σημαντικά την Ειδική Ομάδα της για την Ελλάδα, ιδίως μέσω ενισχυμένης και μόνιμης επιτόπου παρουσίας, προκειμένου να ενισχύσει την ικανότητά της εν λόγω ομάδας να παρέχει και να συντονίζει τεχνική συνδρομή. Τα κράτη μέλη της ζώνης ευρώ είναι διατεθειμένα να παραχωρήσουν εμπειρογνώμονες οι οποίοι θα ενταχθούν στην Ειδική Ομάδα. Η Ευρωομάδα επικρότησε επίσης την ενίσχυση της επιτόπου εποπτικής ικανότητας από την Επιτροπή, σε στενή και συνεχή συνεργασία με την ελληνική κυβέρνηση. Η Ευρωομάδα εξέφρασε επίσης την ικανοποίησή της σχετικά με την πρόθεση της Ελλάδας να θέσει σε λειτουργία μηχανισμό που θα επιτρέπει τον καλύτερο εντοπισμό και την παρακολούθηση του επίσημου δανεισμού και των ενδογενών κεφαλαίων που προορίζονται για την εξυπηρέτηση του χρέους της.

(English version)

Question for written answer E-001109/12
to the Council
Niki Tzavela (EFD)
(8 February 2012)

Subject: Commissioner for Greece

According to reports by Reuters and the *Financial Times*, Germany is pushing for control over Greek finances to be given to European bodies and Commissioners as a precondition for the second aid package of EUR 130 billion. Specifically, Germany is pushing for the establishment of a 'Budget Commissioner' for the eurozone who will have the right to reject decisions made by the Greek Government on its budget. According to these reports, the Commissioner will oversee all the major expenditure in Greece and at the same time will be able to veto the government's fiscal decisions where they are not aligned with the aims of the loans.

I would like to ask the Council:

— What is its opinion of this suggestion by the German government?

— Does it think that this economic supervision measure respects the sovereignty and independence of a Member State and is in alignment with the principles of the European Union?

— Can a Member State impose a policy that essentially invalidates the executive power of the Commission and the decisive role of the Council?

Reply
(2 April 2012)

On 20 February 2012, the Eurogroup stated that it deemed essential to further strengthen Greece's institutional capacity. It invited the Commission to significantly strengthen its Task Force for Greece, in particular through an enhanced and permanent presence on the ground in Greece, in order to bolster its capacity to provide and coordinate technical assistance. Euro area Member States stand ready to provide experts to be integrated into the Task Force. The Eurogroup also welcomed the stronger on site-monitoring capacity by the Commission, to work in close and continuous cooperation with the Greek Government. The Eurogroup also welcomed Greece's intention to put in place a mechanism that allows better tracing and monitoring of the official borrowing and internally-generated funds destined to service Greece's debt.

(English version)

Question for written answer E-001111/12
to the Commission
Alyn Smith (Verts/ALE)
(8 February 2012)

Subject: Food waste

The Commission is aware of the recommendations to reduce food waste contained in — amongst other reports — the Caronna Report recently adopted by a considerable majority in Parliament.

The Commission will be aware of different practices within the food market when it comes to 'use by' and 'best before' dates on fresh or processed produce.

1. Has the Commission made any assessment of the validity of the criteria for the setting of these dates across the sector?

2. Has the Commission made — or is it aware of — any study into what impact these dates have on food waste, given that many citizens will be unlikely to consume a product after the date indicated?

3. Are the criteria evenly applied, or is there a tendency on the part of processors and retailers to limit the time in order to avoid potential liability and increase sales?

Answer given by Mr Dalli on behalf of the Commission
(22 March 2012)

Research on date labelling undertaken in the United Kingdom ([1]) shows that 45-49 % of consumers misunderstand the meaning of the date labels 'best before' and 'use by' and that 1 million tonnes of food waste or over 20 % of avoidable food waste in the United Kingdom is linked to date label confusion. There are no EU-wide data on data labelling confusion and its impact on food waste.

With respect to date labelling, with few exceptions, pre-packed food must bear a date of minimum durability (best before date) or a use by date. The legislation ([2]) specifies that the 'best before' date should be replaced by a 'use by' date when, from a microbiological point of view, a food is highly perishable and is therefore likely after a short period to constitute an immediate danger to human health. It is the responsibility of the food business operator to determine when a product should be labelled with a use by date. The newly adopted Regulation on the provision of food information to consumers ([3]), which will apply from 13 December 2014, maintains the abovementioned existing rules. However, Article 24 thereof explicitly states that after the 'use by' date a food shall be deemed to be unsafe in accordance with Article 14(2) to (5) of Regulation (EC) No 178/2002 (General Food Law).

The Commission does not have information on the application of the rules on labelling with a date of minimum durability or use by date by food businesses.

([1]) WRAP 2010.

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

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

(English version)

Question for written answer E-001113/12
to the Commission
Charles Tannock (ECR)
(8 February 2012)

Subject: Uneven enforcement of battery-cage egg production regulations

I have been made aware by the UK egg producer association of the fact that despite the EU's 2012 legal deadline for the banning of conventional battery-cage egg production, there are still more than 50 million captive laying hens in barren battery cages in other EU countries, despite the local egg producers having had more than 12 years to prepare for the improved animal welfare standards required.

UK producers have spent some GBP 400 million to meet this very welcome and humane EU-imposed deadline but are now under considerable financial pressure as a result of the 40 million eggs per day which are being produced in barren battery cages and sold all over the EU, including exported to the UK, thus undercutting retail wholesale prices for legal egg production in that country.

Is the Commission aware of this unsatisfactory situation, what enforcement measures has it taken to ensure that this illegal practice is eradicated and how can it support egg producers which fulfil the new EU requirements so as to prevent them from being put out of business because illegal egg production is being allowed to go on without sanctions elsewhere in the EU?

Answer given by Mr Dalli on behalf of the Commission
(22 March 2012)

The Commission has since 2010 been monitoring the progress made by Member States in phasing out unenriched cages for laying hens and has taken every opportunity during the last year to remind all EU Member States of their responsibilities in this respect.

At the same time, the Commission is taking every step possible, within its legal powers, to ensure compliance with the ban on unenriched cages for laying hens, across the EU as soon as possible. In November 2011 the Commission contacted the Member States which, according to the data available then, would possibly not be able to fully phase out unenriched cages by 1 January 2012. As was seen on 1 January 2012, around half of the Member States were not in compliance. On 27 January 2012 the Commission therefore, via a letter of formal notice, called on non-compliant Member States to take action to implement the ban on unenriched cages for laying hens. Concerning the United Kingdom, an investigation was launched on 12 January. This enquiry was based on a statement of the United Kingdom competent authority informing the Commission of their inability to phase out unenriched cages by the deadline. The outcome of this investigation showed that the United Kingdom achieved full compliance on 13 February 2012 and on this basis no infringement proceedings were opened.

With regard to eggs that have been produced in non-compliant systems since 1 January 2012, their marketing is illegal. Member States are responsible for implementing the directive and for ensuring, through efficient national controls and traceability systems, that no distortion of the market is caused by the circulation of eggs not produced in compliance with the applicable legislation.

(English version)

Question for written answer E-001114/12
to the Commission (Vice-President/High Representative)
Charles Tannock (ECR)
(8 February 2012)

Subject: VP/HR — Developments in the case of Pastor Youcef Nadarkhani

I submitted a parliamentary question to the Commission on 6 October 2011 (P-008997/2011) concerning the case of Pastor Youcef Nadarkhani, a Christian pastor sentenced to death in Iran for 'apostasy against Islam' in September 2010. The EU called for the unconditional release of Nadarkhani in September 2011, but this was not granted. Last month it was announced that, instead, Iranian officials were to delay his execution by four months or more. Such a move can only be seen either as a means of buying time for the Iranian regime, allowing Nadarkhani the time to renounce his Christian faith, or as a means of creating a time lapse that will mean that the case is forgotten by the international community and that an execution can take place unnoticed.

1. Can the Vice-President/High Representative comment on the recent developments in Pastor Nadarkhani's case?

2. Will the Vice-President/High Representative put pressure on the Iranian government, once again, to grant Pastor Nadarkhani unconditional release, making clear to them that any developments will not go unnoticed by the international community?

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

High Representative/Vice-President Ashton has been following the case of Pastor Youcef Nadarkhani closely. In a number of statements and most recently on 24 February 2012, she called on the Iranian authorities not to execute him. She has also expressed deep concern regarding the high number of individuals already executed in Iran, particularly during 2011, and that thousands of individuals remain at risk, including Pastor Youcef Nadarkhani.

HR/VP has expressed her deep concern regarding the lack of fair trials, whereby defendants are deprived of their right of appeal and sentenced for offences which, according to international standards should not result in capital punishment. HR/VP has called on Iran to halt pending executions and introduce a moratorium. She has also called on Iran to live up to its international human rights commitments as codified by the International Covenant on Civil and Political Rights (ICCPR), which Iran has freely signed and ratified; Article 18 of the ICCPR protects the right of an individual to adopt and manifest a religion of his/her choice.

The local representation of the EU in Iran, ensured by Denmark during the first semester of 2012, is following closely death penalty cases. The EU has raised its concerns directly with the Iranian authorities in Tehran and Brussels. HR/VP will continue to monitor the case of Pastor Youcef Nadarkhani.

(English version)

Question for written answer E-001115/12
to the Commission (Vice-President/High Representative)
Charles Tannock (ECR)
(8 February 2012)

Subject: VP/HR — The EU's view of the findings of the Lessons Learnt and Reconciliation Commission (LLRC) report

Following the publication of the findings of the LLRC report on 16 December 2011, the British Foreign Office announced the British Government's view of the findings on 12 January 2012. The overriding sense was one of disappointment. The recommendation that certain incidents require further investigation is clearly positive, but many questions of serious human rights violations were left unanswered or responses to them were unsatisfactory. A root cause for the ethnic conflict was determined — a failure by successive governments to address the genuine grievances of the Tamil people — and recommendations for post-conflict reconciliation given. However, the LLRC report did not find anybody accountable for the atrocities committed despite the fact that there were serious allegations of war crimes on both sides.

1. Can the Vice-President/High Representative comment on the EU's views of the LLRC's findings?

2. Does the Vice-President/High Representative believe that further measures should be taken?

3. Can the Vice-President/High Representative say how the EU plans to help address the long-term grievances of the Tamil people, and in particular the need for more regional devolution and autonomy for the Tamil majority areas, now that the conflict has ended?

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

The EU supports an inclusive political solution, involving all the ethnic groups and communities in the island, as a pre-requisite for genuine reconciliation and lasting peace. Indeed, the report of the Lessons Learnt and Reconciliation Commission (LLRC) takes the view that the root cause of the conflict in Sri Lanka lay in the failure of successive Governments to address the grievances of the Tamil people.

The LLRC's recommendations, if implemented effectively, can make a significant contribution to the process of national reconciliation, including on issues such as devolution, land distribution, independence of institutions, media freedom, language policy, openness towards the donor community, empowerment of the civil administration in the North, phasing out of the security forces from civilian activities, de-linking of the police from the armed forces, disarmament of illegal armed groups and protection of vulnerable.

The issue of accountability is an essential part of the process of national reconciliation and implies inquiries into specific responsibilities for possible crimes committed. The LLRC calls for such investigations and the EU fully supports this call, in line with its consistent view that an impartial process to address allegations of war crimes and ongoing human rights violations should contribute to strengthening the process of reconciliation.

The EU also continues to encourage the Government of Sri Lanka to engage with the United Nations Secretary General (UNSG) and relevant UN bodies both on the LLRC report and the report of the Advisory Panel appointed by the UNSG, which is not addressed in substance by the LLRC report.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001116/12
an die Kommission
Lambert van Nistelrooij (PPE) und Markus Pieper (PPE)
(8. Februar 2012)

Betrifft: Flexiblere Investitionsmöglichkeiten im Rahmen der derzeitigen Bestimmungen der Strukturfonds

Am 27. Januar 2012 brachte die Kommission den Vorschlag ein, die Verwendung der für den Zeitraum 2007-2013 noch verfügbaren Mittel aus den Regionalfonds für Investitionen und zur Schaffung von Arbeitsplätzen zu ermöglichen. Der verbundene Betrag beläuft sich auf 82 Mrd. EUR. Wir schlagen vor, die Investitionen aus den Strukturfonds zu beschleunigen, um insbesondere gegen Jugendarbeitslosigkeit vorzugehen und kleine und mittlere Unternehmen zu unterstützen. Das kann auch bedeuten, die Haushaltsmittel für 2013 bereits in 2012 zu investieren.

In diesem Zusammenhang möchten wir die folgenden Fragen stellen:

1. Wie hoch ist der Betrag der nicht ausgegebenen Haushaltsmittel für jeden einzelnen Fonds (EFRE, Sozialfonds und Kohäsionsfonds)?

2. Welche besonderen Maßnahmen werden durchgeführt, um die Investitionen in den Jahren 2012-2013 zu beschleunigen?

3. Welche Anpassungen müssen an den derzeitigen Bestimmungen vorgenommen werden, um eine höhere Flexibilität und eine prominentere Rolle für Investitionen durch die EIB zu erreichen und so eine Möglichkeit zu schaffen, die für 2013 vorgesehenen Mittel in 2012 ausgeben zu können?

Antwort von Herrn Hahn im Namen der Kommission
(6. März 2012)

1. Von den für diesen Zeitraum gebundenen Strukturfondsmitteln in Höhe von 345 Mrd. EUR wurden den Schätzungen der Kommission zufolge bereits 263 Mrd. EUR für Projekte bereitgestellt. Ein Betrag von etwa 82 Mrd. EUR muss noch zugewiesen werden — 22 Mrd. EUR aus dem ESF (28 % der insgesamt verfügbaren Mittel) und 60 Mrd. EUR aus dem EFRE und dem Kohäsionsfonds (22 % der insgesamt verfügbaren Mittel).

Am 13. Februar 2012 betrug die Quote der Auszahlungen an die Mitgliedstaaten für den laufenden Zeitraum 36 % für den ESF, 36 % für den EFRE und 30 % für den Kohäsionsfonds.

2. Die Kommission hat bereits in den Jahren 2008, 2009 und 2010 Maßnahmen ergriffen, um die Mitgliedstaaten bei der Bewältigung der Krise zu unterstützen. Erst kürzlich hat die Kommission Maßnahmen erlassen, die die Mitgliedstaaten unterstützen und Investitionen für Wachstum und Beschäftigung fördern sollen: eine Anhebung der EU-Kofinanzierungsrate um 10 % für die Länder, die am stärksten von der Finanzkrise betroffen sind; die Einrichtung umfassenderer Garantie- und Risikoteilungsinstrumente, um zusätzliche Kreditvergaben an den Bankensektor und private Investoren zu unterstützen (Ergänzung der öffentlichen Finanzierung von Infrastrukturprojekten und anderen produktiven Investitionen) sowie eine Änderung der Durchführungsverordnung, um Maßnahmen zu verstärken, die Unternehmen mit Investitionen aus Finanzinstrumenten unterstützen.

3. Die jährliche Haushaltsplanung untersagt, dass für 2013 gebundene Mittel im Jahr 2012 ausgegeben werden. Die Kommission hat eine Änderung der Verordnung (EG) Nr. 1083/2006 des Rates vorgeschlagen, um die Schaffung eines Risikoteilungsinstruments zusammen mit der Europäischen Investitionsbank oder anderen Finanzinstitutionen mit öffentlichen Aufgaben zu ermöglichen. Dieses Instrument soll die Umsetzung der Kohäsionspolitik fördern, indem Projektträgern und Banken im Hinblick auf die Bereitstellung von Finanzierungsbeiträgen Darlehen oder Garantien gewährt werden.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-001116/12
aan de Commissie
Lambert van Nistelrooij (PPE) en Markus Pieper (PPE)
(8 februari 2012)

Betreft: Flexibelere uitgaven in het kader van de huidige regelgeving betreffende de structuurfondsen

Op 27 januari 2012 diende de Commissie een voorstel in om het mogelijk te maken de regionale fondsen die nog beschikbaar zijn voor de periode 2007-2013, te gebruiken voor investeringen en het scheppen van werkgelegenheid. Het gaat om een bedrag van 82 miljard euro. We stellen voor de investeringen uit de structuurfondsen te versnellen, met name om jongerenwerkloosheid te bestrijden en het mkb te ondersteunen. Dit kan ook betekenen dat de begrotingsmiddelen voor 2013 al in 2012 besteed worden.

In dit verband stellen we de volgende vragen:

1. Wat is de omvang van de niet-bestede begrotingsmiddelen voor elk specifiek fonds (EFRO, Sociaal Fonds en Cohesiefonds)?

2. Welke specifieke maatregelen zijn genomen om de investeringen in 2012 en 2013 te versnellen?

3. Welke aanpassingen moeten worden gedaan aan de huidige regelgeving om meer flexibiliteit te bekomen en investeringen door de EIB een prominentere rol te geven zodat de fondsen die zijn bestemd voor 2013, in 2012 besteed kunnen worden?

Antwoord van de heer Hahn namens de Commissie
(6 maart 2012)

1. De Commissie schat dat van de 345 miljard EUR aan vastleggingen voor de structuurfondsen voor deze periode 263 miljard EUR reeds aan projecten is toegewezen. Naar schatting 82 miljard EUR moet nog worden toegewezen — 22 miljard EUR van het ESF (28 % van het totaal) en 60 miljard EUR voor het EFRO en het Cohesiefonds (22 % van het totaal).

Op 13 februari 2012 bedroeg het betalingspercentage aan de lidstaten voor de lopende periode 36 % voor het ESF, 36 % voor het EFRO en 30 % voor het Cohesiefonds.

2. De Commissie heeft reeds in 2008, 2009 en 2010 maatregelen getroffen om de lidstaten te helpen de crisis te bestrijden. Meer recentelijk heeft de Commissie maatregelen genomen om de lidstaten te steunen en investeringen in groei en banen te stimuleren. Een aantal voorbeelden: een verhoging van het EU-medefinancieringspercentage met 10 % voor de landen die het zwaarst door de financiële crisis worden getroffen; de instelling van bredere garantiesystemen en mechanismen voor risicodeling om extra leningen aan de banksector en investeerders in de particuliere sector te steunen (om de overheidsfinanciering van infrastructuurprojecten en andere productieve investeringen aan te vullen); en een wijziging van de uitvoeringsverordening waarbij maatregelen ter ondersteuning van ondernemingen met investeringen door middel van financiële instrumenten worden versterkt.

3. De jaarbegrotingen laten niet toe dat toewijzingen voor 2013 reeds in 2012 worden besteed. De Commissie heeft voorgesteld Verordening (EG) nr. 1083/2006 van de Raad te wijzigen om de instelling van een instrument voor risicodeling mogelijk te maken dat samen met de Europese Investeringsbank of andere financiële instellingen met een publieke taak tot stand moet worden gebracht. Het heeft tot taak de implementatie van het cohesiebeleid te steunen door leningen of garanties te verstrekken aan projectsponsoren en banken om in aanvullende financiering te voorzien.

(English version)

Question for written answer E-001116/12
to the Commission
Lambert van Nistelrooij (PPE) and Markus Pieper (PPE)
(8 February 2012)

Subject: More flexible spending under the current regulations of the Structural Funds

On 27 January 2012 the Commission submitted the proposal to allow the regional funds that are still available for the period 2007-2013 to be used for investment and job creation purposes. The amount involved is EUR 82 billion. We propose speeding up the investments from the structural funds, especially to fight youth unemployment and to support small and medium-sized entrepreneurs. This can also mean spending the 2013 budget allocations already in 2012.

In this context we wish to ask the following questions:

1. What is the size of the unspent budgets for each specific Fund (ERDF, Social Fund and Cohesion Fund)?

2. What are the specific measures taken to speed up investments in the years 2012-2013?

3. What adjustments have to be made to the current regulations in order to achieve greater flexibility and a more prominent role for investments by the EIB with a view to making it possible for the funds earmarked for 2013 to be spent in 2012?

Answer given by Mr Hahn on behalf of the Commission
(6 March 2012)

1. Of the EUR 345 billion of Structural Fund commitments for this period, the Commission estimates that EUR 263 billion has already been allocated to projects. An estimated EUR 82 billion is still to be allocated — EUR 22 billion from the ESF (28 % of total) and EUR 60 billion for the ERDF and Cohesion Fund (22 % of total).

As of 13 February 2012, the payment rate to Member States for the current period stood at 36 % for ESF, 36 % for ERDF and 30 % for the Cohesion Fund.

2. The Commission already adopted measures in 2008, 2009 and 2010 to support Member States in fighting the crisis. More recently, the Commission adopted measures which aim to provide support to Member States and stimulate investments for growth and jobs. These include: an increase of the EU co-financing rate by 10 % for the countries most affected by the financial crisis; the set up of wider guarantee and risk-sharing mechanisms to support additional lending to the banking sector and private sector investors (to complete public financing of infrastructure projects and other productive investments); and an amendment to the implementing regulation, reinforcing measures to support enterprises with investments through financial instruments.

3. Annual budgeting does not allow for spending 2013 allocations in 2012. The Commission proposed an amendment to Council Regulation 1083/2006 to allow the creation of a risk sharing instrument to be established together with the European Investment Bank, or other financial institutions with a public mission. Its objective is to support implementation of cohesion policy through provision of loans or guarantees to project sponsors and banks with a view to providing match funding.

(Versión española)

Pregunta con solicitud de respuesta escrita E-001118/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(8 de febrero de 2012)

Asunto: Seguridad en el transporte por tren

El pasado 19 de enero de 2012 se produjo un choque de trenes en la estación de El Clot, en Barcelona ([1]). Un tren de cercanías de Renfe con pasajeros y un Talgo vacío chocaron a las 18.30 horas, causando al menos 25 heridos leves, según informó la compañía ferroviaria en un comunicado. En el tren de cercanías viajaban 150 clientes, de los que seis resultaron heridos leves. El trenhotel afectado tenía previsto hacer el recorrido Barcelona-Zurich-Milán.

El director general de Transporte y Movilidad de la Generalitat de Cataluña, Ricard Font, atribuyó la responsabilidad de este accidente de tren a la «precariedad» en la que se encuentran los túneles ferroviarios de la ciudad por el déficit de inversiones por parte del Gobierno español ([2]).

Este es el segundo choque que se produce en el mismo tramo en menos de un año. El pasado 28 de abril de 2011, dieciocho viajeros resultaron heridos leves al colisionar dos trenes en el mismo túnel entre las estaciones del Clot-Aragó y Arc de Triomf (preguntas E-006034/2011 y E-006035/2011).

En la respuesta a las preguntas E-006034/2011 y E-006035/2011, el Sr. Kallas, en nombre de la Comisión, comenta que, de conformidad con la Directiva 2004/49/CE (Directiva de seguridad ferroviaria), es obligación de los Estados miembros garantizar la seguridad de sus redes ferroviarias, en particular mediante una autoridad nacional responsable en materia de seguridad, y que en España la Dirección General de Ferrocarriles es quien concede a ADIF la autorización de seguridad (Real Decreto 810/2007). Ricard Font ha señalado que «sólo se han ejecutado un 6 % de las inversiones» incluidas en el Plan de Cercanías 2008-2015, lo que, en su opinión, sitúa el túnel urbano de Barcelona como «el más precario de España», y pide al nuevo Gobierno que «priorice la mejora de las subestaciones y la señalización de estos tramos de los túneles».

¿Qué opinión tiene la Comisión sobre este tema?

Pregunta con solicitud de respuesta escrita E-001724/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(13 de febrero de 2012)

Asunto: Seguridad en el transporte por ferrocarril

El pasado 9 de febrero de 2012 se produjo un nuevo accidente de un tren de Cercanías, esta vez en la estación de Mataró. El tren de la línea R1 chocó contra el tope del final de la vía de la estación, provocando heridas leves a 10 pasajeros, la mayoría de los cuales ya han sido dados de alta. Respecto al maquinista, que quedó atrapado en la cabina durante cerca de cuarenta minutos, su situación no reviste gravedad y se han descartado lesiones internas.

Éste es el tercer accidente ferroviario en la red de trenes de Cercanías de Barcelona en un mes. Y es que el penúltimo incidente en la red ferroviaria tuvo lugar el 6 de febrero de 2012, cuando un tren sin pasaje descarriló en la Estació de França de Barcelona dejando sin luz la terminal y causando daños en la estación. El 19 de enero se produjo otro incidente, esta vez entre un tren de Cercanías con pasajeros y un Talgo vacío entre las estaciones de Clot Aragó y Arc de Triomf, dejando un balance de 25 heridos leves.

Por su parte, el director general de Transportes de la Generalitat de Cataluña, Ricard Font, ha anunciado que convocará una reunión para la próxima semana con responsables de Adif y Renfe para analizar y evaluar la seguridad de la red de Cercanías. Tenemos una red de Cercanías en precario.

En la respuesta E-006034/2011 y E-006035/2011 del Sr. Kallas, en nombre de la Comisión, se comenta que, de conformidad con la Directiva 2004/49/CE (Directiva de seguridad ferroviaria), es obligación de los Estados miembros garantizar la seguridad de sus redes ferroviarias, en particular mediante una autoridad nacional responsable en materia de seguridad y que, en España, la Dirección General de Ferrocarriles es quien concede a ADIF la autorización de seguridad (Real Decreto 810/2007).

([1]) http://www.lavanguardia.com/sucesos/20120119/54244622442/choque-trenes-estacion-clot-podria-haber-causado-heridos.html
([2]) http://www.intereconomia.com/noticias-gaceta/sociedad/cataluna-culpa-accidente-tren-clot-gobierno-central-20120120.

— Estos accidentes están generando gran preocupación entre la población catalana y generan impotencia al Gobierno catalán, ya que la gestión de las estaciones, trenes y vías dependen del Gobierno español ¿Qué opinión tiene la Comisión sobre este tema?

Respuesta conjunta del Sr. Kallas en nombre de la Comisión

(14 de marzo de 2012)

Con arreglo a la Directiva 2004/49/CE sobre la seguridad de los ferrocarriles comunitarios, los Estados miembros velan por el mantenimiento de la seguridad ferroviaria y, cuando sea razonablemente factible, por su constante mejora. Los Estados miembros deben adoptar las decisiones relativas a la modernización de instalaciones concretas como los túneles teniendo en cuenta el objetivo global de seguridad. En los Estados miembros en que las competencias están repartidas entre la administración central y las autoridades regionales, las responsabilidades deben asumirse según las competencias respectivas.

Con el fin de garantizar el cumplimiento de este objetivo global de seguridad, la Comisión Europea ha establecido, con el apoyo de la Agencia Ferroviaria Europea, una serie de indicadores, los indicadores comunes de seguridad.

La Agencia Ferroviaria Europea publica informes sobre el rendimiento en materia de seguridad ([3]) cada año y, hasta ahora, el análisis de los datos procedentes de España no suscita especiales preocupaciones. Está claro que se tendrá en cuenta la reciente serie de incidentes en la redacción de los próximos informes.

Además, los organismos nacionales de investigación tienen que notificar a la Agencia las investigaciones iniciadas sobre accidentes e incidentes y remitir a la misma los informes de investigación. Sus recomendaciones se presentarán a los Estados miembros y sus autoridades responsables de la seguridad para su examen.

Por último, las autoridades nacionales de seguridad son competentes para conceder la autorización de seguridad de los administradores de las infraestructuras. Como se indicó en la respuesta a las dos preguntas escritas anteriores E-006034/2011 y E-006035/2011 ([4]), las autoridades de seguridad podrán decidir revocar esa autorización si dejaran de cumplirse las condiciones para la explotación segura de la infraestructura.

([3]) http://www.era.europa.eu/Communication/News/Pages/Safety-Performance-Report-2011.aspx.
([4]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-001118/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(8 February 2012)

Subject: Rail safety

On 19 January 2012, two trains were involved in a crash at El Clot station in Barcelona ([1]). A Renfe commuter train and an empty Talgo sleeper crashed at 18.30. At least 25 people incurred minor injuries according to a press release issued by the railway company. One hundred and fifty passengers were on the commuter train, six of whom suffered minor injuries. The sleeper train was scheduled to travel from Barcelona to Zurich and Milan.

Ricard Font, the Government of Catalonia's Director General for Transport and Mobility blamed the train accident on the 'parlous state' of urban rail tunnels due to a lack of investment by the Spanish Government ([2]).

This is the second crash to occur on this section of track in the last year. On 28 April 2011, 18 passengers suffered minor injuries when two trains collided in the same tunnel between the Clot-Aragó and Arc de Triomf stations (Questions E-006034/2011 and E-006035/2011).

In response to Questions E-006034/2011 and E-006035/2011, Mr Kallas, speaking for the Commission, stated that under Directive 2004/49/EC (Railway Safety Directive), Member States are required to ensure that their railway networks are safe, notably via a national safety authority; in Spain the Directorate General for Railways issued the safety authorisation for ADIF (the infrastructure manager) by virtue of Royal Decree 810/2007. Mr Font pointed out that 'only 6 % of the investment' provided for in Barcelona's Local Transport Plan (*Plan de Cercanías*) 2008-2015 has been made, which, in his opinion, makes the Barcelona rail tunnel 'the most dangerous in Spain'. He is calling on the new government to 'make improving the substations and signalling in these sections of the tunnels a priority'.

What is the Commission's view on this matter?

Question for written answer E-001724/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(13 February 2012)

Subject: Safety in rail transport

On 9 February 2012 there was another commuter train accident, this time in Mataró station. An R1 line train crashed into the buffer stop at the end of the track in the station, causing minor injuries to 10 passengers, most of whom have already been discharged. The driver, who was trapped in the cabin for almost 40 minutes, was not seriously harmed and internal injuries have been ruled out.

This is the third accident to have occurred on the Barcelona commuter train network within a month. The penultimate incident took place on 6 February 2012, when an empty train derailed in Barcelona França Station, leaving the terminal without electricity and damaging the station. On 19 January, another incident occurred, this time involving a commuter train with passengers and an empty Talgo train between Clot Aragó and Arc de Triomf stations, leaving 25 people with minor injuries.

The Catalan Generalitat's Director-General of Transport, Ricard Font, has announced that a meeting will be held next week with Adif ([3]) and Renfe ([4]) officials to analyse and evaluate the safety of the commuter train network. The commuter train network is unstable.

The answer to Questions E-006034/2011 and E-006035/2011, given by Mr Kallas on behalf of the Commission, states that, in accordance with Directive 2004/49/EC (Rail Safety Directive), it is the duty of the Member States to ensure the safety of their rail networks, in particular through a national authority responsible for safety, and that, in Spain, the Directorate-General for Railways is the authority which grants safety authorisation to Adif (Royal Decree 810/2007).

([1]) http://www.lavanguardia.com/sucesos/20120119/54244622442/choque-trenes-estacion-clot-podria-haber-causado-heridos.html
([2]) http://www.intereconomia.com/noticias-gaceta/sociedad/cataluna-culpa-accidente-tren-clot-gobierno-central-20120120.
([3]) Translator's note: Spanish state-owned rail infrastructure manager.
([4]) Translator's note: Spanish state-owned national rail operator.

— These accidents are creating great concern among the Catalan population. The Catalan Government is powerless, since the management of the stations, trains and tracks depends on the Spanish Government. What opinion does the Commission have on this subject?

Joint answer given by Mr Kallas on behalf of the Commission
(14 March 2012)

According to Directive 2004/49/EC on safety on the Community's railways, Member States shall ensure that railway safety is generally maintained and, where reasonably practicable, continuously improved. Decisions regarding the upgrade of specific installations such as tunnels have to be taken at Member States level with this global safety objective in mind. In those Member States where competences are shared between the Government and the Regional Authorities, responsibilities should also be assumed accordingly.

In order to ensure the fulfilment of this global safety objective, the European Commission has established, with the support of the European Railway Agency, a number of indicators: the Common Safety Indicators.

The European Railway Agency publishes safety performance reports ([5]) on a yearly basis and, so far, the analysis of the data coming from Spain does not raise specific concerns. Obviously, due account will be taken of the recent series of incidents in the drafting of the next reports.

Moreover, the national investigation bodies (NIBs) have to notify the Agency of opened investigations of accidents and incidents and send investigation reports to the Agency. Their recommendations shall be addressed to the consideration of the Member States and their safety authorities.

Finally, the national safety authorities are competent for granting the safety authorisation to the infrastructure managers. As indicated in the answer to the two earlier written questions E-006034/2011 and E-006035/2011 ([6]), the safety authorities may decide to revoke such authorisation if the conditions for a safe exploitation of the infrastructure are no longer satisfied.

([5]) http://www.era.europa.eu/Communication/News/Pages/Safety-Performance-Report-2011.aspx.
([6]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001121/12
alla Commissione
Mara Bizzotto (EFD)
(8 febbraio 2012)

Oggetto: Diverse tipologie di zucchero di canna e cattiva informazione al consumatore

Lo zucchero di canna è un tipo di zucchero che si ricava dalla spremitura della pianta *Saccharum Officinarum*, da cui si ottiene un succo chiamato «sugo leggero». Attraverso operazioni che non prevedono l'uso di sostanze chimiche che lo raffinino, si ottiene il cosiddetto «zucchero integrale di canna».

Sul mercato, tuttavia, esiste anche un altro tipo di zucchero di canna, detto «zucchero grezzo di canna», in vendita nella maggior parte di bar e supermercati, sempre ottenuto dalla spremitura della pianta *Saccharum Officinarum*, ma che subisce vari processi di raffinazione che determinano la perdita e distruzione di molte sostanze, come enzimi, proteine e sali minerali. Lo zucchero così raffinato viene mescolato a caramello o riscaldato per ottenere il colore scuro e viene aggiunta della melassa per l'aroma.

1. I due tipi di zucchero di canna hanno quindi un aspetto molto simile, ma sono ottenuti con procedimenti molto differenti e ne risultano prodotti con caratteristiche diverse: essendo entrambi denominati «zuccheri di canna», ritiene la Commissione che i consumatori potrebbero essere ingannati nell'acquisto e finire per comprare, ad esempio, zucchero grezzo di canna con l'intenzione di acquistare invece quello integrale, considerando anche il fatto che lo zucchero grezzo di canna è il più diffuso in bar e supermercati?

2. È la Commissione al corrente di questo fatto e lo ritiene potenzialmente fuorviante per i consumatori europei? Se sì, intende proteggere i consumatori con qualche azione e iniziativa?

3. Si potrebbe, ad esempio, pensare a differenziare in modo più marcato la denominazione di due prodotti che risultano essere molto diversi, seppur simili nell'aspetto e provenienti dalla spremitura della stessa pianta?

Risposta data da John Dalli a nome della Commissione
(14 marzo 2012)

Secondo un principio generale, l'etichettatura dei prodotti alimentari, compresa la loro denominazione commerciale, non deve indurre in errore i consumatori quanto alle caratteristiche, alla natura e alla composizione di un alimento. In particolare, secondo la legislazione dell'UE in materia di etichettatura dei prodotti alimentari ([1]), in assenza di una legislazione a livello dell'Unione, la denominazione di vendita è quella prevista dalla normativa applicabile nello Stato membro nel quale il prodotto è venduto. In assenza di norme nazionali, la denominazione è una descrizione del prodotto alimentare sufficientemente precisa da consentire all'acquirente di conoscerne l'effettiva natura e di distinguerlo dai prodotti con i quali potrebbe essere confuso.

Spetta alle autorità competenti degli Stati membri valutare, caso per caso, se la descrizione utilizzata da un operatore del settore alimentare soddisfi i criteri suddetti, tenendo conto di tutte le informazioni, compreso l'elenco degli ingredienti, riportate sull'etichetta.

La Commissione non è a conoscenza dei problemi segnalati dall'onorevole parlamentare e ritiene che una corretta applicazione delle norme vigenti sia sufficiente a tutelare i consumatori da pratiche di etichettatura ingannevoli.

([1]) Direttiva 2000/13/CE del Parlamento europeo e del Consiglio, del 20 marzo 2000, relativa al ravvicinamento delle legislazioni degli Stati membri concernenti l'etichettatura e la presentazione dei prodotti alimentari, nonché la relativa pubblicità (GU L 109 del 6.5.2000, pag. 29).

(English version)

Question for written answer E-001121/12
to the Commission
Mara Bizzotto (EFD)
(8 February 2012)

Subject: Different types of cane sugar and poor consumer information

Cane sugar is a type of sugar obtained through pressing the *Saccharum Officinarum* plant, from which a 'light juice' can be extracted. 'Whole cane sugar' is obtained through processes which do not involve the use of refining chemicals.

However, there is also another type of cane sugar on the market, known as 'raw cane sugar', which is sold in many bars and supermarkets. It is also obtained through pressing the *Saccharum Officinarum* plant but is then submitted to various refinement processes which lead to the loss and deterioration of many of its elements, such as enzymes, proteins and mineral salts. This refined sugar is then mixed with caramel or is reheated to achieve a dark colour, and molasses is added for flavour.

1. These two types of cane sugar are therefore very similar in appearance, but are obtained through very different processes and result in different products. As they are both called 'cane sugar', does the Commission consider that consumers may be misled in their purchase and end up buying, for example, raw cane sugar when they intended to buy whole cane sugar, particularly in view of the fact that raw cane sugar is widely available in bars and supermarkets?

2. Is the Commission aware of this and does it consider it potentially misleading for European consumers? If so, does it intend to introduce measures and initiatives to protect consumers?

3. It could, for example, consider a clearer distinction between the names of the two products, even if they are similar in appearance and obtained from the same plant.

Answer given by Mr Dalli on behalf of the Commission
(14 March 2012)

As a general principle, the labelling of foods, including their sale name, must not mislead the consumer as to the characteristics, the nature and the composition of a food. In particular, according to the EU food labelling legislation ([1]), in the absence of Union legislation, the name under which a food is sold shall be that provided for in the legislation applicable in the Member State in which the product is sold. If no national rules exist, the name shall be a description of the food which is clear enough to let the purchaser know its true nature and distinguish it from other products with which it might be confused.

The assessment whether or not the description used by a food business operator fulfils the abovementioned criteria is carried out by the competent authorities of the Member States on a case-by-case basis, taking into account all information provided on the label, including the list of ingredients.

The Commission is not aware of the problems reported by the Honourable member and considers that correct enforcement of the rules in force is sufficient to protect consumers from misleading labelling practices.

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

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001122/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(8 Φεβρουαρίου 2012)

Θέμα: Παράβαση ανθρωπίνων δικαιωμάτων στην Ελλάδα

Από το Χάρτη Θεμελιωδών Δικαιωμάτων της Ευρωπαϊκής Ένωσης (2007/C303/) καθιερώνονται βασικές αρχές προστασίας της ανθρώπινης αξιοπρέπειας, της ελευθερίας, της ισότητας (αρ. 20) και της αλληλεγγύης και προσδιορίζονται τα θεμελιώδη δικαιώματα των ευρωπαίων πολιτών.

Σύμφωνα με την διάταξη του άρθρου 15, καθιερώνεται η ελευθερία του επαγγέλματος και του δικαιώματος στην εργασία. Αντίστοιχες διατάξεις περιέχουν όλες οι καταστατικές συνθήκες της ΕΕ, το ισχύον Σύνταγμα της Ευρώπης και το Ελληνικό Σύνταγμα.

Οι εκπρόσωποι της Τρόικα στην Ελλάδα υπέβαλαν στην ελληνική κυβέρνηση πολυσέλιδο υπόμνημα απαιτήσεων-υποχρεωτικών όρων για την σύναψη νέου δανείου στην Ελλάδα, το οποίο σας επισυνάπτω.

Μεταξύ των όρων που ζητούνται από την Τρόικα είναι:

α. η απόλυση 150 000 δημοσίων υπαλλήλων μέχρι το 2015,

β. περαιτέρω αύξηση της φορολογίας,

γ. επιθετική αντιμετώπιση στην ακίνητη περιουσία και,

δ. μείωση μισθών και συντάξεων στον ιδιωτικό τομέα με κατάργηση του κατώτατου μισθού και των συλλογικών συμβάσεων, παρότι οι κοινωνικοί εταίροι έχουν καταλήξει σε μεταξύ τους συμφωνία.

Σημειώνεται ότι, υπό τις οδηγίες της Τρόικα, η ελληνική οικονομία περιήλθε σε βαθιά ύφεση και η ανεργία έφτασε στο ύψος του ενός εκατομμυρίου ανέργων και εξακοσίων χιλιάδων υποαπασχολούμενων σε συνολικό ενεργό πληθυσμό 5,8 εκατομμυρίων.

Οι απαιτήσεις αυτές, εκτός του ότι διαλύουν τον κοινωνικό ιστό και ενέχουν κινδύνους αποσταθεροποίησης στην Ελλάδα, παραβιάζουν καταστατικές διατάξεις των συνθηκών και εγχώριες συνταγματικές διατάξεις, θίγουν δε ευθέως τα ανθρώπινα δικαιώματα των ελλήνων πολιτών.

Ερωτάται η Επιτροπή:

1. Γνωρίζει το θέμα;

2. Σκοπεύει να το εξετάσει νομικά και πολιτικά και να προβεί στα αναγκαία διαβήματα για την αποτροπή παραβιάσεων ουσιαστικών και συνταγματικών κανόνων, με σεβασμό του εκ του Συντάγματος καθιερωμένου αμοιβαίου σεβασμού, αμοιβαίας συνεργασίας και ισότητος μεταξύ των κρατών μελών;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(12 Απριλίου 2012)

Η Επιτροπή δεν είναι ενήμερη για τη λήψη μέτρων από την Ελληνική Κυβέρνηση, στο πλαίσιο του προγράμματος οικονομικής προσαρμογής, τα οποία παραβιάζουν θεμελιώδη δικαιώματα, τις Συνθήκες της ΕΕ ή συνταγματικούς κανόνες.

Όσον αφορά τα συγκεκριμένα θέματα που αναφέρει το Αξιότιμο Μέλος του Κοινοβουλίου, η Επιτροπή θα ήθελε να επισημάνει τα ακόλουθα: Η Ελλάδα προβλέπει μείωση των δημοσίων υπαλλήλων κατά 150 000 μέχρι το τέλος του 2015. Η μείωση αυτή θα επιτευχθεί κατά το πλείστον με την εφαρμογή του κανόνα του ένα προς πέντε, δηλαδή μία πρόσληψη ανά πέντε αποχωρήσεις. Για την επίτευξη του στόχου αυτού θα απολυθεί μόνο ένα μικρό ποσοστό του πλεονάζοντος προσωπικού.

Όσον αφορά την πώληση δημόσιας περιουσίας, δεν υπήρξε καμία ουσιαστική μεταβολή στον κατάλογο των περιουσιακών στοιχείων που επιλέγηκαν για ιδιωτικοποίηση από τη Βουλή των Ελλήνων το καλοκαίρι του 2011. Επιπλέον, τα προβλεπόμενα έσοδα για τα επόμενα τρία χρόνια έχουν αναθεωρηθεί προς τα κάτω. Τα έσοδα αυτά έχουν προβλεφθεί με βάση δεδομένα παρελθόντων ετών σε άλλες χώρες της Ευρωπαϊκής Ένωσης.

Η Βουλή των Ελλήνων αποφάσισε τη μείωση των κατώτατων μισθών, αλλά ο κατώτατος μισθός δεν καταργήθηκε. Η Επιτροπή είναι της άποψης ότι η αύξηση των κατώτατων μισθών στην Ελλάδα κατά τα παρελθόντα έτη δεν ήταν σύμφωνη με τα επίπεδα παραγωγικότητας.

Τέλος, σε αντίθεση με όσα αναφέρονται στην αρχή της ερώτησης, το τελευταίο πακέτο μέτρων που ψηφίστηκε από τη Βουλή των Ελλήνων, και για το οποίο υπήρξε συμφωνία μεταξύ της Ελληνικής Κυβέρνησης, της Επιτροπής (εξ ονόματος των κρατών μελών της ευρωζώνης), του ΔΝΤ και της ΕΚΤ, δεν περιελάμβανε αύξηση των φορολογικών συντελεστών.

(English version)

Question for written answer E-001122/12
to the Commission
Nikolaos Salavrakos (EFD)
(8 February 2012)

Subject: Violation of human rights in Greece

The Charter of Fundamental Rights of the European Union (2007/C303) sets out basic principles to protect human dignity, freedom, equality (Article 20) and solidarity and lays down European citizens' fundamental rights.

The freedom to choose an occupation and the right to engage in work are laid down in Article 15. Corresponding provisions are contained in all the EU constitutional treaties and validated in the European and Greek Constitutions.

The troika's representatives in Greece have submitted to the Greek Government a long memorandum of requests/demands for the terms of the new loan to Greece, which I attach for you.

Among these terms demanded by the troika are:

a. the discharge of 150 000 public employees by 2015,

b. a further tax increase,

c. aggressive action regarding state assets, and

d. a reduction in wages in the private sector, with the repeal of the minimum wage and the collective agreements that the social partners have concluded amongst themselves.

It should be noted that under the troika's guidance, the Greek economy has become deeply depressed and unemployment has reached one million persons unemployed and 600 000 part-time workers out of a total population of 5.8 million.

These demands, apart from wrecking the social fabric and dangerously destabilising Greece, violate the constitutional provisions of the treaties and domestic constitutional provisions and directly impinge on Greek citizens' human rights.

I would like to ask the Commission:

1. Is it aware of this issue?

2. Does it intend to examine it in legal and political terms and take the necessary steps to prevent infringements of essential, constitutional rules, with respect for the mutual respect laid down in the Constitution for mutual cooperation and equality between Member States?

Answer given by Mr Rehn on behalf of the Commission
(12 April 2012)

The Commission is not aware of any measure taken by the Greek Government in the context of its economic adjustment programme which infringes fundamental rights, the EU Treaties or Constitutional rules.

On the specific issues mentioned by the Honourable Member, the Commission would like to note the following: Greece projects a reduction of 150 000 staff in public employment until end 2015. Most of this reduction will be through the implementation of a rule (one to five) between recruitments and exits. Only a small proportion of this number is expected to be achieved through dismissals of redundant staff.

On the sale of state property, there has not been any material change in the list of assets that the Greek Parliament has identified for privatisation in the summer 2011. Moreover, the planned receipts for the next three years have been revised downwards. These planned receipts are in line with the historical experience of other EU countries.

The Greek Parliament has decided a reduction in minimum wages, but the minimum wage was not repealed. The Commission is of the view that the increase of minimum wages in Greece over the past years was not in line with the productivity levels.

Finally, contrary to what the preamble to the question indicates, in the latest package of measures decided by the Greek Parliament, and agreed between the Greek Government, the Commission (on behalf of the euro area Member States), the IMF and the ECB, there has been no increase in tax rates.

(Tekstas lietuvių kalba)

Klausimas, į kurį atsakoma raštu, Nr. E-001123/12
Komisijai
Radvilė Morkūnaitė-Mikulėnienė (PPE)
(2012 m. vasario 8 d.)

Tema: Aktas dėl lenkų tautybės asmenų kortelės

Komisija ėmėsi labai aktyvių ir teigiamų veiksmų siekdama suderinti Vengrijos „Statuso įstatymą“ su ES *acquis*.

Kokių priemonių ji ketina imtis siekdama užtikrinti, kad Lenkija visiškai suderintų su ES teise 2007 m. rugsėjo 7 d. Aktą dėl lenkų tautybės asmenų kortelės (lenk. *Ustawa o Karcie Polaka*).

Akto taikymo sritis apima daugiau nei vien kultūros ir švietimo klausimus – juo kortelės turėtojams suteikiamos socialinės ir ekonominės privilegijos, kaip antai lygios teisės verslininkams, vizų išdavimo supaprastinimas ir galimybė patekti į darbo rinką kilmės šalyje. Akte ES piliečiai skirtingai traktuojami pagal jų etninę priklausomybę, o taip pažeidžiamas Europos Sąjungos sutartyje ir Sutartyje dėl ES veikimo įtvirtintas nediskriminavimo principas. Be to, teisė teikti paraišką dėl kortelės suteikiama tik išskirtinai lenkų tautybės asmenims, gyvenantiems anksčiau sovietiniam blokui priklausiusiose šalyse, t. y. politiniu aspektu apibrėžtoje geografinėje teritorijoje. Šiuo aktu diskriminuojamos lenkų mažumos, gyvenančios kitose kaimyninėse šalyse – teisės gauti kortelę neturi, pavyzdžiui, apie 2 milijonai lenkų tautybės asmenų Vokietijoje. Juo taip pat iškreipiama mažumų apsaugos politika, už kurią didžiausia atsakomybė tenka priimančiosioms šalims, ir sudaromos nepriimtinos skirtingos sąlygos vietos tautinėms mažumoms. Galiausiai kortelė atitinkamose ES šalyse išduodama vienašališkai – nevyko jokios dvišalės konsultacijos ir nesudaryti jokie susitarimai.

V. Reding atsakymas Komisijos vardu
(2012 m. kovo 16 d.)

Diskriminaciją dėl rasės ir etninės priklausomybės draudžia Tarybos direktyva 2000/43/EB, įgyvendinanti vienodo požiūrio principą asmenims nepriklausomai nuo jų rasės arba etninės priklausomybės ([1]) (Rasių lygybės direktyva), įvairiose srityse, tarp jų – įsidarbinimo ir darbo srityse, prekių gavimo ir tiekimo, naudojimosi paslaugomis ir jų teikimo srityse bei švietimo srityje.

Lenkija Rasių lygybės direktyvą perkėlė į savo teisę. Šalies valdžios institucijoms tenka atsakomybė užtikrinti šios direktyvos taikymą, taip pat ir taikant kitus šalies teisės aktus, įskaitant ir Aktą dėl lenkų tautybės asmenų kortelės. Šiuo metu Komisija nemano, kad Lenkija neįvykdė šio įsipareigojimo.

Lenkijos Aktas dėl lenkų tautybės asmenų kortelės (*Ustawa o Karcie Polaka*) susijęs su priklausymu lenkų tautinei mažumai, kuri apibrėžiama kaip tą pačią kalbą ir kultūrinį paveldą turinti, o ne tos pačios etninės kilmės grupė.

Be to, kortelės turėtojams suteiktos teisės, susijusios su galimybe įsidarbinti, ir laisvė užsiimti ekonomine veikla nelemia kitų ES piliečių diskriminacijos, kadangi jiems pagal Sutartis šios teisės ir taip jau yra suteiktos. Komisijos duomenimis, nėra požymių, kad kiti ES piliečiai negali laisvai įsidarbinti ir užsiimti ekonomine veikla.

Komisija taip pat pabrėžia, kad į jos kompetenciją neįeina klausimai, susiję su tautinės mažumos sąvokos apibrėžimu, mažumų statuso pripažinimu, jų savarankiško apsisprendimo teise ir autonomija ar režimu, nustatančiu regioninių ir mažumų kalbų vartojimą.

([1]) Tarybos direktyva 2000/43/EB, OL L 180, 2000 6 29, p. 22.

(English version)

Question for written answer E-001123/12
to the Commission
Radvilė Morkūnaitė-Mikulėnienė (PPE)
(8 February 2012)

Subject: Act on the Polish Ethnicity Card

The Commission played a very active and positive role in bringing the Hungarian 'Status Law' into line with the EU *acquis*.

What measures does it intend to take to ensure that Poland brings its Act on the Polish Ethnicity Card (*Ustawa o Karcie Polaka)*, adopted on 7 September 2007, fully into line with EC law?

The act's scope goes beyond purely cultural and educational matters, offering socioeconomic privileges to holders of the card, such as equal rights for entrepreneurs, visa facilitation and access to the labour market in the kin country. The act differentiates between EU citizens on an ethnic basis, in breach of the principle of non-discrimination laid down in the Treaty on European Union and the Treaty on the Functioning of the EU. Furthermore, the right to apply for the card is restricted exclusively to ethnic Poles living in countries within the 'post-Soviet' area, i.e. a geographical area defined in political terms. The act discriminates against Polish minorities living in other neighbouring countries, leaving, for example, some 2 million ethnic Poles in Germany ineligible for the card. It also distorts national minority protection policies, which are the primary responsibility of the 'host' countries, and creates invidious distinctions between local national minorities. Finally, the card is being distributed on a unilateral basis in the respective EU countries: no bilateral consultations have taken place and no agreements have been concluded.

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

Discrimination on grounds of race and ethnic origin is prohibited by the Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin ([1]) (Race Equality Directive), in a range of fields, notably in access to employment and occupation, access to and provision of goods and services and access to education.

Poland has transposed the Race Equality Directive in its national legislation. It is the responsibility of its authorities to ensure the application of the directive, also in the context of application of its other laws, including the Law in question. At present the Commission does not consider that Poland has failed to do so.

The Polish Law on the 'Card of the Pole' (Ustawa o Karcie Polaka) concerns membership of a Polish national minority, understood in terms of a group sharing common language and cultural heritage, rather than ethnic origin.

Moreover, the rights concerning labour market access and freedom to undertake economic activity granted to the holders of the card do not lead to discrimination of other EU citizens, since they have those rights anyway on the basis of the Treaties. According to the information available to the Commission, there are no indications that other EU citizens do not enjoy free labour market access and the freedom to undertake an economic activity.

The Commission also emphasises that it has no competence over *issues* relating to the definition of what is a national minority, the recognition of the status of minorities, their self-determination and autonomy or the regime governing the use of regional or minority languages.

([1]) Council Directive 2000/43/EC of 29 June 2000, OJ L 180, p. 22.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης P-001124/12
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(3 Φεβρουαρίου 2012)

Θέμα: Κράτηση του Ragip Zarakolu

Ο Ragip Zarakolu, επικεφαλής της «Επιτροπής για την ελευθερία της δημοσίευσης» της Ένωσης Εκδοτών της Τουρκίας, καθώς και 42 ακόμα άτομα έχουν συλληφθεί στην Τουρκία και διώκονται ποινικώς για την «εμπλοκή τους σε τρομοκρατική οργάνωση», βάσει της ατελούς αντιτρομοκρατικής νομοθεσίας. Αυτές είναι οι πιο πρόσφατες από μια σειρά συλλήψεων που έχουν ξεκινήσει από το 2009 και στόχος των οποίων είναι χιλιάδες άτομα, είτε ακτιβιστές είτε δημόσιοι υπάλληλοι, ενώ παράλληλα εκατοντάδες προφυλακισθέντες εξακολουθούν να βρίσκονται υπό κράτηση αναμένοντας την έκδοση των δικαστικών αποφάσεων. Από τα αρχεία των ανακρίσεων που διεξήγαγαν οι εισαγγελείς, προκύπτει ότι ο Ragip Zarakolu ανακρίθηκε σχετικά με διάφορα αδημοσίευτα χειρόγραφα τα οποία είχε συντάξει ο ίδιος ή είχε αναλάβει την έκδοσή τους, καθώς και σχετικά με βιβλία που εξέδωσε για τη Γενοκτονία των Αρμενίων. Ο Ragip Zarakolu έχει υποστεί επανειλημμένως στην Τουρκία ποινικές διώξεις όπου παραβιάστηκε το δικαίωμά του στην ελευθερία της έκφρασης· μεταξύ άλλων κατηγορήθηκε για «προσβολή της τουρκικότητας» βάσει του άρθρου 301 του Ποινικού Κώδικα.

Σε αυτό το πλαίσιο, τίθενται στην Επιτροπή τα ακόλουθα ερωτήματα:

1. Για ποιο λόγο η ΕΕ αποδέχεται το γεγονός ότι οι τουρκικές αρχές έχουν συλλάβει και προφυλακίσει τον Ragip Zarakolu και άλλα άτομα, παρ' όλο που δεν υπάρχουν απτά αποδεικτικά στοιχεία εις βάρος τους;

2. Στο πλαίσιο της τρέχουσας υποψηφιότητας της Τουρκίας για προσχώρηση στην ΕΕ, γιατί η ΕΕ δεν ασκεί πιέσεις στην Τουρκία ώστε να επαναπροσδιορίσει την αντιτρομοκρατική της νομοθεσία και/ή την εφαρμογή της, και να την ευθυγραμμίσει με τα διεθνή πρότυπα και κανόνες;

3. Ποιες οι πρωτοβουλίες και οι παρεμβάσεις στις οποίες σκοπεύει να προβεί η ΕΕ για την απελευθέρωση του Ragip Zarakolu και των άλλων κρατουμένων, δεδομένου ότι δεν υπάρχουν αξιόπιστα αποδεικτικά στοιχεία που να τους συνδέουν με πράξεις παραβίασης της νομοθεσίας για τα ανθρώπινα δικαιώματα;

Απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(22 Φεβρουαρίου 2012)

Η Επιτροπή έχει εκφράσει την ανησυχία της όσον αφορά τη σύλληψη του Ragip Zarakolu και έχει επανειλημμένα θέσει το ζήτημα στις τουρκικές αρχές. Η αντιπροσωπεία της ΕΕ στην Άγκυρα παρακολουθεί σημαντικές υποθέσεις ανθρωπίνων δικαιωμάτων όπως αυτή, μεταξύ άλλων παριστάμενη σε ακροαματικές διαδικασίες.

Υπογραμμίζοντας την πλήρη αλληλεγγύη της προς την Τουρκία στον αγώνα της κατά της τρομοκρατίας, η Επιτροπή τόνισε ότι ο αγώνας αυτός πρέπει να γίνεται τηρουμένων πλήρως των θεμελιωδών δικαιωμάτων και ελευθεριών. Στο πλαίσιο αυτό, οι δικαστικές διαδικασίες που κινούνται κατά διανοουμένων, συγγραφέων, δημοσιογράφων και άλλων ατόμων που εκφράζουν τη γνώμη τους με ειρηνικό τρόπο, προκαλούν σοβαρές ανησυχίες.

Όπως αναφέρεται στην έκθεση προόδου της Επιτροπής του 2011, το νομικό πλαίσιο της Τουρκίας δεν εγγυάται επαρκώς την ελευθερία της έκφρασης σύμφωνα με την ΕΣΑΔ και τη νομολογία του ΕΔΑΔ και επιτρέπει την περιοριστική ερμηνεία από τις δικαστικές αρχές. Η Επιτροπή έχει τονίσει ότι οι διατάξεις του τουρκικού ποινικού κώδικα, της αντιτρομοκρατικής νομοθεσίας και του κώδικα ποινικής δικονομίας, που προσδιορίζουν τα εγκλήματα που σχετίζονται με την τρομοκρατία, πρέπει να αλλάξουν ώστε να γίνει σαφής διαχωρισμός μεταξύ της ελεύθερης έκφρασης της γνώμης και της προτροπής σε βία.

Η Επιτροπή θα συνεχίσει να θέτει το ζήτημα της ελευθερίας της έκφρασης στις τουρκικές αρχές και να παρακολουθεί στενά τις εξελίξεις στην υπόθεση Zarakolu.

(English version)

Question for written answer P-001124/12
to the Commission
Antigoni Papadopoulou (S&D)
(3 February 2012)

Subject: Detention of Ragip Zarakolu

Ragip Zarakolu, head of the Turkish Publishers' Union's Committee for the freedom of publishing, as well as 42 other people have been arrested in Turkey and prosecuted for 'membership of a terrorist organisation', under flawed anti-terrorism legislation. These are the latest in a series of arrests since 2009, targeting thousands of individuals, activists or officials, while hundreds still remain in extended pre-trial detention pending the outcome of the trials. Records of their interrogation by prosecutors show that Ragip Zarakolu was questioned regarding various unpublished manuscripts of which he was the writer or editor, and on publishing books on the Armenian genocide. Ragip Zarakolu has been repeatedly prosecuted in Turkey in cases that violated his right to freedom of expression, including under Article 301 of the Penal Code for 'denigrating Turkishness'.

In this context, the Commission is asked:

1. Why does the EU accept the fact that the Turkish authorities have arrested Ragip Zarakolu and the others and are keeping them in pre-trial detention, even though there is no concrete evidence against them?

2. In the framework of Turkey's current candidacy for accession to the EU, why does the EU not press Turkey to redefine its anti-terrorism legislation, and/or the application thereof, and to align it with international standards and norms?

3. What initiatives and interventions does the EU intend to take in order to release Ragip Zarakolu and the other persons detained, since there is no credible evidence linking them to acts in violation of human rights law?

Answer given by Mr Füle on behalf of the Commission
(22 February 2012)

The Commission has expressed its concerns about the arrest of Ragıp Zarakolu and has raised the issue with the Turkish authorities on various occasions. The EU Delegation in Ankara monitors important human rights cases like this one, including by attending trial hearings.

While underlining its full solidarity with Turkey in its struggle against terrorism, the Commission has stressed that such a struggle must be carried out in full respect of fundamental rights and freedoms. In this context, the court cases launched against intellectuals, writers, journalists and other people who express their non-violent opinions are cause for serious concern.

As reported in the Commission's 2011 Progress Report, Turkey's legal framework does not sufficiently guarantee freedom of expression in line with the ECHR and the case law of the ECtHR and permits restrictive interpretation by the judiciary. The Commission has stressed that the provisions in the Turkish Criminal Code, the Anti-Terror Law and the Code of Criminal Procedures, which define crimes related to terrorism, need to be changed — to make a clear distinction between the free expression of opinion and incitement to violence.

The Commission will continue to raise the issue of freedom of expression with the Turkish authorities and monitor further developments in the Zarakolu case closely.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord P-001125/12
aan de Commissie
Kathleen Van Brempt (S&D)
(3 februari 2012)

Betreft: Hedwigepolder — Natuurherstel Schelde-estuarium

Verwijzend naar eerdere vragen en antwoorden, is er een nieuwe stap gezet in de wederzijdse communicatie tussen de Nederlandse regering (bij monde van staatssecretaris Bleker) en de Europese Commissie.

In een brief d.d. 20 januari 2012 ter attentie van commissaris Potocnik werd door de Nederlandse regering een lijst antwoorden geformuleerd, naar aanleiding van eerdere vragen door de Commissie geformuleerd op 13 oktober 2011. Hierbij werd door de Commissie gevraagd om éénduidig en wetenschappelijk aan te tonen dat de door Nederland voorgestelde alternatieven voor het natuurherstel ter hoogte van de zogenaamde Hedwigepolder, gelijkwaardig zijn aan eerdere voorstellen die via een verdrag met de Vlaamse overheid werden overeengekomen.

In het antwoord verwijst de Nederlandse staatssecretaris naar bijkomende vragen die de Commissie nog indiende ná 13 oktober 2011: „Daarnaast heb ik begin december 2011 in het kader van EU-Pilot 2005/11 vanuit de diensten van uw Commissie aanvullende vragen gekregen over natuurherstel in de Westerschelde".

Kan de Commissie me het desbetreffende document (van begin december) doen toekomen?

Hiermee moeten de leden van het Europees Parlement in staat worden gesteld om een volledig beeld te krijgen van de opmerkingen en vragen die de Europese Commissie nog heeft bij de Nederlandse aanpak.

Antwoord van de heer Potočnik namens de Commissie
(2 maart 2012)

Het is juist dat Nederland — in het kader van EU-pilot — werd verzocht nadere toelichtingen te verschaffen over specifieke kwesties die door de commissaris met bevoegdheid voor milieuzaken in zijn brief van 13 oktober 2011 aan minister Bleker reeds werden aangekaart. De beoordeling van het antwoord van Nederland met betrekking tot het nakomen van de verplichtingen krachtens artikel 6, leden 1 en 2, van de habitatrichtlijn is nog aan de gang. De Commissie acht het derhalve krachtens artikel 4, lid 2, derde streepje, van Verordening (EG) nr. 1049/2001 ([1]) niet passend nu reeds over te gaan tot bekendmakingen en commentaar te leveren op de kwesties waarvoor om nadere toelichtingen werd verzocht, ook al is er wat het antwoord van de Nederlandse autoriteiten betreft sprake van openbare informatie.

([1]) Verordening (EG) nr. 1049/2001 van het Europees Parlement en de Raad van 30 mei 2001 inzake de toegang van het publiek tot documenten van het Europees Parlement, de Raad en de Commissie, PB L 145 van 31.5.2001.

(English version)

Question for written answer P-001125/12
to the Commission
Kathleen Van Brempt (S&D)
(3 February 2012)

Subject: Hedwige Polder — restoration of the natural environment in the Scheldt estuary

With reference to earlier questions and answers, there has been a new move in the mutual communication between the Dutch Government (in the person of State Secretary Bleker) and the European Commission.

A letter of 20 January 2012 from the Dutch Government to Commissioner Potočnik contains a list of answers to earlier questions, formulated by the Commission on 13 October 2011. The Commission was asking for an unambiguous and science-based explanation showing that the alternatives for the restoration of the natural environment at the so-called Hedwige Polder, proposed by the Netherlands, are equivalent to the earlier proposals agreed on by treaty with the Flemish authorities.

In his answer, the Dutch State Secretary refers to other questions which the Commission submitted after 13 October 2011: 'I also received from your Commission's services at the beginning of December 2011, in connection with EU-Pilot 2005/11, additional questions on the restoration of the natural environment in the Western Scheldt'.

Can the Commission forward the document in question to me (dating from the beginning of December)?

It should help the Members of the European Parliament form a full picture of the comments and questions which the European Commission still has regarding the Dutch approach.

Answer given by Mr Potočnik on behalf of the Commission
(2 March 2012)

It is correct that the Netherlands were asked — via the EU Pilot — to provide further clarification on specific issues raised already in the letter of 13 October 2011 from the Member of the Commission responsible for Environment to Minister Bleker. The assessment of the Netherland's reply concerning compliance with the obligations under Article 6(1) and (2) of the Habitats Directive is still ongoing. It is therefore not appropriate at this stage for the Commission to disclose — under Article 4(2), third indent, of Regulation 1049/2001 ([1]) — and comment the issues for which further clarification was sought even if the reply of the Dutch authorities itself is in the public domain.

([1]) Regulation (EC) No 1049/2001 of the Parliament and of the Council of 30 May 2001 regarding public access to Parliament, Council and Commission documents, OJ L 145, 31.5.2001.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001126/12
an die Kommission
Sabine Wils (GUE/NGL)
(8. Februar 2012)

Betrifft: Schutz des Rot- und Schwarzmilans

Ein wichtiger Teil des sozialökologischen Umbaus der Gesellschaft sind erneuerbare Energien. Diese leisten schon jetzt einen wichtigen Beitrag zum Klimaschutz. Windkraftanlagen stellen einen wichtigen Faktor bei der Abkehr von Atomkraft und fossilen Energieträgern dar.

Allerdings ist auch bekannt, dass Windkraftanlagen eine Gefahr für Vögel und vor allem für Greifvögel darstellen. Nach Angaben des Naturschutzbundes (NABU) leben von den besonders gefährdeten Rotmilanen etwa 12 000 Brutpaare in Deutschland, bei nur 23 000 Paaren weltweit. Aus noch ungeklärten Ursachen verunglücken Rotmilane im Vergleich zu anderen Greifvögeln besonders häufig an Windkraftanlagen.

Rot- und Schwarzmilane sind auch durch die Vogelschutzrichtlinie der EU (79/409/EWG) geschützt. Ein zentrales Element der Richtlinie ist die Verpflichtung, in der EU ausreichende Vielfalt und eine ausreichende Flächengröße an Lebensräumen für die Vogelarten zu erhalten und wiederherzustellen. Für gefährdete Vogelarten sollen weitere Maßnahmen ergriffen werden.

Dennoch wird der Schutz gefährdeter Vogelarten missachtet. Die regionale Planungsgemeinschaft Ostthüringen ([1]) hat ein Windvorranggebiet im Brut- und Nahrungsgebiet des Rot- und Schwarzmilans eingerichtet, und es wird bereits gebaut. Des Weiteren wurde der Bau weiterer Windkraftanlagen vor Ort beantragt, obwohl der NABU in unmittelbarer Nähe Brutplätze von Rot- und Schwarzmilanen nachgewiesen hat.

Was unternimmt die Kommission, wenn nationale Behörden die Vorgaben der EU-Vogelschutzrichtlinien und andere naturschutzrechtliche Belange wiederholt ignorieren, wie im angegebenen Fall?

Wie stellt die Kommission sicher, dass der Brut- und Nahrungsraum des Rot- und Schwarzmilans nicht gefährdet wird und die EU-Vogelschutzrichtlinie umgesetzt wird?

Wie wird in Deutschland der Schutz der Rot- und Schwarzmilane beim Bau von Windkraftanlagen gewährleistet?

Antwort von Herrn Potočnik im Namen der Kommission
(23. März 2012)

Es ist Aufgabe der zuständigen Behörden jedes Mitgliedstaats, dafür zu sorgen, dass die Vorschriften der Vogelschutzrichtlinie ([2]) korrekt angewendet werden. Bei einem offenkundigen Versäumnis wird die Kommission rechtliche Schritte unternehmen, um die Einhaltung des EU-Rechts sicherzustellen.

Wenngleich von Windenergieprojekten in der Regel keine Gefahr für wildlebende Tiere und Pflanzen ausgeht, ist der Kommission bewusst, dass schlecht konzipierte Projekte und solche mit schlecht gewähltem Standort eine Bedrohung für bestimmte Arten wie z. B. den Roten und den Schwarzen Milan darstellen können. Die Kommission hat Leitlinien ([3]) für Windenergie und Natura 2000 herausgegeben, um sicherzustellen, dass Windparkprojekte mit den Schutzanforderungen sowohl der Vogelschutz- als auch der Habitatrichtlinie ([4]) in vollem Umfang im Einklang stehen.

([1]) http://www.regionalplanung.thueringen.de/rpg/ost/regionalplan/fortschr/entwurf/index.asp
([2]) Richtlinie 2009/147/EG des Europäischen Parlaments und des Rates über die Erhaltung der wildlebenden Vogelarten, Kodifizierung der Richtlinie 79/409/EWG, ABl. L 20 vom 26.1.2010.
([3]) Europäische Kommission (2010): Guidance document on wind energy developments and Natura 2000. Link: http://ec.europa.eu/environment/nature/natura2000/management/docs/Wind_farms.pdf
([4]) Richtlinie 92/43/EG des Rates vom 21. Mai 1992 zur Erhaltung der natürlichen Lebensräume sowie der wildlebenden Tiere und Pflanzen, ABl. L 206 vom 22.7.1992.

Nach Kenntnis der Kommission wurde der Plan für das Windvorranggebiet in Ostthüringen in Konsultation mit Umwelt-NRO, darunter dem NABU, erstellt. Im Plan sind 14 für Windparks geeignete Windvorranggebiete ausgewiesen, die 0,18 % der Fläche von Ostthüringen ausmachen. Der Kommission ist nicht bekannt, dass im Zusammenhang mit dieser Initiative Probleme bezüglich des Vogelschutzes bestehen.

Auf der Grundlage des derzeitigen Kenntnisstandes kann die Kommission keinen Verstoß gegen die Vogelschutzrichtlinie feststellen.

(English version)

Question for written answer E-001126/12
to the Commission
Sabine Wils (GUE/NGL)
(8 February 2012)

Subject: Protecting the red and black kite population

Renewable energy is an important element in the socio-ecological shift in society. It makes a significant contribution to climate protection. Wind turbines are a key factor in the move away from nuclear energy and fossil fuels.

However, it is a known fact that wind turbines pose a threat to the avian population, particularly birds of prey. According to information published by the German Nature and Biodiversity Conservation Union (NABU), around 12 000 breeding pairs of the highly endangered red kite live in Germany, with a total worldwide population of only 23 000 pairs. For reasons still unexplained, red kites are much more at risk from wind turbines than other birds of prey.

Red and black kites are also protected by the EU's Birds Directive (79/409/EEC). A central element in the directive is the commitment to maintain and restore sufficient diversity and sufficiently large habitats for these bird species. Further measures are to be taken for endangered avian species.

Nonetheless, there is a failure to comply with provisions to protect endangered species. The Standing Conference of Local Planning Authorities for Eastern Thuringia ([1]) has established a wind energy priority area within the breeding and hunting grounds of the red and black kite, and building has already begun. Applications have also been made to erect more wind turbines in the area, despite the fact that NABU has already proven the existence of red and black kite nesting sites in the immediate vicinity.

What steps does the Commission take when national authorities repeatedly ignore the provisions of the EU Birds Directive and other conservation concerns, as in this case?

How does the Commission ensure that the breeding and hunting grounds of the red and black kite are not endangered and that the EU Birds Directive is implemented?

What steps are being taken in Germany to protect the red and black kite when building wind turbines?

Answer given by Mr Potočnik on behalf of the Commission
(23 March 2012)

It is the responsibility of the competent authorities in each Member State to ensure that the provisions of the Birds Directive ([2]) are correctly implemented. Where there is clear evidence of a failure the Commission will take legal action to ensure compliance with EC law.

Whereas wind energy developments do not in general present a threat to wildlife, the Commission is aware that inappropriately located and designed projects can present a risk to certain species, including Red and Black Kites. The Commission has issued guidelines ([3]) on wind energy and Natura 2000 to assist with ensuring that wind farm developments are fully compatible with the protection requirements of both the Birds and Habitats Directive ([4]).

The Commission understands that the wind energy priority area plan for Eastern Thuringia was developed in consultation with environmental NGOs, including NABU Thuringia. This plan identified 14 wind energy priority areas which are suitable for wind farms and represents 0.18 % of Eastern Thuringia's surface. The Commission is not aware that there are problems with bird protection linked to this exercise.

On the basis of current evidence, the Commission cannot identify a breach of the Birds Directive.

([1]) http://www.regionalplanung.thueringen.de/rpg/ost/regionalplan/fortschr/entwurf/index.asp
([2]) Council Directive 2009/147/EC of the Parliament and of the Council on the conservation of wild birds, codifying Directive 79/409/EEC, OJ L 20, 26.1.2010.
([3]) European Commission (2010): Guidance document on wind energy developments and Natura 2000, http://ec.europa.eu/environment/nature/natura2000/management/docs/Wind_farms.pdf
([4]) Council Directive 92/43/EC of 21 May 1992, on the protection of natural habitats and wild fauna and flora, OJ L 206, 22.7.1992.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001127/12
προς την Επιτροπή
Michail Tremopoulos (Verts/ALE)
(8 Φεβρουαρίου 2012)

Θέμα: Παράνομη κυνηγετική δραστηριότητα στο διασυνοριακό πάρκο Πρεσπών

Η ανεξέλεγκτη δράση των λαθροθήρων στο εθνικό πάρκο Πρεσπών έχει ξεπεράσει κάθε όριο. Τελευταίο περιστατικό, στις 18 Ιανουαρίου, όπου φύλακας του φορέα διαχείρισης του εθνικού πάρκου Πρεσπών εντόπισε, σε συνεργασία με δασοφύλακα, πολυπληθή ομάδα κυνηγών σε απαγορευμένη για την άσκηση θήρας ζώνη του εθνικού πάρκου και εντός της απαγορευμένης ζώνης των 500 μ. από τα σύνορα Ελλάδας-ΠΓΔΜ. Επιπλέον, το περιστατικό συνέβη σε περίοδο έντονου παγετού κατά την οποία απαγορευόταν η θηρευτική δραστηριότητα δεδομένου ότι το έδαφος ήταν καλυμμένο με χιόνι. Ανάλογα περιστατικά έχουν σημειωθεί επανειλημμένως στο παρελθόν. Στο τελευταίο περιστατικό, ο φύλακας σημειώνει στην αναφορά του ότι δέχτηκε απειλές κατά της ζωής του όταν προσπάθησε να πείσει τους λαθροθήρες ότι πρέπει να σέβονται τους κανόνες ([1]). Οι περιβαλλοντικές οργανώσεις: Εταιρία Προστασίας Πρεσπών, ΑΡΚΤΟΥΡΟΣ, Ελληνική Εταιρεία Περιβάλλοντος και Πολιτισμού, Ελληνική Εταιρεία Προστασίας της Φύσης, Ελληνική Ορνιθολογική Εταιρεία, Καλλιστώ και WWF Ελλάς καταγγέλλουν την ανεξέλεγκτη λαθροθηρία στο εθνικό πάρκο Πρεσπών και καλούν την πολιτεία να λάβει επειγόντως μέτρα για την πάταξη των παράνομων δραστηριοτήτων στις προστατευόμενες περιοχές και να ενισχύσει τις δυνατότητες των φορέων διαχείρισης στην επιτέλεση του έργου τους σχετικά με την προστασία των πολύτιμων και ευαίσθητων αυτών περιοχών ([2]).

Λαμβάνοντας υπόψη τα ανωτέρω, ερωτάται η Επιτροπή:

1. έχει ενημερωθεί από τις ελληνικές αρχές για την ανεξέλεγκτη δράση των λαθροθήρων στο εθνικό πάρκο Πρεσπών και στις υπόλοιπες προστατευόμενες περιοχές της χώρας;

2. θεωρεί ότι η ανεξέλεγκτη λαθροθηρία στην Ελλάδα αντιβαίνει την ελληνική και ευρωπαϊκή νομοθεσία και, πιο συγκεκριμένα, τις προβλέψεις για την προστασία της βιοποικιλότητας, την οδηγία για τα πουλιά (2009/147/ΕΚ) και την οδηγία για τους οικοτόπους (92/43/ΕΟΚ);

3. ειδικότερα, μπορεί το κράτος μέλος να επιτρέπει την άσκηση θήρας σε περιοχές του Δικτύου Natura 2000 εάν δεν υπάρχουν ειδικά σχέδια διαχείρισης της κυνηγετικής δραστηριότητας κατά προστατευόμενη περιοχή όπως επιβάλλεται από το «Έγγραφο κατευθύνσεων για τη θήρα βάσει της Οδηγίας 79/409/ΕΟΚ του Συμβουλίου περί της διατηρήσεως των αγρίων πτηνών» του Φεβρουαρίου 2008;

4. τι μέτρα σκοπεύει να λάβει η Επιτροπή ώστε να υποχρεωθεί το κράτος μέλος να εφαρμόσει πλήρως τη σχετική ευρωπαϊκή νομοθεσία;

Απάντηση του κ. Potočnik εξ ονόματος της Επιτροπής
(12 Μαρτίου 2012)

Η Επιτροπή δεν έχει ενημερωθεί από τις ελληνικές αρχές για το περιστατικό της λαθροθηρίας που αναφέρεται από το Αξιότιμο Μέλος του Κοινοβουλίου.

Οι κυνηγετικές δραστηριότητες πρέπει να συμμορφώνονται πλήρως με τις σχετικές διατάξεις που προβλέπονται στις οδηγίες για τα πτηνά ([3]) και τα ενδιαιτήματα ([4]). Στις αρμόδιες ελληνικές αρχές εναπόκειται να διασφαλίσουν την εφαρμογή των διατάξεων αυτών ή οποιωνδήποτε άλλων συναφών απαιτήσεων ορίζει η ελληνική νομοθεσία, μεταξύ άλλων με την ενίσχυση των φορέων διαχείρισης των προστατευόμενων περιοχών, με σκοπό — κατά περίπτωση — την πρόληψη ή τη δίωξη τυχόν μη εξουσιοδοτημένων δραστηριοτήτων, όπως είναι η λαθροθηρία, ιδιαίτερα σε περιοχές μεγάλης διεθνούς σημασίας για τη διατήρηση, όπως το εθνικό πάρκο Πρεσπών.

Όσον αφορά ειδικότερα τις περιοχές Natura 2000, το κυνήγι, όπως και άλλες κοινωνικο-οικονομικές δραστηριότητες, πρέπει να είναι συμβατό με τους στόχους διατήρησης των περιοχών· η κατάρτιση σχεδίων διαχείρισης — μολονότι δεν είναι υποχρεωτική βάσει των οδηγιών και, ως εκ τούτου, δεν αποτελεί προϋπόθεση για να επιτραπεί το κυνήγι — συνιστάται από τον «οδηγό για το αειφόρο κυνήγι σύμφωνα με την οδηγία για τα πτηνά» ως πολύτιμο εργαλείο για να προσδιοριστεί η συμβατότητα αυτή και για να δημιουργηθούν οι αναγκαίες προϋποθέσεις ή περιορισμοί.

([1]) http://kozanimedia.gr/archives/49569.
([2]) http://www.spp.gr/spp/index.php?option=com_content&view=article&catid=6%3A2010-03-04-13-52-03&id=102%3A23-2012-&lang=el?&lang=en.
([3]) Οδηγία 2009/147/ΕΚ (κωδικοποιημένη έκδοση που αντικαθιστά την οδηγία 79/409/ΕΟΚ), ΕΕ L 20 της 26.1.2010.
([4]) Οδηγία 92/43/ΕΟΚ του Συμβουλίου, της 21ης Μαΐου 1992, για τη διατήρηση των φυσικών οικοτόπων (ενδιαιτημάτων) καθώς και της άγριας πανίδας και χλωρίδας, ΕΕ L 206 της 22.7.1992.

Η πλήρης εφαρμογή και επιβολή των σχετικών με το κυνήγι διατάξεων βάσει της ενωσιακής νομοθεσίας για τη φύση υπάγεται στην αρμοδιότητα των κρατών μελών· η Επιτροπή παρεμβαίνει αν διαθέτει τεκμήρια παράβασης των διατάξεων αυτών και κατά περίπτωση λαμβάνει τα κατάλληλα μέτρα, όπως αναφέρεται στην απάντησή της στη γραπτή ερώτηση E-48/2012 της κας Jaakonsaari ([5]).

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

(English version)

Question for written answer E-001127/12
to the Commission
Michail Tremopoulos (Verts/ALE)
(8 February 2012)

Subject: Illegal hunting activity in the Prespa National Park, which borders FYROM

The uncontrolled actions of poachers in the Prespa National Park have exceeded all boundaries. In the most recent incident, on 18 January, a warden from the Prespa National Park Management Body, together with a Forestry Warden, found a large group of hunters in the area of the National Park prohibited for hunting and inside the prohibited zone 500m from the Greek border with FYROM. Moreover, the incident occurred during a severe freeze, when hunting was forbidden, since the ground was covered in snow. Similar incidents have repeatedly been recorded in the past. In the most recent incident, the Warden noted that he was threatened with death when he tried to tell the poachers that the rules must be complied with ([1]). The environmental organisations the Society for the Protection of Prespa, ARCTUROS, the Hellenic Society for Environment and Cultural Heritage, the Hellenic Society for the Protection of Nature, the Hellenic Ornithological Society, Callisto and WWF Greece denounce this unauthorised poaching in the Prespa National Park and urge the state to take urgent action to stamp out illegal activities in protected areas and to strengthen the powers of the Park Management Body in order to enable them to carry out their duty to protect this precious, yet vulnerable, area ([2]).

Considering the above:

1. Has the Commission been informed by the Greek authorities of the unauthorised actions by poachers in Prespa National Park and other protected areas in the country?

2. Does it think that poaching in Greece runs counter to Greek and European legislation and, specifically, the provisions on the protection of biodiversity, the Birds Directive (2009/147/EC) and the Habitats Directive (92/43/EEC)?

3. In particular, can a Member State allow hunting in areas in the Natura 2000 network if there are no special management plans for hunting activities in a protected area, as imposed under the 'Guidance document on hunting based on Council Directive 79/409/EEC on the conservation of wild birds' of February 2008?

4. What measures does the Commission intend to take in order to force a Member State to implement the relevant European legislation fully?

Answer given by Mr Potočnik on behalf of the Commission
(12 March 2012)

The Commission has not been informed by the Greek authorities about the incident of poaching referred to by the Honourable Member.

Hunting activities have to comply fully with relevant provisions laid down in the Birds ([3]) and Habitats ([4]) Directives. It is the responsibility of the competent Greek authorities to ensure enforcement of those provisions or any other relevant requirements established under Greek legislation, including by empowering management bodies of protected areas, in order to prevent or prosecute as appropriate any unauthorised activities such as poaching, especially in areas of high international conservation importance such as the Prespa National Park.

As regards Natura 2000 areas in particular, hunting, like other socioeconomic activities, has to be compatible with the conservation objectives of the areas; management plans, although not mandatory under the directives and hence not a prerequisite to allow hunting, are recommended by the 'Guide on sustainable hunting under the Birds Directive' as a valuable tool to determine such compatibility and establish necessary conditions or restrictions.

([1]) http://kozanimedia.gr/archives/49569.
([2]) http://www.spp.gr/spp/index.php?option=com_content&view=article&catid=6%3A2010-03-04-13-52-03&id=102%3A23-2012-&lang=el?&lang=en.
([3]) Directive 2009/147/EC (codified version replacing Directive 79/409/EEC), OJ L 20, 26.1.2010.
([4]) Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992.

The full implementation and enforcement of hunting-related provisions under EU nature legislation is a Member State competence; the Commission intervenes if it is provided with evidence of a breach of those provisions and takes appropriate action as indicated in its reply to Written Question E-48/2012 by Mrs Jaakonsaari ([5]).

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

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001128/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(8 febbraio 2012)

Oggetto: Acqua all'arsenico in Italia, verifiche europee

I ministeri dell'Ambiente e della Salute sono stati condannati dal Tar del Lazio a risarcire con 100 euro ciascuno circa duemila utenti di varie regioni d'Italia (Lazio, Toscana, Trentino Alto Adige, Lombardia e Umbria) che lamentano la presenza di arsenico nell'acqua.

Secondo i giudici, infatti, bere dell'acqua all'arsenico può produrre tumori al fegato, alla cistifellea e pelle, nonché malattie cardiovascolari. La sentenza — secondo le associazioni dei consumatori — apre una strada di incredibile valore, affermando che fornire servizi insufficienti o difettosi, oppure inquinanti, determina la responsabilità della pubblica amministrazione per danno alla vita di relazione, stress, rischio di danno alla salute.

Alla luce dei fatti sopraesposti, si interroga dunque la Commissione per sapere:

1. se è informata sulla vicenda dell'acqua all'arsenico e sulla sentenza di condanna per i ministeri dell'Ambiente e della Salute;

2. quali provvedimenti intende assumere a livello europeo per garantire la salute dei cittadini e per evitare che si ripetano scandali di questo genere, soprattutto con riguardo alla direttiva 98/83/CE del Consiglio, del 3 novembre 1998, concernente la qualità delle acque destinate al consumo umano.

Risposta data da Janez Potočnik a nome della Commissione
(23 marzo 2012)

La Commissione prende atto delle sentenze pronunciate nei confronti dei due ministeri.

La Commissione è al corrente del problema dell'arsenico nell'acqua potabile verificatosi nelle regioni italiane in questione. In questo contesto, la Commissione ha concesso due deroghe ([1]) a loro beneficio.

In deroga agli obblighi generici stabiliti nella direttiva sull'acqua potabile 98/83/CE ([2]), le decisioni della Commissione dispongono che:

1. Ai fini del consumo di acqua potabile da parte dei neonati e dei bambini fino all'età di 3 anni, l'Italia assicura che la fornitura di acqua rispetti i valori dei parametri della direttiva;

2. l'Italia informa gli utenti sulle modalità per ridurre i rischi legati all'acqua potabile per la quale è stata concessa la deroga, e in particolare informa gli utenti sui rischi legati al consumo dell'acqua oggetto di deroga da parte di neonati e di bambini fino all'età di 3 anni;

3. l'Italia è tenuta e monitorare con cadenza regolare i parametri in questione;

4. l'Italia è tenuta ad adottare piani d'azione correttivi.

Dal febbraio 2012 le autorità italiane sono tenute a presentare una relazione annuale alla Commissione. Tali relazioni illustreranno il progresso delle misure correttive, i risultati del monitoraggio dei parametri in deroga, i consigli forniti ai consumatori e le informazioni relative ai quantitativi di acqua minerale fornita agli stessi.

Entro febbraio 2012 tutti gli Stati membri sono inoltre obbligati a presentare alla Commissione relazioni sulla qualità delle acque destinate al consumo umano in riferimento al periodo 2008-2010.

La Commissione procederà all'analisi delle relazioni trasmesse in tempo utile e deciderà le eventuali azioni da adottare.

([1]) C(2010)7605 del 28.10.2010 e C(2011)2014 del 22.3.2011.
([2]) GU L 330 del 5.12.1998.

(English version)

Question for written answer E-001128/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(8 February 2012)

Subject: Arsenic in Italian water, European checks

The Ministries of Health and the Environment have been ordered by the TAR (Lazio Regional Court) to pay EUR 100 to each of around 2 000 consumers in various regions of Italy (Lazio, Tuscany, Trentino Alto Adige, Lombardy and Umbria), who have reported arsenic in the water supply.

In fact, according to the court, drinking water containing arsenic can lead to liver, gall bladder and skin tumours as well as cardiovascular diseases. The judgment — according to consumer associations — opens up an incredibly valuable avenue, declaring that providing insufficient or flawed services or services with toxic effects renders public bodies guilty of harm to social life, stress and risk of harm to health.

In light of these facts, I therefore ask the Commission:

1. if it is up to date on the case of water containing arsenic and on the judgment passed on the Ministries of Health and the Environment;

2. what European-level measures it intends to take to guarantee the health of citizens and to avoid repeats of such scandals, particularly with regard to Council Directive 98/83/EC, of 3 November 1998, relating to the quality of water intended for human consumption.

Answer given by Mr Potočnik on behalf of the Commission
(23 March 2012)

The Commission takes note of the judgments on the two Ministries.

The Commission is aware of the problem of arsenic in drinking water in the listed regions in Italy. In this context, two derogations covering them were granted by the Commission ([1]).

Notwithstanding the general obligations set out in Drinking Water Directive 98/83/EC ([2]), the decisions of the Commission establish that:

1. For the purpose of consumption of drinking water by infants and children up to the age of 3, Italy shall ensure the supply of water that complies with the parameter values of the directive.

2. Italy shall give advice to consumers on how to reduce risks linked to the drinking of water for which derogation was granted, and shall in particular inform the consumers on risks linked with the consumption of derogated water by infants and children up to the age of 3.

3. Italy shall regularly monitor the parameters concerned.

4. Italy shall implement remedial action plans.

As of February 2012, the Italian authorities have to report annually to the Commission. These reports will relate the progress of remedial measures, the results of the monitoring of derogated parameters, the advice given to consumers and information on the amount of bottled water provided to consumers.

Moreover, also by February 2012, all Member States have the obligation to send to the Commission reports on the quality of water intended for human consumption covering 2008-2010.

The Commission will analyse the provided reports in due time and decide on whether or not to take action.

([1]) C(2010)7605 from 28.10.2010 and C(2011)2014 from 22.3.2011.
([2]) OJ L 330, 5.12.1998.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001129/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(8 febbraio 2012)

Oggetto: Statistiche su imprenditori under 30

Gli ultimi dati di uno studio di Unioncamere affermano che gli under 30 alla guida di un'azienda sono poco più del 30 % del totale. Nel 2011 rispetto all'anno precedente il numero di under 30 a capo di una azienda è diminuito dello 0,13 %.

Sono le regioni del Mezzogiorno ad avere più giovani nei ruoli chiavi delle aziende: il primato è detenuto dalla Calabria con l'8,46, seguita dalla Sicilia con il 6,98 % e dal Molise con il 6,73 %.

Alla luce dei fatti sopraesposti, si chiede dunque alla Commissione quanto segue:

1. Può tracciare un analogo quadro europeo sulla presenza degli under 30 a capo delle aziende nei vari Stati membri?

2. Quali provvedimenti intende assumere per promuovere la diffusione dell'imprenditoria giovanile, agevolando start-up e spin-off anche nel ricorso al credito?

Risposta data da Antonio Tajani a nome della Commissione
(19 marzo 2012)

Non esistono statistiche ufficiali sull'età degli imprenditori europei come richieste nel primo quesito.

Per quanto concerne il secondo quesito, la Commissione offre diverse misure a sostegno degli imprenditori c che avviano un'impresa. A partire dal 2007 la Commissione ha monitorato i progressi compiuti dagli Stati membri al fine di ridurre i tempi e i costi per avviare un'impresa. Nel 2007 i tempi e i costi erano rispettivamente 12 giorni e 485 EUR, nel 2011 essi corrispondevano a 6,5 giorni e a 397 EUR. Nel maggio 2011 il Consiglio Competitività ha sollecitato gli Stati membri «a ridurre entro il 2012 a 3 giorni e a 100 EUR il tempo e il costo necessari per la creazione di un'impresa». La Commissione seguirà e aiuterà gli Stati membri nel raggiungimento di questo obiettivo.

La Commissione ha elaborato diversi strumenti finanziari per agevolare l'accesso ai finanziamenti: garanzie e finanziamenti per gli istituti di microfinanza previsti dallo strumento di microfinanziamento Progress, il Programma quadro per la competitività e l'innovazione, i sistemi nazionali e regionali di microfinanza finanziati dai Fondi strutturali. La Commissione ha proposto di proseguire queste azioni nel prossimo periodo di programmazione che inizia nel 2014 prevedendo un aumento dei fondi.

L'istruzione svolge un ruolo importantissimo nell'incoraggiare i giovani ad avviare proprie imprese. L'apprendimento dell'imprenditoria deve essere parte di tutti i livelli dell'istruzione. La Commissione opera a stretto contatto con le autorità nazionali per promuovere l'educazione all'imprenditoria e al lavoro autonomo. Le iniziative si concentrano sul sostegno all'attuazione delle strategie nazionali in questo ambito e sulla formazione degli insegnanti.

Per incoraggiare l'apprendimento inter pares e la capacity building, la Commissione, nella sua comunicazione sull'iniziativa Opportunità per i giovani, ha annunciato che consacrerà 3 milioni di EUR dell'assistenza tecnica FSE per sostenere progetti di avvio di imprese per i giovani neoimprenditori e per gli imprenditori sociali.

(English version)

Question for written answer E-001129/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(8 February 2012)

Subject: Statistics for entrepreneurs under the age of 30

The latest information from a study by the Italian Union of Chambers of Commerce (Unioncamere) shows that under-30s heading up companies make up just over 30 % of the total figure.

The number of under-30s running companies fell by 0.13 % in 2011 compared with the previous year.

Regions in Southern Italy have more young people in key company roles: Calabria has the highest figure with 8.46 %, followed by Sicily with 6.98 % and then Molise with 6.73 %.

In light of these facts:

1. Can the Commission provide a similar overview at the European level of the number of under-30s running companies in the various Member States?

2. What measures does the Commission intend to take to help increase the number of young entrepreneurs by facilitating start-ups, spin-offs and access to credit?

Answer given by Mr Tajani on behalf of the Commission
(19 March 2012)

There are no official statistics on the age of European entrepreneurs as requested in the first question.

Regarding the second question, the Commission offers various measures to support entrepreneurs starting a business. Since 2007 the Commission has monitored Member States' progress in reducing time and cost to start a company. In 2007 time and cost were 12 days and EUR 485 respectively, in 2011 they amounted to 6.5 days and EUR 397. In May 2011 the Competitiveness Council asked Member States 'to reduce the start-up time for new enterprises to 3 days and the cost to EUR 100 by 2012'. The Commission will monitor and support Member States to accomplish this target.

The Commission has established several financial instruments to support access to finance: guarantees and funding to microfinance institutes provided by the Progress Microfinance Facility, the Competitiveness and Innovation Framework Programme, national and regional microfinance schemes funded by Structural funds. The Commission has proposed to continue these actions with increased funds in the next programming period starting in 2014.

Education plays a very important role if more young people are to start businesses for themselves. Entrepreneurial learning needs to be embedded at all levels of education. The Commission cooperates closely with national authorities to promote education for entrepreneurship and self-employment. Efforts focus on supporting the implementation of national strategies in this area and on training teachers.

To support peer learning and capacity building, the Commission, in its communication on the Youth Opportunities Initiative, announced that it will dedicate EUR 3 million of ESF Technical Assistance to support start-up schemes for young business starters and social entrepreneurs.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001130/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Sergio Paolo Frances Silvestris (PPE)
(8 febbraio 2012)

Oggetto: VP/HR — Sciopero della fame a Cuba

La dissidenza cubana piange un'altra vittima, per sciopero della fame. Wilmar Villar Mendoza si è spento nella notte di giovedì in un ospedale di Santiago de Cuba dopo un digiuno volontario di 50 giorni. Villar, 31 anni, non era un attivista conosciuto, era stato arrestato di recente. Ma la sua fine vanifica i tentativi del regime castrista di accreditarsi agli occhi del mondo dopo aver scarcerato, negli ultimi mesi, buona parte dei dissidenti «noti».

Villar era un militante di un'organizzazione chiamata Union Patriotica de Cuba, attiva nella parte orientale dell'isola. Venne arrestato lo scorso 14 novembre, dopo aver partecipato a una protesta a Contramaestre. Secondo un gruppo di difesa dei diritti umani, Villar è stato sottoposto dopo quell'episodio a un giudizio sommario per oltraggio e attentato alle autorità, e condannato a 4 anni di prigione. La decisione di iniziare uno sciopero della fame di protesta è stata quasi immediata. Il regime cubano ha mantenuto finora silenzio assoluto sulla vicenda. Capannelli di dissidenti si sono formati ieri fuori dall'ospedale dove è morto Villar e ci sarebbero stati alcuni fermi per evitare proteste al funerale.

Alla luce dei fatti sopraesposti, si chiede dunque all'Alto Rappresentante quanto segue:

1. La delegazione dell'UE a Cuba è in contatto con le organizzazioni dei dissidenti cubani per evitare che casi del genere si ripetano in futuro?

2. Considerando che con lo scioglimento del COMECON nel 1989 Cuba ha perso il suo unico collegamento internazionale, esiste una proposta della Commissione volta ad avviare un dialogo UE-Cuba ([1])?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(27 marzo 2012)

La delegazione UE all'Avana, insieme ai Capi missione dell'UE, segue attentamente la situazione dei diritti umani a Cuba ed è in costante contatto con i rappresentanti dell'opposizione pacifica nel paese.

Nel giugno 2008 il Consiglio ha deciso di rilanciare il dialogo politico UE-Cuba e da allora hanno avuto luogo cinque sessioni a livello ministeriale. Il Consiglio «Affari esteri» del 25 ottobre 2010 ha convenuto di avviare una riflessione in proposito, assegnando all'Alta Rappresentante/Vicepresidente il compito di esplorare i possibili sviluppi nelle relazioni con Cuba.

([1]) http://www.eurit.it/Eurplace/diba/coopera/commcuba.html#futuro#futuro.

(English version)

Question for written answer E-001130/12
to the Commission (Vice-President/High Representative)
Sergio Paolo Frances Silvestris (PPE)
(8 February 2012)

Subject: VP/HR — Hunger strike in Cuba

The Cuban dissident movement now has to mourn another victim, following a hunger strike. Wilmar Villar Mendoza passed away on Thursday night in a hospital in Santiago de Cuba, after a 50-day hunger strike. Villar, aged 31, who was not known as a prominent activist, had recently been arrested. His death now thwarts the Castro regime's efforts to gain favour in the eyes of the world following the release in recent months of many 'known' dissidents.

Villar was a member of an organisation called the Cuban Patriotic Union, which is active in the eastern part of the island. He was arrested on 14 November 2011 after taking part in a protest in Contramaestre. According to a human rights group, Villar was then submitted to a summary judgment for assault and resisting the authorities, and was sentenced to four years in prison. He began his hunger strike in protest almost immediately. The Cuban regime has so far remained silent on the matter. Yesterday, crowds of dissidents formed outside the hospital where Villar died, and it appears that some were arrested to avoid protests at the funeral.

In the light of these facts, can the High Representative state:

1. whether the EU delegation in Cuba is in contact with local dissident organisations with a view to preventing similar occurrences in the future;

2. whether, given that the dissolution of Comecon in 1989 meant that Cuba lost its sole international connection, the Commission has any proposal for initiating an EU-Cuba dialogue ([1])?

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

The EU delegation in Havana, together with the EU Heads of Mission, monitors the human rights' situation in Cuba and is in contact with representatives of the peaceful opposition in the country on a continuous basis.

In June 2008, the Council decided to re-launch the EU-Cuba political dialogue. Since then five political dialogue sessions at Ministerial level took place. Foreign Affairs Council of 25 October 2010 agreed to start a reflection and to task the High Representative/Vice-President to explore possibilities on the way forward for relations with Cuba.

([1]) http://www.eurit.it/Eurplace/diba/coopera/commcuba.html#futuro#futuro.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001131/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(8 febbraio 2012)

Oggetto: Messa in sicurezza della falesia nel Brindisino

Ancora problemi per la falesia lungo il tratto di costa a nord di Brindisi in Puglia. Dopo l'incidente del 2010 che portò alla morte di un ricercatore tarantino, la zona è stata interdetta allo stazionamento e alla balneazione classificandola come zona ad elevato rischio di crollo.

Oggi per rimettere in sicurezza la costa occorrono provvedimenti che provocherebbero problemi alla spiaggia, con la completa erosione della fascia sabbiosa.

Evitare il crollo della falesia, quindi, significa rinunciare prima alle dune e dopo pochi anni all'intera parte sabbiosa danneggiando tutti quegli imprenditori che hanno investito su quel territorio attraverso la gestione di lidi privati. L'ultima parola spetta agli ingegneri che stanno studiando e vagliando tecniche alternative per evitare di perdere la fascia sabbiosa.

Alla luce dei fatti sopraesposti, si chiede dunque alla Commissione quanto segue:

1. È a conoscenza dei problemi della falesia sul tratto di costa a nord di Brindisi?

2. Esistono studi europei in merito al rilevamento dei rischi costieri nel contesto del cambiamento climatico che puntino alla salvaguardia della costa dal fenomeno dell'erosione?

3. Intende fornire dati sul quadro generale delle zone ad alto rischio erosione costiera negli altri Stati membri?

Risposta data da Janez Potočnik a nome della Commissione
(22 marzo 2012)

1. La Commissione è a conoscenza dei problemi di erosione delle falesie lungo molti tratti di costa in Europa e riconosce il rischio di erosione delle coste nonché il crescente ritiro delle zone costiere, congiuntamente al relativo impatto sugli ecosistemi costieri.

2. Lo studio della Commissione, EUrosion ([1]), pubblicato nel 2004, mirava a valutare gli impatti socioeconomici e ambientali dell'erosione sulle coste europee. Lo studio ha dedicato un'attenzione particolare ai rischi di erosione connessi ai cambiamenti climatici e ha prodotto una valutazione cartografica dell'esposizione delle coste europee all'erosione, un'analisi delle tecniche esistenti per la gestione dell'erosione costiera nonché un insieme di raccomandazioni strategiche destinate a migliorare tale gestione.

Le informazioni relative alle migliori pratiche in materia di gestione delle zone costiere sono consultabili nella banca dati OURCOAST ([2]). La banca dati contiene numerosi studi di progetti sull'erosione costiera in tutta l'UE. Il 23 marzo 2012 la Commissione intende inoltre varare la piattaforma europea di adattamento ai cambiamenti climatici ([3]), un sito web dedicato all'adattamento ai cambiamenti climatici dotato di una sezione sulle zone costiere nonché di una banca dati consultabile di studi su settori chiave, compreso quello costiero.

Ulteriori informazioni di base e collegamenti a diverse pubblicazioni sono disponibili sulle pagine web della Commissione dedicate alla gestione integrata delle zone costiere ([4]).

3. Lo studio EUrosion comprende una mappa dell'Unione che illustra l'esposizione all'erosione delle regioni costiere europee e può essere consultata sulle pagine web dell'Agenzia europea per l'ambiente ([5]).

([1]) http://www.eurosion.org/project/eurosion_it.pdf
([2]) Iniziativa UE a favore della gestione integrata delle zone costiere; http://ec.europa.eu/ourcoast/index.cfm?languageID=14&menuID=3.
([3]) La piattaforma europea sull'adattamento ai cambiamenti climatici (Climate ADAPT), ospitata dall'AEA, sarà accessibile al pubblico.
([4]) http://ec.europa.eu/environment/iczm/home.htm
([5]) http://www.eea.europa.eu/data-and-maps/figures/coastal-erosion-patterns-in-europe-2004.

(English version)

Question for written answer E-001131/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(8 February 2012)

Subject: Securing the cliff at Brindisino

The cliff along the coastline north of Brindisi in Puglia is still facing problems. Following the incident in 2010 which led to the death of a researcher from Taranto, parking and bathing has been forbidden in the area which has been classified as being at high risk of collapse.

Resecuring the coastline requires measures which would damage the beach, completely eroding the sandy area.

Preventing the cliff from collapsing means first forfeiting the dunes and then the whole sandy area a few years later, to the detriment of businesspeople who have invested in that area by operating private beaches. The final word goes to the engineers who are studying and exploring alternative techniques in order to avoid losing the sandy area.

In light of these facts:

1. Is the Commission aware of the problems facing the cliff along the coastline north of Brindisi?

2. Are there any European studies, with regard to surveying coastal risks in the context of the changing climate, which focus on safeguarding the coast from erosion?

3. Does the Commission intend to provide a general overview of coastal areas in other Member States which are at high risk of erosion?

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

1. The Commission is aware of cliff erosion problems along many parts of the European coastline and recognises the risk of coastal erosion and the increasing retreat of coastal zones in Europe, and its impact on coastal ecosystems.

2. The Commission study EUrosion ([1]) of 2004 assessed the social, economic and environmental impacts of erosion on the European coasts. The study paid considerable attention to erosion risks related to climate change and resulted in a cartographic assessment of the European coasts' exposure to erosion, a review of existing coastal erosion management techniques and a set of policy recommendations for improving coastal erosion management.

Information on best practices in coastal zone management can be found in the OURCOAST ([2]) database. The database includes numerous case studies of coastal erosion projects throughout the EU. Furthermore, the Commission will launch the European Climate Adaptation Platform ([3]) on 23 March 2012, a website on adaptation to climate change featuring a section on coastal areas as well as a searchable database of adaptation case studies on key sectors, including the coastal one.

Further background and links to various publications are available on the Commission web pages on Integrated Coastal Zone Management ([4]).

3. The EUrosion study includes an EU wide map on erosion exposure of European regions to coastal erosion. The map can be consulted on the web pages of the European Environment Agency ([5]).

([1]) http://www.eurosion.org/project/eurosion_en.pdf
([2]) EU initiative on Integrated Coastal Zone Management; http://ec.europa.eu/ourcoast/index.cfm?menuID=3.
([3]) The European Climate Adaptation Platform (Climate-ADAPT) will be hosted by the EEA and be publicly accessible.
([4]) http://ec.europa.eu/environment/iczm/home.htm
([5]) http://www.eea.europa.eu/data-and-maps/figures/coastal-erosion-patterns-in-europe-2004.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001132/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(8 febbraio 2012)

Oggetto: Strage di soldati francesi in Afghanistan

Quattro soldati francesi disarmati sono stati uccisi da un militare afghano nella base avanzata di Gwan. I soldati uccisi appartenevano a una Omlt (*Operational Mentoring and Liaison Team*), una squadra di alcune decine di uomini che vivono a stretto contatto con i soldati della Ana, l'esercito nazionale afghano, con il compito di formarli. I francesi stavano facendo sport nella base di Gwan, a nord est di Kabul, quando un soldato afghano ha fatto fuoco nel mucchio: oltre ai quattro morti, 15 feriti dei quali otto in gravi condizioni.

A differenza dell'attentatore del 29 dicembre, ucciso sul posto, l'uomo è stato catturato. Nei mesi scorsi molti soldati francesi sono stati allontanati dalla prima linea per aiutare a costruire l'esercito afghano alleato, ma paradossalmente questo incarico si sta rivelando più pericoloso della lotta ai talebani.

La provincia di Kapisa è fondamentale da un punto di vista strategico perché rappresenta il corridoio attraverso il quale i talebani pakistani cercano di entrare nel paese; un ritiro della Francia prima della data prevista del 2014 complicherebbe molto il lavoro degli Stati Uniti e degli alleati, Italia compresa. I militari francesi in Afghanistan sono oggi 3 600, dopo il ritiro di 400 soldati lo scorso ottobre, e 82 sono caduti dall'inizio della guerra; il 2011 è stato l'anno più sanguinoso, con 26 vittime.

Alla luce dei fatti sopraesposti, si interroga dunque la Commissione per sapere:

1. se è a conoscenza delle stragi di soldati degli Stati membri impegnati in missione in Afghanistan;

2. se è in contatto la delegazione dell'UE in Afghanistan per monitorare le missioni di pace ed evitare che casi del genere in futuro si ripetano, e con quali azioni sul campo la delegazione europea sta cercando di stabilizzare e rendere sicura la zona, ma soprattutto quali sono gli interventi in corso per rendere il paese più democratico.

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(24 aprile 2012)

Purtroppo gli attacchi di questo tipo ai consiglieri NATO avvengono spesso e il numero di vittime degli ordigni esplosivi desta serie preoccupazioni.

Il rappresentante speciale dell'Unione europea/capo delegazione in Afghanistan sta monitorando la situazione politica e le condizioni di sicurezza sul posto, in stretta collaborazione con i capi missione dell'UE. Per quanto riguarda la situazione delle forze alleate nella regione, le istituzioni europee non hanno competenza in merito alle operazioni militari degli Stati membri in ambito NATO.

L'UE è uno dei principali donatori di aiuti pubblici allo sviluppo (APS) e di assistenza umanitaria all'Afghanistan. Gli aiuti allo sviluppo nell'ambito del piano d'azione dell'UE si concentrano su governance, agricoltura e sanità. Nel contesto del consolidamento delle istituzioni democratiche afgane, viene prestata particolare attenzione ad aree quali la riforma del settore sicurezza, che riguarda anche le forze dell'ordine e il settore giudiziario, e la riforma elettorale. I programmi dell'UE si concentrano inoltre sui diritti umani e sulla società civile allo scopo di promuovere uno sviluppo democratico su larga base.

L'UE continuerà a sostenere il processo di creazione di uno stato democratico in Afghanistan attraverso una gamma coerente di strumenti. Due volte l'anno la Commissione invia al Parlamento una relazione dettagliata sulla situazione dell'assistenza fornita dall'UE.

(English version)

Question for written answer E-001132/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(8 February 2012)

Subject: Massacre of French soldiers in Afghanistan

Four unarmed French soldiers have been killed by an Afghan soldier at the Forward Operating Base in Gwan. They were part of an OMLT (Operational Mentor and Liaison Team): a team of a few dozen men who live in close contact with ANA (Afghan National Army) soldiers and are responsible for training them. The French soldiers were taking part in a sports session at the Gwan base, north-east of Kabul, when an Afghan soldier opened fire on them; in addition to the four fatalities, 15 soldiers were wounded — eight of them seriously.

Unlike the attacker of 29 December 2011, who was killed on the spot, the Afghan soldier was captured. Many French soldiers have been withdrawn from the front line over the last few months to help build the allied Afghan force; paradoxically, however, this is proving to be more dangerous than fighting the Taliban.

Kapisa province is of crucial strategic importance, since it forms the corridor through which the Pakistani Taliban are trying to enter the country; a withdrawal by France prior to the scheduled date of 2014 would seriously complicate the work of the United States and its allies, including Italy. France currently has a 3 600-strong military presence in Afghanistan, following the withdrawal of 400 soldiers last October. It has suffered 82 casualties since the start of the war; 2011 saw the heaviest losses, with 26 casualties.

In the light of the above, can the Commission say:

1. whether it is aware of the massacre of Member States' soldiers involved in missions in Afghanistan;

2. whether it is in contact with the EU delegation in Afghanistan with a view to monitoring peace missions and preventing a repeat of such incidents in the future, what action the EU delegation is taking on the ground to stabilise and secure the area, and — above all — what measures it is taking to make Afghanistan more democratic.

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

Sadly, attacks on NATO advisors such as the one mentioned have taken place on a number of occasions, and the casualty rate due to explosive devices is a matter of serious concern.

The European Union Special Representative/Head of Delegation Afghanistan monitors the political and security situation on the ground in close consultation with EU Heads of Missions. With regard to the situation of the allied forces in the region the European institutions have no competence regarding Member States' military operations in the context of NATO.

The EU is one of the major donors providing official development assistance (ODA) and humanitarian assistance to Afghanistan. In the context of the EU Action Plan, development aid focuses on governance, agriculture and health. Particular attention is paid to areas such as security sector reform including policing, the justice sector and electoral reform, in the context of reinforcing Afghanistan's democratic institutions. EU programmes also address human rights and civil society with the aim to strengthen broad based democratic development.

The EU will continue to support democratic statebuilding in Afghanistan through a coherent range of instruments. For more detailed information a 'State of Play' of EU assistance provided by the Commission is transmitted twice per year to the Parliament.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-001134/12
aan de Commissie
Bart Staes (Verts/ALE)
(8 februari 2012)

Betreft: Vlaamse overheidssteun voor wellnesscentrum

In september 2011 raakte bekend dat de Vlaamse regering 900 000 euro „klassieke investeringssteun" zal uittrekken voor een wellnesscentrum nabij Aalst. Het kabinet van de Vlaamse minister-president ziet de steun aan dit centrum als een manier om het Vlaamse bedrijfsleven te versterken „in zijn concurrentie met andere regio's, die vaak Europese subsidies krijgen waarvoor Vlaanderen niet in aanmerking komt" (*De Standaard*, 22 september 2011). Wellness wordt door de Vlaamse administratie beschouwd als een „strategische sector" en bovendien is specifiek het „saunabezoek nog niet ingeburgerd" in Vlaanderen.

In 2011 organiseerde de Sauna Vereniging België (SVB) zijn derde Nationale Saunadag, waarbij in het totaal 40 wellnesscentra hun deuren gratis openzetten voor het publiek. 10 000 mensen gingen daar op in. In België zijn er naar schatting enkele honderden middelgrote tot grote wellnesscentra, zowel openbaar als particulier.

Erkent de Commissie dat het louter subsidiëren van één nieuw te bouwen wellnesscentrum

— er weinig toe zal bijdragen dat het saunabezoek in Vlaanderen zal inburgeren?

— oneerlijke concurrentie vormt voor de bestaande wellnesscentra en zo neen,waarom niet?

— in strijd is met de heersende regels inzake overheidssteun en zal zij daarom een onderzoek instellen?

Kan de Commissie, tot slot, meedelen of met haar financiële steun in Europese regio's — andere dan Vlaanderen — wellnesscentra worden gesubsidieerd?

Antwoord van de heer Almunia namens de Commissie
(23 maart 2012)

Krachtens artikel 15, lid 1, van de Verordening (EG) nr. 800/2008 van de Commissie [1] (de algemene groepsvrijstellingsverordening) is kmo-steun ten behoeve van investeringen en werkgelegenheid niet aan de verplichting tot aanmelding bij de Commissie onderworpen, mits aan bepaalde voorwaarden wordt voldaan. Een van deze voorwaarden houdt in dat de steunintensiteit maximaal 20 % van de subsidiabele kosten bedraagt in het geval van kleine ondernemingen en maximaal 10 % in het geval van middelgrote ondernemingen.

Overeenkomstig het subsidiariteitsbeginsel is het de bevoegdheid van de lidstaten in kwestie (in dit geval het Vlaams Gewest) te beslissen welke projecten in welke sectoren gesteund worden, mits de Europese regelgeving inzake staatssteun in acht wordt genomen. Ook in andere lidstaten hebben overheidsinstanties ervoor gekozen om projecten te steunen in de kuur- en welness sector.

In het door het geachte Parlementslid vermelde geval bereikt de steun, volgens de algemeen beschikbare informatie, de drempelwaarde voor individuele aanmelding niet en dus valt de tenuitvoerlegging ervan volgens de algemene groepsvrijstellingsverordening onder de bevoegdheid van de autoriteiten van de lidstaten. Wat dit betreft is de steun onderworpen aan de eisen betreffende transparantie, monitoring en verslaglegging zoals vastgesteld in de artikelen 9 tot 11 van diezelfde verordening.

Mocht de Commissie informatie ontvangen waaruit een schending van de regels inzake staatssteun zou blijken, zal zij de nodige onderzoeken verrichten. Potentiële klagers kunnen zich ook wenden tot de nationale rechtbanken die bevoegd zijn voor het beoordelen van overtredingen van de aanmeldingsverplichting en van eventuele discriminatie onder mogelijke begunstigden, en die, indien nodig, voorlopige maatregelen kunnen opleggen om de rechten van particulieren te beschermen.

[1] PB L 214 van 9.8.2008, blz. 3.

(English version)

Question for written answer E-001134/12
to the Commission
Bart Staes (Verts/ALE)
(8 February 2012)

Subject: Flemish authorities' support for a wellness centre

It emerged in September 2011 that the Flemish Government was going to give a wellness centre near Aalst 'classic investment aid' worth EUR 900 000. The office of the Flemish Prime Minister sees the support for this centre as a way of boosting Flemish businesses 'in their competition with other regions which often receive European subsidies for which Flanders is not eligible' (*De Standaard*, 22 September 2011). Wellness is regarded by the Flemish authorities as a 'strategic sector', and furthermore, in particular 'sauna visits have not yet become established' in Flanders.

In 2011 the Belgian Sauna Association (SVB) organised its third National Sauna Day, during which a total of 40 wellness centres opened their doors to the public free of charge. 10 000 people took up this offer. According to estimates, there are several hundred medium to large wellness centres in Belgium, both public and private.

Does the Commission agree that a subsidy for the construction of just one new wellness centre

— Will do little to ensure that sauna visits become established in Flanders?

— Creates unfair competition with existing wellness centres and if not, why not?

— Contravenes the current rules on government support, and will the Commission therefore launch an investigation?

And finally, can the Commission indicate whether its financial support in European regions — other than Flanders — is used to subsidise wellness centres?

Answer given by Mr Almunia on behalf of the Commission
(23 March 2012)

Article 15(1) of Commission Regulation (EC) No 800/2008 ([1]) ('GBER') exempts Small and Medium Size Enterprises (SME investment) and employment aid from notification to the Commission, provided that certain conditions are fulfilled. One of these conditions is that the aid intensity shall not exceed 20 % of the eligible costs in the case of small enterprises and 10 % of the eligible costs in the case of medium-sized enterprises.

In view of the principle of subsidiarity it is the competence of the Member State (in this case the region of Flanders) to decide which projects in which sectors will be supported, in respect with EU state aid rules. Public authorities in other Member States have also chosen to support projects in the spa and wellness sector.

In the specific case mentioned by the Honourable Member, according to the information publicly available the aid is below the applicable individual notification threshold and is thus implemented under the responsibility of the Member States authorities in application of the GBER. In this respect, the aid will be subject to the transparency, monitoring and reporting requirements laid down in Articles 9 to 11 of the GBER.

Should the Commission receive any information that might demonstrate the existence of an infringement of the state aid rules, it would conduct the necessary investigations. Potential claimants may also take action before national courts which are competent for assessing any breach of the obligation to notify the aid and/or potential discrimination amongst eligible beneficiaries, and can, if necessary, impose interim measures to protect the rights of individuals.

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

(Dansk udgave)

Forespørgsel til skriftlig besvarelse P-001135/12
til Kommissionen
Søren Bo Søndergaard (GUE/NGL)
(3. februar 2012)

Om: Ulykke med krydstogtskibet Costa Concordia

I forlængelse af krydstogtskibet Costa Concordias forlis, vil jeg gerne bede Kommissionen svare på, om de regler, som er blevet vedtaget efter tidligere skibsulykker, ikke er implementeret godt nok, eller om ulykken viser, at der er behov for nye regler?

Svar afgivet på Kommissionens vegne af Siim Kallas
(17. februar 2012)

Hovedansvaret for implementeringen af EU-lovgivning inden for søfartssikkerhed ligger hos medlemsstaterne og håndhæves ved undersøgelser og inspektioner udført af de nationale kompetente myndigheder. Derudover fører Kommissionen med bistand fra Det Europæiske Agentur for Søfartssikkerhed (EMSA) nøje kontrol med, hvordan lovgivningen indarbejdes i den nationale lovgivning og implementeres i praksis. Indtil videre tyder intet på, at Costa Concordias forlis skyldes en brist i implementeringen af de pågældende sikkerhedsregler.

Kommissionen agter at tage ved lære af denne ulykke, men vil gerne pointere, at det først er muligt, når resultaterne fra den pågældende undersøgelse foreligger. I henhold til direktiv 2009/18/EF ([1]) vedrørende undersøgelser af ulykker i søtransportsektoren skal medlemsstaterne sikre, at der i sager som denne ud fra tidligere fastsatte metoder foretages en grundig undersøgelse af en uafhængig autoritet, som skal gøre alt for, at den endelige undersøgelsesrapport offentliggøres inden for et år.

Kommissionen har allerede bekendtgjort, at den vil foretage en grundig revision af EU's lovgivning om sikkerhed på passagerskibe, hvor den vil medregne de erfaringer, den har draget af ulykken og resultaterne af undersøgelsen, hvor det er formålstjeneligt.

([1]) EUT L 131 af 28.5.2009.

(English version)

Question for written answer P-001135/12
to the Commission
Søren Bo Søndergaard (GUE/NGL)
(3 February 2012)

Subject: Accident involving the cruise ship *Costa Concordia*

Following the foundering of the cruise ship *Costa Concordia*, I would like to ask the Commission whether, in its opinion, the regulations put in place after previous shipping accidents were not properly implemented or whether the accident indicates a need for new regulations?

Answer given by Mr Kallas on behalf of the Commission
(17 February 2012)

The implementation of EU maritime safety legislation is the prime responsibility of Member States and is enforced through surveys and inspections by national competent authorities. Furthermore, the Commission monitors closely the transposition of this legislation at national level, as well as its implementation in practice with the assistance of the European Maritime Safety Agency (EMSA). So far there is no evidence that the accident of the Costa Concordia is due to a shortcoming in the implementation of relevant safety rules.

The Commission intends to draw all lessons from this accident, but wishes to point out that this will only be possible in the light of the results of the relevant investigation. Under Directive 2009/18/EC ([1]) on the investigation of accidents in the martime transport sector, the Member States must ensure that in cases like this a thorough investigation, based on a previously established methodology, is carried out by an independent authority, which has to make every effort to make the report of the investigation available to the public within one year.

The Commission has already announced a comprehensive revision of the EU passenger ship safety legislation and the lessons learned from this event and investigation results will be taken into account as apropriate.

([1]) OJ L 131, 28.5.2009.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001136/12
προς την Επιτροπή
Georgios Papastamkos (PPE)
(8 Φεβρουαρίου 2012)

Θέμα: Εξαγωγές κομπόστας ροδακίνου στη Βραζιλία

Η Βραζιλία εδώ και χρόνια έχει εντάξει την κομπόστα ροδακίνου στην καλουμένη «Exceptional List» και, ως εκ τούτου, επιβάλλει εισαγωγικό δασμό 55 % στις κομπόστες που προέρχονται εκτός χωρών MERCOSUR. Βάσει πρόσφατης απόφασης, μάλιστα, παρατείνει την κατάσταση αυτή μέχρι το 2015. Σε κάθε περίπτωση, ακόμη κι αν ήθελε να αποσυρθεί από την ως άνω λίστα το προϊόν, οι δασμοί που θα επιβάλλονται θα παραμείνουν υψηλοί, ανερχόμενοι στο 34 %, ήτοι στην αξία CIF, που συνιστά πλέον το ενιαίο δασμολόγιο της MERCOSUR.

Η Βραζιλία θέτει φραγμούς στις ευρωπαϊκές εξαγωγές κομπόστας προς την αγορά της, ενώ η ίδια εξάγει ιδιαιτέρως μεγάλες ποσότητες αγροδιατροφικών προϊόντων προς την ΕΕ. Επιπροσθέτως, ασκεί έντονες πιέσεις στο πλαίσιο των διαπραγματεύσεων ΕΕ-MERCOSUR για περαιτέρω απελευθέρωση της αγοράς γεωργικών προϊόντων στην ΕΕ.

Πως αξιολογεί η Επιτροπή τη στάση της Βραζιλίας επί του εν λόγω ζητήματος και σε ποιες ενέργειες προτίθεται να προβεί στο πλαίσιο και των εν εξελίξει διαπραγματεύσεων ΕΕ-MERCOSUR;

Απάντηση του κ. Ciloş εξ ονόματος της Επιτροπής
(8 Μαρτίου 2012)

Η Επιτροπή γνωρίζει το ενδιαφέρον της βιομηχανίας κονσερβοποιημένων ροδάκινων για εξαγωγή στη Βραζιλία. Από το 2002 η Βραζιλία εφαρμόζει δασμό ύψους 55 % και η σχετική παράταση ισχύος έως το 2015 θα εξακολουθήσει να εμποδίζει τις εξαγωγές στην εν λόγω αγορά. Αυτό το ύψος του δασμού είναι σύμφωνο με τον παγιοποιημένο δασμολογικό συντελεστή της Βραζιλίας στο πλαίσιο του ΠΟΕ. Η Επιτροπή έχει επανειλημμένως θέσει το θέμα στη Βραζιλία και δεν παραλείπει να το θέτει και σε κάθε διμερή εμπορική συνάντηση.

Οι συζητήσεις σχετικά με προσφορές πρόσβασης στην αγορά δεν έχουν ξεκινήσει ακόμη στο πλαίσιο των διαπραγματεύσεων για συμφωνία σύνδεσης μεταξύ της Ευρωπαϊκής Ένωσης και της MERCOSUR. Μετά την ανταλλαγή προσφορών πρόσβασης στην αγορά και τη διεξαγωγή συζητήσεων, η Επιτροπή θα επιδιώξει περαιτέρω πρόσβαση στην αγορά για όλα τα ευρωπαϊκά επιθετικά συμφέροντα, συμπεριλαμβανομένου του κλάδου των κονσερβοποιημένων ροδάκινων.

(English version)

Question for written answer E-001136/12
to the Commission
Georgios Papastamkos (PPE)
(8 February 2012)

Subject: Exports of peach jam to Brazil

For years, Brazil has included peach jam on its 'Exceptional List' and, as you know, has placed a 55 % import duty on jams imported from non-Mercosur countries. Indeed, according to a recent decision, this situation has been extended until 2015. In any case, even if one wanted to remove the product from this list, the duties would still remain high, at 34 %, which is Mercosur's flat rate.

Brazil is placing barriers to European exports of jam to its market, while it exports significantly large amounts of foodstuffs to the EU. In addition, Brazil is exercising intense pressure in the EU-Mercosur negotiations for further liberalisation of the market in agricultural products in the EU.

How does the Commission view Brazil's position on the issue in question and what action does it intend to take in the EU-Mercosur negotiations in progress?

Answer given by Mr Cioloş on behalf of the Commission
(8 March 2012)

The Commission is aware of the interest of the canned peaches industry to export to Brazil. Brazil applies a 55 % tariff since 2002, and the extension of the duration to 2015 will continue to prevent exports to that market. This level of duty corresponds to Brazil's WTO bound duty rate. The Commission has raised the issue with Brazil in several occasions, including at every bilateral trade meeting.

In the framework of the negotiations of an Association Agreement between the European Union and MERCOSUR, discussions on market access offers have not yet started. Once the market access offers are exchanged and discussions take place, the Commission will seek further market access for all the European offensive interests, including canned peaches.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001137/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(8 Φεβρουαρίου 2012)

Θέμα: Αξιοποίηση Προγράμματος ISEC «Πρόληψη και καταπολέμηση του εγκλήματος»

Στην απάντηση της κας Malmström εξ ονόματος της Επιτροπής [E-011713/2011] σε προηγούμενη ερώτησή μας σχετικα με την αύξηση της εγκληματικότητας στην Ελλάδα, αναφέρεται ότι:

«το Πρόγραμμα ISEC "Πρόληψη και καταπολέμηση του εγκλήματος" (συνολικού ύψους 600 εκατ. ευρώ για την περίοδο 2007-2013) συμβάλλει στην αντιμετώπιση του εγκλήματος, όπως της τρομοκρατίας, της σωματεμπορίας, της κακομεταχείρισης παιδιών, του κυβερνοεγκλήματος, της παράνομης διακίνησης ναρκωτικών και όπλων, της διαφθοράς και της απάτης. Οι ενδιαφερόμενοι φορείς στην Ελλάδα, όπως και σε άλλα κράτη μέλη, μπορούν να ζητήσουν οικονομική στήριξη για δράσεις που αποβλέπουν στην αύξηση της επιχειρησιακής συνεργασίας, των ενεργειών παρακολούθησης και αξιολόγησης, της ανάπτυξης και μεταφοράς τεχνολογίας και μεθοδολογίας, της εκπαίδευσης και των ανταλλαγών προσωπικού, καθώς και των ενεργειών ευαισθητοποίησης και ευρύτερης πληροφόρησης».

Σε αυτό το πλαίσιο, ερωτάται η Επιτροπή:

1. Ποια κράτη μέλη έχουν αξιοποιήσει μέχρι σήμερα το πρόγραμμα ISEC; Ποιοί φορείς από τα κράτη μέλη έχουν δικαίωμα να συμμετάσχουν στο εν λόγω πρόγραμμα; Η Ελλάδα έχει ζητήσει οικονομική στήριξη; Αν ναι, για ποιές δράσεις;

2. Σε τι ύψος κυμαίνεται η οικονομική στήριξη που έχουν δεχθεί οι ενδιαφερόμενοι φορείς στα κράτη μέλη για τις δράσεις που αναφέρονται παραπάνω;

3. Υπάρχουν διαθέσιμα στοιχεία αναφορικά με την αποτελεσματικότητα του Προγράμματος ISEC στα κράτη μέλη που το αξιοποίησαν και κατά πόσο οι δράσεις και ενέργειες που εντάσσονται σε αυτό έχουν συμβάλει στη πρόληψη και καταπολέμηση του εγκλήματος;

Απάντηση της κας Malmström εξ ονόματος της Επιτροπής
(9 Μαρτίου 2012)

1. Το πρόγραμμα ISEC απευθύνεται σε οργανισμούς επιβολής του νόμου και σε άλλους οργανισμούς, φορείς καθώς και ιδρύματα του δημόσιου και ιδιωτικού τομέα, μεταξύ των οποίων τοπικές, περιφερειακές και εθνικές αρχές, κοινωνικοί εταίροι, πανεπιστήμια, στατιστικές υπηρεσίες, μη κυβερνητικές οργανώσεις, εταιρικές σχέσεις μεταξύ του δημόσιου και του ιδιωτικού τομέα και συναφείς διεθνείς οργανισμούς. Η πρόσβαση στο Πρόγραμμα είναι δυνατή για φορείς και οργανώσεις με νομική υπόσταση εγκατεστημένους στα κράτη μέλη. Φορείς και οργανώσεις κερδοσκοπικού χαρακτήρα έχουν πρόσβαση στις επιδοτήσεις μόνο εφόσον συνδέονται με μη κερδοσκοπικές ή κρατικές οργανώσεις.

Όλα τα κράτη μέλη έχουν κάνει χρήση της χρηματοδότησης του ISEC και έχουν συμμετάσχει σε έργα είτε ως συντονιστές έργων είτε ως εταίροι. Ελληνικές οργανώσεις έτυχαν χρηματοδοτικής στήριξης ως συντονιστές σε 3 έργα και ως εταίροι σε 4 έργα.

2. Όσον αφορά τη στήριξη σε δράσεις στο πλαίσιο γενικών και στοχοθετημένων προσκλήσεων για την υποβολή προτάσεων στο ISEC, το επίπεδο συγχρηματοδότησης από την ΕΕ ευρίσκεται επί του παρόντος στο 90 % κατ' ανώτατο όριο των συνολικών επιλέξιμων δαπανών του έργου (για την περίοδο 2007-2009 ήταν στο 70 % κατ' ανώτατο όριο και το 2010 στο 80 %). Για τη στήριξη σε δράσεις βάσει του πλαισίου εταιρικών σχέσεων, η συγχρηματοδότηση από την ΕΕ μπορεί να φθάσει το 99 % των συνολικών επιλέξιμων δαπανών του έργου. Πληροφορίες προς τους αιτούμενους σχετικά με προσκλήσεις για την υποβολή προτάσεων και κατάλογοι των επιδοτήσεων που έχουν χορηγηθεί ευρίσκονται στην ιστοσελίδα του ISEC στην ακόλουθη ηλεκτρονική διεύθυνση:
http://ec.europa.eu/home-affairs/funding/isec/funding_isec_en.htm

3. Μια ενδιάμεση αξιολόγηση του προγράμματος ISEC ολοκληρώθηκε το 2010 και ευρίσκεται στην ηλεκτρονική διεύθυνση
http://ec.europa.eu/home affairs/funding/docs/1_EN_autre_document_appui_part1_v1 %5b1 %5d.pdf

Η σχετική ανακοίνωση της Επιτροπής ευρίσκεται επίσης στην ηλεκτρονική διεύθυνση
http://ec.europa.eu/home-affairs/funding/docs/COM2011318final16062011.pdf

(English version)

Question for written answer E-001137/12
to the Commission
Konstantinos Poupakis (PPE)
(8 February 2012)

Subject: Use of the ISECPrevention of and Fight Against Crime Programme

In Ms Malmström's reply on behalf of the Commission [E-011713/2011] to my previous question on the rise in crime in Greece, she stated that:

'the ISECProgramme "Prevention of and fight against crime" (worth EUR 600 million for the period 2007-13) contributes to tackling crime including terrorism, trafficking in persons, child abuse, cybercrime, illicit drug and arms trafficking, corruption and fraud. Stakeholders in Greece, like those in other Member States, can apply for financial support for actions that aim at increasing operational cooperation, monitoring and evaluation activities, the development and transfer of technology and methodology, training and exchanges of staff, as well as awareness-raising and dissemination activities.'

With regard to this, I would like to ask the Commission:

1. Which Member States have made use of the ISERC Programme so far? Which bodies in the Member States are entitles to participate in the Programme? Has Greece requested financial support? If yes, for which measures?

2. What level of financial support has been accepted by the relevant bodies in the Member States for the measures referred to above?

3. Are there available data on the effectiveness of the ISECProgramme in the Member States where it has been used and to what extent have the measures and actions included in the Programme contributed to the prevention and fight against crime?

Answer given by Ms Malmström on behalf of the Commission
(9 March 2012)

1. The ISECprogramme is destined for law enforcement agencies and other public and private bodies, actors and institutions, including local, regional and national authorities, social partners, universities, statistical offices, non-governmental organisations, public-private partnerships and relevant international bodies. Access to the Programme is open to bodies and organisations with legal personality established in the Member States. Bodies and organisations which are profit oriented have access to grants only in conjunction with non-profit oriented or state organisations.

All Member States have made use of ISECfunding and participated in projects either as project coordinators or as partners. Greek organisations have been granted financial support as coordinator in 3 projects, and as partners in 4 projects.

2. For action grants under the ISECgeneral and targeted calls for proposals, the level of EU-co-financing is currently set at maximum 90 % of the project's total eligible costs (it was at maximum 70 % in 2007-2009 and 80 % in 2010). For action grants based on Framework Partnerships, EU-co-financing may reach 95 % of the project's total eligible costs. Information to applicants regarding Calls for Proposals and lists of awarded grants is available on the ISECwebpage:
http://ec.europa.eu/home-affairs/funding/isec/funding_isec_en.htm

3. A mid-term evaluation of the ISECprogramme was finalised in 2010 and is available at:
http://ec.europa.eu/home affairs/funding/docs/1_EN_autre_document_appui_part1_v1 %5b1 %5d.pdf

The subsequent Commission communication is also available at:
http://ec.europa.eu/home-affairs/funding/docs/COM 2011318final16062011.pdf

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-001138/12
aan de Commissie
Barry Madlener (NI)
(8 februari 2012)

Betreft: Nederlandse vrouw aangerand op Tahirplein

1. Is de Commissie bekend met het bericht ([1]) „Nederlandse aangerand op Tahirplein"?

2. Kan de Commissie aangeven of het inderdaad een Nederlandse vrouw betreft en kan de Commissie aangeven hoe het nu met deze vrouw gaat?

3. Kan de Commissie aangeven hoeveel vrouwen ([2]) er al zijn aangerand sinds de „Arabische Lente" in Egypte? Zo neen, waarom niet?

4. Kan de Commissie daarbij ook aangeven hoeveel andere incidenten er al hebben plaatsgevonden ten opzichte van niet-moslims, homo's, andersdenkenden, Kopten, enz. sinds de „Arabische Lente" in Egypte? Zo neen, waarom niet?

5. Is de Commissie het met de PVV eens dat de situatie van eerdergenoemde sinds de verkiezingswinst ([3]) van zowel het moslimbroederschap als de strengislamitische al-Nour-partij alleen maar zal verslechteren? Zo neen, waarom niet?

6. Is de Commissie bereid om onmiddellijk te stoppen met het geven van welke vorm van financiële steun dan ook aan Egypte? Zo neen, waarom niet?

7. Is de Commissie bereid om niet meer te spreken van een „Arabische Lente", maar eerder van een „Arabische Winter"? Zo neen, waarom niet?

Antwoord van hoge vertegenwoordiger/vicevoorzitter Ashton namens de Commissie
(12 april 2012)

De Commissie is zich goed bewust van de situatie van vrouwen in Egypte dankzij de EU-delegatie in Caïro, die regelmatig contact heeft met lokale maatschappelijke organisaties en meldingen van geweld tegen vrouwen van nabij volgt. De Commissie kan de nationaliteit van de vrouw die brutaal werd aangerand niet bevestigen.

De Commissie veroordeelt streng alle vormen van geweld tegen vrouwen en andere kwetsbare groepen en stelt deze kwestie regelmatig aan de orde in haar contacten met de Egyptische autoriteiten. De Commissie verwacht dat het nieuwe Egyptische leiderschap de verplichtingen op het gebied van de mensenrechten die voortvloeien uit de associatieovereenkomst tussen de EU en Egypte in acht zal nemen. Het bevorderen van de gelijkheid van vrouwen en mannen is al geruime tijd een prioriteit van het optreden van de EU in Egypte. De Commissie wil, ter bevordering van de gelijkheid van mannen en vrouwen in Egypte, de inspanningen van de Egyptische autoriteiten ten voordele van de rechten van vrouwen ondersteunen door gendergelijkheid in het kader van haar politieke dialoog met Egypte te mainstreamen en door proactief steun te verlenen aan initiatieven van maatschappelijke organisaties die de rechten van vrouwen bevorderen. In deze zin heeft de EU in 2010 een lokale strategie voor de bestrijding van geweld tegen vrouwen goedgekeurd.

([1]) http://www.telegraaf.nl/binnenland/11392874/___NL_se_aangerand_in_Cairo___.html
([2]) http://thedailynewsegypt.com/human-a-civil-rights/reports-of-sexual-harassment-incidents-mar-jan-25-anniversary.html#.
([3]) http://www.nu.nl/buitenland/2723080/zorgen-positie-vrouwen-in-politiek-egypte.html

(English version)

Question for written answer E-001138/12
to the Commission
Barry Madlener (NI)
(8 February 2012)

Subject: Dutch woman assaulted on Tahrir Square

1. Is the Commission familiar with the report ([1]) 'Dutch woman assaulted on Tahrir Square'?

2. Can the Commission indicate whether this does indeed concern a Dutch woman and how she is doing now?

3. Can the Commission indicate how many women ([2]) have already been assaulted since Egypt's 'Arab Spring'? If not, why not?

4. Can the Commission also indicate how many other incidents have already taken place since Egypt's 'Arab Spring' involving non-Muslims, homosexuals, dissidents, Copts, etc.? If not, why not?

5. Does the Commission agree with the PVV that the position of the aforementioned groups since the election victory ([3]) of both the Muslim Brotherhood and the ultraconservative Islamist al-Nour party will only get worse? If not, why not?

6. Is the Commission prepared to immediately stop providing any form of financial support to Egypt? If not, why not?

7. Is the Commission prepared to no longer speak of an 'Arab Spring' but rather of an 'Arab Winter'? If not, why not?

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

The Commission is well aware of the situation of women in Egypt through the EU Delegation in Cairo which keeps regular contact with local Civil Society Organisations and closely monitors reported cases of violence against women. The Commission cannot confirm the nationality of the woman who was savagely assaulted.

The Commission strongly condemns all forms of violence against women and other vulnerable groups and raises the issue regularly with the Egyptian authorities. The Commission expects that the new Egyptian leadership will respect the human rights commitments undertaken under the Association Agreement concluded with Egypt. Promoting gender equality has been a longstanding priority of the EU's action in Egypt. The Commission seeks to promote gender equality in Egypt by supporting Egyptian authorities' efforts to promote women's rights, by mainstreaming gender equality in its political dialogue with the Egyptian authorities and by proactively supporting civil society initiatives that promote women's rights. Thus, the EU approved a local strategy in 2010 for combating violence against women.

([1]) http://www.telegraaf.nl/binnenland/11392874/___NL_se_aangerand_in_Cairo___.html
([2]) http://thedailynewsegypt.com/human-a-civil-rights/reports-of-sexual-harassment-incidents-mar-jan-25-anniversary.html#.
([3]) http://www.nu.nl/buitenland/2723080/zorgen-positie-vrouwen-in-politiek-egypte.html

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-001139/12
à Comissão
Marisa Matias (GUE/NGL)
(8 de fevereiro de 2012)

Assunto: Parque da Sustentabilidade de Aveiro — ponte pedonal na Ria

O Parque da Sustentabilidade de Aveiro é um projeto urbanístico com financiamento da União Europeia. O projeto inclui a construção de uma ponte pedonal no Canal Central da Ria de Aveiro, entre o Rossio e o Bairro do Alboi. A ponte custará 560 mil euros, 70 % dos quais provenientes do FEDER. Várias das obras têm sido alvo de grande contestação popular, o que levou recentemente à alteração do inicialmente previsto para o Jardim do Bairro do Alboi.

A construção da referida ponte é uma obra extemporânea que tem reunido uma grande oposição, que reúne cidadãos, técnicos e o Núcleo de Arquitetos da região. O projeto do Parque não está disponível publicamente. Quer a Câmara Municipal de Aveiro quer a entidade responsável pela gestão do financiamento comunitário (Programa Mais Centro) não têm respondido às questões levantadas por vários cidadãos. A Câmara Municipal de Aveiro tem em curso outro projeto urbanístico — referente à Avenida Lourenço Peixinho — que prevê a construção da ponte pedonal noutro local, sendo a sua integração nos instrumentos de ordenamento do território em vigor questionada. A localização da ponte e a sua grande volumetria em betão corta o espelho de água e modifica aquela que é uma das mais características paisagens da cidade.

1. Caso decidam alterar a localização e/ou o projeto da ponte, podem os órgãos autárquicos competentes continuar a contar com o financiamento comunitário para o projeto?

2. Caso os órgãos autárquicos competentes decidam anular a construção da ponte (como, de igual forma, já decidiram anular a construção da estrada que atravessaria o jardim do Bairro do Alboi), essa decisão coloca em causa o financiamento comunitário do Parque da Sustentabilidade?

3. Que critérios levaram a União Europeia a financiar, no âmbito da temática da sustentabilidade, esta ponte com um enorme impacto visual e paisagístico sobre o centro de Aveiro?

4. Considera a Comissão razoável a prioridade e o valor de 560 mil euros para a construção de uma ponte pedonal por uma autarquia altamente endividada e cujo município apresenta graves deficiências a nível da mobilidade e do urbanismo?

Resposta dada por Johannes Hahn em nome da Comissão
(8 de março de 2012)

Como é do conhecimento do Senhor Deputado, a gestão partilhada aplica-se à execução da política de coesão. Neste contexto, a seleção dos projetos é da responsabilidade das autoridades nacionais competentes para a gestão dos programas, devendo a aprovação dos projetos estar conforme com as regulamentações nacionais e com os critérios de seleção estabelecidos. Para mais informações sobre o projeto em questão, a Comissão sugere que o Senhor Deputado contacte diretamente a autoridade de gestão responsável pelo programa do Centro para 2007/2013:

Autoridade de gestão: Mais Centro — Programa Operacional Regional do Centro
Rua Bernardim Ribeiro, 80
3000-069 Coimbra
Tel: +351 239 863 505
Fax: +351 239 863 510
E-mail: maiscentro@ccdrc.pt
Website: http://www.maiscentro.qren.pt

(English version)

Question for written answer E-001139/12
to the Commission
Marisa Matias (GUE/NGL)
(8 February 2012)

Subject: Aveiro Sustainability Park — Ria pedestrian bridge

The Aveiro Sustainability Park is a town-planning project with European Union funding. The project includes the construction of a pedestrian bridge over the central channel of the Aveiro estuary between Rossio and the area of Alboi. The bridge will cost EUR 560 000, 70 % of which will be supplied by the ERDF. Several of the sites have been the subject of major public opposition, resulting in changes to what was initially planned for the Alboi public park.

The construction of the aforementioned bridge is a poorly timed project that has attracted major opposition, uniting private individuals, professionals and the region's association of architects. The plans for the park are not available to the public. Neither the Municipality of Aveiro nor the entity responsible for managing the Union funding (the Mais Centro programme) has replied to questions raised by several members of the public. The Municipality of Aveiro has another town-planning project underway — relating to Lourenço Peixinho Avenue — under which the pedestrian bridge would be built at another location, and its inclusion in the area's spatial planning instruments is being questioned. In view of its location and large concrete structure, the bridge would obstruct the water mirror and alter what is one of the town's most characteristic landscapes.

1. In the event that they decide to alter the location and/or design of the bridge, can the competent local authorities continue to rely on Union funding for the project?

2. In the event that the competent local authorities decide to cancel construction of the bridge (just as they have already decided to cancel the construction of the road that would have crossed the Alboi public park), would this decision jeopardise funding for the Aveiro Sustainability Park?

3. In view of sustainability policy, what criteria led the European Union to fund this bridge, which will have a huge visual impact and change the urban landscape at the centre of Aveiro?

4. Does the Commission consider it reasonable that a heavily indebted local authority whose municipality has severe mobility and town-planning shortcomings is prioritising the construction of a pedestrian bridge at a cost of EUR 560 000?

Answer given by Mr Hahn on behalf of the Commission
(8 March 2012)

As the Honourable Member is aware, the shared management applies to the implementation of cohesion policy. In this context the selection of projects is the responsibility of the competent national authorities managing the programmes and the approval of projects has to be in compliance with national regulations and the established selection criteria. For further information concerning the project in question, the Commission suggests that the Honourable Member contact directly the managing authority in charge of the programme of Centro 2007-2013:

Managing authority: MAIS CENTRO — Programa Operacional Regional do Centro
Rua Bernardim Ribeiro, 80
3000-069 Coimbra
Tel: +351 239 863 505
Fax: +351 239 863 510
E-mail: maiscentro@ccdrc.pt
Website: http://www.maiscentro.qren.pt

(Versión española)

Pregunta con solicitud de respuesta escrita E-001140/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(8 de febrero de 2012)

Asunto: CIE de la Zona Franca de Barcelona

En relación con la información aparecida en los medios de comunicación de que el Ministerio de Interior de España ha contratado un avión privado para deportar a testigos de la muerte de un joven guineano en el Centro de Internamiento de Extranjeros (CIE) de la Zona Franca de Barcelona, recordamos que los CIE se rigen por la Directiva 2008/115/CE relativa al retorno de los nacionales de terceros países en situación irregular.

Considerando que la Comisión Europea tiene el deber de garantizar que los Estados miembros hagan cumplir los derechos humanos de todas las personas en territorio europeo, independientemente de su situación legal,

1. ¿Obliga la Directiva sobre el retorno a que los CIE cuenten con un servicio de asistencia sanitaria las 24 horas del día? ¿Cuántos CIE en Europa disponen efectivamente de este servicio?

2. ¿Obliga la Directiva sobre el retorno a que los CIE dispongan de un servio de traducción permanente? ¿Cuántos CIE en Europa disponen de un servicio de traducción permanente tanto para cuestiones jurídicas, como sociales o sanitarias?

3. El uso de teléfono móvil es admitido en el CIE en Bélgica, ¿por qué motivos los internos no pueden disponer de su teléfono móvil en otros Estados miembros?

4. ¿Existe alguna previsión de la Comisión para iniciar una regulación garantista de los derechos humanos en los CIE de la UE?

5. ¿Conoce la Comisión la existencia de celdas de castigo? Atendiendo a la naturaleza no penal de los CIE, ¿cómo valora la Comisión la existencia de estas celdas de castigo?

6. Considerando que estar en situación irregular es una falta administrativa, ¿por qué se usan esposas tanto en el interior del centro como en los traslados de las personas en los CIE? ¿No constituye esto una violación de la libertad de la persona?

7. ¿Sabe la Comisión cuántas denuncias por malos tratos se han presentado contra el CIE de la Zona Franca de Barcelona desde su entrada en funcionamiento en el año 2006?, ¿cuántos expedientes, informativos y/o disciplinarios, se han abierto para comprobar la veracidad de estas acusaciones?

Respuesta de la Sra. Malmström en nombre de la Comisión
(6 de marzo de 2012)

Los artículos 16 y 17 de la Directiva 2008/115/CE sobre el retorno incluyen importantes salvaguardias relativas a las condiciones de internamiento de los retornados en los Estados miembros, que incluyen la obligación de:

— mantener a los retenidos en instalaciones de internamiento especializadas y siempre separados de los presos comunes;

— proporcionar atención sanitaria de urgencia y tratamiento básico de enfermedades;

— prestar especial atención a la situación de las personas vulnerables;

— facilitar alojamiento separado a las familias;

— facilitar a los menores alojamiento en instituciones adecuadas;

— dar a los menores acceso a la educación, en función de la duración de su estancia;

— permitir las visitas de las ONG pertinentes.

La Directiva no regula aspectos concretos como el uso de teléfonos móviles, disponibilidad de servicios de traducción, medidas disciplinarias y de confinamiento autorizadas dentro de las instalaciones de internamiento. Estas cuestiones pueden ser reguladas por los Estados miembros con arreglo a la legislación nacional, teniendo en cuenta el principio general señalado en el considerando 16 de la Directiva en virtud del cual los internados deben recibir siempre un trato humano y digno, respetando sus derechos fundamentales.

En este momento, la Comisión no dispone de información suficiente para responder a las preguntas planteadas en los puntos 1, 2, 3, 5 y 7. Actualmente se está llevando a cabo un estudio a escala de la UE para determinar las posibles anomalías relacionadas con la transposición de la Directiva y en 2013 se llevará a cabo un estudio sobre su aplicación práctica. El estudio sobre la transposición incluirá datos sobre las normas con que los Estados miembros regulan el internamiento, y el estudio sobre la aplicación práctica contendrá información sobre las condiciones reales de internamiento en los Estados miembros.

(English version)

Question for written answer E-001140/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(8 February 2012)

Subject: Detention centre for foreigners in Zona Franca, Barcelona

Following media reports that the Spanish Ministry of the Interior has hired a private airplane to deport witnesses to the death of a young Guinean man at the detention centre for foreigners (CIE — centro de internamento de extranjeros) in Barcelona's Zona Franca industrial area, it is worth recalling that such centres are governed by Directive 2008/115/CE on returning illegally-staying third-country nationals.

In view of the fact that the Commission has a duty to ensure that Member States uphold the human rights of all persons in European territory, regardless of their legal status:

1. Does the Return Directive require detention centres for foreigners to provide 24-hour healthcare services? How many detention centres in Europe in fact provide such services?

2. Does the Return Directive require detention centres to provide a permanently available translation service? How many European detention centres provide a permanently available translation service for legal, social and medical issues?

3. Mobile telephone use is allowed at the detention centre in Belgium; why are detainees not able to use their mobile telephones in other Member States?

4. Does the Commission plan to introduce a regulation to guarantee respect for human rights in EU detention facilities?

5. Is the Commission aware of the existence of punishment cells? Given the non-penal nature of detention centres, how does the Commission view the existence of these punishment cells?

6. Considering that illegally staying is an administrative offence, why are handcuffs used inside detention centres and during the transfer of detainees? Does this not constitute a violation of individual freedom?

7. Does the Commission know how many complaints of mistreatment have been filed against the detention centre in Barcelona's Zona Franca since it began operation in 2006? How many informational and/or disciplinary case files have been opened to determine the veracity of these accusations?

Answer given by Ms Malmström on behalf of the Commission
(6 March 2012)

Articles 16 and 17 of the Return Directive 2008/115/EC contain important safeguards relating to detention conditions for returnees in Member States, including the obligations:

— to keep detainees in specialised detention facilities and always separated from ordinary prisoners;

— to provide for emergency healthcare and essential treatment of illness;

— to pay special attention to the situation of vulnerable persons;

— to provide families with separate accommodation;

— to provide minors with accommodation in appropriate institutions;

— to give minors — depending on the length of their stay — access to education;

— to allow visits of relevant NGOs;

The directive does not regulate detailed issues such as use of mobile telephones, availability of translation services, disciplinary measures and authorised restraints within detention facilities. These issues may be regulated by Member States under national law, taking into account the general principle highlighted in Recital 16 of the directive that detainees should always be treated in a human and dignified manner with respect for their fundamental rights.

At this moment the Commission does not have sufficient information to answer the detailed questions raised under points 1, 2, 3, 5 and 7. An EU-wide study on identifying possible shortcomings related to the transposition of the directive is currently being carried out and a study relating to its practical application will be conducted in 2013. The transposition study will contain information on rules in Member States governing detention and the practical application study will contain information on the actual state of detention conditions in Member States.

(Versión española)

Pregunta con solicitud de respuesta escrita E-001141/12
al Consejo
Raül Romeva i Rueda (Verts/ALE)
(8 de febrero de 2012)

Asunto: Proceso del «Semestre europeo»

La pobreza no es solo absoluta, sino también relativa con respecto al coste de la vida. En España el número de hogares cuyos miembros están todos desempleados es de 1,5 millones y, por tanto, el número de hogares con un único ingreso, mucho mayor. Recordemos que la Estrategia UE 2020 tiene por bandera, entre otras, el crecimiento inclusivo, al que contribuye la Plataforma Europea contra la Pobreza y la Exclusión Social en la que los Estados miembros deben hacer esfuerzos significativos para cumplir con dicha Estrategia.

El Consejo Europeo aprobó el Pacto por el Euro Plus, donde se busca la coordinación de políticas económicas para salir de la crisis. El Real Decreto 1888/2011, de 30 de diciembre, por el que se impone la congelación del salario mínimo interprofesional, reducirá la capacidad de compra de muchas familias, hecho negativo para la demanda agregada del país y que, por tanto, puede profundizar aún más la recesión.

Además, al ser quien refrenda las recomendaciones sobre el Semestre europeo, el Consejo tiene, por tanto, una gran responsabilidad en las consecuencias de las políticas económicas que bajo la bandera de la disciplina presupuestaria están llevando a la marginalidad a millones de personas en Europa.

1. ¿Cree el Consejo que la congelación del salario mínimo interprofesional en el Estado español, aprobada por el Real Decreto 1888/2011, de 30 de diciembre, por el que se fija el salario mínimo interprofesional para 2012, sigue las recomendaciones del Semestre europeo?

2. ¿Era el objetivo de las recomendaciones del Semestre europeo reducir la capacidad adquisitiva de las familias españolas y situarlas en riesgo de exclusión social?

3. ¿No cree contradictoria esta medida con los objetivos de reducción de la pobreza y de inclusión social de la UE?

Respuesta
(26 de marzo de 2012)

No corresponde al Consejo comentar las medidas adoptadas por los Estados miembros en relación con el salario mínimo nacional. El Consejo recuerda que el artículo 153, apartado 3, del TFUE excluye expresamente del ámbito de competencia de la UE las remuneraciones.

En la Recomendación del Consejo, de 12 de julio de 2011, relativa al Programa Nacional de Reforma de 2011 de España y por la que se emite un dictamen del Consejo sobre el Programa de Estabilidad actualizado de España (2011-2014) ([1]), que fue adoptada en el marco del Semestre Europeo, el Consejo recomendó que España tomase medidas en el periodo 2011-2012 a fin de:

«Previa consulta a los interlocutores sociales y de conformidad con la práctica nacional, completar la adopción y aplicación de una reforma global del proceso de negociación colectiva y del sistema de indización salarial para garantizar que las subidas salariales reflejen mejor la evolución de la productividad y las condiciones imperantes a nivel local y a nivel de empresa y proporcionar a las empresas la flexibilidad suficiente para adaptar internamente las condiciones laborales a los cambios en el entorno económico.» ([2])

Como sin duda sabe Su Señoría, el objetivo del Semestre Europeo es promover una coordinación integrada *ex ante* de las políticas económicas en el marco de la Estrategia Europa 2020 ([3]). Las recomendaciones específicas por países son parte del proceso destinado a situar de nuevo a la UE en la vía del crecimiento sostenible y a aumentar el empleo, sobre la base de unas finanzas públicas saneadas. Este es el requisito previo y necesario para que la UE y sus Estados miembros puedan cumplir sus objetivos en materia de reducción de la pobreza y de integración social ([4]).

([1]) DO C 212 de 19.7.2011, p. 1.
([2]) Ídem, apartado 5.
([3]) COM(2010) 2020 final.
([4]) EUCO 7/10.

(English version)

Question for written answer E-001141/12
to the Council
Raül Romeva i Rueda (Verts/ALE)
(8 February 2012)

Subject: European Semester process

Poverty is not just absolute; it is also relative to the cost of living. In Spain, the number of households where all members are unemployed is 1.5 million and the number of households with a single income is therefore much higher. It should be remembered that one of the flagship initiatives of the EU 2020 strategy is inclusive growth and that the European Platform against Poverty and Social Exclusion, through which Member States are required to make significant efforts to implement the strategy, contributes to such growth.

The European Council approved the Euro Plus Pact, which seeks to coordinate economic policies in order to resolve the crisis. The Spanish government's Royal Decree 1888/2011, of 30 December 2011, which freezes the national minimum wage, will reduce many families' purchasing power. This fact weighs negatively on the country's aggregate demand and thus could deepen the recession even further.

Furthermore, as the body responsible for approving the European Semester recommendations, the Council bears considerable responsibility for the consequences of the economic policies which are marginalising millions of people in Europe in the name of budgetary discipline.

1. Does the Council believe that Spain's freezing of its national minimum wage by Royal Decree 1888/2011, of 30 December, which sets the national minimum wage for 2012, follows the recommendations of the European Semester?

2. Was it the aim of the European Semester recommendations to reduce the purchasing power of Spanish families and place them at risk of social exclusion?

3. Does the Council not believe that this measure contradicts the targets of reducing poverty and increasing social inclusion in the EU?

Reply
(26 March 2012)

The Council is not in a position to comment on the measures taken by a Member State with regard to its national minimum wage. The Council recalls that Article 153(5) TFEU explicitly excludes pay from the EU field of competence.

In the Council Recommendation of 12 July 2011 on the National Reform Programme 2011 of Spain and delivering a Council opinion on the updated Stability Programme of Spain, 2011-2014 ([1]), adopted in the framework of the European Semester, the Council recommended that Spain take action within the period 2011-2012 to:

'Following consultation with social partners and in accordance with national practice, complete the adoption and proceed with the implementation of a comprehensive reform of the collective bargaining process and the wage indexation system to ensure that wage growth better reflects productivity developments as well as local- and firm-level conditions and to grant firms enough flexibility to internally adapt working conditions to changes in the economic environment.' ([2])

As the Honourable Member is certainly aware, the aim of the European Semester is to promote an *ex-ante* and integrated policy coordination which is anchored in the Europe 2020 Strategy ([3]). The country-specific recommendations are part of that process of putting the EU back on the path of sustainable growth and rising employment, based on sound public finances. This is the necessary pre-requisite for the EU and its Member States to be able to meet their poverty reduction/social inclusion targets ([4]).

([1]) OJ C 212, 19.7.2011, p. 1.
([2]) Idem, paragraph 5.
([3]) COM(2010) 2020 final.
([4]) EUCO 7/10.

(Versión española)

Pregunta con solicitud de respuesta escrita E-001142/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(8 de febrero de 2012)

Asunto: Proceso del Semestre europeo

La pobreza no es solo absoluta, sino también relativa con respecto al coste de la vida. En España el número de hogares cuyos miembros están todos desempleados es de 1,5 millones ([1]) y, por tanto, el número de hogares con un único ingreso, mucho mayor. Recordemos que la Estrategia EU 2020 tiene por bandera, entre otras, el crecimiento inclusivo, al que contribuye la Plataforma Europea contra la Pobreza y la Exclusión Social.

La Comisión Europea es la guardiana de los Tratados, así como de los objetivos y estrategias intergubernamentales, y es ella la que aplica las recomendaciones de cada Estado miembro en el proceso del Semestre Europeo.

Conociendo el Real Decreto 1888/2011 del Estado Español, de 30 de diciembre de 2011, por el que se impone la congelación del salario mínimo interprofesional, con lo que se reduce la capacidad adquisitiva de muchas familias,

1. ¿Cree la Comisión que la congelación del salario mínimo interprofesional en el Estado español aprobada en el Real Decreto 1888/2011, de 30 de diciembre, por el que se fija el salario mínimo interprofesional para 2012 sigue las recomendaciones del Semestre europeo?

2. ¿Era el objetivo de las recomendaciones del Semestre Europeo reducir la capacidad adquisitiva de las familias españolas y situarlas en riesgo de exclusión social?

3. ¿No cree contradictoria esta medida con los objetivos de reducción de la pobreza y de inclusión social de la UE?

Respuesta del Sr. Andor en nombre de la Comisión
(14 de marzo de 2012)

La Recomendación del Consejo, de 12 de julio de 2011 ([2]), y, en particular, su recomendación n° 5, invita a España, previa consulta a los interlocutores sociales y de conformidad con la práctica nacional, a reformar su proceso de negociación colectiva, alinear el sistema de indización salarial con la productividad y proporcionar a las empresas la flexibilidad suficiente para adaptar internamente las condiciones laborales a los cambios en el entorno económico. La recomendación no tiene por objeto reducir la capacidad adquisitiva de las familias españolas y situarlas en riesgo de exclusión social, sino que persigue lo contrario, es decir, que la fijación del salario apoye el empleo y los ingresos que este proporciona. La Comisión comparte con los Estados miembros la preocupación por proteger a los ciudadanos europeos cubriendo sus necesidades básicas. En este sentido, coordina a los Estados miembros y les insta a combatir la pobreza y la exclusión social, y a reformar sus sistemas de protección social aprendiendo unos de otros e identificando las medidas que funcionan mejor (en los ámbitos de la pobreza y la exclusión social, las pensiones, la salud y los cuidados de larga duración).

Además, la Comisión considera que el fomento de la inclusión social, en particular mediante la reducción de la pobreza, es una prioridad máxima en línea con el objetivo de la estrategia Europa 2020 de reducir la pobreza y la exclusión social en al menos veinte millones de personas en 2020. El Gobierno español ha traducido este objetivo en un compromiso de reducir entre 1,4 y 1,5 millones el número de personas en situación o riesgo de pobreza y exclusión social en España.

La fijación del salario mínimo es competencia exclusiva de los ordenamientos jurídicos nacionales, sin perjuicio de las obligaciones internacionales pertinentes del Estado miembro en cuestión.

([1]) http://www.elpais.com/articulo/economia/hogares/todos/miembros/paro/marcan/record/elpepueco/20111028elpepueco_5/Tes.
([2]) Relativa al Programa Nacional de Reforma de 2011 de España y por la que se emite un dictamen del Consejo sobre el Programa de Estabilidad actualizado de España (2011-2014), DO C 212 de 19.7.2011.

(English version)

Question for written answer E-001142/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(8 February 2012)

Subject: European Semester process

Poverty is not just absolute; it is also relative to the cost of living. In Spain, there are 1.5 million ([1]) households in which all members are unemployed and, many more single-income households. One of the flagship initiatives of the EU 2020 strategy is inclusive growth, a goal to which the European Platform against Poverty and Social Exclusion contributes.

The Commission is the guardian of the Treaties, as well as of the intergovernmental targets and strategies, and it is the body that implements each Member State's recommendations in the European Semester process.

In view of the Spanish Government's Royal Decree 1888/2011 of 30 December 2011, which imposes a freeze on the national minimum wage, thus reducing many families' purchasing power,

1. Does the Commission believe the freeze on the national minimum wage in Spain, approved by Royal Decree 1888/2011 of 30 December which sets the national minimum wage for 2012, to be in line with the European Semester recommendations?

2. Was the objective of the European Semester recommendations to reduce the purchasing power of Spanish families and place them at risk of social exclusion?

3. Does the Commission not believe that this measure is contrary to the targets of reducing poverty and increasing social inclusion in the EU?

Answer given by Mr Andor on behalf of the Commission
(14 March 2012)

The Council Recommendation of 12 July 2011 ([2]), and in particular Recommendation No 5 thereof, invite Spain, after consulting the social partners and in accordance with national practice, to reform its collective bargaining process, align the wage indexation system on productivity and grant firms enough flexibility to adapt working conditions internally to changes in the economic environment. The purpose of the recommendation is not to reduce the purchasing power of Spanish families and place them at risk of social exclusion — the opposite is intended, i.e. that the wage setting is supportive of employment and of the income that it yields. The Commission shares with the Member States the concern of protecting EU citizens by having their basic needs covered. In that sense, it coordinates and encourages national governments to combat poverty and social exclusion; reform their social welfare systems by learning from each other and identifying what policies work best (in the fields of poverty and social exclusion, pensions, health and long-term care).

Furthermore, the Commission believes that promoting social inclusion, in particular by reducing poverty, is a top priority, in line with the Europe 2020 target for reducing poverty and social exclusion by at least 20 million by 2020. The Spanish Government has translated that target into a commitment to reduce the number of people suffering from or at risk of poverty and social exclusion in Spain by 1.4-1.5 million.

Determining the minimum wage falls exclusively within the remit of national law with due regard for the relevant international obligations of the Member State concerned.

([1]) http://www.elpais.com/articulo/economia/hogares/todos/miembros/paro/marcan/record/elpepueco/20111028elpepueco_5/Tes.
([2]) On the National Reform Programme 2011 of Spain and the Council opinion on the updated Stability Programme of Spain, 2011-2014, OJ C 212, 19.7.2011.

(Versión española)

Pregunta con solicitud de respuesta escrita E-001144/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(31 de enero de 2012)

Asunto: Hate speech hacia los transexuales en España

La diputada autonómica Carla Delgado ([1]) denunció ante la Cámara regional que en un blog de una publicación religiosa digital de Madrid se habían publicado los nombres de 22 personas transexuales operadas en el hospital madrileño La Paz.

En el listado se especifican los nombres junto con el tipo de intervención (penectomía, aumento de mamas, vaginoplastia, etcétera) y el proceso (de varón a mujer, por ejemplo). El autor del blog, Manuel Morillo, afirma que se trata de «pacientes y casos reales». El autor dice no violar la privacidad de los pacientes al poner nombres «ficticios», pero algunas personas afectadas ya denunciaron que se sentían identificadas. Además, critica que las operaciones se paguen con dinero público y que «todos ellos/as (los transexuales) [estén] ingresados en habitaciones individuales» (y, en caso de no haber una habitación individual libre en ese momento, en una de dos camas y bloqueando la contigua para «preservar su intimidad», mientras que otros pacientes están ingresados en habitaciones compartidas de cuatro camas, uno defecando, dos cenando y otro muriéndose, sin «preservar su intimidad», o «directamente en los pasillos»).

Las declaraciones del Dr. Manuel Morillo son discursos definidos por la Agencia de Derechos Fundamentales de la UE como *hate speech* ([2]), que atentan contra los derechos de igualdad y no discriminación reconocidos en la Carta de los Derechos Fundamentales de la Unión Europea.

Considerando también la Recomendación CM/Rec(2010)5 del Comité de Ministros de los Estados miembros del Consejo de Europa sobre medidas para combatir la discriminación basada en la orientación sexual y la identidad de género, donde se pide a los Estados miembros que adopten medidas efectivas contra todo tipo de discriminación y particularmente contra el *hate speech*,

1. ¿Qué opina la Comisión de la declaración de Manuel Morillo?

2. ¿Qué hará la Comisión para garantizar que en el futuro estos actos no se vuelvan a repetir y se dejen de violar los derechos fundamentales de las personas LGBT?

Pregunta con solicitud de respuesta escrita E-001145/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(31 de enero de 2012)

Asunto: El arzobispo de Tarragona y los derechos de los LGBT

El arzobispo de Tarragona, Sr. Jaume Pujol Balcells, dice que los gays no son adecuados para la sociedad según publicó un artículo de *El País* ([3]). El representante de la Iglesia afirmó que es ésta la que tiene que decir qué está bien y qué está mal y que los homosexuales no son adecuados para la sociedad. Asimismo denunció que con sus impuestos se paguen abortos.

En estos momentos estamos viviendo un deterioro de las libertades personales y civiles. Las declaraciones del Sr. Jaume Pujol Balcells son discursos definidos por la Agencia de Derechos Fundamentales de la UE como «Hate Speech» ([2]),los que atentan contra los derechos de igualdad y no discriminación reconocidos en la Carta de los Derechos Fundamentales de la Unión Europea.

Considerando también la Recomendación CM/Rec(2010)5 del Comité de Ministros de los Estados miembros del Consejo de Europa sobre medidas para combatir la discriminación basada en la orientación sexual y la identidad de género, donde se pide a los Estados miembros que adopten medidas efectivas contra todo tipo de discriminación, particularmente contra los «Hate Speech»,

1. ¿Qué opina la Comisión de las palabras del Sr. Jaume Pujol Balcells?

([1]) http://sociedad.elpais.com/sociedad/2012/01/19/actualidad/1327008495_260881.htmlv.
([2]) 'Hate speech' refers to the incitement and encouragement of hatred, discrimination or hostility towards an individual that is motivated by prejudice against that person because of a particular characteristic.
([3]) http://ccaa.elpais.com/ccaa/2012/01/23/catalunya/1327327617_759953.html

2. ¿Qué hará la Comisión para garantizar que en el futuro estos actos no se vuelvan a repetir y se dejen de violar los derechos fundamentales de los LGBT?

Respuesta conjunta de la Sra. Reding en nombre de la Comisión
(2 de abril de 2012)

La Comisión rechaza la homofobia y la transfobia como violaciones flagrantes de la dignidad humana y recuerda su determinación de combatir dichos fenómenos con la plena extensión de las facultades que le confieren los Tratados. De acuerdo con el artículo 51, apartado 1, de la Carta de los Derechos Fundamentales de la UE, sus disposiciones se dirigen a los Estados miembros únicamente cuando aplican el Derecho de la Unión. Como en la actualidad no existe ninguna ley de la UE que prohíba la incitación a la violencia o al odio dirigidos contra la comunidad de LGBT, es responsabilidad de los Estados miembros hacer uso de todos los instrumentos jurídicos a su disposición para garantizar una protección efectiva de los derechos fundamentales de los miembros de esta comunidad que residen en su territorio. La Comisión concede importancia a la lucha contra los discursos de incitación al odio y a la violencia contra la comunidad LGBT y observa que la recogida actual de datos sobre estas cuestiones por la Agencia de Derechos Fundamentales de la Unión Europea proporcionará información de utilidad sobre sus dimensiones y su alcance en el conjunto de la UE.

(English version)

Question for written answer E-001144/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(31 January 2012)

Subject: Hate speech targeting transsexuals in Spain

Carla Delgado ([1]), a member of the assembly of the autonomous community of Madrid has complained to the regional chamber that the names of 22 transsexuals who underwent surgery at Madrid's La Paz hospital have been published on a blog of a Madrid-based online religious publication.

The list specifies names, along with the type of operation (penectomy, breast augmentation, vaginoplasty, etc.) and the surgical procedure (male-to-female sex change, for example). The blog's author, Manuel Morillo, states that these are 'real patients and cases'. The author says that he is not violating the patients' privacy because he gives 'fictitious' names, but some persons affected have already complained that they feel they have been identified. He is also critical of the fact that operations are paid for with public money, and that 'they (the transsexuals) are all given private rooms' (if no private rooms are available they are given a double room with the other bed left empty. In comparison, the author writes, other patients are placed in shared rooms with four beds, with one patient defecating, two eating, and another dying, without 'maintaining their privacy', or left 'out in the corridors'.

Dr Manuel Morillo's statements are what the EU Agency for Fundamental Rights defines as hate speech ([2]), discourse in breach of the rights of equality and non-discrimination recognised in the Charter of Fundamental Rights of the European Union.

In view of Recommendation CM/Rec(2010)5 of the Committee of Ministers to member states of the Council of Europe on measures to combat discrimination on grounds of sexual orientation and gender identity, which calls on member states to take effective measures against discrimination of all kinds and, in particular, against hate speech,

1. What view does the Commission take of Manuel Morillo's statements?

2. What will the Commission do to ensure that these acts are not repeated in the future, and that the fundamental rights of LGBT persons cease to be violated?

Question for written answer E-001145/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(31 January 2012)

Subject: Archbishop of Tarragona and LGBT rights

The archbishop of Tarragona, Mr Jaume Pujol Balcells, says that gays are not fit for society, according to an article published in *El País* ([3]). The representative of the Church stated that the Church must say what is good and what is bad, and that homosexuals are not fit for society. He also complained about his taxes being used to pay for abortions.

At the present time, we are experiencing a deterioration of personal and civil liberties. Mr Jaume Pujol Balcell's statements are expressions defined by the EU Agency for Fundamental Rights as 'hate speech' ([2]), which violate the rights of equality and non-discrimination recognised in the Charter of Fundamental Rights of the European Union.

Taking into consideration, too, Recommendation CM/Rec(2010)5 of the Committee of Ministers to member states of the Council of Europe on measures to combat discrimination on grounds of sexual orientation and gender identity, which asks member states to adopt effective measures against discrimination of all kinds and, in particular, against hate speech:

1. What does the Commission think of Mr Jaume Pujol Balcell's words?

2. What will the Commission do to ensure that these acts are not repeated in the future, and that the fundamental rights of LGBT persons are no longer violated?

([1]) http://sociedad.elpais.com/sociedad/2012/01/19/actualidad/1327008495_260881.html
([2]) 'Hate speech' refers to the incitement and encouragement of hatred, discrimination or hostility towards an individual that is motivated by prejudice against that person because of a particular characteristic.
([3]) http://ccaa.elpais.com/ccaa/2012/01/23/catalunya/1327327617_759953.html

Joint answer given by Mrs Reding on behalf of the Commission
(2 April 2012)

The Commission rejects homophobia and transphobia as blatant violations of human dignity and recalls its determination to combating these phenomena to the full extent of the powers conferred on it by the Treaties. According to Art. 51(1) of the EU Charter of Fundamental Rights, its provisions are addressed to the Member States only when they are implementing EC law. As there is currently no EC law prohibiting the incitement to violence or hatred directed against the LGBT community, it is the responsibility of the Member States to use all legal instruments available to them to guarantee effective protection of fundamental rights of this community living on their territory. The Commission attaches importance to combating LGBT-oriented hate speech and crime and notes that the ongoing data collection on these issues by the EU Fundamental Rights Agency will provide useful information of their dimensions and extent throughout the EU.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-001146/12
adresată Comisiei
Petru Constantin Luhan (PPE)
(8 februarie 2012)

Subiect: Gestionarea forestieră

Comisia Europeană a anunțat prin COM(2011)0244 „Asigurarea noastră de viață, capitalul nostru natural: o strategie a UE în domeniul biodiversității pentru 2020" că, până în 2020, vor fi în vigoare planuri de gestionare forestieră sau instrumente echivalente, în conformitate cu gestionarea durabilă a pădurilor (SFM)21, pentru toate pădurile care sunt proprietate publică și pentru exploatațiile forestiere peste o anumită mărime. Există însă state în care un procentaj ridicat din păduri se află în proprietate privată.

În cazul pădurilor aflate în proprietate privată, ce propune Comisia, astfel încât acestea să nu fie valorificate într-un mod dezavantajos pentru noi toți, pentru biodiversitate?

Răspuns dat de dl Potočnik în numele Comisiei
(23 martie 2012)

În cadrul Conferinței ministeriale privind protecția pădurilor din Europa, statele membre ale UE au convenit să își gestioneze în mod durabil pădurile, ceea ce presupune punerea în practică a unor planuri de gestionare a pădurilor sau a unor instrumente echivalente. Planurile de gestionare au devenit deja instrumente frecvent folosite: conform raportului „Situația pădurilor Europei" ([1]), 22 de state membre au raportat că dispun de acest tip de planuri. Se preconizează ca statele membre să stabilească cerințele pentru planurile de gestionare a pădurilor la un nivel care să includă majoritatea pădurilor care constituie proprietate privată. În plus, acțiunea 11 din Strategia UE pentru biodiversitate până în 2020 prevede, de asemenea, că statele membre și Comisia vor încuraja în continuare adoptarea unor planuri de gestionare a pădurilor sau a unor instrumentele echivalente, *inter alia*, prin recurgerea la măsuri de dezvoltare rurală și prin intermediul programului LIFE.

Pentru exploatațiile forestiere mai mici, statele membre pot oferi stimulente suplimentare pentru a încuraja adoptarea unor planuri sau instrumente echivalente care să fie în acord cu gestionarea durabilă a pădurilor.

([1]) Raport privind situația pădurilor Europei, Conferința ministerială pentru protecția pădurilor în Europa, p.63, http://www.foresteurope.org/.

(English version)

Question for written answer E-001146/12
to the Commission
Petru Constantin Luhan (PPE)
(8 February 2012)

Subject: Forest Management

The European Commission announced in COM(2011)0244 'Our life insurance, our natural capital: an EU biodiversity strategy to 2020' that, by 2020, Forest Management Plans or equivalent instruments, in line with Sustainable Forest Management (SFM)21, will be in place for all forests that are publicly owned and for forest holdings above a certain size. However, there are states where a high percentage of forests are privately owned.

What does the Commission propose be done in the case of privately-owned forests, so that these are not exploited in a manner disadvantageous to everyone and to biodiversity?

Answer given by Mr Potočnik on behalf of the Commission
(23 March 2012)

In the context of the Ministerial Conference for the protection of forests in Europe, the EU Member States have agreed to manage their forests sustainably. This means that forest management plans or equivalent instruments should be in place. Management plans are already frequently used tools: according to the report 'State of Europe's Forests' ([1]), 22 Member States reported having such plans. It is expected that the Member States will set the threshold for the forest management plans at a level that includes the majority of privately owned forests. In addition, action 11 of the EU Biodiversity Strategy to 2020 also foresees that Member States and the Commission will further encourage the adoption of forest management plans or equivalent instruments, *inter alia*, through the use of rural development measures and the LIFE programme.

For smaller forest holdings, Member States may provide additional incentives to encourage the adoption of plans or equivalent instruments that are in line with sustainable forest management.

([1]) State of Europe's forests Report, Ministerial Conference on the Protection of Forests in Europe, p. 63, http://www.foresteurope.org/.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001150/12
an die Kommission
Angelika Werthmann (NI)
(8. Februar 2012)

Betrifft: Schachunterricht an Volksschulen

In vielen Ländern sind Lehrprogramme — vom Kindergarten bis zum Bachelorstudium — für Schachsport in Entwicklung oder schon in Anwendung.

Dass Schach eine Stärkung emotionaler Kompetenzen und eine Steigerung der Konzentrationsfähigkeit und der Ausdauer mit sich bringt, ist durch eine Vielzahl von Studien belegt. Diese Faktoren können sich auf unsere Gesellschaft in positiver Weise auswirken — wir bekommen sozial engagierte, gesellschaftsfähige Menschen, die ihrerseits durch die erworbene Leistungsmotivation helfen, die Wirtschaft anzukurbeln.

An Volksschulen, wo der pädagogische Nutzen von Schach am größten ist, gibt es in Europa nur begrenzte Angebote, welche meist mit Kosten für die Familien verbunden sind. Nach dem schlechten Abschneiden einer deutschen Grundschule bei der Pisa-Studie nahm man Schach in das Unterrichtsprogramm auf — die Konzentrationsfähigkeit der Kinder stieg messbar an.

1. Ist sich die Kommission dieses Potenzials bewusst und welche Pläne hat die Kommission, dieses Potenzial auszuschöpfen?

2. Sieht die Kommission die Möglichkeit einer europaweiten Einführung von Schachunterricht in den Volksschulen? Wenn ja, gibt es bereits konkrete Pläne? Wenn nein, welche Alternativstrategien sieht die Kommission und gedenkt die Kommission zu verfolgen?

Antwort von Frau Vassiliou im Namen der Kommission
(20. März 2012)

Die Kommission nimmt zur Kenntnis, dass die Art von Kompetenzen und Fertigkeiten, die die Frau Abgeordnete der Beherrschung des Schachspiels zuspricht, den Empfehlungen des Europäischen Parlaments und des Rates vom 18. Dezember 2006 zu Schlüsselkompetenzen für lebensbegleitendes Lernen (2006/962/EG) ([1]) entspricht.

Es ist jedoch Sache der Mitgliedstaaten zu entscheiden, wie sie dafür sorgen, dass die Bürgerinnen und Bürger diese Kompetenzen erwerben. Gemäß Artikel 165 des Vertrags über die Arbeitsweise der Europäischen Union sind die Mitgliedstaaten voll und ganz für die Lehrinhalte und die Gestaltung des Bildungssystems verantwortlich.

([1]) ABl. L 394 vom 30.12.2006, S. 10.

(English version)

Question for written answer E-001150/12
to the Commission
Angelika Werthmann (NI)
(8 February 2012)

Subject: The teaching of chess in primary schools

Many countries are developing or have already adopted programmes for teaching chess. from kindergarten to undergraduate level.

Numerous studies have established that chess strengthens emotional competences and enhances concentration and perseverance. These factors can have a positive effect on our society, producing socially engaged, well-adjusted people with a motivation to achieve, who will be able to use this motivation to help stimulate economic growth.

In Europe, chess is not often offered in primary schools, where its educational benefits are greatest, and even then is not usually free of charge to the pupils' families. Having scored badly in the Pisa study, one German primary school decided to add chess to its curriculum and found that concentration levels among the children increased to a measurable degree.

1. Is the Commission aware of this potential and what plans does it have to exploit it?

2. Does the Commission consider that the teaching of chess could be introduced in primary schools throughout Europe? If so, do concrete plans already exist for this? If not, what alternative strategies has the Commission identified and does it intend to pursue these?

Answer given by Ms Vassiliou on behalf of the Commission
(20 March 2012)

The Commission notes that the kinds of competences and aptitudes which the Honourable Member attributes to the mastery of chess are in line with those that are set out in the recommendation of the European Parliament and of the Council of 18 December 2006 on Key Competences for lifelong learning (2006/962/EC ([1])).

However, it is for Member States to decide how they ensure that citizens acquire these competences. In accordance with Article 165 of the Treaty on the Functioning of the European Union, the responsibility for the content and organisation of education and training systems rests entirely with Member States.

([1]) OJ L 394/10, 30.12.2006.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-001152/12
do Komisji (Wiceprzewodniczącej / Wysokiej Przedstawiciel)
Filip Kaczmarek (PPE)
(8 lutego 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Pogorszenie sytuacji na pograniczu Sudanu i Sudanu Południowego

W stanie Warrap (Południowy Sudan) w wyniku prób kradzieży bydła doszło do walk. Według władz zginęło co najmniej 40 osób. Istnieje jednak podejrzenie, że strona atakująca została uzbrojona przez Sudan. Mamy więc do czynienia z kolejnym zaognieniem napiętej sytuacji między obydwoma krajami, które rozdzieliły się raptem 5 miesięcy temu.

1. Czy istnieje koncepcja zapewnienia pokoju i bezpieczeństwa na pograniczu Sudanu i Sudanu Południowego?

2. Jakie działania może podjąć w tej sprawie Europejska Służba Działań Zewnętrznych?

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

UE z zadowoleniem przyjmuje podpisanie protokołu ustaleń (PU) o nieagresji i współpracy pomiędzy Sudanem i Sudanem Południowym podczas szczytu tak zwanego wspólnego mechanizmu na rzecz polityki i bezpieczeństwa (JPSM) w Addis Abebie w dniu 10 lutego 2012 r. PU zawiera zobowiązanie obu państw do wzajemnego poszanowania suwerenności i nienaruszalności terytorialnej, zobowiązanie do nieingerowania w wewnętrzne sprawy i rezygnację z użycia siły, jak również zobowiązanie do poszanowania zasad równości i wzajemnych korzyści oraz pokojowego współistnienia. Oba kraje zdecydowały również o bezzwłocznym uruchomieniu wspólnej misji weryfikacji i kontroli granic (JBVMM), która ma za zadanie monitorowanie bezpiecznej zdemilitaryzowanej strefy granicznej (SDBZ) pomiędzy dwoma powyższymi krajami i badanie zarzutów naruszenia przez nie prawa. Kraje uzgodniły ponadto, że ustanowione zostaną mechanizmy i procedury służące badaniu zarzutów łamania prawa przez te kraje na obszarach innych niż przygraniczne.

Osiągniecie tego ważnego porozumienia stało się możliwe dzięki panelowi wykonawczemu wysokiego szczebla z ramienia Unii Afrykańskiej (AUHIP) do spraw Sudanu, pracującemu pod przewodnictwem prezydenta Thabo Mbekiego, a wspieranemu politycznie i finansowo przez UE. UE będzie w dalszym ciągu wspierać AUHIP, aby ułatwić osiągniecie porozumienia w innych istotnych kwestiach między Sudanem a Sudanem Południowym, które wciąż oczekują na rozwiązanie, takich jak dochody z eksploatacji złóż ropy naftowej, obywatelstwo, ostateczny status Abyei, czy wyznaczenie granic. Ponadto UE w dalszym ciągu stosuje strategię kompleksowego podejścia do kwestii związanych z Sudanem i Sudanem Południowym, przyjętą przez Radę do Spraw Zagranicznych w czerwcu 2011 r., której celem było ustanowienie pokojowych stosunków dobrosąsiedzkich pomiędzy tymi dwoma krajami. W odniesieniu do regionu przygranicznego UE przygotowuje obecnie interwencję w ramach Instrumentu na rzecz Stabilności (IfS) ze szczególnym uwzględnieniem analizy konfliktów i zapobiegania ich występowaniu.

(English version)

Question for written answer E-001152/12
to the Commission (Vice-President/High Representative)
Filip Kaczmarek (PPE)
(8 February 2012)

Subject: VP/HR — Deteriorating situation along the border between Sudan and South Sudan

A recent attempt at cattle rustling in Warrap State (South Sudan) resulted in armed conflict. The authorities have said that at least 40 people were killed. It is suspected, however, that the attackers were armed by Sudan. This is yet another flare-up in the tensions existing between these two countries that separated barely five months ago.

1. Is there a plan for ensuring peace and security along the border between Sudan and South Sudan?

2. What action could the European External Action Service take in this regard?

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

The EU welcomes the signature of a memorandum of understanding (MoU) between Sudan and South Sudan on non-aggression and cooperation at a meeting of the so-called Joint Political and Security Mechanism (JPSM) in Addis Ababa on 10 February 2012. The MoU includes a commitment by the two states to respect each other's sovereignty and territorial integrity, a commitment to non-interference in internal affairs and the rejection of the use of force, as well as a commitment to equality and mutual benefit, and peaceful coexistence. Both countries also agreed on the immediate activation of the Joint Border Verification and Monitoring Mission (JBVMM), which has the task of monitoring the Secure Demilitarized Border Zone (SDBZ) between the two countries and investigate any allegations of violation by the two states. They also agreed to the establishment of mechanisms and procedures to investigate allegations against either state in areas beyond the border.

This important agreement was facilitated by the African Union High Level Implementation Panel (AUHIP) on Sudan led by former President Thabo Mbeki which is receiving political and financial support by the EU. The EU will continue its support to the AUHIP to help facilitate agreements on other important outstanding issues between Sudan and South Sudan such as oil revenues, citizenship, the final status of Abyei or border demarcation. In addition, the EU continues to follow its 'Comprehensive Approach' to Sudan and South Sudan as adopted by the June 2011 Foreign Affairs Council working towards the establishment of peaceful and good neighbourly relations between the two countries. With regard to the border region, the EU is currently preparing an Instrument for Stability (IfS) intervention focusing on conflict analysis and prevention.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-001153/12
do Komisji
Filip Kaczmarek (PPE)
(8 lutego 2012 r.)

Przedmiot: Zagrożenie śmiercią głodową w Somalii

Somalijscy islamiści zakazali Międzynarodowemu Czerwonemu Krzyżowi działalności na terytorium kontrolowanym przez nich. ONZ twierdzi, że śmierć głodowa grozi 250 000 mieszkańców Somalii.

1. Jakie działania może podjąć Unia Europejska w tej sprawie?

Odpowiedź udzielona przez komisarz Kristalinę Georgijewą w imieniu Komisji
(28 marca 2012 r.)

Komisja jest głęboko zaniepokojona niedawnym zakazem prowadzenia działalności Międzynarodowego Komitetu Czerwonego Krzyża. Wspólnie ze swoimi partnerami Komisja bacznie obserwuje sytuację w celu dopilnowania, by w jak najmniejszym stopniu dotknęła ona najbardziej zagrożone klęską głodu grupy ludności. Od 2008 r. ugrupowanie Al Shabaab faktycznie zakazało prowadzenia działalności około 30 organizacjom pozarządowym oraz agencjom Organizacji Narodów Zjednoczonych. Niektóre organizacje humanitarne kontynuują jednak działalność za pośrednictwem swoich lokalnych partnerów. Równocześnie rozmaite agencje, które zostały niedawno wydalone z kraju, w dalszym ciągu podejmują starania, by dojść do porozumienia z ugrupowaniem Al Shabaab i wynegocjować możliwość wznowienia swojej działalności.

Należy odnotować, że dnia 3 lutego 2012 r. ONZ ogłosiła koniec klęski głodu w południowo-środkowej Somalii dzięki istotnej pomocy humanitarnej, której towarzyszyła zbawienna pora deszczowa i owocne zbiory. Sytuacja pozostaje jednak bardzo niestabilna. W 2012 r. i w późniejszych latach pomoc humanitarna jest nadal niezbędna, tak aby uchronić najbardziej zagrożone grupy ludności przed ponowną klęską głodu i pogłębiającym się ubóstwem.

W 2011 r. Komisja przeznaczyła w budżecie UE 77 mln EUR na pomoc humanitarną, dzięki której ponad 2 mln ludzi otrzymało wsparcie. Ze środków tych sfinansowano realizowane w Somalii inicjatywy związane z zapewnieniem wsparcia żywnościowego, bezpieczeństwa żywnościowego, opieki zdrowotnej, a także w zakresie odżywiania lub źródeł utrzymania. Ponadto rolnicy i hodowcy zwierząt otrzymali pomoc na odbudowę, co umożliwiło im w możliwie najszerszym zakresie skorzystanie z kolejnych pór deszczowych. W 2011 r. całkowita kwota środków przeznaczonych na pomoc humanitarną udzieloną przez UE (środki pochodzące od państw członkowskich i z budżetu unijnego) wyniosła 281,6 mln EUR.

W ramach pomocy humanitarnej w budżecie UE na 2012 r. przeznaczono wstępną pulę środków w wysokości 40 mln EUR na kontynuowanie tego jakże potrzebnego wsparcia dla Somalii.

(English version)

Question for written answer E-001153/12
to the Commission
Filip Kaczmarek (PPE)
(8 February 2012)

Subject: Danger of starvation in Somalia

Somali Islamists have banned the International Red Cross from operating in the territory they control. The UN estimates that 250 000 Somalis are in danger of starving to death.

What action can the European Union take on this matter?

Answer given by Ms Georgieva on behalf of the Commission
(28 March 2012)

The Commission is aware and gravely concerned about the recent ban on the activities of the International Committee of the Red Cross and is following up on the situation with its partners to ensure that the most vulnerable populations are affected as little as possible. Indeed, since 2008, Al Shabaab has banned some 30 non-governmental organisations (NGOs) and United Nations (UN) agencies. However, a number of humanitarian agencies continue to be able to operate through their local partners. At the same time, various agencies recently expelled continue to make efforts to come to terms with Al Shabaab and negotiate their re-engagement.

It is to be noted that on 3 February 2012, the UN declared the end of famine in South-Central Somalia due to significant humanitarian assistance coupled with a favourable rainy season and good harvest. However, the situation remains extremely fragile and humanitarian aid needs to be sustained in 2012 and beyond, so as to avoid that the most vulnerable populations will fall back into famine and wider destitution.

In 2011, the Commission allocated EUR 77 million from the EU budget for humanitarian assistance which brought help to more than two million people. These funds supported food assistance, food security, health, and nutrition or livelihood support initiatives in Somalia. At the same time, recovery assistance was directed towards farmers and herders to enable them to benefit to the greatest extent possible from the next rainy seasons. In 2011, total EU humanitarian funding (Member States and EU budget) for Somalia amounted to EUR 281.6 million.

For the year 2012, an initial EUR 40 million humanitarian aid envelope from the EU budget has been allocated for continuing the much needed support to Somalia.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001154/12
προς την Επιτροπή
Kyriacos Triantaphyllides (GUE/NGL)
(8 Φεβρουαρίου 2012)

Θέμα: Τουρκικό βέτο στη διοργάνωση συναντήσεων για την Ευρω-Μεσογειακή Συνεργασία κατά τη διάρκεια της Προεδρίας του Συμβουλίου απο την Κυπριακή Δημοκρατία

Κατά τη διάρκεια της συνόδου της πολιτικής επιτροπής της Ένωσης για τη Μεσόγειο, που έγινε στις Βρυξέλες στις 25.1.2012, ο Επίτροπος Διεύρυνσης κ. Φούλε προβληματίστε τους συμμετέχοντες για το μέλλον της Ένωσης για τη Μεσόγειο αναφερόμενος στις οργανωτικές δομές και τα προβλήματα που αντιμετωπίζει σήμερα η Γραμματεία και η Προεδρία της Ένωσης για τη Μεσόγειο.

Δεδομένης της εξαγγελθείσας πρόθεσης της Κυπριακής Δημοκρατίας να διοργανώσει κατά τη διάρκεια της Προεδρίας του Συμβουλίου σειρά τομεακών-υπουργικών και άλλων συναντήσεων υψηλού επιπέδου προς συζήτηση αυτών και άλλων θεμάτων που αφορούν την Ευρω-Μεσογειακή Συνεργασία και, ενόψει του βέτο της Τουρκίας για τη μη πραγματοποίηση αυτών των διασκέψεων είτε στην Κύπρο ή και οπουδήποτε αλλού, συμπεραίνουμε ότι η απόφαση της Τουρκίας αντιτίθεται στην πολιτική απόφαση της ίδιας της ΕΕ για πραγματοποίηση τους και αναβάθμιση της συνεργασίας τόσο σε πολιτικό όσο και σε οικονομικό επίπεδο, μεταξύ της ΕΕ και των μεσογειακών κρατών καθώς και ανάπτυξη της ειρήνης στην περιοχή.

Εκφράζοντας ακόμη μια φορά τη στήριξη της Κυπριακής Δημοκρατίας και τη δική μου προσωπικά στις πολιτικές καλής γειτονίας της Ευρωπαϊκής Επιτροπής στην περιοχή της Μεσογείου, θα ήθελα να υποβάλω το ερώτημα ποιες δράσεις προτίθεται να αναλάβει η Ευρωπαϊκή Επιτροπή ώστε να διευθετηθεί το όλο ζήτημα και η Κυπριακή Δημοκρατία να διοργανώσει τις διασκέψεις για την Ευρω-Μεσογειακή Συνεργασία στην Προεδρία της;

Απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(13 Μαρτίου 2012)

Η Επιτροπή παραπέμπει στα συμπεράσματα του Ευρωπαϊκού Συμβουλίου της 9ης Δεκεμβρίου 2011, στα οποία το Ευρωπαϊκό Συμβούλιο εκφράζει σοβαρή ανησυχία όσον αφορά τις τουρκικές δηλώσεις και απειλές και ζητεί τον πλήρη σεβασμό του ρόλου της Προεδρίας του Συμβουλίου, η οποία αποτελεί θεμελιώδες θεσμικό χαρακτηριστικό γνώρισμα της ΕΕ, προβλεπόμενο στη Συνθήκη.

(English version)

Question for written answer E-001154/12
to the Commission
Kyriacos Triantaphyllides (GUE/NGL)
(8 February 2012)

Subject: Turkish veto on meetings for EU-Mediterranean cooperation during the Presidency of the Council by the Republic of Cyprus

During the meeting of the Political Committee of the Union for the Mediterranean that took place in Brussels on 25.1.2012, the Commissioner for Enlargement, Mr Füle, asked the participants some questions about the future of the Union for the Mediterranean with regard to its organisational structure and the problems currently facing its Secretariat and Presidency.

The Republic of Cyprus has stated that it intends to organise a series of high-level, sectoral/ministerial etc. meetings during its Presidency of the Council to discuss these and other issues relating to the EU-Mediterranean cooperation. In view of the Turkish veto on carrying out these conferences either in Cyprus or anywhere else, we conclude that the decision by Turkey runs counter to the political decision by the EU to carry out these meetings, to improve cooperation both at a political and economic level between the EU and Mediterranean countries and to develop peace in the region.

Once more expressing the Republic of Cyprus's support and my own personal support for the European Commission's Good Neighbourhood policies in the Mediterranean region, I would like to ask what action the Commission intends to take to ensure these arrangements are made and that the Republic of Cyprus can organise conferences on EU-Mediterranean cooperation during its Presidency?

Answer given by Mr Füle on behalf of the Commission
(13 March 2012)

The Commission refers to the conclusions of the European Council of 9 December 2011, in which the European Council expresses serious concern with regard to Turkish statements and threats and calls for full respect of the role of the Presidency of the Council, which is a fundamental institutional feature of the EU provided for in the Treaty.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001155/12
alla Commissione
Cristiana Muscardini (PPE)
(8 febbraio 2012)

Oggetto: Il super killer indiano

È chiamato così un batterio super resistente agli antibiotici, che può causare la morte perché le infezioni che provoca sono difficilissime da trattare. La rivista europea «Eurosurveillance» incentrata sull'epidemiologia, il controllo e la prevenzione delle malattie infettive, lancia l'allarme, a seguito dei risultati di analisi effettuate dall'Unità di microbiologia del Policlinico Sant'Orsola Malpighi di Bologna. Questi killer proverrebbero dall'India, dove circolavano già nel 2009, e avrebbero colpito centinaia di persone in Europa, di cui sei casi in Italia. I test hanno individuato germi patogeni muniti del nuovo gene «New Delhi-1», che rende i batteri invulnerabili alla maggior parte delle terapie antibiotiche.

Il peggio è rappresentato dal fatto che la resistenza non riguarda un unico ceppo, poiché batteri diversi si scambiano lo scudo genetico, trasferendosi la capacità di sopravvivere ai microbicidi. «Servono misure urgenti — affermano gli specialisti italiani — per contenere la propagazione di questi batteri». Una delle quali, accanto alla serietà dei protocolli e all'uso appropriato degli antibiotici, è certamente l'incentivazione dello sviluppo di nuovi farmaci. Pur nel rispetto delle rispettive competenze in materia di salute,

la Commissione:

1. in che misura può collaborare con gli Stati membri per evitare il diffondersi di questo batterio molto pericoloso?

2. È al corrente di questo rischio?

3. Non ritiene opportuno contribuire a incentivare la ricerca inserendo l'obiettivo di nuovi farmaci nel piano pluriennale di ricerca?

4. Ritiene possibile stabilire accordi di collaborazione in questo campo con le autorità sanitarie dell'India?

Risposta data da John Dalli a nome della Commissione
(19 marzo 2012)

La Commissione è consapevole della minaccia per la salute pubblica costituita in generale dai batteri che producono carbapenemase e in particolare dal New Delhi metallo-beta-lactamase-1 (NDM-1). Per quanto concerne gli interventi specifici adottati in tema di NDM-1 la Commissione rinvia l'onorevole deputata alla propria risposta all'interrogazione scritta E-7715/2010 ([1]).

Inoltre, al fine di affrontare la minaccia generale della resistenza antimicrobica (AMR) e di valorizzare i risultati di precedenti iniziative dell'UE, la Commissione ha adottato nel novembre 2011 un piano d'azione globale sull'AMR ([2]). Questo piano d'azione presenta azioni concrete e transettoriali per ridurre i rischi legati all'AMR e prevenire le infezioni microbiche e la loro diffusione, azioni da attuarsi in stretta cooperazione con gli Stati membri.

Come indicato nel piano d'azione, la ricerca e l'innovazione sono essenziali ai fini delle nostre iniziative volte a sviluppare nuovi strumenti di lotta contro l'AMR. Contestualmente alla prossima tornata di finanziamento del 7° programma quadro di ricerca e sviluppo la Commissione propone di dedicare diversi inviti a presentare proposte all'AMR, comprese le iniziative volte a mobilitare le piccole e medie imprese affinché contribuiscano allo sviluppo di nuovi medicinali antimicrobici o loro alternative. Lo sviluppo di nuovi antibiotici dovrebbe essere a sua volta incoraggiato per il tramite dell'iniziativa sui medicinali innovativi. Questi impegni dovrebbero essere portati avanti anche nell'ambito dell'iniziativa Horizon 2020.

([1]) http://www.europarl.europa.eu/QP-WEB.
([2]) Comunicazione della Commissione al Parlamento europeo e al Consiglio, Piano d'azione di lotta ai crescenti rischi di resistenza antimicrobica (AMR), COM(2011)748, http://ec.europa.eu/dgs/health_consumer/docs/communication_amr_2011_748_en.pdf .

Il piano d'azione sull'AMR comprende un'iniziativa per lo sviluppo e/o il rafforzamento della cooperazione multilaterale e bilaterale con i partner e le organizzazioni internazionali ai fini della prevenzione e del controllo dell'AMR in tutti i settori.

(English version)

Question for written answer E-001155/12
to the Commission
Cristiana Muscardini (PPE)
(8 February 2012)

Subject: The Indian super-killer

This is how a bacterium, highly resistant to antibiotics and which can cause infections that are so difficult to treat that they are fatal, is referred to. The European journal 'Eurosurveillance', which is devoted to epidemiology, control and prevention of communicable diseases, raises the alarm following the results of analyses carried out at the Unit of Microbiology at the Sant'Orsola Malpighi General Hospital in Bologna. This killer could have originated in India, where it was spreading back in 2009, and is said to have affected hundreds of people in Europe, including six cases in Italy. Tests have identified pathogens with the new 'New Delhi-1' gene, which make the bacteria immune to most antibiotics.

Worst of all, this resistance does not affect just one strain, because various bacteria exchange genetic material and so transfer the ability to withstand microbicides. 'Urgent measures are called for to contain the spread of these bacteria,' say Italian specialists. One such measure, alongside the strictness of protocols and proper use of antibiotics, is encouraging the development of new drugs. In accordance with the respective health-related responsibilities,

may I ask the Commission:

1. To what extent can the Commission work with Member States to prevent the spread of this dangerous bacterium?

2. Is the Commission aware of this risk?

3. Does the Commission not consider it appropriate to contribute to encouraging research by including new drugs as an objective in the multi-year research plan?

4. Does the Commission consider it possible to establish cooperation agreements with the Indian health authorities in this area?

Answer given by Mr Dalli on behalf of the Commission
(19 March 2012)

The Commission is aware of the public health threat posed by carbapenemase-producing bacteria in general and New Delhi metallo-beta-lactamase-1 (NDM-1) in particular. With regard to the specific actions taken on NDM-1, the Commission would refer the honourable Member to its answer to Written Question E-7715/2010 ([1]).

In addition, to address the overall threat of antimicrobial resistance (AMR), and building upon previous EU initiatives, the Commission adopted in November 2011 a comprehensive Action Plan on AMR ([2]). This Action Plan puts forward concrete and cross-sectoral actions to mitigate the risk related to AMR and to prevent microbial infections and their spread, to be implemented in close cooperation with the Member States

As highlighted in the action plan, research and innovation are crucial in our efforts to develop new tools to combat AMR. Under the next round of the 7th Research and Development Framework Programme funding, the Commission is proposing to dedicate several call topics to AMR, including initiatives to mobilise small and medium enterprises to contribute to the development of new antimicrobials or their alternatives. The development of new antibiotics is also expected to be supported within the Innovative Medicines Initiative. These commitments are expected to continue under Horizon 2020.

The action plan on AMR includes an initiative for developing and/or strengthening multilateral and bilateral cooperation with international partners and organisations for the prevention and control of AMR in all sectors.

([1]) http://www.europarl.europa.eu/QP-WEB.
([2]) Communication from the Commission to the European Parliament and the Council, Action plan against the rising threats from the Antimicrobial Resistance, COM(2011) 748, http://ec.europa.eu/dgs/health_consumer/docs/communication_amr_2011_748_en.pdf .

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001156/12
an die Kommission
Hermann Winkler (PPE)
(8. Februar 2012)

Betrifft: Reduktion von CO_2-Emissionen durch Wirtschaftskrise: Konsequenzen für die Klimapolitikvorschläge der EU-Kommission

Aufgrund der im Jahr 2009 ausgebrochenen Wirtschaftskrise und des damit verbundenen Produktionsrückgangs dürften die CO_2-Emissionen auch in der EU enorm zurückgegangen sein.

Hat die Kommission Kenntnis von Zahlen über die Entwicklung der CO_2-Emissionen vor und seit diesem Zeitpunkt?

Wenn ja, bestätigen die Zahlen einen solchen Rückgang von CO_2-Emissionen?

Wenn dies der Fall ist, hat sich dies bereits in irgendeiner Form auf die Tätigkeiten der Kommission ausgewirkt oder wird sich dies noch zukünftig auswirken?

Antwort von Frau Hedegaard im Namen der Kommission
(23. März 2012)

Die Kommission überwacht die Entwicklung der Treibhausgasemissionen sehr aufmerksam und erstattet jährlich Bericht über die Fortschritte, die mit Blick auf ihre Emissionsreduktionsverpflichtungen erzielt wurden. Ihr letzter Bericht wurde im Oktober 2011 veröffentlicht ([1]).

Nach jüngsten Schätzungen der Europäischen Umweltagentur sind die Treibhausgas-Gesamtemissionen in der EU — nach einem erheblichen Rückgang im Jahr 2009 aufgrund der wirtschaftlichen Rezession — im Jahr 2010 gestiegen und lagen um etwa 15,5 % unter dem Niveau von 1990. Allerdings lagen die Emissionen von 2010 immer noch um 5 % unter denen von 2008. Die Wirtschaftskrise hat sich auf die unter das Emissionshandelssystem der EU fallenden Emissionen stärker auswirkt als auf diejenigen in anderen Sektoren wie Verkehr, Wohnen, Landwirtschaft und Forstwirtschaft.

Die Kommission hat die Auswirkungen dieser jüngsten Entwicklung auf die Politik analysiert ([2]).

([1]) KOM(2011)624 endg.
([2]) Arbeitsunterlage der Kommissionsdienststellen (2012) 5 endg., abrufbar unter: http://ec.europa.eu/clima/policies/package/docs/swd_2012_5_en.pdf

(English version)

Question for written answer E-001156/12
to the Commission
Hermann Winkler (PPE)
(8 February 2012)

Subject: Reduction in CO_2 emissions as a result of the economic crisis: implications for the climate policy proposals of the EU Commission

It may be that CO_2 emissions have decreased enormously in the EU as a result of the economic crisis that began in 2009 and the associated decline in production.

Is the Commission aware of any figures relating to trends in CO_2 emissions before and since that time?

If so, do the figures confirm such a decrease in CO_2 emissions?

If this is the case, has this development influenced the activities of the Commission in any way or will it influence them in the future?

Answer given by Mrs Hedegaard on behalf of the Commission
(23 March 2012)

The Commission closely monitors the evolution of greenhouse gas emissions and annually reports on the progress made towards its emission reduction commitments. Its latest assessment was published in October 2011 ([1]).

Based on recent estimates from the European Environment Agency, after an important drop in 2009 due to the economic recession, the EU total greenhouse gas emissions increased in 2010 and stood approximately 15.5 % below their 1990 levels. However, 2010 emissions remained 5 % below 2008 levels. The economic crisis had a greater effect on the emissions covered by the EU Emission Trading System (ETS) than in other sectors such as transport, residential, agriculture and forestry.

Policy implications of this recent evolution have been analysed by the Commission ([2]).

([1]) COM(2011) 624 final.
([2]) SWD(2012) 5 final, available at http://ec.europa.eu/clima/policies/package/docs/swd_2012_5_en.pdf

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-001157/12
do Komisji
Michał Tomasz Kamiński (ECR)
(8 lutego 2012 r.)

Przedmiot: Ukraina: trudności w realizacji planu działania na rzecz liberalizacji reżimu wizowego

Mimo iż na ostatnim szczycie UE-Ukraina, który odbył się w Kijowie w grudniu 2011 r., przywódcy UE i Ukrainy pozytywnie ocenili postępy w realizacji planu działania na rzecz liberalizacji reżimu wizowego, w ostatnich doniesieniach ukraińskich mediów wskazywano na negatywną ocenę Komisji dotyczącą dokonań Ukrainy w tym zakresie. We wspólnym oświadczeniu wydanym podczas szczytu zwrócono uwagę na to, że obie strony potwierdziły „wspólne zaangażowanie na rzecz przejścia na ruch bezwizowy w odpowiednim czasie, jeśli zostaną spełnione warunki odpowiednio zarządzanej i bezpiecznej mobilności, określone w planie działania". Niemniej jednak w piśmie od wiceministra spraw zagranicznych Pawła Klimkina do wicepremiera Andrija Klujewa (opublikowanym w „Ukraińskiej Prawdzie" dnia 24 stycznia 2012 r.) stwierdzono, że Komisja wydała negatywną ocenę ukraińskiego procesu realizacji planu w następujących obszarach: uchwalenie odpowiedniego aktu prawnego wprowadzającego paszporty biometryczne, uchwalenie aktu prawnego w sprawie utworzenia niezależnego organu antykorupcyjnego oraz opracowanie strategii na rzecz walki z dyskryminacją na Ukrainie.

Czy Komisja mogłaby odnieść się do powyższych kwestii?

Co może zrobić UE, aby pomóc Ukrainie w przezwyciężeniu trudności związanych z wprowadzeniem tych reform i przygotowaniem odpowiednich środków ustawodawczych?

Odpowiedź udzielona przez komisarz Cecilię Malmström w imieniu Komisji
(28 marca 2012 r.)

1. Komisja pragnie przypomnieć, że zgodnie z metodyką planu działania na rzecz liberalizacji systemu wizowego, służby Komisji oraz Europejska Służba Działań Zewnętrznych będą składać Parlamentowi Europejskiemu i Radzie regularne sprawozdania z wdrażania tego planu. Pierwsze sprawozdanie z postępów we wdrażaniu przez Ukrainę planu działania na rzecz liberalizacji systemu wizowego przedstawiono dnia 16 września 2011 r. ([1]). Drugie sprawozdanie z postępów przedłożono dnia 9 lutego 2012 r. ([2]) i w tym samym dniu przekazano je Parlamentowi Europejskiemu i Radzie.

2. UE już przeznacza swoją pomoc techniczną **i finansową na działania związane z przygotowaniem ustawodawstwa oraz wprowadzeniem w życie reform wynikających z planu działania na rzecz liberalizacji systemu wizowego.** Trwają rozmowy pomiędzy władzami UE a władzami ukraińskimi na temat sposobów dalszego zwiększenia i lepszego ukierunkowania tej pomocy oraz usprawnienia systemu jej przekazywania.

([1]) SEC (2011) 1076 wersja ostateczna.
([2]) SWD (2012) 10 wersja ostateczna.

(English version)

Question for written answer E-001157/12
to the Commission
Michał Tomasz Kamiński (ECR)
(8 February 2012)

Subject: Ukraine: difficulties in implementing the action plan on visa liberalisation

Despite the fact that at the most recent EU-Ukraine summit, held in Kyiv in December 2011, both EU and Ukrainian leaders offered a positive evaluation of the progress made in the implementation of the action plan on visa liberalisation, reports in the Ukrainian media have recently pointed out the Commission's negative assessment of Ukraine's performance in this regard. The joint statement issued at the summit noted that both sides had reconfirmed their 'shared commitment to move towards a visa-free travel regime in due course, provided that the conditions for well-managed and secure mobility set out in the action plan are in place'. However, a letter from deputy foreign minister Pavlo Klimkin to deputy prime minister Andriy Klyuyev (published in 'Ukrainska Pravda' on 24 January 2012) notes that the Commission has a negative assessment of Ukraine's implementation in the following areas: passing an appropriate law to introduce biometric passports; passing a law that would create an independent anti-corruption agency; and creating a strategy for fighting against discrimination in Ukraine.

Could the Commission comment on the issues outlined above?

What can the EU do to help Ukraine overcome its difficulties in implementing these reforms and preparing appropriate legislative measures?

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

1. The Commission recalls that in line with the methodology of the action plan on Visa Liberalisation, the Commission services and the European External Action Service will regularly report to the European Parliament and to the Council on implementation. The First Progress Report on the implementation by Ukraine of the action plan on Visa Liberalisation was presented on 16 September 2011 ([1]). The Second Progress Report was presented on 9 February 2012 ([2]) and transmitted on the same day to the European Parliament and to the Council.

2. **EU technical and financial assistance is already being directed at the preparation of legislation and the implementation of reforms arising from the action plan** on Visa Liberalisation. **Discussions are ongoing between the EU and the Ukrainian authorities on ways of further** increasing, streamlining and better targeting this assistance.

([1]) SEC(2011) 1076 final.
([2]) SWD(2012) 10 final.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-001158/12
do Komisji (Wiceprzewodniczącej / Wysokiej Przedstawiciel)
Michał Tomasz Kamiński (ECR)
(9 lutego 2012 r.)

Przedmiot: Wiceprzewodnicząca/Wysoka Przedstawiciel – Doniesienia nt. tortur wobec Andreja Sannikaua

W maju 2011 r. były kandydat na prezydenta Białorusi Andrej Sannikau został skazany na karę pięciu lat kolonii karnej o zaostrzonym rygorze, w związku z opozycyjną demonstracją w Mińsku, która miała miejsce 19 grudnia 2010 r., w wieczór po wyborach prezydenckich. Sąd uznał go za winnego organizacji masowych zamieszek.

Zgodnie z informacjami przekazanymi przez byłego rzecznika Sannikau, do sprawozdawcy ONZ ds. tortur skierowano skargę w sprawie doniesień o stosowaniu tortur wobec Sannikau. Według żony Sannikaua, Iryny Chalip, jej mąż zwrócił się do prezydenta Alaksandra Łukaszenki z prośbą o ułaskawienie pod wpływem tortur.

Dodatkowo, przez okres blisko 3 miesięcy do Sannikau nie były dopuszczane osoby trzecie, co może świadczyć o ukrywaniu śladów tortur, natomiast sąd w Witebsku oddalił skargę adwokatów Sannikau, dotyczącą odmawiania im widzenia z więźniem.

W związku z powyższym pragnę zapytać, czy Wysoka Przedstawiciel zna sprawę Andreja Sannikau, w szczególności w kontekście kwestii dotyczących doniesień nt. stosowania wobec niego tortur oraz czy zamierza interweniować w tej sprawie?

Odpowiedź udzielona przez Wysoką Przedstawiciel/Wiceprzewodniczącą Komisji Catherine Ashton
w imieniu Komisji
(16 kwietnia 2012 r.)

Europejska Służba Działań Zewnętrznych jest w pełni świadoma i głęboko zaniepokojona doniesieniami o stosowaniu tortur i znęcaniu się nad Andrejem Sannikauem i innymi więźniami politycznymi, jak również o nieludzkich warunkach ich przetrzymywania.

UE wielokrotnie wzywała władze Białorusi, by zwolniły i zrehabilitowały wszystkich więźniów politycznych.

W dniu 7 lutego 2012 r. delegatura UE w Mińsku złożyła oświadczenie, w którym wyraziła swoje głębokie zaniepokojenie doniesieniami o stosowaniu tortur i nieludzkich warunkach przetrzymywania więźniów oraz przypomniała władzom białoruskim, że na mocy prawa międzynarodowego są one zobowiązane do przestrzegania zakazu stosowania tortur i innych form okrutnego, nieludzkiego lub poniżającego traktowania. Sprawa ta jest poruszana w kontaktach z białoruską administracją wieloma kanałami. Między innymi poruszył ją dyrektor Gunnar Wiegand podczas swojej wizyty w dniach 8-10 lutego 2012 r.

Pragnę zapewnić, że Europejska Służba Działań Zewnętrznych będzie wciąż uważnie śledzić rozwój sytuacji i ze swojej strony dokładać wszelkich starań, aby zagwarantować, że Białoruś przestrzega swoich zobowiązań względem demokracji i praw człowieka.

(English version)

Question for written answer E-001158/12
to the Commission (Vice-President/High Representative)
Michał Tomasz Kamiński (ECR)
(9 February 2012)

Subject: VP/HR — Reports of torture being used against Andrei Sannikov

In May 2011 the former Belarusian presidential candidate Andrei Sannikov was sentenced to five years in a harsh-regime penal colony in connection with a demonstration which took place in Minsk in the evening of 19 December 2010, following the presidential elections. The court found Mr Sannikov guilty of organising mass disturbances.

According to information provided by Mr Sannikov's former spokesperson, a complaint concerning the alleged use of torture against Mr Sannikov has been submitted to the UN special rapporteur on torture. Irina Khalip, Mr Sannikov's wife, has stated that her husband's appeal to President Alexander Lukashenko for a pardon was written as a result of torture.

Furthermore, no third parties were allowed access to Mr Sannikov for approximately three months. This suggests an attempt to conceal any signs of torture. Furthermore, the court in Vitebsk has dismissed a complaint lodged by Mr Sannikov's lawyers against the ban on them visiting the prisoner.

Is the High Representative aware of Mr Sannikov's situation, in particular the reports that he has been subjected to torture? Does she intend to intervene in this matter?

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

The European External Action Service is keenly aware and deeply concerned about the reports of torture, mistreatment and inhumane prison conditions of Andrei Sannikaw and other political prisoners.

The EU has repeatedly called on the authorities of Belarus to release and rehabilitate all political prisoners.

A statement was made by the EU delegation in Minsk on 7 February 2012 expressing deep concern about reports of torture and inhumane prison conditions of political prisoners and reminding the Belarusian authorities of their obligation under international law to ensure the respect of the prohibition of torture and cruel, inhuman and degrading treatment. The matter continues to be raised in contacts with the Belarusian administration, through a number of channels, including by Director Gunnar Wiegand during his visit on 8-10 February 2012

Rest assured that the European External Action Service will continue closely to follow developments and do all it can, from its side, to help ensure that Belarus respects its commitments towards democracy and human rights.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-001159/12
do Komisji
Michał Tomasz Kamiński (ECR)
(31 stycznia 2012 r.)

Przedmiot: Sytuacja polskiej mniejszości na Litwie – sprawa pobicia 16-letniego Polaka w Wilnie

Polskie media donoszą o pobiciu w Wilnie 16-letniego Polaka, ucznia polskiego Gimnazjum im. Jana Pawła II. Chłopiec został pobity do nieprzytomności przed Domem Kultury Polskiej w Wilnie i twierdzi, że doszło do tego, ponieważ rozmawiał z kolegami w języku polskim. Sprawcy nie są znani, a policja prowadzi dochodzenie w tej sprawie.

Po tym incydencie polskie media na Litwie zaczęły mocniej zwracać uwagę na narastającą agresję wobec polskiej mniejszości w tym kraju. Dochodzi do tego, że młodzi Polacy boją się mówić po polsku w miejscach publicznych. Rodzina pobitego chłopca również boi się ujawnić nazwisko ze względu na ewentualne dalsze represje wobec chłopca.

Sprawą zainteresowała się Europejska Fundacja Praw Człowieka, uznając to pobicie za wynik negatywnego stosunku władz i społeczeństwa litewskiego do mniejszości narodowych. Sam zwracałem uwagę na łamanie praw autochtonicznych mniejszości narodowych w Republice Litewskiej w pytaniu nr. O-000331/2011.

W związku z powyższym pragnę zapytać, czy Komisja jest zaznajomiona z tą sprawą oraz czy planuje podjąć jakieś kroki w celu wyjaśnienia jej okoliczności oraz kroki przeciwko narastającej agresji wobec mniejszości narodowych na Litwie?

Odpowiedź udzielona przez komisarz Viviane Reding w imieniu Komisji
(28 marca 2012 r.)

Komisja Europejska nie była poinformowana o godnym pożałowania akcie przemocy, o którym wspomina Szanowny Pan Poseł.

Komisja z całą stanowczością potępia wszelkie formy i przejawy rasizmu i ksenofobii, jako że są one niezgodne z wartościami, na których opiera się Unia.

Decyzja ramowa Rady 2008/913/WSiSW ([1]) zobowiązuje państwa członkowskie do karania czynów umyślnego publicznego nawoływania do przemocy lub nienawiści ze względu na rasę, kolor skóry, wyznawaną religię, pochodzenie albo przynależność narodową lub etniczną, a w przypadku innych przestępstw – do uwzględniania pobudek rasistowskich i ksenofobicznych jako okoliczności obciążającej lub przy określaniu wymiaru kary. Państwa członkowskie były zobowiązane dokonać transpozycji przytoczonej decyzji ramowej do krajowego porządku prawnego do dnia 28 listopada 2010 r. Litwa zgłosiła środki wykonawcze, które analizowane są obecnie przez Komisję. Za prowadzenie dochodzenia w sprawie domniemanych przypadków rasizmu i ksenofobii, a w razie potrzeby – oskarżanie i skazywanie sprawców takich czynów, odpowiadają organy ścigania i organy sądowe poszczególnych państw członkowskich. Do dnia 1 grudnia 2014 r. Komisja nie posiada uprawnień na mocy Traktatów do wszczynania postępowania w sprawie uchybienia zobowiązaniom państwa członkowskiego na podstawie decyzji ramowych. W 2013 r. ukazać ma się sprawozdanie w sprawie transpozycji decyzji ramowej.

([1]) Decyzja ramowa Rady 2008/913/WSiSW z dnia 28 listopada 2008 r. w sprawie zwalczania pewnych form i przejawów rasizmu i ksenofobii za pomocą środków prawnokarnych, Dz.U. L 328, s. 55.

(English version)

Question for written answer E-001159/12
to the Commission
Michał Tomasz Kamiński (ECR)
(31 January 2012)

Subject: Situation facing the Polish minority in Lithuania — assault of a 16-year-old Pole in Vilnius

The Polish media have reported on the assault of a 16-year-old Polish pupil of the John Paul II Polish High School. The boy was beaten unconscious in front of the House of Polish Culture in Vilnius. He believes that the attack occurred because he was using the Polish language to converse with his friends. The perpetrators of the attack have not been identified, and a police investigation of the case is under way.

Following this incident, the Polish media in Lithuania have begun to give greater prominence to the growing aggression against the Polish minority in that country. The situation is now so bad that young Poles are afraid to speak Polish in public places. Furthermore, the victim's family are afraid to reveal their surname for fear that the young man will be further victimised.

The European Foundation of Human Rights has taken up the case, deeming the assault to be a consequence of the negative attitudes of the Lithuanian authorities and society towards national minorities. I myself drew attention to the violation of the rights of indigenous national minorities in Lithuania in Written Question No 0-000331/2011.

Has the Commission been informed of this incident?

Does it intend to take steps to shed light on the circumstances surrounding the incident and to counter the growing aggression against national minorities in Lithuania?

Answer given by Mrs Reding on behalf of the Commission
(28 March 2012)

The European Commission is not aware of the deplorable act of violence to which the Honourable Member refers.

The Commission strongly condemns all forms and manifestations of racism and xenophobia as they are incompatible with the values on which the EU is founded.

Council Framework Decision 2008/913/JHA ([1]) obliges Member States to penalise the intentional public incitement to violence or hatred based on race, colour, religion, descent or national or ethnic origin, and to take the racist or xenophobic motivation of any other offence into consideration as an aggravating circumstance or in the determination of the penalties. Member States were obliged to transpose the framework Decision into their national laws by 28 November 2010. Lithuania has notified its implementing measures, which the Commission is analysing. It is for the law enforcement and judicial authorities of each Member State to investigate alleged acts of racism and xenophobia and, if necessary, to prosecute and punish the perpetrators of such acts. The Commission is not authorised by the Treaties to launch infringement proceedings on the basis of Framework Decisions until 1 December 2014. It will deliver a report on the transposition of the framework Decision in 2013.

([1]) Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, OJ L 328, p. 55.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001161/12
alla Commissione
Elisabetta Gardini (PPE)
(8 febbraio 2012)

Oggetto: Rischio di fallimento delle marinerie italiane dell'area dell'Adriatico

Il caro-gasolio e alcune regole comunitarie sulla pesca stanno mettendo in ginocchio un settore vitale per molte regioni italiane.

Da alcuni giorni le marinerie dell'Adriatico sono in stato di agitazione per richiamare l'attenzione delle istituzioni italiane ed europee sulle attuali condizioni di lavoro.

Migliaia di pescherecci, ogni mattina, restano ormeggiati in porto perché i costi sono oramai diventati più alti dei ricavi.

Centinaia di famiglie che vivono grazie alla pesca rischiano di non avere più mezzi di sostentamento.

L'area dell'Adriatico, in cui opera il comparto pesca, ha caratteristiche del tutto uniche e diverse da quelle degli altri mari europei.

L'Unione europea dovrebbe tenere conto delle differenze morfologiche e ambientali tra i diversi mari che circondano il territorio comunitario.

Stante quanto sopra esposto, si chiede alla Commissione:

1. la Commissione è a conoscenza delle difficoltà che le marinerie italiane dell'area dell'Adriatico stanno soffrendo?

2. Come intende intervenire la Commissione per garantire condizioni di lavoro eque?

3. La Commissione è intenzionata a riconoscere la particolarità dell'area in questione con regole che garantiscano una pesca economicamente sostenibile?

Risposta data da Maria Damanaki a nome della Commissione
(21 marzo 2012)

La Commissione è a conoscenza del recente aumento del prezzo del gasolio in Italia e delle preoccupazioni che ciò ha sollevato nel settore della pesca.

La situazione economica in cui versa la flotta peschereccia in questione non dipende soltanto dal caro-gasolio, ma è dovuta in gran parte anche allo stato degli stock ittici, recentemente sottoposti a una pressione eccessiva. Oggi gli stock soggetti a sovrasfruttamento sono costituiti per lo più da pesci di piccola taglia e di scarso valore.

Come proposto nella riforma della politica comune della pesca, il modo migliore per accrescere la redditività della flotta peschereccia è ricostituire gli stock ittici. Ciò permetterebbe di avere stock di maggiori dimensioni e quindi un potenziale di cattura, un margine di profitto e un rientro sugli investimenti più elevati: in altre parole, per il settore della pesca si verrebbe a creare un'ulteriore fonte di guadagno.

Per le flotte pescherecce economicamente poco redditizie, come nel caso esposto dall'onorevole parlamentare, il Fondo europeo per la pesca (FEP) prevede diverse misure di sostegno, dagli aiuti per l'ammodernamento delle navi a iniziative socio-economiche finalizzate alla diversificazione delle attività di pesca e allo sviluppo delle comunità di pescatori, che a sua volta contribuisce a garantire condizioni di lavoro eque. Molte di queste misure vengono riprese e rafforzate nella proposta di istituzione del Fondo europeo per gli affari marittimi e la pesca (FEAMP), in modo particolare grazie a un aumento degli stanziamenti a favore di strategie di sviluppo locale.

Attualmente, la Commissione collabora con Italia, Slovenia, Grecia e altri paesi costieri della regione alla definizione di una strategia marittima per i mari Ionio e Adriatico. Nell'ambito di tale strategia verrà esaminata, tra gli altri aspetti, una possibile cooperazione per una pesca sostenibile, definita sulla base delle normative vigenti e tenendo in considerazione le possibilità di finanziamento.

(English version)

Question for written answer E-001161/12
to the Commission
Elisabetta Gardini (PPE)
(8 February 2012)

Subject: Risk of bankruptcy for Italian fishing communities in the Adriatic region

The high cost of diesel, and some of the Community's rules on fishing, are bringing this industry — which is vital to many Italian regions — to its knees.

For several days, Adriatic fishing communities have been anxious to draw Italian and European institutions' attention to the current working conditions.

Each morning, thousands of fishing boats remain moored in the harbour as costs now exceed profits.

For hundreds of families who rely on fishing, their livelihoods are now under threat.

The Adriatic, where the fishing industry operates, has characteristics which are completely unique and different from those of other European seas.

The European Union should take the morphological and environmental differences between the various seas which surround the Community into consideration.

Given the above,

1. Is the Commission aware of the difficulties facing Italian fisheries in the Adriatic?

2. What action does the Commission intend to take to ensure fair working conditions?

3. Does the Commission intend to recognise the particular features of this region through rules which ensure fishing is economically sustainable?

Answer given by Ms Damanaki on behalf of the Commission
(21 March 2012)

The Commission is aware that the recent increase in the price of diesel in Italy has caused concern in the fishing sector.

The economic performance of the fishing fleet concerned is not only linked to the high fuel cost but also largely to the situation of the fish stocks which have recently suffered excessive fishing pressure. Today, overfished stocks are mostly made up of smaller and less valuable fish.

As proposed in the Reform of the common fisheries policy the best way to improve the profitability of the fishing fleet is to restore the state of the fishing stocks. It will lead to larger stocks, and thus higher catch potential, higher profit margins and higher return on investment — in other words, an additional income for the fishing industry.

The European Fisheries Fund (EFF) includes several measures providing support to the under-performing fishing fleet mentioned by the Honourable Member like support to modernisation of the vessels, socioeconomic measures to diversify fishing activities and development of local fishing communities which will also help ensuring fair working conditions. The proposal for the European Maritime and Fisheries Fund (EMFF) continues and reinforces most of such measures with, in particular, increased financial allocations in support of local development strategies.

The Commission is working with Italy, Slovenia and Greece and other concerned coastal States on the definition of a maritime strategy for the Adriatic-Ionian seas which will, amongst others, look into cooperation on sustainable fisheries taking into account existing legislation and funding possibilities.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-001162/12
à Comissão
Luis Manuel Capoulas Santos (S&D)
(8 de fevereiro de 2012)

Assunto: Utilização de polifosfatos nos produtos de pesca

Tendo sido submetida a discussão no Grupo de Peritos de Aditivos Alimentares da Comissão Europeia/DG Sanco a possibilidade da introdução do uso de fosfatos (E 338-E 341, E 343i, E 450-E 452) em peixe salgado e tendo o mesmo organismo concluído em 2010 que, nomeadamente, os polifosfatos (E 452) são aditivos e que não se encontra claramente demonstrado que os mesmos sejam suficientemente removidos e que o seu uso não tenha efeitos no produto final quando consumido, poderá a Comissão Europeia esclarecer qual a posição que pretende assumir face a este novo pedido?

A justificação do uso de fosfatos no processo de preservação do bacalhau, para evitar que sofra o processo de oxidação natural e que adquira a coloração amarelada, implicará também a alteração do seu processo de secagem, encarecendo-o, pois os fosfatos também funcionam como agentes sequestradores das moléculas de água, que não permitem a perda de peso do produto e implicam a alteração do sabor tradicional do bacalhau seco.

— Nestes termos, caso a Comissão o consinta, como procederá à distinção entre os polifosfatos naturais e os adicionados?

— Serão estabelecidos limites totais ao uso de polifosfatos nas várias fases de processamento?

— Terá o consumidor acesso na rotulagem e nas fichas técnicas à informação da presença destes aditivos nos produtos?

Resposta dada por John Dalli em nome da Comissão
(2 de março de 2012)

A Comissão recebeu vários pedidos para a utilização de difosfatos (E 450), trifosfatos (E 451) e polifosfatos (E 452) no peixe salgado por salga húmida. Esses pedidos têm fundamento técnico, uma vez que o longo processo de conservação deste peixe resulta numa deterioração por oxidação que substitui a cor branca original por uma cor amarela e que pode também influenciar o seu sabor. Dada a sua função de agentes sequestrantes, os fosfatos demonstraram ser muito eficazes na proteção do peixe salgado contra essa oxidação.

Foi também demonstrado que a maioria dos fosfatos adicionados é eliminada juntamente com o sal durante o processo de demolha. Após a demolha, o teor de água no peixe pronto para consumo não é superior ao do peixe tratado da mesma forma sem fosfatos ([1]).

Por conseguinte, a Comissão está a analisar esta questão com os Estados-Membros, a fim de propor que seja autorizada a utilização de difosfatos (E 450), trifosfatos (E 451) e polifosfatos (E 452) para o referido efeito, numa concentração máxima de 5 000 mg/kg, no peixe salgado por salga húmida, com um conteúdo em sal de pelo menos 18 %.

Não é possível ao consumidor distinguir entre o processo natural ou com adição de fosfatos, mas a utilização destes aditivos deverá obrigatoriamente ser rotulada na lista de ingredientes, mesmo que a maioria dos fosfatos adicionados seja removida através da demolha.

Importa salientar que a autorização das três substâncias supracitadas não significa que a sua utilização passe a ser obrigatória.

([1]) «Journal of Aquatic Food Product Technology», Volume 19, págs. 16-25, 2010.

(English version)

Question for written answer E-001162/12
to the Commission
Luis Manuel Capoulas Santos (S&D)
(8 February 2012)

Subject: Use of polyphosphates in fisheries products

The Commission's Expert Group on Food Additives (DG SANCO) has been asked to consider the possibility of phosphates (E 338-E 341, E 343i, E 450-E 452) being introduced into salted fish. The sams expert group concluded in 2010 that polyphosphates (E 452), in particular, are additives and that it has not been clearly shown that they can be removed sufficiently or that their use will not have an effect on the end product when consumed. Will the Commission therefore clarify the position that it intends to take on this matter?

The justification for the use of phosphates in the cod-preservation process, to prevent the natural oxidation process that turns it a yellowish colour, will also require changes in the process of drying it, making it more expensive, since phosphates also trap water molecules, preventing the product's weight from decreasing and resulting in a change to the traditional taste of salted cod.

— Accordingly, in the event that the Commission gives its consent, how will it distinguish between naturally occurring and added polyphosphates?

— Will total limits be set regarding the use of polyphosphates during the different stages of processing?

— Will the consumer be informed, in the labelling and technical specifications, that these additives are present in the products?

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

The Commission received several requests for the use of diphosphates (E 450), triphosphates (E 451) and polyphosphates (E 452) in wet salted fish. These requests were technologically justified, as during the long preservation of this fish oxidative spoilage occurs which changes the original white colour to yellow and which may also influence its flavour. Because of their function as sequestrants, these phosphates have been proven to be most effective to protect the salted fish against such oxidation.

It was demonstrated that most of the added phosphates are removed together with the salt during the soaking process. Following the soaking, the water content in the fish ready for consumption is not increased compared to products that were similarly processed without phosphates ([1]).

Therefore the Commission is discussing this issue with the Member States with a view to proposing the authorisation of the use of diphosphates (E 450), triphosphates (E 451) and polyphosphates (E 452) for this purpose at a maximum level of 5 000 mg/kg, in wet salted fish with a salt content of at least 18 %.

The consumer cannot distinguish between natural or added phosphates, however, this use as an additive must be labelled on the ingredients list, even if the majority of the added phosphates have been removed after soaking.

It has to be underlined, that the authorisation of the abovementioned three substances does not mean that their use is compulsory.

([1]) *Journal of Aquatic Food Product Technology*, 19:16-25, 2010.

(Version française)

Question avec demande de réponse écrite P-001163/12
à la Commission
Gilles Pargneaux (S&D)
(7 février 2012)

Objet: Risques du mercure dentaire

Dans votre réponse à la question écrite E-011298/2011, vous indiquez que «l'avis du Comité scientifique des risques sanitaires émergents et nouveaux (CSRSEN), adopté en mai 2008, conclut qu'aucune preuve scientifique ne permet d'établir un lien entre l'utilisation d'amalgames dentaires pour la restauration des dents, d'une part, et des pathologies telles que la maladie d'Alzheimer, l'autisme ou d'autres troubles neurologiques, d'autre part».

Permettez-moi de remettre en cause la pertinence de cette étude qui a été menée par un groupe d'experts peu objectifs.

Pour rappel, en 2008, le groupe d'experts du CSRSEN était constitué de la façon suivante: un ingénieur (Président), quatre dentistes, un toxicologiste et deux vétérinaires. L'absence d'expert en médecine dans ce groupe en comparaison à la surreprésentation des dentistes aurait dû être notée.

La formation et l'expérience clinique des dentistes ne leur permettent pas de juger des effets systémiques médicaux causés par les amalgames dentaires, tels que la sclérose en plaques, l'autisme ou la maladie d'Alzheimer.

D'autre part, les organisations dentaires sont, aujourd'hui, le seul groupe commercial de professionnels de la santé à soutenir l'usage du mercure dentaire. Notons que chaque amalgame breveté est réalisé selon les spécifications des organisations dentaires. Ces dernières sont de facto responsables en cas d'effets secondaires provoqués par la pose de ces produits.

Sur cette base, je ne peux que douter de la transparence et de l'objectivité des conclusions de l'avis du CSRSEN.

La Commission n'estime-t-elle pas que cet avis devient caduc à partir du moment où nous relevons la présence de tels conflits d'intérêts?

Réponse donnée par M. Dalli au nom de la Commission
(20 février 2012)

L'avis du Comité scientifique des risques sanitaires émergents et nouveaux (CSRSEN) relatif à la sécurité des amalgames dentaires ([1]) a été formulé conformément aux principes d'indépendance, de transparence et d'excellence qui sous-tendent le fonctionnement du système des avis scientifiques de la Commission européenne ([2]).

La composition du groupe de travail du CSRSEN sur les amalgames dentaires a été arrêtée conformément aux pratiques habituelles. Après identification des différents types d'expertise requis, des experts ont été recensés et invités à faire partie du groupe et à soumettre, à cet effet, un curriculum vitae et une déclaration d'intérêts. La nomination des experts a été confirmée au terme d'un examen minutieux de leurs qualifications professionnelles et de leurs déclarations d'intérêts par le CSRSEN et la Commission. Ce processus a permis de garantir qu'aucun conflit d'intérêts ne risquait de compromettre la capacité des experts à travailler de manière indépendante et objective. La Commission considère que la profession d'un individu, en l'occurrence celle de dentiste, ne constitue pas un conflit d'intérêts a priori.

En outre, la méthode de travail collégiale, le regard constant des pairs et la composition pluridisciplinaire des comités scientifiques de la Commission fournissent de solides garanties procédurales quant à l'objectivité et à l'impartialité scientifique des avis rendus. Si les projets d'avis sont élaborés par le groupe de travail dans un cadre collégial et pluridisciplinaire, c'est le CSRSEN réuni en plénière qui l'adopte, après un examen minutieux par les pairs et d'éventuelles modifications. Dès lors, l'avis scientifique sur la sécurité des amalgames dentaires, comme tout avis du CSRSEN, est le fruit d'un travail, d'un examen par les pairs et de discussions approfondis, chaque expert apportant un point de vue différent et contribuant à l'exhaustivité et à l'objectivité de l'avis rendu.

([1]) Disponible sur la page web suivante:. http://ec.europa.eu/health/archive/ph_risk/committees/04_scenihr/docs/scenihr_o_016.pdf
([2]) Décision 2008/721/CE de la Commission du 5 août 2008 établissant une structure consultative de comités scientifiques et d'experts dans le domaine de la sécurité des consommateurs, de la santé publique et de l'environnement et abrogeant la décision 2004/210/CE (JO L 241, pp. 21-29).

(English version)

Question for written answer P-001163/12
to the Commission
Gilles Pargneaux (S&D)
(7 February 2012)

Subject: Risks posed by dental mercury

In your answer to Written Question E-011298/2011, you state that 'the opinion of the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR), adopted in May 2008, concludes that there is no scientific evidence to support a connection between dental amalgam used for the restoration of teeth and conditions such as Alzheimer's, autism or other neurological disorders'.

Allow me to call into question the relevance of this study, which was carried out by a group of experts who were hardly objective.

As a reminder, in 2008, the group of experts from SCENIHR was made up of the following members: an engineer (chair), four dentists, one toxicologist and two veterinarians. The lack of medical experts in this group in comparison with the over-representation of dentists should have been noted.

The dentists' clinical training and experience does not make them qualified to judge the systemic medical effects caused by dental amalgam, such as multiple sclerosis, autism or Alzheimer's.

Furthermore, dental organisations are, today, the only commercial group of healthcare professionals to support the use of dental mercury. It is worth noting that each patented amalgam is made according to the specifications of dental organisations. These organisations are de facto responsible in the event of secondary effects being caused by the use of these products.

On this basis, I cannot but question the transparency and objectivity of the conclusions of SCENIHR's opinion.

Does the Commission not feel that this opinion becomes null and void in the light of such conflicts of interest?

Answer given by Mr Dalli on behalf of the Commission
(20 February 2012)

The opinion of the Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR) on the safety of dental amalgams ([1]) was developed according to the principles of independence, transparency and excellence which underpin the functioning of the European Commission system of Scientific Advice ([2]).

The composition of the SCENIHR Working Group on dental amalgam was determined according to standard practices. After identification of the types of expertise required, experts were identified and invited to join the group by submitting their Curriculum Vitae and declarations of interests. The experts were confirmed after a thorough examination of their professional qualifications and their declarations of interest by the SCENIHR and the Commission. That process ensured that no conflicts of interest would carry the potential to compromise the experts' ability to operate independently and objectively. The Commission considers that one's profession, in this case dentistry, does not a priori constitute a conflict of interest.

In addition, the collegiate way of working, the constant peer review and the multidisciplinary composition of the Commission Scientific Committees provides a strong procedural safeguard to ensure the objectivity and scientific integrity of the opinions. While the draft opinion is elaborated in a collegiate and multidisciplinary manner by the Working Group, it is the SCENIHR at its plenary which adopts it, after thorough peer review and modifications. Hence the scientific opinion on the safety of dental amalgams, like any SCENIHR opinion, is the fruit of extensive labour, peer review and discussions, each expert bringing a different perspective, and each contributing to the overall completeness and balance of the opinion.

([1]) Available on webpage: http://ec.europa.eu/health/archive/ph_risk/committees/04_scenihr/docs/scenihr_o_016.pdf
([2]) Commission Decision 2008/721/EC of 5 August 2008 setting up an advisory structure of Scientific Committees and experts in the field of consumer safety, public health and the environment and repealing Decision 2004/210/EC, OJ L 241, 21-29.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-001164/12
alla Commissione
Oreste Rossi (EFD)
(7 febbraio 2012)

Oggetto: Direttiva 2007/46/CE: rilascio false certificazioni di omologazione comunitaria di veicoli

La vicenda giudiziaria di un autotrasportatore italiano, rimasto vittima di una truffa sulla regolarità delle attestazioni rilasciate dalle autorità competenti sui collaudi di omologazione dei veicoli industriali, rischia di diventare un caso europeo. Al centro della vicenda, infatti, vi è stata una serie di comportamenti omissivi e collusivi da parte di pubblici funzionari, nella fase di rilascio delle necessarie certificazioni.

Lo svolgimento a norma di legge delle trasformazioni dei veicoli e dei relativi collaudi, come pure la veridicità di conformità delle carte di circolazione rilasciate, andrebbero coordinati con indagini effettive presso gli uffici provinciali del Dipartimento dei trasporti terrestri, al fine di garantire e salvaguardare la sicurezza stradale.

Considerando che le procedure di omologazione comunitarie sono obbligatorie e sostituiscono le procedure nazionali, chiedo alla Commissione:

1. di riferire sulla corretta applicazione della direttiva 2007/46/CE, recepita in Italia con decreto ministeriale 28.4.2008 (pubblicato sulla Gazzetta Ufficiale n. 162 del 12 luglio 2008 — Suppl. ordinario n. 167);

2. se intenda procedere all'accertamento del rispetto della suddetta direttiva in materia di collaudi e omologazioni di veicoli industriali, presso le competenti autorità nazionali di omologazione, al fine di evitare che pubblici funzionari rilascino certificati sulla base di documenti di conformità rilasciati dagli allestitori, senza effettuare verifiche tecniche rigorose sui mezzi.

Risposta data da Antonio Tajani a nome della Commissione
(9 marzo 2012)

La direttiva 2007/46/CE del Parlamento europeo e del Consiglio, del 5 settembre 2007, che istituisce un quadro per l'omologazione dei veicoli a motore e dei loro rimorchi, nonché dei sistemi, componenti ed entità tecniche destinati a tali veicoli ([1]), è stata recepita correttamente nella legislazione italiana.

Gli Stati membri sono tenuti a garantire che la loro legislazione nazionale, che recepisce la legislazione dell'UE, sia correttamente applicata da tutte le autorità e organismi nazionali. Peraltro, la Commissione potrebbe intervenire ove fosse accertata un'inosservanza sistematica di tale legislazione da parte delle autorità nazionali competenti. In merito, la Commissione non è a conoscenza di alcuna situazione del genere in Italia.

Di conseguenza, in base alle informazioni di cui dispone, la Commissione non intende indagare in merito alla suddetta direttiva.

([1]) GU L 263 del 9.10.2007, pag. 1.

(English version)

Question for written answer P-001164/12
to the Commission
Oreste Rossi (EFD)
(7 February 2012)

Subject: Directive 2007/46/EC: faking of Community vehicle type approval certificates

The case of an Italian haulier affected by the counterfeiting of type approval certificates for industrial vehicles supposedly issued by the competent authorities is about to become a European case. At the centre of this case there has been a string of omissions and collusions on the part of the officials responsible for certification.

The implementation of the legal provisions concerning making changes to vehicles and the associated tests, as well as the accuracy and conformity of the registration certificates issued, should be based on proper investigations carried out by the Italian Department of Transport's regional offices, in order to ensure and safeguard road safety.

Considering that Community approval procedures are obligatory and replace national procedures, can the Commission:

1. provide information on the correct application of Directive 2007/46/EC, transposed into Italian law by ministerial decree on 28 April 2008 (Official Journal of the Italian state, No 162, 12 July 2008, supplement No 167);

2. state whether it intends to proceed to an investigation with respect to the abovementioned directive on the testing and approval of industrial vehicles, at the level of the national authorities responsible for testing, in order to avoid officials issuing certificates based on documentation supplied by fitters without carrying out rigorous technical tests on the vehicles?

Answer given by Mr Tajani on behalf of the Commission
(9 March 2012)

Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles ([1]) was correctly transposed in Italian law.

Member States have to ensure that national legislation transposing EU legislation is correctly applied by all their national authorities and bodies. Nevertheless, the Commission could intervene if it ascertained a systematic non-application of such legislation by the competent national authorities. The Commission is not aware of such a situation in Italy in this area.

Hence, on the basis of the information at its disposal, the Commission does not intend to proceed to an investigation with respect to the abovementioned Directive.

([1]) OJ L 263, 9.10.2007, p. 1.

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-001165/12
alla Commissione
Roberta Angelilli (PPE)
(7 febbraio 2012)

Oggetto: Progetto ecocompatibile con finalità didattiche: possibili finanziamenti per la realizzazione di un orto botanico all'interno di un parco intitolato a Marta Russo

Il progetto per la realizzazione di un orto botanico, promosso dalla Fondazione Adriano Olivetti, nasce all'interno del parco nel XX municipio di Roma intitolato a Marta Russo, studentessa universitaria vittima di un omicidio compiuto all'interno della città universitaria de «La Sapienza». Il progetto, voluto per fini didattici dall'Istituto Tecnico Industriale Biagio Pascal, propone un percorso evolutivo alla scoperta delle piante e più in generale della botanica. Tale progetto sarà sviluppato in maniera modulare: dapprima si provvederà alla sistemazione dell'area verde, attualmente in un grave stato di abbandono e incuria, e successivamente si procederà alla realizzazione delle strutture necessarie per l'allestimento del parco botanico mediante utilizzo di materiali ecocompatibili. Il parco botanico, infatti, prevede la realizzazione di cinque aree tematiche: la prima sarà dedicata alle alghe unicellulari, la seconda sarà dedicata alle piante non vascolari come le Briofite (muschi) e i licheni; la terza rappresenterà la comparsa delle prime piante vascolari come le Pteridofite e le Equisetophyta, ovvero felci ed equiseti; la quarta sarà dedicata alle piante con semi e piante arboree, come alcune specie di conifere; infine, il tema della quinta area saranno le piante con fiori (Angiosperme), sia erbacee che arbustive, e le conifere.

Le future opere di sistemazione dell'intera area verde e la realizzazione del progetto porteranno un indubbio valore aggiunto a tutto il XX municipio anche grazie al fatto che è prevista la realizzazione di aree di sosta per tutti i cittadini del quartiere.

Alla luce delle considerazioni sopraesposte l'interrogante chiede alla Commissione:

1. se esistono finanziamenti per la realizzazione del progetto descritto;

2. un quadro generale della situazione.

Risposta data da Johannes Hahn a nome della Commissione
(2 marzo 2012)

L'articolo 5, paragrafo 2, lettera d) del regolamento relativo al Fondo europeo di sviluppo regionale (FESR) ([1]) prevede che nelle regioni che rientrano nell'obiettivo Competitività regionale e occupazione l'FESR può contribuire alla «tutela e valorizzazione del patrimonio naturale e culturale a sostegno dello sviluppo socioeconomico e promozione dei beni naturali e culturali in quanto potenziale per lo sviluppo del turismo sostenibile». Dato che il Lazio rientra in questa categoria di regione, il tipo di progetto menzionato dall'onorevole parlamentare potrebbe quindi essere ammissibile nel quadro del programma FESR per il Lazio 2007-2013, purché siano rispettate le condizioni suddette connesse allo sviluppo socioeconomico o al turismo sostenibile. Qualsiasi progetto da cofinanziare deve rispettare i criteri specifici di ammissibilità e di selezione del programma in questione.

Conformemente al principio di gestione condivisa applicato per il funzionamento dei Fondi strutturali, la selezione e la realizzazione di progetti individuali incombono alle autorità nazionali. La Commissione suggerisce quindi all'onorevole parlamentare di contattare direttamente l'autorità di gestione del programma:

Autorità di gestione del programma operativo regionale per il Lazio 2007-2013
Via R. R. Garibaldi, 7
00145 Roma
adgcomplazio@regione.lazio.it

([1]) Regolamento (CE) 1080/2006, GU L 210 del 31.7.2006.

(English version)

Question for written answer P-001165/12
to the Commission
Roberta Angelilli (PPE)
(7 February 2012)

Subject: Eco-friendly project with educational purposes: possible funding for the creation of a botanical garden in the Marta Russo Park (Rome)

A project exists, supported by the Adriano Olivetti Foundation, to create a botanical garden inside the park in the 20th district of Rome named after Marta Russo, a university student who was murdered on the city's La Sapienza campus. The project, proposed by the Biagio Pascal Technical Commerce Institute on educational grounds, will take visitors on an evolving path of discovery of plants and botany in general. It will be organised in a modular fashion: first the park, which is currently in a serious state of disrepair and neglect, will be landscaped, and then the structures for the botanical garden will be put in place using eco-friendly materials. The botanical garden involves the creation of five themed areas: the first will be dedicated to single-celled pond life; the second will feature non-vascular plants such as bryophytes (mosses) and lichen; the third will represent the appearance of the first vascular plants such as pteridophytes and equisetophyta (ferns and horsetails); the fourth area will be dedicated to plants with seeds and woody plants, such as certain conifer species; and finally, the theme of the fifth area will be flowering plants (Angiosperms), both herbaceous plants and shrubs, together with conifers.

The landscaping of the whole park and the implementation of the project will undoubtedly create value added for the entire 20th district, also thanks to the fact that parking space will be provided to cater for all local residents.

In the light of the above, can the Commission:

1. state whether funding is available for carrying out this project;

2. provide an overview of the situation?

Answer given by Mr Hahn on behalf of the Commission
(2 March 2012)

Article 5(2) (d) of the European Regional Development Fund (ERDF) Regulation ([1]) foresees that in regions belonging to the Regional Competitiveness and Employment objective the ERDF can contribute to the 'protection and enhancement of the natural and cultural heritage in support of socioeconomic development and the promotion of natural and cultural assets as potential for the development of sustainable tourism'. As Lazio belongs to this category of region, the type of project referred to by the Honourable Member could therefore be eligible under the ERDF programme for Lazio 2007-13, subject to the conditions mentioned above related to socioeconomic development or sustainable tourism. Any project to be co-financed has to respect the specific eligibility and selection criteria of the said programme.

In line with the shared management principle used for the running of Structural Funds, the selection and implementation of individual projects is the responsibility of the national authorities. The Commission therefore suggests that the Honourable Member contact directly the programme managing authority:

Managing authority regional operational programme Lazio 2007-2013
Via R. R. Garibaldi, 7
00145 Roma
adgcomplazio@regione.lazio.it

([1]) Regulation (EC) 1080/2006, OJ L 210, 31.7.2006.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001167/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Sergio Paolo Frances Silvestris (PPE)
(9 febbraio 2012)

Oggetto: VP/HR — Etiopia, uccisi turisti europei

Un gruppo di turisti occidentali è stato attaccato in Etiopia nella remota regione dell'Afar, al confine con l'Eritrea. Secondo la televisione di Addis Abeba i morti sarebbero cinque. Fonti giornalistiche indipendenti nella capitale etiopica parlano invece di tre morti, due tedeschi e un austriaco, e diversi feriti gravi. Alcune guide locali sarebbero state rapite. L'attacco è avvenuto a Erta Ale nella notte tra lunedì e martedì, e non si sa bene a che gruppo appartengano gli uomini del commando. Secondo la televisione etiopica sarebbero ribelli Oromo finanziati e sostenuti dall'Eritrea, paese arcinemico dell'Etiopia.

Tutto ciò premesso, si chiede all'Alto Rappresentante quanto segue:

1. È la delegazione europea in Etiopia a conoscenza di questo tragico attacco a cittadini europei e, in caso affermativo, sta assumendo azioni e quali per evitare che tali disastri accadano nuovamente?

2. Quali sono i programmi attualmente in vigore in Etiopia nel tentativo di sblocco dello stallo nell'applicazione degli accordi di pace con l'Eritrea?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(27 marzo 2012)

La delegazione dell'UE in Etiopia è in stretto contatto con le ambasciate ad Addis Abeba degli Stati membri coinvolti. L'Alta Rappresentante/Vicepresidente Catherine Ashton condanna gli attacchi e richiede la liberazione immediata degli ostaggi. È stata confermata la morte di cinque cittadini europei (2 tedeschi, 2 ungheresi e 1 austriaco), altri 3 sono stati feriti e 2 cittadini tedeschi e 2 etiopi sono stati rapiti. La regione dell'Erta Ale viene visitata spesso da numerosi turisti come tappa di un circuito turistico prestabilito. Molte ambasciate dell'UE mettono in guardia i viaggiatori poiché questo non è il primo incidente che si registra in questa regione dell'Etiopia. L'UE invita alla calma tutte le parti coinvolte; bisogna portare avanti le indagini sull'accaduto per trovare i responsabili e assicurarli alla giustizia.

La controversia relativa ai confini tra Etiopia ed Eritrea è ancora in una fase di stallo. La Commissione sui confini tra Etiopia ed Eritrea (EEBC) ha emesso il proprio verdetto nell'aprile del 2002 ma la situazione resta ancora irrisolta. L'Etiopia continua a mantenere una presenza su un territorio (Badme) assegnato all'Eritrea dall'EEBC. Il recente attacco a turisti europei nella regione etiope di Afar, nei pressi del confine con l'Eritrea, ha accentuato le tensioni. L'UE ritiene che sia nell'interesse di tutti che la decisione dell'EEBC sulla demarcazione dei confini venga applicata. Il sostegno dell'UE alla piena attuazione dell'accordo di Algeri è stato elaborato nell'ambito del quadro strategico per il Corno d'Africa, adottato nel novembre 2011 dal Consiglio «Affari esteri». L'UE continua a esortare Etiopia ed Eritrea a intraprendere un dialogo che conduca alla normalizzazione dei loro rapporti.

(English version)

Question for written answer E-001167/12
to the Commission (Vice-President/High Representative)
Sergio Paolo Frances Silvestris (PPE)
(9 February 2012)

Subject: VP/HR — European tourists killed in Ethiopia

A group of Western tourists has been attacked in Ethiopia, in the remote region of Afar on the border with Eritrea. According to Addis Ababa television, there may be five dead. Independent press sources in the Ethiopian capital have referred to three dead, two Germans and an Austrian, plus several people seriously wounded. Some local guides may have been kidnapped. The attack occurred at Erta Ale during the night of Monday to Tuesday, and it is not known which group the terrorists belong to. According to Ethiopian television, they may be Oromo rebels who are funded and supported by Eritrea, an arch-enemy of Ethiopia.

Given the above, can the High Representative state:

1. whether the EU delegation in Ethiopia is aware of this tragic attack on European citizens, and, if so, whether it working to avoid such disasters happening again;

2. what programmes are currently being applied in Ethiopia with the aim of breaking the deadlock over implementing the peace agreements with Eritrea?

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

The EU Delegation in Ethiopia is in close contact with the relevant EU Member States embassies in Addis Ababa. The HR/VP condemns the attack and calls for the kidnapped people to be freed immediately. Five European citizens are now confirmed dead (2 German, 2 Hungarians, and 1 Austrian citizen), three were injured, and 2 Germans and 2 Ethiopian citizens were kidnapped. Erta Ale is visited by many tourists often as part of an established tour circuit. Many EU Embassies have been issuing travel warnings for this part of Ethiopia as this is not the first incident in the region. The EU appeals for calm on all sides, the investigation into the incident needs to go ahead to find those responsible and bring them to justice.

The border dispute between Ethiopia and Eritrea remains at an impasse. The Ethiopia Eritrea Border Commission (EEBC) delivered its verdict in April 2002, but the situation of the border remains unresolved. Ethiopia still maintains a presence on land (Badme) allocated to Eritrea by the EEBC. The recent attack on European tourists in Ethiopia's Afar region close to the Eritrea border has heightened tensions. The EU believes that it is in everyone's interest that the decision of the Ethiopia-Eritrea Boundary Commission over demarcation of the border is implemented. The EU's support to the full implementation of the Algiers Agreement was elaborated in its Strategic Framework for the Horn of Africa adopted by the EU Foreign Affairs Council in November 2011. The EU continues to encourage Ethiopia and Eritrea to enter into a dialogue that should lead to a normalisation of relations.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001169/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Sergio Paolo Frances Silvestris (PPE)
(9 febbraio 2012)

Oggetto: VP/HR — Repressione del regime siriano ad Homs: 8 morti

È di otto morti, tra cui un giornalista francese, il bilancio del lancio di un razzo esploso ad Homs, in Siria, durante una manifestazione. Nella città epicentro della rivolta antiregime almeno venticinque persone sarebbero rimaste ferite e tra queste anche un altro reporter, di nazionalità olandese.

Il giornalista ucciso è Gilles Jacquier, reporter di France 2 che ha ricevuto due volte il Premio Ilaria Alpi, l'ultimo nel 2011. In Siria la situazione è drammatica, visto che il presidente Bashar al-Assad, che non è minimamente disponibile a farsi da parte, procede ad una repressione sanguinaria nei confronti del popolo che manifesta e richiede diritti e libertà.

Alla luce dei fatti sopraesposti, s'interroga dunque l'Alto Rappresentante per sapere:

1. se è al corrente della repressione ad Homs da parte del regime siriano,

2. se può tracciare un quadro generale della situazione in Siria e dei rischi che possono correre i cittadini europei nel Paese,

3. quali iniziative intende assumere in merito alla vicenda.

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(30 maggio 2012)

Nelle dichiarazioni dell'11 gennaio, del 10 febbraio e del 22 febbraio, l'Alta Rappresentante/Vicepresidente (AR/VP) ha condannato la brutale repressione attuata dalle forze armate siriane nella città di Homs, così come ha deplorato l'uccisione del giornalista francese di France 2, Gilles Jacquier, e delle altre vittime degli scontri, esortando l'esercito siriano a cessare immediatamente le violenze e a ritirarsi dalle città e dai villaggi sotto assedio.

Il 15 marzo 2012, data che segna un anno dall'inizio della rivolta, l'AR/VP ha dichiarato che le violenze in Siria hanno raggiunto livelli inimmaginabili, ribadendo la necessità di fare pienamente chiarezza sui fatti segnalati dalla commissione internazionale indipendente d'inchiesta sulla Siria, che ha denunciato crimini contro l'umanità e altre gravi violazioni dei diritti umani commessi dal regime. I responsabili di tali presunti crimini non debbono rimanere impuniti.

L'UE continua a lavorare in stretta collaborazione con gli Stati membri sulla pianificazione di emergenza e sulla preparazione alla crisi, anche per quanto riguarda la situazione dei cittadini dell'UE in Siria. Il servizio europeo per l'azione esterna sta svolgendo a tal fine una serie di missioni in Siria e nei paesi limitrofi.

In risposta alla brutale repressione del regime siriano, l'UE ha già esteso per 14 volte le misure restrittive e continuerà a farlo fintanto che si protrarranno le violenze. L'Unione esorta la comunità internazionale ad unirsi ai sui sforzi per applicare e far rispettare le misure restrittive e le sanzioni nei confronti del regime siriano e dei suoi sostenitori.

Con l'obiettivo di raggiungere una soluzione politica della crisi, l'AR/VP ha espresso il pieno appoggio dell'UE all'inviato speciale congiunto dell'ONU e della Lega araba, Kofi Annan, e al suo piano in sei punti. A questo proposito, l'AR/VP ha accolto con favore la risoluzione 2042 del Consiglio di sicurezza dell'ONU, che autorizza l'invio di osservatori militari al fine di sorvegliare la cessazione della violenza armata e la piena attuazione della proposta in sei punti dell'inviato speciale.

(English version)

Question for written answer E-001169/12
to the Commission (Vice-President/High Representative)
Sergio Paolo Frances Silvestris (PPE)
(9 February 2012)

Subject: VP/HR — repression by the Syrian regime in Homs: eight people killed

Eight people, including a French journalist, were killed in a rocket attack during a demonstration in Homs, Syria. At least 25 people are thought to have been injured in the city (which is the epicentre of the uprising against the regime), including another reporter of Dutch nationality.

The journalist killed was Gilles Jacquier, a reporter for France 2 who had been awarded the Ilaria Alpi Award on two occasions, most recently in 2011. The situation in Syria is terrible: President Bashar al-Assad, who has absolutely no intention of stepping down, is brutally repressing his people, who are protesting and demanding rights and freedoms.

In light of the above can the Vice-President/High Representative say:

1. Whether she is aware of the repression by the Syrian regime in Homs?

2. Whether she can provide an overview of the situation in Syria and of the potential risks to EU citizens there?

3. What action she intends to take in this connection?

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

In her statements of 11 January, 10 and 22 February 2012 the High Representative/Vice-President (HR/VP) condemned the brutal crackdown of the Syrian armed forces on the city of Homs as well as the deaths of France 2 reporter Gilles Jacquier and the other victims of the attack. She called on the Syrian army to immediately end the killings and withdraw from besieged cities and towns.

Commenting on the one year anniversary of the uprising on 15 March 2012, the HR/VP affirmed that the violence in Syria has reached unspeakable levels. She stated that there must be a full investigation of the findings of the Independent International Commission of Inquiry on Syria, which pointed to crimes against humanity and other gross violations of human rights committed by the regime. There can be no impunity of the perpetrators of such alleged crimes.

The EU continues to work in very close consultation with Member States on contingency planning and crisis preparedness, also with respect to the situation of EU nationals in Syria. The European External Action Service is conducting a number of missions to Syria and the neighbouring countries to this effect.

In response to the brutal repression by the Syrian regime, the EU has already extended its restrictive measures 14 times and it will continue to do so as long as violence continues. The EU encourages the international community to join its efforts and apply and enforce restrictive measures and sanctions on the Syrian regime and its supporters.

To reach a political solution to the crisis, the HR/VP has expressed the EU's full support to the Joint UN-Arab League Envoy to Syria, Mr Kofi Annan, and his six point plan. In this respect, she welcomed the UN Security Council resolution 2042 authorising the deployment of military observers to report on the implementation of a full cessation of armed violence and all aspects of the Envoy's six point plan.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-001170/12
til Kommissionen
Morten Messerschmidt (EFD)
(8. februar 2012)

Om: Manglende inddrivelsesmuligheder for danske kreditorer

Som reglerne er i dag, kan en dansk kreditor hos fogedretten i Danmark ikke foretage udlæg i debitors ejendom, der befinder sig uden for Danmark. Dette er fastslået af Østre Landsret i en kendelse af 16. februar 1996. Dette er fortsat gældende. Begrundelsen er, at EU-domskonventionen ikke giver en dansk foged ret til at foretage udlæg i et aktiv i andre EU-lande. Konsekvensen heraf kan ses i en stor mængde lignende tilfælde med samme udfald.

Vil Kommissionen tilkendegive, om den er enig i, at retstilstanden som beskrevet er et problem?

Vil Kommissionen endvidere oplyse, hvordan man tilsigter at undgå tilsvarende situationer i fremtiden?

Svar afgivet på Kommissionens vegne af Viviane Reding
(2. april 2012)

I spørgsmålet forhører det ærede medlem sig om danske kreditorers muligheder for at inddrive gæld og refererer til Bruxelles I-forordningen ([1]).

Danmark deltager ikke i EU-instrumenterne på det civilretlige område baseret på afsnit V i tredje del af traktaten om Den Europæiske Unions funktionsmåde. Undtagelsesvis er det dog blevet ordnet således, at Danmark deltager i visse instrumenter på det civilretlige område baseret på afsnit V i tredje del af traktaten, idet der i 2005 blev indgået to bilaterale aftaler mellem EU og Danmark, hvoraf den ene gør Bruxelles I-forordningen anvendelig i Danmark ([2]).

I henhold til Bruxelles I-forordningen skal en retsafgørelse, der er afsagt i en anden medlemsstat, anerkendes, og der er fastlagt en procedure for at få erklæret denne retsafgørelse eksigibel. På denne baggrund kan en dansk kreditor, når han/hun opnår en retsafgørelse, der stadfæster en skyldig gæld til ham/hende, anmode dommeren i den medlemsstat, hvor debitors aktiver befinder sig, om at anerkende retsafgørelsen og erklære den eksigibel i medfør af bestemmelserne i Bruxelles I-forordningen. Derefter håndhæves retsafgørelsen i den medlemsstat, hvor aktiverne befinder sig, af dette medlemslands pågældende nationale håndhævelsesmyndigheder som fx fogeder og i henhold til denne medlemsstats bestemmelser om retshåndhævelse.

([1]) Rådets forordning (EF) nr. 44/2001 af 22. december 2000 om retternes kompetence og om anerkendelse og fuldbyrdelse af retsafgørelser på det civil- og handelsretlige område, EFT L 12 af 16.1.2001, s. 1-23.

([2]) Rådets afgørelse 2006/325/EF af 27. april 2006 om indgåelse af aftalen mellem Det Europæiske Fællesskab og Kongeriget Danmark om retternes kompetence og om anerkendelse og fuldbyrdelse af retsafgørelser på det civil- og handelsretlige område, EUT L 120 af 5.5.2006, s. 22.

(English version)

Question for written answer E-001170/12
to the Commission
Morten Messerschmidt (EFD)
(8 February 2012)

Subject: Lack of debt recovery possibilities for Danish creditors

As the rules stand today, a Danish creditor going to the bailiff's court in Denmark may not lay claim to a debtor's assets situated outside Denmark. This was laid down in a ruling by the High Court of Eastern Denmark of 16 February 1996, and remains applicable. The reason is that the EU Convention on jurisdiction does not allow a Danish bailiff to lay claim to assets in other European Member States. The consequence of this can be seen in a large number of similar cases with the same outcome.

Does the Commission agree that the legal situation described above is a problem?

Will the Commission state what it intends to do to avoid similar situations in the future?

Answer given by Mrs Reding on behalf of the Commission
(2 April 2012)

In the question, the Honourable Member enquires on debt recovery possibilities available for Danish creditors making reference to Brussels I Regulation ([1]).

Denmark does not participate in EU civil justice instruments based on Title V of Part III of the Treaty on the Functioning of the European Union. However, exceptionally, the participation of Denmark in certain civil justice instruments based on Title V, part III of the Treaty was arranged through the conclusion of two EU-Denmark bilateral agreements in 2005, one of which makes the Brussels I Regulation applicable to Denmark ([2]).

The Brussels I Regulation provides for the recognition of a judgment given in another Member State and for a procedure for the declaration of the enforceability of that judgment. On this basis, once a Danish creditor obtains a judgment in Denmark affirming a credit in his favour, he can request the judge of the Member State in which the debtor's assets are present to recognise it and to declare it enforceable, according to the rules of the Brussels I Regulation. Thereafter, the enforcement of the judgment takes place in the Member State where the assets are present by the national enforcement authorities of that Member State, such as bailiffs, in accordance with its national enforcement legislation.

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

([2]) Council Decision 2006/325/EC concerning the conclusion of the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, OJ L 120, 5.5.2006, p. 22.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-001171/12
til Kommissionen
Morten Messerschmidt (EFD)
(8. februar 2012)

Om: Ny pille til behandling af patienter med modermærkekræft

Spørgeren er blevet gjort bekendt med, at der skulle være ansøgt om EU-godkendelse af patent på et nyt præparat mod modermærkekræft for patienter, der er i behandling med binyrebarkhormon. Det pågældende præparat skulle allerede være godkendt i USA med meget god virkning på netop denne kræftform. På den baggrund har undertegnede modtaget bekymrede henvendelser fra borgere over, hvorfor det skal tage så lang tid for præparatet at blive godkendt til brug i EU.

Kommissionen bedes derfor svare på, hvor langt man er nået i processen, samt hvor længe man mener, der vil gå, før pillen bliver godkendt til anvendelse i EU?

Svar afgivet på Kommissionens vegne af John Dalli
(19. marts 2012)

Et lægemiddel kan først markedsføres i EU, efter at der er udstedt en markedsføringstilladelse i overensstemmelse med lægemiddellovgivningen ([1]), og efter at dets kvalitet, sikkerhed og virkning er blevet evalueret, og det er konkluderet, at der er et positivt forhold mellem fordele og risici. Procedurer og frister er fastsat i lovgivningen.

Det Europæiske Lægemiddelagenturs Udvalg for Humanmedicinske Lægemidler, som foretager en videnskabelig evaluering af ansøgninger om markedsføringstilladelse efter EU's centraliserede procedure, afgav i december 2011 en positiv udtalelse om lægemidlet Zelboraf, som indeholder det virksomme stof vemurafenib, til behandling af patienter med metastatisk eller inoperabel modermærkekræft. Udvalget påbegyndte vurderingen af Zelboraf i maj 2011, og dets aktive vurderingsperiode har været på 180 dage.

Efter modtagelsen af udvalgets udtalelse indledte Kommissionen beslutningsprocessen, som omfatter en høring af medlemsstaterne. Kommissionens afgørelse om godkendelse af Zelboraf er nu vedtaget og meddelt ansøgeren. Lægemidlet vil snart blive optaget i EF-registret for humanmedicinske lægemidler, som er tilgængeligt via webstedet for Generaldirektoratet for Sundhed og Forbrugere.

([1]) Forordning (EF) nr. 726/2004 om fastlæggelse af fællesskabsprocedurer for godkendelse og overvågning af human- og veterinærmedicinske lægemidler og om oprettelse af et europæisk lægemiddelagentur (EUT L 136 af 30.4.2004). Direktiv 2001/83/EF om oprettelse af en fællesskabskodeks for humanmedicinske lægemidler (EFT L 311 af 28.11.2001).

(English version)

Question for written answer E-001171/12
to the Commission
Morten Messerschmidt (EFD)
(8 February 2012)

Subject: New pill for treating patients with melanoma

I have been informed that an application has been made for the EU approval of the patent for a new drug for the treatment of melanoma for patients undergoing corticosteroid treatment. The drug in question has apparently already been approved in the USA with excellent results specifically in treating this form of cancer. I have consequently received concerned enquiries from citizens as to why it is taking so long for the drug to be approved for use in the EU.

Can the Commission therefore please state how far advanced the process is, and how long it believes it will be before the pill is approved for use in the EU?

Answer given by Mr Dalli on behalf of the Commission
(19 March 2012)

A medicinal product can be placed on the European Union market only after a marketing authorisation has been granted in accordance with the pharmaceutical legislation ([1]), after its quality, safety and efficacy have been evaluated and a positive benefit-risk balance related to its use has been concluded. Procedures and timeframes are set by the legislation.

In December 2011, the European Medicines Agency's Committee for Medicinal Products for Human Use, which performs a scientific evaluation of marketing authorisation applications within the EU centralised procedure, issued a positive opinion on the medicinal product Zelboraf, containing vemurafenib as active substance, for the treatment of patients suffering from metastatic or unresectable melanoma. The review of Zelboraf began in May 2011, with an active review time by this Committee of 180 days.

Upon receipt of the Committee's opinion, the Commission started the decision-making process, which includes a consultation with Member States. The Commission Decision authorising Zelboraf has now been adopted, has been notified to the applicant and will soon be published in the Community register of medicinal products for human use accessible via the website of Directorate-General 'Health and Consumers'.

([1]) Regulation (EC) No 726/2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency, OJ L 136, 30.4.2004, as amended, Directive 2001/83/EC on the Community code relating to medicinal products for human use, OJ L 311, 28.11.2001, as amended.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-001172/12
til Kommissionen
Morten Messerschmidt (EFD)
(8. februar 2012)

Om: Direktivforslag om ophavsret og forældreløse værker, KOM(2011)0289

Spørgeren er blevet gjort bekendt med Kommissionens forslag til direktiv om forældreløse værker (KOM(2011)0289), der har til hensigt at begrænse det betydelige bureaukrati og de betydelige offentlige merudgifter samt sikre retssikkerheden for såvel rettighedshaverne som kulturarvsinstitutioner. Der er imidlertid opstået bekymring over, at forslaget risikerer at gøre det dyrere og mere besværligt at skabe klarhed omkring ophavsrettigheder til skade for såvel rettighedshavere som kulturarvsinstitutioner samt deres brugere.

Spørgeren er blevet forelagt følgende tre forslag til ændringer, som Kommissionen derfor bedes udtale sig om:

1. I betragtning 20 skal det præciseres, at medlemsstaterne ikke alene kan opretholde eksisterende, men også fremtidige aftalelicenser. Sikringen af aftalelicens som alternativ til en undtagelse fra ophavsretten bør også fremgå af selve direktivteksten.

2. Værker, hvor blot nogle af bidragyderne ikke er identificerede/lokaliserede, betragtes som forældreløse. Det skal præcisere, at identificerede/lokaliserede rettighedshavere bevarer fuld eneret, også selv om det drejer sig om værker, hvor andre bidragydere ikke er identificerede/lokaliserede.

3. Alle bidragydere til et værk, som man på et tidspunkt ikke har kunnet identificere/lokalisere, skal kunne ophæve deres status som forældreløst værk på et hvilket som helst tidspunkt, og det skal præciseres, at disse rettighedshavere har krav på vederlag også for allerede foretagen brug. Der er rejst tvivl om, hvorvidt direktivforslaget harmonerer med de internationale konventioner om ophavsret, fordi direktivet lægger optil fri brug af værkerne uden tilladelse fra rettighedshaverne eller deres organisationer.

Vil Kommissionen fremlægge sin holdning til disse tre ændringsforslag?

Svar afgivet på Kommissionens vegne af Michel Barnier
(29. marts 2012)

Kommissionens direktivforslag om forældreløse værker ([1]) er i øjeblikket under behandling i Europa-Parlamentet og Rådet i henhold til den almindelige lovgivningsprocedure. Kommissionen kan ikke tage stilling til specifikke ændringsforslag til det oprindelige forslag, som fremsættes uden for denne procedure. Kommissionen er imidlertid bekendt med, at de spørgsmål, som det ærede medlem rejser, tillige er blevet rejst af de to lovgivende instanser.

1. Forslaget finder anvendelse med forbehold af eksisterende regler i medlemsstaterne vedrørende kollektive aftalelicenser. Kommissionens forslag indeholder en betragtning herom. Dette er blevet afklaret med medlemsstaterne i forbindelse med de igangværende drøftelser i Rådets arbejdsgruppe.

2.-3. For så vidt angår det ærede medlems spørgsmål om, hvorvidt værker, hvor blot nogle af bidragyderne ikke er identificeret eller lokaliseret, tillige omfattes af direktivet, kan Kommissionen på nuværende tidspunkt kun gentage, at sådanne værker ikke betragtes som forældreløse i det fremlagte forslag.

Kommissionen tillægger det, at EU overholder sine internationale forpligtelser på det ophavsretlige område, den største betydning. Med udgangspunkt i disse forpligtelser er der i Kommissionens forslag en række beskyttelsesforanstaltninger, der tillader brugen af forældreløse værker under meget specifikke betingelser.

([1]) KOM(2011) 289 af 24.5.2011.

(English version)

Question for written answer E-001172/12
to the Commission
Morten Messerschmidt (EFD)
(8 February 2012)

Subject: Directive proposal on copyright and orphan works, COM(2011)0289

My attention has been drawn to the Commission's proposal for a directive on orphan works (COM(2011)0289), which is intended to limit the considerable bureaucracy and extra public expense involved as well as ensure the legal rights of both rightholders and cultural institutions. There is, however, a concern that the proposal risks making it costlier and more difficult to clarify the copyright situation, to the disadvantage of both rightholders and cultural institutions and their users.

I have received the following three proposals for amendments on which the commission is asked to comment.

1. In Recital 20, it should be specified that Member States may maintain not only existing, but also future collective licences. It should also be clear from the text of the directive that securing an extended collective licences is an alternative to exemption from copyright.

2. Works in which just a few of the contributors cannot be identified or located, are deemed to be orphan works. It should be made clear that rightholders who have been identified or located retain full exclusive rights, even in the case of works in which other contributors have not been identified or located.

3. All contributors to a work who in the past were not identified or located should be able to revoke its status as an orphan work at any time and it should be made clear that these rightholders have the right to remuneration for previous usage. Doubts have arisen as to whether the directive is in line with international conventions on copyright, as the directive proposes free use of the works without permission from the rightholders or their organisations.

Will the Commission state its position regarding these three amendments?

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

The Commission's proposal for a directive on orphan works ([1]) is being discussed by the European Parliament and the Council in the context of the ordinary legislative procedure. The Commission cannot take a position on specific amendments to its original proposal outside the course of this procedure. It is aware that similar issues to those raised by the Honourable Member have been raised by the co-legislators.

1. The proposal applies without prejudice to existing arrangements in Member States concerning collective licensing arrangements. There is a recital to this effect in the Commission's proposal. This has been clarified with Member States in the ongoing Council Working Party discussions.

2-3. With regard to the issue raised by the Honourable Member as to whether works in which just some rightholders cannot be identified or located should also be covered by the directive the Commission, at this stage, can only recall that such works are not considered orphan works under its proposal.

The Commission attaches the utmost importance to the respect of international obligations binding the EU in the field of copyright. Mindful of these obligations, the Commission has introduced a number of safeguards in its proposal which allow for the use of orphan works under very specific conditions.

([1]) COM(2011) 289 final, 24.5.2011.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-001173/12
til Kommissionen
Morten Messerschmidt (EFD)
(8. februar 2012)

Om: Direktiv om sæsonarbejde for tredjelandes statsborgere

Spørgere er blevet gjort bekendt med Kommissionens forslag til to direktiver om »Sæsonarbejde for tredjelandsstatsborgere« og »Koncernintern udstationering« af 3. landes borgere.

Spørgeren er blevet forelagt følgende bekymringer i forbindelse med de nye direktiver:

1. I direktivet findes ikke en klar definition af, hvilke typer arbejdsfunktioner og erhverv der er omfattet.

2. Traditionelt er sæsonbegrebet blevet anvendt i forbindelse med opgaver/arbejde, der hører årstiderne til. En årstid er 3 måneder, og derfor er direktivforslagets 6-måneders sæson alt for lang tid. Det må afklares, hvad en sæson er inden for det enkelte erhverv og hvilken bestemt arbejdsfunktion der gives tilladelse til.

3. Det er uklart, om de tredjelandsarbejdstagere, der kommer som følge af Sæsonarbejderdirektivet eller som følge af direktivet om koncernintern udstationering, vil kunne følge med deres virksomheder rundt i Europa og løse opgaver i andre lande end dem, de oprindeligt er kommet til. Det er således uklart, hvordan forholdet er imellem udstationering og migrationslovgivning i disse tilfælde.

Vil Kommissionen tilkendegive, at den indser, at disse nye direktiver muliggør en bredere fortolkning af tredjelandsstatsborgers arbejdsbevægelser i Europa?

Vil Kommissionen fremlægge en klar definition af, hvilke typer arbejdsfunktioner og erhverv der er omfattet?

Anerkender Kommissionen det beskrevne problem om sæsonbegrebet, og vil Kommissionen redegøre for, hvad der (skal) forstås ved en sæson inden for de enkelte erhverv, og hvilke arbejdsfunktioner der gives tilladelse til?

Vil Kommissionen endelig forklare præcist, hvordan forholdet er mellem udstationering og migrationslovgivning?

Svar afgivet på Kommissionens vegne af Cecilia Malmström
(28. marts 2012)

Forslaget til direktiv om sæsonarbejde ([1]) fastsætter, at sæsonarbejde ([2]) er begrænset til sæsonbestemte aktiviteter ([3]). I overensstemmelse med subsidiaritetsprincippet er det op til medlemsstaterne at bestemme, hvilke specifikke sektorer der opfylder dette kriterium.

Med hensyn til varigheden af opholdet overvejede Kommissionen nøje forskellige muligheder og endte med at lægge sig fast på et forslag om en maksimumperiode på seks måneder. Det skal bemærkes, at mens de fleste medlemsstater fastsatte en periode på mellem 3 og 6 måneder ([4]), har andre valgt en længere periode ([5]).

Sæsonarbejdere fra tredjelande vil ikke få adgang til mobilitet inden for EU.

Forslaget til direktiv om indrejse- og opholdsbetingelser for virksomhedsinternt udstationerede ([6]) indeholder bestemmelser om mobilitet inden for EU. Disse bestemmelser letter overflytninger af sådanne udstationerede til forskellige afdelinger inden for den samme virksomhed i forskellige medlemsstater, såfremt de vigtigste indrejsebetingelser er opfyldt i de pågældende medlemsstater.

([1]) Forslag til Europa-Parlamentets og Rådets direktiv om betingelserne for tredjelandsstatsborgeres indrejse og ophold med henblik på sæsonarbejde (KOM(2010) 379 endelig).
([2]) Artikel 3, litra b) og c), i forslaget til direktiv om sæsonarbejde.
([3]) Som f.eks. plantnings- og såningsperioden inden for landbrug eller ferieperioden inden for turisme.
([4]) Eksempelvis Tyskland, Ungarn, Bulgarien, Grækenland, Portugal og Nederlandene.
([5]) Eksempelvis Italien, Spanien og Østrig.
([6]) Europa-Parlamentets og Rådets direktiv om indrejse- og opholdsbetingelser for virksomhedsinternt udstationerede (KOM(2010)0378 endelig).

Forslaget til direktivet om virksomhedsinternt udstationerede omhandler udstationeringer fra virksomheder i tredjelande, mens udstationering under direktiv 96/71/EF (»udstationering af arbejdstagere«) vedrører udstationering fra EU-virksomheder. Disse instrumenter overlapper ikke hinanden, eftersom tredjelandsstatsborgere, som udstationeres af EU-virksomheder, udtrykkeligt ikke er omhandlet i forslaget.

(English version)

Question for written answer E-001173/12
to the Commission
Morten Messerschmidt (EFD)
(8 February 2012)

Subject: Directive on seasonal work for third-country nationals

I have studied the Commission's proposals for two Directives on 'Seasonal work for third-country nationals' and 'Intra-corporate transfer' of third-country nationals, and have the following concerns in relation to the new Directives:

1. The directive gives no clear definition of the types of work and occupations it covers.

2. Usually, the term 'seasonal' refers to season-related work. A season lasts three months and therefore the six-month season in the proposal for a directive is too long. It needs to be clarified what a season is for each type of work and occupation for which permits are issued.

3. It is unclear whether the third-country workers entering under the Seasonal Workers Directive or the directive on Inter-corporate Transfer will be able to carry out their activities throughout Europe and work in other countries than those they originally entered. It is thus unclear what the relationship is between posting and migration legislation in these instances.

Does the Commission accept that these new Directives allow for a broader interpretation of third-country workers' movements within Europe?

Will the Commission submit a clear definition of the type of work and occupations covered?

Does the Commission recognise the problem with the term 'season', and will the Commission explain what should be understood by 'season' within specific occupations, and what types of work are to be permitted?

Will the Commission finally explain precisely what the relationship is between posting and migration legislation?

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

The proposal for a directive on seasonal employment ([1]) defines seasonal work ([2]) as limited to sectors of activity dependent on the passing of the seasons ([3]). In accordance with the principle of subsidiarity, the determination of specific sectors that meet the above criteria has been left to the Member States.

Regarding duration of stay, the Commission carefully considered various options and decided to propose a six-month limit. It has to be noted that whereas most Member States set the time limit between three and six months ([4]), others provide for longer duration ([5]).

Third-country seasonal workers will not enjoy intra-EU mobility.

The proposal for a directive on intra-corporate transferees ([6]) (ICTs) includes provisions on intra-EU mobility. These provisions facilitate ICTs' transfers to different entities of the same corporation located in different Member States, subject to the main admission conditions being met in the relevant Member States.

The proposal for the ICT Directive covers secondments from third-country undertakings, whereas posting under Directive 96/71/EC ('Posting of workers') concerns detachments from an EU undertaking. The scope of these instruments does not overlap as third-country nationals posted by EU undertakings are explicitly excluded from the proposal.

([1]) Proposal for a directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of seasonal employment, COM(2010) 379 final.
([2]) Article 3(b) and (c) of the proposal for a directive on seasonal employment.
([3]) Such as, for example, the planting or harvesting period in agriculture, or the holiday period in tourism.
([4]) For example, Germany, Hungary, Bulgaria, Greece, Portugal or the Netherlands.
([5]) For example, Italy, Spain and Austria.
([6]) Directive of the European Parliament and of the Council on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer, COM(2010) 378 final.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001176/12
an die Kommission
Richard Seeber (PPE)
(9. Februar 2012)

Betrifft: Einführung einer Steuer für ausländische Luftfahrzeuge in Italien („Decreto 3066“)

Italien plant im Rahmen des sogenannten Decreto 3066 die Einführung einer Steuer im Fall des Aufenthaltes eines Luftfahrzeuges von mehr als 48 Stunden in Italien.

Von dieser Abgabe sollen Staatsluftfahrzeuge und gleichgestellte Luftfahrzeuge, die Flugrettung, Fluggesellschaften, Flugschulen und Luftfahrzeuge von dem Aeroclub d'Italia angehörigen Vereinen ausgenommen werden. Diese Befreiung könnte dazu führen, dass de facto in erster Linie private und ausländische Luftfahrzeughalter und -eigentümer von dieser Abgabe betroffen sind. Eine derartige Diskriminierung von ausländischen Luftfahrzeughaltern und -eigentümern scheint dem allgemeinen Gleichheitssatz des Unionsrechts zu widersprechen. Weiters scheint die geplante Regelung Artikel 15 des Chicagoer Abkommens der internationalen Luftfahrtorganisation ICAO zu widersprechen, wonach die Vertragsstaaten keine Gebühren, Steuern oder sonstigen Abgaben für ihr Hoheitsgebiet lediglich für das Recht der Durchreise, Einreise oder Ausreise eines Luftfahrzeugs eines Vertragsstaats oder der an Bord befindlichen Personen oder Güter erheben dürfen.

1. Ist die Kommission der Meinung, dass die geplante Regelung dem Unionsrecht widerspricht?

2. Ist die Kommission der Meinung, dass die geplante Regelung Artikel 15 des Chicagoer Abkommens der internationalen Luftfahrtorganisation ICAO widerspricht?

3. Plant die Kommission, gegen diese Regelung im Fall ihrer Einführung vorzugehen?

Antwort von Herrn Šemeta im Namen der Kommission
(21. März 2012)

Der Europäischen Kommission sind die Probleme bekannt, die in der schriftlichen Anfrage zur Gleichbehandlung nicht-italienischer Luftfahrzeughalter im Rahmen des Decreto Salva Italia angesprochen werden. Der Herr Abgeordnete wird darüber unterrichtet, dass die Kommission in dieser Angelegenheit eine Untersuchung eingeleitet hat, in der die verschiedenen von dem Herrn Abgeordneten genannten Aspekte berücksichtigt werden.

(English version)

Question for written answer E-001176/12
to the Commission
Richard Seeber (PPE)
(9 February 2012)

Subject: Introduction of a tax on foreign aircraft in Italy ('Decree 3066')

Under Decree 3066, Italy is planning to introduce a tax on aircraft that spend longer than 48 hours in the country.

This levy is not to be applied to state aircraft and comparable aircraft, rescue aircraft, airlines, flying schools and aircraft belonging to clubs affiliated to Aeroclub d'Italia. This exemption might mean that the levy will de facto affect primarily private and foreign aircraft operators and owners. Such discrimination against foreign aircraft operators and owners seems to go against the general principle of equality under Union Law. The planned regulation also seems to run contrary to Article 15 of the Chicago Convention of the International Civil Aviation Organisation (ICAO), according to which the parties to the agreement are not permitted to impose charges, taxes or other levies for their sovereign territory simply for the right of an aircraft, or the persons or goods on board, to pass through, into or out of a state which is party to the agreement.

1. Does the Commission consider that the planned legislation is contrary to Union Law?

2. Does the Commission consider that the planned legislation is contrary to Article 15 of the Chicago Convention of the International Civil Aviation Organisation (ICAO)?

3. Does the Commission plan to take action against this legislation should it be introduced?

Answer given by Mr Šemeta on behalf of the Commission
(21 March 2012)

The European Commission is aware of the issues raised in the written question concerning the equal treatment of non-Italian aircraft operators under the 'Salva Italia' Decree Law. The Honourable Member of the European Parliament is informed that the Commission has started an investigation on this matter covering the different aspects mentioned by the Honourable Member.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001177/12
προς την Επιτροπή
Spyros Danellis (S&D)
(9 Φεβρουαρίου 2012)

Θέμα: Οι σιδηρόδρομοι και το πρόβλημα της κλοπής μετάλλων

Η κλοπή μετάλλων, και ειδικά χαλκού, με σκοπό τη λαθραία μεταπώληση λαμβάνει ολοένα και πιο ανησυχητικές διαστάσεις σε πολλές χώρες της ΕΕ και επιφέρει ισχυρό πλήγμα στον κλάδο των σιδηροδρόμων. Στη Βρετανία, η ζημία υπολογίζεται από τη «National Rail» στα 17 εκ. λίρες ετησίως, ενώ η Ελλάδα αναγκάστηκε να διακόψει τη λειτουργία ενός υπερσύγχρονου κέντρου τηλεδιοίκησης σιδηροδρόμων, αξίας 20 εκ., εν μέρει λόγω της ζημιάς που υπέστη από τους κλέφτες χαλκού. Στις προαναφερθείσες, μεταξύ άλλων, χώρες, έχουν παρατηρηθεί ακόμη και φαινόμενα βανδαλισμού προτομών ή μπρούντζινων αγαλμάτων για την απόσπαση χαλκού.

Μετά από απόφαση του Συμβουλίου της Ευρωπαϊκής Ένωσης τον Δεκέμβριου του 2010, δημιουργήθηκε στις 28 Σεπτεμβρίου 2011 ένα άτυπο δίκτυο μεταξύ των κρατών μελών, με σκοπό την ανταλλαγή βέλτιστων πρακτικών στην καταπολέμηση του φαινομένου. Προβληματισμό στις διωκτικές αρχές προκαλεί η δυνατότητα των συμμοριών να μεταπωλούν ποσότητες μετάλλου μέσω συναλλαγών σε μετρητά, χωρίς να επιδεικνύουν τα στοιχεία ταυτότητά τους.

Ερωτάται η Επιτροπή:

1. Έχει στη κατοχή της περαιτέρω στοιχεία σχετικά με το μέγεθος του προβλήματος και συγκεκριμένα των επιπτώσεών του στις σιδηροδρομικές υπηρεσίες;

2. Δεδομένης της ευκολίας μεταφοράς αγαθών από χώρα σε χώρα της ΕΕ, αρκεί η εθελοντική δράση από τα κράτη μέλη, ή θα προκαλούσε η ανισομερής δράση τη μεταφορά του προβλήματος;

3. Θεωρεί αναγκαία τη μελέτη νομοθετικής ρύθμισης του προβλήματος σε ευρωπαϊκό επίπεδο;

Απάντηση της κας Malmström εξ ονόματος της Επιτροπής
(1 Μαρτίου 2012)

Η Επιτροπή γνωρίζει ότι η κλοπή μετάλλων εν γένει και χαλκού ειδικά μπορεί να έχει σοβαρές επιπτώσεις στη σιδηροδρομική κυκλοφορία. Ενώ η Επιτροπή δεν διαθέτει ενδελεχή επισκόπηση της κατάστασης σε όλα τα κράτη μέλη, τα διαθέσιμα αριθμητικά στοιχεία δείχνουν ότι ο αριθμός των περιστατικών συνδέεται στενά με την τιμή του χαλκού στη διεθνή αγορά και ότι το μεγαλύτερο ποσοστό αυτών των εγκλημάτων διαπράττεται από τις καλούμενες «κινητές (πλανόδιες) εγκληματικές ομάδες» (ΚΕΟ). Σε επίπεδα ΕΕ, έχουν ληφθεί διάφορα μέτρα. Η Επιτροπή διευκόλυνε τη δημιουργία ενός άτυπου δικτύου σημείων επαφής ειδικευμένων σε διοικητικές προσεγγίσεις για την πρόληψη της εγκληματικότητας, συμπεριλαμβανομένων των εγκλημάτων που διαπράττονται από τις ΚΠΟ. Με τη βοήθεια της Ευρωπόλ, θα προωθήσει την ανταλλαγή βέλτιστων πρακτικών μεταξύ των κρατών μελών για την αποσόβηση των κλοπών μετάλλων, για παράδειγμα, με την προώθηση βέλτιστων πρακτικών, όπως οι εκστρατείες ευαισθητοποίησης των εμπόρων παλαιών σιδερικών και των επαγγελματικών τους ενώσεων, την εισαγωγή της αρχής «γνώριζε τον πελάτη σου» κατά τις αγοραπωλησίες χαλκού από τους εμπόρους παλαιών σιδερικών ή με την εισαγωγή συστήματος πιστοποιητικών. Εξάλλου, τα εγκλήματα που διαπράττονται από τις ΚΠΟ περιλαμβάνονται στις 8 προτεραιότητες του πολυετούς «κύκλου πολιτικής Harmony» ([1]) σκοπός του οποίου είναι η αντιμετώπιση των πλέον σημαντικών εγκληματικών απειλών μέσω της βέλτιστης συνεργασίας μεταξύ των σχετικών υπηρεσιών των κρατών μελών, των θεσμικών οργάνων και οργανισμών της ΕΕ, καθώς και των σχετικών τρίτων χωρών και οργανισμών.

([1]) http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/117583.pdf

(English version)

Question for written answer E-001177/12
to the Commission
Spyros Danellis (S&D)
(9 February 2012)

Subject: Railways and the problem of metal theft

Thefts of metal, especially copper, for resale on the black market are taking on increasingly worrying proportions in numerous EU Member States and are hitting the railway sector extremely hard. In Britain, National Rail estimates its losses at GBP 17 million per annum, while Greece was forced to close an ultramodern railway telemanagement centre costing 20 million, partly due to the losses inflicted by copper thieves. In these and in other countries, bronze busts and statues are being vandalised in order to retrieve the copper.

On 28 September 2011, an informal network was set up between the Member States further to a decision adopted by the Council of the European Union in December 2010, in order to exchange best practices in addressing this problem. The problem facing the prosecuting authorities is the ability of gangs to resell quantities of metal for cash without proving their identity.

Will the Commission answer the following:

1. Is it in possession of additional information on the scale of the problem and, more importantly, its impact on railway services?

2. Given the ease with which goods can be moved from country to country in the EU, does voluntary action by the Member States suffice or will piecemeal action shift the problem elsewhere?

3. Does it consider that measures to resolve the problem at European level should be considered?

Answer given by Ms Malmström on behalf of the Commission
(1 March 2012)

The Commission is aware that metal theft in general and copper theft in particular might have a serious impact on railway traffic. Whilst the Commission does not have a comprehensive overview of the situation in all Member States, figures available indicate that the number of incidents is closely related to the price of copper on the international market and that a major proportion of such crimes is committed by so called 'mobile (itinerant) criminal groups' (MOCGs). Various measures have been taken at EU level. The Commission facilitated the establishment of an informal network of contact points specialised in administrative approaches to prevent crime, including crimes committed by MOCGs. With the help of Europol, it will foster the exchange of best practices between Member States in preventing e.g. metal theft, for example by promoting best practices such as awareness raising campaigns with scrap dealers and their professional associations, by introducing the principle of 'know your customer' when copper is sold or bought by scrap dealers or by introducing a system of certificates. In addition, crimes committed by MOCGs are identified as one of the 8 priorities under the multi-annual 'Harmony policy cycle ([1])' which aims to tackle the most important criminal threats through optimum cooperation between the relevant services of the Member States, EU institutions and EU Agencies, as well as relevant third countries and organisations.

([1]) http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/117583.pdf

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001178/12
προς την Επιτροπή
Michail Tremopoulos (Verts/ALE)
(9 Φεβρουαρίου 2012)

Θέμα: Ελληνικός αριθμός κλήσης για επείγοντα περιστατικά υγείας και άτομα με προβλήματα ακοής

Με ευθύνη του Εθνικού Κέντρου Άμεσης Βοήθειας λειτουργεί στην Ελλάδα ο τηλεφωνικός αριθμός 166 για κλήση ασθενοφόρου σε περιπτώσεις που απαιτείται διακομιδή σε νοσοκομείο για επείγον πρόβλημα υγείας.

Οι υπηρεσίες του όμως παραμένουν προσιτές μόνο με χρήση της φωνής, αποκλείοντας τα άτομα με μειωμένη ακοή από μια υπηρεσία δυνητικά κρίσιμης σημασίας ακόμη και για τη ζωή τους. Υπηρεσίες στη νοηματική γλώσσα με χρήση της σύγχρονης τεχνολογίας, αλλά ακόμα και υπηρεσίες βασισμένες σε γραπτά μηνύματα και κείμενα, θα μπορούσαν ίσως να καλύψουν αυτό το κενό, δεν είναι όμως σήμερα διαθέσιμες στην Ελλάδα για κλήση ασθενοφόρου ούτε υπάρχει σχεδιασμός για παροχή τους στο μέλλον. Υπηρεσίες βασισμένες σε γραπτά μηνύματα είναι ήδη σήμερα διαθέσιμες, αλλά μόνο για κλήση έκτακτης ανάγκης προς την Ελληνική Αστυνομία.

Ερωτάται η Ευρωπαϊκή Επιτροπή κατά πόσο η πρακτική αυτή είναι συμβατή:

1. Με τη Διεθνή Σύμβαση των Ηνωμένων Εθνών για τα Δικαιώματα των Ατόμων με Αναπηρία, όπως κυρώθηκε και από την ΕΕ;

2. Με την οδηγία 2009/136/ΕΚ για την καθολική υπηρεσία (πρόσβαση σε υπηρεσίες) και τα δικαιώματα των χρηστών σχετικά με τα δίκτυα ηλεκτρονικών επικοινωνιών;

3. Με τη στρατηγική της ΕΕ για τα άτομα με αναπηρία 2010-2020;

Απάντηση της κας Kroes εξ ονόματος της Επιτροπής
(13 Μαρτίου 2012)

Η σύμβαση των Ηνωμένων Εθνών για τα Δικαιώματα των Ατόμων με Αναπηρία (UNCRPD) απαιτεί από τα συμβαλλόμενα κράτη να λάβουν τα κατάλληλα μέτρα για να εξασφαλίσουν πρόσβαση σε άτομα με αναπηρία — σε ισότιμη βάση με τους άλλους — σε πληροφορίες και επικοινωνίες, συμπεριλαμβανομένων των υπηρεσιών έκτακτης ανάγκης ([1]). Η Ευρωπαϊκή στρατηγική για την αναπηρία, 2010-2020 ([2]), στοχεύει στην εξασφάλιση της αποτελεσματικής εφαρμογής της σύμβασης του ΟΗΕ στην ΕΕ και προβάλλει την «προσβασιμότητα» ως μία από τις προτεραιότητές της.

Σύμφωνα με την UNCRPD, βάσει του άρθρου 26 της οδηγίας 2002/22/ΕΚ για την καθολική υπηρεσία ([3]), όπως τροποποιήθηκε από την οδηγία 2009/136/ΕΚ, η οποία έπρεπε να είχε μεταφερθεί στο εθνικό δίκαιο μέχρι τις 25 Μαΐου 2011, καλούνται τα κράτη μέλη να εξασφαλίζουν ότι η πρόσβαση τελικών χρηστών με αναπηρία σε υπηρεσίες έκτακτης ανάγκης είναι ισότιμη με την πρόσβαση των άλλων τελικών χρηστών. Στο ίδιο άρθρο προβλέπεται ότι η απάντηση και ο χειρισμός των κλήσεων στον αριθμό «112» πρέπει να γίνεται τουλάχιστον τόσο γρήγορα και αποτελεσματικά όσο και στις κλήσεις σε εθνικούς αριθμούς έκτακτης ανάγκης. Στην αιτιολογική σκέψη 41 της οδηγίας 2009/136/ΕΚ περιλαμβάνονται περισσότερα σχετικά με τις υποχρεώσεις των κρατών μελών όσον αφορά τελικούς χρήστες με αναπηρία. Ωστόσο, ορισμένα κράτη μέλη δεν έχουν ακόμη ενσωματώσει πλήρως την οδηγία 2009/136/ΕΚ και, κατά συνέπεια, η Επιτροπή έχει κινήσει εναντίον τους διαδικασίες επί παραβάσει, μεταξύ των οποίων και κατά της Ελλάδας. Οι εν λόγω διαδικασίες βρίσκονται σε εξέλιξη. Οι υπηρεσίες της Επιτροπής εξετάζουν την τρέχουσα κατάσταση της εφαρμογής του ενωσιακού νομοθετικού πλαισίου.

Το έργο REACH 112 «REsponding to All Citizens needing Help» (στο πλευρό όλων των πολιτών που χρειάζονται βοήθεια), χρηματοδοτούμενο από τις ΤΠΕ, βρίσκεται στη διαδικασία επικύρωσης της εφαρμογής και της διαλειτουργικότητας προσβάσιμων και κατάλληλων για όλους εναλλακτικών λύσεων στην παραδοσιακή φωνητική τηλεφωνία,, με χρήση της πρακτικής της «πλήρους συνομιλίας» (Total conversation), συμπεριλαμβανομένου του κειμένου σε πραγματικό χρόνο (Real Time Text).

([1]) UNCRPD, άρθρο 9.
([2]) COM(2010)636 τελικό, της 15.11.2010.
([3]) Η εν λόγω οδηγία περιλαμβάνεται στο πλαίσιο της δήλωσης των αρμοδιοτήτων της ΕΕ, η οποία προσαρτάται στην απόφαση του Συμβουλίου για τη σύναψη της Σύμβασης του ΟΗΕ αναφορικά με τα δικαιώματα των ατόμων με αναπηρία.

(English version)

Question for written answer E-001178/12
to the Commission
Michail Tremopoulos (Verts/ALE)
(9 February 2012)

Subject: Greek emergency number for persons with impaired hearing

The National First Aid Centre in Greece is responsible for answering 166 calls requesting ambulances for patients who need to be taken to hospital for emergency medical treatment.

However, this service is still a voice-only service, meaning that people with impaired hearing are unable to use a potentially vital service, even where their life is at stake. Sign-language services using modern technology and even message- and text-based services could perhaps plug this gap, but they are not yet available in Greece for calling ambulances, nor are there any plans to provide them in future. Text-based services are already available, but only for emergency calls to the Hellenic Police.

Will the Commission say if this practice is compatible:

1. With the UN Convention on the Rights of Persons with Disabilities, as ratified by the EU?

2. With Directive 2009/136/EC on universal service (access to services) and users' rights relating to electronic communications networks?

3. With the EU disability strategy 2010-2010?

Answer given by Ms Kroes on behalf of the Commission
(13 March 2012)

The UN Convention on the Rights of Persons with Disabilities (UNCRPD) requires the States Parties to take appropriate measures to ensure access to persons with disabilities, on an equal basis with others, to information and communications, including emergency services ([1]). The European Disability Strategy 2010-2020 ([2]) aims at ensuring effective implementation of the UN Convention in the EU and highlights 'accessibility' as one of its priorities.

In line with the UNCRPD, Article 26 of the Universal Service Directive 2002/22/EC ([3]) as amended by Directive 2009/136/EC, which had to be transposed in national law by 25 May 2011, requires Member States to ensure that access to emergency services for disabled users is equivalent to that enjoyed by other users. The same article provides that 112 calls shall be answered and handled at least as expeditiously and effectively as calls to the national emergency number or numbers. Recital 41 of Directive 2009/136/EC gives further indications as to the Member States' obligations relating to disabled end-users. However, a number of Member States have not yet fully transposed Directive 2009/136/EC and, as a consequence, the Commission has launched infringement procedures against them, including against Greece. These are currently ongoing. The Commission's services are assessing the current state of implementation of the EU legislative framework.

The ICT-funded, REACH 112 project 'Responding to all citizens needing help' is currently validating implementation and interoperability of accessible alternatives to traditional voice telephony suitable for all using the concept of 'total conversation', including Real Time Text.

([1]) UNCRPD, Article 9.
([2]) COM(2010) 636 final, 15.11.2010.
([3]) This directive is included under the declaration of EU competences annexed to the Council Decision for the Conclusion of the UN Convention on the Rights of Persons with Disabilities.

(English version)

Question for written answer E-001179/12
to the Commission
Catherine Stihler (S&D)
(9 February 2012)

Subject: Amazon

The online retailer Amazon has recently changed its terms and conditions for sellers, stating that they may not sell cheaper elsewhere under threat of being banned from selling on Amazon, and thereby distorting the market and artificially inflating prices.

Does the Commission agree that this is anti-competitive behaviour?

Will the Commission investigate Amazon for breach of competition rules?

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

The Commission follows very closely developments in the market for the online sale of consumer goods and is aware of the unilateral change by Amazon to its terms and conditions. These terms and conditions form part of the agreement concluded between Amazon and merchants selling their goods through Amazon on its Marketplace.

As regards compliance with the EU competition rules, Article 102 TFEU prohibits companies holding a dominant market position from abusing such a position, while Article 101 TFEU prohibits anti-competitive agreements between two or more companies.

As regards the assessment of the change to Amazon's terms and conditions under Article 102 TFEU, there has been no material change that would alter the Commission's position as set out in its reply to Question E-2512/10 ([1]).

As for the assessment of the change to Amazon's terms and conditions under Article 101 TFEU, while clauses which influence the price of goods sold may be caught by Article 101 TFEU, whether there is actually an infringement of Article 101 TFEU must be assessed on a case-by-case basis, taking into account all possible pro and anti-competitive effects. The Commission is therefore not in a position at this stage to take a view on whether the change to Amazon's terms and conditions is in line with Article 101 TFEU. However, the Commission is aware of national developments, notably in Germany where the change to Amazon's terms and conditions has already been subject to litigation.

The Commission has also not received any formal complaint on this matter. The Commission would nevertheless like to inform the Honourable Member that it will continue to monitor developments in the market for the online sale of consumer goods so as to ensure that competition and a level playing field is preserved amongst market players.

([1]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN.

(English version)

Question for written answer E-001180/12
to the Commission
George Lyon (ALDE)
(9 February 2012)

Subject: CAP reform greening proposal, in particular the counting of 7 % Ecological Focus Areas

Can the Commission clarify whether the definition of Ecological Focus Areas will include currently ineligible organic features such as wide hedges, ditches, ponds, and areas of farm woodland not supported through EAFRD programmes?

Similarly, can the Commission clarify whether hedges surrounding areas of permanent grassland will count towards meeting the 7 % Ecological Focus Areas, given their obvious ecological purposes?

Answer given by Mr Cioloş on behalf of the Commission
(21 March 2012)

According to the Commission proposal, farmers shall ensure that at least 7 % of their eligible hectares as defined in Article 25(2), excluding areas under permanent grassland, is ecological focus area (EFA) such as land left fallow, terraces, landscape features, buffer strips and afforested areas. This provision gives the context within which the 7 % EFA shall be situated. The more detailed definitions of the types of areas which will count for EFA as well as the definition of further types are to be set in the delegated acts and hence are not included in the basic act.

Consequently, it is at the moment of elaborating the delegated act that a decision will be taken on which landscape features can be counted as EFA. It is also in this context that a decision will be taken on those features surrounding areas of permanent grassland. Without pre-empting the analysis and conclusions which will be drawn at that stage, it would make sense to use as point of departure, for instance, the landscape features for which payments are granted today, e.g. those protected under cross compliance especially on the standard related to Good Agricultural and Environmental Conditions (GAEC). But it could also be examined if the current provisions allowing not to exclude e.g. hedges and ditches from the areas for which payments are granted should be extended to cover further types of features which could count as EFA.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001181/12
an die Kommission
Angelika Werthmann (NI)
(14. Februar 2012)

Betrifft: Quote für die Beteiligung von Frauen an Entscheidungsverfahren

Laut Kommissar Michel Barnier könnte möglicherweise ein Quotensystem verabschiedet werden, um die Anzahl von Frauen in Führungspositionen zu erhöhen. Das Grünbuch verspricht eine ausgewogenere Vertretung von Männern und Frauen in den Führungsetagen. Kommissarin Viviane Reding hat an die Adresse der europäischen Unternehmen die klare Botschaft gerichtet: „Frauen meinen es ernst" und die Unternehmen aufgefordert, den Frauenanteil in Führungspositionen zu erhöhen.

1. Warum hat die Kommission bisher keine gesetzgeberischen Maßnahmen ergriffen?

2. Wie viele — und welche — europäischen Länder haben Frauenquoten eingeführt?

3. Mit der Quotenregelung soll eine zahlenmäßig ausgewogene Beteiligung von Männern und Frauen am öffentlichen Entscheidungsprozess erreicht werden. Hat sich der Frauenanteil in den Parlamenten jener Mitgliedstaaten, die eine Quotenregelung anwenden, denn tatsächlich erhöht?

4. Wurden in den Mitgliedstaaten bedeutende Fortschritte im Hinblick auf eine stärkere Beteiligung von Frauen an Entscheidungsverfahren erzielt und glaubwürdige Selbstverpflichtungsinitiativen entwickelt?

5. Wie erklärt die Kommission die geringen Fortschritte in den vergangenen Jahren (nur etwas mehr als ein halber Prozentpunkt pro Jahr in den letzten sieben Jahren)?

Antwort von Frau Reding im Namen der Kommission
(4. April 2012)

Gemäß den Prioritäten der Strategie für die Gleichstellung von Frauen und Männern 2010-2015 ([1]) hat die Kommission beschlossen, neue Methoden zu erkunden, um Fortschritte zu erzielen, insbesondere die Selbstregulierung der Wirtschaft und Rechtsvorschriften der Mitgliedstaaten.

Vizepräsidentin Reding forderte im März 2011 die börsennotierten Unternehmen auf, die Erklärung „Frauen in Vorständen — Verpflichtung für Europa" zu unterschreiben und sich damit freiwillig zu verpflichten, den Frauenanteil im Vorstand bis 2015 auf 30 % und bis 2020 auf 40 % zu erhöhen ([2]). Am 5. März 2012 legte sie einen Fortschrittsbericht vor, in dem die Fragen, die die Frau Abgeordnete aufgeworfen hat, ausführlich behandelt werden ([3]). Darin heißt es, die Kommission werde nun wegen unzureichenden Fortschritts auf der Grundlage der Selbstregulierung politische Optionen für zielgerichtete Maßnahmen prüfen, mit denen die Beteiligung von Frauen an Entscheidungsprozessen gefördert werden kann. Parallel dazu eröffnete die Kommission eine öffentliche Konsultation, um die Auswirkungen von möglichen EU-Maßnahmen zur Verbesserung der Situation bewerten zu können ([4]). Anschließend wird die Kommission über die Maßnahmen für den weiteren Jahresverlauf entscheiden.

Die Gründe für den nur schleppenden Fortschritt bei der Gleichstellung von Frauen und Männern sind struktureller Art. Sie sind komplex und in der traditionellen Rollenverteilungen begründet. *Für eine umfassende Analyse wird der Frau Abgeordneten die Lektüre des Berichts über das Geschlechtergleichgewicht in Führungspositionen (in englischer Sprache erschienen unter dem Titel „The gender balance in business leadership") vom März 2011 ([5])* empfohlen.

Gesetzliche Frauenquoten für die nationalen Parlamente sind in BE, FR, PL, PT, SI und ES eingeführt worden. In manchen Fällen haben sie zu einem rapiden Anstieg des Frauenanteils geführt, in anderen zu weniger guten Ergebnissen ([6]).

([1]) KOM(2010)491 endg.
([2]) http://ec.europa.eu/commission_2010-2014/reding/womenpledge/index_en.htm
([3]) http://ec.europa.eu/justice/gender-equality/files/women-on-boards_de.pdf
([4]) http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528_de.htm
([5]) http://ec.europa.eu/justice/gender-equality/gender-decision-making/index_de.htm
([6]) „Electoral Gender Quota Systems and their implementation in Europe", 2011, Europäisches Parlament, Generaldirektion „Interne Politikbereiche".

(English version)

Question for written answer E-001181/12
to the Commission
Angelika Werthmann (NI)
(14 February 2012)

Subject: Quotas for women's participation in decision making

According to Commissioner Michel Barnier, quotas could potentially be adopted to increase the number of women in the boardroom. The Green Paper promises a better gender balance on boards. Commissioner Viviane Reding has sent a message to corporate Europe that 'women mean business' and has asked companies to increase the number of women in top positions.

1. Why has the Commission taken no legislative action up to now?

2. How many — and which — European countries have introduced gender quotas?

3. Quotas are designed to achieve a numerical gender balance in public decision-making. Have quotas actually increased the number of women in parliament in those Member States that apply them, however?

4. Has any significant progress been made, and have credible self-regulation initiatives been developed in the Member States to enhance women's participation in decision making?

5. How does the Commission explain the slow rate of progress in recent years (just over half a percentage point per year over the past seven years)?

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

Following the priorities set out in the Commission's Strategy for Equality between Women and Men 2010-2015 ([1]), the Commission decided to explore other ways to achieve progress, notably self-regulation by the industry and legislation by Member States.

Vice-President Reding called in March 2011 on listed companies to sign the 'Women on the Board Pledge for Europe', a voluntary commitment to increase women's presence on corporate boards to 30 % by 2015 and 40 % by 2020 ([2]). On 5th March 2012 she published a progress report analysing the questions raised by the Honourable Member in detail ([3]). It concludes that due to insufficient progress through self-regulation the Commission will now explore policy options for targeted measures to enhance female participation in decision-making. On the same day the Commission launched a public consultation in order to assess the impact of possible EU action to redress the situation ([4]). Following this input the Commission will take a decision on possible measures later this year.

The reasons for the slow rate of progress on gender balance on boards are structural, multifaceted and grounded in traditional gender roles. *For a detailed analysis the Honourable Member may refer to the document 'The gender balance in business leadership' published in March 2011* ([5]).

BE, FR, PL, PT, SI and ES have used legislated quotas for women in national parliaments. These have led to rapid increases in women's representation in some cases but also to less successful results in others ([6]).

([1]) COM(2010) 0491 final.
([2]) http://ec.europa.eu/commission_2010-2014/reding/womenpledge/index_en.htm
([3]) http://ec.europa.eu/justice/gender-equality/files/women-on-boards_en.pdf
([4]) http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528_en.htm
([5]) http://ec.europa.eu/justice/gender-equality/gender-decision-making/index_en.htm
([6]) 'Electoral Gender Quota Systems and their implementation in Europe', 2011, European Parliament, Directorate-General for Internal Policies.

(English version)

Question for written answer E-001182/12
to the Commission
Syed Kamall (ECR)
(9 February 2012)

Subject: Competition in the EU music market

I have received correspondence from a constituent who is concerned about the dominance of two major music publishing groups in the global music market as a result of the failure of Warner Music to buy EMI and the proposed sale by EMI of its recorded music division to Universal Music, while its music publishing division will go to Sony.

Does the Commission have any plans to investigate the impact that the sale of these assets will have on competition in the EU music market?

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

The Commission is aware of the proposed mergers, which were both announced on 11 November 2011. One of these transactions, Universal's proposed acquisition of EMI's recorded music business, was notified to the Commission on 17 February 2012. Following notification, the Commission will in due course conduct market investigations into both transactions and closely assess their likely impact to the relevant market in order to ensure that effective competition is maintained in the various EU music markets concerned.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001183/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Fiorello Provera (EFD)
(9 febbraio 2012)

Oggetto: VP/HR — Contrabbando di armi nel Sinai

Stando a quanto riferito da alcuni militari che fanno parte o hanno fatto parte dell'esercito egiziano, grossi quantitativi di armi attraversano il confine libico verso l'Egitto, inondando il mercato nero della regione del Sinai, già instabile. Membri delle forze di sicurezza hanno intercettato missili terra-aria diretti nella Striscia di Gaza attraverso i tunnel sotterranei utilizzati per il contrabbando, ma sono stati sequestrati anche razzi e cannoni antiaerei. Le forze di sicurezza egiziane sono riuscite a neutralizzare alcuni tentativi di far passare armi automatiche, mitragliatrici, fucili di precisione e grossi quantitativi di munizioni. Nell'ottobre 2011, il *New York Times* ha riportato la notizia dell'arresto di cinque piccoli gruppi di trafficanti da parte delle forze di sicurezza egiziane. Le armi provenivano da depositi scoperti in seguito alla caduta di Gheddafi. Molti dei ribelli hanno cercato di saccheggiare le scorte.

Questo tipo di contrabbando evidenzia il pericolo che tali armi comportano per paesi come Israele, ma anche per la sicurezza interna dell'Egitto. Un agente israeliano ha affermato: «Sappiamo che Hamas vuole [queste armi] e può pagare per ottenerle».

La penisola del Sinai è sotto il controllo di tribù beduine che spesso rifiutano l'autorità del Cairo. Il crollo dell'autorità preposta all'applicazione della legge ha provocato un forte incremento del volume di merci trafficate, tra cui automobili e armi. Si sono già verificati attacchi ai gasdotti diretti in Israele. Nel mese di luglio, uomini armati hanno attaccato una stazione di polizia nella città di Arish, nel Sinai settentrionale, uccidendo un poliziotto. In agosto, uomini armati hanno attraversato il confine per attaccare un pullman israeliano, uccidendo otto persone.

1. È la Vicepresidente/Alto Rappresentante al corrente dell'aumento del contrabbando di armi provenienti dalla Libia nella penisola del Sinai?

2. In che modo intende la Vicepresidente/Alto Rappresentante intervenire per fungere da punto di coordinamento tra il Consiglio nazionale di transizione e le autorità egiziane ad interim al fine di individuare un modo per arginare il flusso di armi? Quali soluzioni sono possibili?

3. Ha l'UE già offerto la propria disponibilità a fornire assistenza pratica alla Libia e all'Egitto per affrontare il problema del contrabbando di armi? In tal caso, con quale esito?

4. Può la Vicepresidente/Alto Rappresentante comunicare se, a suo parere, la mancata risoluzione del problema del contrabbando di armi può comportare gravi conseguenze in termini di sicurezza per l'Egitto e/o per Israele?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(21 maggio 2012)

1. La questione della proliferazione e del traffico di armi convenzionali è stata sollevata più volte presso le autorità libiche durante le recenti visite ad alto livello a Tripoli (tra cui quella dell'Alta Rappresentante/Vicepresidente del 12 novembre 2011 e quelle del Rappresentante speciale dell'UE per il Mediterraneo meridionale, Bernardino León, a gennaio e febbraio 2012). Alcune fonti segnalano l'intercettazione di armi al confine tra la Libia e l'Egitto. Tale situazione desta grande preoccupazione nell'UE. L'Alta Rappresentante/Vicepresidente non è invece a conoscenza di notizie confermate in merito al contrabbando di armi provenienti dalla Libia e trasportate attraverso la penisola del Sinai verso la Striscia di Gaza.

2. Nel rispetto della titolarità libica di tutti gli aspetti relativi all'assistenza postbellica, l'Unione europea è pronta a sostenere attraverso una serie di misure le autorità libiche nei loro sforzi per stabilizzare il paese sia all'interno che lungo le frontiere. A tale proposito, l'UE sta conducendo alcune valutazioni delle esigenze, anche per quanto riguarda la gestione dei confini. Parallelamente a tale processo, per rispondere alle necessità più urgenti identificate dalle autorità libiche, l'UE ha già inviato degli esperti a Bengasi e Tripoli per fornire un sostegno a breve termine per quanto riguarda la riforma del settore della sicurezza, la gestione dei confini e altre questioni legate alla sicurezza in generale. Sono stati stanziati 50 milioni di EUR per la cooperazione con la Libia per il 2012-2013. I fondi verranno assegnati conformemente alle necessità delle nuove autorità libiche e ai risultati della valutazione coordinata delle esigenze.

3. Si veda al punto 2. Anche alcuni Stati membri hanno fornito assistenza tecnica e/o finanziaria alla Libia per mettere in sicurezza l'armamento convenzionale del paese.

4. Si veda al punto 1.

(English version)

Question for written answer E-001183/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(9 February 2012)

Subject: VP/HR — Weapons smuggling in the Sinai

A number of current and former Egyptian military officials have reported that large caches of weapons are crossing the Libyan border into Egypt. They are flooding the black market in the unstable region of the Sinai. Security officials have intercepted surface-to-air missiles, which were on their way to the Gaza Strip through smuggling tunnels. In addition, rockets and anti-aircraft guns have been seized. Egypt's security forces have managed to halt a number of attempts to smuggle automatic weapons, machine guns, sniper rifles and large quantities of ammunition. In October 2011, *The New York Times* reported that Egyptian security officials had arrested five small groups of smugglers. The weapons came from stockpiles which have been uncovered since the fall of Muammar al-Qaddafi. Many of the rebels sought to plunder the stocks.

This form of smuggling underscores the danger that such weapons pose for countries such as Israel, as well as for Egypt's own internal security. An Israeli official said 'We know that Hamas wants them [weapons] and can pay for them'.

The Sinai Peninsula is dominated by Bedouin tribes, who often spurn the authority of Cairo. The collapse in law enforcement has resulted in a boom in the volume of smuggled goods, including cars and weapons. Attacks have already taken place at natural-gas pipelines connected to Israel. In July armed men attacked a police station in the town of Arish in North Sinai, in which a policeman was killed. In August gunmen crossed the border to attack an Israeli inter-city bus, killing eight.

1. Is the Vice-President/High Representative aware of the growth in weapons smuggling from Libya into the Sinai Peninsula?

2. What steps is the Vice-President/High Representative prepared to take in order to coordinate between the Libyan National Transitional Council and the Egyptian interim authorities a way to stem the flow of weapons? What are the solutions?

3. Has the EU already offered to give practical assistance to Libya and Egypt in tackling the problem of weapons smuggling? If so, what have been some of the outcomes?

4. Can the Vice-President/High Representative state whether or not she believes there are serious security implications for Egypt and/or Israel if this problem of weapons smuggling is not properly addressed?

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

1. The issue of the proliferation and trafficking of conventional weapons has been raised with the Libyan authorities during recent high level visits to Tripoli (including that of the HR/VP on 12 November 2011 and the EU Special Representative (EUSR) for the Southern Mediterranean, Mr León in January and February 2012). Some reports indicate that weapons have been intercepted at the border between Libya and Egypt. The situation is cause of great concern for the EU. As regards smuggling of weapons of Libyan origin from the Sinai Peninsula to the Gaza Strip, the HR/VP is not aware of any confirmed reports on this particular issue.

2. The EU is ready to support the Libyan authorities in their efforts to stabilise the country both internally and at its borders with a variety of measures while respecting Libyan ownership of all aspects related to post-conflict assistance. In this regard, the EU is taking forward a number of needs assessments including in the area of border management. In parallel to the needs assessment process, and to cover immediate needs identified by the Libyan authorities, the EU has already deployed experts both to Benghazi and to Tripoli to provide short-term support in security sector reform, border management and broader security-related issues. An envelope of EUR 50 million is also available for cooperation with Libya for 2012-2013. This funding will be allocated in accordance with the needs of the new Libyan authorities and the results of the coordinated needs assessment.

3. See point 2. Some Member States have also given financial and/or technical assistance to Libya to secure the country's stock of conventional weapons.

4. Please see point 1.

(Versión española)

Pregunta con solicitud de respuesta escrita E-001185/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(9 de febrero de 2012)

Asunto: Pregunta complementaria IV: gestión y financiación de los puertos españoles; competencia leal y ayudas estatales que podrían ser incompatibles con los Tratados de la UE

En su respuesta del 28 de octubre de 2010 a la pregunta E-7504/2010, el Comisario Sr. Almunia, en nombre de la Comisión, afirmó: «En relación con los hechos mencionados por Su Señoría, la Comisión no ha recibido hasta ahora ninguna denuncia sobre la creación y funcionamiento del Fondo de Compensación Interportuario del organismo Puertos del Estado. La Comisión pedirá a España que proporcione información sobre la creación y funcionamiento del Fondo de Compensación Interportuario, para determinar si se cumplen acumulativamente en este caso los criterios del artículo 107, apartado 1, del TFUE.»

En su respuesta del 22 de marzo de 2011 a la pregunta E-000935/2011, el Comisario Sr. Almunia, en nombre de la Comisión, afirmó: «La Comisión pidió a España que le proporcionara información detallada sobre el funcionamiento del Fondo de Compensación Interportuario del organismo Puertos del Estado. En este momento, la Comisión está evaluando la información remitida por las autoridades españolas en respuesta a dicha petición.»

En su respuesta del 19 de octubre de 2011 a la pregunta E-008285/2011, el Comisario Sr. Almunia, en nombre de la Comisión, afirmó: «La Comisión ha recibido la respuesta de las autoridades españolas detallada sobre el funcionamiento del Fondo de Compensación Interportuario pero considera disponer de mas información para adoptar un criterio sobre este expediente. La Comisión solicitará alguna aclaraciones a las autoridades españolas.»

A la luz de lo anterior y considerando que han pasado tres meses desde la última respuesta de la Comisión Europea,

1. ¿Ha recibido la Comisión una respuesta y las oportunas clarificaciones necesarias por parte del Gobierno español sobre «la creación y funcionamiento del Fondo de Compensación Interportuario»? Si las ha recibido, ¿las podría ilustrar?

2. ¿Está satisfecha la Comisión con las explicaciones? ¿Son suficientes para garantizar que no infringen el principio de competencia leal y que no representan ayudas estatales que podrían ser incompatibles con los Tratados de la UE?

3. Si el Gobierno de España no ha respondido todavía, ¿cuál es la fecha límite que ha impuesto la Comisión?

Respuesta del Sr. Almunia en nombre de la Comisión
(12 de marzo de 2012)

Por lo que se refiere a las cuestiones planteadas por Su Señoría, la Comisión ha recibido la respuesta de las autoridades españolas sobre el funcionamiento del Fondo de Compensación Interportuario. La información adicional está siendo analizada por la Comisión. En este momento, la Comisión no puede anticipar los resultados de esta investigación antes de su conclusión.

(English version)

Question for written answer E-001185/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(9 February 2012)

Subject: Supplementary question IV: management and financing of Spanish ports; fair competition and state aid that may be incompatible with EU Treaties

In his answer of 28 October 2010 to Question E-7504/2010, Commissioner Almunia, on behalf of the Commission, stated: 'As concerns the facts mentioned by the Honourable Member, the Commission has not so far received any complaint regarding the setting up and operation by the Puertos del Estado of the Inter-port Compensation Fund. The Commission will ask Spain to provide information on the setting-up and operation of the Puertos del Estado, to ascertain whether the criteria of Article 107(1) of the TFEU are cumulatively met in this case'.

In his answer of 22 March 2011 to Question E-000935/2011, Commissioner Almunia, on behalf of the Commission, stated: '[T]he Commission has asked Spain to provide detailed information on the operation of the Inter-port Compensation Fund by the Puertos del Estado. The Commission is currently assessing the information submitted by the Spanish authorities in reply to this request'.

In his answer of 19 October 2011 to Question E-008285/2011, Commissioner Almunia, on behalf of the Commission, stated: '[T]he Commission has received the reply of the Spanish authorities on the operation of the Inter-port Compensation Fund. Nevertheless, the Commission considers that information is required to allow it to take position on this file. In this regard, a letter requesting some clarifications will be sent to the Spanish authorities'.

In light of the foregoing, and considering that three months have passed since the European Commission's last response,

1. Has the Commission received a response and the necessary clarifications from the Spanish Government in regard to 'the setting up and operation […] of the Inter-port Compensation Fund'? If it has received them, could it describe them?

2. Is the Commission satisfied with the explanations? Are they sufficient to ensure that the above arrangements do not violate the principle of fair competition, and that they do not represent state aid that could be incompatible with EU Treaties?

3. If the Spanish Government has not yet responded, what deadline has the Commission imposed?

Answer given by Mr Almunia on behalf of the Commission
(12 March 2012)

As concerns the questions raised by the Honourable Member, the Commission has received the reply of the Spanish authorities on the operation of the Inter-port Compensation Fund. The additional information is being analysed by the Commission. At this stage the Commission cannot anticipate the results of this investigation before it is concluded.

(Version française)

Question avec demande de réponse écrite E-001187/12
à la Commission
Françoise Grossetête (PPE)
(9 février 2012)

Objet: Directive Transparence dans la fixation des prix des médicaments

La directive 89/105/CEE du Conseil du 21 décembre 1988 concernant la transparence des mesures régissant la fixation des prix des médicaments à usage humain et leur inclusion dans le champ d'application des systèmes nationaux d'assurance-maladie ([1]) a marqué des progrès considérables dans la réalisation du marché intérieur des médicaments. Elle présente néanmoins certaines faiblesses.

En effet, plusieurs États membres ne respectent pas les délais imposés par la directive pour l'inclusion dans leur système de remboursement national des médicaments légalement autorisés sur le marché (90 jours). Ces retards, notamment quand ils sont systématiques et de longue durée, pénalisent la mise sur le marché de nouveaux médicaments et affectent ainsi gravement les intérêts des patients et des producteurs.

La Commission prépare actuellement une proposition de révision législative de cette directive.

Comment compte-elle régler ce problème?

Plus particulièrement, la Commission n'estime-t-elle pas que la solution la plus appropriée serait d'introduire une règle de procédure similaire à celle concernant la définition du prix des médicaments, qui consisterait à prévoir que, après un certain délai, la demande d'inclusion d'un médicament dans le système national d'assurance-maladie serait implicitement accordée, au moins jusqu'à ce que l'État membre se prononce explicitement?

Une telle procédure d'inclusion tacite et temporaire, après une période adéquate, permettrait de respecter la compétence des États membres en matière de politique de santé au titre de l'article 168 du traité FUE et, en même temps, d'atteindre les objectifs de marché intérieur poursuivis par la directive par un mécanisme clair, simple, rapide, sûr, uniforme et efficace, dans l'intérêt de toutes les parties intéressées.

Réponse donnée par M. Tajani au nom de la Commission
(9 mars 2012)

La Commission n'ignore pas l'existence de retards dans la mise sur le marché des médicaments. Au cours de l'enquête sur le secteur pharmaceutique, les parties concernées ont fait état de retards fréquents dans les décisions de fixation des prix et de remboursement ([2]). Plusieurs raisons à ces retards ont été identifiées par différents participants à l'enquête, parmi elles l'utilisation controversée du gel des délais (permettant aux États membres de suspendre la procédure en cas d'inadéquation présumée des informations étayant la demande de fixation du prix et du remboursement) ou le recours croissant à l'évaluation des technologies de la santé ou à d'autres types d'évaluation pharmaco-économique de l'impact des nouveaux médicaments. Dans le cadre de l'étude sur la surveillance du marché pharmaceutique ([3]), des représentants de l'industrie ont également évoqué le problème de la durée excessive des procédures administratives relatives à la fixation du prix et du niveau de remboursement dans certains États membres.

Cette question sera donc abordée dans la future initiative de la Commission visant à réviser la directive 89/105/CEE du Conseil ([4]) (la «directive sur la transparence»). Une analyse d'impact a été préparée dans cette perspective et différentes possibilités ont été étudiées, notamment l'inclusion tacite et temporaire dans les systèmes d'assurance-maladie si les décisions de remboursement ne respectent pas les délais fixés dans la directive. Cette question doit être examinée en tenant compte des responsabilités des États membres en ce qui concerne l'organisation des services de santé et des soins médicaux, ce qui inclut l'allocation de ressources à cette fin (article 168, paragraphe 7, du TFUE).

([1]) JO L 40 du 11.2.1989, p. 8.
([2]) Communication de la Commission — Synthèse du rapport d'enquête sur le secteur pharmaceutique, COM(2009) 351 du 8.7.2009, Partie 4.4; document de travail, SEC(2009) 952 du 8.7.2009, § 1422 et suivants.
([3]) Pharmaceutical market monitoring study, Volume I, p. 83. Disponible à l'adresse suivante (uniquement en anglais):. (http://ec.europa.eu/enterprise/sectors/healthcare/files/docs/vol_1_welfare_implications_of_regulation_en.pdf).
([4]) Directive 89/105/CEE du Conseil du 21 décembre 1988 concernant la transparence des mesures régissant la fixation des prix des médicaments à usage humain et leur inclusion dans le champ d'application des systèmes d'assurance-maladie (JO L 40 du 11.2.1989, p. 8).

Quoi qu'il en soit, la Commission envisage de proposer des mesures visant à garantir l'effectivité des délais et à réduire les retards actuels d'accès au marché des médicaments. Des mécanismes de mise en œuvre plus stricts et des dispositions renforçant la clarté juridique permettront d'avancer dans cette voie.

(English version)

Question for written answer E-001187/12
to the Commission
Françoise Grossetête (PPE)
(9 February 2012)

Subject: Directive relating to the transparency of measures regulating the pricing of medicinal products

Council Directive 89/105/EEC of 21 December 1988 relating to the transparency of measures regulating the pricing of medicinal products for human use and their inclusion in the scope of national health insurance systems ([1]) has marked significant progress in the creation of the internal market for medicinal products. However, it does have some weaknesses.

Several Member States do not comply with the deadlines imposed by the directive for including products in the scope of their national systems for reimbursing the cost of purchasing legally authorised medicinal products (90 days). Such delays, particularly when systematic and long, make it harder to market new drugs and seriously harm the interests of patients and manufacturers.

The Commission is currently preparing a legislative proposal for the review of this directive.

How does it intend to resolve this issue?

More specifically, does the Commission not think that the most appropriate solution would be to introduce procedural rules similar to those governing the price of medicinal products, meaning that requests to include a medicinal product on to the list of medicines covered by national health insurance system would be automatically granted after a certain period of time, or at least until the Member State can reach a clear decision?

After a sufficient period of time, such a tacit and temporary inclusion procedure would allow for the Member States' competences on health policy to be respected pursuant to Article 168 of the TFEU and, at the same time, for the directive's internal market objectives to be achieved through a clear, simple, quick, safe, consistent and efficient mechanism, in the interests of all the parties concerned.

Answer given by Mr Tajani on behalf of the Commission
(9 March 2012)

The Commission is aware of the existence of delays in time to market medicinal products. During the Pharmaceutical Sector Inquiry stakeholders reported frequent delays in pricing and reimbursement decisions ([2]). Different reasons for these delays have been identified by different stakeholders and some of them refer to the controversial use of the 'stop the clock' period (allowing Member States to freeze the procedure if the information supporting the pricing and reimbursement application is considered inadequate) or the increasing use of health technology assessment or other types of pharmaco-economic evaluation of the impact of new medicines. The problem of the excessive length of administrative procedures related to pricing and reimbursement in some Member States was also highlighted by industry representatives in the context of the Pharmaceutical Market Monitoring Study ([3]).

Therefore, this issue will be addressed in the future Commission initiative to review the Council Directive 89/105/EEC ([4]) (so-called 'Transparency Directive'). An impact assessment was prepared in this view and different options have been assessed among which, the option of tacit and temporary inclusion in the health insurance systems if the decisions on reimbursement do not respect the time-limits set in the directive. This issue has to be considered taking into account the competences of the Member State to organise health services and medical care which include the allocation of the resources to this end (Article 168(7) TFEU).

In all events, the Commission envisages proposing measures meant to ensure the effectiveness of the time-limits and to address current market access delays for medicines. Stronger enforcement mechanisms and provisions increasing legal clarity will contribute towards this aim.

([1]) OJ L 40, 11.2.1989, p. 8.
([2]) Commission Communication on the Pharmaceutical Sector Inquiry, COM(2009) 351 of 8.7.2009, Section 4.4; Staff Working Document, SEC(2009) 952 of 8.7.2009, §(1422) et seq.
([3]) Pharmaceutical market monitoring study, Volume I, p. 83. Available at: http://ec.europa.eu/enterprise/sectors/healthcare/files/docs/vol_1_welfare_implications_of_regulation_en.pdf
([4]) Council Directive 89/105/EEC of 21 December 1988 relating to the transparency of measures regulating the prices of medicinal products for human use and their inclusion in the scope of national health insurance systems [1989] OJ L 40/8.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001188/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Cristiana Muscardini (PPE)
(9 febbraio 2012)

Oggetto: VP/HR — Caccia ai cristiani a Homs

Le cronache giornalistiche dicono che Homs, città di circa 800 mila abitanti in Siria, è diventata una città fantasma, spaccata in due non solo dal fiume Oronte, ma anche da un fiume di sangue che l'attraversa da qualche mese a questa parte. In una metà vivono, infatti, coloro che hanno iniziato le manifestazioni contro il regime, sostituiti ora dai «barbuti», rappresentanti armati del fanatismo islamico estremista, contrapposti ai fedelissimi del presidente Assad.

In mezzo a questa guerriglia giornaliera si trovano le minoranze cristiane che risiedono nel centro storico e quelle degli alawiti, detti anche sciiti della montagna. I morti si contano a centinaia da quando è esplosa la protesta e tra le minoranze trapela la paura che la spirale della violenza possa innescare uno scontro religioso. Un medico che ha studiato in Europa — riferisce il quotidiano La Repubblica del 25 gennaio 2012 (pag. 16) — ha parole durissime contro i «salafiti», gli integralisti islamici sunniti che secondo i governanti di Damasco avrebbero infiltrato la protesta. Per loro i cristiani, gli alawiti o altre minoranze sono tutti nemici dell'Islam, infedeli da eliminare perché corrompono la terra islamica con la loro stessa presenza. «Vanno a caccia di noi cristiani» afferma il medico citato e la gente teme un massacro. È questa paura che ha spinto la comunità cristiana a schierarsi, fino ad ora, con il presidente Assad e è il timore del futuro che li spinge ad accettare lo status quo. La consapevolezza della complessità e varietà della situazione non permette tuttavia un'interpretazione manichea, ma un dato è certo: da più di un mese 25/30 corpi martirizzati vengono portati giornalmente all'ospedale militare e il massacro non offre l'impressione di voler terminare.

Il Vicepresidente/Alto Rappresentante, che certamente è al corrente della situazione, può riferire se:

1. sono state prese iniziative per evitare il peggio e far terminare la caccia ai cristiani e agli alawiti;

2. quale protezione può offrire l'Europa a questi martiri contemporanei;

3. quali reazioni ha avuto l'Unione di fronte ai recenti massacri di cristiani avvenuti in Nigeria;

4. c'è la speranza che la politica dell'Unione riesca ad imporsi nei confronti del fondamentalismo terroristico e ad aver successo nella difesa del diritto dei cristiani a vivere anche in terra musulmana?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(7 maggio 2012)

Nei messaggi rivolti al regime siriano, l'UE ha condannato con il massimo vigore la brutale repressione in corso e le diffuse violazioni dei diritti umani, insistendo sulla necessità di rispettare i principi della libertà di religione e di culto e di evitare le divisioni tra diverse fazioni ed etnie.

L'UE ha ripetutamente sollecitato l'opposizione siriana ad aderire a una serie di principi per dar vita a un paese in cui tutti i cittadini godano di uguali diritti, indipendentemente dalla loro appartenenza politica, etnica o religiosa e ha ribadito il proprio sostegno al popolo siriano e alla sua legittima speranza di vivere in un paese democratico rispettoso dei diritti di tutte le sue comunità.

Sempre in quest'ottica, l'Alta Rappresentante/Vicepresidente ha condannato nelle sue dichiarazioni tutti gli atti di istigazione al conflitto interetnico e interreligioso, confermando il proprio appoggio al popolo siriano nella sua aspirazione al rispetto dei diritti fondamentali degli individui indipendentemente dalla loro religione o credo.

La libertà di religione e di credo, che è un diritto umano universale e in quanto tale deve essere tutelata ovunque e per chiunque, costituisce una priorità della politica dei diritti umani dell'UE. L'Unione europea solleva periodicamente il problema della libertà di religione con i paesi terzi, nel dialogo politico o in materia di diritti umani, oppure attraverso iniziative ad hoc.

Riguardo alla situazione della Nigeria, l'Unione europea rimanda alla dichiarazione sulla situazione di questo paese, resa al Parlamento europeo dal ministro degli Esteri danese Villy Søvndal il 14 marzo 2012 a nome dell'Alta Rappresentante, e al dibattito parlamentare che ne è scaturito. L'Alta Rappresentante/Vicepresidente ha anche rilasciato una dichiarazione il 26 dicembre 2011 nella quale condanna gli attacchi terroristici avvenuti in Nigeria, inclusi gli attacchi codardi a simboli religiosi e chiese durante il periodo natalizio, che sono sfociati in una terribile perdita di vite umane.

(English version)

Question for written answer E-001188/12
to the Commission (Vice-President/High Representative)
Cristiana Muscardini (PPE)
(9 February 2012)

Subject: VP/HR — Christians hunted down in Homs

According to newspaper reports, Homs, a city with 800 000 inhabitants in Syria, has become a ghost city, split into two parts not only by the river Orontes but also by the rivers of blood that have been running through it for some months now. The people who sparked off the protest against the regime happen to live in one half of the city. They have now been replaced by bearded fanatics, armed members of Islamic fundamentalist factions who are fighting against the staunchest supporters of President Assad.

Christian minorities that live in the heart of the old city and Alawites — also known as 'mountain Shiites' — are caught in the middle of this daily guerrilla warfare. Since the outbreak of the protest, there have been hundreds of deaths, and minorities fear that this spiral of violence could trigger a religious war. A doctor who studied in Europe, reported in the daily newspaper *La Repubblica* of 25 January 2012 (page 16), spoke very harsh words about the Salafites, Sunni Islamic fundamentalists who, according to Damascus's government, have infiltrated the protest. The Salafites believe that Christians, Alawites and other minorities are all enemies of Islam, infidels that have to be eliminated because they corrupt the land of Islam by their very presence. 'They are hunting us Christians down', states the abovementioned doctor, and people fear a massacre. It is this fear that has led the Christian community to side with President Assad thus far, and it is fear for the future that leads them to accept the *status quo*. While awareness of this complex and multi-faceted situation does not make a clear-cut interpretation any easier, one thing is certain: for the last month or so, 25 to 30 tortured dead bodies have been taken to the military hospital daily, and the carnage shows no signs of abating.

Can the Vice-President/High Representative, who is certainly aware of the situation, state:

1. whether initiatives have been taken in order to avoid the worst-case scenario and stop the hunting-down of Christians and Alawites?

2. what protection Europe can offer to these modern-day martyrs?

3. how the European Union has reacted to the recent massacres of Christians in Nigeria?

4. whether there is any hope that the European Union's policy will prevail over fundamentalist terrorism and be successful in protecting the right of Christians to also live in Muslim countries?

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

In its messages to the regime, the EU has condemned in the strongest terms the ongoing brutal repression and widespread human rights violations and reiterated the request to uphold the principles of freedom of religion and belief and to refrain from sectarian and ethnic division.

The EU has repeatedly urged the Syrian opposition to agree on a set of principles for working towards a Syria where all citizens enjoy equal rights regardless of their affiliations, ethnicities or beliefs and reaffirmed its support to the Syrian people and their aspirations for a democratic Syria respectful of the rights of all its communities.

In the same vein, the High Representative/Vice-President has condemned all acts aimed at inciting interethnic and inter-confessional conflict in her statements and affirmed that she stands with the Syrian people as they seek the respect of fundamental rights of individuals regardless of their religion or belief.

As a universal human right freedom of religion or belief, which has to be protected everywhere and for everyone, is a priority under the EU's human rights policy. The EU regularly raises freedom of religion concerns with third countries, in political or human rights dialogues or through ad hoc demarches.

Regarding the situation of Nigeria, the EU refers to the statement to Parliament on the country specific situation delivered on behalf of the HR/VP by Danish Foreign Minister Villy Søvndal on 14 March 2012, as well as to the subsequent parliamentary debate. The HR/VP also issued a statement on 26 December 2011 denouncing the terrorist attacks which took place in Nigeria, 'including cowardly attacks on religious symbols and Churches during the Christmas period, with appalling loss of human lives'.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001190/12
alla Commissione
Andrea Zanoni (ALDE)
(9 febbraio 2012)

Oggetto: Caccia incontrollata in Italia di specie rarissime in via di estinzione come l'Ibis eremita (Geronticus eremita) e l'Aquila imperiale (Aquila heliaca)

Il progetto austriaco di notorietà internazionale Waldrappteam (www.waldrapp.eu) avviato nel 2002 si occupa del recupero e reintroduzione in natura dell'Ibis eremita (*Geronticus eremita*), specie estinta in Europa e inserita nella lista rossa dell'Unione mondiale per la conservazione della natura (IUCN).

Nella stazione biologica di ricerca Konrad Lorenz di Grünau, in Alta Austria presso Linz, vive un gruppo di Ibis eremita tutelato nell'ambito del progetto Waldrappteam diretto dal dottor Johannes Fritz che prevede anche la migrazione assistita di questi uccelli, seguiti cioè con l'ausilio di piccoli veicoli aerei e con radiocollari, attraverso lunghi tragitti.

Una delle aree di destinazione della migrazione di parte di questi uccelli è l'Oasi naturale di Orbetello (GR) in territorio italiano. Stando ai dati raccolti dagli scienziati che possono seguire i tragitti percorsi da questi uccelli altamente protetti, nel 2006 ben sette Ibis su ventidue monitorati sarebbero scomparsi in territorio italiano, due dei quali uccisi dai cacciatori. Nel 2009 gli Ibis scomparsi ammonterebbero addirittura a 19, mentre nel 2011, durante la migrazione autunnale, sono andati persi ben 10 individui nel territorio italiano, due dei quali uccisi a fucilate a Pizzoli (AQ) in Abruzzo, nei pressi del Parco del Gran Sasso.

Parallelamente, sempre lo scorso anno a Mirabella Imbaccari (CT), in Sicilia è stata rinvenuta anche una rarissima Aquila Imperiale (*Aquila heliaca*) uccisa a colpi di fucile da caccia e precedentemente inanellata, in data 19 giugno 2010, dai ricercatori del Museo di Bratislava in Slovacchia.

Oltre a questi gravissimi fatti, dai dati pervenuti dai Centri di recupero di fauna selvatica distribuiti su tutto il territorio nazionale emerge drammaticamente come ogni anno in Italia, soprattutto durante le migrazioni, migliaia di rapaci e altre specie protette, nonostante la teorica tutela da parte di norme comunitarie e internazionali, vengono uccisi o feriti durante la stagione venatoria.

È la Commissione a conoscenza di questi gravi fenomeni di bracconaggio nei confronti di questi uccelli rarissimi e addirittura in via di estinzione nel territorio italiano?

Come intende essa procedere nei confronti dell'Italia che attualmente ha una legislazione che prevede un sistema di controlli e sanzioni evidentemente inefficace, inefficiente e incapace di far rispettare e applicare la direttiva 2009/147/CE?

Risposta data da Janez Potočnik a nome della Commissione
(23 marzo 2012)

La Commissione ha appreso dai media alcuni dei casi citati dall'onorevole parlamentare.

Non disponendo di informazioni esaurienti né di dati quantitativi sulla situazione attuale in Italia per quanto riguarda le uccisioni illegali di esemplari di specie di uccelli protette, la Commissione non è in grado di valutare se i casi citati costituiscano episodi isolati oppure indichino effettivamente un'incapacità sistematica di attuare adeguatamente le disposizioni pertinenti della direttiva sugli uccelli ([1]).

Come affermato nella risposta all'interrogazione scritta E-151/2012 ([2]), la Commissione indagherà presso le autorità italiane circa l'efficacia dei provvedimenti adottati per porre rimedio al problema delle uccisioni illegali di uccelli e l'istituzione di un sistema credibile per il relativo contrasto.

([1]) Direttiva 2009/147/CE del Parlamento europeo e del Consiglio, del 30 novembre 2009, concernente la conservazione degli uccelli selvatici (GU L 20 del 26.1.2010, pag. 7) che codifica la direttiva 79/409/CEE del Consiglio, del 2 aprile 1979, sulla conservazione degli uccelli selvatici (GU L 103 del 25.4.1979).

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

(English version)

Question for written answer E-001190/12
to the Commission
Andrea Zanoni (ALDE)
(9 February 2012)

Subject: Uncontrolled hunting of critically endangered species such as the waldrapp (*Geronticus eremita*) and the imperial eagle (*Aquila heliaca*) in Italy

Established in 2002, Waldrappteam (www.waldrapp.eu), an internationally known Austrian project, aims to re-establish the waldrapp (*Geronticus eremita*), a species extinct in Europe that has been added to the International Union for Conservation of Nature's (IUCN) Red List, and to and reintroduce it into the wild.

There is a group of waldrapps living at the Konrad Lorenz research centre in Grünau, in Upper Austria near Linz, which are being protected under the Waldrappteam project, led by Dr Johannes Fritz. The project also includes the assisted migration of these birds on long journeys, in which they are monitored with the aid of microlights and GPS trackers.

One of the destinations to which some of the birds migrate is the lagoon in Orbetello (Grosseto), Italy. According to data collected by the scientists who follow the route taken by these highly protected birds, in 2006 seven waldrapps out of the 22 that were being monitored disappeared in Italian territory — two of them were killed by hunters. In 2009, as many as 19 waldrapps disappeared, and in 2011, during the autumn migration, 10 individuals were lost in Italian territory, two of which were shot in Pizzoli (Aquila), in the vicinity of the Gran Sasso National Park.

Furthermore, an extremely rare imperial eagle (*Aquila heliaca*) was found dead last year in Mirabella Imbaccari (Catania), Sicily, having been shot by a hunting rifle. It had previously been ring-tagged by researchers from Bratislava Museum in Slovakia, on 19 June 2010.

In addition to these very serious incidents, data received by wild animal recovery centres everywhere in Italy reveal a shocking picture in which every year, during the migration season in particular, thousands of birds of prey and birds of other protected species are killed or wounded during the Italian hunting season. This is in spite of the protection theoretically afforded to them by European and international law.

Is the Commission aware of the worrying instances of poaching of these extremely rare and endangered birds in Italy?

How does it intend to proceed in relation to Italy in the light of the current Italian legislation, given that the system of checks and penalties laid down is manifestly ineffective, inefficient and incapable of ensuring compliance with, and the enforcement of, Directive 2009/147/EC?

Answer given by Mr Potočnik on behalf of the Commission
(23 March 2012)

The Commission has learned through media reports about some of the events mentioned by the Honourable Member.

The Commission has not been provided with a comprehensive and quantified picture of the current situation regarding illegal killing of protected birds in Italy and cannot therefore assess whether these are isolated episodes or are indeed indicating a systematic failure to properly enforce the relevant provisions of the Birds Directive ([1]).

As stated in the reply to Written Question E-151/2012 ([2]), the Commission will investigate the effectiveness of the measures taken to tackle the problem of illegal killing of birds and the establishment of a credible system of law enforcement with the Italian authorities.

([1]) Directive 2009/147/EC of the Parliament and of the Council of 30 November 2009 on the conservation of wild birds, OJ L 20/7, 26.1.2010, that codifies Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds, OJ L 103, 25.4.1979.

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

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001191/12
alla Commissione
Roberta Angelilli (PPE)
(9 febbraio 2012)

Oggetto: Monti Cimini — possibili finanziamenti a difesa del settore della castanicoltura

Il cinipide galligeno del castagno è un insetto proveniente dalla Cina che si riproduce per partenogenesi con un solo ciclo all'anno che inizia con la deposizione delle uova e la formazione delle galle. Ogni galla contiene da 5 a 40 insetti, ognuno dei quali depone dalle 100 alle 200 uova, con una elevatissima velocità di espansione. Il danno alla produzione si verifica in quanto la galla sottrae linfa alla pianta e impedisce la nascita e/o la fertilità dei ricci, con il conseguente indebolimento della pianta e la maggiore esposizione della stessa e del frutto a malattie. La lotta a tale insetto avviene attraverso il suo antagonista naturale, il Torymus Sinensis, giacché non esistono prodotti chimici in grado di debellarlo.

La sua comparsa è avvenuta in Nord Italia nel 2002 e nel 2005 è arrivato sui Monti Cimini nel Lazio. Si tratta di un territorio straordinario dedicato da secoli alla castanicoltura tanto da ottenere nel 2009 il riconoscimento DOP per la «Castagna di Vallerano», unico in Italia per questo tipo di prodotto.

Oggi, a causa dell'infestazione del cinipide galligeno, sui Monti Cimini si è registrata una perdita di produzione stimabile in circa 15 milioni di euro che supera il 95 % delle precedenti annate e ha messo in crisi tutto il settore.

Tali danni alla produzione sono destinati a ripetersi negli anni poiché a tutt'oggi non vi è un prodotto chimico in grado di debellare definitivamente l'insetto. Tutto ciò rischia di compromettere seriamente l'intero comparto castanicolo dei Monti Cimini oltre che la conservazione di tutta l'area boschiva della zona.

Ciò premesso, può la Commissione far sapere se:

1. sono previsti aiuti o forme di risarcimento per il settore della castanicoltura;

2. ritiene auspicabile inserire la castagna nella filiera della frutta a guscio in modo da poter ottenere aiuti al settore nell'ambito della nuova PAC;

3. sono state registrate all'interno dell'Unione europea altre infestazioni di questo insetto e quali provvedimenti sono stati adottati;

4. intende fornire un quadro generale della situazione?

Risposta data da Dacian Cioloş a nome della Commissione
(6 marzo 2012)

Il regolamento di esecuzione (CE) n. 543/2011 della Commissione, del 7 giugno 2011 ([1]), stabilisce, agli articoli 88 e 89, le norme specifiche in materia di assicurazione del raccolto che possono essere applicabili in relazione alla castanicoltura dei Monti Cimini e tramite l'applicazione delle quali il suddetto settore può beneficiare del sostegno dell'UE. Lo scopo delle misure di assicurazione del raccolto è quello di contribuire a salvaguardare il reddito dei produttori e a risarcire le perdite commerciali subite dall'organizzazione di produttori e/o dai suoi soci quando questi sono colpiti da calamità naturali, avversità atmosferiche o eventualmente da fitopatie o infestazioni parassitarie. Per beneficiare delle misure di assicurazione del raccolto i produttori di castagne della regione dei Monti Cimini dovrebbero creare un'organizzazione di produttori.

Nell'ambito della riforma della PAC, l'attuale proposta per la nuova organizzazione comune di mercato unica non modifica il quadro esistente dei pagamenti nazionali destinati al settore della frutta a guscio. Per quanto riguarda il settore della castanicoltura, nel contesto della proposta legislativa sui pagamenti diretti ([2]), l'ammissibilità dei castagneti dipende dalla conformità all'articolo 4, paragrafo 1, lettera c), relativamente all'attività agricola e all'articolo 4, paragrafo 1, lettera g), relativamente alle colture permanenti. Inoltre, gli ettari agricoli ammissibili devono essere accompagnati da un numero corrispondente di diritti all'aiuto, che verranno assegnati nell'anno 2014 (cfr. articoli 25 e 21).

([1]) GU L 157 del 15.6.2011, pag. 1.
([2]) COM(2011)625 definitivo.

Al momento attuale la presenza di *Dryocosmus kuriphilus* (il cinipide galligeno del castagno) è stata segnalata in Francia, Ungheria, Italia, Slovenia e Paesi Bassi. Dal 27 giugno 2006 sono in vigore misure di emergenza provvisorie contro tale organismo nocivo (decisione 2006/464/CE della Commissione ([3])), che sono attualmente in corso di revisione sulla base di una nuova valutazione dei rischi fitosanitari redatta, su richiesta della Commissione, dall'Autorità europea per la sicurezza alimentare ([4]).. Tale relazione fornisce un quadro della situazione del *Dryocosmus kuriphilus* nell'Unione.

([3]) GU L 183, del 5.7.2006, pag. 29: 2006/464/CE: Decisione della Commissione, del 27 giugno 2006, che stabilisce misure d'emergenza provvisorie per impedire l'introduzione e la diffusione nella Comunità di Dryocosmus kuriphilus Yasumatsu.

([4]) EFSA Journal 2010; 8(6):1619.

(English version)

Question for written answer E-001191/12
to the Commission
Roberta Angelilli (PPE)
(9 February 2012)

Subject: Possible funding to support the chestnut-growing sector in the Cimini hills

The Oriental chestnut gall wasp is an insect native to China that reproduces via parthenogenesis through a single annual cycle that begins with the laying of eggs and the development of galls. Each gall contains between 5 and 40 insects, each of which deposits between 100 and 200 eggs, which have a very rapid growth rate. Damage occurs to development as the galls take away sap from the tree and suppress growth and/or the production of nuts. This weakens the tree and makes it, and its crop, more vulnerable to disease. This pest is being combated through the use of its natural predator, *Torymus Sinensis*, as no chemical products are effective in killing it.

The Oriental chestnut gall wasp first appeared in Northern Italy in 2002 and was found in the Cimini hills in Lazio in 2005. This remarkable region has specialised in chestnut-growing for centuries, so much so that in 2009 it was granted protected designation of origin (PDO) status for the *Castagna di Vallerano* variety of chestnut, which is only produced in that region of Italy.

Today, due to the Oriental gall wasp infestation, the Cimini hills have recorded a fall in production estimated at roughly EUR 15 million, which equates to over 95 % of the previous harvest and has brought the entire sector into crisis.

Such losses in production are bound to repeat themselves over the years as to date there is no chemical product capable of eradicating this pest once and for all. This poses a serious threat to the entire chestnut-growing sector in the Cimini hills, as well as to the conservation of the region's woodlands.

In light of this, could the Commission indicate whether:

1. aid or any form of compensation are planned for the chestnut-growing sector;

2. it considers that chestnuts should be brought within the scope of the nut production sector to enable the chestnut-growing sector to obtain aid under the new Common Agricultural Policy (CAP);

3. other infestations of this insect have been recorded within the European Union, and what measures have been taken;

4. it intends to provide a general overview of the situation?

Answer given by Mr Cioloş on behalf of the Commission
(6 March 2012)

Commission Implementing Regulation (EC) No 543/2011 of 7 June 2011 ([1]) lays down in Articles 88 and 89 the specific rules on harvest insurance which may be of use in the case of the chestnut growing sector in the Cimini hills and benefit from EU support. The aim of the harvest insurance actions is to contribute safeguarding producer's incomes and covering market losses caused by natural disasters, climatic events and, where appropriate, diseases or pest infestations. To benefit from the harvest insurance measure the producers of chestnuts in the region of Cimini will need to set up a producer organisation.

In the context of the CAP reform, the current proposal for the new Single Common Market Organisation does not change the existing framework of national payments for nuts. As regards aids for the chestnuts-growing sector in the framework of the legal proposal on direct payments ([2]), eligibility of chestnut groves depends on complying with Article 4(1) (c) on agricultural activity and Article 4(1) (g) on permanent crops. Moreover, eligible agricultural hectares have to be accompanied by a corresponding number of payment entitlements, which are to be allocated in the year 2014 (see Articles 25 and 21).

([1]) OJ L 157, 15.6.2011, p. 1.
([2]) COM(2011) 625 final.

France, Hungary, Italy, Slovenia and the Netherlands have so far reported the occurrence of *Dryocosmus kuriphilus* (the oriental chestnut gall wasp) in their territory. Provisional emergency measures against this harmful organism are in place since 27 June 2006 (Commission Decision 2006/464/EC ([3])). These measures are presently being revised on the basis of a new pest risk assessment prepared by the European Food Safety Authority at the request of the Commission ([4]). This pest risk assessment provides an overview of the situation of *Dryocosmus kuriphilus* in the Union.

([3]) OJ L 183, 5.7.2006, p. 29: 2006/464/EC: Commission decision of 27 June 2006 on provisional emergency measures to prevent the introduction into and the spread within the Community of Dryocosmus kuriphilus Yasumatsu.

([4]) *EFSA Journal* 2010; 8(6):1619.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-001193/12
adresată Comisiei
Vasilica Viorica Dăncilă (S&D)
(9 februarie 2012)

Subiect: Sprijinirea tinerilor fermieri

Îmbătrânirea populației agricole şi creşterea riscului abandonării sectorului agricol sunt tot mai pregnante în majoritatea statelor membre. Ca urmare, se impun noi măsuri destinate a determina tinerii să se stabilească în zonele rurale şi să se implice în sectorul agricol.

Pe lângă consolidarea sprijinului destinat tinerilor în cadrul celui de-al doilea pilon, este necesar ca viitoarea PAC să prevadă introducerea de măsuri concrete şi în primul pilon, cum ar fi acordarea unor plăți directe complementare (top-up). Acestea ar putea fi de 10 — 20% din plățile directe şi cu caracter voluntar/obligatoriu pentru statele membre.

Sprijinirea tinerilor fermieri, alături de cea a micilor fermieri, vizează contracararea unor fenomene întâlnite la scară largă atât în Uniune, cât şi în România. În acest fel se asigură un spațiu rural complex şi mult mai dinamic, luând în calcul şi faptul că în actualul cadru socioeconomic s-a putut observa o preferință în creştere a populației față de mediul rural şi agricultură.

În acest context, ce măsuri specifice de sprijinire a tinerilor fermieri şi de revigorare a generațiilor în cadrul agriculturii Uniunii Europene are în vedere Comisia Europeană?

Răspuns dat de dl Cioloş în numele Comisiei
(13 martie 2012)

Comisia recunoaşte că reînnoirea generațiilor în agricultură este o problemă în întreaga UE, în condițiile în care numai un procentaj limitat de agricultori au mai puțin de 40 ani (aproximativ 14% în UE-27, conform celor mai recente statistici). Prin urmare, în propunerea privind plățile directe către fermieri după 2013 ([1]), Comisia a inclus o nouă schemă de plată pentru tinerii fermieri, în plus față de schema de plată de bază și a prevăzut o alocare obligatorie a drepturilor la plată din rezerva națională pentru tinerii fermieri. Obiectivul schemei pentru tinerii fermieri este de a facilita instalarea inițială a tinerilor fermieri și adaptarea structurală a exploatațiilor acestora după prima instalare. Acest sprijin este acordat pentru o perioadă de maximum cinci ani.

Pentru a garanta aplicarea uniformă a schemei de plată pentru tinerii fermieri pe teritoriul UE, sistemul respectiv este obligatoriu pentru statele membre. Cu toate acestea, statele membre ar avea posibilitatea de a stabili alocarea bugetară în funcție de caracteristicile naționale, cu condiția ca valoarea acesteia să nu depăşească 2% din plafoanele lor naționale pentru plăți directe.

Pe lângă schema pentru tinerii fermieri din cadrul primului pilon al PAC, statele membre pot elabora, în cadrul programelor lor de dezvoltare rurală, măsuri care să răspundă mai bine nevoilor tinerilor fermieri. În afară de sprijinul pentru demararea unei afaceri oferit tinerilor fermieri și intensitățile de ajutor crescute pentru investițiile efectuate de tinerii fermieri aflați la început de drum, Comisia propune posibilitatea ca statele membre să instituie subprograme pentru tinerii fermieri în cadrul programelor de dezvoltare rurală. Aceste subprograme vor urmări să răspundă nevoilor specifice ale tinerilor fermieri din fiecare stat membru sau regiune.

([1]) Propunere de Regulament al Parlamentului European și al Consiliului de stabilire a unor norme privind plățile directe acordate fermierilor prin scheme de sprijin în cadrul politicii agricole comune (COM(2011) 625 final/2).

(English version)

Question for written answer E-001193/12
to the Commission
Vasilica Viorica Dăncilă (S&D)
(9 February 2012)

Subject: Support for young farmers

The ageing of the agricultural population and the growing risk of farmers leaving agriculture are becoming more evident in the majority of Member States. As a result, new measures are necessary to encourage young people to establish themselves in rural areas and to become involved in the agricultural sector.

Alongside the consolidation of the aid intended for young people under the second pillar, the future CAP should also provide for concrete measures introduced under the first pillar, such as the granting of direct complementary payments (top-ups). These could be 10 to 20 % of the direct payments and of a voluntary/obligatory character for the Member States.

The supporting of young farmers, alongside that of small farmers, is aimed at countering large-scale phenomena encountered in the EU as a whole, and specifically in Romania. In this way a complex and much more dynamic rural space is ensured, taking into account that in the current socioeconomic context a growing preference has been noted among the population for a rural and agricultural environment.

In this context, what specific support measures are envisaged by the Commission in favour of young farmers and of generational renewal in agriculture in the EU?

Answer given by Mr Cioloş on behalf of the Commission
(13 March 2012)

The Commission acknowledges that generational renewal in agriculture is an issue throughout the EU, where only a limited percentage of farmers are under 40 years of age (approximately 14 % in EU-27, according to the most recent statistics). Therefore, in the proposal on direct payments to farmers after 2013 ([1]), the Commission included a new payment scheme for young farmers, additional to the basic payment scheme, and envisaged an obligatory allocation of payment entitlements to young farmers from the national reserve. The aim of the young farmers scheme is to facilitate the initial establishment of young farmers and the structural adjustments of their holdings after the initial setting up. This support is granted during a period of maximum five years.

In order to ensure a uniform application of the payment scheme for young farmers across the EU, such a scheme is compulsory for the Member States. However the Member States would have the possibility to fix the budget allocation depending on their national peculiarities, provided that the amount does not exceed 2 % of their national ceilings for direct payments.

Along the young farmers scheme under the first pillar of CAP, Member States can design more targeted measures addressing young farmers' needs under their rural development programmes. Apart from the business start up aid for young farmers and increased aid intensities for investments carried out by young setting up farmers, the Commission proposes a possibility for Member States to establish subprogrammes for young farmers within the rural development programmes. These subprogrammes will aim to address specific needs of young farmers in the respective Member State or region.

([1]) Proposal for a regulation of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy (COM(2011) 625 final/2).

(Svensk version)

Frågor för skriftligt besvarande E-001194/12
till kommissionen
Olle Schmidt (ALDE)
(9 februari 2012)

Angående: Bluffakturor i EU

Bluffakturor är ett stort, och ökande problem som drabbar små och medelstora företag i Sverige. Bedragare skickar falska fakturor för tjänster eller varor som företaget aldrig har beställt, eller skickar otydligt formulerade erbjudanden i form av en faktura som lurar kunden att ingå ett avtal genom att betala för tjänsten eller varan. Båda dessa former klassas som bedrägeri under svensk lag.

Svensk Handel uppskattar att svenska företagare på detta sätt luras på ca 120 miljoner euro per år. Under 2011 anmäldes knappt 17 000 fall, en ökning på 29 % jämfört med året innan. Enligt Brottsförebyggande rådet är bluffakturorna den snabbast ökande brottskategorin just nu. Små och medelstora företag är de som huvudsakligen utsätts för bedrägeriförsöken. Pengar som betalats för bluffakturor är mycket svåra att återfå, vilket skapar stora problem för små och medelstora företag som ofta lever på små marginaler. Samtidigt blir bedragarna både djärvare, aggressivare och mer förslagna.

Delas detta problem av övriga medlemsländer? Hur kan kommissionen bekämpa bluffakturorna och är detta en del av kommissionens övriga arbete för främjande och stöd till Europas små och medelstora företag?

Svar från Viviane Reding på kommissionens vägnar
(28 mars 2012)

Europeiska kommissionen är väl medveten om att vilseledande och bedrägliga erbjudanden som utformas som fakturor för påstådda leveranser av varor, är ett växande problem för europeiska företag i flera medlemsländer. Bedrägeri kriminaliseras i samtliga medlemsländer, men mer behöver göras för att lösa problemet.

EU:s lagstiftning om marknadsföring förbjuder denna typ av verksamhet i direktiv 2006/114/EG ([1]) om vilseledande och jämförande reklam. Dock saknar ofta mikroföretag och oberoende yrkesutövare resurser för att effektivt hävda sina rättigheter. I medlemsländer där det dessutom finns offentlig tillsyn har myndigheterna ändå svårigheter med att ställa oseriösa näringsidkare inför rätta, bland annat på grund av att de vilseledande metoderna också tillämpas över landsgränserna.

Kommissionen kommer att ta sig an problemet med vilseledande marknadsföringsmetoder genom ett meddelande som ska publiceras inom de kommande månaderna. Detta meddelande kommer att kartlägga problematiska frågor rörande direktiv 2006/114/EG och utforska alternativ för en eventuell revidering. Som förberedelse för meddelandet höll kommissionen ett offentligt samråd mellan den 21 oktober 2011 och den 16 december 2011 om direktivet och om andra otillbörliga affärsmetoder som påverkar företag.

Kommissionen kommer också att anordna möten med medlemsländernas myndigheter under loppet av 2012 för att samordna tillsynsåtgärder i gränsöverskridande fall av vilseledande metoder mellan företag samt för att utbyta information.

([1]) Europaparlamentets och rådets direktiv 2006/114/EG om vilseledande och jämförande reklam (EUT L 376, 27.12.2006, s. 21). Detta direktiv upphävde och ersatte från och med den 12 december 2007 rådets direktiv 84/450/EEG om vilseledande och jämförande reklam (EGT L 250, 19.9.1984, s. 17).

(English version)

Question for written answer E-001194/12
to the Commission
Olle Schmidt (ALDE)
(9 February 2012)

Subject: Fake invoices in the EU

Fake invoices are a serious and increasingly common problem affecting small and medium-sized enterprises in Sweden. Fraudsters submit fake invoices for goods or services which the company has never ordered, or send ambiguously worded offers in the form of an invoice which tricks the customer into entering into contracts by paying for goods or services. Both these types of fake invoice are classified as fraud under Swedish law.

The Swedish Employers' Organisation (*Svensk Handel*) estimates that this type of fraud costs Swedish companies approximately EUR 120 million every year. Just under 17 000 cases were reported in 2011, an increase of 29 % compared to the previous year. According to the Swedish National Council for Crime Prevention, fake invoices are currently the fastest growing category of crime. Small and medium-sized enterprises are the main targets for fraud. Money paid for fake invoices is very difficult to recover, which creates huge problems for small and medium-sized enterprises which often exist on small margins. At the same time the fraudsters are becoming bolder, more aggressive and more cunning.

Do other Member States face the same problem? How can the Commission combat fake invoices and is this within the Commission's remit of promoting and supporting Europe's small and medium-sized enterprises?

Answer given by Mrs Reding on behalf of the Commission
(28 March 2012)

The European Commission is well aware that misleading and fraudulent offers, disguised as invoices for purportedly delivered products, are a growing problem for European businesses in several Member States. The offence of fraud is criminalised in all Member States, but this can only be a part of the response to this problem.

There is EU marketing legislation in place which prohibits these types of practices, namely Directive 2006/114/EC ([1]) concerning misleading and comparative advertising. Nevertheless, micro-enterprises and independent professionals often lack resources to effectively assert their rights and, in Member States, where there is also an element of public enforcement, the authorities face difficulties in bringing rogue traders to justice, also due to cross-border nature of misleading schemes.

The Commission will address the problem of misleading marketing practices in the context of a communication, scheduled to be published in the coming months, which will identify any problematic issues related to Directive 2006/114/EC and explore options for its possible review. In view of the preparation of the communication, the Commission held a public consultation between 21 October 2011 and 16 December 2011 on the directive and on other unfair commercial practices affecting business.

The Commission will also organise meetings with the Member States' authorities in the course of 2012 to coordinate enforcement actions in cross-border cases of business-to-business misleading schemes and to exchange information.

([1]) Directive 2006/114/EC of the European Parliament and of the Council concerning misleading and comparative advertising (OJ L 376, 27.12.2006, p. 21). This directive repealed and replaced as of 12 December 2007 Council Directive 84/450/EEC concerning misleading and comparative advertising (OJ L 250, 19.9.1984, p. 17).

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-001196/12
do Komisji
Ryszard Czarnecki (ECR)
(9 lutego 2012 r.)

Przedmiot: Naruszenie zasad równej konkurencji wobec Polski w kontekście banków

Przewodniczący Rady Nadzorczej banku Unicredit Dieter Rampl na Walnym Zgromadzeniu Unicredit w dniu 29 kwietnia 2011 r. poinformował, że wg umowy z byłym prezesem Unicredit Alessandro Profumo ma on prawo pracy na rzecz podmiotu konkurującego z Unicredit (poza terytorium Austrii i Niemiec), jednak nie może doradzać w przejęciach podmiotów dotyczących rynku niemieckiego i austriackiego. Jednocześnie pozwolono mu na podobne doradztwo dotyczące krajów Europy Środkowej, w tym przede wszystkim Polski. Ponieważ Polska, Austria i Niemcy są członkami Unii Europejskiej, naruszono w ten sposób zasady równej konkurencji na terenie Unii.

W zeszłym roku Profumo podpisał kontrakt doradczy z rosyjskim Sberbankiem, a ostatnio powołany został do Rady Nadzorczej tego banku. Jego kompetencje to przejęcia i ekspansja międzynarodowa Sberbanku ze szczególnym naciskiem na Polskę (Profumo przez wiele lat był przewodniczącym Rady Nadzorczej Banku Pekao SA – banku działającego w Polsce, a kontrolowanego przez Unicredit). Podobno bank Unicredit w związku z trudną sytuacją finansową planuje sprzedaż swojej spółki córki – Banku Pekao SA – na rzecz Sberbank i stąd wybiórcze traktowanie prawa europejskiego.

1. Czy wyłączenie Polski z zapisów zakazu konkurencji jest zgodne z prawem Unii Europejskiej?

2. Czy zamiar sprzedaży Banku Pekao SA na rzecz rosyjskiego Sberbank jest zgodny z prawem Unii Europejskiej?

Odpowiedź udzielona przez komisarza Joaquina Almunię w imieniu Komisji
(23 marca 2012 r.)

1. Okres karencji, dotyczący zarówno okresu zatrudnienia, jak i okresu po ustaniu zatrudnienia, stanowi często część umowy o pracę członków rad nadzorczych. Ważność takich klauzul, stanowiących formę klauzuli o zakazie konkurencji, jest przede wszystkim zagadnieniem właściwego prawa krajowego (prawa konkurencji, prawa pracy lub odnośnego kodeksu handlowego czy ustawy o spółkach akcyjnych), które często uzależnia ją od spełnienia szeregu warunków (takich jak maksymalny czas trwania, płatność wyrównawcza w okresie karencji, uzasadniony interes pracodawcy stwierdzony na piśmie, proporcjonalność itp.).

Ponadto klauzule o zakazie konkurencji nie ograniczają prawa konkurencji UE, jeśli są proporcjonalne i konieczne, aby zachować ciągłość działalności przedsiębiorstw przestrzegających przepisów prawa konkurencji, i gdy mają na celu ochronę tych przedsiębiorstw przed erozją od wewnątrz.

Ograniczenie zakresu geograficznego klauzuli o zakazie konkurencji samo w sobie nie stanowi naruszenia prawa UE. Jednakże geograficzny (i czasowy) zakres klauzuli o zakazie konkurencji może na przykład zostać poddany indywidualnej ocenie w świetle prawa konkurencji UE, która to ocena może wymagać uwzględnienia m.in. właściwych geograficznych rynków produktowych, na których zainteresowane przedsiębiorstwa prowadzą działalność ([1]).

2. Nie istnieją żadne oczywiste przesłanki, na podstawie których należałoby uznać, że cel sprzedaży Banku Pekao SA rosyjskiej spółce Sberbank jest jako taki niezgodny z prawem UE. Ustalenie to nie przesądza oczywiście o wyniku ewentualnej szczegółowej oceny planowanej transakcji w świetle przepisów prawa konkurencji, która mogłaby być konieczna w przypadku zgłoszenia tej transakcji zgodnie z rozporządzeniem w sprawie kontroli łączenia przedsiębiorstw.

([1]) Zob. na przykład decyzja Komisji COMP/IV/M.1487 Johnson&Son/Melitta/Cofresco z 6.5.1999, w przypadku której klauzula o zakazie konkurencji została wyłączona z zakresu decyzji zatwierdzającej koncentrację, ponieważ zakres czasowy klauzuli został uznany za nieproporcjonalny.

(English version)

Question for written answer E-001196/12
to the Commission
Ryszard Czarnecki (ECR)
(9 February 2012)

Subject: Violation of fair competition rules in Poland's banking sector

The chairman of Unicredit Bank's supervisory board, Dieter Rampl, informed the Unicredit general meeting of 29 April 2011 that, according to the contract of the former chairman of Unicredit, Alessandro Profumo, he had the right to work for competitors of Unicredit outside the territories of Austria and Germany, but could not advise on the acquisition of entities in the Austrian and German markets. Profumo was, however, permitted to provide such advisory services in respect of the countries of Central Europe, primarily Poland. Since Poland, Austria and Germany are members of the European Union, the rules of fair competition within the territory of the Union have been violated.

Last year Profumo signed an advisory contract with Russia's Sberbank, and he has recently been elected to that bank's supervisory board. He is responsible for acquisitions and the international expansion of Sberbank, with particular emphasis on Poland (several years ago, Profumo was Chairman of the Supervisory Board of Pekao Bank SA, a bank operating in Poland, but controlled by Unicredit). Owing to its difficult financial situation, Unicredit reportedly plans to sell it subsidiary, Pekao Bank SA, to Sberbank, thus indicating the selective treatment of European law.

1. Is exempting Poland from anti-competition provisions in line with EC law?

2. Does the aim of selling Pekao Bank SA to Russia's Sberbank comply with EC law?

Answer given by Mr Almunia on behalf of the Commission
(23 March 2012)

1. Cooling-off periods, both relating to the period of employment and the period post-employment, frequently form part of employment contracts for Supervisory Board members. The validity of such clauses, which are a form of 'non-compete' clause, is primarily a question of the law applicable nationally (either national competition law, employment law and/or the respective Commercial Codes or Stock Corporation Acts), which often makes their validity subject to a number of conditions (such as maximum duration, compensatory payment during such period, justified interest on the part of the employer laid down in written form, proportionality etc.).

In addition, such non-compete clauses do not restrict EU competition law where they are necessary and proportionate to maintain the continuity and functionality of undertakings otherwise complying with competition law, and to protect undertakings against erosion from within.

Restricting the geographic scope of a non-compete clause is not in and of itself a violation of EC law. However, the geographic (and temporal) scope of a non-compete clause can for instance be subject to an individual case assessment under EU competition law, which may take into account, among other factors, the relevant geographic product markets in which the undertakings concerned are active ([1]).

2. The are no apparent grounds on the basis of which the aim of selling Pekao Bank SA to Russia's Sberbank should as such not comply with EC law. This finding is of course without prejudice to any detailed competition law assessment that might be necessary if that transaction were to be notifiable in accordance with the EU Merger Regulation.

([1]) See for instance Commission Decision COMP/IV/M.1487 Johnson&Son/Melitta/Cofresco of 6.5.1999, where the non-compete clause was exempted from the clearance decision, as its temporal scope was considered disproportionate.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-001197/12
aan de Commissie
Laurence J. A. J. Stassen (NI)
(9 februari 2012)

Betreft: Wat levert de interne markt de burger precies op

De interne markt wordt te pas en te onpas aangehaald om het succes van Europese samenwerking te onderstrepen. De EU lijkt hiermee de aandacht af te willen leiden van de projecten waar Europese samenwerking volledig mislukt, zoals het europroject bijvoorbeeld. Eén en ander veronderstelt dat de Commissie met gegevens kan onderbouwen wat de kosten en baten van de interne markt zijn. Daarom de volgende vragen:

1. Kan de Commissie met cijfers onderbouwen wat exact de kosten en baten van de interne markt zijn? Zo neen, waarom niet?

2. Is de Commissie het met de PVV eens dat het uiterst merkwaardig zou zijn wanneer er niet met harde cijfers kan worden onderbouwd wat de kosten en baten van de interne markt zijn — nochtans een wezenlijk onderdeel van Europese samenwerking? Zo neen, waarom niet?

3. Weet de Commissie beleidsgebieden te noemen die meer aan de welvaart in Europa hebben bijgedragen dan de interne markt? Zo neen, waarom niet?

4. Kan de Commissie überhaupt drie beleidsgebieden noemen, onderbouwd met cijfers, die netto hebben bijgedragen aan de welvaart in Europa, d.w.z. structureel en aantoonbaar meer hebben opgebracht dan gekost? Zo neen, waarom niet?

5. Is de Commissie het met de PVV eens dat burgers het recht hebben om te weten wat exact de kosten en baten van de verschillende Europese beleidsgebieden zijn, zodat burgers weten waar hun belastinggeld precies aan wordt gespendeerd en bovendien financiële verspilling wordt blootgelegd? Zo neen, waarom niet?

6. Is de Commissie het met de PVV eens dat de EU het lef moet hebben om het kaf van het koren te scheiden, waarbij beleidsgebieden die meer kosten dan opbrengen of die niet meetbaar bijdragen aan Europese welvaart per direct worden afgestoten? Zo neen, waarom niet?

Antwoord van de heer Barnier namens de Commissie
(25 april 2012)

De Commissie verwijst het geachte Parlementslid naar de volgende verslagen: „A single market for 21st century Europe — The single market: review of achievements" (2007) en „How Europe adds value to European citizens and Member States: 15 selected examples" (2011).

Wat de voordelen betreft: tussen 1992 en 2006 heeft de interne markt voor 1 800 miljard EUR aan extra welvaart gezorgd. Dat komt neer op een totaal gemiddeld voordeel van bijna 5 000 EUR voor elke EU-burger ([1]). Daarbij moet nog het effect van andere EU-beleidsgebieden, zoals handel, mededinging, uitbreiding en de euro worden geteld, waardoor de toegevoegde waarde van al deze beleidsgebieden samen uitkomt op 10 à 20 % van het bbp van de EU. Daarnaast hebben de beleidsgebieden met een regionaal of lokaal effect de groei van de convergentieregio's tussen 1995 en 2006 met 12 % doen toenemen ([2]).

De sterker geïntegreerde interne markt heeft ook aanzienlijke niet-economische voordelen opgeleverd, zoals grotere individuele vrijheid in heel Europa, een doeltreffender optreden tegen klimaatverandering, grotere invloed in onderhandelingen op wereldniveau en, niet in de laatste plaats, de veiligstelling van de democratie en de vrede in Europa.

De kosten van de expansie van de interne markt kunnen het best worden afgeleid uit de bijdragen van de lidstaten aan de EU-begroting, die minder dan 1 % van het bruto nationaal inkomen (BNI) van de EU vertegenwoordigt. Dit is maar een fractie van de overheidsuitgaven op nationaal niveau, die variëren van 30 % tot ruim 50 % van het BNI. De nettobijdragen van de lidstaten aan de begroting belopen overigens doorgaans minder dan 0,5 % van hun BNI ([2]).

([1]) "A single market for 21st century Europe — The single market: review of achievements", werkdocument van de diensten van de Commissie, SEC(2007) 1521.

([2]) "How Europe adds value to European citizens and Member States: 15 selected examples", werkdocument van de diensten van de Commissie, 21 juni 2011.

(English version)

Question for written answer E-001197/12
to the Commission
Laurence J.A.J. Stassen (NI)
(9 February 2012)

Subject: What exactly do citizens get from the internal market?

The internal market is cited at any opportunity to stress the success of European cooperation. It seems that the EU does this to divert attention from the projects where European cooperation has totally failed, for example the euro project. This suggests that the Commission can demonstrate, using data, what the costs and benefits of the internal market are. In this context, please answer the following questions:

1. Can the Commission demonstrate, using figures, the exact costs and benefits of the internal market? If not, why not?

2. Does the Commission agree with the PVV that it would be extremely odd if it was not possible to demonstrate, using hard figures, the costs and benefits of the internal market, it being an essential part of European cooperation? If not, why not?

3. Can the Commission name policy areas which have contributed more to prosperity in Europe than the internal market? If not, why not?

4. Can the Commission name three policy areas, using figures as evidence, which have contributed in real terms to the prosperity in Europe, i.e. structurally and demonstrably having delivered more than they cost? If not, why not?

5. Does the Commission agree with the PVV that citizens have the right to know the exact costs and benefits of various European policy areas, so that they will know exactly what their tax money is being spent on and, what is more, this will expose financial waste? If not, why not?

6. Does the Commission agree with the PVV that the EU should have the guts to separate the wheat from the chaff, i.e. to close immediately the policy areas which cost more than they yield or which do not measurably contribute to European prosperity? If not, why not?

Answer given by Mr Barnier on behalf of the Commission
(25 April 2012)

The Commission would like to refer the Honourable Member to the reports 'A single market for 21st century Europe — The single market: review of achievements' (2007) and 'How Europe adds value to European citizens and Member States: 15 selected examples' (2011).

In terms of benefits, between 1992 and 2006, the single market has created over EUR 1800 billion of extra prosperity. It means an average overall gain of nearly EUR 5000 per every EU citizen. ([1]) If we add to this the impact of other EU policies such as trade competition, enlargement, the euro, the added value of these policies accounts for 10-20% of EU GDP. The policies with a regional or local impact also boosted the growth of convergence regions by 12% from 1995 to 2006 ([2]).

Important non-economic benefits have also been generated by a more integrated single market, such as increased individual freedom across Europe, more effective action against climate change, greater influence in global negotiations and, last but not least, securing democracy and peace in Europe.

The best way to underline the costs of the expansion of the single market are the contributions of the Member States to the EU budget which amounts to less than 1 % of the EU's gross national income (GNI). This is a fraction of government spending at a national level, which ranges from 30 % to more than 50 % of GNI. The net budget contributions of Member States generally amount to less than 0.5 % of their GNI([2]).

([1]) A single market for 21st century Europe — The single market: review of achievements; COMMISSION STAFF WORKING DOCUMENT, SEC(2007) 1521.
([2]) 'How Europe adds value to European citizens and Member States: 15 selected examples', Commission Staff Working Paper, 21 June 2011.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001198/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(9 Φεβρουαρίου 2012)

Θέμα: Πυρπολισμός ορθόδοξης εκκλησίας στα Σκόπια

Πρόσφατα άγνωστοι πυρπόλησαν ορθόδοξη εκκλησία στο χωριό Λαμπούνιστα της ΠΓΔΜ. Αναφέρεται ότι, στην περιοχή της Λαμπούνιστα, η πλειοψηφία των κατοίκων είναι Αλβανοί και μουσουλμάνοι στο θρήσκευμα.

Δεδομένου ότι η τελευταία έκθεση προόδου της Επιτροπής αφήνει να εννοηθεί ότι η χώρα πληροί τα πολιτικά κριτήρια για ένταξη στην ΕΕ και ότι σέβεται τις θρησκευτικές ελευθερίες.

Ερωτάται η Επιτροπή:

1. Με ποιον τρόπο εξασφαλίζεται η ελευθερία της σκέψης, της συνείδησης και της θρησκείας γενικότερα στην ΠΓΔΜ, που είναι απαραίτητο στοιχείο για την ευρωπαϊκή προοπτική της χώρας;

2. Με ποιους τρόπους ενθαρρύνεται η κυβέρνηση της ΠΓΔΜ για την ενίσχυση των πολιτικών κατά των διακρίσεων και η πρόληψη των διακρίσεων κατά των εθνοτικών ομάδων;

3. Προτίθεται η Επιτροπή να λάβει αυτά τα γεγονότα υπόψη στην επόμενη έκθεση προόδου, εις τρόπον ώστε η κυβέρνηση να λάβει τα απαραίτητα μέτρα για την αποφυγή στο μέλλον τέτοιων ενεργειών;

Απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(23 Μαρτίου 2012)

1. Το δικαίωμα ελεύθερης και δημόσιας έκφρασης της θρησκείας, είτε ατομικά είτε ομαδικά, εξασφαλίζεται από το εθνικό Σύνταγμα της Πρώην Γιουγκοσλαβικής Δημοκρατίας της Μακεδονίας. Η θρησκευτική ταυτότητα όλων των κοινοτήτων, όπως επίσης και η προώθηση της ελευθερίας του θρησκεύματος ή των πεποιθήσεων προστατεύονται από την εθνική νομοθεσία. Η χώρα έχει προσυπογράψει τις κυριότερες διεθνείς και περιφερειακές νομικές πράξεις σχετικά με την ελευθερία του θρησκεύματος ή των πεποιθήσεων. Εκτός από τα δικαστήρια και τον συνήγορο του πολίτη, η προστασία της ελευθερίας της σκέψης, της συνείδησης και της θρησκείας μπορεί να ενισχυθεί μέσω ορισμένων κυβερνητικών και κοινοβουλευτικών φορέων, όπως η επιτροπή για τις σχέσεις με τις θρησκευτικές κοινότητες και ομάδες.

2. Η αποφυγή διακρίσεων εις βάρος εθνοτικών ομάδων αποτελεί βασικό κριτήριο της Συνθήκης της Κοπεγχάγης. Κατοχυρώνεται στην έννομη τάξη της χώρας και ενισχύεται με τις συνταγματικές τροποποιήσεις σχετικά με τη συμφωνία-πλαίσιο της Αχρίδας του 2011. Η καταπολέμηση των διακρίσεων αποτελεί αναπόσπαστο τμήμα του τακτικού διαλόγου στο πλαίσιο της συμφωνίας σταθεροποίησης και σύνδεσης. Η Επιτροπή διατηρεί διάλογο επί του θέματος με αξιωματούχους σε κεντρικό και τοπικό επίπεδο, με πολιτικά κόμματα και με οργανώσεις της κοινωνίας των πολιτών.

3. Η Επιτροπή παρακολουθεί στενά τις εξελίξεις αυτών των περιστατικών, συμπεριλαμβανομένων των εν εξελίξει ερευνών που διεξάγουν οι εθνικές υπηρεσίες επιβολής του νόμου. Όπως και κατά τα προηγούμενα έτη, στην έκθεση προόδου της Επιτροπής για το 2012 θα δοθεί προσοχή στις σημαντικές εξελίξεις στον τομέα αυτό.

(English version)

Question for written answer E-001198/12
to the Commission
Nikolaos Salavrakos (EFD)
(9 February 2012)

Subject: Attack on Orthodox Church in Skopje

Unknown perpetrators recently opened fire on an Orthodox church in the village of Labunista in the former Yugoslav Republic of Macedonia. Apparently, the majority of the population of Labunista are Albanian Muslims.

Given that the Commission's most recent progress report intimates that this country meets the political criteria for accession to the EU and that freedom of religion is respected,

Will the Commission answer the following:

1. How is freedom of thought, conscience and religion in general, which is prerequisite to EU accession prospects, safeguarded in FYROM?

2. How is the government of FYROM being encouraged to improve anti-discrimination policies and to prevent discrimination against ethnic groups?

3. Does the Commission intend to take account of these incidents in its next progress report, so that the government takes the necessary measures to prevent such action in future?

Answer given by Mr Füle on behalf of the Commission
(23 March 2012)

1. The right to express faith freely and publicly, individually or in groups is guaranteed by the national constitution of the former Yugoslav Republic of Macedonia. Religious identity of all communities is protected under national laws, and so is promotion of freedom of religion and belief. The country has adhered to the main international and regional legal instruments on freedom of religion or belief. Apart from courts and the ombudsman, protection of freedom of thought, conscience and religion can be raised with a number of government and parliamentary bodies, such as the Commission for relations with religious communities and groups.

2. Preventing discrimination against ethnic groups is a key Copenhagen criterion. It is enshrined in the legal order of the country and strengthened with the Constitutional amendments relating to the 2001 Ohrid Framework Agreement. Anti-discrimination forms an integral part of the regular dialogue within the framework of the Stabilisation and Association Agreement. The Commission maintains a dialogue on the issue with officials at central and local level, with political parties and with civil society organisations.

3. The Commission is closely following the aftermath of these incidents, including the ongoing investigations being conducted by the national law enforcement agencies. As in past years, the Commission's 2012 Progress Report will pay attention to all important developments in this area.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001199/12
προς την Επιτροπή (Αντιπρόεδρος/Ύπατη Εκπρόσωπος)
Nikolaos Salavrakos (EFD)
(9 Φεβρουαρίου 2012)

Θέμα: VP/HR — Χρηματοδότηση Χαμάς από την Τουρκία

Σύμφωνα με πρόσφατα δημοσιεύματα του τουρκικού τύπου, η Τουρκία δεσμεύθηκε να χορηγήσει οικονομική βοήθεια ύψους 300 εκατομμυρίων δολαρίων στη Χαμάς.

Επιπλέον, πριν από λίγες μέρες ο Τούρκος Πρόεδρος, Αμπντουλάχ Γκιουλ, δεν απέκλεισε το ενδεχόμενο η ισλαμική παλαιστινιακή οργάνωση Χαμάς να ανοίξει γραφείο εκπροσώπησής της στην Τουρκία.

Ερωτάται η Ευρωπαϊκή Υπηρεσία Εξωτερικής Δράσης:

1. Προτίθεται η Επιτροπή να ερευνήσει τις πληροφορίες αυτές για να διαπιστωθεί η ακρίβειά τους;

2. Δεδομένου ότι οι ενέργειες αυτές δεν ευνοούν τις προσπάθειες που αναπτύσσονται για την αποκατάσταση της εμπιστοσύνης μεταξύ Ισραηλινών και Παλαιστινίων που στηρίζει πλήρως η ΕΕ ενόψει μάλιστα και της επανάληψης των απευθείας ειρηνευτικών διαπραγματεύσεων, πως προτίθεται να δράσει η Επιτροπή;

3. Με ποιο τρόπο σκοπεύει η Επιτροπή να ενθαρρύνει την Τουρκία να αναπτύξει την εξωτερική της πολιτική στο πλαίσιο διαλόγου και συντονισμού με την Ευρωπαϊκή Ένωση και να ευθυγραμμίσει προοδευτικά την εξωτερική της πολιτική με εκείνη της ΕΕ, όπως έχει ζητήσει το Ευρωπαϊκό Κοινοβούλιο στο ψήφισμά του σχετικά με την έκθεση προόδου του 2011 για την Τουρκία;

Απάντηση της Ύπατης Εκπροσώπου/Αντιπροέδρου Ashton εξ ονόματος της Επιτροπής
(26 Μαρτίου 2012)

Η ΥΕ/ΑΠ δεν σχολιάζει ανακοινώσεις στον Τύπο.

Η Τουρκία εξακολουθεί να δραστηριοποιείται στην ευρύτερη γειτονική περιοχή της, και παραμένει σημαντικός περιφερειακός παίκτης στη Μέση Ανατολή. Η Τουρκία στηρίζει τη θέση της ΕΕ και τις προσπάθειες της ΕΕ στην ειρηνευτική διαδικασία στη Μέση Ανατολή. Η Τουρκία έχει αναλάβει διαρκή ρόλο όσον αφορά την ενθάρρυνση της παλαιστινιακής συμφιλίωσης και εθνικής ενότητας.

Η ΥΕ/ΑΠ έχει αρχίσει να εντατικοποιεί τον διάλογο της ΕΕ με την Τουρκία στον τομέα της εξωτερικής πολιτικής επί θεμάτων κοινού ενδιαφέροντος, όπως αναφέρεται στα συμπεράσματα του Συμβουλίου του Δεκεμβρίου 2011, και πιστεύει ότι οι στενότερες και τακτικότερες επαφές και διαβουλεύσεις με την Τουρκία, σε διάφορα επίπεδα, θα βοηθήσουν να βελτιωθεί η ευθυγράμμιση της Τουρκίας με τις θέσεις και τις δηλώσεις της ΕΕ.

(English version)

Question for written answer E-001199/12
to the Commission (Vice-President/High Representative)
Nikolaos Salavrakos (EFD)
(9 February 2012)

Subject: VP/HR — Financing of Hamas by Turkey

According to recent articles in the Turkish press, Turkey has promised Hamas financial assistance of USD 300 million.

A few days ago, Turkish President Abdullah Gül did not discount the possibility of the Islamic Palestinian organisation Hamas opening an office in Turkey.

Will the European External Action Service provide the following information:

1. Does the Commission intend to investigate the truth of this report?

2. Given that such action is not assisting efforts to restore trust between Israel and Palestine, which the EU fully supports, especially in view of the resumption of direct peace negotiations, what action does the Commission intend to take?

3. How does the Commission plan to encourage Turkey to develop its foreign policy within the framework of dialogue and coordination with the European Union, in order to gradually bring its foreign policy into line with that of the EU, as urged by the European Parliament in its resolution on the 2011 progress report for Turkey?

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

The HR/VP does not comment on press statements.

Turkey continues to be active in its wider neighbourhood, and remains an important regional player in the Middle East. Turkey supports the EU position and the EU efforts on the Middle East Peace Process (MEPP). Turkey sees a continuing role for itself in encouraging Palestinian reconciliation and national unity.

The HR/VP has started intensifying EU foreign policy dialogue with Turkey on issues of common interest as stated in the Council conclusions of December 2011 and trusts that closer and more regular contacts and consultations with Turkey at various levels will help improve Turkey's alignment with EU positions and statements.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001200/12
alla Commissione
Mario Mauro (PPE)
(9 febbraio 2012)

Oggetto: Finanziamenti europei al Collegio europeo di Parma

Il Collegio europeo di Parma è una fondazione che offre un servizio di livello europeo: studenti italiani, europei ed extraeuropei partecipano ai corsi e una volta ultimati potenzialmente andranno a ricoprire ruoli nelle istituzioni europee. Il Collegio viene finanziato quasi totalmente da enti locali e dalla Fondazione Cariparma.

La Commissione contribuisce economicamente alla gestione del Collegio europeo di Bruges e di altri cinque istituti di formazione europei.

Può pertanto essa precisare:

1. qual è la sua posizione nei confronti del Collegio europeo di Parma;

2. per quale motivo non contribuisce ai costi di gestione del Collegio europeo di Parma, così come per quello di Bruges e per altri cinque istituti?

Risposta data da Androulla Vassiliou a nome della Commissione
(20 marzo 2012)

La Commissione conosce e apprezza le attività condotte dal Collegio europeo di Parma, segnatamente l'attività di formazione. La presenza di personalità europee di spicco alle cerimonie accademiche o nelle attività del Collegio, tra cui il presidente della Commissione che ha tenuto una *Lectio Magistralis* nell'aprile 2010, testimonia della considerazione che la Commissione nutre per questa istituzione.

Il contributo della Commissione ai costi operativi di certe istituzioni è definito nella base giuridica adottata dal Parlamento e dal Consiglio, segnatamente l'articolo 36, paragrafo 2, del «Programma di apprendimento permanente». Soltanto le istituzioni specificate in tale articolo hanno titolo a ricevere una sovvenzione di funzionamento dalla Commissione nel quadro dell'azione chiave 2 del programma Jean Monnet (JMO) nel contesto del Programma di apprendimento permanente. L'elenco degli organismi designati contenuto nell'atto giuridico è stato stabilito dal legislatore europeo, al momento della decisione, sulla base dell'importanza e dell'eccellenza dei programmi relativi agli studi sull'integrazione europea.

Tuttavia, nel contesto della sua proposta relativa al nuovo programma «Erasmus per tutti», la Commissione intende indire una gara d'appalto per poter aiutare un maggior numero di istituzioni di istruzione europee sulla base di progetti concreti. Il Collegio di Parma potrà presentare la sua candidatura.

(English version)

Question for written answer E-001200/12
to the Commission
Mario Mauro (PPE)
(9 February 2012)

Subject: EU funding for the European College of Parma

The European College of Parma is a foundation offering a service with a European dimension: its courses are attended by Italian, EU and non-EU students who, on completing their studies, can potentially take up posts in the EU institutions. The College is financed almost exclusively by local authorities and organisations and by the Cariparma Foundation.

The Commission makes a financial contribution to the operating costs of the European College of Bruges and of five other European training institutes.

Accordingly, can the Commission clarify:

1. its position with respect to the European College of Parma?

2. why it does not contribute to the operating costs of the European College of Parma, on the same basis as it does for the European College of Bruges and five other training institutes?

Answer given by Ms Vassiliou on behalf of the Commission
(20 March 2012)

The Commission is aware of and appreciates the activities carried out by the European College of Parma, notably the training. The presence of outstanding European personalities in the academic ceremonies or activities of the College, including the President of the Commission who delivered a Lectio Magistralis there in April 2010, underlines the favourable view of the Commission of the institution.

The contribution of the Commission to the operating costs of certain institutions is established in the legal basis adopted by the Parliament and the Council, namely Article 36.2 of the 'Lifelong Learning Programme'. Only the institutions specified in this article are entitled to receive an operating grant from the Commission in the framework of the key action 2 of the Jean Monnet (JMO) programme in the Lifelong Learning Programme. The list of the designated bodies in the legal act has been established by the European Legislative Authority, at the time of the decision, on the basis of importance and excellence of programmes in the field of European Integration Studies.

However, in its proposal for the new 'Erasmus for all' programme, the Commission intends to open a competitive call for tender to support more European institutions on the basis of concrete projects. The College of Parma will be able to apply for such funding.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-001201/12
aan de Commissie
Derk Jan Eppink (ECR)
(9 februari 2012)

Betreft: EU-steun: effectbeoordelingen

Het is algemeen erkend dat effectbeoordelingen van belang zijn om ervoor te zorgen dat publieke middelen die voor een specifiek doel zijn toegewezen, dat doel ook effectief bereiken. In het kader van de overzeese steun van de EU is het cruciaal dat veelvuldig gebruik wordt gemaakt van effectbeoordelingen om ineffectieve projecten die een verwaarloosbaar effect op de levens van de mensen hebben, eruit te filteren.

1. Gebruikt de Commissie effectbeoordelingen om de doeltreffendheid van projecten met betrekking tot overzeese steun te beoordelen? Zo nee, is de Commissie van plan deze te introduceren?

2. Is de Commissie het ermee eens dat de oprichting van een echt onafhankelijke instantie, die zich concentreert op het effect van steun in ontvangende landen, en waarvan bevindingen een directe invloed hebben op de manier waarop geld wordt besteed, de toewijzing van EU-middelen voor overzeese steun wezenlijk zou verbeteren? Bereidt de Commissie daartoe enige wetgevingsvoorstellen voor in de nabije toekomst?

In april 2011 publiceerde de denktank „Open Europe" een verslag getiteld „EU External Aid: Who Is It For?" waarin een voorbeeld uit 2008 wordt aangehaald waarin de Commissie een migratiecentrum in Mali oprichtte om Malinezen te helpen die een tijdelijke baan in de EU zoeken. Volgens het verslag heeft de EU tot nu toe ongeveer 10 miljoen EUR, via het Europees Ontwikkelingsfonds, aan het centrum besteed maar heeft het centrum in de drie jaar sinds zijn oprichting slecht 6 personen aan een baan geholpen.

1. Kan de Commissie het bestaan van het migratiecentrum, het bestede bedrag en het totale aantal personen dat via het centrum een baan heeft gevonden, bevestigen?

2. Heeft de Commissie in voornoemd geval een effectbeoordeling gebruikt? Zo ja, wat was het resultaat en zullen de resultaten gepubliceerd worden?

Antwoord van de heer Piebalgs namens de Commissie
(27 maart 2012)

De Commissie beschikt over een uitgebreid instrumentarium van toezicht- en beoordelingssystemen die ontworpen zijn om maximale doeltreffendheid en efficiëntie te behalen inzake EU-steun. De effectbeoordelingen worden uitgevoerd door consultants ([1]).

De Commissie denkt niet dat het toevoegen van een externe instelling, met eigen personeel en overheadkosten, een efficiënte vernieuwing zou zijn.

Het centrum voor informatie en migratiebeheersing (CIGEM) is een project dat gefinancierd wordt door het Europees Ontwikkelingsfonds (12 miljoen euro) in Mali. De belangrijkste doelstelling is de formulering en tenuitvoerlegging van Mali's migratiebeleid te ondersteunen. Het centrum is ook bedoeld om potentiële en terugkerende migranten te helpen en te ondersteunen, mensen bewust te maken van de risico's van illegale migratie, en kennis en onderzoeksactiviteiten inzake migratie te bevorderen.

Het project is gedeeltelijk geheroriënteerd op de ondersteuning van de reïntegratie van migranten die terugkeren naar Mali. Het is moeilijk om exact te kwantificeren hoeveel mensen er aan een baan zijn geholpen dankzij het centrum. CIGEM heeft met name circulaire migratie bevorderd tussen Spanje en Mali (29 seizoenarbeiders, van wie er 14 opnieuw zijn aangenomen voor een tweede jaar). Vanaf zijn opening tot mei 2011 heeft CIGEM in het kader van zijn taak circa 7000 mensen verwelkomd die geïndividualiseerde hulp en steun hebben ontvangen.

([1]) De belangrijkste beoordelingen worden gepubliceerd op de website van de Commissie, samen met de reactie van de betrokken diensten: http://ec.europa.eu/europeaid/how/evaluation/index_en.htm

In 2010 werd een tussentijdse beoordeling uitgevoerd. Hieruit zijn interessante resultaten gebleken, met name inzake de verhoogde kennis van de migratieverschijnselen, de steun aan terugkerende migranten, en de sterkere band tussen plaatselijke ontwikkeling en de organisaties die zich bezighouden met de diaspora. Het projet is geheroriënteerd in het licht van deze bevindingen.

(English version)

Question for written answer E-001201/12
to the Commission
Derk Jan Eppink (ECR)
(9 February 2012)

Subject: EU aid: Impact assessments

It is widely recognised that impact assessments are hugely instrumental in ensuring that public funds allocated for a specific purpose are actually achieving that purpose. In the context of EU overseas aid, it is crucial that impact assessments be used extensively so as to filter out ineffective projects that are having negligible impact on the lives of people.

1. Does the Commission use impact assessments to judge the efficiency of projects relating to overseas aid? If not, does the Commission intend to introduce them?

2. Does the Commission agree that the creation of a truly independent institution, which focuses on the impact of aid in receiving countries, and whose findings directly affect the way money is spent, would significantly improve the allocation of EU funds in overseas aid? Is the Commission planning any legislative proposals towards this end in the near future?

In April 2011, the Think Tank Open Europe published a report titled 'EU External Aid: Who Is It For?' in which an example is given from 2008 where the Commission established a migration centre in Mali to help facilitate Malians seeking temporary jobs in the EU. The report claimed that so far the EU had spent around EUR 10 million on the centre, via the European Development Fund, but that three years since its creation it had only facilitated 6 jobs.

1. Can the Commission confirm the existence of the migration centre, the amount of funds spent, and the total number of jobs that have been facilitated?

2. Did the Commission use an impact assessment in the abovementioned case? If so, what was the outcome, and will the results be published?

Answer given by Mr Piebalgs on behalf of the Commission
(27 March 2012)

The Commission has a well-developed toolkit of monitoring and evaluation systems which are designed to achieve maximum effectiveness and efficiency of EU assistance. Evaluations covering impact are carried out by consultants ([1]).

The Commission does not believe that an additional outside institution, with its own staffing and overhead costs, would be an efficient innovation.

The 'Centre pour l'Information et la Gestion de Migrations' (CIGEM) is a project funded through European Development Fund (EDF) funds (EUR 12 million) in Mali. Its main objective is to support the definition and implementation of a Malian migration policy. The centre also aims to guide and support potential and returning migrants, raise awareness of the risks of irregular migration, and improve knowledge and research activities on migration.

The project has been partially refocused on supporting the reintegration of migrants returning to Mali. It is difficult to precisely quantify the number of jobs facilitated thanks to the support provided by the centre. CIGEM has specifically facilitated circular migration between Spain and Mali (29 seasonal workers, of which 14 have been hired again for a second year). In the framework of its task, CIGEM welcomed, from its opening to May 2011, around 7 000 persons who received individualised support and guidance.

A mid-term evaluation was carried out in 2010. It has showed interesting results achieved in terms of better knowledge of the migration phenomena, support to returnees, and a stronger link between diasporas organisations and local development. The project has been re-oriented in the light of these findings.

([1]) Key evaluations are published on the Commission's website together with the response of the services to the recommendations: http://ec.europa.eu/europeaid/how/evaluation/index_en.htm

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-001202/12
aan de Commissie
Derk Jan Eppink (ECR)
(9 februari 2012)

Betreft: EU-steun: betaling bij levering

Het „Centre for Global Development" heeft het idee van stelsels voor betaling bij levering (COD) ontwikkeld om het effect van buitenlandse steun op ontwikkelingslanden te verbeteren. In plaats van de traditionele benadering waarin steun onder voorwaarden verbonden aan bepaald beleid of bepaalde onderhandelde actieplannen wordt toegekend, ontwikkelen financiers en ontvangers een open contract waarin de financiers overeenkomen om subsidiabele landen te betalen voor vooruitgang, zoals voor bijvoorbeeld het aantal studenten die de basisschool voltooien en een competentietest afleggen. Aangezien het een open aanbod is, kan elk subsidiabel ontvangend land in het contract instappen.

De EU kan haar „variabele tranche"-benadering aanpassen aan begrotingssteun en zo een COD-steunovereenkomst benaderen. Dit houdt in dat een grote hoeveelheid financiële middelen moet worden vrijgemaakt voor deze variabele tranche en dat deze middelen enkel worden uitbetaald naargelang het aantal beoordeelde te bereiken punten waarop vooruitgang is geboekt.

Wanneer het stelsel is ingevoerd, kan de EU gebruikmaken van deze operationele wettelijke regeling en andere bilaterale en multilaterale agentschappen uitnodigen geld in een gezamenlijk fonds te stoppen.

1. Heeft de Commissie een officieel standpunt met betrekking tot het gebruik van COD-stelsels? Steunt de Commissie het idee van COD?

2. Is de Commissie van plan COD-stelsels in het kader van EU-steun toe te passen? Indien ja, binnen welk tijdsschema zullen ze worden toegepast, en welk percentage van de totale middelen beoogt de Commissie beschikbaar te stellen aan de hand van COD-stelsels?

3. Als de Commissie nog geen beleid heeft aangenomen betreffende de toepassing van COD, wordt er dan op zijn minst een verslag opgemaakt over of COD te verkiezen zou zijn boven de huidige regelingen om EU-steun beschikbaar te stellen? Indien ja, wanneer wordt dit verslag verwacht? Zal het verslag gepubliceerd worden?

Antwoord van de heer Piebalgs namens de Commissie
(19 maart 2012)

De Commissie heeft in haar mededeling „De toekomstige strategie inzake EU-begrotingssteun aan derde landen" van oktober 2011 voorgesteld dat „betaling bij levering"-benaderingen worden onderzocht. Hierbij zal gebruik worden gemaakt van de ervaring die is opgedaan met de variabele tranche en zal rekening worden gehouden met het ontwikkelingsniveau en de financieringsbehoeften van elk land. De Commissie heeft hierover ook met het „Centre for Global Development" besprekingen gevoerd.

In 2010 gaf de Commissie opdracht tot een studie betreffende het potentieel om betaling bij levering en andere resultaatgerichte regelingen toe te passen, met drie afzonderlijke doelstellingen: geslaagde voorbeelden van resultaatgerichte financieringsregelingen bestuderen; nagaan of deze extra middelen hebben gegenereerd of toewijzingen uit de overheidsbegroting hebben beïnvloed; onderzoeken of de huidige EU-wetgeving en -begrotingsregels zouden moeten worden aangepast met het oog op de programmering voor de nieuwe voorgestelde instrumenten inzake externe betrekkingen.

De studie werd in maart 2011 door de Commissie gepubliceerd en kan worden geraadpleegd op:

http://capacity4dev.ec.europa.eu/blog/towards-more-results-based-aid.

(English version)

Question for written answer E-001202/12
to the Commission
Derk Jan Eppink (ECR)
(9 February 2012)

Subject: EU aid: Cash on Delivery

The Centre for Global Development has developed the idea of Cash on Delivery (COD) schemes to improve the impact of foreign aid on developing countries. Instead of the traditional approach of making aid conditional on specific policies and negotiated action plans, funders and recipients develop an open contract in which funders agree to pay eligible countries for progress, such as for example the number of students who complete primary school and take a competency test. As it is an open offer, any eligible recipient country could then sign on to the contract.

The EU could adapt its variable tranche approach to budget support so as to create an approximation to a COD aid agreement. This would involve committing a large amount of funding to its variable tranche, and then paying out these funds only against progress on the number of assessed completers.

Once in place, it could take advantage of having established a working legal arrangement and invite other bilateral and multilateral agencies to put money into a pooled fund.

1. Does the Commission have an official position regarding the use of COD schemes? Does the Commission endorse the idea of COD?

2. Does the Commission intend to implement COD schemes in the context of EU aid? If so, what is the time-frame for implementation, and what is the target percentage of total funds the Commission intends to be disbursed through COD schemes?

3. If the Commission has not yet adopted a policy of implementing COD, is there at least a report currently being compiled on whether COD would be preferable to the current arrangements for the disbursement of EU aid? If yes, when is the report expected? Will the report be published?

Answer given by Mr Piebalgs on behalf of the Commission
(19 March 2012)

In its October 2011 communication on 'The future approach to EU budget support to third countries', the Commission proposed that cash on delivery approaches should be explored, building on experience with the variable tranche and taking into account each country's level of development and financing needs. The Commission has also had discussions with the Centre for Global Development on this topic.

In 2010, the Commission commissioned a study of the potential to apply cash on delivery and other results-based modalities, with three distinct objectives: to study successes of results-based financing modalities, to study whether these have generated additional funds or influenced government budgetary allocations, and finally to study whether current EU legislative and budgetary rules would need to be adapted in light of programming modalities for the new external relations instruments which have been proposed. The study has been published by the Commission in March 2011, and can be consulted at: http://capacity4dev.ec.europa.eu/blog/towards-more-results-based-aid

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-001203/12
aan de Commissie
Derk Jan Eppink (ECR)
(9 februari 2012)

Betreft: EU-steun: begrotingssteun en het aantal variabele tranches

In zijn brief aan de Sunday Times van 21 april 2011 schreef de commissaris voor Ontwikkelingssamenwerking, Andris Piebalgs, dat als landen begrotingssteun willen ontvangen, hun overheden aan „minimale voorwaarden van bestuur en goed beheer" moeten voldoen.

In het kader van het 10e Europees ontwikkelingsfonds (EOF) (2008-2013) omvat de lijst van landen die begrotingssteun ontvangen echter Ethiopië, Burkina Faso en zelfs Haïti.

In het kader van het nabuurschapsbeleid kregen Egypte en Tunesië in 2009 respectievelijk 61,3 miljoen EUR en 107,7 miljoen EUR toegewezen aan directe begrotingssteun door de EU. In beide landen hebben revoluties plaatsgevonden tegen de autocratische en corrupte heerschappij van hun regimes:

1. Kan de Commissie, gezien het gebrek aan goed bestuur en goed beheer in talrijke landen die begrotingssteun ontvangen, uiteenzetten wat deze „minimale voorwaarden voor bestuur en goed beheer" die nodig zijn om in aanmerking te komen voor begrotingssteun, precies inhouden?

2. Heeft de Commissie verslagen opgesteld betreffende voornoemde landen en dan op basis daarvan beslist begrotingssteun te verlenen? Zo ja, kan de Commissie deze verslagen verstrekken?

3. Kan de Commissie bevestigen dat in 2009 35 % van de middelen die via het nabuurschapsbeleid van de EU werden toegewezen, de vorm had van sectorgebonden begrotingssteun?

4. Welk percentage van de middelen wordt in het kader van het 10e EOF in de vorm van begrotingssteun toegewezen?

Wat betreft de kwestie van het aantal variabele tranches van begrotingssteun, in verband met de indicatoren van doeltreffendheid:

5. Welk percentage van de totale financiering staat niet vast, maar behoort tot een variabele tranche, in het kader van respectievelijk het 10e Europees ontwikkelingsfonds en het nabuurschapsbeleid?

6. Heeft de Commissie een beleid om het aantal variabele tranches te vergroten? Of dicteert het officieel beleid van de Commissie dat vaste niveaus van begrotingssteun, die wordt verleend ongeacht prestaties of doeltreffendheid, een gepastere en doeltreffendere methode zijn om steun te verlenen aan ontwikkelingslanden?

Antwoord van de heer Piebalgs namens de Commissie
(28 maart 2012)

1. Begrotingssteun wordt alleen toegekend wanneer aan bepaalde subsidiabiliteitscriteria wordt voldaan. Deze criteria omvatten een goed gedefinieerd nationaal beleid of een goed gedefinieerde sectorale strategie, een macro-economisch beleid dat op stabiliteit gericht is, en een geloofwaardig en relevant programma om het beheer van de overheidsfinanciën te verbeteren. Tijdens de tenuitvoerlegging van de steunmaatregel moet het partnerland bevredigende vorderingen tonen betreffende de tenuitvoerlegging van het nationale of sectorale beleid en de verbetering van het beheer van de overheidsfinanciën. In de mededeling van de Commissie „De toekomstige strategie inzake EU-begrotingssteun aan derde landen" ([1]) van oktober 2011 is een vierde criterium toegevoegd betreffende de beschikbaarheid van begrotingsgegevens, plus de voorwaarde dat algemene begrotingssteun enkel wordt toegekend aan landen die de fundamentele waarden van de mensenrechten, de democratie, en de rechtsstaat in acht nemen.

2. De Commissie stelt een verslag op over de subsidiabiliteitscriteria wanneer het project wordt opgezet en voorafgaand aan elke uitbetaling. De actiefiches bevatten informatie over diezelfde criteria en worden gepubliceerd op de website van de Commissie: http://ec.europa.eu/europeaid/index_nl.htm

([1]) COM(2011) 638 definitief.

3. In 2009 kende de Commissie 38 % van de officiële ontwikkelingshulp van de EU in de vorm van sectorale begrotingssteun toe aan de landen die onder het nabuurschapsbeleid vallen.

4. Hetzelfde jaar kende de Commissie 32 % van de officiële ontwikkelingshulp toe in de vorm van begrotingssteun in het kader van het Europees Ontwikkelingsfonds (EOF).

5. De verhouding tussen variabele en vaste tranches is niet bekend. Uit een interne studie van het negende Europees Ontwikkelingsfonds bleek dat variabele tranches 41 % van de totale vastleggingen voor algemene begrotingssteun uitmaken.

6. In de bovenvermelde mededeling werd voorgesteld om de begrotingssteun te laten blijven bestaan uit zowel vaste als variabele tranches.

(English version)

Question for written answer E-001203/12
to the Commission
Derk Jan Eppink (ECR)
(9 February 2012)

Subject: EU aid: budget support and variable tranche levels

In his letter to the *Sunday Times* of 21 April 2011, Development Policy Commissioner Andris Piebalgs wrote that for countries to receive budget support, their governments must 'meet minimum conditions of governance and good administration'.

However, under the 10th European Development Fund (EDF) (2008-2013), the list of countries receiving budget support includes Ethiopia, Burkina Faso, and even Haiti.

Under the neighbourhood policy, in 2009 Egypt and Tunisia were allocated EUR 61.3 million and EUR 107.7 million respectively in direct budget support from the EU, both being countries where revolutions took place against the regimes' autocratic and corrupt rule.

1. Given the apparent lack of good governance or good administration by numerous countries receiving budget support, can the Commission elaborate on what exactly are these 'minimum conditions of governance and good administration' necessary to qualify for budget support?

2. Did the Commission compile reports on the abovementioned countries, and then decide to provide budget support on that basis? If so, can the Commission provide those reports?

3. Can the Commission confirm that, in 2009, 35 % of money allocated via the EU's Neighbourhood Policy took the form of sector budget support?

4. What percentage of funds allocated under the 10th EDF take the form of budget support?

On the issue of variable-tranche levels of budget support, linked to indicators of effectiveness:

5. What percentage of overall funding is of a variable-tranche nature, as opposed to fixed, under the 10th European Development Fund and Neighbourhood Policy respectively?

6. Does the Commission have a policy of increasing variable-tranche levels? Or does the Commission's official policy dictate that fixed levels of budget support, delivered irrespective of performance or effectiveness, are a more appropriate and efficient method of providing aid to developing countries?

Answer given by Mr Piebalgs on behalf of the Commission
(28 March 2012)

1. Budget support is only provided when eligibility criteria are met. These criteria comprise a well defined national policy or sector strategy, a stability-oriented macroeconomic policy, and a credible and relevant programme to improve public financial management. During implementation, the partner country needs to show satisfactory progress in implementing the respective national / sector policy and in improving public financial management. In addition, the Commission's October 2011 communication 'The future approach to EU budget support to third countries' ([1]) introduced a fourth eligibility criterion on the availability of budgetary information, and a pre-condition that general budget support should only be provided to countries committed to the fundamental values of human rights, democracy, and rule of law.

2. The Commission compiles reports on the eligibility criteria during the identification/formulation phase and before each disbursement. The Action Fiches include information on the eligibility criteria and are published on the Commission's website: http://ec.europa.eu/europeaid/work/ap/index_en.htm

3. In 2009, the Commission committed 38 % of the EU Official Development Assistance (ODA) which it manages to neighbourhood countries in form of sector budget support.

([1]) COM(2011) 638 final.

4. In the same year, the Commission committed 32 % of that ODA in the form of budget support under the EDF framework.

5. The analysis on the ratio between variable and fixed tranches is not available. An internal study on the 9th EDF showed that variable tranches represent 41 % of the total general budget support commitments.

6. The communication mentioned above proposed that budget support should continue to involve a combination of fixed and variable tranches.

(English version)

Question for written answer E-001204/12
to the Commission
David Martin (S&D)
(9 February 2012)

Subject: Slaughter of Dolphins in Taiji (Japan)

Is the Commission aware of the annual dolphin drive hunt which occurs in Taiji (Japan) between the months of September and April? According to recent statistics from the Japanese Fisheries Research Agency, 12 813 dolphins have been caught in Japan, the majority coming from Taiji.

Many of these dolphins are slaughtered, while others are sold to leisure resorts to perform shows. It has been claimed that some of the dolphins caught are exported to holiday resorts popular with EU tourists.

What action does the Commission intend to take regarding the slaughter of dolphins in Taiji (Japan)?

Answer given by Mr Potočnik on behalf of the Commission
(23 March 2012)

In response to the question raised by the Honourable Member as regards the hunting of dolphins in Japan, the Commission would like to refer to the previous answer given to Written Questions E-12425/2011, E-5539/2011, E-6124/2009 and E-5023/2009 ([1]).

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

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001205/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(9 Φεβρουαρίου 2012)

Θέμα: Ορθή εφαρμογή της οδηγίας 2000/78/ΕΚ για ηλικιακές διακρίσεις στο χώρο εργασίας

Η Ευρωπαϊκή Επιτροπή στις 17.1.2012 ανακοίνωσε ότι ξεκινάει διαδικασία επί παραβάσει, για την Ουγγαρία για τα νέα νομοθετικά μέτρα που πέρασε η κυβέρνηση τα οποία μεταξύ άλλων αφορούν την υποχρεωτική πρόωρη συνταξιοδότηση των δικαστών και εισαγγελέων στα 62 έτη από τα 70 που ίσχυε. Σύμφωνα με την ανακοίνωση της Επιτροπής, ο νόμος αυτός παραβιάζει τους κανόνες της ΕΕ σχετικά με την ίση μεταχείριση στην απασχόληση (οδηγία 2000/78/ΕΚ), που απαγορεύουν τις διακρίσεις στο χώρο εργασίας για λόγους ηλικίας. Η υπόθεση έχει προφανείς ομοιότητες με τον ελληνικό νόμο για την εφεδρεία (4024/2011) των δημοσίων υπαλλήλων, καθώς και στην Ελλάδα η κυβέρνηση ουσιαστικά επιβάλλει υποχρεωτική πρόωρη συνταξιοδότηση σε ομάδα εργαζομένων με μοναδικό κριτήριο την ηλικία τους.

Το μέτρο της πρόωρης συνταξιοδότησης στην Ελλάδα δεν θα μπορούσε να δικαιολογηθεί σε καμία περίπτωση ως θεμιτή εξαίρεση, καθώς, σύμφωνα με την οδηγία, εξαιρέσεις επιτρέπονται μόνο αν επιδιώκονται θεμιτοί στόχοι για την αγορά εργασίας ή στόχοι κοινωνικής πολιτικής. Δεν υπάρχει κανείς που να επικαλείται ότι η υποχρεωτική πρόωρη συνταξιοδότηση στην Ελλάδα έγινε για λόγους κοινωνικής πολιτικής. Είναι δεδομένο ότι έγινε για λόγους δημοσιονομικής πολιτικής και χωρίς να ληφθεί υπόψη η αρχή της αναλογικότητας. Είναι σαν να δικαιολογείται ένας ιδιώτης εργοδότης να απολύει υπαλλήλους πάνω από μια ορισμένη ηλικία με μοναδικό επιχείρημα ότι έτσι τον συμφέρει.

Επειδή, όπως τονίζει και η Επίτροπος κ. Reding, στην ανακοίνωση της Επιτροπής IP/12/24 «η Επιτροπή είναι θεματοφύλακας των Συνθηκών και πρέπει να εξασφαλίζει την εφαρμογή της κοινοτικής νομοθεσίας», συμφωνεί η Επιτροπή ότι η εφαρμογή της κοινοτικής νομοθεσίας δεν πρέπει αν γίνεται με δύο μέτρα και δύο σταθμά; Με δεδομένα τα ανωτέρω μπορεί να επανεξετάσει η Επιτροπή την απάντησή της (P-011751/2011) σχετικά με τον ελληνικό νόμο για την εφεδρεία και ιδίως να διερευνήσει αν η εξαίρεση από την απαγόρευση διάκρισης λόγω ηλικίας επιδιώκει θεμιτούς στόχους για την αγορά εργασίας ή κοινωνικής πολιτικής και όχι δημοσιονομικούς στόχους;

Απάντηση της κας Reding εξ ονόματος της Επιτροπής
(23 Μαρτίου 2012)

Η Επιτροπή παραπέμπει το Αξιότιμο Μέλος στην απάντηση της στην ερώτηση P-11751/2011. Όπως διευκρινίζεται εκεί, τα υποχρεωτικά όρια ηλικίας για συνταξιοδότηση μπορούν να δικαιολογηθούν, σύμφωνα με την οδηγία 2000/78/ΕΚ ([1]), από ένα θεμιτό σκοπό, αν τα μέσα επίτευξης του σκοπού αυτού είναι πρόσφορα και αναγκαία.

Επιπλέον, η Επιτροπή θεωρεί ότι η κατάσταση στην Ελλάδα δεν είναι συγκρίσιμη με τη διαδικασία επί παραβάσει που κίνησε στις 17 Ιανουαρίου 2012 κατά της Ουγγαρίας σχετικά με την ηλικία συνταξιοδότησης των δικαστών, των εισαγγελέων και των συμβολαιογράφων, για τους ακόλουθους λόγους:

— Ο ελληνικός νόμος εγκρίθηκε στο πλαίσιο αυστηρών μέτρων λιτότητας, σύμφωνα με τα οποία οι ελληνικές αρχές πρέπει να αναδιαρθρώσουν και να μειώσουν σημαντικά τις δημόσιες υπηρεσίες τους μέσα σε σύντομο χρονικό διάστημα.

— Το εν λόγω μέτρο, δηλαδή η πρόωρη συνταξιοδότηση ορισμένων δημοσίων υπαλλήλων και εργαζομένων του δημόσιου τομέα, αποσκοπεί στην κατανομή του βάρους αυτής της δραστικής μεταρρύθμισης του δημόσιου τομέα με δίκαιο και κοινωνικά ισορροπημένο τρόπο. Πρόκειται για ένα θεμιτό στόχο κοινωνικής πολιτικής κατά την έννοια της οδηγίας.

— Τα κριτήρια καθορισμού των υποψήφιων για πρόωρη συνταξιοδότηση υπαλλήλων, δεν εξετάζουν μόνο την ηλικία των προσώπων, αλλά και το αν έχουν συμπληρώσει επαρκή αριθμό χρόνων υπηρεσίας ώστε να δικαιούνται πλήρη σύνταξη.

Σύμφωνα με τις πληροφορίες που είναι διαθέσιμες επί του παρόντος, η Επιτροπή δεν σκοπεύει να διερευνήσει περαιτέρω το θέμα.

([1]) Άρθρο 6 (1) της οδηγίας 2000/78/ΕΚ του Συμβουλίου, της 27ης Νοεμβρίου 2000, για τη διαμόρφωση γενικού πλαισίου για την ίση μεταχείριση στην απασχόληση και την εργασία, ΕΕ L 303 της 2.12.2000, σ. 16.

(English version)

Question for written answer E-001205/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(9 February 2012)

Subject: Proper application of Directive 2000/78/EC regarding age discrimination in the workplace

On 17 January 2012, the European Commission announced that it was instituting infringement proceedings against Hungary for the new legislative measures passed by its government relating, *inter alia*, to compulsory early retirement for judges and public prosecutors at the age of 62, rather than at the age of 70, as is presently the case. According to the Commission communication, this law infringes EU rules regarding equal treatment at work (Directive 2000/78/EC), which ban discrimination at the workplace based on age. This case has obvious similarities with the Greek law on reserve civil servants (Law 4024/2011), in that the Greek Government is essentially imposing compulsory early retirement on groups of workers based solely on their age.

The early retirement measure in Greece cannot, under any circumstances, be justified as a legitimate exception as, according to the directive, exceptions are only allowed for legitimate labour market objectives or social policy objectives. No one can claim that compulsory early retirement in Greece has been imposed for social policy reasons. We all know that it has been imposed for fiscal policy reasons, with no regard for the principle of proportionality. It is as if a private employer were to excuse redundancies above a certain age purely on the grounds that they were in his interest.

Given that, as Commissioner Reding also emphasises in Commission communication IP/12/24 'it is the Commission's responsibility, as guardian of the Treaties, to ensure that EC law is upheld', does the Commission agree that EC law should not be upheld on the basis of double standards? In light of the above, can the Commission reconsider its reply (P-011751/2011) concerning the Greek law on reserve staff and, more importantly, investigate whether the exception from the ban on age discrimination has been made to serve legitimate labour market or social policy objectives and not fiscal objectives?

Answer given by Mrs Reding on behalf of the Commission
(23 March 2012)

The Commission would like to refer the Honourable Member to its reply to Question P-11751/2011. As explained, mandatory age limits for retirement can be justified, under Directive 2000/78/EC ([1]), by a legitimate aim, if the means of achieving that aim are appropriate and necessary.

Furthermore, the Commission considers that the situation in Greece is not comparable to the infringement procedure launched on 17 January 2012 against Hungary regarding the retirement age of judges, prosecutors and public notaries, for the following reasons:

— The Greek law was adopted in the context of severe austerity plans, under which the Greek authorities are required to restructure and significantly reduce their public service within a short period of time.

— The measure in question, i.e. the early retirement of certain civil servants and public sector employees, aims to distribute the burden of this drastic public sector reform in a fair and socially balanced manner. This appears to be a legitimate social policy objective within the meaning of the directive.

— The criteria to determine the employees concerned by early retirement do not only consider the age of the persons, but also whether they have completed a sufficient number of years of service to be eligible for a full pension.

On the basis of the information currently available, the Commission does not intend to investigate further.

([1]) Article 6(1) of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, OJ L 303, 2.12.2000, p. 16.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-001206/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(9 Φεβρουαρίου 2012)

Θέμα: Πόρισμα Ειδικής Υπηρεσίας Επιθεωρητών Περιβάλλοντος για το ΧΥΤΑ Γραμματικού

Σε προηγούμενες ερωτήσεις μου αλλά και σε αναφορά που έχει κατατεθεί στο Ευρωπαϊκό Κοινοβούλιο (B7-0573/2011) αναφέρονται τα πρόδηλα σφάλματα στην Μελέτη Περιβαλλοντικών Επιπτώσεων (ΜΠΕ) του ΧΥΤΑ που κατασκευάζεται με συγχρηματοδότηση της ΕΕ στο Γραμματικό του δήμου Μαραθώνα Αττικής. Πρόσφατο Πόρισμα (18.1.2012 Αρ. πρωτ. Οικ 101) της Ειδικής Υπηρεσίας Επιθεωρητών Περιβάλλοντος επιβεβαιώνει τις ανησυχίες μας, τις ανησυχίες των κατοίκων και της επιστημονικής κοινότητας για το συγκεκριμένο έργο. Κάποια από τα συμπεράσματα του πορίσματος είναι:

α) δεν έγιναν γεωτρήσεις και μετρήσεις πεδίου στην ΜΠΕ, τα οποία ήταν απαραίτητα για να αποτυπωθούν με ακρίβεια και ασφάλεια τα γεωλογικά και υδρογεωλογικά χαρακτηριστικά της περιοχής του έργου,

β) ότι εντός των ορίων κατασκευής του ΧΥΤΑ Γραμματικού υπάρχουν ρέματα που καταλήγουν στον Ευβοϊκό κόλπο με συνέπεια το έργο να είναι εξαιρετικά επικίνδυνο για το περιβάλλον,

γ) ο υδροφόρος ορίζοντας σύμφωνα με την ΜΠΕ προσδιορίζεται στα 90 μέτρα βάθος (χωρίς να έχει γίνει καμία γεώτρηση), ενώ οι Επιθεωρητές τονίζουν ότι υπάρχουν σαφείς ενδείξεις ότι βρίσκεται λίγα μόλις μέτρα από την επιφάνεια του εδάφους

δ) ότι το έργο έχει χωροθετηθεί πάνω σε σεισμικά ρήγματα χωρίς να αξιολογηθεί και να αναλυθεί το γεγονός, κ.α.

Με δεδομένο ότι σύμφωνα με την κοινοτική νομοθεσία, η Επιτροπή έχει δυνατότητα παρέμβασης εφόσον έχουν πλέον διαπιστωθεί πρόδηλα σφάλματα στη ΜΠΕ και στην κατασκευή του ανωτέρου έργου, αλλά και ότι στην έκθεση Angulo (A7-0335/2011) το Ευρωπαϊκό Κοινοβούλιο ενθαρρύνει την Επιτροπή στην αρμοδιότητά της «να εξασφαλίζει συμμόρφωση με τις διαδικασίες που επιβάλλει η νομοθεσία της ΕΕ (αξιολόγηση περιβαλλοντικών επιπτώσεων, δημόσια διαβούλευση)», ερωτάται η Επιτροπή: προτίθεται να σταματήσει τη χρηματοδότηση του έργου και να ζητήσει από τις ελληνικές αρχές την άμεση διακοπή του έργου για να μην προκληθεί ανεπανόρθωτη ζημιά στο περιβάλλον της περιοχής;

Απάντηση του κ. Potocnik εξ ονόματος της Επιτροπής
(28 Μαρτίου 2012)

Η Επιτροπή υπενθυμίζει ότι οι απαντήσεις στις κοινοβουλευτικές ερωτήσεις H-269/09, P-6977/2010, E-952/2010 του Αξιότιμου Μέλους του Κοινοβουλίου και E-4120/2011 του κ. Τρεμόπουλου ([1]) περιέχουν λεπτομερείς εξηγήσεις σχετικά με τη συμμόρφωση των σχεδίων διαχείρισης των αποβλήτων στο Γραμματικό με την περιβαλλοντική νομοθεσία της ΕΕ.

Η συμμόρφωση του σχεδιαζόμενου έργου με την ελληνική νομοθεσία, συμπεριλαμβανομένης της ελληνικής νομοθεσίας για τη μεταφορά συναφών τμημάτων της περιβαλλοντικής νομοθεσίας της ΕΕ (όπως είναι οι οδηγίες 2011/92/ΕΚ ([2]) και 99/31/ΕΚ ([3])) επιβεβαιώθηκε δύο φορές από το ελληνικό Ανώτατο Δικαστήριο (το 2007 και το 2011), το οποίο απέρριψε όλα τα επιχειρήματα των αιτουμένων. Ως εκ τούτου, δεν τεκμηριώνεται παραβίαση της νομοθεσίας της ΕΕ όσον αφορά την περιβαλλοντική εκτίμηση και την έγκριση του έργου υγειονομικής ταφής, που εξετάστηκαν ενδελεχώς από το Δικαστήριο. Αυτό έχει επιβεβαιωθεί επίσης σε πρόσφατη μελέτη που εκπονήθηκε από τις υπηρεσίες του Ευρωπαϊκού Κοινοβουλίου ([4]).

Η Επιτροπή θα ελέγξει τη συμμόρφωση του συγχρηματοδοτούμενου αυτού έργου υγειονομικής ταφής με την περιβαλλοντική νομοθεσία της ΕΕ κατά την κατασκευή και τη λειτουργία του, δεδομένου ότι όλα τα συγχρηματοδοτούμενα έργα πρέπει να συμμορφώνονται με το κοινοτικό κεκτημένο. Το 2011, η Επιθεώρηση Περιβάλλοντος διατύπωσε σειρά ισχυρισμών, οι οποίοι απορρίφθηκαν επισήμως από τις αρχές της Περιφέρειας Αττικής, οι οποίες αιτιολόγησαν επαρκώς την εν λόγω απόρριψη. Η Επιτροπή θα λάβει υπόψη τα πρόσφατα ευρήματα της Επιθεώρησης Περιβάλλοντος για την παρακολούθηση της συμμόρφωσης του έργου με την απόφαση του Ταμείου Συνοχής το 2004 και την περιβαλλοντική νομοθεσία της ΕΕ.

([1]) http://www.europarl.europa.eu/QP-WEB/.
([2]) ΕΕ L 26 της 28.1.2012.
([3]) ΕΕ L 182 της 16.7.1999.
([4]) http://www.europarl.europa.eu/committees/es/PETI/studiesdownload.html?languageDocument=EN&file=44111 (σ. 32-33).

(English version)

Question for written answer E-001206/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(9 February 2012)

Subject: Environmental Inspectorate report on Grammatiko landfill

I have referred in previous questions, as has a report submitted in the European Parliament (B7-0573/2011) to manifest errors in the environmental impact assessment for the Grammatiko landfill being constructed with EU co-financing in the Municipality of Marathonas in Attica. A recent report (18.1.2012 ref. no Oik 101) by the Environmental Inspectorate corroborates our concerns and the concerns of local residents and the scientific community about this specific project. The report concludes, *inter alia*, that:

a) no boreholes were made or field measurements carried out in the environmental impact assessment, even though they were needed in order to ensure that the geological and hydrogeological features of the location for the project were accurately and properly mapped;

b) there are watercourses that spill into the Gulf of Evia within the boundaries of the Grammatiko landfill site, meaning that the project is very dangerous from an environmental point of view;

c) according to the environmental impact assessment, the water table is an estimated 90 metres below ground (no boreholes have been drilled), whereas the inspectors insist that there are clear signs that it is just a few metres below the surface;

d) the project has been planned on fault lines, without any evaluation or assessment of that fact.

Given that, under EC law, the Commission has the facility to intervene in the construction of the above project, now that manifest errors have been identified in the environmental impact assessment, and that, in the Angulo report (A7-0335/2011), the European Parliament encourages the Commission, where it is the competent authority to 'ensure compliance with procedural requirements under EC law (environmental impact assessment, public consultation)', does the Commission intend to cease funding the project and call on the Greek authorities immediately to halt work on it, in order to prevent irreparable damage to the local environment?

Answer given by Mr Potočnik on behalf of the Commission
(28 March 2012)

The Commission would like to recall that the replies to Parliamentary Questions H-269/09, P-6977/2010, E-952/2010 by the Honourable Member and E-4120/2011 by Mr Tremopoulos ([1]) contain detailed explanation on the compliance of the waste management projects at Grammatiko with the EU environmental legislation.

The conformity of the planned project with the Greek law, including the Greek law transposing relevant pieces of the EU environmental legislation (such as Directives 2011/92/EU ([2]) and 99/31/EC ([3])) was confirmed twice by the Greek Supreme Court (in 2007 and in 2011), which rejected all the arguments presented by the applicants. Hence, there are no grounds for establishing a breach of the EU legislation as regards the environmental assessment and authorisation of the landfill project that have been thoroughly considered by the Court. This has also been confirmed in a recent study commissioned by the services of the European Parliament ([4]).

The Commission will verify the compliance of this co-financed landfill project with the EU environmental law during its construction and operation as all co-financed projects have to comply with the EU *acquis*. In 2011, the Environmental Inspectorate made several allegations, which were officially rejected by the authorities of the Attica Region who provided adequate justifications for this rejection. The Commission will take into consideration the recent findings of the Environmental Inspectorate in the monitoring of the project's compliance with the Cohesion Fund Decision of 2004 and the EU environmental legislation.

([1]) http://www.europarl.europa.eu/QP-WEB/.
([2]) OJ L26, 28.1.2012.
([3]) OJ L 182, 16.7.1999.
([4]) http://www.europarl.europa.eu/committees/es/PETI/studiesdownload.html?languageDocument=EN&file=44111 (p. 32-33).

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-001207/12
aan de Commissie
Auke Zijlstra (NI)
(9 februari 2012)

Betreft: „Press Freedom Index 2011-2012"

De „Press Freedom Index 2011-2012" ([1]) is gepresenteerd.

1. Is de Commissie bekend met de „Press Freedom Index 2011-2012" en de landen, vooral de EU-lidstaten en kandidaat — EU — lidstaten, die daarin naar hun mate van persvrijheid gerangschikt staan?

2. Hoe beoordeelt de Commissie voornoemde index?

3. Acht de Commissie persvrijheid een integraal onderdeel van de kernwaarden van de EU? Zo ja, kan de Commissie aangeven waar dat in de Verdragen gegarandeerd wordt? Zo neen, waarom niet?

4. Welke plaats op de ranglijst vindt de Commissie nog acceptabel voor een EU-lidstaat, en waarom?

5. Welke plaats op de ranglijst vindt de Commissie nog acceptabel voor een kandidaat — EU — lidstaat, en waarom?

Antwoord van mevrouw Kroes namens de Commissie
(8 maart 2012)

Vrijheid van meningsuiting en pluralisme van de media vormen belangrijke grondvesten waarop onze democratische samenleving berust. Deze vrijheden zijn neergelegd in het Verdrag, in artikel 11 van het Handvest van de grondrechten van de Europese Unie en in artikel 10 van het Europees Verdrag van de rechten van de mens.

De Commissie heeft zich altijd ten volle ingezet voor de vrijheid van meningsuiting en de vrijheid van informatie aangezien deze beginselen tot de kern van een vrije, democratische en pluralistische samenleving behoren. Zij is dan ook van mening dat de persvrijheid onlosmakelijk deel uitmaakt van de basiswaarden van de EU.

Vrijheid van meningsuiting en vrijheid van de media zijn daarom ook centrale thema's in het uitbreidingsproces. De Commissie hecht zeer veel belang aan de volledige naleving van deze vrijheden.

De Commissie is op de hoogte van rapporten over de vrijheid van meningsuiting en mogelijke inbreuken daarop en neemt ook met belangstelling kennis van de Press Freedom Index 2011-2012. Bij de beoordeling van de situatie in een bepaald land houdt zij rekening met een brede waaier van bronnen om zo een evenwichtig beeld te verkrijgen. Een specifieke beoordeling door middel van een plaats in een rangorde gaat derhalve samen met een diepgaande analyse op basis van een brede waaier van bronnen.

Dit moet ook worden bekeken in het licht van de regel van artikel 51 van het Handvest van de grondrechten, namelijk dat de bepalingen van het Handvest tot de lidstaten gericht zijn uitsluitend wanneer deze het recht van de Unie ten uitvoer brengen. Het Handvest breidt het toepassingsgebied van het recht van de Unie niet verder uit dan de bevoegdheden van de Unie reiken.

([1]) http://en.rsf.org/press-freedom-index-2011-2012,1043.html

(English version)

Question for written answer E-001207/12
to the Commission
Auke Zijlstra (NI)
(9 February 2012)

Subject: 'Press Freedom Index 2011-2012'

The 'Press Freedom Index 2011-2012' ([1]) has been published.

1. Is the Commission familiar with the 'Press Freedom Index 2011-2012' and the countries, especially the EU Member States and candidate countries, which are ranked there based on the degree of press freedom?

2. What is the Commission's view of the aforesaid index?

3. Does the Commission consider press freedom an integral part of the EU's core values? If so, can the Commission indicate where it is guaranteed in the Treaties? If not, why not?

4. Which position in the ranking does the Commission find acceptable for an EU Member State, and why?

5. Which position in the ranking does the Commission find acceptable for a candidate country seeking accession to the EU, and why?

Answer given by Ms Kroes on behalf of the Commission
(8 March 2012)

Freedom of expression and media pluralism constitute essential foundations of our democratic societies. They are enshrined in the Treaty, in Article 11 of the Charter of Fundamental Rights of the European Union as well as Article 10 of the European Convention on Human Rights.

The Commission has always been strongly committed to freedom of expression and freedom of information as these principles lie at the very base of a free, democratic and pluralist society and considers therefore press freedom as an integral part of the EU's core values.

Freedom of expression and freedom of the media are therefore also key issues in the enlargement process. The Commission attaches the highest importance to their full respect.

The Commission follows reports about freedom of expression and potential infringements and is also interested in the Press Freedom Index 2011-2012. When assessing the situation in a given country the Commission takes into consideration a wide range of sources to have a fully balanced picture. Therefore a particular assessment regarding a place in the ranking would be accompanied by more detailed analysis based on a wide range of sources.

This should be seen also in the light of Article 51 of the Charter of Fundamental Rights, according to which the provisions of the Charter are addressed to the Member States only when they are implementing Union law. The Charter does not extend the field of application of Union law beyond the powers of the Union.

([1]) http://en.rsf.org/press-freedom-index-2011-2012,1043.html

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-001210/12
alla Commissione
Mario Borghezio (EFD)
(8 febbraio 2012)

Oggetto: Richiesta di controlli amministrativi sui finanziamenti europei al PDE

Il Partito democratico europeo (PDE), finanziato con fondi europei in base al regolamento (CE) 2004/2003, risulta, come si legge dal sito internet, avere per co-presidenti Francois Bayrou e Francesco Rutelli, e ha avuto ed ha tuttora per tesoriere Luigi Lusi.

L'attuale senatore italiano Luigi Lusi è indagato in quanto, per sua stessa ammissione, risulta essersi appropriato di cospicui fondi relativi al finanziamento pubblico al partito «Margherita», del quale negli stessi anni è stato egualmente tesoriere.

Intende la Commissione segnalare il caso alle competenti autorità europee di controllo amministrativo (Olaf e Corte dei Conti europea) affinché venga sottoposta a un'attenta analisi tutta la documentazione relativa ai finanziamenti comunitari erogati al Partito europeo PDE?

Risposta data da José Manuel Barroso a nome della Commissione
(29 febbraio 2012)

Il controllo dei finanziamenti dell'UE assegnati ai partiti politici a livello europeo a norma del regolamento (CE) n. 2004/2003 ([1]) è esercitato, ai sensi dell'articolo 9 dello stesso regolamento, conformemente al regolamento finanziario e alle sue modalità di esecuzione. Il controllo è effettuato inoltre sulla base di una certificazione annuale ad opera di un organismo di revisione esterno e indipendente.

La decisione dell'Ufficio di presidenza del Parlamento del 29 marzo 2004, che stabilisce le procedure di attuazione del regolamento, comprende anche norme specifiche per verificare che i beneficiari attuino correttamente il programma di attività e le disposizioni della convenzione di sovvenzione.

Sono quindi in vigore disposizioni per garantire che ciascuna convenzione di sovvenzione preveda l'audit da parte del Parlamento e della Corte dei conti, nonché per consentire all'Ufficio europeo per la lotta antifrode di effettuare controlli e verifiche in loco conformemente al diritto dell'UE.

La Commissione non è in condizione di esprimersi sul caso specifico, né può interferire o anticipare un giudizio su indagini in corso di svolgimento da parte di autorità nazionali.

([1]) GU L 297 del 15.11.2003.

(English version)

Question for written answer P-001210/12
to the Commission
Mario Borghezio (EFD)
(8 February 2012)

Subject: Request for administrative checks on EU funding for the EDP

According to the website of the European Democratic Party (EDP), which receives EU funding in accordance with Regulation (EC) No 2004/2003, its co-presidents are François Bayrou and Francisco Rutelli, and its treasurer at present and in the past is Luigi Lusi.

Luigi Lusi is currently a member of the Italian Senate and is being investigated, by his own admission, for the embezzlement of substantial funds relating to public financing of the 'Margherita' party, where he was also the treasurer while holding the same post at the EDP.

Does the Commission intend to report this case to the EU authorities responsible for administrative checks (OLAF and the European Court of Auditors), so that all of the documentation on EU funding granted to the European EDP party can be scrutinised?

Answer given by Mr Barroso on behalf of the Commission
(29 February 2012)

The control of EU funding granted to political parties at European level under Regulation (EC) No 2004/2003 ([1]) is, according to its Article 9, exercised in accordance with the Financial Regulation and its implementing provisions. Control is also exercised on the basis of annual certification by an external and independent audit.

The decision of the Bureau of the Parliament of 29 March 2004, which lays down the procedures for implementing the regulation, also includes specific rules to verify that the programme of activities and the provisions of the grant award agreement are properly implemented by the beneficiaries.

Provisions are therefore in place to ensure that each grant award agreement provides for auditing by the Parliament and the Court of Auditors, and to enable the European Anti-Fraud Office to carry out checks and verifications on the spot in accordance with EC law.

The Commission is not in a position to comment on the specific case raised, nor can it interfere in or prejudge ongoing investigations carried out by Member State authorities.

([1]) OJ L 297, 15.11.2003.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-001212/12
ao Conselho
Mário David (PPE)
(1 de fevereiro de 2012)

Assunto: Acordo UE-Marrocos respeitante às medidas de liberalização recíprocas em matéria de produtos agrícolas, de produtos agrícolas transformados, de peixe e de produtos da pesca

A Comissão do Comércio Internacional do Parlamento Europeu aprovou na semana passada um projeto de recomendação que aprova o acordo supracitado entre o Reino de Marrocos e a UE.

Embora saudando todos os acordos que visem a uma aproximação maior entre a União Europeia e os seus países vizinhos, nomeadamente os acordos firmados com o Reino de Marrocos, diversas dúvidas têm sido levantadas sobre as implicações económicas deste acordo especifico para os agricultores da União Europeia (em especial pela Comissão da Agricultura e do Desenvolvimento Rural, no seu parecer sobre o Acordo), nomeadamente no que diz respeito:

1. À capacidade do sistema comunitário para controlar e fazer respeitar os calendários e os contingentes pautais;

2. Ao respeito pelos padrões comunitários no domínio da proteção do ambiente, das condições dos trabalhadores, da proteção sindical, da legislação anti-dumping e da segurança alimentar;

3. Às indicações geográficas (IG);

4. Aos problemas de competitividade, causados pelas diferenças do custo da mão-de-obra entre a União Europeia e Marrocos;

5. À contra sazonalidade das importações de Marrocos, que poderão implicar alguma volatilidade nos preços de alguns produtos na Europa (*v.g.*, do tomate);

A Decisão do Conselho prevê, contudo, no seu artigo segundo, a adoção de medidas de salvaguarda ao abrigo das disposições aplicáveis às importações de países terceiros. Gostaria por isso de perguntar ao Conselho:

1. Existe algum estudo de impacto económico, desagregado por regiões ou Estados Membros, com os impactos da entrada em vigor deste acordo na UE, em especial sobre o emprego, o «output» do setor agrícola e os preços dos produtos agrícolas em causa ao longo do ano?

2. Para quando um Acordo sobre as IG à semelhança do recente Acordo com a Geórgia no âmbito da Parceira Oriental?

Resposta
(2 de abril de 2012)

O Conselho não tem conhecimento de quaisquer estudos do tipo referido pelo Senhor Deputado, pelo que não se pode pronunciar sobre essa questão.

No que se refere às indicações geográficas, a UE e Marrocos realizaram debates com vista a promover e desenvolver produtos de qualidade e a proteger os sinais distintivos de qualidade, em conformidade com os termos do roteiro Euromed para a agricultura de 2005. Na sequência dos referidos debates, e atendendo ao interesse de ambas as Partes em celebrar um acordo sobre a proteção das indicações geográficas para os produtos agrícolas, os produtos agrícolas transformados, o peixe e os produtos da pesca, foi acordado dar início às negociações o mais tardar nos três meses seguintes à data de entrada em vigor do Acordo UE-Marrocos sobre medidas de liberalização recíprocas em matéria de trocas comerciais de produtos agrícolas, de produtos agrícolas transformados, de peixe e de produtos da pesca.

(English version)

Question for written answer E-001212/12
to the Council
Mário David (PPE)
(1 February 2012)

Subject: EU-Morocco agreement on reciprocal liberalisation measures for agricultural products, processed agricultural products, and fish and fishery products

The European Parliament Committee on International Trade last week endorsed the draft recommendation approving the abovementioned agreement between Morocco and the EU.

Although all agreements, including those signed with Morocco, are to be welcomed if they aim to foster closer ties between the European Union and its neighbouring countries, many doubts have been raised (in particular by the Committee on Agriculture and Rural Development, in its opinion on the agreement) about the economic implications of this specific agreement for farmers in the European Union, not least as regards:

1. the capacity of the Community system to monitor and enforce schedules and tariff quotas;

2. compliance with Community standards in the field of environmental protection, conditions for workers, protection of trade unions, anti-dumping legislation and food safety;

3. geographical indications (GIs);

4. problems of competitiveness, caused by the differences in the cost of manpower between the European Union and Morocco;

5. the seasonality of imports from Morocco, which may lead to some volatility in the prices of certain products in Europe (e.g. tomatoes).

Article 2 of the Council decision provides, however, for the adoption of safety measures under the provisions applicable to imports from third countries.

1. Is there any economic impact study, broken down by regions or Member States, showing the impacts resulting from the entry into force of this agreement in the EU, particularly in terms of employment, the output of the agricultural sector and the prices of the agricultural products in question throughout the year?

2. When will there be an agreement on GIs similar to the recent agreement with Georgia within the Eastern Partnership?

Reply
(2 April 2012)

The Council is not aware of, and cannot therefore comment on, any studies of the kind referred to by the Honourable Member.

As regards geographical indications, the EU and Morocco have held discussions with a view to promoting and developing quality products and protecting the distinctive quality marks in accordance with the terms of the 2005 Euromed roadmap for agriculture. Following those discussions and, given the interest for both Parties of concluding an agreement on the protection of geographical indications for agricultural products, processed agricultural products, fish and fishery products, it was agreed to open negotiations no later than three months after the date of entry into force of the EU-Morocco agreement on reciprocal liberalisation measures for agricultural products, processed agricultural products, and fish and fishery products.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-001213/12
an die Kommission
Jürgen Creutzmann (ALDE)
(9. Februar 2012)

Betrifft: Reform des griechischen Glücksspielgesetzes

Die griechische Regierung verabschiedete letztes Jahr eine Reform ihrer Gesetzgebung zu Onlineglücksspielen. Die Reform der Glücksspielgesetzgebung ist zwar ein Schritt in die richtige Richtung, allerdings scheinen einige der im neuen Gesetz dargelegten Regelungen EU-Bestimmungen zum Binnenmarkt und zu staatlichen Beihilfen zu verletzen.

Zunächst unterscheiden sich die neuen Steuerbestimmungen für Onlineglücksspiele von denen, die für das von OPAP gehaltene bestehende Offlinemonopol gelten. Mit dem neuen Gesetz wird zwar für Onlineaktivitäten eine Steuer von 30 % auf Bruttogewinne eingeführt, jedoch unterliegt der etablierte Anbieter OPAP dieser Gewinnsteuer bei seinen landbasierten Glücksspielprodukten nicht. Darüber hinaus ist es dem neuen Gesetz nach erforderlich, dass in der EU lizenzierte Anbieter diese Steuer rückwirkend für den Zeitraum seit 1. Januar 2010 zahlen. Auch diese rückwirkende Steuer gilt nicht für OPAP, das sich überwiegend im Besitz privater Aktionäre befindet. Onlineanbieter werden außerdem (wiederum rückwirkend) eine Steuer von 10 % auf alle Kundengewinne einbehalten müssen, während die Kunden von OPAP für alle Gewinne bis 100 EUR von dieser Steuer befreit sind. Durch diese diskriminierende steuerliche Behandlung und die Anforderung für die rückwirkende Zahlung von Steuern erhält der bestehende Monopolanbieter OPAP einen nicht gerechtfertigten wirtschaftlichen Vorteil.

Zu dem Gesetzentwurf wurde im Juli 2011 eine detaillierte Stellungnahme der Europäischen Kommission mit der Begründung abgegeben, dass der Gesetzentwurf Bestimmungen des EU-Binnenmarktes verletze. Der im August 2011 verabschiedete überarbeitete Text umfasste keine wesentlichen Änderungen, um seine Vereinbarkeit mit Bestimmungen des EU-Binnenmarktes sicherzustellen. Griechenland verstößt nicht nur mit großer Wahrscheinlichkeit gegen EU-Recht, sondern es ist auch zu erwarten, dass griechische Bürger weiterhin Onlineglücksspieldienste außerhalb des Rechtsrahmens in Anspruch nehmen werden, wenn dessen Anforderungen Anbietern kein wettbewerbsfähiges und attraktives Angebot gestatten (wie dies bei der aktuellen Reform in Deutschland der Fall ist).

1. Ist die Kommission der Ansicht, dass das neu verabschiedete griechische Gesetz, insbesondere die oben angeführten Regelungen, mit EU-Recht vereinbar ist und im Interesse der griechischen Verbraucher liegt?

2. Wird die Kommission Maßnahmen gegen Griechenland ergreifen, wenn es den Anschein hat, dass die oben beschriebenen steuerlichen Regelungen EU-Bestimmungen zu staatlichen Beihilfen verletzen?

Antwort von Herrn Almunia im Namen der Kommission
(20. März 2012)

1. Die Dienststellen der Kommission untersuchen gegenwärtig, ob das neue griechische Glücksspielgesetz (Gesetz 4002/2011 vom 5. August 2011) mit den Beihilfevorschriften in Einklang steht. Die Kommission hat insbesondere zwei Beschwerden über eine angebliche steuerliche Bevorteilung von OPAP erhalten, die eine staatliche Beihilfe darstellen könnte. Die Kommission prüft ferner, ob das obengenannte griechische Glücksspielgesetz einschließlich seiner späteren Änderungen mit den Binnenmarktvorschriften vereinbar ist.

2. Sollte die Kommission zu dem Schluss gelangen, dass das neue griechische Glücksspielgesetz in seiner derzeitigen Form Anlass zu ernsthaften Zweifeln hinsichtlich seiner Vereinbarkeit mit dem Binnenmarkt gibt, würde sie ein förmliches Prüfverfahren nach Artikel 108 Absatz 2 AEUV einleiten. Im Zuge der Prüfung der Vereinbarkeit mit den Binnenmarktvorschriften wird die Kommission voraussichtlich auch untersuchen, ob der gesamte griechische Rechtsrahmen im Bereich des Glücksspiels, einschließlich der Bestimmungen zu Online- und Offlineglücksspiel, mit dem EU-Recht in Einklang steht.

Die Kommission wird sich hinsichtlich der obengenannten Punkte auch weiterhin regelmäßig mit den griechischen Behörden austauschen.

(English version)

Question for written answer E-001213/12
to the Commission
Jürgen Creutzmann (ALDE)
(9 February 2012)

Subject: Reform of the Greek gambling law

The Greek Government adopted a reform of its online gambling legislation last year. While the reform of the gambling legislation is a step in the right direction, some of the measures foreseen in the new law appear to be in breach of EU rules regarding the internal market and state aid.

Firstly, the new tax regime for online gambling differs from the one applied to the existing offline monopoly owned by OPAP. Whilst the new law introduces a 30 % gross profit tax for online activities, the incumbent OPAP will not be subject to this profit tax for its land-based gambling products. In addition, the new law requires EU licensed operators to pay that tax retroactively for the period since 1 January 2010. Also this retroactive tax does not apply to OPAP, which is predominantly owned by private shareholders. Online operators will also have to withhold (again, with retroactive effect) a 10 % tax on all customers' winnings, while OPAP's customers will be exempted from such tax for all winnings up to EUR 100. This discriminatory tax treatment and the retroactive tax requirement will give an unfair economic advantage to the existing monopoly operator OPAP.

The draft law had received a detailed opinion from the European Commission in July 2011 on the grounds that it failed EU internal market rules. The revised text adopted in August 2011 did not include any substantial changes to ensure its compatibility with EU internal market rules. Not only is Greece likely to act in breach of EC law, but Greek citizens can be expected to continue to seek gambling services outside the regulatory framework if its requirements do not allow operators to provide a competitive and attractive offer (as is the case with the current reform in Germany).

1. Does the Commission consider the newly adopted Greek law, in particular the measures outlined above, to be compliant with EC law and in the interest of Greek consumers?

2. Will the Commission take action against Greece if it appears that the fiscal measures described above breach EU state aid rules?

Answer given by Mr Almunia on behalf of the Commission
(20 March 2012)

1. The Commission services are currently assessing the new Greek Gaming Law (Act 4002/2011 of 5 August 2011) with regard to its compliance with the state aid rules. In particular, the Commission has received two complaints regarding the alleged favourable fiscal treatment of OPAP which could amount to a possible state aid. This Greek Gaming Law, including its later amendments, is also subject to examination under the internal market rules.

2. If the Commission came to the conclusion that serious doubts exist with regard to the compatibility of the new Greek Gaming Law in its current form with the internal market, the Commission would then initiate the informal investigation procedure pursuing to Article 108(2) TFEU. Examination under the internal market rules should also allow the Commission to assess compliance with EC law of the whole Greek legal framework for gambling, including both online and off-line gambling regulations.

The Commission remains in regular contact with the Greek authorities on the above issues.

(English version)

Question for written answer E-001214/12
to the Commission
Jim Higgins (PPE)
(9 February 2012)

Subject: Motor fuel laundering

1.Could the Commission please outline what measures it has taken to combat motor fuel laundering in the EU?

2. Also, could the Commission please state the estimated quantity of motor fuel laundered in the EU last year and its value?

Answer given by Mr Šemeta on behalf of the Commission
(21 March 2012)

The Commission is aware of the issue of 'laundering motor fuel'. For the proper functioning of the internal market, and in particular to prevent tax evasion, avoidance or abuse, Directive 95/60/EC ([1]) provides for a common marking system to identify gas oils and kerosene which have been released for consumption exempt from excise duty or subject to a reduced excise duty rate. The Commission would like to inform the Honourable member that on 16 September 2011 the Commission adopted Decision 2011/544/EU ([2]) extending Commission Decision 2006/428/EC ([3]) establishing a common fiscal marker for gas oils and kerosene. It provides for the continued use of a marking tool called Solvent Yellow 124 that allows Member States to control unauthorised use of gas oils and kerosene exempt from excise duty or subject to a reduced rate. A review of this decision should be undertaken at any time prior to the time limit of 5 years set in the decision if Solvent Yellow 124 is found to be giving rise to increased tax evasion or to be causing additional health or environmental damage. So far, the Commission has not been informed that this would be the case.

Estimates about the quantity and value of motor fuel laundered in the European Union over the last year are not available.

([1]) OJ L 291, 6.12.1995 p. 46-47.
([2]) OJ L 241, 17.9.2011, p. 31.
([3]) OJ L 172, 24.6.2006, p. 15-16.

(English version)

Question for written answer E-001215/12
to the Commission
John Stuart Agnew (EFD)
(9 February 2012)

Subject: Discrimination against non-Germans by the German tax authorities

Following a change in 2011, the German Government requires non-German artists/production companies to pay tax on their profits from live touring activities in Germany in a different manner from German citizens.

Germans pay annually in arrears. Non-Germans have to either pay a percentage of gross receipts before any costs are deducted (and these costs are generally very substantial), or 15 % of profits after paying all costs (including musicians) — before any money is released from Germany.

In addition, German citizens pay their annual tax in quarterly instalments on an estimated net basis, whilst non-German taxpayers have to provide copies of invoices to substantiate direct expenses they have incurred, which can only be provided after an activity has been completed.

German taxpayers are entitled to deduct their indirect expenses. Non-German residents are not.

Article 162 of the German Tax Code (*Abgabenordnung*) does not apply to non-German taxpayers. German taxpayers can apply for an *Aussetzung der Vollziehung* (deferral of payment), but non-German residents can only apply for an *einstweilige Anordnung* (interim order), which is harder to obtain.

German taxpayers can appeal against their tax assessments directly. Non-German taxpayers can only appeal indirectly via a third party, even though the tax is deducted at source and paid to the German Government in respect of activities in Germany.

Is it legal for German tax law to discriminate in these ways against non-Germans by comparison with German citizens, thus creating significant financial non-tariff barriers which impede the free movement of labour, cross-border business and the development of the single market?

Answer given by Mr Šemeta on behalf of the Commission
(8 March 2012)

In his written question, the Honourable Member refers to a change in the law in 2011 of which the Commission is neither aware nor could be found in the publicly available legislative databases. The taxation of non-resident artists in Germany by levying a withholding tax, as described by the Honourable Member, has been in force for many years and the last substantive change took place in 2009.

Over some years, the European Commission received a number of complaints about the German taxation of non-resident artists. The Commission opened several infringement procedures against Germany and the European Court of Justice rendered two judgments (C-290/04, *Scorpio* and C-345/04, *Centro Equestre*) with regard to this legislation. To bring the legislation into line with EC law, Germany introduced a fundamental reform of its taxation of non-resident artists in 2008, which come into force in 2009 ['Jahressteuergesetz 2009'].

The new legislation implemented the above cited case-law of the European Court of Justice and eliminated the infringements criticized by the European Commission. The non-resident artist has now the right to ask for an assessment. He will then be treated like a resident tax payer, can deduct all costs and the same progressive tax rate as for residents will be applied. Furthermore, the deduction of directly related costs is already possible in the withholding tax procedure and the withholding tax rates have been reduced (15 % on gross income or 30 % on net income).

Therefore, on the basis of the elements at its disposal, the Commission sees no discrimination in the taxation of non-resident artists in Germany, as described by the Honourable Member.

(English version)

Question for written answer E-001216/12
to the Commission
John Stuart Agnew (EFD)
(9 February 2012)

Subject: Early Commission list of potential alien invasive species

In connection with the planned legislation on alien invasive species, since it is impossible to judge the appropriateness of the legislation or to assess its impact without knowing whether there will be a single list or more than one list differentiated by region and/or habitat, and which specific species will be affected, will the Commission publish the species list or lists concurrently with its first COMpaper, at the latest?

Answer given by Mr Potočnik on behalf of the Commission
(23 March 2012)

As outlined in the communication on an EU biodiversity strategy to 2020 ([1]), the Commission intends to develop a dedicated legislative instrument on invasive alien species by the end of 2012, following an impact assessment. The Commission is currently in the process of drafting a legislative proposal and its accompanying impact assessment. Therefore, a public consultation ([2]) is ongoing and open until 12 April 2012. In this context, the Commission is still in the process of considering various options, including in relation to the listing of species.

The Commission takes note of the observation of the Honourable Member, which will be taken into consideration in preparing the legislative proposal.

([1]) COM(2011) 244 final.
([2]) http://ec.europa.eu/environment/consultations/invasive_aliens.htm

(English version)

Question for written answer E-001217/12
to the Commission
Robert Sturdy (ECR)
(9 February 2012)

Subject: Invasive alien species — the American grey squirrel in northern Italy

1. Considering the threat posed to European biodiversity by the introduced American grey squirrel, an invasive alien species, I would like to ask the Commission (Directorate-General for Environment) for an update on the situation in northern Italy with regard to the Life+ project for the limitation of grey squirrels in the regions of Piedmont, Lombardy and Genova Nervi (LIFE09 NAT/IT/000095 EC-SQUARE).

2. In particular, I would appreciate it if the Commission could confirm the status of the Life+ project and whether it is meeting the objectives set by the Commission?

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

The EC-SQUARE biodiversity project (LIFE09NAT/IT/000095) aims to control grey squirrels in different socio-ecological contexts in three Italian regions (Lombardy, Piedmont and Liguria). This invasive alien species introduced in northern Italy thrives outside its Native American range and out-competes the Eurasian red squirrel. The project will prepare best practice guidelines on grey squirrel control and will implement specific conservation measures in order to improve habitat quality for red squirrels. Reintroduction of red squirrels is foreseen in Lombardy to establish a minimum viable population and, if proven feasible, in Genoa-Nervi Park as well. A pest risk assessment of alien squirrels will be carried out as part of the project.

Since commencement in September 2010, the project has progressed as planned. So far, the monitoring activities concluded that in Lombardy grey squirrels occur in a larger number of sites than initially estimated, whereas in Piedmont the species is currently spread out over about 2,000 km^2, meaning that in this region only containment of its expansion will be a realistic target. In Liguria, eradication by surgical sterilisation is planned. The management plan provides for a scale of priorities as well as detailed actions. Public awareness is of great importance to the project's success, which will address the scarce knowledge of local population regarding the two competing squirrel species and the negative impact posed by grey squirrels on the ecology of the targeted areas.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-001219/12
à Comissão
João Ferreira (GUE/NGL)
(9 de fevereiro de 2012)

Assunto: Aumento do cofinanciamento comunitário para as medidas previstas no Regulamento (CE) n.° 861/2006

A Comissão Europeia, reconhecendo as consequências recessivas dos programas ditos de «assistência financeira» FMI-UE, propôs a aplicação de um complemento de dez pontos percentuais às taxas de cofinanciamento aplicáveis ao Fundo Europeu das Pescas, para os países alvo destes programas. A reconhecida subutilização deste Fundo compromete possibilidades de estimular a atividade produtiva, ajudando a superar as dificuldades em que estes países se encontram.

O Regulamento (CE) n.° 861/2006, que estabelece medidas financeiras comunitárias relativas à execução da Política Comum das Pescas e ao Direito do Mar, outro importante instrumento financeiro da UE na área das pescas, não é incluído na proposta da Comissão. Este regulamento prevê o financiamento em importantes áreas, como a recolha de dados e pareceres científicos, entre outras. Também aqui, as dificuldades de cofinanciamento nacional se fazem sentir. Algumas destas áreas são determinantes para uma gestão sustentável das pescas, baseada no conhecimento. Sendo as percentagens de cofinanciamento comunitário, em geral, relativamente baixas (em geral, no máximo 50 %), não se compreende por que não é também este Regulamento contemplado pela proposta apresentada pela Comissão.

Pergunto à Comissão:

1. Por que razão não foi previsto o complemento ao nível do cofinanciamento comunitário também para o Regulamento (CE) n.° 861/2006, que estabelece medidas financeiras comunitárias relativas à execução da Política Comum das Pescas e ao Direito do Mar?

2. Está disponível para o considerar?

Resposta dada por Maria Damanaki em nome da Comissão
(29 de março de 2012)

A proposta da Comissão de aumento das taxas de cofinanciamento aplicáveis ao Fundo Europeu das Pescas visa principalmente prover às necessidades financeiras acrescidas dos beneficiários, sobretudo privados, do setor das pescas nos Estados-Membros.

O Regulamento (CE) n.° 861/2006 ([1]) prevê a concessão de apoio financeiro para a recolha de dados e para projetos no domínio do controlo, da inspeção e da vigilância no setor das pescas.

As entidades intervenientes na aplicação do Quadro de Recolha de Dados ([2]) são principalmente administrações ou institutos públicos, que são financiados pelos orçamentos nacionais. O regulamento prevê o cofinanciamento da UE aos Estados-Membros de 50 % do orçamento total previsto para a recolha de dados no início de cada ano. Nos últimos dois anos, os Estados-Membros gastaram 80 % dos orçamentos previstos para a recolha de dados. O aumento da taxa de cofinanciamento aplicado em 2009 não conduziu a um aumento significativo da disponibilidade nem melhorou a qualidade dos dados recolhidos e transmitidos aos utilizadores finais (incluindo a UE). Sendo esta a realidade, a Comissão não prevê, neste momento, propor qualquer aumento da taxa de cofinanciamento, já que tal medida não conduziria necessariamente à melhoria da qualidade ou da quantidade dos dados recolhidos ao abrigo do Quadro de Recolha de Dados.

Relativamente ao apoio no domínio do controlo, as taxas de cofinanciamento são determinadas por tipo de despesa, com base nas prioridades definidas todos anos pela Comissão face às necessidades ditadas pela aplicação do regulamento relativo ao controlo. Os Estados-Membros são informados com antecedência das prioridades que presidem a cada decisão de financiamento. Desde 2009 — no contexto da crise financeira — é atribuída às despesas prioritárias uma taxa de cofinanciamento mínima de 90 % e às não prioritárias uma taxa de 50 %.

([1]) JO L 160 de 14.6.2006.
([2]) Decisão 2010/93/UE da Comissão (JO L 41 de 16.2.2010).

(English version)

Question for written answer E-001219/12
to the Commission
João Ferreira (GUE/NGL)
(9 February 2012)

Subject: Increase in Community co-financing for the measures provided for in Regulation (EC) No 861/2006

The European Commission, recognising the recessionary consequences of the so-called IMF-EU 'financial assistance' programmes, has proposed the application of an additional 10 percentage points to the co-financing rates applicable to the European Fisheries Fund, for the target countries of those programmes. The recognised underutilisation of the fund is jeopardising the prospects for stimulating production, which would help to overcome the difficulties being experienced by these countries.

Regulation (EC) No 861/2006, establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea, another important EU financial instrument in the fisheries sector, is not included in the Commission's proposal. This regulation provides for funding in important areas such as data collection and scientific opinions. Here too, the difficulties of national co-financing are making themselves felt. Some of these areas are crucial for sustainable fisheries management based on knowledge. Since Community co-financing percentages are, in general, relatively low (typically no more than 50 %), it is difficult to understand why this regulation is not covered by the Commission proposal.

1. Why has the higher level of Community co-financing not likewise been laid down for Regulation (EC) No 861/2006 establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea?

2. Is the Commission prepared to consider such a step?

Answer given by Ms Damanaki on behalf of the Commission
(29 March 2012)

The Commission proposal to increase the co-financing rates under the European Fisheries Fund is mainly catering to the increased financial needs of, mainly private, beneficiaries in the Member States' fisheries sector.

Regulation 861/2006 ([1]) provides for assistance for data collection and for projects in the field of fisheries control, inspection and surveillance.

Bodies involved in the implementation of the Data Collection Framework ([2]) are mainly public administrations or institutes which are financed by national public budgets. The regulation foresees EU co-financing of 50 % to the Member States of the foreseen total budget for data collection at the beginning of each year. During the past two years, Member States have spent 80 % of the budgets foreseen for data collection. The increase in co-financing applied in 2009 did not lead to a significant increase of availability or higher quality of the data collected and transmitted to end-users (including the EU). Given this experience, the Commission does not at this stage foresee proposing an increase of the co-financing rate since this would not necessarily lead to an improvement to the quality or quantity of the data collected under the data collection framework.

For support in the area of control, the co-financing rates are determined by type of expenditure on the basis of priorities defined each year by the Commission in view of the implementation needs under the Control regulation. Member States are informed in advance about the priorities for the given financing decision. Since 2009 — in context of the financial crisis — priority expenditures are allocated a minimum co-financing rate of 90 %, whereas non-priority ones are granted a rate of 50 %.

([1]) OJ L 160, 14.6.2006.
([2]) Commission Decision 2010/93/EU, OJ L 41, 16.2.2010.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-001220/12
à Comissão
João Ferreira (GUE/NGL)
(9 de fevereiro de 2012)

Assunto: Redução do co-financiamento nacional previsto para os fundos comunitários

A Comissão Europeia, reconhecendo as consequências recessivas dos programas ditos de «assistência financeira» FMI-UE, propôs a aplicação de um complemento às taxas de cofinanciamento aplicáveis ao Fundo Europeu das Pescas aos países alvo destes programas, à semelhança do que fez noutros fundos comunitários. Na aplicação deste complemento, a taxa de cofinanciamento do programa não pode exceder em mais de dez pontos percentuais os limites máximos previstos no artigo 53.°, n.° 3, do Regulamento FEP (75 % e 50 %, para as regiões elegíveis e não elegíveis, respetivamente, ao abrigo do Objetivo da Convergência).

Este aumento não corresponderá a um aumento das dotações globais previstas para estes países, uma vez que a dotação financeira total do FEP para os países em causa durante o período em questão não será alterada.

Deve notar-se que as restrições ao investimento impostas pelos «programas de assistência» podem, mesmo nas novas condições, continuar a dificultar a mobilização do esforço nacional exigido (15 % e 40 %, para as regiões elegíveis e não elegíveis, respetivamente, ao abrigo do Objetivo da Convergência).

Em face do exposto, solicito à Comissão que me informe sobre o seguinte:

1. Tenciona avaliar em que medida esta alteração, efetivamente, «proporcionará aos Estados-Membros em causa os fundos necessários para o apoio a projetos e a recuperação da economia», como refere na sua proposta?

2. Está disponível, em face dessa avaliação, e caso as dificuldades persistam, para propor um aumento das dotações globais previstas para estes países, neste como noutros fundos comunitários, e para reduzir mais o cofinanciamento nacional?

Resposta dada por Maria Damanaki em nome da Comissão
(21 de março de 2012)

A Comissão remete o Senhor Deputado para a versão consolidada do relatório do PE sobre a proposta de regulamento do Parlamento Europeu e do Conselho que altera o Regulamento (CE) n.° 1198/2006 relativo ao Fundo Europeu das Pescas, no que diz respeito a determinadas disposições referentes à gestão financeira para certos Estados-Membros afetados ou ameaçados com graves dificuldades em relação à sua estabilidade financeira ([1]), e para o anexo da carta do Conselho ao Parlamento Europeu, de 3 de fevereiro de 2012 ([2]). Ambos os documentos propõem alterar a proposta inicial da Comissão ([3]), introduzindo o n.° 4-B no artigo 76.° do regulamento relativo ao Fundo Europeu das Pescas ([4]). O referido n.° 4-B estabelece uma obrigação de apresentação de relatórios para os Estados-Membros interessados: uma vez a derrogação concedida a um Estado-Membro, o seu relatório anual deve incluir informações sobre a utilização da derrogação, expondo a forma como a taxa majorada de cofinanciamento contribuiu para promover a competitividade, o crescimento e o emprego. Ainda, em conformidade com o n.° 4-B, a Comissão deve ter em conta estas informações na preparação do relatório anual sobre a aplicação do FEP. Deste modo, os Estados-Membros em causa proporcionarão uma avaliação dos efeitos da medida e a Comissão utilizará esta informação na preparação do relatório anual que deve transmitir ao Parlamento Europeu.

A Comissão não prevê o aumento da dotação global atribuída a cada Estado-Membro ao abrigo do Fundo Europeu das Pescas nem um novo aumento da taxa de cofinanciamento.

([1]) Doc. PE475787v02-00XM.
([2]) Doc. SGS1Z/001480.
([3]) Proposta de regulamento do Parlamento Europeu e do Conselho e do Conselho que altera o Regulamento (CE) n.° 1198/2006 relativo ao Fundo Europeu das Pescas, no que diz respeito a determinadas disposições referentes à gestão financeira para certos Estados-Membros afetados ou ameaçados com graves dificuldades em relação à sua estabilidade financeira, COM/2011/0848 final.
([4]) JO L 223 de 15.8.2006.

(English version)

Question for written answer E-001220/12
to the Commission
João Ferreira (GUE/NGL)
(9 February 2012)

Subject: Reduction of the envisaged national co-financing for the EU funds

The Commission, recognising the recessionary consequences of the IMF-EU 'financial assistance' packages, has proposed the application of a top-up in respect of the co-financing rates applicable to the European Fisheries Fund (EFF) in the countries targeted by these programmes, along the same lines as it has done with other EU funds. With this top-up applied, the programme's co-financing rate may not exceed the ceilings laid down in Article 53(3) of the EFF Regulation (75 % and 50 % for eligible and ineligible regions respectively, under the Convergence Objective).

This increase will not represent an increase in the overall allocations planned for these countries, since the total financial allocation to the EFF for the countries in question during the period at issue will not be changed.

It should be noted that the restrictions imposed on investment by the 'assistance programmes' could, even under the new conditions, continue to make it hard to mobilise the required national contribution (15 % and 40 % for eligible and ineligible regions respectively, under the Convergence Objective).

In view of this, the Commission is asked to answer the following:

1. Does it intend to evaluate the extent to which this amendment will really 'provide the Member States concerned with the funds necessary to support projects and the recovery of the economy', as mentioned in its proposal?

2. Is it prepared, with a view to this evaluation and if problems persist, to propose an increase in the overall allocations envisaged for these countries, as in the case of other EU funds, and to further reduce national co financing?

Answer given by Ms Damanaki on behalf of the Commission
(21 March 2012)

The Commission would refer the Honourable Member to the consolidated version of the EP Report on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1198/2006 on the **European Fisheries Fund,** as regards certain **provisions relating to financial management** for certain Member States experiencing or threatened with serious difficulties with respect to their financial stability ([1]) and to the annex of the letter from the Council to the European Parliament of 3 February 2012 ([2]). Both documents propose to amend the original proposal of the Commission ([3]) by introducing paragraph 4b in Article 76 of the regulation on the European Fisheries Fund ([4]). This paragraph establishes a reporting obligation for the Member States concerned: once the derogation is granted to a Member State, its annual reporting shall include information on the use of the derogation, showing how the increased co-financing rate has contributed to promote competitiveness, growth and jobs. Also according to paragraph 4b, the Commission shall take into account this information in the preparation of the annual report on the implementation of the EFF. In this manner, the Member States concerned would provide an evaluation of the effects of the measure and the Commission would use this information in the preparation of the annual report that it must forward to the European Parliament.

The Commission does not envisage the increase of the global envelope allocated to each Member State under the European Fisheries Fund or a further increase of the co-financing rate.

([1]) Doc. PE475787v02-00XM.
([2]) Doc. SGS1Z/001480.
([3]) Proposal for a regulation of the European Parliament and the Council amending Council Regulation (EC) No 1198/2006 on the European Fisheries Fund, as regards certain provisions relating to financial management for certain Member States experiencing or threatened with serious difficulties with respect to their financial stability, COM(2011) 0848 final.
([4]) OJ L 223, 15.8.2006.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001222/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mara Bizzotto (EFD)
(9 febbraio 2012)

Oggetto: VP/HR — Crisi politica tra Turchia e Francia

L'attuale deterioramento delle relazioni politiche tra la Turchia e la Francia ha fatto seguito all'iniziativa del governo francese di adottare una legge che impedisca la negazione del genocidio armeno perpetrato dalle autorità ottomane all'inizio del secolo scorso. Il governo turco ha lanciato delle accuse nei confronti della controparte francese e ha tentato di fermare l'attività legislativa del governo democraticamente eletto dello Stato membro in questione. Considerando che questa crisi diplomatica ha luogo a soli pochi mesi di distanza da un'analoga crisi tra la Turchia stessa e Cipro, qual è la posizione del Vicepresidente/Alto Rappresentante nei confronti dei fatti in questione?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(12 aprile 2012)

Il punto sollevato rappresenta una questione bilaterale tra Francia e Turchia. L'Alta Rappresentante/Vicepresidente incoraggia le migliori relazioni possibili tra i due paesi: poiché si tratta di uno Stato membro dell'UE e di un paese candidato che sta negoziando l'adesione all'Unione, ciò è importante per la nostra comune sicurezza e stabilità.

(English version)

Question for written answer E-001222/12
to the Commission (Vice-President/High Representative)
Mara Bizzotto (EFD)
(9 February 2012)

Subject: VP/HR — Political crisis between Turkey and France

The current deterioration of political relations between Turkey and France follows the French Government initiative to adopt a law to prevent denial of the Armenian genocide perpetrated by Ottoman authorities at the beginning of the last century. The Turkish government has made accusations against its French counterpart and has tried to stop the legislative activity of the democratically-elected government of the Member State in question. Considering that this diplomatic crisis is taking place just a few months after a similar crisis between Turkey and Cyprus, what is the position of the Vice-President/High Representative with regard to these developments?

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

This is a bilateral matter for France and Turkey. The High Representative/Vice-President encourages the best possible relations between France and Turkey, being an EU Member State and candidate country negotiating accession respectively — this is important for our shared security and stability.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001223/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Mara Bizzotto (EFD)
(9 febbraio 2012)

Oggetto: VP/HR — Apertura di un ufficio di Hamas in Turchia e finanziamenti turchi all'organizzazione palestinese

Due giorni fa si apprendeva da fonti giornalistiche che il governo turco era vicino ad un accordo con Hamas per l'apertura di un ufficio dell'organizzazione terroristica palestinese in territorio turco. Inoltre, fonti giornalistiche e diplomatiche riportavano contestualmente un'indiscrezione circa possibili finanziamenti turchi ad Hamas, indiscrezione subito ridimensionata da fonti diplomatiche turche che parlavano però di progetti di aiuto umanitario a favore dei territori di Gaza dopo l'intervento israeliano del 2008. È di oggi la smentita riguardo all'apertura dell'ufficio politico di Hamas in Turchia, operazione che allo stato attuale sarebbe stata definita «fuori discussione». Ad ogni modo, la Turchia ha, negli ultimi mesi, approfondito il rapporto politico e diplomatico con l'organizzazione terroristica palestinese, fino ad arrivare appunto a dare la propria disponibilità ad ospitare un ufficio politico in Turchia, disponibilità che evidentemente per ora non sembra potersi tradurre in realtà. È viceversa stata confermata la notizia di un accordo finanziario siglato tra Ankara e Hamas.

1. Alla luce di quanto sopra esposto, è la Vicepresidente/Alto Rappresentante a conoscenza dell'iniziativa politica di Hamas in terra turca?

2. Come giudica l'avvicinamento politico e diplomatico di Ankara ad Hamas?

3. Ritiene questa operazione politica compatibile con il proseguimento dei negoziati per l'adesione della Turchia all'UE, o ritiene viceversa che l'iniziativa si collochi in aperta contraddizione con i principi fondanti dell'Unione europea, considerando inoltre che Hamas figura nella lista delle organizzazioni terroristiche secondo la posizione comune 2005/847/PESC del Consiglio del 29 novembre 2005?

4. Ritiene di dover chiedere conto al governo turco della sua politica di decisa apertura ad Hamas?

5. È a conoscenza dell'esistenza di un programma di aiuti umanitari attuato dal governo di Ankara a favore del territorio di Gaza?

6. Come giudica dal punto di vista politico e diplomatico l'accordo finanziario siglato tra Ankara ed Hamas?

7. Ritiene che l'UE debba reagire politicamente alla strategia turca di apertura ad Hamas?

Risposta data dall'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione
(10 aprile 2012)

La Turchia continua ad essere attiva nei confronti del «grande vicinato» e rimane un attore regionale importante in Medio Oriente. Il paese sostiene la posizione dell'UE e i suoi sforzi nel processo di pace in Medio Oriente. Allo stesso tempo, la Turchia è impegnata costantemente nell'incoraggiare la riconciliazione tra Fatah e Hamas e l'unità nazionale.

L'UE ha espresso la propria posizione nelle conclusioni del Consiglio «Affari esteri» del 23 maggio 2011, invitando alla riconciliazione interpalestinese intorno al presidente Mahmoud Abbas quale elemento importante per l'unità di un futuro Stato palestinese e per giungere alla soluzione dei due Stati. Un nuovo governo palestinese composto da soggetti indipendenti dovrebbe «attenersi al principio della non violenza e mantenere l'impegno a favore di una soluzione fondata su due Stati e di una soluzione pacifica negoziata del conflitto israelo-palestinese accettando gli accordi e gli obblighi anteriori compreso il diritto legittimo di Israele ad esistere».

(English version)

Question for written answer E-001223/12
to the Commission (Vice-President/High Representative)
Mara Bizzotto (EFD)
(9 February 2012)

Subject: VP/HR — Opening of a Hamas office in Turkey and Turkish financing of the Palestinian organisation

Two days ago, it was reported that that the Turkish Government was close to an agreement with Hamas on the opening of an office for the Palestinian terrorist organisation on Turkish territory. In addition, diplomatic and news sources simultaneously reported a rumour about the possible Turkish financing of Hamas, a rumour which was immediately played down by Turkish diplomatic sources who spoke of humanitarian aid projects in favour of Gaza territories following the 2008 Israeli intervention. And now a denial has been issued with regard to the opening of the Hamas political office in Turkey, an operation which has apparently been declared 'out of the question' in the present situation. In any case, Turkey has, in recent months, intensified political and diplomatic relations with the Palestinian terrorist organisation, to the point of indicating its willingness to host a political office in Turkey, a willingness which, evidently, it does not currently appear possible to translate into reality. On the other hand, news of a financial agreement between Ankara and Hamas has been confirmed.

1. In light of the above, is the Vice-President/High Representative aware of the Hamas political initiative on Turkish territory?

2. What is the Vice-President/High Representative's view on Ankara's closer political and diplomatic relationship with Hamas?

3. Does she consider this political operation compatible with the continuation of negotiations on Turkey's accession to the EU, or does she believe, instead, that the initiative is in blatant contradiction of the founding principles of the European Union, given, moreover, that Hamas appears on the list of terrorist organisations according to Council Common Position 2005/847/PESC of 29 November 2005?

4. Does she consider it necessary to call the Turkish Government to account for its policy on opening up to Hamas?

5. Is she aware of the existence of a humanitarian aid programme implemented by the Ankara government in favour of the Gaza territory?

6. From a political and diplomatic point of view, how does she view the financial agreement signed by Ankara and Hamas?

7. Does she believe the EU should react politically to the Turkish strategy of opening up to Hamas?

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

Turkey continues to be active in its wider neighbourhood, and remains an important regional player in the Middle East. Turkey supports the EU position and the EU efforts on the Middle East peace process. At the same time, Turkey sees a continuing role for itself in encouraging Fatah/Hamas reconciliation and national unity.

The EU stated its position in the conclusions of the Foreign Affairs Council of 23 May 2011, calling for intra-Palestinian reconciliation behind President Mahmud Abbas as an important element for the unity of a future Palestinian state and for reaching a two state solution. A new Palestinian government composed of independent figures 'should uphold the principle of non-violence, and remain committed to achieving a two-state solution and to a negotiated peaceful settlement of the Israeli-Palestinian conflict accepting previous agreements and obligations, including Israel's legitimate right to exist'.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-001224/12
alla Commissione
Leonardo Domenici (S&D), Cristiana Muscardini (PPE) e Niccolò Rinaldi (ALDE)
(14 febbraio 2012)

Oggetto: Presunto carattere discriminatorio dello Jugendamt

L'11 gennaio 2012, il Tribunale dei minori di Firenze ha accolto l'istanza avanzata da un cittadino tedesco circa il rimpatrio immediato in Germania della figlia minore, per ingiunzione dello Jugendamt, senza che alla madre, cittadina italiana, venisse data alcuna possibilità di contradditorio.

Nonostante il Tribunale abbia recentemente decretato la sospensione di tale ordine per consentire alla bambina di terminare l'anno scolastico in Italia, si evidenzia il persistere dello stato di malessere sofferto dalla minore in conseguenza della notifica di rimpatrio.

Alla luce di ciò, può la Commissione far sapere:

— se ritiene che il reiterarsi di episodi simili e i dubbi espressi da molti cittadini europei circa il carattere iniquo e l'effettiva capacità di tutela del minore dalle procedure impiegate dallo Jugendamt richiedano un'iniziativa differente e più incisiva da parte della Commissione stessa per assicurare che il diritto di famiglia, che si riconosce essere di competenza nazionale, non presenti elementi in alcun modo contrastanti con la tutela del minore, a norma della Carta dei diritti fondamentali dell'Unione europea e della Convenzione europea per la salvaguardia dei diritti dell'uomo e delle libertà;

— se ritiene che la pratica di rimpatriare il minore senza prima averlo ascoltato possa essere in contrasto con l'articolo 11 del regolamento (CE) n. 2201/2003 del 27 novembre 2003 che prevede che «nell'applicare gli articoli 12 e 13 della Convenzione dell'Aia del 25 ottobre 1980 si assicurerà che il minore possa essere ascoltato durante il procedimento se ciò non appaia inopportuno in ragione della sua età o del suo grado di maturità»;

— quali sono stati i progressi normativi effettuati nella creazione di uno spazio giudiziario comune in materia di diritto di famiglia, come sostenuto nelle risposte alle interrogazioni E-5589/09 e H-0222/10 ([1])?

Risposta data da Viviane Reding a nome della Commissione
(28 marzo 2012)

Il regolamento (CE) n. 2201/2003 ([2]) («regolamento Bruxelles II bis») rappresenta il principale strumento giuridico dell'UE in questo settore. Il regolamento non è volto all'armonizzazione delle norme sostanziali di diritto di famiglia, né alla definizione di norme procedurali per le autorità nazionali preposte all'esecuzione nei casi che rientrano nel campo di applicazione del regolamento. Inoltre, la concessione del diritto di affidamento e gli accordi per il relativo esercizio non sono disciplinati dal diritto europeo bensì da quello nazionale. Pertanto l'Unione europea non ha competenze legislative in questo settore del diritto di famiglia.

La Commissione non dispone della facoltà di intervenire insieme agli Stati membri nel campo dei diritti fondamentali. Ai sensi dell'articolo 51 della Carta dei diritti fondamentali dell'Unione europea, essa può intervenire esclusivamente in relazione all'attuazione del diritto dell'Unione da parte degli Stati membri. La questione sollevata dagli onorevoli parlamentari non pare riguardare l'attuazione del diritto dell'Unione.

Ai sensi dell'articolo 11, paragrafo 2, del regolamento, le autorità giurisdizionali nazionali hanno il potere discrezionale di decidere se il minore deve essere ascoltato.

La Commissione rimanda gli onorevoli parlamentari alla risposta alle interrogazioni E-5589/09 ([3]) e H-222/10 ([4]) riguardanti le attività del Judendamt.

([1]) http://www.europarl.europa.eu/sides/getDoc.do?type=QT&reference=H-2012-0222&language=EN.
([2]) GU L 338 del 23.12.2003, pag. 1.
([3]) http://www.europarl.europa.eu/QP-WEB/application/home.do?language=IT
([4]) Risposta scritta presentata nella seduta parlamentare di maggio 2010.

Si fa comunque presente che, ai sensi dell'articolo 65 del regolamento Bruxelles II bis, la Commissione europea presenterà al Parlamento europeo, al Consiglio e al Comitato economico e sociale europeo una relazione sull'applicazione del regolamento negli Stati membri. Tale relazione sarà corredata, se del caso, di opportune proposte di adeguamento del regolamento in questione. In tal senso la Commissione europea è in fase di valutazione dell'applicazione del regolamento.

(English version)

Question for written answer E-001224/12
to the Commission
Leonardo Domenici (S&D), Cristiana Muscardini (PPE) and Niccolò Rinaldi (ALDE)
(14 February 2012)

Subject: Alleged discriminatory nature of the Jugendamt (Youth Welfare Office)

On 11 January 2012, the Florence Juvenile Court approved a petition by a German citizen for the immediate repatriation to Germany of his daughter, a minor, by order of Germany's Jugendamt, without her mother, an Italian citizen, being given any opportunity to state her case.

Although the Court has recently ruled that the order should be suspended to allow the child to finish the school year in Italy, the child will continue to be unsettled by the knowledge that she is to be repatriated. In light of this,

— Does the Commission not believe that with the recurrence of similar incidents, and the doubts expressed by many EU citizens regarding the unfair nature of the procedures used by the Jugendamt and their actual ability to protect children, different and more forceful measures are required to ensure that family rights, which come under national jurisdiction, do not involve aspects that conflict in any way with the protection of the child, in accordance with the Charter of Fundamental Rights of the European Union and the European Convention for the Protection of Human Rights and Fundamental Freedoms?

— Does the Commission not believe that the practice of repatriating minors without first having heard them may be at odds with Article 11 of Regulation (EC) No 2201/2003 of 27 November 2003 which states that, 'When applying Articles 12 and 13 of the 1980 Hague Convention, it shall be ensured that the child is given the opportunity to be heard during the proceedings unless this appears inappropriate having regard to his or her age or degree of maturity'?

— Can the Commission explain what regulatory progress has been made in creating a common judicial area in the field of family law, as stated in Questions E-5589/09 and H-0222/10 ([1])?

Answer given by Mrs Reding on behalf of the Commission
(28 March 2012)

Regulation (EC) No 2201/2003 ([2]) ('the Brussels IIa regulation') represents the main EC law instrument in this area. The regulation is not aimed either at harmonising material family law rules, or at establishing procedural standards for national authorities competent to proceed in enforcement cases which are falling under the scope of the regulation. Furthermore, granting of custody rights and the arrangements for their exercise are not governed by EC law but by national law. Consequently, the European Union does not have the power to legislate in this area of family law.

The Commission has no general powers to intervene with the Member States in the area of fundamental rights. According to Article 51 of the EU Charter of Fundamental Rights it can do so only if the Member States are implementing Union law. The matter raised by the Honourable Member does not appear to be related to the implementation of Union law.

National courts have discretionary power under Article 11.2 of the regulation to decide if the child needs to be heard.

The Commission would refer the Honourable Member to its answer to Questions E-5589/09 ([3]) and H-222/10 ([4]) concerning the activities of the Jugendamt.

The Honourable Member, however, should be aware that pursuant to Article 65 of the Brussels IIa regulation, the European Commission will present to the European Parliament, the Council and the Economic and Social Committee a report on the application of the regulation in the Member States. This report shall be accompanied, if necessary, by proposals for the adaptation of the regulation. In this context, the European Commission is assessing the application of the regulation.

([1]) http://www.europarl.europa.eu/sides/getDoc.do?type=QT&reference=H-2012-0222&language=EN
([2]) OJ L 338, 23.12.2003, p. 1.
([3]) http://www.europarl.europa.eu/QP-WEB/home.jsp
([4]) Written reply given at Parliament's May 2010 session.