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 240 E/01)

Treść **Strona**

(Versión española)

Pregunta con solicitud de respuesta escrita E-002231/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(28 de febrero de 2012)

Asunto: Actividad ganadera en el sur de Europa

En la propuesta legislativa sobre la PAC presentada por la Comisión quizás no se tenga en cuenta la enorme importancia social y territorial que la actividad ganadera tiene para la población. Concretamente, en el caso del vacuno de carne, no se tiene en cuenta la estrecha interrelación de los dos subsectores que la componen, a saber, las vacas de alta montaña y el engorde en granjas de fuera de la alta montaña. Así, la viabilidad de los cebaderos aporta una finalidad productiva en sí misma y una valorización económica a las explotaciones de vacas reproductoras especializadas en la cría, ubicadas normalmente en zonas más desfavorecidas (alta montaña, dehesas, etc.). Igualmente, la actividad de cebo supone ingresos importantes para las explotaciones de vacas de leche europeas, pues crea un mercado activo para un subproducto de esta actividad. Esta estrecha interrelación y complementariedad de la vaca y el ternero para producción de carne existente en el modelo mediterráneo ha supuesto la pervivencia del sistema de producción de vacuno de carne en la península ibérica.

En vista de lo expuesto, ¿puede la UE permitirse la desaparición de un sector productor de carne de vacuno que sustenta la producción de vacas reproductoras de la cornisa cantábrica, de los Pirineos o de la dehesa extremeña?

Respuesta del Sr. Cioloş en nombre de la Comisión
(13 de abril de 2012)

La Comisión informa a Su Señoría de que la propuesta de Reglamento sobre las normas aplicables a los pagos directos a los agricultores permite que los Estados miembros otorguen ayudas «asociadas» a sectores (entre los que se incluye el del ganado vacuno) o regiones en los existen tipos particulares de agricultura o sectores agrícolas específicos que tienen dificultades y que son especialmente importantes por motivos económicos, sociales o medioambientales (artículo 38 y siguientes). Estas ayudas asociadas se suman, en particular, al pago básico que reciben los productores de vacuno si disponen de derechos de pago y de hectáreas admisibles, conforme a las disposiciones pertinentes de la propuesta (artículo 18 y siguientes).

Además, si se dan las condiciones necesarias, los productores de vacuno pueden recibir ayudas previstas en la propuesta de Reglamento relativo a la ayuda al desarrollo rural como las ayudas a las inversiones (artículo 18), las ayudas agroambientales y climáticas (artículo 29), las ayudas a la agricultura ecológica (artículo 30) y las ayudas a zonas con limitaciones naturales u otras limitaciones específicas (artículo 32).

(English version)

Question for written answer E-002231/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(28 February 2012)

Subject: Beef farming in southern Europe

It may be that the enormous social and territorial importance of beef farming has not been taken into account in the legislative proposal on the common agricultural policy tabled by the Commission. Specifically, in the case of beef cattle, no account has been taken of the close interrelationship between the two subsectors therein, namely high-mountain cows and those fattened on farms outside the uplands. The viability of fattening farms provides a productive end in itself and an economic return for farms of suckler cows specialising in breeding, which are normally located in more disadvantaged regions (high mountain, meadows, etc.). Cattle fattening also represents a significant income for EU dairy farms, since it creates an active market for a sub-product of this activity. This close interrelationship and complementarity of cow and calf for meat production, which exists in the Mediterranean model, has enabled the survival of the beef cattle production system in the Iberian peninsula.

In view of the above, can the EU allow the disappearance of a beef-production sector that sustains the production of suckler cows for the Cantabrian coast, the Pyrenees and the Extremadura pasturelands?

(Version française)

Réponse donnée par Mr Cioloş au nom de la Commission
(13 avril 2012)

La Commission informe l'Honorable Parlementaire que la proposition de règlement établissant les règles relatives aux paiements directs permet aux États membres d'octroyer un soutien couplé en faveur de secteurs, y compris le secteur de la viande bovine, ou de régions où des types particuliers d'agriculture ou des secteurs agricoles spécifiques rencontrent des difficultés et sont particulièrement importants pour des raisons économiques, sociales et/ou environnementales (article 38 et suivants). Ce soutien couplé s'ajoute, notamment, au paiement de base dont les producteurs de bovins bénéficient s'ils disposent de droits au paiement et d'hectares éligibles conformément aux dispositions pertinentes de la proposition (article 18 et suivants).

Par ailleurs, si les conditions requises sont réunies, les producteurs de bovins peuvent bénéficier de certaines aides prévues dans la proposition de règlement portant le soutien du développement rural, en particulier, les aides aux investissements (article 18), les aides agro-environnement-climat (article 29), les aides à l'agriculture biologique (article 30) et les paiements en faveur des zones avec des limitations naturelles et d'autres handicaps spécifiques (article 32).

(Versión española)

Pregunta con solicitud de respuesta escrita E-002232/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(28 de febrero de 2012)

Asunto: Realidad productiva del sur de la UE

La propuesta sobre la PAC de la Comisión Europea obvia completamente la realidad productiva ganadera de buena parte de la Unión Europea que no utiliza la superficie o tierra para la alimentación de los animales. Evidentemente, esta ausencia de reconocimiento de un modelo de producción propio de los países del sur de Europa se traduce en una pérdida de competitividad de los productores de esta zona frente a ganaderos ubicados en otras áreas de la UE.

La reforma de la PAC 2014-2020 puede crear una descompensación que merme la libre competencia entre ganaderos de países del norte, con pastos y ayudas vinculadas a la hectárea, y de países secos del sur, sin pastos y con una alimentación basada en los cereales y sin ayuda al no disponer de hectáreas.

1. ¿Es aceptable esta clara discriminación entre la producción bovina de los países del norte y los países del sur?

2. ¿Puede indicar la Comisión si dicha propuesta reconoce la diversidad de producción del sur de Europa respecto a la de otras latitudes?

(Cf. http://www.eea.europa.eu/data-and-maps/figures/water-limitation-of-crop-primary y http://www.magrama.es/es/cambio-climatico/temas/impactos-vulnerabilidad-y-adaptacion/iniciativas-en-el-ambito-nacional/evaluacion-preliminar-de-los-impactos-en-espana-del-cambio-climatico/eval_impactos.aspx)

Respuesta del Sr. Cioloş en nombre de la Comisión
(10 de abril de 2012)

La propuesta de la Comisión relativa a los pagos directos ([1]) no discrimina a los Estados miembros del sur respecto a los del norte en lo que atañe a la ganadería. Tal como indica Su Señoría, la producción ganadera en el norte se basa más bien en los pastos, en términos generales, mientras que la del sur se basa más bien en los cereales. Sin embargo, ambos tipos de producción requieren superficies para la producción de piensos, sea pastos o tierras de cultivo.

De hecho, con el régimen de pago básico, la propuesta contempla una ayuda disociada, si bien los Estados miembros pueden decidir también conceder, en determinadas circunstancias, una ayuda asociada en el sector de la carne de vacuno.

No hay, por lo tanto, discriminación alguna entre los países del norte y los del sur en lo que atañe a la ganadería. La propuesta reconoce la diversidad de la producción en la Europa del sur, al ofrecer una amplia gama de instrumentos flexibles de apoyo directo.

([1]) COM(2011) 625/3.

(English version)

Question for written answer E-002232/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(28 February 2012)

Subject: Reality of production in the south of the EU

The Commission proposal on the common agricultural policy (CAP) completely ignores the reality of livestock rearing in a significant part of the European Union that does not use space or land for feeding animals. The clear result of this lack of recognition of a production model characteristic of southern European countries is a lack of competitiveness for producers in this area compared to livestock farmers in other parts of the EU.

The reform of the CAP 2014-2020 could result in an imbalance undermining free competition between the livestock farmers of northern countries, with pastures and subsidies per hectare, and dry countries in the south, without pastures and with cereal-based feed, which lack subsidies because there are no large holdings.

1. Is this clear discrimination between cattle production in northern and southern countries acceptable?

2. Can the Commission indicate whether this proposal recognises the diversity of production in southern Europe compared with other parts of the EU?

(See http://www.eea.europa.eu/data-and-maps/figures/water-limitation-of-crop-primary and http://www.magrama.es/es/cambio-climatico/temas/impactos-vulnerabilidad-y-adaptacion/iniciativas-en-el-ambito-nacional/evaluacion-preliminar-de-los-impactos-en-espana-del-cambio-climatico/eval_impactos.aspx)

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

The Commission proposal for direct payments ([1]) does not discriminate southern against northern Member States as regards cattle breeding. As the Honourable Member correctly indicates, northern livestock production (cattle) is in general more grassland-based, certain southern production more cereals-based. However, both types of production require areas for the production of feedstuff, be it grass or arable land.

In fact, with the Basic Payment Scheme the proposal envisages a decoupled support. However, Member States may decide to grant under certain circumstances coupled support also in the beef and veal sector.

Hence, there is no discrimination between cattle production in northern and southern countries. The proposal recognises the diversity of production in southern Europe by offering a range of flexible instruments for direct support.

([1]) COM(2011) 625/3.

(Versión española)

Pregunta con solicitud de respuesta escrita E-002233/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(28 de febrero de 2012)

Asunto: Pastoreo en zonas orográficas y climatológicas complicadas

De la propuesta de la PAC de la Comisión Europea se puede derivar otra consecuencia negativa, el problema que podría surgir de la necesidad artificial de forzar el pastoreo en zonas donde la climatología y orografía no lo permiten. Esto podría provocar, a nuestro entender, una erosión aguda en zonas delicadas, lo que sería contrario al objetivo de la propuesta de la Comisión en lo que se refiere a los aspectos medioambientales. La actividad ligada a la producción de carne basada en la transformación de cereales y oleaginosas contribuye indirectamente a disminuir la presión ganadera en zonas de mayor valor ambiental, ya que la actividad de cebo se desarrolla en zonas más controladas y menos vulnerables desde el punto de vista medioambiental.

En vista de lo expuesto y teniendo en cuenta las realidades climatológicas del sur de Europa ([1]), que se encuentra afectada de manera considerable por los efectos del cambio climático y la desertización, diferentes a los de otras partes del mundo,

¿cómo se puede incentivar el pastoreo cuando provoca una mayor desertización y una gran erosión del suelo?

Respuesta del Sr. Cioloş en nombre de la Comisión
(16 de abril de 2012)

La propuesta de la Comisión sobre los pagos directos ([2]) no contiene incentivos del pastoreo. La definición de superficie admisible [artículo 25, apartado 2, letra a)] señala que se entiende por «hectárea admisible»:

«cualquier superficie agraria de la explotación que se utilice para una actividad agraria o, cuando la superficie se utilice igualmente para actividades no agrarias, se utilice predominantemente para actividades agrarias».

Por «actividad agraria» se entiende [artículo 4, letra c)]:

«— la cría o el cultivo de productos agrarios, con inclusión de la cosecha, el ordeño, la cría de animales y el mantenimiento de animales a efectos agrícolas,

— el mantenimiento de la superficie agrícola en un estado idóneo para pasto o cultivo sin ninguna acción preparatoria especial que vaya más allá de los métodos y maquinaria agrícolas tradicionales, o

— la realización de una actividad mínima que debe ser establecida por los Estados miembros en las superficies agrícolas naturalmente mantenidas en un estado adecuado para pastos o cultivo.»

Así pues, basándose en esas definiciones, la propuesta de la PAC no fuerza a los agricultores al pastoreo.

([1]) http://www.magrama.es/es/cambio-climatico/temas/impactos-vulnerabilidad-y-adaptacion/01_el_clima_de_espana_2_tcm7-12417.pdf
http://www.magrama.es/es/cambio-climatico/temas/impactos-vulnerabilidad-y-adaptacion/iniciativas-en-el-ambito-nacional/evaluacion-preliminar-de-los-impactos-en-espana-del-cambio-climatico/eval_impactos.aspx

([2]) COM(2011)625/3.

(English version)

Question for written answer E-002233/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(28 February 2012)

Subject: Grazing in mountainous terrain and areas with a complex climate

Another negative consequence that could well arise from the Commission's proposal for the common agricultural policy lies in the artificial need to impose grazing on areas unsuitable for this due to their climate and mountainous terrain. We believe that this could cause acute erosion in sensitive areas, which would run counter to the environmental aims of the Commission's proposal. Activity linked to meat production that is based on processing cereals and oilseed plants contributes indirectly to reducing livestock pressure on areas of higher environmental value, since feed is produced in areas that are better controlled and environmentally less vulnerable.

Furthermore, southern Europe's climate realities ([1]) differ from those in other parts of the world, and it is being hit hard by the effects of climate change and desertification:

In view of the above facts, how can incentives be given for grazing when this causes increased desertification and large-scale soil erosion?

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

The Commission proposal for direct payments ([2]) does not contain incentives for grazing. The definition of eligible land [Article 25.2(a)] states that eligible hectares are:

'any agricultural area of the holding that is used for an agricultural activity or, where the area is used as well for non-agricultural activities, predominantly used for agricultural activities'.

This 'agricultural activity' means [Article 4(c)]:

'…
— rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes,
— maintaining the agricultural area in a state which makes it suitable for grazing or cultivation without any particular preparatory action going beyond traditional agricultural methods and machineries, or
— carrying out a minimum activity to be established by Member States on agricultural areas naturally kept in a state suitable for grazing or cultivation;'

Therefore, based on these definitions, in the light of the CAP proposal grazing is not imposed to farmers.

([1]) http://www.magrama.es/es/cambio-climatico/temas/impactos-vulnerabilidad-y-adaptacion/01_el_clima_de_espana_2_tcm7-12417.pdf, http://www.magrama.es/es/cambio-climatico/temas/impactos-vulnerabilidad-y-adaptacion/iniciativas-en-el-ambito-nacional/evaluacion-preliminar-de-los-impactos-en-espana-del-cambio-climatico/eval_impactos.aspx.
([2]) COM(2011) 625/3.

(Version française)

Question avec demande de réponse écrite P-002520/12
à la Commission
Anne Delvaux (PPE)
(5 mars 2012)

Objet: Accord entre l'Union européenne et les États-Unis sur l'ouverture des marchés de produits bios

L'Union européenne et les États-Unis se sont mis d'accord pour ouvrir mutuellement leurs marchés de produits bios, un accord dont la Commission européenne et Washington attendent qu'il entraîne une poussée des échanges transatlantiques dans ce secteur en forte croissance.

Aux termes de l'accord, il apparaît que les normes et certifications «bio» européennes et américaines ont été reconnues équivalentes dans le but de faciliter l'échange des produits estampillés bios dans les deux sens.

Jusqu'ici, le commerce transatlantique de produits bios impliquait l'obtention de deux certifications. Mais alors que l'Union européenne avait déjà exempté un certain nombre de pays producteurs de produits bios (dont l'Argentine, l'Inde, le Costa Rica et la Nouvelle-Zélande) de l'obtention de ces certifications, j'apprends que cette dispense vaudra également à partir du 1er juin 2012 pour les États-Unis.

Certes, le chiffre d'affaires combiné du «bio» dans les 27 États membres de l'Union européenne et aux États-Unis est évalué à 38 milliards d'euros et représente 90 % du chiffre d'affaires mondial sur ce segment. Certes, on peut légitimement penser que ce partenariat viendra renforcer la compétitivité dans ce secteur et ouvrira de nouveaux marchés aux agriculteurs et éleveurs américains. Mais j'ai toujours prôné une agriculture qui se développe d'abord localement et je m'interroge sur cette dispense de certification à l'endroit des États-Unis principalement du fait que ce pays est également un important producteur d'OGM.

— Pourquoi cette dispense a-t-elle été décrétée et sur la base de quels critères cette décision a-t-elle été prise?

— Je m'inquiète également de la reconnaissance de l'équivalence des normes de certification américaines et européennes. Sur la base de quels critères cette équivalence de certifications a-t-elle été déterminée?

Réponse donnée par M. Cioloş au nom de la Commission
(27 mars 2012)

Le 15 février 2012, l'Union européenne et les États-Unis d'Amérique ont signé un arrangement autorisant la reconnaissance mutuelle de leurs normes respectives de production biologique et de contrôle des produits biologiques sur la base de leur législation respective et établissant un groupe de travail UE-US sur l'agriculture biologique. Un élément essentiel de cet arrangement réside dans l'intention des deux parties d'éviter la double certification des produits biologiques et, partant, des dépenses inutiles pour les agriculteurs biologiques.

Du côté de l'Union, la base juridique pour la reconnaissance des normes des États-Unis en matière de produits biologiques est prévue à l'article 33, paragraphe 2, du règlement (CE) n° 834/2007 relatif à la production biologique et à l'étiquetage des produits biologiques et abrogeant le règlement (CEE) n° 2092/91 ([1]), selon lequel la Commission peut reconnaître les pays tiers dont le système de production répond à des principes et à des règles de production équivalents à ceux énoncés dans la législation pertinente de l'Union et dont les mesures de contrôle sont d'une efficacité équivalente à celles de l'Union. L'évaluation de l'équivalence tient compte des lignes directrices CAC/GL 32 du Codex Alimentarius.

À cet effet, la Commission a adopté le règlement (UE) n° 126/2012 ([2]) reconnaissant le *United States National Organic Program* (ou NOP, programme national de production biologique des États-Unis), après un réexamen approfondi des normes américaines réalisé par des experts, trois séries de discussions techniques bilatérales et une visite sur place en octobre 2010.

En ce qui concerne l'utilisation généralisée des organismes génétiquement modifiés (OGM) aux États-Unis, il convient de souligner que les normes du NOP, tout comme la législation européenne pertinente, excluent formellement l'utilisation d'OGM dans la filière de production biologique (7 CFR 205 2).

([1]) JO L 189 du 20.7.2007, p. 1.
([2]) JO L 41 du 15.2.2012, p. 5.

(English version)

Question for written answer P-002520/12
to the Commission
Anne Delvaux (PPE)
(5 March 2012)

Subject: Agreement between the European Union and the United States on opening up organic produce markets

The EU and the US have concluded an agreement to open up their organic produce markets to each other, an agreement which the Commission and Washington expect will bring about further transatlantic trade in this rapidly growing sector.

Under the terms of the agreement, it appears that European and US organic standards and certification are recognised as equivalent, in order to facilitate the trade in products marked organic in both directions.

Previously, transatlantic trade in organic products involved obtaining two different certifications. While the EU had already exempted a number of organic-producing countries (including Argentina, India, Costa Rica and New Zealand) from having to obtain these certifications, this exemption will also apply to the United States with effect from 1 June 2012.

The combined turnover generated by organic products in the 27 EU Member States and in the United States is estimated at EUR 38 billion, accounting for 90% of global turnover in this sector. There is certainly reason to believe that this partnership will strengthen competitiveness and open up new markets for American livestock and arable farmers. I have always advocated locally developed farming and I wonder about this certification exemption for the United States, mainly because this country is also a major producer of GMOs.

— Can the Commission explain why this exemption has been granted? On what basis was the decision taken?

— I am also concerned about the recognition of US and European certification standards as equivalent. On what criteria was this decided?

Answer given by Mr Cioloş on behalf of the Commission
(27 March 2012)

The European Union and the United States of America have signed an arrangement allowing the mutual recognition of respective organic production and control standards on the basis of their respective legislation, and setting up an EU-US working group on organic agriculture on 15 February 2012. A key aspect of this arrangement is the intention of both sides to avoid double certification of organic products, thereby avoiding unnecessary costs for organic farmers.

On the Union side, the legal basis for the recognition of the United States organic product rules is provided in Article 33(2) of Regulation (EC) No 834/2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 ([1]), according to which the Commission may recognise the third countries whose system of production complies with principles and production rules equivalent to those laid in the relevant legislation of the Union and whose control measures are of equivalent effectiveness to those of the Union. The assessment of equivalency shall take into account Codex Alimentarius guidelines CAC/GL 32.

To this effect, the Commission adopted Regulation (EU) No 126/2012 ([2]) recognising the United States National Organic Program (NOP) following a thorough expert review of the US rules, three rounds of bilateral technical discussions and an on-the-spot visit in October 2010.

Regarding the widespread use of GMOs in the US, it should be stressed that the NOP rules strictly exclude any use of GMOs in organic production (7 CFR 205.2), as does relevant EU legislation.

([1]) OJ L 189, 20.7.2007, p. 1.
([2]) OJ L 41, 15.2.2012, p. 5.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002521/12
an die Kommission
Martin Ehrenhauser (NI)
(6. März 2012)

Betrifft: PNR-Kosten für die Mitgliedstaaten

Kann die Kommission angeben, welche Kosten auf die Mitgliedstaaten zukommen, wenn ein PNR-System eingeführt wird, welches von jedem Mitgliedstaat selbst betrieben wird und die Kosten allein von dem Mitgliedstaat getragen werden, aufgeschlüsselt nach Mitgliedstaat und der Berücksichtigung von innereuropäischen Flügen sowie ohne Berücksichtigung von innereuropäischen Flügen?

Antwort von Frau Malmström im Namen der Kommission
(13. April 2012)

Die Kommission hat eine Schätzung der im Zusammenhang mit ihrem Vorschlag für eine Richtlinie über die Verwendung von Fluggastdatensätzen zu Zwecken der Verhütung, Aufdeckung, Aufklärung und strafrechtlichen Verfolgung von terroristischen Straftaten und schwerer Kriminalität ([1]) entstehenden Kosten vorgenommen. Diese Berechnungen sind in dem Folgenabschätzungsbericht, der dem Vorschlag der Kommission beiliegt ([2]), detailliert aufgeführt.

Die Kommission ist zu dem Schluss gelangt, dass, falls die Fluggesellschaften beschließen, ihre Kosten an die Fluggäste weiterzugeben, dies selbst bei den höchsten Schätzungen zu zusätzlichen Kosten von weniger als 0,10 EUR pro Ticket führen würde. Dieser Betrag wurde ermittelt, indem sämtliche den Fluggesellschaften entstehende Kosten (50 360 000 EUR) addiert und durch die Gesamtzahl der Fluggäste auf internationalen Flügen (500 000 000) dividiert wurden.

Der Vorschlag der Kommission hätte auch finanzielle Auswirkungen auf die Mitgliedstaaten. Genaue Informationen über diese Auswirkungen finden sich ebenfalls in dem genannten Bericht.

Die Kommission hat die durch eine Einbeziehung von Flügen innerhalb der EU entstehenden Kosten nicht bewertet, da diese Flüge nicht in den Anwendungsbereich der Kommissionsvorschlags fallen. Angesichts der Tatsache, dass die Zahl der Flüge innerhalb der EU dreimal so hoch ist wie die Zahl der internationalen Flüge, dürfte die Einbeziehung dieser Flüge jedoch erhebliche Auswirkungen auf die Kosten haben.

([1]) KOM(2011)32 endg. vom 2.2.2011.
([2]) SEK(2011)132 endg. vom 2.2.2011.

(English version)

Question for written answer E-002521/12
to the Commission
Martin Ehrenhauser (NI)
(6 March 2012)

Subject: Passenger Number Record (PNR) costs for Member States

Can the Commission provide information, broken down by Member State, on how much it will cost Member States if a PNR system is introduced that is operated by each Member State entirely at its own expense? What would the costs be if internal flights within Europe were to be included, and if such flights were to be excluded?

Answer given by Ms Malmström on behalf of the Commission
(13 April 2012)

The Commission has estimated the costs relating to its proposal for a directive on the use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime ([1]). These calculations appear in detail in the impact assessment Report that accompanies the Commission's proposal ([2]).

The Commission concluded that even with the highest estimates, if the carriers decide to pass on their costs to passengers, this would result in an additional cost of less than EUR 0.10 per ticket. This figure was calculated by adding together all the costs for the carriers, equal to EUR 50 360 000, and dividing it by the total number of passengers on international flights, i.e. 500 000 000.

The Commission's proposal would also have a financial impact on Member States. Detailed information on that impact is contained in the same Report.

The Commission has not assessed the costs of including intra-EU flights, as such flights are not included in the scope of the Commission's proposal. However, given that the number of intra-EU flights is 3 times higher than the number of international flights, it is estimated that the inclusion of such flights would have a substantial impact on costs.

([1]) COM(2011) 32 final, 2.2.2011.
([2]) SEC(2011) 132 final, 2.2.2011.

(българска версия)

Въпрос с искане за писмен отговор E-002533/12
до Комисията
Renate Weber (ALDE), Sonia Alfano (ALDE), Gianni Vattimo (ALDE), Louis Michel (ALDE), Cecilia Wikström (ALDE), Jan Mulder (ALDE), Станимир Илчев (ALDE) и баронеса Sarah Ludford (ALDE)
(6 март 2012 г.)

Относно: Унгарски закон за медиите

Ситуацията в Унгария предизвиква сериозна загриженост в Европа и на международно равнище поради приетите от управляващите промени в Конституцията, приемането на някои „кардинални закони“, както и на законодателни мерки, които налагат контрол от страна на правителството върху законодателната власт, върху съдебната система и икономиката, върху медиите. Европейският парламент прие три резолюции относно Унгария, в които се призовава за предприемане на действия за избягване на политическа криза, която би могла да засегне целия Европейски съюз. Комисията по граждански свободи, правосъдие и вътрешни работи на ЕП също така проведе изслушване ([1]) във връзка със ситуацията в Унгария на 9 февруари 2012 г., в което участваха и представители на правителството на Унгария.

По този повод унгарският заместник министър-председател Наврашиш заяви, че след решението на унгарския Конституционен съд относно закона за медиите последният ще бъде изменен и унгарското правителство ще изпрати проектоизмененията на Съвета на Европа за оценка.

1. Разполага ли Комисията с информация дали от Съвета на Европа вече е било поискано да извърши оценка на закона за медиите и дали унгарските органи вече са изпратили закона за медиите заедно с измененията на Съвета на Европа, и по-специално на Венецианската комисия?

2. По време на изслушването и след това няколко членове на делегацията на FIDESZ в Европейския парламент като József Szájer ([2]), Lívia Járóka ([3]), Kinga Gál ([4]) отправиха публични критики във връзка с коментарите на комисар Крус по време на събитието. Каква е реакцията на Комисията спрямо тези критики?

Отговор, даден от г-жа Крус от името на Комисията
(25 април 2012 г.)

Заместник-председателката на Комисията, отговаряща за Програмата в областта на цифровите технологии, настоятелно прикани унгарското правителство да поиска изрично и прозрачно от Съвета на Европа комплексно становище относно съответствието на унгарското медийно законодателство и неговото прилагане на практика с основните права, както и да приеме и приложи препоръките на Съвета на Европа, в съответствие с европейските стандарти.

Досега, обаче, унгарското правителство нито е поискало публично оценка, нито е представило свои предложения за изменения на Съвета на Европа. Комисията разбира, че Съветът на Европа при всяко положение ще издаде *ex officio* становище по настоящото унгарско медийно законодателство в най-скоро време, след оценката на Венецианската комисия на други аспекти на конституционната реформа.

По отношение на критиките, отправени от няколко членове на Парламента, че заместник-председателката на Комисията, отговаряща за Програмата в областта на цифровите технологии, е превишила правомощията си, като е приканила унгарското правителство да поеме ангажимент за спазване на препоръките на Съвета на Европа по отношение на свободата на словото и свободата на медиите, то заместник-председателката отговори на отвореното писмо на европейския депутат József Szájer и публикува този отговор на своя блог ([5]).

Тя подчерта, че спазването на свободата и плурализма на медиите е не просто свързано с правилното прилагане на правото на ЕС и националното право, но също така, и което е още по-важно, с насърчаването на практическото прилагане на тези основни принципи. Тези ценности са заложени в договорите за ЕС, в Хартата на основните права и в Европейската конвенция за защита на правата на човека и следователно тяхната защита е част от мандата на Европейската комисия в рамките на правомощията, предоставени ѝ в договорите на ЕС.

([1]) http://www.europarl.europa.eu/news/en/pressroom/content/20120206IPR37350/html/Hungary-MEPs-hear-from-civil-society-media-and-the-government.
([2]) http://www.politics.hu/20120213/fidesz-mep-szajer-accuses-eu-media-commissioner-kroes-of-overstepping-authority/.
([3]) http://www.politics.hu/20120217/fidesz-mep-asks-eu-commissioner-kroes-to-respect-facts/.
([4]) http://www.europeanvoice.com/article/2012/february/kroes-has-grave-concerns-about-hungarian-media-laws/73557.aspx.
([5]) http://blogs.ec.europa.eu/neelie-kroes/hungary-reply-szajer/.

(Version française)

Question avec demande de réponse écrite E-002533/12
à la Commission
Renate Weber (ALDE), Sonia Alfano (ALDE), Gianni Vattimo (ALDE), Louis Michel (ALDE), Cecilia Wikström (ALDE), Jan Mulder (ALDE), Stanimir Ilchev (ALDE) et Baroness Sarah Ludford (ALDE)
(6 mars 2012)

Objet: Loi hongroise sur les médias

La situation en Hongrie soulève de vives inquiétudes en Europe et au niveau international à la suite des modifications constitutionnelles apportées par le gouvernement et de l'adoption de lois cardinales et de mesures législatives imposant un contrôle gouvernemental du pouvoir législatif, du pouvoir judiciaire, de l'économie ainsi que des médias. Le Parlement européen a adopté trois résolutions relatives à la Hongrie demandant l'adoption de mesures afin d'éviter une crise politique qui pourrait toucher l'ensemble de l'Union européenne. La commission des libertés civiles, de la justice et des affaires intérieures du Parlement européen a également organisé une audition ([1]) sur la situation en Hongrie le 9 février, à laquelle des représentants du gouvernement hongrois ont également participé.

À cette occasion, le vice-Premier ministre hongrois, Tibor Navracsics, a affirmé que, conformément à l'arrêt rendu par la Cour constitutionnelle hongroise sur la loi sur les médias, celle-ci serait modifiée et que le gouvernement hongrois enverrait les projets d'amendement au Conseil de l'Europe pour qu'ils soient soumis à l'évaluation de ce dernier.

1. La Commission sait-elle si le Conseil de l'Europe a déjà été prié de procéder à l'évaluation de la loi sur les médias et si les autorités hongroises ont déjà envoyé cette loi ainsi que les amendements au Conseil de l'Europe, et notamment à la Commission de Venise?

2. Pendant et après l'audition, certains membres de la délégation du Fidesz au Parlement européen, tels que József Szájer ([2]), Lívia Járóka ([3]) et Kinga Gál ([4]), ont critiqué publiquement les remarques formulées par la commissaire Kroes lors de cet évènement. Comment la Commission réagit-elle à ces critiques?

Réponse donnée par M[me] Kroes au nom de la Commission
(25 avril 2012)

La Vice-présidente de la Commission responsable de la stratégie numérique a insisté auprès du gouvernement hongrois pour qu'il demande, de manière explicite et transparente, un avis détaillé au Conseil de l'Europe sur la conformité de la législation relative aux médias, et de son application, avec les droits fondamentaux, et pour qu'il accepte et mette en œuvre les recommandations du Conseil de l'Europe, conformément aux normes européennes.

Cependant, le gouvernement hongrois n'a, jusqu'à présent, ni demandé publiquement une évaluation, ni présenté ses projets d'amendement au Conseil de l'Europe. La Commission croit savoir que le Conseil de l'Europe émettra très prochainement, en tout état de cause et de sa propre initiative, un avis au sujet des lois hongroises actuelles sur les médias, suite à l'évaluation de la Commission de Venise sur d'autres aspects de la réforme constitutionnelle.

Face aux critiques lancées par plusieurs députés européens, affirmant que la Vice-présidente de la Commission responsable de la stratégie numérique avait outrepassé les responsabilités relevant de son mandat, en invitant le gouvernement hongrois à s'engager à se conformer aux recommandations du Conseil de l'Europe concernant la liberté d'expression et les médias, la Vice-présidente a répondu par une lettre ouverte à József Szájer, député du Parlement européen, qu'elle a publiée sur son blog ([5]).

Elle a souligné que le respect de la liberté et du pluralisme des médias passe non seulement par la bonne application des droits européen et national, mais aussi, et surtout, par la mise en œuvre et par la promotion, dans la pratique, de ces principes fondamentaux. Ces valeurs sont consacrées par les traités de l'UE, la Charte des droits fondamentaux et la Convention européenne des Droits de l'homme. Leur défense relève, par conséquent, du mandat de la Commission européenne, dans le cadre des compétences qui lui sont conférées par les traités de l'UE.

([1]) http://www.europarl.europa.eu/news/fr/pressroom/content/20120206IPR37350/html/Hongrie-audition-avec-la-soci%C3%A9t%C3%A9-civile-les-m%C3%A9dias-et-le-gouvernement
([2]) http://www.politics.hu/20120213/fidesz-mep-szajer-accuses-eu-media-commissioner-kroes-of-overstepping-authority/
([3]) http://www.politics.hu/20120217/fidesz-mep-asks-eu-commissioner-kroes-to-respect-facts/
([4]) http://www.europeanvoice.com/article/2012/february/kroes-has-grave-concerns-about-hungarian-media-laws/73557.aspx
([5]) http://blogs.ec.europa.eu/neelie-kroes/hungary-reply-szajer/

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002533/12
alla Commissione
Renate Weber (ALDE), Sonia Alfano (ALDE), Gianni Vattimo (ALDE), Louis Michel (ALDE), Cecilia Wikström (ALDE), Jan Mulder (ALDE), Stanimir Ilchev (ALDE) e Baroness Sarah Ludford (ALDE)
(6 marzo 2012)

Oggetto: Legge ungherese sui media

La situazione in Ungheria sta sollevando gravi preoccupazioni a livello europeo e internazionale in seguito alle modifiche apportate dal governo alla Costituzione e all'approvazione di «leggi cardinali» e di misure legislative, che impongono il controllo del governo sul Parlamento, sulla magistratura e sull'economia, nonché sui mezzi di comunicazione. Il Parlamento ha approvato tre risoluzioni concernenti l'Ungheria, in cui invita a intraprendere azioni volte a evitare una crisi politica che potrebbe coinvolgere l'intera Unione europea. Inoltre la commissione per le libertà civili, la giustizia e gli affari interni del Parlamento europeo ha organizzato un'audizione [1] sulla situazione in Ungheria il 9 febbraio 2012, alla quale hanno partecipato anche alcuni rappresentanti del governo ungherese.

Nel corso di tale audizione il vice Primo ministro ungherese, Tibor Navracsics, ha dichiarato che, in seguito alla sentenza della Corte costituzionale ungherese in merito alla legge sui media, quest'ultima sarà modificata e il governo ungherese provvederà a inviare i progetti di emendamento al Consiglio d'Europa per una valutazione.

1. Risulta alla Commissione che il Consiglio d'Europa sia già stato invitato a effettuare una valutazione della legge sui media e che le autorità ungheresi abbiano già inviato la legge in questione e i relativi emendamenti al Consiglio d'Europa e, in particolare, alla Commissione di Venezia?

2. Nel corso dell'audizione e in seguito ad essa alcuni membri della delegazione Fidesz presso il Parlamento europeo, tra cui József Szájer ([2]), Lívia Járóka ([3]) e Kinga Gál ([4]), hanno pubblicamente espresso le loro critiche nei confronti delle osservazioni formulate dal commissario Kroes in tale occasione. Qual è la reazione della Commissione di fronte a tali critiche?

Risposta data da Neelie Kroes a nome della Commissione
(25 aprile 2012)

La Vicepresidente della Commissione responsabile per l'Agenda digitale ha esortato il governo ungherese a richiedere in maniera esplicita e trasparente al Consiglio d'Europa di emettere un parere circostanziato sulla conformità della legislazione sui media, nonché della sua applicazione pratica, con i diritti fondamentali e ad accogliere e attuare le raccomandazioni dello stesso Consiglio d'Europa, allineandosi alla normativa europea.

Tuttavia ad oggi il governo ungherese non ha né richiesto ufficialmente una valutazione, né presentato i propri progetti di emendamento al Consiglio d'Europa. Alla Commissione risulta che a breve il Consiglio d'Europa emetterà comunque d'ufficio un parere in merito all'attuale legislazione ungherese sui media, che farà seguito alla valutazione della Commissione di Venezia su altri aspetti della riforma costituzionale.

Riguardo alle critiche mosse da diversi membri del Parlamento, secondo cui la Vicepresidente della Commissione responsabile per l'Agenda digitale nel chiedere al governo ungherese di impegnarsi a rispettare le raccomandazioni del Consiglio d'Europa in tema di libertà di espressione e media sarebbe andata al di là delle sue competenze, la stessa Vicepresidente ha preso posizione nella risposta (pubblicata sul suo blog ([5])) ad una lettera aperta del presidente del Parlamento europeo József Szájer.

Nella risposta, la Vicepresidente ha evidenziato che il rispetto della libertà dei media e del pluralismo dei media non riguarda soltanto l'applicazione del diritto unionale e nazionale, ma, aspetto ancor più importante, anche il modo in cui tali principi fondamentali vengono messi in pratica e promossi. Questi valori sono sanciti dai trattati dell'UE, dalla Carta dei diritti fondamentali dell'Unione europea e dalla Convenzione europea dei diritti dell'uomo ed è pertanto compito della Commissione europea tutelarli nel quadro delle competenze conferitele dagli stessi trattati dell'Unione.

([1]) http://www.europarl.europa.eu/news/it/pressroom/content/20120206IPR37350/html/Hungary-MEPs-hear-from-civil-society-media-and-the-government.
([2]) http://www.politics.hu/20120213/fidesz-mep-szajer-accuses-eu-media-commissioner-kroes-of-overstepping-authority/.
([3]) http://www.politics.hu/20120217/fidesz-mep-asks-eu-commissioner-kroes-to-respect-facts/.
([4]) http://www.europeanvoice.com/article/2012/february/kroes-has-grave-concerns-about-hungarian-media-laws/73557.aspx.
([5]) http://blogs.ec.europa.eu/neelie-kroes/hungary-reply-szajer/.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002533/12
aan de Commissie
Renate Weber (ALDE), Sonia Alfano (ALDE), Gianni Vattimo (ALDE), Louis Michel (ALDE), Cecilia Wikström (ALDE), Jan Mulder (ALDE), Stanimir Ilchev (ALDE) en Baroness Sarah Ludford (ALDE)
(6 maart 2012)

Betreft: Hongaarse mediawet

De situatie in Hongarije veroorzaakt grote verontrusting binnen Europa en op internationaal niveau, als gevolg van grondwetswijzigingen door de overheid, de aanname van fundamentele wetten en wetgevende maatregelen die overheidscontrole opdringen aan de wetgevende macht, de rechterlijke macht, de economie en de media. Het Europees Parlement heeft drie resoluties aangenomen voor Hongarije die oproepen tot actie om een politieke crisis te voorkomen die de hele Europese Unie zou kunnen treffen. De Commissie burgerlijke vrijheden, justitie en binnenlandse zaken van het EP heeft ook een hoorzitting georganiseerd ([1]) betreffende de situatie in Hongarije, op 9 februari, waar ook vertegenwoordigers van de Hongaarse overheid aanwezig waren.

Op die gelegenheid heeft de Hongaarse vicepremier Tibor Navracsics bevestigd dat, als gevolg van de uitspraak van het Hongaarse hooggerechtshof betreffende de mediawet, de wet aangepast wordt en dat de Hongaarse overheid de ontwerpamendementen naar de Raad van Europa zou sturen om zijn beoordeling te vragen.

1. Weet de Commissie of de Raad van Europa al gevraagd is om zijn beoordeling van de mediawet en of de Hongaarse autoriteiten de mediawet en de amendementen al naar de Raad van Europa hebben gestuurd en met name naar de Commissie van Venetië?

2. Tijdens en na de hoorzitting hebben enkele leden van de delegatie van de Fidesz, zoals József Szájer ([2]), Lívia Járóka ([3]) en Kinga Gál ([4]), openbaar hun kritiek geuit op de opmerkingen van Commissaris Kroes tijdens het evenement.

Wat is de reactie van de Commissie op die kritiek?

Antwoord van mevrouw Kroes namens de Commissie
(25 april 2012)

De vice-voorzitter van de Commissie die bevoegd is voor de Digitale agenda heeft de Hongaarse regering uitdrukkelijk verzocht om de Raad van Europa expliciet en transparant te vragen om een allesomvattend advies over de vraag of de mediawetgeving en de toepassing daarvan in de praktijk in overeenstemming zijn met de grondrechten, en de aanbevelingen van die Raad te accepteren en uit te voeren, overeenkomstig de Europese normen.

De Hongaarse regering heeft de Raad van Europa echter tot dusver noch officieel om een beoordeling gevraagd, noch haar ontwerpwijzigingen voorgelegd. De Commissie begrijpt dat de Raad van Europa in ieder geval zeer binnenkort ambtshalve een advies zal uitbrengen over de huidige Hongaarse mediawetgeving na beoordeling van andere aspecten van de grondwetshervorming door de Commissie van Venetië.

Ten aanzien van de door verscheidene parlementsleden geuite kritiek dat de voor de Digitale agenda bevoegde vice-voorzitter van de Commissie haar mandaat had overschreden door de Hongaarse regering te vragen zich in te zetten voor de naleving van de aanbevelingen van de Raad van Europa op het gebied van de vrijheid van meningsuiting en de persvrijheid, wordt erop gewezen dat de vice-voorzitter heeft geantwoord op een open brief van József Szájer; beide teksten heeft zij op haar blog ([5]) bekendgemaakt.

Zij benadrukte daarin dat de naleving van de mediavrijheid en het pluralisme van de media niet alleen over de correcte toepassing van de Europese en nationale wetgeving gaat, maar ook, en belangrijker nog, over de toepassing en de bevordering van deze fundamentele beginselen in de praktijk. Deze waarden zijn verankerd in de EU-Verdragen, in het Handvest van de grondrechten en in het Europees Verdrag voor de rechten van de mens, en de verdediging van die waarden maakt derhalve deel uit van het mandaat van de Europese Commissie in het kader van de bevoegdheden die haar op grond van de EU-Verdragen zijn verleend.

([1]) http://www.europarl.europa.eu/news/nl/pressroom/content/20120206IPR37350/html/Hungary-MEPs-hear-from-civil-society-media-and-the-government.
([2]) http://www.politics.hu/20120213/fidesz-mep-szajer-accuses-eu-media-commissioner-kroes-of-overstepping-authority/.
([3]) http://www.politics.hu/20120217/fidesz-mep-asks-eu-commissioner-kroes-to-respect-facts/.
([4]) http://www.europeanvoice.com/article/2012/february/kroes-has-grave-concerns-about-hungarian-media-laws/73557.aspx.
([5]) http://blogs.ec.europa.eu/neelie-kroes/hungary-reply-szajer/.

(Svensk version)

Frågor för skriftligt besvarande E-002533/12
till kommissionen
Renate Weber (ALDE), Sonia Alfano (ALDE), Gianni Vattimo (ALDE), Louis Michel (ALDE), Cecilia Wikström (ALDE), Jan Mulder (ALDE), Stanimir Ilchev (ALDE) och Baroness Sarah Ludford (ALDE)
(6 mars 2012)

Angående: Den ungerska medielagen

Situationen i Ungern ger anledning till allvarlig oro i EU och på internationell nivå på grund av regeringens ändringar av konstitutionen, antagandet av "kardinallagar" samt lagstiftningsåtgärder som innebär att regeringen får kontroll över lagstiftningen, rättsväsendet och ekonomin samt över medierna. Europaparlamentet har antagit tre resolutioner som gäller Ungern och efterlyser åtgärder för att undvika en politisk kris som skulle kunna påverka hela EU. Europaparlamentets utskott för medborgerliga fri- och rättigheter samt rättsliga och inrikes frågor organiserade därför den 9 februari 2012 en utfrågning ([1]) om situationen i Ungern då även ungerska regeringsföreträdare deltog.

Vid detta tillfälle bekräftade den ungerske vice premiärministern Tibor Navracsics att lagstiftningen efter den ungerska författningsdomstolens beslut om medielagen skulle ändras och att den ungerska regeringen skulle skicka ändringsförslagen till Europarådet för bedömning.

1. Känner kommissionen till om man redan har anmodat Europarådet att göra en bedömning av medielagen och om de ungerska myndigheterna redan har skickat medielagen och ändringsförslagen till Europarådet och framför allt till Venedigkommissionen?

2. Under och efter utfrågningen uttryckte några ledamöter av Europaparlamentets Fideszdelegation, till exempel József Szájer ([2]), Lívia Járóka ([3]) och Kinga Gál ([4]) offentligen sin kritik av de anmärkningar som under utfrågningen gjordes av kommissionsledamot Neelie Kroes.

Vilken är kommissionens reaktion på denna kritik?

Svar från Neelie Kroes på kommissionens vägnar
(25 april 2012)

Kommissionens vice ordförande Neelie Kroes, som ansvarar för den digitala agendan, har uppmanat den ungerska regeringen att uttryckligen och öppet be Europarådet om ett utförligt yttrande om medielagstiftningens, och dess praktiska tillämpnings, förenlighet med grundläggande rättigheter och att godta och genomföra Europarådets rekommendationer, i linje med europeisk standard.

Hittills har den ungerska regeringen varken gjort någon offentlig begäran om bedömning eller lämnat in några ändringsförslag till Europarådet. Enligt vad kommissionen erfar kommer Europarådet hur som helst mycket snart att på eget initiativ utfärda ett yttrande om den nuvarande ungerska medialagen, efter Venedigkommissionens bedömning av andra aspekter av den konstitutionella reformen.

När det gäller den kritik som framförts av flera parlamentsledamöter om att vice ordförande Kroes skulle ha överskridit sina befogenheter genom att uppmana den ungerska regeringen att lova att följa Europarådets rekommendationer avseende yttrandefrihet och mediafrihet, har hon svarat på ett öppet brev från parlamentsledamoten József Szájer ([5]), som hon också har lagt ut på sin blogg.

Kroes framförde att respekten för mediernas frihet och mångfald inte bara handlar om att tillämpa EU-lagstiftning och nationell lagstiftning korrekt, utan också – och framför allt – om att genomföra och främja dessa grundläggande principer i praktiken. Dessa värderingar genomsyrar EU-fördragen, stadgan om de grundläggande rättigheterna och den europeiska konventionen om skydd för de mänskliga rättigheterna och de grundläggande friheterna. Skyddet av dem tillhör därmed Europeiska kommissionens ansvarsområde inom ramen för de befogenheter som den tilldelas genom EU-fördragen.

([1]) http://www.europarl.europa.eu/news/en/pressroom/content/20120206IPR37350/html/Hungary-MEPs-hear-from-civil-society-media-and-the-government
([2]) http://www.politics.hu/20120213/fidesz-mep-szajer-accuses-eu-media-commissioner-kroes-of-overstepping-authority/
([3]) http://www.politics.hu/20120217/fidesz-mep-asks-eu-commissioner-kroes-to-respect-facts/
([4]) http://www.europeanvoice.com/article/2012/february/kroes-has-grave-concerns-about-hungarian-media-laws/73557.aspx
([5]) http://blogs.ec.europa.eu/neelie-kroes/hungary-reply-szajer/

(English version)

Question for written answer E-002533/12
to the Commission
Renate Weber (ALDE), Sonia Alfano (ALDE), Gianni Vattimo (ALDE), Louis Michel (ALDE), Cecilia Wikström (ALDE), Jan Mulder (ALDE), Stanimir Ilchev (ALDE) and Baroness Sarah Ludford (ALDE)
(6 March 2012)

Subject: Hungarian Media Act

The situation in Hungary is giving rise to serious concerns in Europe and at international level following government changes to the Constitution and the adoption of 'cardinal laws', as well as legislative measures, that impose government control over the legislature, the judiciary and the economy, as well as the media. Parliament has adopted three resolutions concerning Hungary, calling for action to avoid a political crisis that could affect the entire European Union. Furthermore, Parliament's Committee on Civil Liberties, Justice and Home Affairs held a hearing ([1]) on the situation in Hungary on 9 February 2012, in which Hungarian Government representatives also took part.

At the hearing, Hungary's Deputy Prime Minister, Tibor Navracsics, affirmed that, following the Hungarian Constitutional Court's ruling on the Media Act, the act would be amended and the Hungarian Government would send the draft amendments to the Council of Europe for assessment.

1. Does the Commission know whether the Council of Europe has already been requested to make an assessment of the Media Act and whether the Hungarian authorities have already sent the Media Act and the amendments thereto to the Council of Europe and, specifically, the Venice Commission?

2. During the hearing and afterwards, a few members of the Fidesz delegation in the European Parliament, including József Szájer ([2]), Lívia Járóka ([3]) and Kinga Gál ([4]), publicly voiced their criticism of the remarks made by Commissioner Kroes during the event. What is the Commission's reaction to this criticism?

Answer given by Mrs Kroes on behalf of the Commission
(25 April 2012)

The Vice-President of the Commission responsible for Digital Agenda urged the Hungarian Government to explicitly and transparently ask the Council of Europe for a comprehensive opinion on the compliance of the media legislation, and its application in practice, with fundamental rights and to accept and implement the recommendations by the Council of Europe, in line with European standards.

However, the Hungarian Government has so far neither publicly requested an assessment nor submitted its draft amendments to the Council of Europe. The Commission understands that the Council of Europe will in any event issue an *ex officio* opinion on the current Hungarian Media Laws very soon, following the Venice Commission's assessment of other aspects of the constitutional reform.

With regard to the criticism made by several Members of Parliament that the Vice-President of the Commission responsible for Digital Agenda had overstepped her mandate by asking the Hungarian Government to commit to complying with recommendations by the Council of Europe regarding the freedom of expression and the media, the Vice-President replied to an open letter by MEP József Szájer, which she published on her blog ([5]).

She highlighted that respect of media freedom and media pluralism is not only about the correct application of EU and national law but also, and more importantly, about implementing and promoting these fundamental principles in practice. These values are enshrined in the EU Treaties, in the Charter of Fundamental Rights and in the European Convention on Human Rights and defending them is therefore part of the mandate of the European Commission within the competences conferred upon it by the EU Treaties.

([1]) http://www.europarl.europa.eu/news/en/pressroom/content/20120206IPR37350/html/Hungary-MEPs-hear-from-civil-society-media-and-the-government.
([2]) http://www.politics.hu/20120213/fidesz-mep-szajer-accuses-eu-media-commissioner-kroes-of-overstepping-authority/.
([3]) http://www.politics.hu/20120217/fidesz-mep-asks-eu-commissioner-kroes-to-respect-facts/.
([4]) http://www.europeanvoice.com/article/2012/february/kroes-has-grave-concerns-about-hungarian-media-laws/73557.aspx.
([5]) http://blogs.ec.europa.eu/neelie-kroes/hungary-reply-szajer/.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002666/12
προς την Επιτροπή
Nikos Chrysogelos (Verts/ALE)
(8 Μαρτίου 2012)

Θέμα: Αγορά όπλων σε αντάλλαγμα του Πακέτου Στήριξης προς την Ελλάδα

Σύμφωνα με την «δέκατη τρίτη ετήσια έκθεση του Συμβουλίου για τον καθορισμό κοινών κανόνων που διέπουν τον έλεγχο των εξαγωγών στρατιωτικής τεχνολογίας και εξοπλισμού» ([1]), επιβεβαιώνεται η πληροφορία ότι ευρωπαϊκές χώρες πούλησαν στην Ελλάδα στρατιωτικό εξοπλισμό αξίας μεγαλύτερης του ενός δισεκατομμυρίου ευρώ την ίδια περίοδο που διαπραγματευόντουσαν το πρώτο πακέτο στήριξης, το 2010. Η Γαλλία ήταν ο μεγαλύτερος προμηθευτής στρατιωτικού εξοπλισμού (876 εκ. ευρώ) ενώ ακολουθούν οι υποστηρικτές των σκληρών μέτρων λιτότητας Γερμανία (36 εκ. ευρώ) και Ολλανδία (53 εκ. ευρώ), η Ιταλία (54 εκ. ευρώ) και η Ισπανία (33 εκ. ευρώ). Δημοσίευμα σε εφημερίδα ([2]) που παρουσιάζει την έκθεση τονίζει δε ότι (σύμφωνα με σύμβουλο του πρώην πρωθυπουργού του οποίου δεν δίδει το όνομα αλλά που είχε επιβεβαιώσει και δημοσίευμα άλλης εφημερίδας στο παρελθόν ([3])) ασκήθηκαν από κράτη μέλη έμμεσες πιέσεις στην προηγούμενη κυβέρνηση για την αγορά των όπλων με αντάλλαγμα την υποστήριξη τους στην παροχή του πακέτου στήριξης. Επίσης, σύμφωνα με δημοσίευμα της Ελληνικής εφημερίδας City Press (6-3-2012) ([4]), η κυβέρνηση με πρωτοβουλία του Έλληνα Υπουργού Άμυνας προωθεί την προμήθεια 6 υπερσύγχρονων γαλλικών φρεγατών έναντι ενός ποσού της τάξης των 3-4 δισεκατομμυρίων ευρώ. Η παραγγελία αυτή έρχεται να προστεθεί στην αγορά από την προηγούμενη κυβέρνηση του ΠΑΣΟΚ ακόμη δύο γερμανικών υποβρυχίων τύπου 214, με κόστος 1 δισ. ευρώ. Την ίδια στιγμή που η Ελληνική Κυβέρνηση και η Τρόικα περικόπτουν μισθούς, συντάξεις και πολύτιμες δαπάνες για την κοινωνική πρόνοια και μέριμνα, κράτη μέλη της ΕΕ (που στηρίζουν τα σκληρά μέτρα λιτότητας) σχεδόν εξαναγκάζουν την Ελλάδα να παραμένει ένας από τους μεγαλύτερους αγοραστές οπλικών συστημάτων στην περιοχή.

Ερωτάται η Επιτροπή:

1. Συνάδει αυτή η πρακτική με τους όρους και τα μέτρα που έχει θέσει η Τρόικα για την προσπάθεια εξυγίανσης των δημοσιονομικών της Ελλάδας;

2. Δεν θεωρεί ότι ο εξορθολογισμός και η σημαντική μείωση των εξοπλιστικών δαπανών της Ελλάδας είναι απαραίτητες και πιο βιώσιμες λύσεις από την οριζόντια μείωση μισθών, συντάξεων και κοινωνικών παροχών;

3. Μπορεί να θεωρηθούν αυτές οι δαπάνες για εξοπλιστικά προγράμματα το 2010 και το 2011 ως «επαχθές χρέος» το οποίο δεν είναι δίκαιο να αποπληρωθεί, λαμβάνοντας υπόψη το αυστηρό πρόγραμμα μισθολογικών και κοινωνικών περικοπών που προωθείται για την αντιμετώπιση του δημόσιου χρέους της χώρας;

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

Η Επιτροπή παραπέμπει τον κ. βουλευτή στην απάντηση που έχει δώσει στη γραπτή ερώτηση E-000616/2012 ([5]).

Η απόφαση σχετικά με τη σύνθεση της δημοσιονομικής προσαρμογής είναι απόφαση που ελήφθη από την ελληνική κυβέρνηση και το ελληνικό κοινοβούλιο, και όχι από την Επιτροπή, το ΔΝΤ και την ΕΚΤ. Ο ρόλος αυτών των θεσμικών οργάνων στο πλαίσιο του προγράμματος προσαρμογής είναι κατά πρώτο και κύριο λόγο να συμβουλεύει και να εξασφαλίζει ότι τα μέτρα που θα ληφθούν θα είναι αξιόπιστα, συνεπή και ποσοτικοποιημένα με ικανοποιητικό τρόπο, καθώς και να παρακολουθούν την εφαρμογή τους.

([1]) 2011/C 382/01, http://eur-lex.europa.eu/JOHtml.do?uri=OJ%3AC%3A2011%3A382%3ASOM%3AEL%3AHTML
([2]) http://euobserver.com/13/115513
([3]) http://www.neurope.eu/article/merkel-and-sarkozy-want-samaras-sign-secure-leopard-and-rafale-sales
([4]) http://www.citypress.gr/index.html?action=article&article=96943
([5]) http://www.europarl.europa.eu/QP-WEB/home.jsp

Οι περικοπές των αμυντικών δαπανών ([6]) αποτελούν σημαντικό μέρος της δημοσιονομικής προσαρμογής στην Ελλάδα από την έναρξη εφαρμογής του προγράμματος. Σύμφωνα με στοιχεία της Eurostat ([7]), οι αμυντικές δαπάνες στην Ελλάδα μειώθηκαν από 4,0% το 2000 σε 3,4% το 2009 και σε 2,2% του ΑΕΠ το 2010. Περικοπές δαπανών πραγματοποιήθηκαν επίσης το 2011 και αναμένονται περαιτέρω περικοπές των αμυντικών δαπανών στο πλαίσιο της πρόσθετης δημοσιονομικής προσαρμογής που προβλέπεται για το 2012-14. Σύμφωνα με την πιο πρόσφατη επικαιροποίηση του ΜΣ ([8]), τα δημοσιονομικά μέτρα που είναι απαραίτητα για τη μείωση του ελλείμματος το 2013 και το 2014 θα πρέπει να επικεντρώνονται στις αμυντικές δαπάνες χωρίς να θίγεται η αμυντική ικανότητα της χώρας, αλλά θα πρέπει να καλύπτουν επίσης τις συντάξεις και τις κοινωνικές μεταβιβάσεις ([9]), την αναδιάρθρωση της κεντρικής διοίκησης και της τοπικής αυτοδιοίκησης, και τον εξορθολογισμό των φαρμακευτικών δαπανών και των λειτουργικών δαπανών των νοσοκομείων.

Οι δαπάνες κοινωνικής πρόνοιας (συντάξεις, οικογενειακά επιδόματα, επιδόματα ανεργίας κ.λπ.) και υγείας ανήλθαν σε 24% του ΑΕΠ το 2010. Δεδομένου του μεγέθους των δαπανών αυτών σε σχέση με τις συνολικές κρατικές δαπάνες και της απότομης αύξησης των δαπανών για κατοχυρωμένα δικαιώματα κατά την περίοδο πριν από την κρίση, οι εν λόγω συνιστώσες των δαπανών πρέπει επίσης να συμβάλουν σημαντικά στη δημοσιονομική εξυγίανση.

([6]) (Για προμήθειες, δαπάνες του Υπουργείου Άμυνας και δαπάνες για το προσωπικό, όπως για παράδειγμα ο αριθμός των εισακτέων στη στρατιωτική ακαδημία).

([7]) Βάση δεδομένων COFOG.

([8]) Βλ. παράρτημα της έκθεσης συμμόρφωσης των υπηρεσιών της Επιτροπής: http://ec.europa.eu/economy_finance/publications/occasional_paper/2012/pdf/ocp94_en.pdf

([9]) (Κατά τρόπο ώστε να διασφαλίζεται η βασική κοινωνική προστασία).

(English version)

Question for written answer E-002666/12
to the Commission
Nikos Chrysogelos (Verts/ALE)
(8 March 2012)

Subject: Arms purchase in exchange for the Greek bail-out

The Thirteenth Annual Report of the Council defining the rules governing control of exports of military technology and equipment ([1]) confirms that European countries sold Greece military equipment worth over EUR 1 billion over the same period that the first bail-out was being negotiated in 2010. France was the major supplier of military equipment (EUR 876 million), while behind France were those proponents of harsh austerity measures, Germany (EUR 36 million), the Netherlands (EUR 53 million), Italy (EUR 54 million) and Spain (EUR 33 million). A newspaper article ([2]) on the report emphasises (according to an anonymous aide of the former Prime Minister — the story had already been confirmed in another newspaper article ([3])) that Member States put direct pressure on the previous Greek Government to buy arms in exchange for their support in providing the bail-out. Similarly, according to an article in the Greek newspaper *City Press* (6.3.2012) ([4]), the Government, on the initiative of the Greek Ministry of Defence, is promoting the procurement of six state-of-the-art French frigates for EUR 3-4 billion. This order complements the purchase by the previous PASOK government of two German type-214 submarines at a cost of EUR 1 billion. At the same time that the Greek Government and the Troika were cutting wages, pensions and valuable expenditure on social protection and care, EU Member States supporting harsh austerity measures were practically forcing Greece to remain one of the biggest purchasers of arms systems in the region.

Will the Commission answer the following?

1. Is this practice in line with the restrictions and measures put in place by the Troika in an attempt to reform Greece's finances?

2. Does the Commission not think that it is more appropriate and a more viable solution for Greece to rationalise and significantly reduce its arms expenditure than to reduce wages, pensions and social provisions across the board?

3. Is this expenditure on arms programmes in 2010 and 2011 seen as an **'**odious debt**'**, the repayment of which is unfair, considering the harsh programme of wage and social cuts being promoted to deal with the country's public debt?

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

The Commission would refer the Honourable Member to its reply to Written Question E-000616/2012 ([5]).

The decision on the composition of fiscal adjustment is the decision of the Greek Government and the Greek Parliament, not of the Commission, the IMF and ECB. The role of these institutions in the context of the adjustment programme is first and foremost to advise, and to ensure that the measures that will be adopted are credible, consistent and well quantified and to monitor their implementation.

Cuts to military spending ([6]) have been a prominent part of the fiscal adjustment in Greece since the beginning of the Programme. According to Eurostat data ([7]), military spending in Greece declined from 4.0 % in 2000, to 3.4 % in 2009 and 2.2 % of GDP in 2010. Cuts in spending have also taken place in 2011 and further cuts to military spending are expected in the context of the additional fiscal adjustment envisaged for 2012-14. According to the latest update of the MoU ([8]), the fiscal measures that are necessary to reduce the deficit in 2013 and 2014 should focus on defence spending without prejudice to the defence capability of the country, but should also cover pensions and social transfers ([9]); restructuring of central and local administrations, and a further rationalization of pharmaceutical spending and operational expenditures of hospitals.

([1]) 2011/C 382/01, http://eur-lex.europa.eu/JOHtml.do?uri=OJ%3AC%3A2011%3A382%3ASOM%3AEL%3AHTML.
([2]) http://euobserver.com/13/115513.
([3]) http://www.neurope.eu/article/merkel-and-sarkozy-want-samaras-sign-secure-leopard-and-rafale-sales.
([4]) http://www.citypress.gr/index.html?action=article&article=96943.
([5]) http://www.europarl.europa.eu/QP-WEB/home.jsp
([6]) (both to procurement, ordinary spending by the Ministry of Defence and staff, including for example the number of entries in the military academy).
([7]) COFOG database.
([8]) See annex to the Commission services' compliance report: http://ec.europa.eu/economy_finance/publications/occasional_paper/2012/pdf/ocp94_en.pdf
([9]) (in a manner that will preserve basic social protection).

Spending on social protection (pensions, family allowances, unemployment benefits etc.) and healthcare amounted to 24 % of GDP in 2010. Given the size of this spending in total government expenditure and the sharp increase in entitlement spending in the run-up to the crisis, these expenditure components also need to make a substantial contribution to the fiscal consolidation.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002674/12
à Comissão
Nuno Teixeira (PPE)
(8 de março de 2012)

Assunto: Alteração da designação do Ano Europeu dos Cidadãos (2013)

Tendo em conta que:

— O n.° 1 do artigo 20.° do Tratado sobre o Funcionamento da União Europeia institui a cidadania da União, explicitando que «é cidadão da União qualquer pessoa que tenha nacionalidade de um Estado-Membro. A cidadania da União acresce à cidadania nacional e não a substituiu»;

— No ano de 2013 será celebrado o 20.° aniversário da instituição da cidadania da União instituída pelo Tratado de Maastricht, que entrou em vigor a 1 de novembro de 1993;

— Ao longo dos últimos anos tem-se vindo a verificar um crescente afastamento dos cidadãos das instituições democráticas, com especial ênfase para as que estão relacionadas com o projeto europeu. Este facto é ainda mais assinalável quando a abstenção nas eleições europeias é superior à verificada nas eleições realizadas para os órgãos nacionais, regionais ou municipais;

— Em agosto de 2011, a Comissão Europeia apresentou a proposta relativa ao Ano Europeu dos Cidadãos que deve ter lugar em 2013, tendo como principal objetivo reforçar o estatuto de cidadania na União Europeia, estimular uma crescente participação dos cidadãos na vida democrática e esclarecer a importância e o papel desempenhado pelas várias instituições europeias;

— Segundo o ponto 17 da proposta da Comissão Europeia, «a organização de um Ano Europeu dos Cidadãos em 2013 proporcionará uma excelente oportunidade para sensibilizar o público em geral para os direitos associados à cidadania da União e, por conseguinte, de contribuir para o objetivo de facilitar o exercício do direito à livre circulação»;

— Durante os vários debates realizados no Parlamento Europeu, tem surgido a ideia de alterar a designação do Ano Europeu para «Ano Europeu da Cidadania», tendo como intuito reforçar não só a ligação da Europa com os seus cidadãos, mas também estimular uma maior participação dos indivíduos na vida democrática europeia;

Pergunta-se à Comissão:

1. Não considera mais apropriado ajustar a designação do ano europeu para «Ano Europeu da Cidadania»?

2. Quais as iniciativas que serão promovidas pela Comissão para promover o Ano Europeu?

3. Como irão ser organizadas as atividades em cada Estado-Membro? Terá o Estado-Membro de definir uma equipa de trabalho responsável pela implementação do programa ou será apenas uma responsabilidade da Comissão?

Resposta dada por Viviane Reding em nome da Comissão
(30 de abril de 2012)

1. O Ano Europeu dos Cidadãos (2013) é a expressão do compromisso assumido pela Comissão no sentido de colocar os cidadãos no centro da agenda da UE. Além disso, está em conformidade com a prioridade interinstitucional em matéria de comunicação que consiste em «construir uma Europa dos cidadãos».

O Ano destina-se a sensibilizar os cidadãos para as oportunidades que lhes proporcionam os seus direitos na UE e a ajudá-los a tomar decisões informadas enquanto indivíduos, consumidores, residentes, estudantes, profissionais e intervenientes políticos.

O Ano irá igualmente servir de pretexto para lançar um debate abrangente e geral com os cidadãos sobre o que é a UE, o que significa ser um cidadão da UE e que tipo de UE gostariam de ver no futuro — debate esse que a Comissão espera venha a adquirir uma nova dinâmica e continuar para além das celebrações do Ano.

2. destaque estará uma campanha de comunicação gerida centralmente e que incluirá, nomeadamente, as cerimónias de abertura e encerramento, duas conferências temáticas, a presença na Web e uma caixa de ferramentas de comunicação que poderá ser descarregada da Internet. Além disso, a Comissão está a mobilizar os serviços e programas pertinentes e espera que diversos intervenientes, tanto dentro como fora das instituições europeias, venham a lançar, com os seus próprios recursos, um número elevado de iniciativas descentralizadas. O relatório de 2013 sobre a cidadania da UE será outra das realizações do Ano. Nele se descreverão os progressos alcançados desde o relatório sobre a cidadania da UE de 2010 e proporão novas ações destinadas a permitir que os cidadãos da UE beneficiem plenamente dos seus direitos.

3. A proposta da Comissão prevê uma cooperação estreita entre a Comissão e os Estados-Membros, assim como com outros órgãos([1]).

([1]) Artigo 4.° da proposta.

(English version)

Question for written answer E-002674/12
to the Commission
Nuno Teixeira (PPE)
(8 March 2012)

Subject: Change of name for the European Year of Citizens (2013)

Citizenship of the Union is established in Article 20(1) of the Treaty on the Functioning of the European Union, which states that 'Every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship'.

The 20th anniversary of the inception of Union citizenship in the Maastricht Treaty, which entered into force on 1 November 1993, will occur in 2013.

In recent years citizens have become increasingly distant from democratic institutions, particularly those related to the European project. This fact is especially significant, given that the turn-out in European elections is lower than the figures recorded for elections to national, regional, or municipal institutions.

In August 2011, the Commission presented a proposal for the European Year of Citizens to take place in 2013, with the main objectives of strengthening the status of citizenship in the European Union, encouraging citizens to take part more actively in democratic life and clarifying the importance of, and the role performed by, the various European institutions.

According to recital 17 of the Commission proposal, 'A European Year of Citizens in 2013 will provide a very timely opportunity to raise the awareness of the general public about the rights attached to Union citizenship and thus to contribute to the objective of facilitating the exercise of the right to free movement'.

One idea to have been put forward in European Parliament debates is to change the name of the European Year to the 'European Year of Citizenship' in order not only to strengthen the bond between Europe and its citizens, but also to encourage individuals play a greater part in European democratic life.

1. Does the Commission agree that it would be more appropriate to change the name of the European Year to the 'European Year of Citizenship'?

2. What initiatives will the Commission implement to promote the European Year?

3. How will activities be organised in each Member State? Will each Member State have to set up a working party to implement the programme or will this be the responsibility of the Commission alone?

Answer given by Mrs Reding on behalf of the Commission
(30 April 2012)

1. The European Year of Citizens (2013) is the expression of the Commission's commitment to put citizens in the centre of the EU agenda. It is also in line with the interinstitutional communication priority of 'Building a citizens' Europe'.

The Year aims at fostering the understanding of the opportunities provided by EU rights. It should help citizens to make informed decisions as individuals, consumers, residents, students, professionals and political actors.

The Year will also launch a broad and general discussion with people about the EU, what it means to be an EU citizen, and what kind of EU they would like to see in the future — a discussion that the Commission trusts will gain momentum and continue also after the Year.

2. At the core of the Year there will be a centrally managed communication campaign delivering notably the opening and closing events, two thematic conferences, web presence and a downloadable communication toolbox. In addition, the Commission is mobilising relevant services and programmes and expects a high number of decentralised initiatives to be launched by various stakeholders, both within and outside the European institutions, using their own resources. The 2013 EU Citizenship Report will also be a deliverable of the Year. It will describe progress achieved since the 2010 EU Citizenship Report and propose further actions to enable EU citizens to fully enjoy their rights.

3. The Commission's proposal foresees close cooperation between the Commission and the Member States, as well as with other bodies ([1]).

([1]) Article 4 of the proposal.

(Versión española)

Pregunta con solicitud de respuesta escrita E-002678/12
a la Comisión
Sergio Gutiérrez Prieto (S&D) y Iratxe García Pérez (S&D)
(8 de marzo de 2012)

Asunto: Ayudas para el almacenamiento del aceite de oliva

El pasado 23 de febrero el Comité de Gestión de la UE resolvió la licitación de 100 000 toneladas de aceite de oliva virgen y virgen extra para un período de 150 días. En España, las peticiones en primera convocatoria triplicaron dicho límite (296 861 toneladas de aceite de oliva virgen y 14 911 toneladas de virgen extra). En consecuencia, el Comité redujo la ayuda al almacenamiento privado a 0,65 euros/tonelada/día, con objeto de no rebasar el máximo previsto de 100 000 toneladas. Estas ayudas corresponden solo a la categoría de virgen, ya que las ofertas presentadas par virgen extra solicitaban una ayuda superior a la que ha quedado establecida.

Esta ayuda de 0,65 euros por tonelada y día para la categoría virgen se sitúa muy por debajo del precio de referencia en España (el mayor productor de la Unión Europea con un 59 % de producción), fijado en 1,710 por Kg., por lo que dichos índices estarían desfasados. La fijación de estos umbrales debería tener en cuenta, no sólo el precio, sino su relación con otros factores como los costes de producción, de tal forma que sea un reflejo más objetivo y real del nivel de rentabilidad y funcionamiento del mercado.

Teniendo en cuenta todos estos factores, es evidente que el actual mecanismo es insuficiente para mejorar de manera efectiva el funcionamiento del mercado.

¿Cuándo piensa la Comisión acometer la actualización de los precios de referencia que hace tiempo han quedado obsoletos?

¿Qué piensa de la posibilidad de cambiar la subasta por una fórmula de precio actualizado, con la posibilidad de ampliar las toneladas elegibles con el fin de que pueda ser realmente efectivo para mejorar la situación del mercado?

Respuesta del Sr. Cioloş en nombre de la Comisión
(23 de abril de 2012)

Sus Señorías hacen referencia a los precios de activación contemplados en el artículo 33 del Reglamento (CE) n° 1234/2007 ([1]) (Reglamento único para las OCM) en lo que se refiere a la ayuda al almacenamiento privado del aceite de oliva. Este dispositivo es una red de seguridad que solo se puede desplegar en caso de perturbación grave del mercado. Tras la detección de esta situación en octubre de 2011 y febrero de 2012, la Comisión puso en marcha dos licitaciones relacionadas con la ayuda al almacenamiento privado, cada una relativa a 100 000 toneladas.

Gracias a su propuesta «PAC 2020» sobre la OCM única, la Comisión podrá recurrir al instrumento de los actos delegados para garantizar la transparencia del mercado y fijar las condiciones en que puede decidir conceder una ayuda al almacenamiento privado. Al examinar cada solicitud, la Comisión tendrá especialmente en cuenta la evolución económica específica del sector.

No está previsto revisar el sistema de licitación para la concesión de ayudas al almacenamiento privado. El mecanismo actual permite que compitan los agentes económicos en lo relativo a los costes de almacenamiento con el objetivo de utilizar eficaz y justificadamente el presupuesto de la UE. Las cantidades globales se fijarán en función de la situación coyuntural del mercado.

([1]) DO L 299 de 16.11.2007, p. 1.

(English version)

Question for written answer E-002678/12
to the Commission
Sergio Gutiérrez Prieto (S&D) and Iratxe García Pérez (S&D)
(8 March 2012)

Subject: Subsidies for the storage of olive oil

On 23 February, the EU Management Committee for Olive Oil and Table Olives decided to allow tenders for aid for the private storage of extra virgin and virgin olive oils for a period of 150 days and a maximum quantity of 100 000 tonnes. Requests for aid from Spain in the first call for interest amounted to three times this limit (296 861 tonnes of virgin olive oil and 14 911 tonnes of extra virgin). The Committee has therefore decided to reduce subsidies for private storage to EUR 0.65 per tonne per day, so as not to exceed the expected maximum of 100 000 tonnes. These subsidies are only applicable to virgin oil, since the offers made for extra virgin called for a higher subsidy than what had been established.

This subsidy of EUR 0.65 per tonne and day for virgin oil is well below the threshold price in Spain (the largest producer in the European Union with 59 % of production), fixed at EUR 1.71 per kg; these rates are therefore no longer valid. These thresholds should be set to take account of both the price and its relation to other factors such as production costs so as to give a more faithful and objective reflection of profit margins and how the market really works.

Given all these factors, it is clear that the current mechanism cannot effectively improve conditions on the market.

When does the Commission think it will update the threshold prices, which have been out of date for some time?

Would it consider replacing the tendering process with system with an updated pricing mechanism offering the possibility of increasing the eligible amount so as to improve the market situation in a meaningful way?

(Version française)

Réponse donnée par M. Cioloş au nom de la Commission
(23 avril 2012)

Les Honorables parlementaires font référence aux prix de déclenchement repris à l'article 33 du règlement (CE) nº 234/2007 ([1]) (règlement «OCM unique») en ce qui concerne l'aide au stockage privé de l'huile d'olive. Ce dispositif est un filet de sécurité à ne déployer qu'en cas de perturbation grave du marché. Une telle situation ayant été constatée en octobre 2011 et en février 2012, la Commission a ouvert deux adjudications relatives à l'aide au stockage privé, chacune pour 100 000 tonnes.

Avec sa proposition «PAC 2020» sur l'OCM unique, la Commission disposera de l'instrument d'actes délégués afin de garantir la transparence du marché et de fixer les conditions dans lesquelles elle peut décider d'accorder une aide au stockage privé. Lors de l'examen au cas par cas de chaque requête, elle tiendra compte notamment des évolutions économiques spécifiques dans le secteur.

Une révision du système d'adjudication pour l'aide au stockage privé n'est pas à l'ordre du jour. Le mécanisme actuel permet de mettre les opérateurs en concurrence sur les coûts de stockage dans le but d'une utilisation efficace et justifiée du budget de l'UE. Les quantités globales sont fixées en fonction de la situation conjoncturelle de marché.

([1]) JO L 299 du 16.11.2007, p. 1.

(Version française)

Question avec demande de réponse écrite E-002685/12
à la Commission
Franck Proust (PPE)
(8 mars 2012)

Objet: L'information aux citoyens: comment rapprocher l'Union?

L'Europe souffre d'un grave déficit de notoriété. Nous connaissons tous les raisons historiques qui nous ont poussés à nous unir. Mais bien que nos concitoyens aient déjà entendu parler de l'Europe, ils ne savent pas vraiment cerner ses compétences et ses objectifs. Plus qu'un constat, c'est une réalité. À leurs yeux, c'est un «objet politique non identifié» qui leur paraît lointain. Une donnée sans équivoque: l'abstention record que rencontrent les élections au Parlement européen dans tous les pays de l'Union. En 2009, nous avons frôlé les 2/3.

1. La Commission a-t-elle mis en place une stratégie visant à améliorer l'information aux citoyens? Quelles en sont les réalisations les plus significatives?

2. De manière générale, la Commission peut-elle énoncer toutes les sources d'information généraliste auxquelles les citoyens ont accès?

3. De quel matériel dispose-t-on pour promouvoir l'Europe dans nos pays?

Réponse donnée par M^me^ Reding au nom de la Commission
(4 mai 2012)

1. La Commission est pleinement consciente de la nécessité d'informer au mieux les citoyens sur les objectifs et le bien-fondé du projet européen. En ce sens elle déploie des efforts particuliers, en étroite collaboration avec les autres institutions de l'UE et avec le concours d'acteurs nationaux et locaux. Le rapport intitulé «Communiquer sur l'Europe pour les citoyens et les médias», transmis au Parlement et présenté à la Commission de Culture et éducation le 29 février 2012, détaille la stratégie de communication de la Commission et présente les réalisations les plus significatives. En 2013, dans le cadre de l'Année européenne des citoyens, les actions d'information et de communication seront centrées sur la citoyenneté européenne, notamment les droits et les avantages qu'elle procure, dans la perspective des élections au Parlement européen.

2. Les principales sources d'information généraliste auxquelles les citoyens ont accès sont: le site Europa ([1]), les Représentations de la Commission dans les États membres ([2]), le service Europe Direct ([3]), les centres Europe Direct locaux ([4]), le site Your Europe ([5]), les publications générales imprimées et électroniques ([6]), ainsi que le nouveau site de la Commission dédié aux jeunes: le coin des enfants ([7]).

3. Le matériel et les capacités de promotion directe de l'Europe auprès des citoyens sont concentrés au niveau national dans les Représentations de la Commission et les Centres d'information Europe Direct. Le site Europa est également un vecteur essentiel par la richesse de son contenu.

([1]) www.europa.eu.
([2]) www.ec.europa.eu/represent_fr.htm
([3]) www.europa.eu/europedirect/index_fr.htm
([4]) http://europa.eu/europedirect/meet_us/interactive_map/index_fr.htm
([5]) www.ec.europa.eu/youreurope
([6]) http://ec.europa.eu/publications/index_fr.htm
([7]) http://europa.eu/kids-corner/index_fr.htm

(English version)

Question for written answer E-002685/12
to the Commission
Franck Proust (PPE)
(8 March 2012)

Subject: Information: how to bring the EU closer to its citizens

Europe is suffering from a severe lack of public awareness. We all know the historical reasons that pushed us towards unity. Although our citizens have heard of 'Europe', they do not really know how to discern its powers and its objectives. This is not a mere observation, but a matter of fact. In their eyes, it is an 'unidentified political object', which seems far removed from them. One fact that cannot be denied is the record abstention rate in the elections to the European Parliament in every EU country; in 2009 it was almost two-thirds of the population.

1. Has the Commission put in place a strategy with the aim of improving information for citizens? What are the most significant achievements of this strategy?

2. Can the Commission set out in a general manner all the sources of general information that are available to citizens?

3. What material do we have to enable us to promote Europe within our own countries?

(Deutsche Fassung)

Antwort von Frau Reding im Namen der Kommission
(4. Mai 2012)

1. Die Kommission ist sich bewusst, dass die Bürgerinnen und Bürger umfassend über die Ziele und Beweggründe des europäischen Aufbauwerks informiert werden müssen. In enger Zusammenarbeit mit den anderen EU-Institutionen und mit Unterstützung nationaler und lokaler Akteure unternimmt sie diesbezüglich besondere Anstrengungen. Im Bericht „Europa den Bürgerinnen und Bürgern und den Medien näherbringen", der dem Europäischen Parlament übermittelt und am 29. Februar 2012 dem Kulturausschuss vorgestellt wurde, werden die Kommunikationsstrategie der Kommission dargelegt und die wichtigsten Ergebnisse vorgestellt. Im Europäischen Jahr der Bürgerinnen und Bürger 2013 konzentrieren sich die Informations- und Kommunikationsmaßnahmen auf die Unionsbürgerschaft und — mit Blick auf die Wahlen zum Europäischen Parlament — insbesondere auf die damit verbundenen Rechte und Vorteile.

2. Zu den wichtigsten allgemeinen Informationsquellen für die Bürgerinnen und Bürger zählen: die Website Europa ([1]), die Vertretungen der Kommission in den Mitgliedstaaten ([2]), der Dienst Europe Direct ([3]), die lokalen Zentren von Europe Direct ([4]), die Website „Ihr Europa" ([5]), die allgemeinen gedruckten und elektronischen Veröffentlichungen ([6]) sowie die neue Website der Kommission für Kinder: die Kinderecke ([7]).

3. Materialien und Mittel für direkte Europa-Werbemaßnahmen bei den Bürgerinnen und Bürgern konzentrieren sich auf nationaler Ebene in den Vertretungen der Kommission und den Informationszentren von Europe Direct. Die Website Europa ist aufgrund ihrer vielfältigen Inhalte ebenfalls ein wichtiges Instrument.

([1]) www.europa.eu
([2]) http://ec.europa.eu/represent_de.htm
([3]) http://europa.eu/europedirect/index_de.htm
([4]) http://europa.eu/europedirect/meet_us/interactive_map/index_de.htm
([5]) www.ec.europa.eu/youreurope
([6]) http://ec.europa.eu/publications/index_de.htm
([7]) http://europa.eu/kids-corner/index_de.htm

(Versione italiana)

Interrogazione con richiesta di risposta scritta P-002693/12
alla Commissione
Andrea Cozzolino (S&D)
(8 marzo 2012)

Oggetto: Verifica sull'utilizzo delle risorse POR Campania nel settore eventi

Premesso che:

— la Commissione europea, con decisione n. C(2007)4265 dell'11.9.2007, ha adottato la proposta di Programma Operativo Regionale Campania FESR 2007-2013;

— la Giunta regionale, con Deliberazione n. 1921 del 9.11.2007, ha preso atto della decisione n. C(2007)4265 dell'11.9.2007 con la quale la Commissione ha adottato il POR FESR Campania 2007-2013;

— il POR Campania all'obiettivo specifico 1.12 «Promuovere la conoscenza della Campania», nel porsi come finalità prioritaria lo sviluppo complessivo dell'attrattività del territorio e la valorizzazione del patrimonio culturale, prevede la realizzazione di campagne di «comunicazione e attività di direct e trade marketing per la promozione dell'immagine coordinata del prodotto turistico e dell'offerta turistica»;

— la giunta regionale, con Deliberazione n. 481/2011 «Progetto strategico America's Cup World Series (ACWS)», ha ritenuto strategica la realizzazione del Grande Evento «America's Cup World Series», in programma a Napoli dal 7 al 15 aprile 2012, e ha destinato a tale scopo un finanziamento complessivo di 22 milioni di euro, a valere sulle risorse dell'obiettivo operativo 1.12 del POR FESR Campania 2007-2013;

— la quasi totalità degli impianti da realizzare e previsti dal protocollo di intesa IN.2011.0000015 del 29.8.2011, pubblicato nel Bollettino Ufficiale Regione Campania n. 59 del 12/09/2011, (la «technical area», l'«AC Event Village», la «VVIP&Corporate Hospitality Areas», i pontili galleggianti, la tribuna, gli attenuatori di moto ondoso, gli adeguamenti dei pontili finalizzati all'accoglienza delle imbarcazioni da gara e per i super yacht), non hanno carattere strutturale, ma sono destinati ad essere rimossi al termine della competizione;

si chiede alla Commissione:

1. se ritiene che tale iniziativa rientri tra gli strumenti previsti dall'obiettivo specifico 1.12 del POR FESR Campania 2007-2013;

2. se ritiene che una simile iniziativa, per la sua natura occasionale e una tantum, sia compatibile con il regolamento (CE) n. 1080/2006 (art. 4, parr.6-7) e capace di garantire sostegno allo sviluppo economico, all'occupazione, all'ammodernamento e alla diversificazione delle strutture economiche e alla creazione di posti di lavoro stabili;

3. di verificare tempestivamente se la Deliberazione n. 481/2011 sia coerente con il POR FESR Campania e se sussistano le condizioni per richiedere il rimborso delle risorse utilizzate, anche alla luce della totale assenza di benefici permanenti all'indotto turistico regionale.

Interrogazione con richiesta di risposta scritta E-003081/12
alla Commissione
Crescenzio Rivellini (PPE)
(21 marzo 2012)

Oggetto: Utilizzo risorse per la Campania

La Commissione europea, con decisione n. C(2007)4265 dell'11.9.2007, ha adottato la proposta di Programma Operativo Regionale Campania FESR 2007-2013.

La Giunta regionale, con deliberazione n. 1921 del 9.11.2007, ha preso atto della decisione n. C(2007)4265 dell'11.9.2007 con la quale la Commissione ha adottato il POR FESR Campania 2007-2013.

Il POR Campania all'obiettivo specifico 1.12 «Promuovere la conoscenza della Campania» si pone come finalità prioritaria lo sviluppo complessivo dell'attrattività del territorio e la valorizzazione del patrimonio culturale e prevede la realizzazione di campagne di «comunicazione e attività di direct e trade marketing per la promozione dell'immagine coordinata del prodotto turistico e dell'offerta turistica».

Tale programma non deve essere occasionale, ma essere compatibile con le finalità specificate.

La Giunta regionale della Campania, con delibera n. 481/2011 «Progetto strategico America's Cup World Series (ACWS)», ha chiesto che l'evento «America's Cup World Series», in programma a Napoli dal 7 al 15 aprile 2012, sia finanziato per complessivi 22 milioni di euro, a valere sulle risorse dell'obiettivo operativo 1.12 del POR FESR Campania 2007-2013.

Quasi tutti gli impianti da realizzare e previsti dal protocollo di intesa IN.2011.0000015 del 29.8.2011, pubblicato nel Bollettino Ufficiale Regione Campania n. 59 del 12.9.2011, non sono strutturali come specificato dagli atti.

Alla luce di quanto suesposto, può la Commissione precisare se:

— tale iniziativa sia compatibile con il POR FERS Campania 2007-2013 previsto all'obiettivo 1.12;

— sia in linea con il regolamento (CE) n. 1080/2006? Nel caso non sia coerente in quanto occasionale , può il finanziamento essere sospeso ed essere richiesto il rimborso delle risorse utilizzate?

Risposta congiunta data da Johannes Hahn a nome della Commissione
(13 aprile 2012)

Sia rinvia l'onorevole deputato alla risposta data dalla Commissione all'interrogazione E-001401/2012 degli onorevoli Mazzoni, Antoniozzi, Mastella, Muscardini, Comi, Fidanza, Baldassarre, Rivellini, Scurria, Gardini, Angelilli e Patriciello ([1]).

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

(English version)

Question for written answer P-002693/12
to the Commission
Andrea Cozzolino (S&D)
(8 March 2012)

Subject: Verification of the use of Campania Regional Operative Programme (ROP) resources in the events sector

Given that:

— by Decision No C (2007) 4265 of 11 September 2007, the Commission adopted the 2007-2013 ERDF Regional Operative Programme for the Campania region;

— by Resolution No 1921 of 9 November 2007, the Regional Council acknowledged Decision No C (2007) 4265 of 11 September 2007, whereby the Commission adopted the 2007-2013 ERDF ROP for the Campania region;

— in specific objective 1.12 'Promoting awareness of Campania' and in setting the top priority of developing the general appeal of the territory and exploiting cultural heritage, the ROP Campania includes the implementation of communication and direct and trade marketing campaigns for promoting a coordinated image of tourism as a product and tourist amenities;

— by Resolution No 481/2011 'America's Cup World Series (ACWS) strategic project', the Regional Council considered the development of the ACWS event scheduled for Naples from 7 to 15 April 2012 as being of strategic importance and, to this end, allocated total financing of EUR 22 million to be used as a resource for achieving operational objective 1.12 of the 2007-2013 ERDF ROP for Campania;

— almost all the facilities to be developed and which are provided for in the memorandum of understanding IN.2011.0000015 of 29 August 2011, published in the Official Journal of the Region of Campania No 59 of 12 September 2011 (the 'technical area', the 'AC Event Village', the 'VVIP & Corporate Hospitality Area', the floating piers, the stand, the wave motion attenuators, the adaptation of the piers in order to host the competing vessels and super yachts) are not structural in nature but are to be removed upon completion of the competition;

Can the Commission say:

1. whether it considers that this initiative comes under the scope of the instruments provided for by specific objective 1.12 of the 2007-2013 ERDF ROP Campania;

2. whether it considers that a one-off initiative such as this is compatible with Regulation (EC) No 1080/2006 (Article 4, Paragraphs 6-7) and able to guarantee support for the economic development, employment, modernisation and diversification of economic structures and the creation of permanent jobs;

3. whether Resolution No 481/2011 is in keeping with the ERDF ROP for Campania and whether the conditions for requesting reimbursement of the resources used have been met, also in view of the complete absence of permanent benefits to the region's tourist satellite industry.

Question for written answer E-003081/12
to the Commission
Crescenzio Rivellini (PPE)
(21 March 2012)

Subject: Use of resources for Campania

Under Decision C(2007)4265 of 11 September 2007, the Commission approved the 2007-2013 ERDF Regional Operational Programme for Campania.

Under Resolution No 1921 of 9 November 2007, the Campania Regional Council took note of the Commission's Decision as above.

Under its specific objective 1.12 'Promoting knowledge of Campania', the Campania ROP establishes the primary goal of developing the overall attractiveness of the region and making the most of its cultural heritage, providing for 'communication and direct and trade marketing campaigns to be implemented for the purpose of promoting a coordinated image of the tourist product and offering'.

This programme is not supposed to be a one-off initiative but must be compatible with the specified objectives.

Under Resolution No 481/2011 'America's Cup World Series (ACWS) strategic project', the Campania Regional Council requested that the 'America's Cup World Series' event, scheduled to take place in Naples from 7 to 15 April 2012, receive EUR 22 000 000 in financing from the resources allocated to operational objective 1.12 of the 2007-2013 ERDF ROP for Campania.

Virtually none of the facilities to be built in accordance with Memorandum of Understanding IN.2011 0000015 of 29 August 2011, published in Official Journal of the Region of Campania No 59 of 12 September 2011, are permanent as specified in the relevant documents.

In view of this, can the Commission say whether:

— this initiative is compatible with the 2007-2013 ERDF ROP as envisaged by specific objective 1.12;

— it is in keeping with Regulation (EC) No 1080/2006? In the event that it is not consistent with the aforementioned regulation due to its one-off nature, can the financing be suspended and a reimbursement requested of the resources already used?

(Version française)

Réponse commune donnée par M. Hahn au nom de la Commission
(13 avril 2012)

L'Honorable Parlementaire voudra bien se reporter à la réponse donnée par la Commission à la question E-001401/2012 de Mme Mazzoni, M. Antoniozzi, M. Mastella , Mme Muscardini, Mme Comi, M. Fidanza, M. Baldassarre, M. Rivellini, M. Scurria, Mme Gardini, Mme Angelilli et M. Patriciello ([1]).

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

(Versión española)

Pregunta con solicitud de respuesta escrita E-002704/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE)
(8 de marzo de 2012)

Asunto: Caballos con cepos en Galicia: investigaciones judiciales

La situación de un número importante de caballos en estado semisalvaje en Galicia ya fue denunciada por este diputado en la pregunta E-000173/2011, donde informaba a la Comisión de la cruel práctica de colocar artefactos de madera, cuerdas y hasta cadenas reforzadas en las patas de los équidos para limitar sus movimientos, una práctica que las leyes no permiten y que la UE también prohibe a través de la Directiva 98/58/CE

El año 2012 ha comenzado de forma positiva en lo referente a la lucha contra el maltrato a los caballos en Galicia, ya que varios juzgados de la provincia de Pontevedra han iniciado investigaciones judiciales al comprobar que esta práctica cruel e innecesaria puede suponer responsabilidades penales para los autores de estos actos. Sin embargo, la falta de identificación de los animales, un año después de la última pregunta de este diputado, sigue dificultando el cumplimiento de las normas más elementales de bienestar animal en los montes gallegos. Los caballos rara vez están identificados conforme a la normativa comunitaria, y los responsables permanecen impunes frente a las investigaciones por maltrato animal.

Varios miembros del Grupo Verts/ALE y el presidente del Intergrupo de Bienestar y Conservación de los Animales, hemos recibido una copia de un expediente que aborda esta problemática, concretamente un documento remitido por la Asociación Animalista Libera y la Fundación Franz Weber, y se nos ha informado también de que el Comisario europeo de Sanidad y Política de Consumidores recibió un ejemplar en formato papel. En el expediente se muestra muy gráficamente la crueldad y la situación de muchos caballos en Galicia, y las enfermedades y problemáticas que padecen a causa de los cepos.

¿Tiene conocimiento la Comisión de la recepción del documento y de su contenido?

¿Tiene conocimiento la Comisión del inicio de las investigaciones judiciales en Galicia?

¿Piensa la Comisión impulsar alguna medida o acción para garantizar la identificación de los caballos en Galicia, al igual que en el resto de Estados miembros?

¿Han solicitado las autoridades españolas la aplicación de alguna regla de excepción a la identificación contemplada en el reglamento para los caballos?

¿Tiene constancia la Comisión de la interposición de alguna denuncia contra las autoridades gallegas y españolas sobre la identificación de caballos hasta febrero de 2012?

Respuesta del Sr. Dalli en nombre de la Comisión
(3 de mayo de 2012)

La Comisión no ha recibido recientemente ninguna información sobre el maltrato de caballos en Galicia ni ha sido oficialmente informada de ninguna investigación judicial al respecto. Sin embargo, a juzgar por la información disponible ([1]) ([2]), se han incoado diversas acciones judiciales contra los propietarios de ganado que siguen practicando las técnicas de inmovilización animal a que hace referencia Su Señoría.

Los caballos encepados pertenecen a explotaciones ganaderas y, por lo tanto, entran dentro del ámbito de aplicación de las disposiciones sobre protección animal establecidas en la Directiva 98/58/CE del Consejo ([3]). Además, no constituyen ninguna población équida que viva en condiciones salvajes o semisalvajes.

El artículo 7 del Reglamento (CE) n° 504/2008 ([4]) permite a los Estados miembros establecer una excepción a la obligación de identificar a determinados équidos «que viven en condiciones salvajes o semisalvajes». Dicha excepción debería haber sido notificada a la Comisión por España. Sin embargo, España no ha informado oficialmente a la Comisión de la población de équidos semisalvajes a los que se aplique dicha excepción.

([1]) http://www.sos-galgos.net/2012-01-15/knuppelpferde-gefangene-ihrer-freiheit.html
([2]) http://www.liberaong.org/nota_campanas.php?id=16
([3]) Directiva 98/58/CE del Consejo, de 20 de julio de 1998, relativa a la protección de los animales en las explotaciones ganaderas (DO L 221 de 8.8.1998, p. 23).
([4]) Reglamento (CE) n° 504/2008 de la Comisión, de 6 de junio de 2008, por el que se aplican las Directivas 90/426/CEE y 90/427/CEE por lo que se refiere a los métodos de identificación de los équidos (DO L 149 de 7.6.2008, p. 3).

Por lo que se refiere a la identificación de los caballos en general, la auditoría llevada a cabo en mayo de 2011 por la Comisión en España ([5]) concluía que, en general, se estaban cumpliendo los requisitos de identificación establecidos por el Reglamento (CE) n° 504/2008.

Sin embargo, de resultas de las denuncias recibidas según las cuales no se estaba aplicando correctamente dicho Reglamento (CE) n° 504/2008 y habida cuenta de la pregunta parlamentaria E-004915/2011, en la que se dejaba constancia del hecho de que el sistema de identificación de équidos empleado por la Xunta de Galicia era demasiado caro, la Comisión ha entablado conversaciones al respecto con el Gobierno español. Las conversaciones están en curso.

([5]) DG (SANCO) 2011-6021 — Informe Final.

(English version)

Question for written answer E-002704/12
to the Commission
Raül Romeva i Rueda (Verts/ALE)
(8 March 2012)

Subject: Use of shackles on horses' legs in Galicia: judicial inquires

I raised the issue of the sufferings of a large number of semi-wild horses in Galicia in Question E-000173/2011, in which I informed the Commission of the cruel practice of placing wooden artefacts, ropes, and sometimes even reinforced chains, on horses' legs to restrict their movements. This practice is prohibited under law and has also been banned by the EU in its Directive 98/58/EC.

The year 2012 started positively with regard to the fight to stop mistreatment of horses in Galicia, as several courts in the province of Pontevedra have initiated judicial inquiries, having established that perpetrators of this cruel and unnecessary practice may be deemed criminally liable. However, the fact that the animals cannot be readily identified, a year after my last question on this issue, continues to hinder compliance with the most basic standards of animal welfare in the Galician countryside. These horses are only rarely identified in accordance with Community legislation and the perpetrators continue to go unpunished in animal abuse investigations.

Various members of the Group of the Greens/European Free Alliance and the President of the Intergroup on the Welfare and Conservation of Animals have received a copy of a dossier on this problem — specifically, a document issued by the animal rights association Libera and the Franz Weber Foundation — and we have also been informed that the European Commissioner for Health and Consumer Policy has received a paper copy. The dossier gives a graphic account of the cruel situation of many horses in Galicia, and the illnesses and problems they suffer from as a result of the use of shackles.

Is the Commission aware of having received this document and of its contents?

Is the Commission aware that judicial inquiries have started in Galicia?

Will the Commission promote any measures or actions to ensure that horses in Galicia are identified, as in the other Member States?

Have the Spanish authorities requested the application of any exception to the identification requirement referred to in the provisions on horses?

Is the Commission aware of any formal complaints lodged, up to February 2012, against the Galician and Spanish authorities regarding the identification of horses?

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

The Commission has not recently received information regarding the mistreatment of horses in Galicia, Spain, and it has not been officially informed on respective judicial inquiries. However, information is publicly available ([1]) ([2]) indicating that legal procedures have been initiated against owners that practice the techniques of immobilisation mentioned by the Honourable Member.

Shackled horses are domestic horses kept for farming purposes and thus fall under the provisions for animal protection laid down in Council Directive 98/58/EC ([3]). In addition, they are not designated as an equine population living under wild or semi-wild conditions.

Article 7 of Commission Regulation (EC) No 504/2008 ([4]) allows Member States to derogate from the identification obligation for defined populations of horses 'living under wild or semi-wild conditions'. Such derogation should have been notified to the Commission by Spain. However, Spain has not officially informed the Commission of the populations of semi-wild equidae to which the abovementioned derogation is applied.

([1]) http://www.sos-galgos.net/2012-01-15/knuppelpferde-gefangene-ihrer-freiheit.html
([2]) http://www.liberaong.org/nota_campanas.php?id=16.
([3]) Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes, OJ L 221, 8.8.1998, p. 23.
([4]) Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae, OJ L 149, 7.6.2008, p. 3.

Concerning horse identification in general a Commission audit carried out in Spain in May 2011 ([5]) concluded that the identification requirements of Regulation (EC) No 504/2008 were mostly fulfilled.

However, after the Commission received complaints alleging bad application of Regulation (EC) No 504/2008, it entered into dialogue with the Spanish Government, taking also into account Parliamentary Question E-004915/2011 lamenting that the autonomous government of Galicia operates a special system for the identification of such horses that would be too onerous. These discussions are ongoing.

([5]) DG(SANCO) 2011-6021 — MR FINAL.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002710/12
an die Kommission
Jutta Steinruck (S&D)
(9. März 2012)

Betrifft: Armut in der EU

Angesichts von Millionen Menschen, die in Deutschland von Armut und sozialer Ausgrenzung bedroht sind, besteht mehr denn je dringender Handlungsbedarf. Die fehlende Einbindung der Zivilgesellschaft und der Sozialpartner im nationalen Reformprogramm Deutschland für 2012 lässt allerdings darauf schließen, dass die deutsche Bundesregierung die Verfolgung der Ziele nur halbherzig betreibt.

Jedoch nicht nur in Deutschland, sondern in der ganzen Europäischen Union ist ein kräftiger Abbau der Armut bis 2020 vorgesehen. Konkret bedeutet dies, dass die Anzahl der von Armut bedrohten Menschen in der EU bis zum Jahr 2020 um insgesamt 20 Millionen verringert werden soll.

1. Inwieweit haben die Mitgliedstaaten in ihre nationalen Reformprogramme für 2012 die Ziele der Europäischen Union, die Armut bis zum Jahr 2020 abzubauen, aufgenommen?

2. Gibt es bereits verlässliche Zahlen, in denen die ersten Entwicklungen zum Armutsabbau in den Mitgliedstaaten ersichtlich sind?

3. Wird es Sanktionen, Ermahnungen o. Ä. seitens der Europäischen Kommission geben, wenn Mitgliedstaaten die Ziele zur Armutsreduktion nicht erreichen bzw. keine Maßnahmen ergreifen, um diese durchzusetzen?

4. Wird es eine „Halbzeitbilanz" geben, in der die Zielerreichung auf das Jahr 2020 untersucht werden wird?

5. Gibt es ein Ranking und/oder einen Benchmark der Europäischen Kommission, in dem die einzelnen Mitgliedstaaten hinsichtlich der Erreichung der Ziele miteinander verglichen werden?

Antwort von Herrn Andor im Namen der Kommission
(26. April 2012)

Die Kommission teilt die Bedenken der Frau Abgeordneten angesichts der fehlenden Fortschritte bei der Umsetzung des EU-Ziels, die Zahl der von Armut und sozialer Ausgrenzung betroffenen Personen bis 2020 um mindestens 20 Millionen zu verringern. Aus dem Fortschrittsbericht ([1]) zum Jahreswachstumsbericht 2012 geht hervor, dass das EU-Kernziel beim momentanen Stand der nationalen Zielsetzungen nicht erreicht wird. Die Notwendigkeit der Umsetzung wird im Jahreswachstumsbericht 2012 als wichtiger Schwerpunkt hervorgehoben. Die Fortschritte, auch bei der Umsetzung der Ziele der Strategie Europa 2020, werden von der Kommission in regelmäßigen Abständen überwacht.

Im April dieses Jahres überprüft die Kommission die Vorschläge der Mitgliedstaaten für ihre nationalen Reformprogramme, die Umsetzung der nationalen Reformprogramme 2011 und die länderspezifischen Empfehlungen für 2011 sowie die Art und Weise, wie die Mitgliedstaaten die vom Europäischen Rat bekräftigten Prioritäten des Jahreswachstumsberichts 2012 umzusetzen beabsichtigen. Auf dieser Grundlage veröffentlicht die Kommission dann ihre Vorschläge für die länderspezifischen Empfehlungen für 2012.

Um die EU-Finanzmittel auf konkrete Ergebnisse auszurichten und die Mitgliedstaaten dazu zu bewegen, die Ziele der Strategie Europa 2020 im Wege der Kohäsionspolitik umzusetzen, hat die Kommission vorgeschlagen, den neuen mehrjährigen Finanzrahmen ([2]) durch Konditionalitätsbestimmungen zu ergänzen.

Bezüglich der Bewertung des aktuellen Stands bei der Bekämpfung von Armut und sozialer Ausgrenzung in den Mitgliedstaaten und der ergriffenen Maßnahmen verweist die Kommission die Frau Abgeordnete auf den Bericht „Employment and Social Developments in Europe 2011" ([3]) und den „Third Report on the Social Impact of the Economic Crisis and Ongoing Fiscal Consolidation" ([4]) (2011) des Ausschusses für Sozialschutz.

([1]) KOM(2011)815 endg. vom 23. November 2011, Vol. 2/5 — Anhang I unter: http://ec.europa.eu/europe2020/pdf/ags2012_annex1_de.pdf
([2]) „Ein Haushalt für ‚Europe 2020'", KOM(2011)500 endg. vom 29. Juni 2011 unter: http://ec.europa.eu/budget/library/biblio/documents/fin_fwk1420/MFF_COM-2011-500_Part_I_de.pdf
([3]) Europäische Kommission, Generaldirektion Beschäftigung, Soziales und Integration: http://ec.europa.eu/social/BlobServlet?docId=7294&langId=en
([4]) http://register.consilium.europa.eu/pdf/en/12/st05/st05858-ad01.en12.pdf

(English version)

Question for written answer E-002710/12
to the Commission
Jutta Steinruck (S&D)
(9 March 2012)

Subject: Poverty in the EU

In view of the millions of people at risk of poverty and social exclusion in Germany, the need for action is more urgent than ever. However, the failure to include civil society and the social partners in the National Reform Plan for Germany 2012 leads one to conclude that the German Government's approach to meeting the targets identified is half-hearted.

This is not something exclusive to Germany: the aim is to significantly reduce poverty throughout the European Union by 2020. In concrete terms, this means that the number of people at risk of poverty in the EU is to be reduced by a total of 20 million by 2020.

1. To what extent have the Member States begun to implement the European Union's targets for a reduction in poverty by 2020 in their own national reform plans for 2012?

2. Are reliable figures available yet indicating the initial progress made in relation to the reduction of poverty in the Member States?

3. Will the European Commission issue sanctions or warnings or take similar measures if Member States fail to meet the targets for poverty reduction or fail to take steps to achieve these targets?

4. Will there be a 'mid-term review' in which the level of attainment will be examined in terms of the 2020 target?

5. Does the European Commission have a ranking list and/or a benchmark in which the various Member States are compared in terms of their attainment of the targets?

Answer given by Mr Andor on behalf of the Commission
(26 April 2012)

The Commission shares the Honourable Member's concern at the lack of progress made towards meeting the European Union (EU) target for lifting at least 20 million people out of poverty and social exclusion by 2020. The progress report ([1]) annexed to the 2012 Annual Growth Survey (AGS) finds that the EU headline target will not be met as current national targets stand, and the 2012 AGS puts strong emphasis on the need for implementation. The Commission is regularly monitoring progress, including in terms of level of attainment of the 2020 targets.

In April this year the Commission will review the Member States' proposals for their national reform programmes (NRPs), implementation of the 2011 NRPs and the 2011 Country Specific Recommendations (CSRs), and the way the Member States intend to implement the 2012 AGS priorities as confirmed by the European Council. On the basis of its findings, the Commission will then publish its proposals for the 2012 CSRs.

To ensure that EU funding is focused on results and provides strong incentives for the Member States to meet the Europe 2020 targets through cohesion policy, the Commission has proposed to introduce conditionality provisions in the upcoming Multiannual Financial Framework ([2]).

For an assessment of the current situation regarding poverty and social exclusion in the Member States and measures being taken, the Commission would refer the Honourable Member to the *Employment and Social Developments in Europe 2011* ([3]) report and the Social Protection Committee's third report on the social impact of the economic crisis and ongoing fiscal consolidation (2011) ([4]).

([1]) (COM(2011) 815 final of 23 November 2011), Vol. 2/5 — Annex A, at: http://ec.europa.eu/europe2020/pdf/ags2012_annex1_en.pdf.
([2]) 'A Budget for Europe 2020' (COM(2011) 500 final of 29 June 2011), at: http://ec.europa.eu/budget/library/biblio/documents/fin_fwk1420/MFF_COM-2011-500_Part_I_en.pdf.
([3]) European Commission, Directorate-General for Employment, Social Affairs and Inclusion, http://ec.europa.eu/social/BlobServlet?docId=7294&langId=en.
([4]) http://register.consilium.europa.eu/pdf/en/12/st05/st05858-ad01.en12.pdf

(Versión española)

Pregunta con solicitud de respuesta escrita E-002718/12
a la Comisión
Raül Romeva i Rueda (Verts/ALE), Jan Philipp Albrecht (Verts/ALE) y Sophia in 't Veld (ALDE)
(9 de marzo de 2012)

Asunto: Nuevas iniciativas de represión y vigilancia en España

La Policía Nacional española acaba de poner en marcha la Red Azul de Seguridad, una iniciativa para fomentar una «verdadera alianza» entre las fuerzas públicas de policía y «1 500 empresas de Seguridad Privada, en las que trabajan más de 100 000 profesionales, y 600 departamentos de seguridad». Un programa de este tipo requiere una amplia reforma del marco jurídico, que debe respetar la legislación de la Unión y definir claramente el tipo de colaboración que se llevará a cabo y el tipo de información que se compartirá. Sin embargo, no se ha anunciado ninguna reforma legislativa. Las informaciones facilitadas por las empresas privadas se procesarán e integrarán en la inteligencia policial, y, en función de su grado de colaboración, se «pagará» a estas empresas con información pública en la que puedan estar interesadas. Naturalmente, las empresas privadas se comprometerán «a hacer un buen uso de la información recibida». Según la información de que disponen los autores de la pregunta, el plan ignora asimismo el papel crucial de la Agencia Española de Protección de Datos, que se supone que debe velar por el uso correcto de los datos manejados por las empresas privadas ([1]).

1. ¿Podría indicar la Comisión si la Red Azul de Seguridad, en particular por cuanto permite el procesamiento indiscriminado de datos privados sin un fundamento jurídico claro y el intercambio de información pública con empresas privadas, se puede considerar compatible con el derecho a la protección de datos que establece el artículo 8 de la Carta de los Derechos Fundamentales de la Unión Europea, el artículo 16 del TFUE, la Directiva 95/46/CE y la Decisión Marco 2008/977/JAI?

2. ¿Puede confirmar la Comisión, en particular, si esta iniciativa infringe el artículo 14 de la Decisión Marco 2008/977/JAI sobre la transmisión a particulares en los Estados miembros?

3. ¿Podría indicar la Comisión si la situación jurídica creada por el marco de protección de datos propuesto en su Comunicación COM(2012)0009 daría una respuesta diferente a las preguntas formuladas anteriormente?

4. ¿Podría indicar la Comisión si una transferencia masiva de datos sensibles, sin control por parte de la Agencia Española de Protección de Datos, sería aceptable en el marco del Derecho de la UE?

Respuesta de la Sra. Reding en nombre de la Comisión
(11 de mayo de 2012)

La Comisión ha tenido conocimiento de esta cuestión a través de la información publicada por los medios de comunicación y por la Policía Nacional.

La «Red» implicaría un tratamiento de datos personales. Por tanto, deberá ajustarse a los principios de protección de datos establecidos por el Derecho de la Unión y los derechos fundamentales reconocidos por la Carta de la Unión Europea.

La Directiva 95/46/CE ([2]) se aplica a las actividades de tratamiento en los Estados miembros para fines distintos de la cooperación policial y judicial en materia penal y la seguridad pública, la defensa y la seguridad nacional. La Decisión marco 2008/977/JAI ([3]) del Consejo se aplica a los datos personales intercambiados entre las autoridades policiales de los Estados miembros a efectos de la aplicación de la ley. El artículo 14 de la Decisión marco sólo se aplica a la comunicación de datos personales a una parte privada por una autoridad con funciones coercitivas que los haya recibido de una autoridad con funciones coercitivas de otro Estado miembro a efectos de aplicación de la ley.

Las actividades excluidas del ámbito de aplicación de la Directiva y de la Decisión marco están sujetas a las normas nacionales de protección de datos que deben proporcionar un nivel de protección que corresponda al menos al establecido por el Convenio 108 del Consejo de Europa y su Protocolo Adicional ([4]).

([1]) http://www.policia.es/prensa/20120227_2.html
([2]) Directiva 95/46/CE del Parlamento Europeo y del Consejo, de 24 de octubre de 1995, relativa a la protección de las personas físicas en lo que respecta al tratamiento de datos personales y a la libre circulación de estos datos, DO L 281 de 23.11.1995, p. 31. artículo 3.
([3]) Decisión Marco 2008/977/JAI del Consejo, de 27 de noviembre de 2008 , relativa a la protección de datos personales tratados en el marco de la cooperación policial y judicial en materia penal, DO L 350 de 30.12.2008, p. 60.
([4]) Convenio n° 108 del Consejo de Europa, de 28 de enero de 1981, para la protección de las personas con respecto al tratamiento automatizado de datos de carácter personal. Protocolo Adicional de 8 de noviembre de 2011.

Las autoridades españolas y, en particular, la Agencia de Protección de Datos, son competentes para garantizar y supervisar que este tratamiento respete los derechos fundamentales, se asiente sobre una base jurídica adecuada y cumpla las condiciones legales nacionales de conformidad con las normas nacionales de protección de datos.

Las propuestas jurídicas presentadas por la Comisión ([5]), en particular la propuesta de Directiva ([6]), ofrecerá un marco jurídico armonizado aplicable a las actividades de tratamiento a efectos de la aplicación de la ley a nivel nacional y a los intercambios entre Estados miembros, que cubriría a esta Red.

([5]) http://ec.europa.eu/justice/newsroom/data-protection/news/120125_en.htm

([6]) Propuesta de Directiva del Parlamento Europeo y del Consejo relativa a la protección de las personas físicas en lo que respecta al tratamiento de datos personales por parte de las autoridades competentes para fines de prevención, investigación, detección o enjuiciamiento de infracciones penales o de ejecución de sanciones penales, y la libre circulación de dichos datos, COM(2012) 9; 2531.2012.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002718/12
an die Kommission
Raül Romeva i Rueda (Verts/ALE), Jan Philipp Albrecht (Verts/ALE) und Sophia in 't Veld (ALDE)
(9. März 2012)

Betrifft: Neue Repressalien und Überwachungsinitiativen in Spanien

Die spanischen Polizeibehörden haben das sogenannte „Security Blue Network" ins Leben gerufen, um eine „echte Allianz" zu fördern zwischen den öffentlichen Polizeistellen und 1 500 privaten Sicherheitsfirmen — mit mehr als 100 000 Mitarbeitern und 600 Sicherheitsabteilungen. Ein Projekt wie dieses Netzwerk erfordert umfassende Reformen des Rechtsrahmens. Dieser Rechtsrahmen sollte das Gemeinschaftsrecht wahren und genau definieren, welche Kooperationsverfahren angestrebt und welche Informationen geteilt werden. Eine solche legislative Reform ist jedoch bislang noch nicht angekündigt worden. Die Informationen vonseiten der privaten Sicherheitsfirmen werden bearbeitet und in die Polizeiermittlungsdateien eingegeben, und je nach Intensität der Zusammenarbeit werden diese mit öffentlichen Informationen „versorgt", an denen sie Interesse haben könnten. Private Unternehmen werden nach ihren eigenen Zusicherungen „bedacht" mit den erhaltenen Informationen umgehen. Nach den uns vorliegenden Informationen wird bei diesem Vorhaben auch die zentrale Rolle der spanischen Datenschutzbehörde total ignoriert. Diese Einrichtung soll nämlich einen korrekten Umgang der privaten Firmen mit den von ihnen verwalteten Informationen garantieren ([1]).

1. Ist das „Security Blue Network" — vor allem in Bezug auf die wahllose Verarbeitung personenbezogener Daten ohne klare Rechtsgrundlage und in Bezug auf das Weiterleiten öffentlicher Informationen an Privatfirmen — vereinbar mit dem in Artikel 8 der Charta, in Artikel 18 AEUV, in Richtlinie 95/46/EG und in dem Rahmenbeschluss 2008/977/JI verankerten Recht auf Datenschutz?

2. Kann die Kommission insbesondere bestätigen, ob hier ein Verstoß gegen Artikel 14 des Rahmenbeschlusses 2008/977/JI des Rates betreffend die Übermittlung von Daten an nichtöffentliche Stellen in Mitgliedstaaten vorliegt?

3. Könnte die Rechtslage, die durch den von der Europäischen Kommission vorgeschlagenen europäischen Datenschutzrahmen (KOM(2012)0009) entsteht, zu einer abweichenden Antwort auf die vorstehende Frage führen?

4. Wäre ein massiver Transfer sensitiver Daten ohne Prüfung durch die spanische Datenschutzbehörde mit dem EU-Recht vereinbar?

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

Die Kommission ist durch Berichte in den Medien und Veröffentlichungen der spanischen Polizei auf die Sache aufmerksam geworden.

Das „Netzwerk" würde implizieren, dass personenbezogene Daten verarbeitet werden. Daher muss es sowohl den im EU-Recht verankerten Grundsätzen des Datenschutzes als auch den Grundrechten genügen, die in der EU-Charta anerkannt sind.

Die Richtlinie 95/46/EC ([2]) gilt für die Verarbeitung personenbezogener Daten in den Mitgliedstaaten zu Zwecken, die nicht unter die polizeiliche und justizielle Zusammenarbeit in Strafsachen sowie die öffentliche Sicherheit, die Landesverteidigung und die nationale Sicherheit fallen. Der Rahmenbeschluss 2008/977/JI ([3]) des Rates gilt für den Austausch personenbezogener Daten zwischen den Strafverfolgungsbehörden der Mitgliedstaaten zum Zwecke der Strafverfolgung. Artikel 14 des Rahmenbeschlusses gilt nur für die Weiterleitung personenbezogener Daten an eine private Stelle durch eine Strafverfolgungsbehörde, die diese Daten zum Zwecke der Strafverfolgung von einer Strafverfolgungsbehörde eines anderen Mitgliedstaates erhalten hat.

([1]) http://policia.es/prensa/20120227_2.html
([2]) Richtlinie 95/46/EG des Europäischen Parlaments und des Rates vom 24. Oktober 1995 zum Schutz natürlicher Personen bei der Verarbeitung personenbezogener Daten und zum freien Datenverkehr, ABl. L 281 vom 23.11.1995, S. 31. Artikel 3.
([3]) Rahmenbeschluss 2008/977/JI des Rates vom 27. November 2008 über den Schutz personenbezogener Daten, die im Rahmen der polizeilichen und justiziellen Zusammenarbeit in Strafsachen verarbeitet werden, ABl. L 350 vom 30.12.2008, S. 60.

Für Verarbeitungstätigkeiten, die von der Richtlinie und dem Rahmenbeschluss nicht erfasst werden, gelten die nationalen Datenschutzvorschriften, die ein Schutzniveau bieten sollten, das zumindest den Anforderungen des Übereinkommens Nr. 108 des Europarates und dessen Zusatzprotokolls ([4]) entspricht.

Die spanischen Behörden, vor allem die Agencia de Protección de Datos, müssen dafür Sorge tragen, dass bei der fraglichen Verarbeitung die Grundrechte gewahrt bleiben, sie sich auf eine geeignete Rechtsgrundlage stützt und die rechtlichen Voraussetzungen der einschlägigen nationalen Datenschutzvorschriften eingehalten werden.

Die Rechtsetzungsvorschläge der Kommission ([5]), insbesondere der Vorschlag für eine Richtlinie ([6]), werden einen einheitlichen Rechtsrahmen für die Verarbeitung personenbezogener Daten für Strafverfolgungszwecke auf nationaler Ebene und für den Austausch zwischen Mitgliedstaaten schaffen. Davon würde auch das genannte Netzwerk erfasst.

([4]) Übereinkommen Nr. 108 des Europarates zum Schutz des Menschen bei der automatischen Verarbeitung personenbezogener Daten vom 28. Januar 1981. Zusatzprotokoll vom 8. November 2011.

([5]) http://ec.europa.eu/justice/newsroom/data-protection/news/120125_en.htm

([6]) Vorschlag für eine Richtlinie des Europäischen Parlaments und des Rates zum Schutz natürlicher Personen bei der Verarbeitung personenbezogener Daten durch die zuständigen Behörden zum Zwecke der Verhütung, Aufdeckung, Untersuchung oder Verfolgung von Straftaten oder der Strafvollstreckung sowie zum freien Datenverkehr, KOM(2012)9; 2531.2012.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002718/12
aan de Commissie
Raül Romeva i Rueda (Verts/ALE), Jan Philipp Albrecht (Verts/ALE) en Sophia in 't Veld (ALDE)
(9 maart 2012)

Betreft: Nieuwe initiatieven op het gebied van onderdrukking en toezicht in Spanje

De Spaanse politie heeft onlangs het „Security Blue Network" gelanceerd, een initiatief om een „werkelijk bondgenootschap" te creëren tussen de nationale politie en „1 500 bedrijven op het gebied van particuliere beveiliging, die meer dan 100 000 deskundigen en 600 veiligheidsdiensten in dienst hebben". Een dergelijk programma vraagt om een grondige hervorming van het wettelijk kader, dat in overeenstemming moet zijn met het uniale recht en een duidelijke definitie moet geven van het soort samenwerking en de te delen informatie. Er zijn echter geen wetswijzigingen aangekondigd. De door particuliere instanties verstrekte informatie zal worden verwerkt en doorgegeven aan de politionele inlichtingendiensten en, afhankelijk van hun mate van samenwerking, zullen deze instanties worden „betaald" met publieksinformatie waarin zij mogelijk zijn geïnteresseerd. Uiteraard beloven particuliere bedrijven „de door hen ontvangen informatie op correcte wijze te gebruiken". Volgens onze informatie houdt het plan ook geen rekening met de cruciale rol van het Spaanse bureau voor gegevensbescherming, dat ervoor moet zorgen dat door particuliere instanties beheerde gegevens op correcte wijze worden gebruikt ().

1. Is het „Security Blue Network", in het bijzonder in gevallen van willekeurige verwerking van particuliere gegevens zonder duidelijke rechtsgrond en verspreiding van publieksinformatie onder particuliere bedrijven, in overeenstemming met het recht op gegevensbescherming zoals vastgelegd in artikel 8 van het Handvest van de grondrechten van de Europese Unie, artikel 16 van het VWEU, Richtlijn 95/46/EG en Kaderbesluit 2008/977/JHA?

2. Kan de Commissie met name bevestigen dat dit initiatief in strijd is met artikel 14 van Kaderbesluit 2008/977/JHA inzake doorgifte aan particuliere instanties in de lidstaten?

3. Zouden bovenstaande vragen anders worden beantwoord in de juridische situatie die wordt gecreëerd door het kader voor gegevensbescherming, zoals voorgesteld door de Commissie in COM(2012)0009-0012?

4. Is een omvangrijke doorgifte van gevoelige gegevens, niet door het Spaanse bureau voor gegevensbescherming gecontroleerd, in overeenstemming met de EU-wetgeving?

Antwoord van mevrouw Reding namens de Commissie

(11 mei 2012)

De Commissie is op de hoogte van de informatie die in de media en door de nationale politie is bekendgemaakt.

Het „Security Blue Network" zou gepaard gaan met de verwerking van persoonsgegevens. Bijgevolg moeten de gegevensbeschermingsbeginselen van het EU-recht in acht worden genomen, alsook de grondrechten die zijn erkend in het Handvest van de grondrechten van de Europese Unie.

Richtlijn 95/46/EG ([1]) is van toepassing op de verwerkingsactiviteiten in de lidstaten voor andere doeleinden dan de politiële en justitiële samenwerking in strafzaken en op het gebied van openbare veiligheid, defensie en nationale veiligheid. Kaderbesluit 2008/977/JBZ ([2]) van de Raad is van toepassing op persoonsgegevens die worden uitgewisseld tussen de rechtshandhavingsautoriteiten van de lidstaten voor rechtshandhavingsdoeleinden. Artikel 14 van dit kaderbesluit heeft alleen betrekking op de doorgifte van persoonsgegevens aan een particuliere instantie door een rechtshandhavingsautoriteit die deze gegevens heeft ontvangen van een rechtshandhavingsautoriteit van een andere lidstaat en voor rechtshandhavingsdoeleinden.

Activiteiten die buiten de werkingssfeer van de richtlijn en het kaderbesluit vallen, zijn onderworpen aan de nationale voorschriften voor gegevensbescherming. Deze moeten minstens de bescherming bieden die voortvloeit uit verdrag 108 van de Raad van Europa en het aanvullend protocol ([3]).

([1]) Richtlijn 95/46/EG van het Europees Parlement en de Raad van 24 oktober 1995 betreffende de bescherming van natuurlijke personen in verband met de verwerking van persoonsgegevens en betreffende het vrije verkeer van die gegevens, PB L 281 van 23.11.1995, blz. 31 (artikel 3).

([2]) Kaderbesluit 2008/977/JBZ van de Raad van 27 november 2008 over de bescherming van persoonsgegevens die worden verwerkt in het kader van de politiële en justitiële samenwerking in strafzaken, PB L 350 van 30.12.2008, blz. 60.

([3]) Verdrag 108 van 28 januari 1981 tot bescherming van personen met betrekking tot de geautomatiseerde verwerking van persoonsgegevens. Aanvullend protocol van 8 november 2011.

De Spaanse autoriteiten, met name de Agencia de protección de datos, het Spaanse bureau voor gevensbescherming, moeten erop toezien dat bij de gegevensverwerking de grondrechten worden geëerbiedigd en dat de verwerking op de juiste rechtsgrondslag is gebaseerd en voldoet aan de wettelijke voorwaarden die in de nationale gegevensbeschermingregels worden gesteld.

De wetgevingsvoorstellen van de Commissie ([4]), met name het voorstel voor een richtlijn ([5]), zullen zorgen voor een geharmoniseerd rechtskader dat zowel op de gegevensverwerkingsactiviteiten voor rechtshandhavingsdoeleinden op nationaal niveau als op uitwisselingen tussen de lidstaten van toepassing is. Het zal ook gelden voor het „Security Blue Network".

([4]) http://ec.europa.eu/justice/newsroom/data-protection/opinion/120125_en.htm

([5]) Voorstel voor een richtlijn van het Europees Parlement en de Raad betreffende de bescherming van natuurlijke personen in verband met de verwerking van persoonsgegevens door bevoegde autoriteiten met het oog op de voorkoming, het onderzoek, de opsporing en de vervolging van strafbare feiten of de tenuitvoerlegging van straffen, en betreffende het vrije verkeer van die gegevens. COM(2012) 9 final van 25 januari 2012.

(English version)

Question for written answer E-002718/12
to the Commission
Raül Romeva i Rueda (Verts/ALE), Jan Philipp Albrecht (Verts/ALE) and Sophia in 't Veld (ALDE)
(9 March 2012)

Subject: New repression and surveillance initiatives in Spain

The Spanish police force has just launched the 'Security Blue Network', an initiative to foster a 'true alliance' between public police forces and '1 500 companies working on private security, employing more than 100 000 professionals and 600 security departments'. A programme such as this requires a comprehensive reform of the legal framework, which should respect Community law and clearly define the kind of collaboration and information to be shared. However, no legislative reform has been announced. Information provided by private agencies will be processed and added to police intelligence and, depending on their degree of collaboration, these agencies will be 'paid' with public information in which they might be interested. Private companies will, of course, 'commit to making good use of the information they receive'. According to our information, the plan also ignores the crucial role of the Spanish Agency for Data Protection, which is supposed to ensure the correct use of data managed by private agencies ([1]).

1. Can the 'Security Blue Network', particularly where it allows for the indiscriminate processing of private data without a clear legal basis and the sharing of public information with private companies, be considered compatible with the right to data protection as laid down in Article 8 of the EU Charter of Fundamental Rights, Article 16 of the TFEU, Directive 95/46/EC and Framework Decision 2008/977/JHA?

2. Can the Commission confirm, in particular, whether this initiative infringes Article 14 of Framework Decision 2008/977/JHA on transmission to private parties in Member States?

3. Would the legal situation created by the data protection framework proposed by the Commission in COM(2012) 0009-12 provide a different answer to the questions asked above?

4. Would a massive transfer of sensitive data, unmonitored by the Spanish Agency for Data Protection, be acceptable under EC law?

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

The Commission has been aware of this matter by information published by the media and the National Police.

The 'Network' would imply a processing of personal data. Hence it must comply with data protection principles laid down by Union Law and fundamental rights recognised by the European Union (EU) Charter.

Directive 95/46/EC ([2]) applies to processing activities in Member States for purposes other than police and judicial cooperation in criminal matters and public security, defence and national security. Council Framework Decision 2008/977/JHA ([3]) applies to personal data exchanged between law enforcement authorities of Member States for law enforcement purposes. Article 14 of the framework Decision only applies to the disclosure of personal data to a private party by a law enforcement authority which has received it from another Member State law enforcement authority and for law enforcement purposes.

Activities excluded from the scope of the directive and of the framework Decision are subject to national data protection rules that should provide a level of protection which corresponds at least to that laid down by Council of Europe Convention 108 and its Additional Protocol ([4]).

Spanish authorities, particularly the Agencia de Protección de Datos, are competent to ensure and monitor that this processing respects fundamental rights, it is grounded on a proper legal basis and complies with legal conditions under the national applicable data protection rules.

([1]) http://policia.es/prensa/20120227_2.html
([2]) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, OJ L 281, 23.11.1995, p. 31. Article 3.
([3]) Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters, OJ L 350, 30.12.2008, p. 60.
([4]) Convention No 108 of 28 January 1981 for the protection of individuals with regard to automatic processing of personal data. Additional Protocol of 8 November 2011.

The legal proposals presented by the Commission ([5]), in particular the proposal for a directive ([6]), will provide a harmonised legal framework applicable to processing activities for law enforcement purposes at national level and to exchanges between Member States. It would cover this Network.

([5]) http://ec.europa.eu/justice/newsroom/data-protection/news/120125_en.htm

([6]) Proposal for a directive of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data; COM(2012) 9; 2531.2012.

(English version)

Question for written answer E-002719/12
to the Commission
Chris Davies (ALDE)
(9 March 2012)

Subject: Labelling Directive

The Commission declared in 2007 (COM(2007) 0019) that during that year it would adopt an amended proposal to improve the effectiveness of the fuel-efficiency Labelling Directive (1999/94/EC). It did not do so and still has not done so.

In May 2011, Commissioner Hedegaard said the Commission would, in 2011, launch a study reviewing the state of implementation of the directive and of the information tools used by Member States (E-003398/2011).

1. When did the Commission launch this study?

2. When was it completed?

3. When does the Commission intend to adopt the amending proposal which it has been planning for at least five years?

Answer given by Ms Hedegaard on behalf of the Commission
(26 April 2012)

In May 2011 the Commission launched a study reviewing the state of implementation of Directive 1999/94/EC and of the information tools used by a chosen group of Member States. This study is now available on the Commission's website: http://ec.europa.eu/clima/news/articles/news_2012031901_en.htm

Following from the conclusions of the study, the Commission will launch consumer-based research to analyse the effectiveness of different labels currently in use in Member States. The results of this study are expected at the end of 2012. Subsequently, these studies will underpin the Commission's work on the review of the directive envisaged for 2013.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002721/12
an die Kommission
Nadja Hirsch (ALDE) und Edit Bauer (PPE)
(9. März 2012)

Betrifft: Bettelei mit Kindern

In ganz Europa werden Kinder immer noch genötigt, zu betteln, indem sie Mitleid erregen sollen, und werden auf diese Weise ausgebeutet. Der Einsatz von Kindern zum Betteln, sei es in Begleitung eines „Elternteils" oder alleine, stellt einen Verstoß gegen ihre Grundrechte wie das Recht auf Schutz, Unversehrtheit und Würde dar. Darüber hinaus werden Kinder, die zum Betteln gezwungen werden, ihrer Kindheit und somit der Möglichkeiten ihrer Entwicklung und Bildung beraubt. Wenn man es zulässt, dass mittellose Familien ihre Kinder zum Betteln einsetzen können, sendet man ein falsches Signal an potenzielle Straftäter aus und man beeinträchtigt dadurch in gravierender Weise die EU-Strategien zum Schutz von Kindern und gegen Menschenhandel. Zudem werden dadurch ineinandergreifende rechtsverbindliche völkerrechtliche Verpflichtungen missachtet, wonach die unteilbaren grundlegenden Menschenrechte aller Menschen im EU-Hoheitsgebiet, insbesondere von Familien mit Kindern, vorbehaltlos zu gewährleisten sind.

Der Ausschuss der Vereinten Nationen für die Rechte des Kindes, der das von allen 27 EU-Mitgliedstaaten ratifizierte Übereinkommen über die Rechte des Kindes überwacht und dessen entsprechende Auslegung und wirksame Umsetzung sicherstellt, hat unlängst seine Besorgnis über eine in Belgien ergangene Gerichtsentscheidung ([1]) zum Ausdruck gebracht, in der es heißt: „le parent qui utilise son propre enfant pour mendier ne commet pas une infraction, le législateur considérant que la réponse à de tels faits ne doit pas être de nature pénale" (ein Elternteil, das sein eigenes Kind zum Betteln einsetzt, verstößt nicht gegen das Gesetz, da der Gesetzgeber der Auffassung ist, dass man solchen Handlungen nicht mit strafrechtlichen Mitteln begegnen sollte). In den diesbezüglichen abschließenden Bemerkungen des UN-Ausschusses zu Belgien heißt es: „Der Ausschuss fordert den betreffenden Staat auf, den Einsatz von Kindern zum Betteln auf der Straße ausdrücklich zu verbieten, ungeachtet dessen, ob die beteiligten Erwachsenen die Eltern der Kinder sind oder nicht" ([2]).

Welche konkreten Maßnahmen gedenkt die Kommission zu ergreifen, um dafür Sorge zu tragen, dass die Mitgliedstaaten das UN-Übereinkommen über die Rechte des Kindes gemäß den Empfehlungen des UN-Ausschusses umsetzen, und insbesondere um sicherzustellen, dass der Einsatz von Kindern zum Betteln mit oder ohne elterliche Begleitung in allen 27 Mitgliedstaaten ausdrücklich verboten wird?

Welchen rechtlichen Status haben derzeit bettelnde Kinder in Begleitung ihrer Eltern in den 27 Mitgliedstaaten? Welchen rechtlichen Status haben derzeit bettelnde Kinder ohne Begleitung ihrer Eltern in den 27 Mitgliedstaaten und wie weit entsprechen die nationalen Rechtsnormen den neuen EU-Bestimmungen gegen Menschenhandel und zum Schutz von Kindern in Bezug auf Ausbeutung in Form von „Zwangsarbeit oder erzwungene Dienstleistungen, einschließlich Betteltätigkeiten", wie zum Beispiel gemäß Erwägungsgrund 11 und Artikel 2 Absatz 3 der Richtlinie 2011/36/EU des Europäischen Parlaments und des Rates ([3]) vom 5. April 2011?

Antwort von Frau Malmström im Namen der Kommission
(26. April 2012)

In der Richtlinie 2011/36/EU zur Verhütung und Bekämpfung des Menschenhandels wird insbesondere auch auf Menschenhandel zur Ausbeutung von Minderjährigen, die zum Betteln gezwungen werden, eingegangen. Zwangsbettelei wird im Rahmen dieser Richtlinie als eine Form von Zwangsarbeit oder von erzwungener Dienstleistung definiert. Es wird anerkannt, dass Kinder größere Gefahr laufen, Opfer von Menschenhandel zu werden, und die Mitgliedstaaten werden aufgefordert, Unterstützung und Schutzmaßnahmen für Kinder vorzusehen.

Die Mitgliedstaaten sind verpflichtet, die erforderlichen innerstaatlichen Rechts- und Verwaltungsvorschriften in Kraft zu setzen, um der genannten Richtlinie vor dem 6. April 2013 nachzukommen. Die Kommission wird dem Europäischen Parlament und dem Rat vor dem 6. April 2015 berichten, inwieweit die Mitgliedstaaten die Richtlinie in innerstaatliches Recht umgesetzt haben. Die Kommission plant die Einsetzung einer informellen Kontaktgruppe, die den Mitgliedstaaten bei der Umsetzung der Richtlinie Hilfestellung leisten soll.

Um sowohl die Ursachen der Kinderbettelei als auch die Entwicklungstendenzen besser zu verstehen, hat die Kommission eine Studie in Auftrag gegeben, die voraussichtlich im Laufe des Jahres 2012 veröffentlicht wird. Ziel der

([1]) Berufungsgericht von Brüssel, 14. Kammer, Beschluss Nr. 747, 26. Mai 2010.
([2]) CRC/C/BEL/CO/3-4, 18. Juni 2010, Besondere Schutzmaßnahmen, Absätze 72-73.
([3]) ABl. L 101 vom 15.4.2011, S. 1.

Studie ist es, einen Überblick über die einschlägigen Rechtssysteme zu geben, charakteristische Merkmale der zum Betteln gezwungenen Kinder aufzuzeigen, die Vorgehensweisen der Menschenhändler zu analysieren und Strategien zur Bekämpfung der Kinderbettelei zu skizzieren. Neben dieser Studie finanziert die Kommission weitere Projekte zum Thema Menschenhandel, z. B. im Rahmen des Programms „Kriminalprävention und Kriminalitätsbekämpfung", bei dessen jüngster Aufforderung zur Einreichung von Vorschlägen Projekte zur Bekämpfung des Menschenhandels zu den vorrangig zu finanzierenden Projekten gehörten.

(Magyar változat)

Írásbeli választ igénylő kérdés E-002721/12
a Bizottság számára
Nadja Hirsch (ALDE) és Bauer Edit (PPE)
(2012. március 9.)

Tárgy: Gyermekek koldulásra való felhasználása

Még manapság is Európa-szerte előfordul, hogy a lakosság szánalmának felkeltésére gyermekeket koldulásra kényszerítenek, és koldulás céljából kizsákmányolnak. A gyermekek koldulásra való felhasználása egyet jelent alapvető jogaik, úgymint a védelemhez, személyi sérthetetlenséghez és méltósághoz való joguk megtagadásával, függetlenül attól, hogy a koldulás során kíséri-e őket „szülő". Emellett a koldulásra kényszerített gyermekeket megfosztják gyermekkoruktól, továbbá a pozitív fejlődés és az oktatás lehetőségétől. Annak hangoztatása, hogy a szűkölködő családok számára meg kell engedni saját gyermekeik koldulásra való felhasználását, rossz üzenetet küld a potenciális elkövetőknek, és komolyan hátráltatja a gyermekvédelemre és a gyermekkereskedelem megszüntetésére irányuló uniós stratégiák hatékony megvalósítását, továbbá semmibe veszi a tagállamok független, jogilag kötelező érvényű szerződéses kötelezettségeit, melyek szerint az uniós joghatóság alá tartozó összes személy – különösen a gyermekes családok – számára megkülönböztetés nélkül garantálniuk kell az oszthatatlan alapvető emberi jogok tiszteletben tartását.

Az ENSZ – mind a 27 uniós tagállam által jóváhagyott – Gyermekek Jogairól szóló Egyezménye megfelelő értelmezésének és hatékony végrehajtásának ellenőrzéséért és biztosításáért felelős Gyermekjogi Bizottság a közelmúltban aggodalmát fejezte ki egy Belgiumban született ítélettel kapcsolatosan, amely az alábbiakat mondja ki: „a saját gyermekét koldulásra felhasználó szülő nem követ el bűncselekményt, a jogalkotó ugyanis úgy véli, hogy az ilyen cselekedetekre nem szabad büntetőjogi választ adni". ([1]) Az ENSZ Gyermekjogi Bizottsága Belgiumnak szóló ad hoc záró észrevételeiben kifejtette: „A bizottság felhívja a részes felet, hogy határozottan ítélje el a gyermekek utcai koldulásra való használatát, függetlenül attól, hogy az érintett felnőttek a szülők-e." ([2])

Milyen konkrét lépéseket tesz a Bizottság annak biztosítására, hogy az uniós tagállamok az ENSZ Gyermekjogi Bizottsága ajánlásaiban foglalt értelmezéssel összhangban végrehajtsák a Gyermekek Jogairól szóló ENSZ-egyezményt, és különösen annak garantálására, hogy a 27 tagállam határozottan tiltsa meg a gyermekek koldulásra való felhasználását, függetlenül attól, hogy a koldulás során velük vannak-e a szüleik?

Milyen jogi státusszal rendelkeznek a szülők által kísért kolduló gyermekek jelenleg a 27 tagállamban? Milyen jogi státusszal rendelkeznek a szülői kíséret nélküli kolduló gyermekek jelenleg a 27 tagállamban, és mennyire van jelenleg összhangban a tagállamok nemzeti szabályozása a gyermekkereskedelem megszüntetésére és a kiskorú áldozatok védelmére irányuló, a kényszermunkára és szolgáltatásokra, többek között a koldulásra vonatkozó új uniós rendelkezésekkel, így például 2011. április 5-i 2011/36/EU európai parlamenti és tanácsi irányelv 2. cikkének (3) bekezdésével és (11) preambulumbekezdésével? ([3])

Cecilia Malmström válasza a Bizottság nevében
(2012. április 26.)

A koldulás céljából folytatott emberkereskedelem kérdéskörére az emberkereskedelem megelőzéséről szóló 2011/36/EU irányelv vonatkozik, amely kényszermunkaként értelmezi a kényszer hatására folytatott koldulást, és elismeri, hogy a gyermekek körében az átlagosnál nagyobb az emberkereskedelem áldozatává válás kockázata. Emiatt az irányelv segítő és a védelmi intézkedések megtételére szólítja fel a tagállamokat.

A tagállamok 2013. április 6-ig kötelesek nemzeti jogukba átültetni az irányelvet, majd a Bizottság 2015. április 6-ig jelentésben tájékoztatja az Európai Parlamentet és a Tanácsot a végrehajtásról. A tagállamok általi végrehajtás elősegítése érdekében a Bizottság jelenleg informális kapcsolattartó csoport kialakításán dolgozik.

A Bizottság emellett tanulmány készítését is támogatja, amelyben vizsgálják a gyermekek koldulásának tipológiáját, valamint az uniószerte alkalmazott szakpolitikai válaszlépéseket. Ezt a munkát várhatóan 2012-ben teszik közzé. A tanulmány bővíti a kolduló gyermekekkel kapcsolatos ismereteinket, továbbá áttekinti a jogrendszereket, a koldulásban érintett gyermekekre jellemző tulajdonságokat, valamint a szokásos tendenciákat, az alkalmazott módszereket és a szakpolitikai válaszlépéseket. A Bizottság több más, emberkereskedelemmel foglalkozó projekteket is finanszíroz, ilyen például az ISEC-program, amelynek egyik támogatási prioritása az emberkereskedelem volt a legutóbbi ajánlattételi felhívás szerint.

([1]) Brüsszeli Fellebbviteli Bíróság, 14. kollégium, 747. sz. ítélet, 2010. május.
([2]) CRC/C/BEL/CO/3-4, 2010. június 18., Különleges védintézkedések, 72-73. bekezdés.
([3]) HL L 101., 2011. 4.15., 1. o.

(English version)

Question for written answer E-002721/12
to the Commission
Nadja Hirsch (ALDE) and Edit Bauer (PPE)
(9 March 2012)

Subject: The use of children for begging

Across Europe children are still compelled to beg as a ploy to solicit public pity and are exploited for begging. The use of children for begging — whether the child appears to be accompanied by a 'parent' or not — is a denial of their fundamental rights, such as the right to protection, integrity and dignity. Moreover, children forced into begging are deprived of their childhood, their potential for positive development and their education. Affirming that destitute families should be permitted to use their own children for begging sends the wrong signal to would-be perpetrators and seriously hampers effective EU child protection and anti-trafficking strategies. It also ignores Member States' interdependent legally binding treaty obligations to guarantee without discrimination indivisible basic human rights to all persons under EU jurisdiction, especially families with children.

The UN Committee on the Rights of the Child — which monitors and guarantees appropriate interpretation and effective implementation of the Convention on the Rights of the Child, ratified by all 27 EU Member States — recently expressed its concern in relation to a judgment given in Belgium ([1]) stating that '*[l]e parent qui utilise son propre enfant pour mendier ne commet pas une infraction, le législateur considérant que la réponse à de tels faits ne doit pas être de nature pénale*' (a parent who uses his or her own child for the purpose of begging is not committing an offence, the legislator being of the view that the response to such acts should not be a matter for criminal law). The UN Committee stated in its ad hoc 'Concluding Observations' for Belgium: 'The Committee calls upon the State party to expressly ban the use of children for begging on the streets whether or not the adults concerned involved are parents' ([2]).

What concrete measures will the Commission take to ensure that Member States implement the UN Convention on the Rights of the Child as interpreted by the UN Committee recommendations, and in particular that the use of children for the purpose of begging — whether accompanied by their parents or not — is expressly prohibited in all 27 Member States?

What is the present legal status of begging children accompanied by their parents in the 27 Member States? What is the present legal status of begging children who are not accompanied by their parents in the 27 Member States and how far are Member States' national legislations already in conformity with new EU anti-trafficking child victim protection provisions regarding exploitation for 'forced labour and services, including begging', *inter alia* Article 2(3) and Recital 11 of Directive 2011/36/EU of the EP and of the Council of 5 April 2011 ([3])?

Answer given by Ms Malmström on behalf of the Commission
(26 April 2012)

Directive 2011/36/EU on trafficking in human beings specifically addresses trafficking for the purpose of begging. It defines forced begging as a form of forced labour or services, acknowledges that children are at greater risk of becoming victims of trafficking, and asks Member States to provide them assistance and protective measures.

Member States have the obligation to transpose the directive into their national legislation by 6 April 2013 and the Commission will report to the European Parliament and Council on the implementation by 6 April 2015. In order to assist Member States with implementation, the Commission is setting up an Informal Contact Group.

The Commission is funding a study on typologies and policy responses to child begging in the EU, to be published in 2012. The study will increase knowledge on child begging and provide an overview of legal systems, characteristics of children involved in begging, trends, modus used and policy responses. Furthermore, the Commission funds other projects on trafficking in human beings, an example being through the ISECprogramme which in its last call for proposals included trafficking in human beings as one of the priorities for project funding.

([1]) Cour d'Appel de Bruxelles, 14ème Chambre, Arrêt No 747, 26 May 2010.
([2]) CRC/C/BEL/CO/3-4, 18 June 2010, Special Measures of Protection, paragraphs 72-73.
([3]) OJ L 101, 15.4.2011, p. 1.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002729/12
alla Commissione (Vicepresidente/Alto Rappresentante)
Patrizia Toia (S&D), Roberta Angelilli (PPE), Andrea Cozzolino (S&D), Gianni Pittella (S&D), Guido Milana (S&D), Mario Borghezio (EFD), Aldo Patriciello (PPE), Sergio Gaetano Cofferati (S&D), Rita Borsellino (S&D), Paolo De Castro (S&D), Fiorello Provera (EFD), Niccolò Rinaldi (ALDE), Mara Bizzotto (EFD), Francesco Enrico Speroni (EFD), Gianluca Susta (S&D), Oreste Rossi (EFD), Luigi Ciriaco De Mita (PPE), Debora Serracchiani (S&D), David-Maria Sassoli (S&D), Salvatore Caronna (S&D), Francesca Balzani (S&D), Andrea Zanoni (ALDE), Roberto Gualtieri (S&D), Silvia Costa (S&D), Giuseppe Gargani (PPE), Rosario Crocetta (S&D), Sonia Alfano (ALDE), Erminia Mazzoni (PPE), Sergio Paolo Frances Silvestris (PPE), Amalia Sartori (PPE), Mario Pirillo (S&D), Leonardo Domenici (S&D), Carlo Fidanza (PPE), Francesco De Angelis (S&D), Magdi Cristiano Allam (EFD), Paolo Bartolozzi (PPE), Claudio Morganti (EFD), Cristiana Muscardini (PPE), Salvatore Tatarella (PPE), Potito Salatto (PPE), Vincenzo Iovine (ALDE), Alfredo Antoniozzi (PPE), Elisabetta Gardini (PPE), Pier Antonio Panzeri (S&D), Licia Ronzulli (PPE), Vittorio Prodi (S&D), Gabriele Albertini (PPE), Carlo Casini (PPE) e Lorenzo Fontana (EFD)
(9 marzo 2012)

Oggetto: VP/HR — Arresto dei marò Italiani in India

Il 15 febbraio 2012 sono stati arrestati dalla polizia di Kochi, località dell'India meridionale, i marò Massimiliano Latorre, 45 anni, di Taranto, e Salvatore Girone, 34 anni, di Bari (in servizio presso il reggimento San Marco che ha sede nella caserma Carlotto di Brindisi), coinvolti nell'uccisione di due pescatori scambiati per pirati, Valentine Jelastine e Ajeesh Binki, avvenuta al largo delle coste indiane mentre si trovavano a bordo della petroliera «Enrica Lexie».

Il 6 marzo, al termine del previsto periodo di due settimane in custodia della polizia, il tribunale di Kollam ha disposto il trasferimento dei marò in custodia giudiziaria nel carcere centrale di Trivandrum, capoluogo del Kerala, seppure in una cella a parte, dove viene garantito loro un trattamento differente.

Nel rispetto delle vittime e dei loro familiari è necessario fare chiarezza su quanto è avvenuto.

Massimiliano Latorre e Salvatore Girone non sono solo soltanto soldati italiani, ma europei; essendo l'incidente avvenuto in acque internazionali, questa vicenda potrebbe costituire un precedente gravissimo non solo per i militari italiani all'estero, ma per tutte le nazioni che impegnano i propri militari nella difesa delle navi civili contro la pirateria, fenomeno purtroppo ancora troppo diffuso contro cui l'Europa è impegnata.

Il Sottosegretario italiano agli esteri, Staffan de Mistura, ha dichiarato che è importante un coinvolgimento dei partner europei.

Si chiede pertanto all'Alto Rappresentante di rispondere ai seguenti quesiti:

1. Quali azioni ha portato avanti l'Alto Rappresentante rispetto a quanto accaduto? Ci sono gli estremi per cui l'Alto Rappresentante può avanzare un passo formale presso le autorità indiane per ottenere il rilascio immediato dei due marò?

2. Quali azioni ha intrapreso e intende intraprendere l'Alto Rappresentante per evitare, in futuro, casi come quello accaduto?

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

I militari italiani Massimiliano Latorre e Salvatore Girone sono tuttora sotto custodia delle autorità indiane, in attesa di una decisione dell'Alta Corte del Kerala in merito alla giurisdizione da applicare in questo caso. La nave mercantile non ha ancora avuto l'autorizzazione a lasciare il porto di Kochi, in attesa di garanzie adeguate per il pagamento del risarcimento alle famiglie delle vittime.

Su richiesta del governo italiano, l'AR/VP ha dato istruzioni al servizio europeo per l'azione esterna (SEAE) di intensificare i contatti con le controparti indiane e di attirare la loro attenzione sulla complessità del caso. Pur riconoscendo che la questione è ora innanzi alla giurisdizione indiana, il SEAE a Bruxelles e la delegazione dell'UE a New Delhi hanno entrambi discusso con le autorità indiane competenti sui vari elementi del caso e sulla necessità di trovare quanto prima una soluzione soddisfacente.

Gli sforzi dell'Alta Rappresentante/Vicepresidente sia a Bruxelles che a New Delhi si sono altresì concentrati nel dialogo con l'India in merito alla regolamentazione della presenza di soggetti armati a bordo delle navi mercantili come protezione contro la pirateria.

La questione del personale armato a bordo delle navi mercantili è oggetto di consultazione nei fora internazionali, in particolare nell'ambito dell'IMO e del gruppo di contatto internazionale antipirateria al largo delle coste somale. L'UE e l'India hanno concordato di intensificare i contatti in tal senso e di perseguire con fermezza una revisione delle attuali prassi per prevenire l'insorgere di incidenti simili in futuro.

(English version)

Question for written answer E-002729/12
to the Commission (Vice-President/High Representative)
Patrizia Toia (S&D), Roberta Angelilli (PPE), Andrea Cozzolino (S&D), Gianni Pittella (S&D), Guido Milana (S&D), Mario Borghezio (EFD), Aldo Patriciello (PPE), Sergio Gaetano Cofferati (S&D), Rita Borsellino (S&D), Paolo De Castro (S&D), Fiorello Provera (EFD), Niccolò Rinaldi (ALDE), Mara Bizzotto (EFD), Francesco Enrico Speroni (EFD), Gianluca Susta (S&D), Oreste Rossi (EFD), Luigi Ciriaco De Mita (PPE), Debora Serracchiani (S&D), David-Maria Sassoli (S&D), Salvatore Caronna (S&D), Francesca Balzani (S&D), Andrea Zanoni (ALDE), Roberto Gualtieri (S&D), Silvia Costa (S&D), Giuseppe Gargani (PPE), Rosario Crocetta (S&D), Sonia Alfano (ALDE), Erminia Mazzoni (PPE), Sergio Paolo Frances Silvestris (PPE), Amalia Sartori (PPE), Mario Pirillo (S&D), Leonardo Domenici (S&D), Carlo Fidanza (PPE), Francesco De Angelis (S&D), Magdi Cristiano Allam (EFD), Paolo Bartolozzi (PPE), Claudio Morganti (EFD), Cristiana Muscardini (PPE), Salvatore Tatarella (PPE), Potito Salatto (PPE), Vincenzo Iovine (ALDE), Alfredo Antoniozzi (PPE), Elisabetta Gardini (PPE), Pier Antonio Panzeri (S&D), Licia Ronzulli (PPE), Vittorio Prodi (S&D), Gabriele Albertini (PPE), Carlo Casini (PPE) and Lorenzo Fontana (EFD)
(9 March 2012)

Subject: VP/HR — Arrest of Italian marines in India

On 15 February 2012, police from Kochi, a town in the south of India, arrested two Italian marines: Massimiliano Latorre, a 45-year-old from Taranto, and Salvatore Girone, a 34-year-old from Bari (both serving in the San Marco regiment which is housed in the Carlotto barracks in Brindisi). They were involved in the killing of two fishermen mistaken for pirates, Valentine Jalastine and Ajeesh Binki, which occurred off the Indian coast while the marines were on board the oil tanker *Enrica Lexie*.

On 6 March, at the end of the scheduled two-week period in police custody, the Kollam court ordered the marines to be remanded in judicial custody in the central prison of Thiruvananthapuram, the capital of Kerala, albeit in a cell of their own where they receive special treatment.

Out of respect for the victims and their families, it is important to shed light on the events that took place.

Massimiliano Latorre and Salvatore Girone are not only Italian soldiers, but European ones. Since the incident occurred in international waters, this affair could set an extremely serious precedent not only for Italian soldiers overseas, but for all nations that deploy their own military in the defence of civilian ships against piracy, sadly still an all-too-common phenomenon against which Europe is committed to fighting.

The Italian Under-Secretary of State for Foreign Affairs, Staffan de Mistura, has called for the involvement of European partners in the matter.

Can the High Representative therefore answer the following questions:

1. What action has she taken with respect to these events? Are there grounds for the High Representative to make representations to the Indian authorities in order to secure the immediate release of the two soldiers?

2. What action has the High Representative taken, and what action does she intend to take, to avoid cases like this from occurring in the future?

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

The Italian marines Mr Massimilano Latorre and Mr Salvatore Girone still remain under Indian custody, awaiting a decision by the Kerala High Court on the jurisdiction over this case. The merchant vessel has not been authorised yet to leave the Cochin harbor, pending agreement on appropriate guarantees for payment of compensations to the families of the victims.

At the request of the Italian Government, the HR/VP has directed the EEAS to intensify contacts with Indian counterparts to draw their attention to the complexity of the case. Whilst acknowledging that the matter is now in front of the Indian jurisdiction, both the EEAS Headquarters and the EU Delegation in Delhi have discussed the various elements with the competent Indian authorities and the need to find a satisfactory solution as soon as possible.

The HR/VP efforts both here in Brussels and in New Delhi, have concentrated as well on engaging in a dialogue with India in order to address the issue of the regulation of the presence of armed elements on board merchant vessels with the aim of protecting against piracy.

The issue of armed personnel on board merchant vessels is the object of consultation in international for a, in particular within the IMO and the Contact Group on Piracy off the Coast of Somalia. The EU and India have agreed to intensify contacts in this regard and to vigorously pursue review of the current practices in order to prevent such incidents from happening again.

(Magyar változat)

Írásbeli választ igénylő kérdés E-002730/12
a Bizottság számára
Bauer Edit (PPE) és Gál Kinga (PPE)
(2012. március 9.)

Tárgy: Állampolgárság megvonásával kapcsolatos gyakorlat uniós joggal való összeegyeztethetősége

A szlovákiai kettős állampolgárság tiltásáról szóló 40/1993 Tt. törvénymódosítás ügyében a Bizottság legutóbbi válaszában (P-005994/2011) kifejtette, hogy „a tagállamoknak az állampolgárság területén meglévő hatáskörük gyakorlása során figyelembe kell venniük az uniós jogot", illetve „e hatáskör gyakorlása az uniós jogra vonatkozóan működtetett bírói felülvizsgálat alá tartozik, amennyiben az az uniós jogrend által biztosított és védett jogokat érint".

Mivel más állampolgárság felvétele esetében a szlovák állampolgárság *ex lege* elveszik, a hivatalos szervek végzést nem adnak ki és fellebbezés (közigazgatási vagy bírósági úton) nem lehetséges. A hasonló esetek sorából példaként említhetjük G. L. esetét, aki Magyarországon utolsó éves joghallgatóként felvette a magyar állampolgárságot. Az érintett levélben közölte a szlovák hatóságokkal, hogy Magyarországon köztisztviselői állást kíván betölteni. Érvelését – miszerint uniós jogrend által védett érdekről van szó a munkavállalás szabadságával összefüggésben – alátámasztják a jogi végzettségek elismerésének különös szabályai, illetve az állampolgárság megkövetelésének jogszerűsége.

Az érintett nem kapott indokolt döntést szlovák állampolgársága elvesztéséről, erről a tényről csak az egészségbiztosító jogviszonya megszűnésével kapcsolatos értesítése, és okmányainak leadására felszólító rendőrségi határozat ([1]) révén értesült. Az érintett fél indokolt döntésre, és állampolgársága elveszéséről szóló igazolásra vonatkozó kérelmét a hatáskörrel rendelkező hatóság a szlovák szabályozásra hivatkozva utasította el ([2]).

Nyilvánvaló, hogy e szabályozás ellentétes az uniós joggal, tekintettel a Bíróság ([3]) gyakorlatára és az Európai Unió Alapjogi Chartájának 41. és 47. cikkeire, különös tekintettel a hatékony jogorvoslat elengedhetetlen feltételének tekinthető, a közigazgatási döntések indoklására vonatkozó kötelezettségre, és a bírói felülvizsgálat biztosítására. A Bíróság gyakorlata alapján ([4]) a tényleges érvényesülés elve megköveteli, hogy a nemzeti eljárási szabályok ne tegyék lehetetlenné az uniós jogrendből eredő jogosultságok érvényre juttatását.

Mit kíván tenni a Bizottság e szabályozással kapcsolatos uniós jogsértés orvoslására?

Viviane Reding válasza a Bizottság nevében
(2012. május 7.)

Amint azt a Bizottság a P-005994/2011. számú írásbeli kérdésre ([5]) adott válaszában jelezte, a Rottmann-ügy (C-135/08) körülményei nem tekinthetők azonosnak a tisztelt képviselők kérdésében felvetett körülményekkel, a Szlovák Köztársaság jelenleg hatályos állampolgársági törvénye értelmében az állampolgárság *ex lege* elvesztésére vonatkozóan.

A Bizottság emlékeztet arra, hogy az Európai Unió Bíróságának a Rottmann-ügyben hozott ítélete egyedi közigazgatási határozatra vonatkozott, amelyben az érintett személy honosítását visszavonták azon az alapon, hogy azt csalás útján szerezte. A Szlovák Köztársaság állampolgársági törvényére vonatkozó szóban forgó esetben azonban az állampolgárság elvesztése a törvény erejénél fogva történt egy személy szabad akaratának következtében, azaz az egyénnek a külföldi állampolgárság önkéntes megszerzésére irányuló saját kérelmét követően.

A tisztelt képviselők által hivatkozott egyedi eset – amely egy szlovák állampolgárt érint, aki önként vette fel a magyar állampolgárságot és ennek következtében a törvény erejénél fogva elvesztette szlovák állampolgárságát, amint az állampolgárság megszerzése a szlovák hatóságok tudomására jutott – nem tartalmaz semmiféle olyan új elemet, amely befolyásolhatná ezt az értékelést.

([1]) Egészségbiztosító: 2700CC4410; Rendőrség: ORPZ-LV-OPP1-4-010/2011.
([2]) Egészségbiztosító: 2700CC4410; Rendőrség: ORPZ-LV-OPP1-4-010/2011.
([3]) Bíróság, Heylens, 222/86; Johnston, 222/84.
([4]) Bíróság, Unibet, C-432/05, P 82; Rewe, 33/76.
([5]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(English version)

Question for written answer E-002730/12
to the Commission
Edit Bauer (PPE) and Kinga Gál (PPE)
(9 March 2012)

Subject: The compatibility of the practice of citizenship withdrawal with Union law

In the case of the amendment of Law No 40/1993 Tt. on the prohibition of dual citizenship in Slovakia, the Commission stated in its latest response (P-005994/2011) that 'Member States must, when exercising their powers regarding nationality, have due regard to European Union law' and 'the exercise of this power, in so far as it affects the rights conferred and protected by the legal order of the Union, is amenable to judicial review carried out in the light of European Union law'.

As the taking on of another citizenship involves the *ex lege* loss of Slovakian citizenship, official bodies do not issue decisions, and neither administrative nor judicial appeals are possible. As an example of a whole series of similar cases, we can mention the case of L.G., who took Hungarian citizenship as a final year law student in Hungary. The person concerned wrote to the Slovakian authorities expressing the wish to take on a position as a civil servant in Hungary. The person's argument — as the case involves interests protected by the legal order of the Union with respect to the freedom of employment — is supported by the special rules on the recognition of legal qualifications and by the legality of the demand for citizenship.

The person concerned received no justified decision regarding the loss of their Slovakian citizenship and only became aware of this fact from the notice received in connection with the termination of their health insurance and from the police decision ([1]) notifying them to hand in their identity documents. The authority with competence in the matter rejected the concerned party's request for a reasoned decision and for certification of the loss of citizenship by making reference to Slovakian regulations ([2]).

This regulation is clearly in contravention of EC law, in view of the Court's case law ([3]) and Articles 41 and 47 of the European Union's Charter of Fundamental Rights, with special regard to the obligation to give reasons for administrative decisions — deemed an essential condition of effective legal remedy — and to the provision of judicial review. On the basis of the Court's case law ([4]), the principle of effectiveness demands that national procedural rules should not make the enforcement of rights arising from EC law impossible.

What action does the Commission intend to take in order to remedy the violation of EC law in connection with this regulation?

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

As the Commission indicated in its reply to Written Question P-005994/2011 ([5]), the circumstances of the *Rottmann* case (C-135/08) cannot be considered to be identical to the circumstances raised by the Honourable Members in their question as regards the *ex lege* loss of citizenship by virtue of the law on citizenship of the Slovak Republic which is currently in force.

The Commission recalls that the judgment of the Court of Justice of the European Union in the *Rottmann* case regarded an individual administrative decision withdrawing the naturalisation of the person concerned on the ground that he had obtained this naturalisation by deception. However, in the case of the law on citizenship of the Slovak Republic at issue, loss of nationality occurs by operation of law as a result of a person's own free will, i.e. following the voluntary acquisition of a foreign nationality at the individual's own request.

The specific case referred to by the Honourable Members, concerning a Slovak citizen who voluntarily acquired the Hungarian citizenship and who as a result lost by operation of law his Slovak citizenship once the Slovak authorities were informed of this acquisition, does not provide any new elements capable of affecting this assessment.

([1]) National health insurance: 2700CC4410; Police: ORPZ-LV-OPP1-4-010/2011.
([2]) ObU-NR-OVVS4-2012/00141.
([3]) Court, Heylens, 222/86; Johnston, 222/84.
([4]) Court, Unibet, C-432/05, P 82; Rewe, 33/76.
([5]) http://www.europarl.europa.eu/QP-WEB/home.jsp

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002731/12
aan de Commissie
Auke Zijlstra (NI)
(9 maart 2012)

Betreft: Stop met arbeidsmigratie!

De Partij van de Arbeid in Rotterdam wil een stop op arbeidsmigratie. De stad heeft sinds 2007 maar liefst 30 000 Oost-Europeanen erbij gekregen. De problemen die zij met zich hebben meegebracht, zoals overlast en criminaliteit, rijzen de pan uit.

In haar antwoord op schriftelijke vraag E-012678/2011 schrijft de Commissie: „Ter voorkoming van verstoringen van de arbeidsmarkt als gevolg van een plotselinge toevloed van werknemers voorziet de Akte van toetreding van Bulgarije en Roemenië in overgangsregelingen. Op grond hiervan mogen de lidstaten het vrije verkeer van Bulgaarse en Roemeense werknemers voor een periode van maximaal zeven jaar vanaf de datum van toetreding aan banden leggen. Wil een lidstaat de toegang tot de arbeidsmarkt voor de laatste twee jaar van de periode van zeven jaar na 31 december 2011 blijven beperken, dan moet hij beoordelen of er sprake is van een ernstige verstoring of dreigende ernstige verstoring van zijn arbeidsmarkt en de Commissie daarvan in kennis stellen. Beslissingen om dergelijke beperkingen ook verder toe te passen, moeten derhalve gebaseerd zijn op de feitelijke situatie op de arbeidsmarkt in de betrokken lidstaat."

1. Is de Commissie bekend met het bericht „Wachten met nog meer arbeidsmigratie" ([1])?

2. Is de Commissie met de PVV van mening dat lidstaten niet slechts voor een beperkte periode, maar voor zolang dat ten behoeve van de arbeidsmarkt, het sociale stelsel, de openbare orde /veiligheid etc. vereist is, het vrije verkeer van arbeiders aan banden zouden moeten kunnen leggen? Met andere woorden: is de Commissie met de PVV van mening dat de regelgeving in dezen níet zou moeten prevaleren boven datgene wat de maatschappelijke omstandigheden vereisen maar door de betreffende regelgeving wordt uitgesloten?

3. Is de Commissie met de PVV van mening dat de massale toestroom van Midden- en Oost-Europeanen zorgt voor sociale ontwrichting? Wat is de visie van de Commissie hierop?

Antwoord van de heer Andor namens de Commissie
(30 april 2012)

1. De Commissie stelt met genoegen vast dat in het verslag waar het geachte Parlementslid naar verwijst, de wethouder van wonen en ruimtelijke ordening in Rotterdam de positieve impact van onderdanen van Midden- en Oost-Europese lidstaten op de economie en arbeidskrachtentekorten in Nederland erkent. De Commissie is ook verheugd over de stappen die Rotterdam volgens het artikel neemt om deze onderdanen in de Nederlandse samenleving te integreren.

2. Het antwoord is neen. Met referte aan haar antwoord op vraag 12678/2011 is de Commissie van oordeel dat, in plaats van nieuwe beperkingen op te leggen met betrekking tot fundamentele vrijheden zoals het vrij verkeer van werknemers binnen de Europese Unie (EU), de laatste belemmeringen voor de uitoefening van deze vrijheden moeten worden weggenomen.

3. Het antwoord is neen. De Commissie beklemtoont dat er geen bewijs is voor een massale arbeidsmigratie vanuit de lidstaten die in 2004 en 2007 zijn toegetreden tot de EU ([2]). Het spreekt voor zich dat wanneer arbeidsmigratie een negatieve impact heeft op openbare diensten, huisvesting en sociale cohesie, en wanneer zij uitbuiting of zwart werken in de hand werkt, dit moet worden aangepakt. De ervaring leert echter dat deze problemen effectiever kunnen worden aangepakt aan de hand van alternatieve oplossingen, en niet door de toegang van EU-onderdanen tot de arbeidsmarkt te beperken. De Commissie raadt de lidstaten aan hun actieve arbeidsmarkt-, integratie- en inclusiebeleid te ontwikkelen en bijzondere aandacht te schenken aan culturele, taal- en onderwijsbehoeften.

([1]) Financieele Dagblad, 6 maart 2012.

([2]) Zie de mededeling van de Commissie "Het effect van het vrije verkeer van werknemers in de context van de uitbreiding van de EU" (COM(2008) 765 definitief van 18 november 2008) en het "Verslag van de Commissie aan de Raad over het functioneren van de overgangsregelingen inzake vrij verkeer van werknemers uit Bulgarije en Roemenië" (COM(2011) 729 definitief van 11 november 2011).

(English version)

Question for written answer E-002731/12
to the Commission
Auke Zijlstra (NI)
(9 March 2012)

Subject: Stop labour migration

The Labour Party in Rotterdam wants to halt labour migration. At least 30 000 Eastern Europeans have come to the city since 2007. The problems they have brought, such as public nuisance and criminality, are getting out of control.

The Commission writes in its answer to Written Question E-012678/2011: 'To prevent labour market disturbances arising from a sudden inflow of workers, the Act of Accession of Bulgaria and Romania provides for transitional arrangements. These allow the Member States to restrict the free movement of Bulgarian and Romanian workers for a maximum of seven years after accession. To continue to restrict labour market access for the final two years of the seven-year period after 31 December 2011, a Member State must assess whether it is undergoing, or is threatened by, a serious labour market disturbance and notify the Commission accordingly. Any decision to continue to apply such restrictions must therefore be based on the factual situation on the labour market in the individual Member State.'

1. Is the Commission familiar with the report 'Wait before letting even more labour migrants in' ([1])?

2. Does the Commission agree with the PVV that Member States should be able to curtail the free movement of workers not just for a limited period but for as long as is necessary in the interests of the labour market, the welfare system, public order/safety, etc.? In other words: does the Commission agree with the PVV that the legislation on this matter should not take precedence over what is demanded by society but is being ruled out by the relevant legislation?

3. Does the Commission agree with the PVV that the massive influx of Central and Eastern Europeans is causing social disruption? What view does the Commission take on this?

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

1. The Commission is pleased to note that, in the report to which the Honourable Member refers, the Rotterdam councillor responsible for housing and spatial planning recognises the positive impact of nationals of Central and Eastern European Member States on the economy and labour shortages in the Netherlands. The Commission also welcomes the steps which, according to the article, Rotterdam is taking to integrate these nationals into Dutch society.

2. The answer is no. Further to its answer to question 12678/2011, the Commission considers that, rather than introducing new restrictions on such fundamental freedoms as the free movement of workers within the European Union (EU), the remaining obstacles impeding the exercise of these freedoms must be removed.

3. The answer is no. The Commission stresses that there is no evidence of massive labour migration from the Member States that joined the EU in 2004 and 2007 ([2]). Clearly, any negative impact that labour mobility may have on public services, housing and social cohesion, and any aggravating effect it may have on exploitation or undeclared work must be addressed. However, experience suggests that these issues can be more effectively addressed by alternative solutions, and not by restricting the access of EU nationals to the labour market. The Commission recommends that the Member States develop their active labour market, integration and social inclusion policies and pay special attention to cultural, linguistic and schooling needs.

([1]) *Financieel Dagblad*, 6 March 2012.
([2]) See Commission communication 'The impact of free movement of workers in the context of EU enlargement' (COM(2008) 765 final of 18 November 2008) and 'Report from the Commission to the Council on the Functioning of the Transitional Arrangements on Free Movement of Workers from Bulgaria and Romania' (COM(2011) 729 final of 11 November 2011).

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002733/12
aan de Commissie
Auke Zijlstra (NI) en Barry Madlener (NI)
(9 maart 2012)

Betreft: Somaliërs via Turkije naar EU

De Turkse luchtvaartmaatschappij „Turkish Airlines" wil vaker naar de Somalische hoofdstad Mogadishu vliegen. Het risico bestaat dat Somaliërs die vervolgens mee terug naar Turkije vliegen, via lekke grenzen Griekenland en daarmee de EU zullen binnenkomen. De Nederlandse minister van Immigratie en Asiel maakt zich hier terecht zorgen over.

1. Is de Commissie bekend met het bericht „Leers vreest toestroom Somalische vluchtelingen via Turkije" ([1])?

2. Is de Commissie op de hoogte van de lekke grenzen tussen Griekenland, een EU-lidstaat, en Turkije, géén EU-lidstaat, en de illegale migratie naar de EU via deze grenzen?

3. Wat is de Commissie van plan tegen de illegale migratie naar de EU via de Grieks-Turkse grenzen te ondernemen? Is de Commissie bereid met Turkije in contact te treden teneinde Somaliërs (en anderen), die via de Grieks-Turkse grenzen illegaal de EU willen binnenkomen, tegen te houden?

Antwoord van mevrouw Malmström namens de Commissie
(2 mei 2012)

De Commissie is zich ten volle bewust van de omvang en de aard van de illegale migratie die de buitengrens van de EU bereikt via Turkije, met name via de landgrens met Griekenland.

De Commissie heeft reeds diverse technische maatregelen ingesteld en aanzienlijke financiële steun verstrekt om deze illegale migratiestromen te bestrijden. De Commissie vindt het belangrijk deze inspanningen op te voeren, met name door de huidige Frontex-activiteiten aan de Grieks-Turkse grens te intensiveren, de samenwerking tussen Frontex, Europol en het EASO op te drijven en door Griekenland te blijven steunen, zowel met technische als met financiële middelen, bij het opzetten van een efficiënt systeem voor grensbeheer en terugkeerbeleid.

Een intensievere samenwerking met Turkije zou aanzienlijk helpen om de illegale migratie een halt toe te roepen. De Commissie bevordert bijgevolg de dialoog met Turkije om de concrete samenwerking te versterken, met name door de bestrijding van criminele netwerken die zich bezighouden met de smokkel van illegale migranten. In het kader van deze dialoog wordt ook het specifieke geval van de Somalische migranten aangekaart.

([1]) http://www.elsevier.nl/web/Nieuws/Politiek/332644/Leers-vreest-toestroom-Somalische-vluchtelingen.htm

(English version)

Question for written answer E-002733/12
to the Commission
Auke Zijlstra (NI) and Barry Madlener (NI)
(9 March 2012)

Subject: Somalis entering the EU via Turkey

The Turkish carrier 'Turkish Airlines' wants to fly more frequently to the Somali capital Mogadishu. There is a risk that Somalis travelling to Turkey on the return flight will enter Greece through its porous borders, and thus the EU. The Dutch Minister for Immigration and Asylum is justifiably concerned about this.

1. Is the Commission familiar with the report 'Leers fears influx of Somali refugees through Turkey' ([1])?

2. Is the Commission aware of the porous borders between Greece, an EU Member State, and Turkey, not an EU Member State, and of illegal migration to the EU across these borders?

3. What measures does the Commission intend to take against illegal migration to the EU via the Greek-Turkish borders? Is the Commission prepared to take this up with Turkey in order to stop Somalis (and others) who want to enter the EU illegally via the Greek-Turkish borders?

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

The Commission is fully aware of the size and nature of the irregular migration flows reaching the EU external border from the Turkish territory, notably via the land border with Greece.

The Commission has already put in place several measures of a technical nature and provided considerable financial support with a view to tackling these irregular migration flows. The Commission considers it essential to strengthen these efforts, notably by expanding the current operations at the Greek/Turkish border coordinated by Frontex, to increase inter-agency cooperation, notably between Frontex, Europol and EASO, and to continue to assist Greece, both technically and financially, in building an efficient border management system and return policy.

A dialogue and reinforced cooperation with Turkey could seriously help to tackle irregular migration. The Commission is therefore promoting such a dialogue that is also aimed at identifying ways to strengthen concrete cooperation, including by combating criminal networks that are behind the smuggling of irregular migrants. In the context of this dialogue the specific case of Somali migrants is also being addressed.

([1]) http://www.elsevier.nl/web/Nieuws/Politiek/332644/Leers-vreest-toestroom-Somalische-vluchtelingen.htm

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-002734/12
do Komisji
Janusz Władysław Zemke (S&D)
(9 marca 2012 r.)

Przedmiot: Skutki społeczno-ekonomiczne wynikające z przyjęcia i wejścia w życie zmiany tzw. dyrektywy tytoniowej

W ostatnim czasie zwracają się do mnie coraz częściej plantatorzy tytoniu z województwa kujawsko-pomorskiego w Polsce, wysoce zaniepokojeni konsekwencjami, jakie mogą wyniknąć z przyjęcia i wejścia w życie zmiany tzw. dyrektywy tytoniowej (2001/37/WE).

Plantatorzy kujawsko-pomorscy to grupa około 1400 przedsiębiorców, którzy stwarzają miejsca pracy dla ponad 5 tysięcy mieszkańców regionu. Uprawa i produkcja tytoniu stanowi ich jedyne źródło utrzymania, a rozwiązania proponowane w trakcie prac nad zmianą dyrektywy mogą doprowadzić – zdaniem zainteresowanych – do znacznego pogorszenia kondycji tego sektora gospodarki w Polsce, w tym w szczególności na terenie województwa kujawsko-pomorskiego.

Mając powyższe na uwadze, zwracam się z uprzejmą prośbą o informację na temat wyników konsultacji, jakie przeprowadzono w związku z podjęciem prac nad projektem zmiany tzw. dyrektywy tytoniowej oraz czy podczas trwających aktualnie prac nad zmianą tego aktu prawnego bierze się pod uwagę konsekwencje społeczno-ekonomiczne mogące wyniknąć z jego wejścia w życie.

Odpowiedź udzielona przez komisarza Johna Dallego w imieniu Komisji
(26 kwietnia 2012 r.)

Wyniki przeprowadzonych w 2010 r. konsultacji społecznych dotyczących ewentualnej zmiany dyrektywy w sprawie wyrobów tytoniowych 2001/37/WE ([1]) – w tym sprawozdanie, komentarze nadesłane drogą internetową oraz odpowiedzi przekazane przez rządy i ministerstwa państw członkowskich Unii Europejskiej – zostały opublikowane na stronie internetowej Komisji ([2]).

W tej chwili Komisja ocenia skutki różnych wariantów strategicznych wyszczególnionych w ramach przeglądu dyrektywy w sprawie wyrobów tytoniowych. Ocena skutków zawiera wnikliwą analizę skutków gospodarczych, społecznych i zdrowotnych, jak również wpływu na rynek wewnętrzny. W analizie tej dokładnie rozważa się skutki dla wszystkich zainteresowanych stron, włącznie z wszelkimi potencjalnymi skutkami szczególnymi dla konkretnych państw członkowskich lub regionów.

([1]) Dz.U. L 194 z 18.7.2001.
([2]) http://ec.europa.eu/health/tobacco/consultations/tobacco_cons_01_en.htm

(English version)

Question for written answer E-002734/12
to the Commission
Janusz Władysław Zemke (S&D)
(9 March 2012)

Subject: Social and economic impact of the adoption and entry into force of changes to the Tobacco Products Directive

I am increasing being approached by tobacco growers from Kujawsko-Pomorskie Province in Poland who are extremely worried about the possible consequences of the adoption and entry into force of changes to the Tobacco Products Directive (2001/37/EC).

There are some 1 400 tobacco growers in Kujawsko-Pomorskie Province, who provide jobs for more than 5 000 people living in the region. Growing and producing tobacco is their only source of income, and they believe that the solutions proposed during the work being carried out with a view to revising the directive could lead to a significant deterioration in the situation of this sector of the Polish economy, in particular in Kujawsko-Pomorskie Province.

In view of the above, can the Commission provide information regarding the outcome of the consultations held in connection with the commencement of work on the proposal for the revision of the Tobacco Products Directive, and clarify whether, during the work currently in progress, the possible social and economic consequences of the entry into force of the revised directive are being taken into consideration?

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

The results of the 2010 public consultation on the possible revision of the Tobacco Products Directive 2001/37/EC ([1]) — including a report, submissions received on line and responses submitted by Governments and Ministries of European Union Member States — have been published on the Commission website ([2]).

The Commission is currently assessing the impact of various policy options identified within the review of the Tobacco Products Directive. The impact assessment includes a thorough analysis of the economic, social and health impact as well as an analysis of impacts on the internal market. The impact on all stakeholders is being carefully considered within this analysis, including any potential particular impact on specific Member States and/or regions.

([1]) OJ L 194, 18.7.2001.
([2]) http://ec.europa.eu/health/tobacco/consultations/tobacco_cons_01_en.htm

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002735/12
à Comissão
Nuno Teixeira (PPE)
(9 de março de 2012)

Assunto: Esclarecimento sobre o programa «Joint Action Plan»

Tendo em conta que:

— Segundo o Eurostat, em janeiro de 2012 estavam desempregadas 24 325 milhões de pessoas em toda a União Europeia, sendo que 16 925 milhões residiam nos países da Zona Euro;

— Entre os Estados-Membros, as taxas mais elevadas de desemprego verificaram-se em Espanha (23,3 %), seguida da Grécia (19,9 % em novembro de 2011), Irlanda e Portugal (ambos com 14,8 %);

— O desemprego entre os jovens também tem vindo a registar um aumento considerável, já que mais de 5 500 milhões de pessoas até aos 25 anos não têm uma ocupação profissional. Comparando com o período homólogo de janeiro de 2011, verificou-se um aumento de 269 mil pessoas.

— Em toda a União Europeia o desemprego jovem alcançou os 22,4 %, sendo evidente a gravidade da situação em países como Espanha (49,9 %), a Grécia (48,1 % em novembro de 2011), a Eslováquia (36,05) e Portugal (35,1 %);

— Segundo o documento da Comissão Europeia «Simplifying Cohesion Policy for 2014/2020», será criado um programa operacional intitulado Joint Action Plan (JAP) que tem como principal objetivo apoiar iniciativas de assistência técnica e contribuir para uma crescente inserção dos jovens no mercado de trabalho, através da realização de ações de formação básica e vocacional, criação de redes entre jovens, acompanhamento por tutores, serviços de empregabilidade e formações ministradas por institutos;

— Com um orçamento global de 54,6 milhões de Euros, o JAP pretende ajudar 10 000 jovens desempregados a encontrar uma oportunidade profissional;

— O presente programa irá, assim, apoiar diversas ações concertadas com vista a diminuir o desemprego jovem, devendo estar orientado para alcançar determinados objetivos e resultados acordados entre a Comissão Europeia e os diversos Estados-Membros;

Pergunta-se à Comissão:

1. Qual a origem do financiamento, quando entrará em vigor e como será coordenado o referido programa de apoio à inserção dos jovens no mercado de trabalho?

2. Quais as iniciativas que a Comissão considera apropriadas para os Estados-Membros começarem a desenvolver antes da entrada em vigor do referido programa?

3. Como poderão os Estados-Membros candidatar-se a estes fundos estruturais provenientes da Política de Coesão para o período 2014/2020?

Resposta dada por Johannes Hahn em nome da Comissão
(23 de abril de 2012)

A brochura da Comissão «Simplificação da Política de Coesão para 2014/2020» chama a atenção para os principais elementos de simplificação incluídos nas propostas legislativas da Comissão no âmbito da política de coesão para 2014/2020. Esta brochura explica os elementos de simplificação em 10 pontos, ilustrados com exemplos.

O ponto 7 da brochura analisa o plano de ação conjunta enquanto elemento da simplificação introduzida no que se refere ao período 2014/2020. É apresentado um exemplo teórico de um plano de ação conjunta no domínio da inserção dos jovens no emprego.

O plano de ação conjunta é uma opção que os Estados-Membros e as regiões podem utilizar com vista à criação de planos que congregam apoios prestados por vários programas ou prioridades. O financiamento de um plano desta natureza proviria de um ou mais programas em curso no Estado-Membro ou na região em causa.

Trata-se de uma abordagem baseada nos resultados que almeja alcançar determinados objetivos, realizações e resultados específicos, acordados conjuntamente entre o Estado-Membro, ou a região, e a Comissão. Por conseguinte, o plano de ação conjunta é entendido como um tipo de projeto levado a cabo por um beneficiário num Estado-Membro ou numa região.

(English version)

Question for written answer E-002735/12
to the Commission
Nuno Teixeira (PPE)
(9 March 2012)

Subject: Clarification on the Joint Action Plan programme

According to Eurostat, 24 325 million people were unemployed in the European Union in January 2012, 16 925 million of them living in euro area countries.

Among the Member States, the highest levels of unemployment were recorded in Spain (23.3 %), followed by Greece (19.9 % in November 2011), and Ireland and Portugal (both 14.8 %).

Youth unemployment has also seen a considerable increase, as more than 5 500 million people under the age of 25 are not in work. Compared with January 2011, the increase amounted to 269 000.

In the European Union as a whole, youth unemployment has reached 22.4 %. The seriousness of the situation in countries like Spain (49.9 %), Greece (48.1 % in November 2011), Slovakia (36.05 %) and Portugal (35.1 %) is clear.

According to the Commission document on 'Simplifying Cohesion Policy for 2014-2020', an operational programme entitled 'Joint Action Plan' (JAP) will be established first and foremost with a view to supporting technical assistance initiatives and helping to integrate young people increasingly into the labour market by means of basic and vocational training, youth networks, private tuition, employment coaching services and institution-based learning.

With an overall budget of EUR 54.6 million, the JAP aims to help 10 000 young people find work.

The programme will therefore support various concerted actions aimed at reducing youth unemployment and must focus on the specific objectives and outcomes agreed between the Commission and Member States.

1. Where will the funding come from and when will it take effect? What coordination will be provided for the above programme to support the integration of young people into the labour market?

2. On what initiatives, in the Commission's opinion, should the Member States embark before the programme enters into force?

3. How can the Member States apply for these cohesion policy structural funds for the period from 2014 to 2020?

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

The Commission brochure 'Simplifying Cohesion Policy for 2014-2020' draws attention to the main principles and elements of simplification included in the Commission's legislative proposals for 2014-2020 cohesion policy. In the brochure, simplification elements are explained in 10 points with examples attached.

Point 7 of the brochure discusses the Joint Action Plan as one element of simplification introduced for the 2014-2020 period. A theoretical example of a Joint Action Plan is given on the inclusion of young people in employment.

The Joint Action Plan is an option that Member States and regions can use to set up plans that encompass support from several programmes or priorities. The financing for such a plan would come from one or several programmes running in that Member State/region.

It is a results-based approach in order to achieve certain specific objectives, outputs and results agreed jointly between the Member State or region and the Commission. The Joint Action Plan is therefore considered as a type of project implemented by one beneficiary in a Member State or region.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002736/12
à Comissão
Nuno Melo (PPE)
(9 de março de 2012)

Assunto: Regadio na PAC 2014/2020

— Tendo em conta as dificuldades sentidas pelos países da Europa Mediterrânea, como Portugal, na adaptação às alterações climáticas;

— Tendo em conta que a água é um recurso decisivo na agricultura dos referidos países;

— Tendo em conta que há uma exigência de redução de 25 % no consumo de água nos regadios existentes e que tal significa a substituição dos sistemas de regadio antigos por sistemas novos com maior nível de eficiência,

A proposta relativa à nova política de desenvolvimento rural prevê a elegibilidade dos investimentos em Regadio (n.° 3 do art. 46.°) unicamente para investimentos que conduzam a uma redução do consumo de água em pelo menos 25 %. A construção de novos regadios apenas pode ser considerada elegível nos Estados-Membros que aderiram à União depois de 2004 e, caso o estudo ambiental demonstrar que o investimento em causa é sustentável, se não tiver impacto negativo no ambiente.

Pergunto à Comissão:

Não equaciona elegível na política de desenvolvimento rural de 2014/2020 o apoio ao investimento em regadio que conduza a um aumento de eficiência inferior a 25 % que não exija a reconversão dos sistemas de rega antigos em novos?

Não equaciona o apoio ao investimento em regadio que conduza à redução do consumo dos recursos, tanto hídrico como energético?

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

A proposta da Comissão relativa ao apoio ao desenvolvimento rural pós-2013 ([1]) identifica o melhoramento da gestão da água e o aumento da eficiência na sua utilização pela agricultura como domínios centrais de duas das seis prioridades da União Europeia para o desenvolvimento rural.

Para assegurar uma gestão adequada dos recursos hídricos na agricultura (qualidade e quantidade da água), a proposta da Comissão preconiza que o apoio de investimentos em irrigação se concentre no melhoramento da eficiência das atuais instalações de irrigação (com algumas exceções aplicáveis aos Estados-Membros que aderiram à União Europeia a partir de 2004).

O valor de 25 %, referente ao nível de redução da utilização da água, baseia-se nas normas do regulamento de isenção por categoria em matéria de auxílios estatais [Regulamento (CE) n.° 1857/2006], onde se dispõe que não devem ser concedidos auxílios para equipamento e obras de irrigação, a menos que de tais investimentos resulte uma redução do consumo de água de, pelo menos, 25 %.

A concessão de apoio público a investimentos de irrigação onerosos de que resultaria uma poupança inferior a 25 % na utilização da água não se justificaria, tendo em conta o objetivo de melhoria da eficiência na utilização deste recurso. O aumento da eficiência hídrica pode ser alcançado, sobretudo, através da modernização do atual sistema de irrigação.

A eficiência energética constitui um elemento importante da irrigação e a Comissão considera que o aperfeiçoamento dos sistemas de irrigação, com a prossecução simultânea de uma maior eficiência na utilização da água, aumentará igualmente a eficiência energética.

([1]) COM(2011)627 final/2.

(English version)

Question for written answer E-002736/12
to the Commission
Nuno Melo (PPE)
(9 March 2012)

Subject: Irrigation in the 2014-2020 common agricultural policy

European countries with a Mediterranean climate, such as Portugal, are having difficulties in adapting to climate change.

Water plays a key role in agriculture in these countries.

There is a requirement to reduce water consumption by 25 % at existing irrigation sites, which will involve the replacement of old irrigation systems with newer and more efficient ones.

Under the proposal on the new rural development policy irrigation investment (Article 46(3)) will be not be eligible unless it reduces water consumption by at least 25 %. The construction of new irrigation systems will be considered eligible only in Member States that joined the European Union after 2004 and only in cases where the environmental impact study can demonstrate that the investment in question is sustainable because it entails no adverse impact on the environment.

Does the Commission not believe that support for irrigation investment that increases efficiency by less than 25 % and will not require old irrigation systems to be replaced by newer ones should be included in the rural development policy for the period from 2014 to 2020?

Does it not believe in supporting investment in irrigation systems that reduces both water and energy consumption?

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

The Commission Proposal ([1]) on support for rural development for after 2013 identifies improving water management and increasing efficiency in water use by agriculture as focus areas of two out of the six Union priorities for rural development.

To ensure a proper water resources management in agriculture (water quality and quantity), the Commission Proposal stipulates that support for investments in irrigation should be focused on improving the efficiency of existing irrigation installations (with limited exceptions concerning Member States which joined the EU from 2004 on).

The figure of 25 %, referring to the level of reduction in water use, is based on the rules of the state aid Block Exemption Regulation (n°1857/2006, BER) which foresees that aid must not be granted in respect of irrigation equipment and irrigation works, unless such investment leads to a reduction of previous water use of at least 25 %.

Providing public support for costly irrigation investments which would lead to a smaller than 25 % saving in water use would not be justified considering the objective of improving efficiency in water use. The improvement in water efficiency can mainly be achieved by modernising the existing irrigation system.

The energy efficiency is an important element of irrigation and the Commission believes that improvements in irrigation systems while focusing on better efficiency of water use will also improve energy efficiency.

([1]) COM(2011) 627 final/2.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-002737/12
à Comissão
Nuno Melo (PPE)
(9 de março de 2012)

Assunto: Dificuldades sentidas pelos orizicultores portugueses

Tendo em conta que em Portugal:

— Os custos da produção de arroz, para uma produção de 6 000 kg/ha, rondam os 1 800 euros, sem contar com o valor da renda da terra;

— O valor da produção de 6 000 kg a um preço base de 0.30 euros/kg, produção e preço base bastante generosos para a campanha que terminou, resulta numa receita bruta de 1 800 euros;

— A margem bruta da cultura se resumiu, portanto, à ajuda ligada de cerca de 450 euros/ha, a ratear por uma área de referência de 25 000 ha, ajuda que entretanto terminou na campanha de 2011;

— Este setor regista o mais baixo preço de arroz à produção e também ao consumidor:

— As propostas legislativas apresentadas pela Comissão Europeia para a PAC 2014/2020 são prejudiciais para o setor do arroz, e que, em Portugal, se traduzirão em impactos extremamente negativos já na próxima campanha;

— Se afigura, portanto, de difícil aplicação a técnica do greening na cultura do arroz tal como estabelecido;

Pergunto à Comissão:

Tem conhecimento da atual situação do setor do arroz em Portugal?

Seria possível garantir aos orizicultores portugueses uma ajuda ligada por hectare na nova reforma da PAC?

De que forma pondera inverter esta situação, garantindo um preço de mercado justo em toda a UE?

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

A Comissão está ciente da atual situação do mercado no setor do arroz. Em 2011, a principal razão para as margens inferiores da orizicultura em Portugal residiu no rendimento relativamente fraco, que se situou 7 % abaixo do da Itália, 19 % abaixo do da Grécia e 26 % abaixo do da Espanha. Todavia, os preços à produção de arroz *paddy* em Portugal — que eram os mais baixos da UE até ao final de 2010 — aumentaram quase 50 % nos últimos 18 meses, cifrando-se hoje entre os mais elevados nos mercados da União. O resultado foi uma melhoria das margens alcançadas pelos produtores portugueses de arroz, a despeito do rendimento relativamente fraco registado em 2011.

Segundo as regras vigentes para apoio direto, os Estados-Membros podem conceder apoio específico ao setor orizícola nos termos do artigo 68.° do Regulamento (CE) n.° 73/2009 ([1]), a partir do ano civil em que integrem no regime de pagamento único o pagamento específico para o arroz. Portugal não aproveitou esta opção.

As especificidades do setor orizícola foram tidas em conta na proposta sobre a PAC no horizonte 2020 para os pagamentos diretos [COM(2011)625/2], que faculta aos Estados-Membros apoio associado incidente em vários setores, incluindo o do arroz, se as regiões, determinados tipos de agricultura ou sistemas agrícolas específicos enfrentarem certas dificuldades e forem particularmente importantes por razões económicas, sociais ou ambientais. Esta ajuda complementa especialmente o regime de pagamento de base, se os produtores dispuserem de direitos ao pagamento e de hectares elegíveis. Acresce que as terras aráveis dedicadas a culturas sob água durante uma parte significativa do ano estão isentas da obrigação de «ecologização» (*greening*) por diversificação das culturas.

([1]) JO L 30 de 31.1.2009, p. 16.

(English version)

Question for written answer E-002737/12
to the Commission
Nuno Melo (PPE)
(9 March 2012)

Subject: Difficulties experienced by Portuguese rice farmers

The cost of rice production in Portugal, for a yield of 6 000 kilograms per hectare, is around EUR 1 800, not counting land rent.

The value of output of 6 000 kg at a basic price of EUR 0.30 per kilogram generates a gross return of EUR 1 800; the yield and basic price are considered very generous for the crop year that has ended.

The gross margin for the crop therefore boiled down to tied aid of approximately EUR 450 per hectare, taking into account a reference area of 25 000 hectares, although the aid ceased in the 2011 crop year.

The producer and consumer prices of rice are at their lowest levels.

The Commission's legislative proposals on the common agricultural policy (CAP) from 2014 to 2020 will be detrimental to the rice sector and their severe adverse effects will already start to make themselves felt in Portugal next year.

Consequently, greening will be difficult to implement in rice growing as it is now established.

Is the Commission aware of the current state of the rice sector in Portugal?

Will it be possible to guarantee Portuguese rice farmers tied aid per hectare in the new CAP reform?

How will the Commission reverse this situation in order to guarantee a fair market price throughout the European Union?

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

The Commission is aware of the current market situation in the rice sector. In 2011, the main reason for the lower Portuguese rice margins was the relatively low yields, which were 7 % below the Italian, 19 % below the Greek and by 26 % below the Spanish yields. However, the Portuguese producer prices of paddy rice — indeed the lowest in the EU till the end of 2010 — increased by almost 50 % in the last 18 months, being currently amongst the highest prices in the EU markets. The above has resulted in an improvement in the margins achieved by Portuguese rice producers, despite the relatively low yields in 2011.

Under the current rules for direct support, Member States could grant specific support to the rice sector pursuant to Article 68 of Regulation (EC) No 73/2009 ([1]), from the calendar year where the crop specific payment was integrated into the single payment scheme. Portugal did not avail of this option.

The specificities of the rice sector were taken into account in the proposal for the CAP towards 2020 for direct payments [COM(2011)625/2] which allows Member States coupled support for various sectors including rice, if regions or particular types of agriculture or specific agricultural sectors undergo certain difficulties and are particularly important for economic and/or social and/or environmental reasons. This aid adds in particular to the basic payment scheme, if the producers dispose of payment entitlements and eligible hectares. In addition, arable crops under water for a significant part of the year are exempted from the greening obligation crop diversification.

([1]) OJ L 30, 31.1.2009, p. 16.

(Versión española)

Pregunta con solicitud de respuesta escrita E-002738/12
a la Comisión
Ana Miranda (Verts/ALE)
(9 de marzo de 2012)

Asunto: Aplicación del Convenio n° 169 de la OIT

La aprobación del Convenio n° 169 de la Organización Internacional del Trabajo en septiembre de 2009 fue un gran paso para revertir la larga historia de discriminación contra grupos indígenas. El convenio ofrecía como garantía la obligación de que los gobiernos les consulten a estos grupos cuando vayan a acometer acciones que les puedan afectar de algún modo. Sin embargo, el Gobierno de Chile ha impulsado legislación que elimina la necesidad de esta consulta previa, violando de este modo sus responsabilidades públicas.

El decreto ha designado a la Corporación Nacional de Desarrollo Indígena (Conadi), una institución estatal, como representante de los pueblos indígenas. Además, en 2011, la Comisión de Expertos en Aplicación de Convenios y Recomendaciones de la Organización Internacional del Trabajo envió una observación individual al Gobierno avisando de que el Decreto Supremo n° 124 de Mideplan necesita ser modificado para ajustarse al Convenio.

En enero de 2011, la Unión Europea dio una ayuda de 20 millones de euros para financiar el Programa de Apoyo a la Cohesión Social UE-Chile. Como el proyecto persigue ayudar a los pueblos indígenas, estos no deben estar excluidos del proceso de toma de decisiones.

1. ¿Asegurará la Comisión que estos recursos se utilicen dentro de las regulaciones del Convenio n° 169 de la Organización Internacional del Trabajo para establecer un proceso de consulta justa y no excluyente?

2. Como signatario del Convenio de Asociación Unión Europea — Chile, ¿como va a exigir la Comisión al Gobierno de Chile que respete la obligación de consulta a los pueblos indígenas que exige el Convenio?

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

La UE aporta 10,25 millones EUR, es decir el 50 % del coste total del Programa de Apoyo a la Cohesión Social UE-Chile, que comprende ocho proyectos; el 50 % restante es financiado por el Gobierno chileno. Uno de los proyectos, «Participación de los pueblos indígenas para la cohesión social en Chile», con una contribución de la UE de 500 000 EUR, está concebido para ayudar a Chile en la aplicación del Convenio n° 169 de la Organización Internacional del Trabajo (OIT), con un especial énfasis en la consulta de los pueblos indígenas, obligatoria en virtud del Convenio.

El Servicio Europeo de Acción Exterior (SEAE) y los servicios de la Comisión Europea son conscientes de que se han planteado ciertas dudas sobre si el Decreto Supremo n° 124 es compatible con el Convenio n° 169 de la OIT. En los últimos meses, funcionarios de Santiago y Bruselas han mantenido amplios contactos sobre este asunto con las autoridades chilenas, las organizaciones indígenas y otras partes interesadas. La UE siempre ha insistido en que las actividades realizadas con fondos de la UE deben respetar el Convenio n° 169 de la OIT. El proyecto financiado por la UE se encuentra actualmente en suspenso mientras que el Gobierno chileno procede, con sus propias finanzas, a realizar una «consulta previa» con organizaciones indígenas y sus líderes con el propósito de elaborar un nuevo conjunto de normas para la consulta que sustituirá al Decreto Supremo n° 124 y de crear un marco para la consulta que sea plenamente conforme con el Convenio n° 169 de la OIT. El SEAE y las autoridades chilenas realizarán un nuevo intercambio de opiniones sobre este y otros aspectos de la situación de los indígenas chilenos durante el próximo diálogo local UE-Chile sobre derechos humanos, y mantendrán el diálogo con las organizaciones indígenas, los defensores de los derechos humanos y otros organismos que defienden los derechos de los pueblos indígenas en Chile.

(English version)

Question for written answer E-002738/12
to the Commission
Ana Miranda (Verts/ALE)
(9 March 2012)

Subject: Implementation of ILO Convention No 169

The approval of the International Labour Organisation Convention No 169 in September 2009 was a big step towards reversing the long history of discrimination against indigenous groups. The convention provided a guarantee in the form of an obligation for governments to consult these groups before taking any action that might affect them. However, the Chilean Government has introduced legislation that eliminates the need for such prior consultation, thus violating its public responsibilities.

The decree appointed the National Indigenous Development Corporation (Conadi), a state institution, to represent indigenous peoples. Furthermore, in 2011, the International Labour Organisation's Committee of Experts on the Application of Conventions and Recommendations sent an observation to the Government, warning that Supreme Decree No 124 of the Ministry of National Planning and Economic Policy (Mideplan) needed to be amended in order to comply with the Convention.

In January 2011, the EU gave EUR 20 million in aid to finance the EU-Chile Social Cohesion Support Programme. As the project aims to help indigenous peoples, it should not be excluded from the decision-making.

1. Will the Commission ensure that these resources are used in accordance with the rules of the International Labour Organisation Convention No 169, so as to establish a fair and inclusive consultation process?

2. As a signatory to the EU-Chile Association Agreement, how will the Commission press the Chilean Government to comply with the obligation, required by the Convention, to consult indigenous peoples?

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

The EU is contributing EUR 10.25 million or 50 % of the total cost of the EU-Chile Social Cohesion Programme, which comprises 8 projects; the other 50 % is financed by the Chilean Government. One of the projects, 'Participation of indigenous peoples for social cohesion in Chile', with an EU contribution of EUR 0.5 million, is designed to support Chile in implementing International Labour Organisation (ILO) Convention No. 169, with a specific focus on the consultation of indigenous peoples that is mandatory under the Convention.

The European External Action Service (EEAS) and the European Commission services are aware that concerns have been raised as to whether Supreme Decree No. 124 is compatible with ILO Convention No. 169. In recent months, officials in Santiago and Brussels have had extensive contacts on this matter with Chilean authorities, indigenous organisations and other stakeholders. The EU has consistently maintained that activities undertaken with EU funds must be in compliance with ILO Convention No. 169. The EU-funded project is currently on hold while the Chilean government undertakes, with its own finances, a 'Pre-Consultation' exercise with indigenous organisations and leaders that is intended to result in the elaboration of an agreed new set of rules for consultation that will replace Supreme Decree No. 124 and establish a framework for consultation that is fully compliant with ILO Convention No. 169. The EEAS and the Chilean authorities will have a further exchange of views about this and other aspects of the situation of indigenous Chileans during the next EU-Chile local dialogue on human rights, and will continue to engage in dialogue with indigenous organisations, human rights defenders and other bodies promoting the rights of indigenous peoples in Chile.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002739/12
an die Kommission
Karin Kadenbach (S&D)
(9. März 2012)

Betrifft: Bienengesundheit, Bienensterben

Die Europäische Kommission betont in ihrer Mitteilung zur Bienengesundheit (KOM(2010)0714) ihr Engagement, dem Bienensterben in der EU mit wirksamen Schritten entgegenzutreten. Trotzdem findet die Bienengesundheit in entscheidenden verwandten Politiken keine Berücksichtigung.

1. Wird der kontinuierliche Rückgang an Bienen nicht aufgehalten, wird er für die europäischen Landwirte und die Unternehmen der Land- und Ernährungswirtschaft sehr ernste Folgen haben — das hat die Kommission in ihrer Biodiversitätsstrategie (KOM(2011)0244) selbst festgestellt. Der ökonomische Wert der landwirtschaftlichen Bestäubungsleistung wurde weltweit auf 153 Mrd. EUR jährlich geschätzt, was 9,5 % der gesamten für die Ernährung des Menschen genutzten Agrarproduktion entspricht. Warum wurde dann die Bienengesundheit im Vorschlag zur Reform der gemeinsamen EU-Agrarpolitik (GAP) nicht berücksichtigt?

2. Welche spezifischen Maßnahmen zur Vermeidung des Bienensterbens durch Pestizideinsatz (wie z. B. ein Anreizsystem für Bäuerinnen und Bauern zur weiteren Reduktion des Pestizideinsatzes) könnte sich die Kommission im Rahmen der GAP vorstellen?

3. Die Biene ist nach dem Rind und Schwein das wichtigste Nutztier weltweit. Mitte Februar 2012 hat die Europäische Kommission die Strategie der Europäischen Union für den Schutz und das Wohlergehen von Tieren 2012-2015 („EU-Tiergesundheitsstrategie“) präsentiert. Warum wird Bienengesundheit darin nicht behandelt?

4. Seit April 2011 gibt es das EU-Referenzlabor zur Bienengesundheit. Welche Ergebnisse haben die Untersuchungen bereits geliefert und welche Schlüsse zieht die Kommission aus diesen Ergebnissen für ihre Strategie zur Sicherstellung der Bienengesundheit?

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

1. Im Rahmen der GAP-Reform schlägt die Kommission vor, 30 % der Direktzahlungen speziell für eine verbesserte Nutzung natürlicher Ressourcen einzusetzen, um die ökologische Nachhaltigkeit der Landwirtschaft zu stärken. Maßnahmen wie die Anbaudiversifizierung sowie die Erhaltung von Dauergrünland und Landschaften werden eine echte ökologische Wirkung haben und den Honigbienen und anderen Bestäubern zugutekommen.

2. Das Agrarumweltprogramm im Rahmen der ländlichen Entwicklungspolitik sieht unter anderem Anreize zur Verringerung des Einsatzes von Pestiziden und ihrer Auswirkungen vor.

3. Mit der EU-Tiergesundheitsstrategie wird eine allgemeine Vorgehensweise in Bezug auf Tiergesundheit festgelegt. Sie zielt darauf ab, den Gesundheitszustand und die Lebensbedingungen von Tieren in der EU zu schützen und zu verbessern und soll einen einheitlichen und klaren Rechtsrahmen zur Tiergesundheit bieten. Die Kommission bewertet derzeit noch die möglichen Auswirkungen auf den Bienensektor, doch könnte das Tiergesundheitsgesetz den rechtlichen Rahmen für wesentliche Bestandteile wie allgemeine Definitionen bilden und grundsätzliche Aspekte der Seuchenbekämpfungsmaßnahmen und der Verbringung von Bienen regeln.

4. Das EU-Referenzlabor wurde beauftragt, das in Abschnitt 2 genannte Überwachungsprogramm durchzuführen und technische Unterstützung zu leisten.

(English version)

Question for written answer E-002739/12
to the Commission
Karin Kadenbach (S&D)
(9 March 2012)

Subject: The health of the bee population, mortality in bees

In its communication on Honeybee Health (COM(2010) 0714) the European Commission emphasises its commitment to taking effective steps to combat mortality in bees in the EU. Nonetheless, the health of the bee population is ignored in key related policies.

1. If the continued decline of the bee population is not halted, there will be very serious consequences for Europe's farmers and the agri-food sector — as the Commission itself found in its biodiversity strategy (COM(2011) 0244). The economic value of agricultural pollination was estimated at EUR 153 billion per year worldwide, corresponding to 9.5 % of total agricultural production for human consumption. Why is it that the health of the bee population was not considered in the proposal for the reform of the EU's common agricultural policy (CAP)?

2. What specific measures could the Commission envisage within the framework of the CAP to prevent bee mortality due to the use of pesticides (for example an incentive system for farmers to encourage further reductions in the use of pesticides)?

3. After cattle and pigs, bees are the world's most useful food-producing animals. In mid-February 2012, the European Commission presented the European Union Strategy for the Protection and Welfare of Animals 2012-2015 ('EU Animal Welfare Strategy'). Why is bee health not dealt with here?

4. The EU reference laboratory for bee health opened in April 2011. What results have these investigations already produced and what conclusions does the Commission draw from these results for its strategy for securing the health of the bee population?

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

1. In the reform of the CAP, the Commission proposes that 30 % of direct payments should be directed specifically towards the improved use of natural resources in order to strengthen the environmental sustainability of agriculture. Measures such as crop diversification, maintenance of permanent pasture and the preservation of landscapes will have a genuine ecological effect and be beneficial to honeybees and other pollinators.

2. The agro-environment scheme under the rural development policy foresees, inter-alia, incentives for the reduction in the use of pesticides and their impact.

3. The EU Animal Welfare Strategy sets out a general approach with regard to animal welfare which has the objective of protecting and raising the health status and condition of animals in the EU and to provide a single and clear regulatory framework for animal health. The Commission is still assessing possible implications for the bee sector but the Animal Health Law could provide the legal framework for essential elements such as general definitions, and principles for disease control measures and movements of bees.

4. The EU reference laboratory has been tasked with the implementation of the surveillance programme referred to in paragraph 2 and to provide technical support.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002740/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(9 Μαρτίου 2012)

Θέμα: Εξελίξεις σχετικά με την υπόθεση C-109/08

Σε καταδίκη της Ελλάδας από το Ευρωπαϊκό Δικαστήριο (C-109/08) σχετικά με τα «ηλεκτρονικά παίγνια» καθορίστηκε χρηματική ποινή ύψους 31 536 ευρώ ανά ημέρα, ενώ η Επιτροπή απευθύνει κάθε μήνα στην Ελλάδα επιστολή για την καταβολή αυτής της χρηματικής ποινής. Η Επιτροπή, μάλιστα μέχρι πρόσφατα, δεν είχε εκδώσει σχετική ανακοίνωση για την συνέχιση η μη της συγκεκριμένης ποινής στην χώρα παρά το γεγονός ότι έχει ψηφιστεί εδώ και αρκετούς μήνες ο νόμος 4002/2011.

Ερωτάται η Επιτροπή:

1. Εκτιμά ότι ο ελληνικός νόμος 4002/2011 σχετικά με τη ρύθμιση της αγοράς παιγνίων ικανοποιεί την απόφαση του Ευρωπαϊκού Δικαστηρίου, εξαλείφει τις απαγορεύσεις και τα εμπόδια στην ελεύθερη κυκλοφορία των ψυχαγωγικών τεχνικών παιγνίων και ότι επομένως δεν συντρέχει λόγος συνέχισης της καταβολής της χρηματικής ποινής;

2. Εφόσον δεν συντρέχουν πλέον λόγοι επιβολής του συγκεκριμένου προστίμου, η Ελλάδα θα μπορέσει να ζητήσει αναδρομικά τα ποσά που έχει καταβάλει από την ημέρα που ο ν. 4002/2011 είναι επίσημος νόμος του κράτους μέχρι σήμερα; Σημειώνεται ότι αυτό το ποσό υπερβαίνει τα 4 εκατομμύρια ευρώ.

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

Η Επιτροπή είναι της άποψης ότι με τον νόμο 4002/2011 η Ελλάδα συνεχίζει να μην συμμορφώνεται με την απόφαση του Ευρωπαϊκού Δικαστηρίου της 4ης Ιουνίου 2009 στην υπόθεση C-109/08, και, κατά συνέπεια, ότι η Ελλάδα δεν έχει ακόμη λάβει όλα τα μέτρα που απαιτούνται για να αρθεί η παράβαση που διαπίστωσε το Δικαστήριο στην απόφασή του της 26ης Οκτωβρίου 2006 στην υπόθεση C-65/05, Επιτροπή κατά Ελλάδας.

Ως εκ τούτου, η Επιτροπή ζήτησε από την Ελλάδα να καταβάλει την ημερήσια πληρωμή που καθόρισε το Δικαστήριο στην υπόθεση C-109/08, προκειμένου να συμμορφωθεί με την πρώτη απόφαση του Δικαστηρίου. Η Ελλάδα αρνείται ότι δεν έχει συμμορφωθεί με την απόφαση του Δικαστηρίου, και υπέβαλε στο Γενικό Δικαστήριο αίτηση για ακύρωση της απόφασης της Επιτροπής όσον αφορά την καταβολή προστίμου (T-105/12, Ελλάδα κατά Επιτροπής). Δεδομένου ότι η υπόθεση αυτή εκκρεμεί, η Επιτροπή δεν θα σχολιάσει περαιτέρω τα θέματα που θίγει το Αξιότιμο Μέλος.

(English version)

Question for written answer E-002740/12
to the Commission
Georgios Papanikolaou (PPE)
(9 March 2012)

Subject: Developments in connection with Case C-109/08

Greece was fined EUR 31 536 per day by the European Court of Justice in connection with electronic computer games (Case C-109/08) and the Commission has been writing to Greece every month for payment of that fine. However, until recently, the Commission has not issued a communication on whether or not this particular penalty should continue to apply to Greece, despite the fact that Law 4002/2011 was passed several months ago.

In view of this:

1. Does the Commission consider that Greek Law 4002/2011 regulating the gaming market satisfies the judgment of the European Court of Justice and eliminates bans and obstacles to the free circulation of recreational technical games and that there is therefore no reason for continued payment of the fine?

2. If there are no longer any grounds for imposing this particular fine, could Greece claim the amounts paid retroactively from the date on which Law 4002/2011 officially became a law, the amount in question being over EUR 4 million?

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

The Commission is of the opinion that with Law 4002/2011 Greece still does not comply with the judgment of the Court of 4 June 2009 in Case C-109/08, and therefore Greece has still not adopted all the measures necessary to remedy to the infringement declared by the Court in its judgment of 26 October 2006 in Case C-65/05, *Commission* v *Greece*.

Accordingly the Commission asked Greece to pay the daily payment fixed by the ECJ in Case C-109/08 in order to ensure compliance with the first Court's judgment. Greece contests that the Court's judgment has not been complied with and applied for annulment of the Commission decision on the penalty payment to the General Court (T-105/12, Greece v Commission). Since this case is pending, the Commission will not comment further on the issues raised by the Honourable Member.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002741/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(9 Μαρτίου 2012)

Θέμα: Αξιολόγηση του προγράμματος εθελοντικού επαναπατρισμού κατά το 2011 στην Ελλάδα

Το σχέδιο του ετήσιου προγράμματος του 2011 για το Ταμείο Επιστροφών στην Ελλάδα έθεσε ως ενδεικτικό στόχο τον εθελοντικό επαναπατρισμό μεταξύ 5 000 και 6 000 ατόμων, με συνολικό κόστος 10 εκατ. ευρώ (χρηματοδότηση ΕΕ 75 %).

1. Είναι σε θέση να με ενημερώσει η Επιτροπή κατά πόσον επιτεύχθηκε ο συγκεκριμένος αριθμητικός στόχος και η πλήρης αξιοποίηση των προβλεπόμενων πόρων;

2. Καθώς η Επιτροπή τάσσεται κατ' αρχήν υπέρ του να ενθαρρυνθεί η Ελλάδα να προωθήσει, στα ετήσια προγράμματά της, τον εθελοντικό επαναπατρισμό αντί του αναγκαστικού, συλλέγει στοιχεία σχετικά με το πόσα άτομα επαναπροωθήθηκαν από την Ελλάδα αναγκαστικά κατά το 2010 και 2011;

Απάντηση της κας Malmström εξ ονόματος της Επιτροπής
(2 Μαΐου 2012)

Η Επιτροπή, επί του παρόντος, δεν είναι σε θέση να παράσχει αριθμητικά στοιχεία σχετικά με την εκτέλεση του ετήσιου προγράμματος του 2011. Το πρόγραμμα εγκρίθηκε τον Δεκέμβριο του 2011 και η εκτέλεσή του προβλέπεται να ολοκληρωθεί στις 30 Ιουνίου 2013. Πράγματι, το ποσό που έχει χορηγηθεί για την εκτέλεση εθελοντικών επιστροφών βάσει του εν λόγω προγράμματος, ανέρχεται σε 10 εκατ. ευρώ (χρηματοδότηση ΕΕ 75 %).

Η Ελλάδα άρχισε να πραγματοποιεί υποβοηθούμενες εθελοντικές επιστροφές για πρώτη φορά στο πλαίσιο του ετήσιου προγράμματος 2009 για το Ευρωπαϊκό Ταμείο Επιστροφής. Το πρόγραμμα έληξε τον Ιούνιο του 2011 και η τελική έκθεση για την εκτέλεσή του αναμένεται να δημοσιευθεί τον Απρίλιο του 2012. Στην παρούσα φάση, η Επιτροπή δεν διαθέτει επίσημα στοιχεία. Σύμφωνα με σημερινές ανεπίσημες πληροφορίες, περίπου 1 200 εθελοντικές επιστροφές έχουν πραγματοποιηθεί κατά την περίοδο μεταξύ Μαΐου 2010 και Ιουνίου 2011.

(English version)

Question for written answer E-002741/12
to the Commission
Georgios Papanikolaou (PPE)
(9 March 2012)

Subject: Evaluation of the 2011 voluntary repatriation programme in Greece

The 2011 annual programme for the Return Fund in Greece set an indicative target for voluntary repatriation of between 5 000 and 6 000 persons at a total cost of EUR 10 million (75 % EU funding).

1. Can the Commission say whether that particular target was attained and if full use was made of the earmarked resources?

2. Given that the Commission is in favour in principle of encouraging Greece to proceed with its annual programmes of voluntary rather than forced repatriation, is it collating data on how many people were forcibly repatriated from Greece in 2010 and 2011?

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

The Commission is not in a position to provide figures on the implementation of the 2011 Annual Programme at this point. The programme was adopted in December 2011 and its implementation is to be completed by 30 June 2013. Indeed, the amount allocated for the implementation of voluntary returns under the programme in question is EUR 10 million (EU funding 75 %).

Greece started implementing Assisted Voluntary Return for the first time in the context of the 2009 Return Fund Annual Programme. The programme ended in June 2011 and the final report on implementation is expected in April 2012. At this point, no official data is available to the Commission. Unofficial information available at this moment refers to approximately 1.200 voluntary returns for the period between May 2010 and June 2011.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002742/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(9 Μαρτίου 2012)

Θέμα: Οριστική κατανομή κονδυλίων προς την Ελλάδα του γενικού προγράμματος «Αλληλεγγύη και διαχείριση μεταναστευτικών ροών» για το 2012

Είναι σε θέση να με ενημερώσει η Επιτροπή για την οριστική κατανομή των κονδυλίων προς την Ελλάδα, βάσει των τεσσάρων Ταμείων του γενικού προγράμματος «Αλληλεγγύη και διαχείριση μεταναστευτικών ροών» για το 2012;

Είναι σε θέση η Επιτροπή να παραθέσει ενδεικτικά αριθμητικά στοιχεία για το 2013 για το ίδιο πρόγραμμα;

Απάντηση της κας Malmström εξ ονόματος της Επιτροπής
(16 Απριλίου 2012)

Η κατανομή των κονδυλίων προς την Ελλάδα, βάσει των τεσσάρων Ταμείων του γενικού προγράμματος «Αλληλεγγύη και διαχείριση μεταναστευτικών ροών», για το έτος 2012 παρουσιάζεται παρακάτω. Όπως αναφέρεται από την Επιτροπή στην απάντησή της στην κοινοβουλευτική ερώτηση E-009180/2011, τα ενδεικτικά στοιχεία για το 2013 θα καταστούν διαθέσιμα μέχρι την 1η Ιουλίου 2012.

Ταμείο Εξωτερικών Συνόρων, 2012: 44 745 804 ευρώ

Ευρωπαϊκό Ταμείο Επιστροφής2012: 37 357 613 ευρώ

Ευρωπαϊκό Ταμείο για τους Πρόσφυγες 2012: 4 015 377 ευρώ

Ευρωπαϊκό Ταμείο Ένταξης Υπηκόων Τρίτων Χωρών 2012: 4 115 432 ευρώ

(English version)

Question for written answer E-002742/12
to the Commission
Georgios Papanikolaou (PPE)
(9 March 2012)

Subject: Final allocation of funds to Greece for 2012 under the framework programme on solidarity and management of migration flows

Can the Commission indicate the final allocation of funds to Greece for 2012 based on the four funds set up under the framework programme on solidarity and management flows?

Can the Commission provide indicative figures for 2013 under this programme?

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

The breakdown of the allocations for Greece under the four Funds of the General Programme 'Solidarity and Management of Migration Flows' for 2012 is indicated below. As stated in the Commission reply to parliamentary Question E-009180/2011, the indicative figures for 2013 will be available, by 1 July 2012.

External Borders Fund 2012: EUR 44 745 804

European Return Fund 2012: EUR 37 357 613

European Refugee Fund 2012: EUR 4 015 377

European Fund for the Integration of Third-Country Nationals 2012: EUR 4 115 432

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002743/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(9 Μαρτίου 2012)

Θέμα: Πολιτικές για την πρόωρη σχολική εγκατάλειψη

Σύμφωνα με την απάντηση σε προηγούμενη ερώτηση μου (αρ. E-006475/2011), η Επιτροπή και με βάση τις εθνικές εκθέσεις που υποβλήθηκαν το 2011, θα παρουσίαζε μια πρώτη ανάλυση των πολιτικών σε ολόκληρη την ΕΕ για τη μείωση της πρόωρης εγκατάλειψης του σχολείου στα κράτη μέλη της ΕΕ. Παράλληλα, θα αξιολογούσε την ανάγκη για περαιτέρω μελέτες ή έρευνες, συμπεριλαμβανομένης της κοινωνικής χαρτογράφησης των παιδιών που εγκαταλείπουν πρόωρα το σχολείο.

Ερωτάται η Επιτροπή:

1. Ποια είναι τα βασικά συμπεράσματα της ανάλυσης της Επιτροπής και οι βέλτιστες πρακτικές που εντοπίζει για την μείωση της πρόωρης εγκατάλειψης του σχολείου στα κράτη μέλη της ΕΕ;

2. Προτίθεται τελικώς να εκπονήσει μελέτη ή έρευνα για την κοινωνική χαρτογράφηση των παιδιών που εγκαταλείπουν πρόωρα το σχολείο;

Απάντηση της κας Βασιλείου εξ ονόματος της Επιτροπής
(3 Μαΐου 2012)

Η κοινή έκθεση για το 2012 του Συμβουλίου και της Επιτροπής σχετικά με την εφαρμογή του στρατηγικού πλαισίου για την ευρωπαϊκή συνεργασία στον τομέα της εκπαίδευσης και της κατάρτισης (ΕΚ 2020) –«Εκπαίδευση και κατάρτιση σε μια έξυπνη, βιώσιμη και χωρίς αποκλεισμούς Ευρώπη» έχει δημοσιευθεί στην Επίσημη Εφημερίδα (ΕΕ C 70 της 8.3.2012, σ. 9). Περιλαμβάνει τα κύρια ευρήματα της πρώτης πανευρωπαϊκής ανάλυσης των πολιτικών για την καταπολέμηση της πρόωρης εγκατάλειψης του σχολείου στα κράτη μέλη. Το συνοδευτικό έγγραφο εργασίας των υπηρεσιών της Επιτροπής COM(2011)1607 παρέχει συμπληρωματικές γενικές πληροφορίες.

Η κοινή έκθεση για το 2012 υπογραμμίζει την ανάγκη να βελτιωθεί η συλλογή στοιχείων και των πληροφοριών σχετικά με την πρόωρη εγκατάλειψη του σχολείου και να διασφαλιστεί ότι υπάρχουν επικαιροποιημένα στοιχεία σχετικά με τις αιτίες και την επίπτωση του φαινομένου. Στην έκθεση τονίζεται επίσης ότι τα κράτη μέλη δίνουν ελάχιστη προσοχή σε μέτρα πρόληψης και έγκαιρης αντιμετώπισης στο πλαίσιο των στόχων τους για μείωση της πρόωρης εγκατάλειψης του σχολείου. Επιπλέον, απαιτούνται περισσότερες πρωτοβουλίες για τη μείωση της εγκατάλειψης της επαγγελματικής εκπαίδευσης και κατάρτισης.

Η Ευρωπαϊκή Επιτροπή, σε συνεργασία με εκπροσώπους των κρατών μελών, έχει δρομολογήσει αρκετές εργασίες καταγραφής με σκοπό τη συγκέντρωση περισσότερων πληροφοριών σχετικά με τις τεχνικές συλλογής στοιχείων στα κράτη μέλη, το εύρος των διαθέσιμων στοιχείων σε εθνικό ή περιφερειακό επίπεδο και τη χρήση των συστημάτων έγκαιρης προειδοποίησης για την παροχή βοήθειας στους νέους που διατρέχουν τον κίνδυνο να εγκαταλείψουν τις σπουδές τους. Οι εργασίες αυτές θα επιτρέψουν να προσδιοριστούν τα στοιχεία που είναι διαθέσιμα για πανευρωπαϊκή έρευνα και πιθανή κοινωνική χαρτογράφηση. Επί του παρόντος συγκεντρώνονται επίσης στοιχεία σχετικά με το κοινωνικό και το οικονομικό κόστος της πρόωρης εγκατάλειψης του σχολείου. Θα ακολουθήσει λεπτομερέστερη ανάλυση της κατάστασης στον τομέα της επαγγελματικής εκπαίδευσης και κατάρτισης.

(English version)

Question for written answer E-002743/12
to the Commission
Georgios Papanikolaou (PPE)
(9 March 2012)

Subject: Early school-leaving policies

In answer to one of my previous questions (No E-006475/2011), the Commission announced its intention of presenting an initial analysis of policies throughout the EU to reduce early school leaving in EU Member States based partly on the national reports filed in 2011. At the same time, it intends to evaluate the need for further reports or research, including social mapping of children who leave school early.

In view of this:

1. Can the Commission indicate the basic conclusions of its analysis and the best practices identified to reduce early school leaving in EU Member States?

2. Does the Commission ultimately intend to draft a report or carry out research for the social mapping of children who leave school early?

Answer given by Ms Vassiliou on behalf of the Commission
(3 May 2012)

The 2012 Joint Report of the Council and the Commission on the implementation of the Strategic Framework for European cooperation in education and training (ET 2020) 'Education and Training in a smart, sustainable and inclusive Europe' has been published in the Official Journal (OJ C 70, 8.3.2012, p. 9). It contains the main findings of this first EU-wide analysis of policies against early school leaving in Member States. The accompanying Commission Staff Working Document COM(2011) 1607 provides additional background information.

The 2012 Joint Report highlights the need to improve data and information gathering on early school leaving and to ensure the availability of up-to date data on the causes and incidence of early school leaving. It also stresses that Member States devote too little attention to preventive and early intervention measures in their ambitions to reduce early school leaving. In addition, more initiatives need to be taken to reduce drop-out in vocational education and training.

The European Commission in cooperation with Member States representatives has launched several mapping exercises to collect more information on the data collection techniques in Member States, the range of data available at national or regional level, and the use of early warning systems to help young people at risk of dropping out. This will help to identify the data available for European wide research and a possible social mapping. Information available on the societal and economic costs of early school leaving is also being currently collected. A more detailed analysis of the situation in vocational education and training will follow.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002744/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(9 Μαρτίου 2012)

Θέμα: Πρόταση της Επιτροπής για την ηλεκτρονική διακυβέρνηση στο νέο πολυετές δημοσιονομικό πλαίσιο

Σε ομιλία της στο Ανόβερο, στις 6 Μαρτίου 2012, σχετικά με το ψηφιακό θεματολόγιο, η Επίτροπός Ν. Κρους σημείωσε ότι η Ευρωπαϊκή Επιτροπή έχει προτείνει για το επόμενο πολυετές δημοσιονομικό πλαίσιο (2014-2010) την αξιοποίηση 2 δις ευρώ για την ηλεκτρονική διασύνδεση των δημοσίων υπηρεσιών σε τομείς κλειδιά, όπως για παράδειγμα στην δικαιοσύνη και την υγεία.

Ερωτάται η Επιτροπή:

1. Η πρόταση αυτή της Επιτροπής αντικαθιστά ή συμπληρώνει την υπάρχουσα πρόβλεψη του Ταμείου Συνοχής για την ψηφιακή σύγκλιση των κρατών μελών και την προώθηση της ηλεκτρονικής διακυβέρνησης στην δημόσια διοίκηση;

2. Διαθέτει προκαταρκτικά στοιχεία — προτάσεις σχετικά με το πως θα κατανεμηθεί το συγκεκριμένο ποσό στα κράτη μέλη;

Απάντηση της κας Kroes εξ ονόματος της Επιτροπής
(16 Απριλίου 2012)

Και οι δύο πράξεις είναι συμπληρωματικές. Το σχέδιο κανονισμού για το Ευρωπαϊκό Ταμείο Περιφερειακής Ανάπτυξης ([1]) ορίζει στο άρθρο 5, σημείο 2 στοιχείο γ) ότι «Το ΕΤΠΑ υποστηρίζει τις ακόλουθες επενδυτικές προτεραιότητες … ενίσχυση εφαρμογών ΤΠΕ για ηλεκτρονική κυβέρνηση, ηλεκτρονική μάθηση, ηλεκτρονική ένταξη και ηλεκτρονική υγεία». Το σχέδιο κανονισμού της CEF, στο άρθρο 4, σημείο 1) περίπτωση (ii) ορίζει ότι η CEF θα παρέχει στήριξη για «την εγκατάσταση διευρωπαϊκών υποδομών ψηφιακών υπηρεσιών, τη διαλειτουργικότητα και τον συντονισμό τους σε ευρωπαϊκό επίπεδο, τη λειτουργία, συντήρηση και αναβάθμισή τους».

Η συνιστώσα της ψηφιακής υποδομής παροχής υπηρεσιών της CEF δεν προβλέπει την κατανομή της χρηματοδότησης ανά κράτος μέλος. Οντότητες των κρατών μελών και ιδιωτικές εταιρείες θα κληθούν να συμμετάσχουν σε προσκλήσεις υποβολής προσφορών και προσκλήσεις υποβολής προτάσεων. Το κατά πόσο θα ωφεληθεί ένα κράτος μέλος εξαρτάται από τον βαθμό συμμετοχής (τόσο του δημόσιου όσο και του ιδιωτικού τομέα) στις ψηφιακές υπηρεσίες.

Η χρηματοδότηση θα έχει ως στόχο α) την ανάπτυξη κεντρικών πλατφόρμων εξυπηρέτησης που είναι απαραίτητες για τη διασφάλιση της διευρωπαϊκής συνδετικότητας, της πρόσβασης και της διαλειτουργικότητας και β) την παροχή καθολικών υπηρεσιών ηλεκτρονικής διακυβέρνησης σε διασυνοριακό επίπεδο οι οποίες θα μπορούν να διασυνδέονται μέσω μιας κεντρικής πλατφόρμας εξυπηρέτησης.

([1]) http://ec.europa.eu/regional_policy/sources/docoffic/official/regulation/pdf/2014/proposals/regulation/erdf/erdf_proposal_en.pdf

(English version)

Question for written answer E-002744/12
to the Commission
Georgios Papanikolaou (PPE)
(9 March 2012)

Subject: Commission proposal for e-governance in new multiannual financial framework

In her speech in Hannover on 6 March 2012 on the Digital Agenda, Commissioner Kroes noted that the European Commission had proposed EUR 2 billion for interconnected online public services in key areas, such as justice and health, for the next multiannual financial framework (2014-2010).

In view of this:

1. Does this Commission proposal replace or supplement the existing Cohesion Fund provision for digital convergence between the Member States and the promotion of e-governance in public administration?

2. Does the Commission have preliminary data or proposals as to how this specific amount will be allocated to the Member States?

Answer given by Mrs Kroes on behalf of the Commission
(16 April 2012)

Both instruments are complementary. The draft regulation for the European Regional Fund ([1]) specifies in Article 5, point (2) (c) that 'The ERDF shall support the following investment priorities … strengthening ICT applications for e-government, e-learning, e-inclusion and ehealth'. The draft CEF regulation, in Article 4, point (1) (ii) states that the CEF shall provide support to 'the deployment of digital service infrastructure, their interoperability and coordination at European level, their operation, maintenance and upgrading'.

The Digital Service Infrastructure component of the CEF does not foresee an allocation of funding per Member States. Member State entities and private companies will be invited to participate in Calls for Tender and Calls for Proposals. The level of Member State benefit depends on the level of involvement (both public and private) in the digital services.

The funding will be aimed at a) developing core service platforms which are essential to ensure trans-European connectivity, access and interoperability and b) the provision of generic e-government services across borders which may be interconnected through a core service platform.

([1]) http://ec.europa.eu/regional_policy/sources/docoffic/official/regulation/pdf/2014/proposals/regulation/erdf/erdf_proposal_en.pdf

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002745/12
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(9 Μαρτίου 2012)

Θέμα: Αξιοποίηση πόρων για την ένταξη των Ρομά στην ελληνική κοινωνία και εθνικό σχέδιο δράσης

Τα κράτη μέλη έχουν την δυνατότητα, μέσω των επιχειρησιακών προγραμμάτων τους, να αξιοποιούν πόρους για την ενσωμάτωση των Ρομά στις τοπικές κοινωνίες, την στήριξη της απασχόλησης και την διάδοση της εκπαίδευσης στη συγκεκριμένη ομάδα. Παράλληλα, η Ελλάδα, όπως και τα υπόλοιπα κράτη μέλη, κατέθεσε στο τέλος του 2011 στην Ευρωπαϊκή Επιτροπή ένα εθνικό σχέδιο για τους Ρομά και συγκεκριμένα για την προσπάθεια ενσωμάτωσής τους στην ελληνική κοινωνία και για την επίτευξη των στόχων που έχουν τεθεί σε ευρωπαϊκό επίπεδο.

Ερωτάται η Επιτροπή:

1. Διαθέτει στοιχεία σχετικά με το ύψος των κοινοτικών πόρων από τα διαρθρωτικά ταμεία που μέχρι σήμερα η Ελλάδα έχει αξιοποιήσει για αυτόν τον σκοπό;

2. Καθώς τον προηγούμενο χρόνο η Ευρωπαϊκή Επιτροπή είχε προσκαλέσει τα κράτη μέλη να τροποποιήσουν τα επιχειρησιακά τους προγράμματα προκειμένου να δώσουν μεγαλύτερη έμφαση στο συγκεκριμένο ζήτημα, είναι σε θέση να με ενημερώσει αν η Ελλάδα ανταποκρίθηκε σε αυτό;

3. Είναι σε θέση να με ενημερώσει η Επιτροπή αν, κατά την εκτίμηση της, οι εθνικές πρωτοβουλίες που περιλαμβάνονται στο σχέδιο δράσης που κατέθεσε η Ελλάδα και η αξιοποίηση των εθνικών και κοινοτικών πόρων που προβλέπονται για αυτόν τον σκοπό ικανοποιούν τους στόχους που έχουν τεθεί σε ευρωπαϊκό επίπεδο σχετικά με την ένταξη των Ρομά στις κοινωνίες των κρατών μελών;

Απάντηση του κ. Andor εξ ονόματος της Επιτροπής
(30 Απριλίου 2012)

1. Η Επιτροπή δεν διαθέτει στοιχεία αναφορικά με τη χρήση κονδυλίων της Ευρωπαϊκής Ένωσης (ΕΕ) για την ένταξη των Ρομά στην Ελλάδα, καθώς οι Ρομά συμπεριλαμβάνονται σε μια ευρύτερη ομάδα μειονεκτούντων ατόμων στο πλαίσιο της περιόδου προγραμματισμού 2007-2013. Με την βοήθεια των ταμείων της ΕΕ (2000-2006), οι ελληνικές αρχές ξεκίνησαν ένα ολοκληρωμένο πρόγραμμα δράσης για την κοινωνική ένταξη των Ρομά (2000-2007) με συνολικό προϋπολογισμό 308,1 εκατ. ευρώ βάσει δύο αξόνων προτεραιότητας, ενός για τη στέγαση με προϋπολογισμό 176 εκατ. ευρώ και ενός για τις υπηρεσίες (απασχόληση, εκπαίδευση, υγεία και άλλα) με προϋπολογισμό 132,1 εκατ. ευρώ. Στο πλαίσιο αυτό, το Ευρωπαϊκό Κοινωνικό Ταμείο (ΕΚΤ) συνέβαλε στη δημιουργία 33 κοινωνικοϊατρικών κέντρων για τους Ρομά σε διάφορες περιφέρειες στο πλαίσιο της περιόδου προγραμματισμού 2000-2006 για να βοηθήσουν τους Ρομά να αφομοιωθούν στον ευρύτερο ιστό της κοινωνίας που δεν περιλαμβάνει τους Ρομά. Η λειτουργία των εν λόγω κοινωνικοϊατρικών υπηρεσιών που θεωρείται επιτυχής παρέμβαση για την ένταξη των Ρομά υποστηρίζεται κατά την τρέχουσα περίοδο προγραμματισμού με το επιχειρησιακό πρόγραμμα «Ανάπτυξη των ανθρώπινων πόρων», που συγχρηματοδοτείται από το ΕΚΤ. Διατίθενται 14 εκατ. ευρώ για τη λειτουργία των υφιστάμενων κοινωνικοϊατρικών κέντρων για τους Ρομά, το πεδίο εφαρμογής των οποίων διευρύνθηκε για να καλύψει και άλλες ευπαθείς ομάδες.

2. Η Επιτροπή δεν έλαβε καμία αίτηση σχετικά έως σήμερα.

3. Η Ευρωπαϊκή Επιτροπή άρχισε τη διαδικασία της αξιολόγησης των εθνικών στρατηγικών για την ένταξη των Ρομά. Η έκθεση αξιολόγησης, συμπεριλαμβανομένων των δελτίων χώρας, θα εκδοθεί από την Επιτροπή την άνοιξη του 2012 και, στη συνέχεια, θα υποβληθεί στο Ευρωπαϊκό Κοινοβούλιο και το Συμβούλιο. Η Επιτροπή θα επανεξετάζει ετησίως την εφαρμογή των εν λόγω στρατηγικών που υποβάλλονται στο Ευρωπαϊκό Κοινοβούλιο και το Συμβούλιο, καθώς και στο πλαίσιο της στρατηγικής «Ευρώπη 2020».

(English version)

Question for written answer E-002745/12
to the Commission
Georgios Papanikolaou (PPE)
(9 March 2012)

Subject: Use of resources to integrate the Roma into Greek society and a national action plan

The Member States have the facility, under their operational programmes, to use resources to integrate the Roma into local communities and promote employment and education among this particular group. At the same time, Greece, like the other Member States, filed a national plan for the Roma with the European Commission at the end of 2011, the aim of which is to integrate them into Greek society and attain the objectives set at European level.

In view of this:

1. Does the Commission have data regarding EU resources from the Structural Funds that Greece has used to date for that purpose?

2. Having called on Member States last year to amend their operational programmes in order to place greater emphasis on this particular issue, can the Commission now say whether Greece responded to that call?

3. Does the Commission consider that the national initiatives included in the action plan filed by Greece and the use of national and Community resources earmarked for that purpose satisfy the objectives set at European level for the social integration of the Roma in the Member States?

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

1. The Commission does not have data regarding the use of European Union (EU) funds for Roma inclusion in Greece as Roma people are included within the wider group of disadvantaged people under the 2007-2013 programming period. With the assistance of EU Funds (2000-2006), the Greek authorities launched an Integrated Action Programme for the Social Inclusion of Roma (2000-2007) with a total budget of EUR 308.1 million under two Priority Axes, one for housing with a budget of EUR 176 million and one for services (employment, education, health and others) with a budget of EUR 132.1 million. In this context the European Social Fund (ESF) contributed to the creation of 33 socio-medical centres for Roma in different regions under the 2000-2006 programming period in order to help the Roma population assimilate into the wider fabric of non-Roma society. The operation of these socio-medical services considered as a successful intervention for Roma inclusion is supported in the current programming period under the Operational Programme Human Resources Development, co-financed by the ESF. EUR 14 million are earmarked for the operation of the existing Socio-medical Centres for Roma the scope of which was enlarged to cover also other vulnerable groups.

2. The Commission has not received any request in this respect so far.

3. The European Commission started the process of the assessment of national Roma integration strategies. The assessment report including country fiches will be adopted by the Commission in spring 2012 and then presented to the European Parliament and the Council. The Commission will annually review the implementation of these strategies reporting to the European Parliament and the Council, as well as within the framework of the Europe 2020 strategy.

(English version)

Question for written answer E-002746/12
to the Commission
George Lyon (ALDE)
(9 March 2012)

Subject: Air Discount Scheme — EU

In relation to the Air Discount Scheme (ADS) in the EU:

Can the Commission detail which Member States of the European Union have an Air Discount Scheme in place?

What level of coordination is there between the existing Air Discount Schemes in the European Union, and in what ways are they comparable and interrelated?

Does the Commission consider the development of ADS schemes in all Member States when giving advice to individual Member States?

Are the eligibility criteria for ADS schemes based on the same factors in all Member States that operate the schemes?

What role does the Commission play in setting each Member State's budget for its ADS scheme?

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

1. The Commission has approved aid of a social character on the basis of the Community Guidelines on the Application of Articles 92 and 93 of the EC Treaty and Article 61 of the EEA Agreement to state aids in the aviation sector ([1]) on several occasions ([2]).

2. The national air discount schemes are not coordinated by the Commission. The Commission approves notified schemes if they comply with the applicable European rules, in particular the 1994 Aviation Guidelines.

3. The Commission does not make comparisons between the different schemes but assesses their compatibility with the abovementioned rules .

4. The competition rules apply to all Member States equally and are also applied equally by the Commission.

5. The Commission does not control the budgeting of air discount schemes.

([1]) OJ C 350, 10.12.1994, p. 5 (1994 Aviation Guidelines).
([2]) Most recently in SA.32069 — Martinique — France; N 426/2010 — Réunion — France; N 159/2010 — French overseas territories — France; SA.32888 — tax rate reductions for residents on islands — Germany.

(English version)

Question for written answer E-002747/12
to the Commission
George Lyon (ALDE)
(9 March 2012)

Subject: Air Discount Scheme — Scotland

In relation to Scotland's Air Discount Scheme for the Highlands and Islands:

1. can the Commission confirm whether it has met with the Scottish Government to discuss its proposals to alter the eligibility requirements for those who would benefit from the Air Discount Scheme, and detail what representations it has received from the Scottish Government in the past 12 months?

2. does the Commission acknowledge that this scheme is of extreme importance to island communities and brings both social and economic benefits to these communities?

3. has the Commission requested that the Scottish Government restrict eligibility for the Air Discount Scheme by excluding those travelling for the purpose of business, as a condition of the scheme's continuation?

4. would a decision of the Scottish Government have an effect on the workings of an air discount scheme in another Member State?

Answer given by Mr Almunia on behalf of the Commission
(26 April 2012)

1. The Commission has neither met with the Scottish Government in relation to the Scottish Air Discount Scheme for the Highlands and Islands nor has it received any direct representations from the Scottish Government.

2. The Commission understands that such a scheme can bring social and economic benefits to island communities.

3. The Commission has not made any such request.

4. Commission's decisions are individually addressed to Member States and apply to them.

(българска версия)

Въпрос с искане за писмен отговор E-002748/12
до Комисията
Tanja Fajon (S&D), Libor Rouček (S&D), Emine Bozkurt (S&D), Emer Costello (S&D), Mitro Repo (S&D) и Кристиан Вигенин (S&D)
(9 март 2012 г.)

Относно: Ратифицирането на споразумението АСТА в подписалите го държави членки преди провеждането на разисквания в компетентните комисии на Европейския парламент и вземането на последващо решение

Търговското споразумение за борба с фалшифицирането (АСТА) беше подписано от 22 държави членки и Комисията на 26 януари 2012 г. и тъй като то представлява правно споразумение от смесен вид, неговите различни раздели трябва да бъдат одобрени от Европейския парламент и да бъдат ратифицирани от националните парламенти, за да може споразумението да влезе в сила.

В контекста на широко разпространените протести, подкрепени от експерти, гражданското общество и множество международни неправителствени организации, редица държави членки проявяват склонност да не пристъпват към ратифициране или да преустановят ратифицирането (като например Словения, Полша, Чешката република, България и Латвия).

В информационния документ за вътрешно ползване, изготвен от Генерална дирекция за информация към Парламента, се посочва, че АСТА не може да влезе в сила, ако редица държави членки не ратифицират споразумението.

На равнище ЕС не е ясно какво ще се случи, ако редица държави членки не ратифицират споразумението или ако преустановят неговото ратифициране.

Поради значимостта на тези последствия за ролята на Европейския парламент в провеждането на разисквания и одобряването на споразумението АСТА на равнище ЕС:

1. Може ли Комисията да потвърди, че нератифицирането или преустановяването на ратифицирането ще постави правни бариери пред ефикасността на АСТА, поне що се отнася до наказателното правоприлагане на правата на интелектуална собственост (ПИС)?

2. Може ли Комисията да представи официална позиция относно правните въпроси и въздействието от ратифицирането или нератифициране на АСТА от страна на държавите членки?

3. Ако някои държави членки преустановят ратифицирането на АСТА или не го ратифицират, възнамерява ли Комисията да представи преработено законодателно предложение относно наказателното прилагане на ПИС с цел определяне на съгласувана правна рамка на ЕС с необходимите гаранции за свободата на словото, индивидуалното ползване и защитата на личните данни и неприкосновеността на личния живот, както това е изискано от Парламента в неговите резолюции P7_TA(2010)0432 и P7_TA(2010)0317?

Отговор, даден от г-н Де Гухт от името на Комисията
(2 май 2012 г.)

АСТА обхваща области, които са от изключителната компетентност на ЕС, и други, в които ЕС има компетентност, споделена с неговите държави членки, като ЕС не е упражнявал своята компетентност. При това положение АСТА следва да влезе в сила по едно и също време за ЕС и за всички негови държави членки, което налага ЕС и всички 27 държави — членки на ЕС, да ратифицират АСТА и заедно да депозират ратификационните си инструменти. Дотогава ЕС няма да бъде обвързан от АСТА и АСТА не може да се прилага към ЕС, нито към никоя от отделните държави — членки на ЕС.

В момента няма проект за заместване на АСТА, ако АСТА не влезе в сила в краткосрочен план в ЕС. АСТА е международен договор, в който се предвижда подобрена международна правна рамка за прилагането на правата върху интелектуалната собственост. Той ще продължи да бъде открит за приемане във всеки един момент в бъдеще.

От друга страна, Комисията счита, че сега действащата законодателна рамка на ЕС относно прилагането на правата върху интелектуалната собственост гарантира основните права на отделната личност, като свобода на словото, защита на личните данни и неприкосновеност на личния живот. В своето съобщение от 24 май 2011 г. Комисията съобщи за намерението си да преразгледа Директивата относно упражняването от 2004 г. Комисията ще гарантира, че основните права ще продължат да бъдат изцяло зачитани в контекста на посоченото преразглеждане, което представлява чисто вътрешен за ЕС въпрос и няма връзка с АСТА. С цел окончателно да се изясни въпросът относно съвместимостта на АСТА с първичното законодателство на ЕС Комисията реши да отнесе въпроса относно АСТА до Съда, който да се произнесе относно съвместимостта на АСТА с договорите на ЕС и Хартата на основните права.

(České znění)

Otázka k písemnému zodpovězení E-002748/12
Komisi
Tanja Fajon (S&D), Libor Rouček (S&D), Emine Bozkurt (S&D), Emer Costello (S&D), Mitro Repo (S&D) a Kristian Vigenin (S&D)
(9. března 2012)

Předmět: Ratifikace dohody ACTA v signatářských členských státech před projednáváním v příslušných výborech Evropského parlamentu a následným rozhodnutím

vzhledem k tomu, že dohoda ACTA, kterou dne 26. ledna 2012 podepsalo 22 členských států a Komise, je právním dokumentem smíšeného typu, bude nutný souhlas Evropského parlamentu i ratifikace vnitrostátními parlamenty, aby její různé části vstoupily v platnost;

vzhledem k tomu, že po rozsáhlých veřejných protestech podporovaných odbornou veřejností, občanskou společností a mezinárodními nevládními organizacemi se některé členské státy přiklání k tomu, že k ratifikaci nepřistoupí nebo ji pozastaví (např. Slovinsko, Polsko, Česká republika, Bulharsko, Lotyšsko);

vzhledem k tomu, že v interním sdělení GŘ COMM EP se uvádí, že dohoda ACTA nemůže vstoupit v platnost, pokud ji některé členské státy neratifikují;

vzhledem k tomu, že na úrovni EU nebylo jasně řečeno, co bude následovat, pokud některé členské státy smlouvu neratifikují nebo její ratifikaci pozastaví;

vzhledem k významu takových důsledků pro roli Evropského parlamentu v procesu projednávání a schvalování dohody ACTA na úrovni EU;

1. Může Komise potvrdit, že neratifikování smlouvy ACTA nebo pozastavení její ratifikace bude znamenat právní překážku pro její účinnost, a to minimálně té části, která se týká trestněprávní ochrany duševního vlastnictví?

2. Může Komise poskytnout oficiální stanovisko, pokud jde o právní otázky a dopady (ne)ratifikování dohody ACTA jednotlivými členskými státy?

3. Hodlá Komise v případě, že dohoda ACTA nebude v některých členských státech ratifikována nebo bude její ratifikace pozastavena, předložit revidovaný legislativní návrh EU na prosazování práv duševního vlastnictví s cílem definovat jednotný právní rámec EU doplněný o nezbytné záruky svobody projevu, individuálního využívání a ochrany osobních údajů a soukromí, jak požaduje EP ve svých usneseních (P7_TA (2010) 0432; P7_TA(2010)0317)?

Odpověď Karla De Guchta jménem Komise
(2. května 2012)

Dohoda ACTA se týká oblastí, které jsou ve výlučné pravomoci EU, stejně jako oblastí, v nichž EU sdílí pravomoci s členskými státy, avšak tyto pravomoci nevykonávala. Za těchto okolností by dohoda ACTA měla vstoupit v platnost současně pro EU i pro všechny členské státy. Z toho plyne, že ji musí ratifikovat EU i všech 27 členských států EU a že své ratifikační listiny musí uložit společně. Dokud se tak nestane, nebude EU dohodou ACTA vázána a tato dohoda nebude platit pro EU ani pro žádný jednotlivý členský stát.

Pokud dohoda ACTA nevstoupí v EU v blízké době v platnost, neexistuje momentálně žádný jiný projekt, který by ji nahradil. Dohoda ACTA je mezinárodní smlouvou, která stanoví posílený mezinárodní právní rámec pro prosazování práv duševního vlastnictví. Možnost jejího přijetí kdykoli v budoucnu by zůstala otevřena.

(((((NI)I)I)I)I)a druhé straně se Komise domnívá, že stávající legislativní rámec EU pro prosazování práv duševního vlastnictví zaručuje základní práva jednotlivců, jako je svoboda projevu, ochrana osobních údajů a soukromí. Ve svém sdělení ze dne 24. května 2011 Komise oznámila svůj úmysl přezkoumat směrnici o prosazování práv z roku 2004. V souvislosti s tímto přezkumem Komise zajistí, aby základní práva byla i nadále plně dodržována. Jedná se přitom o čistě vnitřní záležitost EU, která s dohodou ACTA nesouvisí. Aby byla definitivně vyjasněna otázka slučitelnosti dohody ACTA s primárním právem EU, rozhodla se Komise postoupit záležitost dohody ACTA Evropskému soudnímu dvoru, jenž se ke slučitelnosti této dohody se smlouvami EU a Listinou základních práv vyjádří.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002748/12
aan de Commissie
Tanja Fajon (S&D), Libor Rouček (S&D), Emine Bozkurt (S&D), Emer Costello (S&D), Mitro Repo (S&D) en Kristian Vigenin (S&D)
(9 maart 2012)

Betreft: Ratificatie van ACTA in de ondertekende lidstaten voordat de beraadslaging in de bevoegde commissies van het Europees Parlement heeft plaatsgevonden en een besluit is genomen

De handelsovereenkomst ter bestrijding van namaak (ACTA) werd op 26 januari 2012 door 22 lidstaten en de Commissie ondertekend. Aangezien het om een gemengde juridische overeenkomst gaat, is voor diverse onderdelen de goedkeuring van het Europees Parlement en de ratificatie door de nationale parlementen vereist als voorwaarde voor de inwerkingtreding ervan.

In het licht van de wijdverbreide protesten onder de bevolking, die worden gesteund door deskundigen, het maatschappelijk middenveld en internationale non-gouvernementele actoren, zijn een aantal lidstaten geneigd om niet tot ratificatie over te gaan of deze op te schorten (bijv. Slovenië, Polen, Tsjechië, Bulgarije en Letland).

In een interne briefing van DG Voorlichting van het Parlement wordt gesteld dat ACTA niet in werking kan treden, indien een aantal lidstaten de overeenkomst niet ratificeren.

Er bestaat op EU-niveau geen duidelijkheid over hetgeen gaat gebeuren, indien een aantal lidstaten de overeenkomst niet ratificeren of de ratificatie ervan opschorten.

Gezien het belang op EU-niveau van deze implicaties voor de rol van het Europees Parlement ten aanzien van het houden van discussies over en de goedkeuring van ACTA dringen zich de volgende vragen op.

1. Kan de Commissie bevestigen dat niet-ratificatie of opschorting een juridische belemmering zal vormen voor de doeltreffendheid van ACTA, ten minste voor wat betreft de strafrechtelijke handhaving van de intellectuele-eigendomsrechten?

2. Kan de Commissie een officieel standpunt innemen over de juridische kwesties en gevolgen van de ratificatie of niet-ratificatie van ACTA door afzonderlijke lidstaten?

3. Is de Commissie, indien een aantal lidstaten de ratificatie van ACTA opschorten of nalaten, voornemens om een herzien wetgevingsvoorstel van de EU inzake de handhaving van de intellectuele-eigendomsrechten in te dienen om een samenhangend wetgevingskader van de EU af te bakenen met de nodige waarborgen voor de vrijheid van meningsuiting, het eigen gebruik en de bescherming van persoonsgegevens en de privacy, zoals gevraagd door het Parlement in zijn resoluties P7_TA(2010)0432 en P7_TA(2010)0317?

Antwoord van de heer De Gucht namens de Commissie
(2 mei 2012)

De ACTA bestrijkt zowel gebieden waarvoor de EU exclusief bevoegd is, als gebieden waarvoor de EU en de lidstaten een gedeelde bevoegdheid hebben maar de EU deze bevoegdheid niet heeft uitgeoefend. In een dergelijke situatie moet de ACTA voor de EU en al haar lidstaten tegelijkertijd in werking treden — waarvoor de EU en alle 27 lidstaten de ACTA moeten ratificeren en hun akten van bekrachtiging bij de depositaris moeten neerleggen. Zo lang dit niet is geschied, is de EU niet door de ACTA gebonden en kan deze noch in de EU, noch in enige individuele lidstaat van toepassing zijn.

Er is momenteel geen plan voor vervanging van de ACTA wanneer deze in de EU niet op korte termijn in werking treedt. De ACTA is een internationaal verdrag dat in een versterkt internationaal rechtskader voor de handhaving van intellectuele-eigendomsrechten voorziet. De ACTA kan in de toekomst alsnog worden aanvaard.

Anderzijds meent de Commissie dat de fundamentele rechten van personen, zoals de vrijheid van meningsuiting en de bescherming van persoonsgegevens en van de persoonlijke levenssfeer, door het huidige EU-wetgevingskader voor de handhaving van de intellectuele-eigendomsrechten worden gewaarborgd. In haar mededeling van 24 mei 2011 heeft de Commissie haar voornemen tot herziening van de handhavingsrichtlijn van 2004 aangekondigd. Zij zal er zorg voor dragen dat de fundamentele rechten volledig worden geëerbiedigd in het kader van die herziening, die een zuiver interne EU-aangelegenheid is die los staat van de ACTA. Om definitieve duidelijkheid over de verenigbaarheid van de ACTA met het primaire EU-recht te verkrijgen, heeft de Commissie besloten de ACTA voor te leggen aan het Hof van Justitie ven de Europese Unie, dat zich zal uitspreken over de verenigbaarheid ervan met de EU-verdragen en het Handvest van de grondrechten.

(Slovenska različica)

Vprašanje za pisni odgovor E-002748/12
za Komisijo
Tanja Fajon (S&D), Libor Rouček (S&D), Emine Bozkurt (S&D), Emer Costello (S&D), Mitro Repo (S&D) in Kristian Vigenin (S&D)
(9. marec 2012)

Zadeva: Ratifikacija sporazuma ACTA v državah članicah podpisnicah pred razpravo v pristojnih odborih Evropskega parlamenta in posledični sklep

Trgovinski sporazum o preprečevanju ponarejanja (ACTA) je podpisalo 22 držav članic in Komisija 26. januarja 2012. Ker gre za mešani sporazum, bo moral nekatere dele odobriti Evropski parlament, ratificirati pa ga bodo morali tudi nacionalni parlamenti, da bo lahko začel veljati.

Glede na množične javne proteste, ki so jih podprli strokovnjaki, civilna družba in mednarodni nevladni sektorji, nekatere države članice sporazuma ne nameravajo ratificirati oz. želijo ratifikacijo odložiti (npr. Slovenija, Poljska, Češka, Bolgarija in Latvija).

Notranje sporočilo generalnega direktorata Parlamenta za komuniciranje navaja, da sporazum ACTA ne bo mogel začeti veljati, če ga več držav članic ne bo ratificiralo.

Na ravni EU ni bilo jasno izraženo, kaj se bo zgodilo, če več držav članic tega sporazuma ne bo ratificiralo ali če bodo odložile njegovo ratifikacijo.

Glede na pomembnost posledic teh dejanj za vlogo Evropskega parlamenta pri pripravi razprav o sporazumu ACTA na ravni EU in njegovi odobritvi zastavljamo naslednja vprašanja:

1. Ali lahko Komisija potrdi, da bi neratifikacija ali odložitev pravno ovirala učinkovitost sporazuma ACTA, vsaj kar zadeva kazenskopravno izvrševanje pravic intelektualne lastnine?

2. Ali lahko Komisija pripravi uradno stališče v zvezi s pravnimi vprašanji in učinkom ratifikacije ali neratifikacije sporazuma ACTA v posameznih državah članicah?

3. Ali namerava Komisija v primeru, da bi nekatere države članice odložile ratifikacijo sporazuma ACTA ali pa ga ne bi ratificirale, pripraviti spremenjen zakonodajni predlog EU o izvrševanju pravic intelektualne lastnine, da bi opredelila usklajen pravni okvir EU s potrebnimi zagotovili za svobodo izražanja, individualno uporabo in zaščito osebnih podatkov in zasebnost, kakor je Parlament zahteval v resolucijah P7_TA(2010)0432 in P7_TA(2010)0317?

Odgovor g. De Guchta v imenu Komisije
(2. maj 2012)

Trgovinski sporazum za boj proti ponarejanju (sporazum ACTA) zajema področja, ki so v izključni pristojnosti EU, in druga področja, na katerih si EU deli pristojnosti z državami članicami, vendar navedenih pristojnosti ni izvajala. V tem okviru bi moral sporazum ACTA začeti veljati sočasno v EU in vseh državah članicah, za kar ga morajo EU in vse države članice ratificirati ter skupaj deponirati listine o ratifikaciji. Do takrat sporazum ACTA ne bo zavezoval EU in ne velja v EU ali kateri koli posamezni državi članici EU.

Če sporazum ACTA v EU ne začne veljati v kratkem, trenutno ni projekta za njegovo nadomestitev. Sporazum ACTA je mednarodna pogodba, ki zagotavlja okrepljen mednarodni pravni okvir za uveljavljanje pravic intelektualne lastnine. Sprejeli bi ga lahko kadar koli v prihodnosti.

Po drugi strani pa Komisija meni, da veljavni zakonodajni okvir EU o uveljavljanju pravic intelektualne lastnine zagotavlja temeljne pravice posameznikov, kot so svoboda izražanja, varstvo osebnih podatkov in zasebnosti. Komisija je v sporočilu z dne 24. maja 2011 napovedala, da namerava pregledati direktivo o uveljavljanju iz leta 2004. V okviru navedenega pregleda, ki je povsem notranja zadeva, nepovezana s sporazumom ACTA, bo Komisija zagotovila, da se temeljne pravice še naprej v celoti spoštujejo. Za dokončno pojasnitev vprašanja združljivosti sporazuma ACTA s primarno zakonodajo EU se je Komisija odločila, da sporazum ACTA predloži Sodišču Evropske unije, ki se bo izreklo o združljivosti sporazuma ACTA s Pogodbama EU in Listino EU o temeljnih pravicah.

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-002748/12
komissiolle
Tanja Fajon (S&D), Libor Rouček (S&D), Emine Bozkurt (S&D), Emer Costello (S&D), Mitro Repo (S&D) ja Kristian Vigenin (S&D)
(9. maaliskuuta 2012)

Aihe: ACTA-sopimuksen ratifiointi allekirjoittajajäsenvaltioissa ennen asian käsittelyä Euroopan parlamentin asiasta vastaavissa valiokunnissa ja sitä seuraavaa päätöksentekoa

22 jäsenvaltiota ja komissio allekirjoittivat 26. tammikuuta 2012 väärentämisenvastaisen kauppasopimuksen (ACTA), jonka eri jaksojen voimaantulo edellyttää sekä Euroopan parlamentin suostumusta että ratifiointia kansallisissa parlamenteissa, koska sopimus on jaetun toimivallan sopimus.

Asiantuntijoiden, kansalaisyhteiskunnan ja kansainvälisten valtioista riippumattomien järjestöjen laajojen julkisten protestien vuoksi monet jäsenvaltiot (kuten Slovenia, Puola, Tšekin tasavalta, Bulgaria ja Latvia) aikovat joko keskeyttää ratifiointiprosessin tai lykätä sitä.

Parlamentin viestinnän pääosaston sisäisessä muistiossa todetaan, että ACTA-sopimus ei voi tulla voimaan, jos useat jäsenvaltiot jättävät sopimuksen ratifioimatta.

EU:n tasolla ei ole toistaiseksi annettu mitään ilmoitusta siitä, mitä tapahtuu, jos useat jäsenvaltiot jättävät sopimuksen ratifioimatta tai lykkäävät sopimuksen ratifiointia.

Koska edellä mainittu vaikuttaa merkittävästi Euroopan parlamentin rooliin, Euroopan parlamentissa käytävään keskusteluun sekä siihen, antaako parlamentti ACTA-sopimusta koskevan suostumuksensa,

1. Voiko komissio vahvistaa, että ratifioimatta jättäminen tai ratifioinnin lykkääminen vähentävät ACTA-sopimuksen oikeudellista tehokuutta ainakin teollis- ja tekijänoikeuksien rikosoikeudellista täytäntöönpanon yhteydessä?

2. Voiko komissio ilmoittaa virallisen kantansa, joka koskee oikeudellisia kysymyksiä ja ACTA-sopimuksen ratifiointia ja ratifioimatta jättämistä yksittäisissä jäsenvaltioissa?

3. Jos jotkut jäsenvaltiot lykkäävät ACTA-sopimuksen ratifiointia tai jättävät sen ratifioimatta, aikooko komissio antaa teollis- ja tekijänoikeuksien täytäntöönpanon valvontaa koskevan tarkistetun EU:n lainsäädäntöehdotuksen, jotta voidaan määrittää tarvittavat ilmaisunvapautta sekä henkilökohtaisen käytön ja henkilötietojen ja yksityisyyden suojaa koskevat takeet sen mukaisesti, mitä parlamentti on pyytänyt päätöslauselmissaan P7_TA(2010)0432 ja P7_TA(2010)0317?

Karel de Guchtin komission puolesta antama vastaus
(2. toukokuuta 2012)

ACTA-sopimuksen piiriin kuuluu aloja, joilla EU:lla on yksinomainen toimivalta, sekä aloja, joilla EU jakaa toimivallan jäsenvaltioiden kanssa muttei ole käyttänyt tätä toimivaltaa. Tällaisessa tilanteessa ACTA-sopimuksen olisi tultava voimaan EU:ssa ja kaikissa jäsenvaltioissa samanaikaisesti, mikä edellyttää sitä, että EU ja kaikki 27 jäsenvaltiota ratifioivat ACTA-sopimuksen ja tallettavat ratifioimiskirjansa yhdessä. Niin kauan kuin näin ei ole tehty, ACTA-sopimus ei sido EU:ta eikä sitä voi soveltaa EU:hun tai mihinkään yksittäiseen jäsenvaltioon.

Jos ACTA-sopimus ei tule voimaan EU:ssa lyhyellä aikavälillä, sen korvaamiseksi ei ole tällä hetkellä käynnissä mitään hanketta. ACTA on kansainvälinen sopimus, jolla luodaan tehokkaammat kansainväliset lainsäädäntöpuitteet teollis- ja tekijänoikeuksien noudattamisen varmistamiseksi. Se voitaisiin hyväksyä myös koska tahansa tulevaisuudessa.

Toisaalta komissio katsoo, että nykyinen teollis- ja tekijänoikeuksien valvontaa koskeva EU:n lainsäädäntö takaa yksilöiden perusoikeuksien, kuten ilmaisuvapauden sekä henkilötietojen ja yksityisyyden suojan toteutumisen. Komissio ilmoitti 24. toukokuuta 2011 antamassaan tiedonannossa, että vuonna 2004 annettua direktiiviä teollis- ja tekijänoikeuksien noudattamisen varmistamisesta aiotaan tarkastella uudelleen. Komissio pitää huolta siitä, että perusoikeuksiin ei puututa millään tavalla tämän uudelleentarkastelun myötä, joka on täysin EU:n sisäinen asia eikä liity mitenkään ACTA-sopimukseen. Jotta kysymys ACTA-sopimuksen yhteensopivuudesta EU:n primaarioikeuden kanssa saadaan lopullisesti selvitettyä, komissio on päättänyt antaa ACTA-sopimuksen unionin tuomioistuimen käsiteltäväksi, ja tuomioistuin tekee ratkaisun ACTA-sopimuksen yhteensopivuudesta EU:n perussopimusten ja perusoikeuskirjan kanssa.

(English version)

Question for written answer E-002748/12
to the Commission
Tanja Fajon (S&D), Libor Rouček (S&D), Emine Bozkurt (S&D), Emer Costello (S&D), Mitro Repo (S&D) and Kristian Vigenin (S&D)
(9 March 2012)

Subject: Ratification of ACTA in the signatory Member States ahead of the discussion in the competent committees of the European Parliament and a subsequent decision

The Anti-Counterfeiting Trade Agreement (ACTA) was signed by 22 Member States and the Commission on 26 January 2012 and that, being a mixed legal agreement, its various sections will require both the consent of the European Parliament and ratification by national parliaments in order for the agreement to come into force.

In the light of widespread public protests that were supported by experts, civil society and international non-governmental sectors, a number of Member States are inclined not to proceed with ratification, or to suspend it (e.g. Slovenia, Poland, the Czech Republic, Bulgaria and Latvia).

The internal briefing by Parliament's DG COMM states that ACTA cannot enter into force if a number of Member States fail to ratify the agreement.

No clear indication has been given at EU level as to what will happen if a number of Member States do not ratify the agreement or if they suspend its ratification.

Given the importance of such implications for the role of the European Parliament in holding discussions on, and consenting to, ACTA at EU level,

1. Can the Commission confirm that non-ratification or suspension will legally hamper the effectiveness of ACTA, at least as far as criminal enforcement of intellectual property rights (IPR) is concerned?

2. Can the Commission provide an official position regarding the legal issues and impacts of ratification or non-ratification of ACTA by individual Member States?

3. If some Member States suspend ratification of ACTA, or fail to ratify it, does the Commission intend to present a revised EU legislative proposal on IPR enforcement in order to define a coherent EU legal framework with the necessary guarantees for freedom of expression, individual use and protection of personal data and privacy, as requested by Parliament in its resolutions P7_TA(2010)0432 and P7_TA(2010)0317?

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

ACTA covers areas under EU exclusive competence, and other areas for which the EU shares competences with its Member States but did not exercise those competences. In such a situation, ACTA should enter into force at the same time for the EU and for all its Member States — which requires that the EU and all 27 EU Member States ratify ACTA and deposit their ratification instruments together. As long as that has not taken place, the EU will not be bound by ACTA and ACTA cannot apply to the EU, or to any individual EU Member State.

If ACTA does not enter into force in the short term in the EU, there is no current project to replace it. ACTA is an international treaty which provides for an enhanced international legal framework for the enforcement of intellectual property rights. It would remain open for acceptance at any future point in time.

On the other hand, the Commission considers that the current EU legislative framework on the enforcement of intellectual property rights guarantees the individuals' fundamental rights such as freedom of expression, protection of personal data and privacy. In its communication of 24 May 2011, the Commission announced its intention to review the 2004 Enforcement Directive. The Commission will ensure that fundamental rights remain fully respected in the context of the said review, which is a pure EU internal matter, unrelated to ACTA. In order to definitively clarify the issue of the compatibility of ACTA with the EU primary law, the Commission has decided to refer ACTA to the European Court of Justice, which will pronounce itself on ACTA's compatibility with the EU Treaties and the Charter of Fundamental Rights.

(Version française)

Question avec demande de réponse écrite E-002749/12
à la Commission
Alain Cadec (PPE)
(9 mars 2012)

Objet: Participation aux élections européennes

Depuis 1979, le taux d'abstention aux élections européennes est de plus en plus élevé.

Quelles actions la Commission met-elle en œuvre pour informer les Européens sur leurs droits de citoyen? Quel bilan en tire-t-elle?

La Commission a-t-elle prévu une campagne de publicité et d'information pour les élections européennes de 2014?

Comment prend-elle en compte le désintérêt croissant des citoyens européens pour l'Union européenne?

Comment entend-elle informer les citoyens européens de certaines décisions importantes prises par l'Union européenne, afin que ces derniers se sentent davantage concernés par des décisions qui leur semblent trop souvent éloignées de leur quotidien?

Réponse donnée par Mme Reding au nom de la Commission
(11 mai 2012)

Dans l'esprit de l'accord politique «Communiquer sur l'Europe en partenariat» ([1]), les élections européennes ont été définies comme la principale priorité en matière de communication interinstitutionnelle depuis les élections de 2009.

La Commission a proposé que 2013 soit l'«Année européenne des citoyens» ([2]). Cette Année européenne donnera l'occasion de communiquer à propos du droit des citoyens de participer aux élections de 2014, et de fournir des informations sur l'incidence qu'a l'Union sur leur vie quotidienne. Des informations sur ces activités seront transmises par l'intermédiaire du groupe interinstitutionnel de l'information (GII), auquel participent le Parlement européen, le Conseil, la Commission, le CESE et le CdR.

La Commission fournit, à travers le programme «Droits fondamentaux et citoyenneté», un concours financier pour des projets relatifs à des actions de sensibilisation sur les droits des citoyens de l'UE.

Le programme intitulé «L'Europe pour les citoyens» offre aux citoyens la possibilité de prendre part à la construction d'une Europe toujours plus proche et contribue à renforcer un sentiment d'appartenance à l'UE parmi les citoyens. Le programme actuel permet aux organisations et aux citoyens de débattre des questions essentielles inscrites au programme politique des institutions, et de contribuer par là même à façonner l'avenir de l'Union. Le futur programme 2014-2020 permettra de mieux faire comprendre l'Union européenne et encouragera la participation civique.

([1]) L'accord politique «Communiquer sur l'Europe en partenariat» a été signé le 22 octobre 2008.
([2]) Proposition de décision du Parlement européen et du Conseil relative à l'Année européenne des citoyens (2013) du 11 août 2011, COM(2011) 489 final.

(English version)

Question for written answer E-002749/12
to the Commission
Alain Cadec (PPE)
(9 March 2012)

Subject: Participation in European elections

Since 1979, the level of abstention in European elections has grown increasingly high.

What action is the Commission taking to inform Europeans about their citizens' rights? What is its assessment of the situation?

Has the Commission planned a publicity and information campaign for the European elections in 2014?

How does it account for the growing disinterest of European citizens in the European Union?

How does it intend to inform European citizens about certain significant decisions taken by the European Union so that they will feel more concerned by decisions which they all too often feel to be far removed from their everyday lives?

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

In the spirit of the political agreement Communicating Europe in Partnership ([1]), European elections have been identified as the main interinstitutional communication priority as from the 2009 elections.

The Commission proposed to designate 2013 as the 'European Year of Citizens' ([2]). The European Year will be an opportunity to communicate about citizens' right to participate in the 2014 elections and to provide information on the impact of the EU on their daily lives. Information on those activities will be provided via the IGI (Interinstitutional Group for Information) in which EP, Council, Commission, CESE and CoR participate.

The Commission, via the Programme 'Fundamental Rights and Citizenship', provides funding for projects on awareness-raising activities on EU citizens' rights.

The 'Europe for Citizens programme' gives citizens the opportunity to interact in constructing an ever closer Europe and contributes to fostering a sense of EU ownership among citizens. The current programme allows organisations and citizens to debate on key issues on the policy agenda of the institutions, thereby contributing to shape the future of the Union. The future programme 2014-2020 will further contribute to the understanding about the EU and encourage civic participation.

([1]) The political agreement 'Communicating Europe in Partnership' was signed on 22 October 2008.
([2]) Proposal of a decision of the European Parliament and the Council on the European Year of Citizen (2013) of 11 August 2011, COM(2011) 489 final.

(Version française)

Question avec demande de réponse écrite E-002750/12
à la Commission
Gilles Pargneaux (S&D)
(9 mars 2012)

Objet: Retards de la France dans la mise en application de la directive européenne sur le bruit dans l'environnement

La France est très en retard dans la mise en application de la directive européenne sur le bruit dans l'environnement.

La directive 2002/49/CE a instauré l'obligation, pour les autorités compétentes désignées par les États membres, d'élaborer des cartes de bruit et des plans de prévention du bruit dans l'environnement (PPBE).

Les premières échéances de réalisation étaient fixées au 30 juin 2007 pour les cartes de bruit et au 18 juillet 2008 pour les plans de prévention.

À l'heure actuelle, seul un tiers des cartes prescrites par la directive sont réalisées.

Dans un courrier du 14 octobre 2011, la Commission a donc lancé un ultimatum à la France pour qu'elle assure la bonne mise en œuvre de la directive.

Le 28 novembre dernier, la ministre de l'écologie, Nathalie Kosciusko-Morizet, a adressé un courrier demandant aux préfets de publier sans délai les cartes de bruit pour le 5 décembre 2011 et de dresser un point précis de l'état d'avancement des plans de prévention du bruit dans l'environnement (PPBE) d'ici la fin du premier trimestre 2012.

La Commission peut-elle m'indiquer si le gouvernement français lui a bien transmis un état des lieux de la mise en application de la directive?

Réponse donnée par M. Potočnik au nom de la Commission
(30 avril 2012)

Les autorités françaises ont transmis à la Commission des informations complémentaires sur l'état d'avancement de la mise en œuvre de la directive 2002/49/CE ([1]) sur le bruit dans l'environnement. Il s'agit d'informations relatives aux cartes de bruit stratégiques et aux plans d'action sur le bruit. Les autorités françaises ont indiqué que des informations complémentaires seront communiquées à la Commission d'ici à la fin avril 2012 et ensuite régulièrement tous les trois mois.

([1]) JO L 189 du 18.7.2002.

(English version)

Question for written answer E-002750/12
to the Commission
Gilles Pargneaux (S&D)
(9 March 2012)

Subject: Delays in France's implementation of the European Environmental Noise Directive

France is very late in implementing the European Environmental Noise Directive.

Directive 2002/49/CE imposed an obligation on the competent authorities designated by the Member States to draw up noise maps and environmental noise prevention plans (ENPPs).

The initial deadlines for completion of these measures were set for 30 June 2007 for noise maps and 18 July 2008 for prevention plans.

To date, only one third of the maps required under the directive have been completed.

In a letter dated 14 October 2011, the Commission therefore gave France an ultimatum to ensure that the directive was implemented correctly.

On 28 November 2011, the Minister for Ecology, Nathalie Kosciusko-Morizet, wrote a letter asking prefects to publish the noise maps without delay by 5 December 2011 and to provide precise information on the status of the environmental noise prevention plans (ENPPs) by the end of the first quarter of 2012.

Could the Commission please say whether the French Government has sent it a report on the implementation of the directive?

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

The French authorities have provided the Commission with additional information on the state of play of the implementation of Directive 2002/49/EC ([1]) on environmental noise. It contains information in relation to strategic noise maps and on noise action plans. The French authorities have announced that further information will be reported to the Commission by end of April 2012 and then regularly every three months.

([1]) OJ L 189, 18.7.2002.

(Version française)

Question avec demande de réponse écrite E-002751/12
à la Commission
Gilles Pargneaux (S&D)
(9 mars 2012)

Objet: Remise en cause de l'efficacité de la vaccination contre la grippe saisonnière

Tous les ans, les experts de l'Organisation mondiale de la santé décident, six mois à l'avance, de la composition du vaccin grippal en fonction de la circulation supposée du virus un semestre plus tard.

Cette année, le vaccin se révèle moins efficace que les années précédentes. L'analyse de la composition génomique des souches H3N2 qui circulent actuellement démontre qu'une partie d'entre elles a subi une mutation. Il existe ainsi des virus grippaux cousins du H3N2 capables de résister au vaccin grippal.

La protection vaccinale vis-à-vis de la grippe saisonnière n'est donc pas absolue. Des échecs partiels de vaccination sont plus qu'envisageables.

Face à ce constat, l'Organisation mondiale de la santé a décidé de modifier la composition du vaccin en incluant dans sa composition une nouvelle souche, en plus de la H3N2 «mutante» en prévision de la prochaine campagne vaccinale, dans six mois pour les pays de l'hémisphère Sud.

La Commission peut-elle m'informer si la mutation du virus a été identifiée dans d'autres États membres? Si oui, quelles sont les mesures de sensibilisation que la Commission entend adopter pour informer les citoyens européens de l'inefficacité partielle de la vaccination?

Le Centre de prévention et de contrôle des maladies (ECDC) a-t-il rédigé un avis sur cette question?

Réponse donnée par M. Dalli au nom de la Commission
(30 avril 2012)

La Commission, se fondant sur les données de surveillance collectées par le Centre européen de prévention et de contrôle des maladies (ECDC), confirme que des virus H3N2 présentant les mutations en question ont été détectés dans l'Union européenne (UE) et que la surveillance épidémiologique se poursuit. Les données disponibles à ce jour montrent que le vaccin protège toujours les personnes vaccinées.

Les États membres ont été informés récemment, via le système d'alerte précoce et de réaction de l'UE, de l'existence des souches «mutantes» du virus de la grippe et de l'incidence potentielle sur la protection conférée par les vaccins contre la grippe saisonnière.

Depuis 2008, l'ECDC a mené, avec dix-neuf États membres de l'UE, une surveillance de routine de l'efficacité de la vaccination contre la grippe grâce à un réseau de sites d'étude, dans le but d'appuyer les campagnes de vaccination. L'ECDC a publié un avis préliminaire sur la saison grippale 2011/2012 le 12 mars 2012 ([1]). Cependant, l'analyse approfondie de l'efficacité de la vaccination contre la grippe dans l'UE pour la saison 2011/2012 sera disponible plus tard qu'elle ne l'a été pour la saison dernière, car elle a démarré plus tardivement que les autres années.

La Commission suit l'évolution de la situation en contact étroit avec l'ECDC et l'OMS. Si un événement inhabituel se produisait, les États membres en seraient immédiatement informés.

([1]) Évaluation annuelle pour 2011/2012 des risques de la grippe saisonnière à l'échelle européenne, du 12 mars 2012

(English version)

Question for written answer E-002751/12
to the Commission
Gilles Pargneaux (S&D)
(9 March 2012)

Subject: Efficacy of the seasonal influenza vaccination questioned

Every year, experts from the World Health Organisation (WHO) decide, six months in advance, on the composition of the influenza vaccine according to the anticipated circulation of the virus six months later.

This year, the vaccine has proven to be less effective than in previous years. Analysis of the genomic composition of the H3N2 strains currently in circulation has shown that some have mutated. As a result, certain influenza viruses related to H3N2 are resistant to the influenza vaccine.

The protection afforded by the seasonal influenza vaccine is therefore not absolute. Cases of partial vaccination failures are highly likely.

In view of the above, the WHO has decided to modify the composition of the vaccine by adding a new strain, in addition to the 'mutant' H3N2, in anticipation of the next vaccination campaign in six months' time for countries in the southern hemisphere.

Can the Commission state whether the virus mutation has been identified in other Member States? If so, what awareness-raising measures does the Commission intend to adopt in order to inform Europeans of the partial inefficacy of the vaccine?

Has the European Centre for Disease Prevention and Control drawn up an opinion on this matter?

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

The Commission, based on surveillance data collected by the European Centre for Disease Prevention and Control (ECDC), confirms that H3N2 viruses with the mentioned mutations have been observed in the European Union (EU) and epidemiological surveillance is continuing. The evidence available so far shows that the vaccine still confers protection to those vaccinated.

The Member States have been recently informed through the EU Early Warning and Response System about the 'mutated' influenza strains including the potential impact on the protection conferred by seasonal vaccines.

Since 2008 the ECDC together with 19 EU Member States has performed routine monitoring of influenza vaccination effectiveness through a network of study sites in order to support vaccination campaigns. ECDC has published its preliminary opinion on the 2011/2012 influenza season on 12 March 2012 ([1]). However, the in-depth analysis of the influenza vaccination effectiveness for the 2011/2012 season in the EU will be available later than in the last season, as it started late compared with other recent seasons.

The Commission is following the development of the situation in close contact with the ECDC and WHO. Should any unusual event be identified, it will inform the Member States immediately.

([1]) Annual European Seasonal Influenza Risk Assessment for 2011/2012 of 12 March.

(Versión española)

Pregunta con solicitud de respuesta escrita E-002752/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(9 de marzo de 2012)

Asunto: Seguridad en el transporte por tren

El nuevo descarrilamiento de un tren de mercancías ocurrido este jueves en la estación de Reus (Tarragona), sin provocar heridos, eleva a tres el número de accidentes ferroviarios en Catalunya durante el presente año ([1]).

El anterior se produjo el 9 de febrero de 2012, donde un choque de un tren de cercanías («Rodalies») contra la topera de final de vía en la estación de Mataró se saldó con diez heridos. El 19 de enero de 2012, un choque entre un tren de cercanías y un Talgo vacío en el túnel de salida de la estación de El Clot de Barcelona dejó 25 heridos (24 leves dados de alta in situ y uno trasladado al hospital). En 2011 ya se habían producido otros tres accidentes. El 16 de marzo de 2011, un descarrilamiento parcial de un tren de pasajeros por colisión con un objeto en la vía en Vacarisses provocó diez heridos. El 20 de marzo de 2011 también un descarrilamiento parcial de un tren de pasajeros en la estación de Sitges dejó tres heridos y el 28 de abril de 2011 un choque entre un Talgo y un tren de cercanías en la salida de la estación de El Clot de Barcelona provocó 17 heridos leves trasladados a hospitales ([2])).

En la respuesta 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).

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. Hasta ahora sólo ha habido heridos leves pero si no se actúa algún día puede haber un accidente realmente grave. ¿Qué acciones está tomando la Comisión para resolver este problema de seguridad?

Respuesta del Sr. Kallas en nombre de la Comisión
(25 de abril de 2012)

En respuesta a las inquietudes planteadas por Su Señoría, la Comisión no puede sino reiterar lo indicado en sus respuestas a las preguntas escritas E-001118/2012 y E-001724/2012 ([3]).

La Comisión tendrá que esperar a la conclusión de los trabajos del organismo de investigación español sobre este accidente y sobre los demás ocurridos recientemente en España antes de emprender cualquier actuación.

([1]) http://www.lavanguardia.com/sucesos/20120308/54265991595/descarrila-tren-mercancias-reus.html
([2]) http://www.lavanguardia.com/sucesos/20120308/54265994456/tres-accidentes-ferroviarios-en-2012.html
([3]) Disponibles en http://www.europarl.europa.eu/QP-WEB/application/home.do?language=ES.

(English version)

Question for written answer E-002752/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(9 March 2012)

Subject: Rail transport safety

The latest derailment of a freight train that occurred last Thursday at Reus station (province of Tarragona), causing no injuries, brings the number of rail accidents in Catalonia during the current year to three ([1]).

The accident previous to this one occurred on 9 February 2012, when a commuter train ('Rodalies') collided with the buffer stop at Mataró station resulted in 10 injuries. On 19 January 2012, a collision between a commuter train and an empty Talgo train in the exit tunnel from El Clot station in Barcelona left 25 injured (24 minor injuries treated on the spot and one casualty taken to hospital). There had already been three other accidents in 2011. On 16 March 2011, a partial derailment of a passenger train, due to collision with an object on the track in Vacarisses, caused 10 injuries. On 20 March 2011, a partial derailment of a passenger train station at Sitges station also left three injured, and on 28 April 2011 a collision between a Talgo train and a commuter train at the exit from El Clot station in Barcelona caused minor injuries to 17 people, who were taken to hospital ([2])).

In answer to Questions E-006034/2011 and E-006035/2011, Mr Kallas, on behalf of the Commission, indicated that, under Directive 2004/49/EC regarding rail transport safety, Member States are required to ensure the safety of their rail networks, in particular via a national safety authority and that in Spain ADIF safety standards are approved by the Directorate-General for Railways (Dirección General de Ferrocarriles, Real Decreto 810/2007).

These accidents are causing great concern among the Catalan population, while the Catalan Government remains powerless, the Spanish Government being responsible for the management of stations, trains and tracks. So far there have been only minor injuries, but if no action is taken a really serious accident may occur. What action is the Commission taking to resolve this safety issue?

Answer given by Mr Kallas on behalf of the Commission
(25 April 2012)

In response to the concerns raised by the Honourable Member, the Commission can only restate what it indicated in its answers to Written Questions E-001118/2012 and E-001724/2012 ([3]).

The Commission will need to await the conclusion of the works of the Spanish Investigation Body on this and on the other recent accidents in Spain, before undertaking any action.

([1]) http://www.lavanguardia.com/sucesos/20120308/54265991595/descarrila-tren-mercancias-reus.html
([2]) http://www.lavanguardia.com/sucesos/20120308/54265994456/tres-accidentes-ferroviarios-en-2012.html
([3]) Available at http://www.europarl.europa.eu/QP-WEB/application/home.do?language=EN.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002753/12
προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(9 Μαρτίου 2012)

Θέμα: Ο ανεξέλεγκτος τζόγος στο διαδίκτυο

Σύμφωνα με την ιστοσελίδα capital.gr, ανησυχητικά ευρήματα για την έξαρση του ηλεκτρονικού τζόγου στην Ελλάδα φανερώνει έρευνα που πραγματοποίησε το Εργαστήριο Ηλεκτρονικού Επιχειρείν (ELTRUN) του Οικονομικού Πανεπιστημίου Αθηνών. Όπως προκύπτει, παρατηρείται σημαντική αύξηση των νέων ηλικιακά παικτών (14 έως 20 ετών) που δηλώνουν ότι στοιχηματίζουν σε τυχερά παιχνίδια μέσω διαδικτύου, ενώ αυξητικές τάσεις εμφανίζει και ο αριθμός των παικτών που δηλώνουν ότι ασχολούνται με τον ηλεκτρονικό τζόγο σε πολύ τακτική βάση. Σύμφωνα με τα πορίσματα της έρευνας, ο τυπικός Έλληνας on-line καταναλωτής που εμπλέκεται στον ηλεκτρονικό τζόγο κάνει πολύ χρήση του Internet (23,3 ώρες/εβδομάδα), κάτι που φθάνει στα επίπεδα του εθισμού. Σύμφωνα με την ετήσια έρευνα, το 2011 περίπου 400 χιλιάδες άτομα είχαν εμπλακεί στον ηλεκτρονικό τζόγο: μεταξύ αυτών, το ποσοστό των παικτών νεαρής ηλικίας (14-20 ετών) ήταν 8 %.

Λαμβάνοντας υπόψη ότι πρόκειται για μια αγορά που πόρρω απέχει του να θεωρείται ρυθμισμένη και ότι η Πολιτεία είναι ουσιαστικά απούσα σε ό,τι αφορά τον έλεγχο και την εποπτεία του χώρου, το πεδίο για την αύξηση κρουσμάτων εθισμού στον τζόγο παραμένει ορθάνοικτο.

Ερωτείται η Επιτροπή:

Τι μέτρα προτίθεται να λάβει για την αντιμετώπιση της παρατηρούμενης αυξητικής τάσης των κρουσμάτων εθισμού στον διαδικτυακό τζόγο;

Γενικά, με ποια μετρά σκοπεύει η Επιτροπή να περιορίσει τον ανεξέλεγκτο χαρακτήρα του διαδικτύου, όπου ελλοχεύουν κίνδυνοι για τους χρήστες και δή για τους νεότερους που πολλές φορές πέφτουν θύματα επιτηδείων;

Απάντηση του κ. Barnier εξ ονόματος της Επιτροπής
(2 Μαΐου 2012)

Η διαβούλευση στο πλαίσιο της Πράσινης Βίβλου σχετικά με τον τομέα των ηλεκτρονικών τυχερών παιγνίων στην εσωτερική αγορά αφορούσε το ζήτημα του εθισμού και της εξάρτησης από τα διαδικτυακά τυχερά παίγνια καθώς και της προστασίας των ανηλίκων και είχε ως στόχο τη συγκέντρωση σαφέστερων πληροφοριών και δεδομένων σχετικά με αυτά τα πολύπλοκα ζητήματα που αφορούν την ταχεία ανάπτυξη των διαδικτυακών τυχερών παιγνίων, συμπεριλαμβανομένων των στόχων και των πρακτικών της πολιτικής των κρατών μελών στο εν λόγω θέμα. Με την ενέργεια που έγινε ως επακόλουθο της Πράσινης Βίβλου, συγκεκριμένα την ανακοίνωση για τα διαδικτυακά τυχερά παίγνια στην εσωτερική αγορά που προβλέπεται να εκδοθεί το 2012, η Επιτροπή προτίθεται να εξαγγείλει ορισμένες δυνατότητες για τη χάραξη πολιτικής στον τομέα αυτό και να προτείνει τη λήψη ειδικών μέτρων στην Ευρωπαϊκή Ένωση και σε διεθνές επίπεδο, ώστε να εξασφαλισθεί, μεταξύ άλλων, η προστασία των καταναλωτών και να αποτραπεί αποτελεσματικά ο εθισμός και η εξάρτηση από τα διαδικτυακά τυχερά παίγνια.

Όσον αφορά την κατάσταση στην Ελλάδα, η Επιτροπή έχει τακτικές διαβουλεύσεις με τις Ελληνικές αρχές σχετικά με τις πρόσφατες μεταρρυθμίσεις των κανονισμών για τα τυχερά παίγνια. Χάρις στην εν λόγω διαδικασία θα ενημερώνεται η Επιτροπή εάν αντιμετωπίζεται κατάλληλα το συγκεκριμένο ζήτημα στα πλαίσια της τρέχουσας αναθεώρησης της νομοθεσίας για τα τυχερά παίγνια στην Ελλάδα.

(English version)

Question for written answer E-002753/12
to the Commission
Nikolaos Salavrakos (EFD)
(9 March 2012)

Subject: Uncontrolled online gambling

According to the website capital.gr, a survey by the e-Business Research Centre of the Athens University of Economics and Business (ELTRUN) produced worrying findings regarding the spread of online gambling in Greece. Apparently, there has been a significant increase in young gamblers (aged between 14 and 20) who admit to betting in online games of chance and there is an upward trend in the number of players who say that they gamble online on a regular basis. According to the survey, typical Greek online gamblers spend so much time on the Internet (23.3 hours a week), that they can essentially be qualified as addicts. According to the annual survey, approximately 400 000 people gambled online in 2011, of whom 8 % were young gamblers (aged 14 to 20).

Bearing in mind that this is a market which is not well regulated and that the State is, to all intents and purposes, absent when it comes to controlling and supervising this sector, there is clearly plenty of scope for an increase in gambling addiction.

In view of this:

What measures does the Commission intend to take to address this upward trend in online gambling addiction?

What measures does it intend to take in general to limit the lack of control of the Internet, where risks abound for users, especially young people, who often fall victim to gaming 'sharks'.

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

The Green Paper consultation on online gambling in the internal market addressed the issue of problem gambling and gambling addiction as well as that of the protection of minors, seeking to accrue clearer information and data on these complex issues pertaining to the rapid development of online gambling, including the policy objectives and practices of Member States in this respect. In the follow-up to the Green Paper, namely the communication on online gambling in the internal market foreseen for adoption in 2012, the Commission intends to announce a number of policy options and to propose specific actions at European Union and national levels in order to ensure , *inter alia*, an appropriate protection of consumers and to prevent problem gambling and gambling addiction effectively.

As regards the situation in Greece, the Commission has been in regular dialogue with the Greek authorities concerning the recent reforms of the gambling regulations. This process should inform the Commission as to whether this issue is properly addressed in the ongoing review of the Greek gambling law.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002754/12
alla Commissione
Giommaria Uggias (ALDE), Niccolò Rinaldi (ALDE) e Andrea Zanoni (ALDE)
(9 marzo 2012)

Oggetto: Assegnazione indebita di quote di CO_2 per il periodo 2008-2012 all'impianto per la produzione di calce di proprietà della CEMIN S.r.l., sito nel polo industriale di Portovesme (CI)

In Italia, il decreto legislativo n. 216/2006 (art. 1) ha attribuito il ruolo di «autorità nazionale» competente per l'attuazione della direttiva n. 2003/87/CE al «Comitato nazionale di gestione e attuazione della direttiva n. 2003/87/CE». Tramite deliberazione risalente al 21 aprile del 2008 (n. 10/2008), il Comitato nazionale di gestione e attuazione della direttiva n. 2003/87/CE certificava che la quantità di CO_2 emessa da un impianto per la produzione di calce di proprietà della CEMIN S.r.l, sito nel polo industriale di Portovesme (CI), nel periodo compreso tra settembre e dicembre 2007 ammontava a 1007 tonnellate, con un tasso di utilizzo del forno da calce del 7 %, ben al di sotto di quello settoriale, che è pari all'82 %.

Nonostante il riscontro di tale anomalia produttiva, il suddetto Comitato, con deliberazione n. 25/2010 del 28 ottobre 2010, assegnava alla CEMIN S.r.l., anche sulla base di dichiarazioni del legale rappresentante di quest'ultima in merito ai periodi di funzionamento del forno, un numero di quote di CO_2 pari a 43 018 tonnellate per gli anni 2008 e 2009, e ne determinava un numero pari a 43 018 tonnellate per gli anni 2010, 2011 e 2012, «previa conferma che negli anni in questione l'impianto non si trovi in stato di fermo». Ciò è avvenuto nella totale noncuranza dei dati ufficiali del registro europeo delle emissioni di CO_2, secondo cui l'impianto della CEMIN S.r.l. passava dalle 1007 tonnellate del periodo settembre-dicembre 2007 a poco più di 170-250 tonnellate annue nei tre anni successivi (2008, 2009, 2010), cifre che farebbero presupporre un'ipotetica produzione che si protraeva, verosimilmente, per circa due/tre giorni l'anno.

Secondo quanto stabilito dall'articolo 6, paragrafo 6, lettera b, del Decreto legislativo n. 216/2006, che ha dato attuazione alla direttiva 2003/87/CE, se un impianto si trova in uno stato di chiusura totale, poiché ha sospeso la produzione o addirittura, come in questo caso, non l'ha mai avviata, non ha diritto ad avere le quote di CO_2 e dovrebbe essergli ritirata l'autorizzazione a emettere CO_2 nell'atmosfera.

Alla luce della situazione descritta, può la Commissione procedere alla verifica di quanto sopra esposto, con particolare riferimento all'operato del Comitato nazionale di gestione e attuazione della direttiva n. 2003/87/CE che, tramite la deliberazione n. 25/2010, avrebbe assegnato alla CEMIN S.r.l per il periodo 2008-2012 quote di CO_2 (215 090 tonnellate) pari a un controvalore di circa 3 000 000 di euro in denaro pubblico?

Risposta data da Connie Hedegaard a nome della Commissione
(30 aprile 2012)

Sulla base della direttiva 2003/87/CE ([1]), l'assegnazione delle quote di emissioni, fino al 2012 compreso, è di responsabilità dello Stato membro nel quale è ubicato l'impianto permanente. Se l'assegnazione viene effettuata in conformità con la decisione di assegnazione adottata dallo Stato membro interessato, la Commissione non può intervenire per impedirla. Con le nuove norme armonizzate in materia di assegnazione che si applicheranno a partire dal 2013, sulla base della decisione della Commissione 2011/278/UE ([2]), gli impianti che hanno una produzione bassa o trascurabile non riceveranno alcuna assegnazione oppure riceveranno un'assegnazione notevolmente ridotta.

([1]) Direttiva 2003/87/CE del Parlamento europeo e del Consiglio, del 13 ottobre 2003, che istituisce un sistema per lo scambio di quote di emissioni dei gas a effetto serra nella Comunità e che modifica la direttiva 96/61/CE del Consiglio (GU L 275 del 25.10.2003).

([2]) Decisione della Commissione, del 27 aprile 2011, che stabilisce norme transitorie per l'insieme dell'Unione ai fini dell'armonizzazione delle procedure di assegnazione gratuita delle quote di emissioni ai sensi dell'articolo 10 *bis* della direttiva 2003/87/CE del Parlamento europeo e del Consiglio (GU L 130 del 17.5.2011).

(English version)

Question for written answer E-002754/12
to the Commission
Giommaria Uggias (ALDE), Niccolò Rinaldi (ALDE) and Andrea Zanoni (ALDE)
(9 March 2012)

Subject: Unlawful allocation of CO_2 quotas for 2008-2012 to the lime production plant owned by CEMIN s.r.l., located at the Portovesme (Carbonia-Iglesias) industrial facility

In Italy, Legislative Decree No 216/2006 (Article 1) assigned the role of 'national authority' for the implementation of Directive No 2003/87/EC to the National Committee for the Management and Implementation of Directive No 2003/87/EC. By means of its resolution dated 21 April 2008 (No 10/2008), the abovementioned Committee certified that the quantity of CO_2 issued by the lime production plant owned by CEMIN s.r.l., located at the Portovesme (Carbonia-Iglesias) industrial facility, between September and December 2007, totalled 1 007 tonnes, with a lime kiln usage rate of 7 %, well below the industry standard of 82 %.

In Resolution No 25/2010 of 28 October 2010, despite having identified this production anomaly, the aforementioned Committee allocated CEMIN s.r.l. CO_2 quotas of 43 018 tonnes for the years 2008 and 2009, and established a quota of 43 018 tonnes for 2010, 2011 and 2012, 'subject to confirmation that in the years in question the plant is not at a standstill'. This was done on the basis of the statements made by the legal representative of CEMIN s.r.l. regarding the periods in which the kiln operated. This allocation completely ignored the official data contained in the European CO_2 emissions register, according to which the CEMIN s.r.l. plant went from emissions of 1 007 tonnes in the period September-December 2007 to just over 170-250 tonnes per annum in the following three years (2008, 2009, 2010), figures which would appear to indicate that production took place for approximately two or three days per year.

According to the provisions of Article 6, Paragraph 6b, of Legislative Decree No 216/2006, which implemented Directive 2003/87/EC, if a plant is in a state of total closure, because it has suspended production or, indeed, as in this case, production never started, it is not entitled to CO_2 quotas and the authorisation to emit CO_2 into the atmosphere should be withdrawn.

In view of the situation described above, can the Commission verify the facts stated, with particular reference to the work of the National Committee for the Management and Implementation of Directive No 2003/87/EC which, through Resolution No 25/2010, allocated CO_2 quotas to CEMIN s.r.l., for the period 2008-2012, of 215 090 tonnes, equivalent to approximately EUR 3 000 000 of public money?

Answer given by Ms Hedegaard on behalf of the Commission
(30 April 2012)

On the basis of Directive 2003/87/EC ([1]), allocation, up to and including 2012, is under the responsibility of the Member State where the stationary installation is located. As long as the allocation is done in accordance with the Allocation Decision of the relevant Member State, the Commission cannot prevent an allocation to take place. With the new harmonised allocation rules that will apply from 2013, based on Commission Decision 2011/278/EU ([2]), installations with low or insignificant production in relation to its capacity will receive no, or much reduced, allocation.

([1]) Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC, OJ L 275, 25.10.2003.

([2]) Commission decision of 27 April 2011 determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC of the European Parliament and of the Council, OJ L 130, 17.5.2011.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002755/12
alla Commissione
Oreste Rossi (EFD)
(9 marzo 2012)

Oggetto: Il biomateriale per imballare gli alimenti

Grazie al Settimo Programma Quadro, l'Unione Europea ha finanziato con 2.5 milioni di euro una ricerca che ha portato alla realizzazione del Wheylayer, un film plastico derivato dalle proteine del siero del latte e rivestito con polimeri ad alta riciclabilità.

Si tratta di una pellicola che potrebbe sostituire gli attuali imballaggi alimentari che proteggono i cibi e che sono attualmente formati da polimeri a base petrolchimica, come l'ethylene vinyl alcohol (EVOH).

Il nuovo film multifunzionale è composto da un biomateriale che, oltre a garantire benefici ambientali in quanto totalmente ecologico, protegge gli alimenti da ossigeno, umidità e contaminazione sia chimica che biologica.

Per realizzare la pellicola, i ricercatori tedeschi hanno purificato il siero del latte, sia dolce che acido, ottenendo così un prodotto di elevata purezza. Tali proteine sono state poi lavorate fino a costituire il biomateriale che, inoltre, è risultato resistente alle sollecitazioni meccaniche. Questa è una caratteristica molto importante dal punto di vista economico, in quanto le industrie già produttrici di imballaggi tradizionali dovrebbero modificare solo leggermente le loro macchine per poter produrre il nuovo materiale.

Dal momento che la realizzazione della bio-pellicola è stata resa possibile anche grazie al finanziamento comunitario, può dire la Commissione come intende proseguire nella promozione e diffusione del progetto e se intende altresì incentivare le imprese di packaging a modificare la loro produzione introducendo il nuovo biomateriale?

Risposta data da Máire Geoghegan-Quinn a nome della Commissione
(26 aprile 2012)

Il progetto Wheylayer è stato sostenuto nell'ambito del programma di finanziamento «Ricerca a favore delle PMI» del Settimo programma quadro di ricerca e sviluppo (7° PQ 2007-2013) ([1]). Il progetto ha raggiunto gli obiettivi stabiliti e ha ottenuto giudizi positivi nelle relazioni di valutazione esterne e indipendenti.

Le imprese coinvolte in questo progetto hanno presentato domanda nel 2011 per un progetto di dimostrazione di follow-up. La loro domanda ha ottenuto un esito positivo nel processo di valutazione indipendente e la Commissione intende avviare negoziati con le imprese coinvolte per sostenere il progetto. L'obiettivo principale del progetto di dimostrazione sarà provare la fattibilità industriale dei risultati di ricerca. Inoltre, il progetto sarà conforme alle disposizioni del regolamento (CE) n. 1935/2004 riguardante i materiali e gli oggetti destinati a venire a contatto con i prodotti alimentari ([2]) e alle disposizioni di altri regolamenti pertinenti, quale il regolamento (UE) n. 10/2011 riguardante i materiali e gli oggetti di materia plastica ([3]). Nel progetto si esamineranno altresì le possibilità di utilizzare il materiale in altri settori di applicazione ([4]).

([1]) http://cordis.europa.eu/fp7/capacities/research-sme_en.html
([2]) GU L 338 del 13.11.2004.
([3]) GU L 12 del 15.1.2011.
([4]) Si vedano, ad esempio, i settori connessi alla bioeconomia (COM(2012)60 «L'innovazione per una crescita sostenibile: una bioeconomia per l'Europa») ai seguenti indirizzi internet: http://ec.europa.eu/research/bioeconomy/press/press_packages/index_en.htm e http://ec.europa.eu/research/bioeconomy/policy/index_en.htm.

(English version)

Question for written answer E-002755/12
to the Commission
Oreste Rossi (EFD)
(9 March 2012)

Subject: Biomaterial for food packaging

As part of the Seventh Framework Programme, the European Union provided EUR 2.5 million to finance research which led to the creation of Wheylayer, a plastic film derived from whey or milk serum protein covered with highly recyclable polymers.

The film could be used in place of existing plastic films used to protect food, which are currently made of petrochemical polymers such as ethylene vinyl alcohol (EVOH).

The new multipurpose film is composed of a biomaterial which not only offers the environmental benefit of being completely ecological but also protects food from oxygen, moisture and chemical and biological contamination.

To create the film, German researchers purified sweet and sour milk serum to obtain a highly pure product. They then processed the proteins to make the biomaterial, which was also found to be resistant to mechanical stress. This is a very important property in economic terms, as the industries which produce traditional packaging would not need to make major changes to their machinery to produce the new material.

Since the creation of the biofilm was made possible also thanks to EU financing, can the Commission say how it intends to proceed with promotion and publication of the project and whether it intends to offer incentives for packaging companies to adapt their production process to introduce the new biomaterial?

Answer given by Ms Geoghegan-Quinn on behalf of the Commission
(26 April 2012)

The project Wheylayer was supported under the 'Research for SME' programme of the Seventh Framework Programme for Research and Development (FP7, 2007-2013) ([1]). The project has met its objectives and was positively assessed based on the external and independent reviewer reports.

The companies involved in this project have applied in 2011 for a follow-up demonstration project. This application has passed the independent evaluation process and the Commission intends to open negotiations with the consortium with the aim to support this follow-up project. The main objective of the demonstration project will be to prove the industrial viability of the research results. In addition the project will establish compliance with the provisions set out in Regulation (EC) 1935/2004 on materials and articles intended to come into contact with food ([2]) and with other relevant regulations, such as Regulation (EU) 10/2011 on plastic materials and articles ([3]). The demonstration project will also explore possibilities to use the material in other application areas ([4]).

([1]) http://cordis.europa.eu/fp7/capacities/research-sme_en.html
([2]) OJ L 338, 13.11.2004.
([3]) OJ L 12, 15.1.2011.
([4]) For instance see areas related to the Bio-economy (COM(2012) 60 Innovating for Sustainable Growth: A Bioeconomy for Europe) at: http://ec.europa.eu/research/bioeconomy/press/press_packages/index_en.htmand http://ec.europa.eu/research/bioeconomy/policy/index_en.htm

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002756/12
alla Commissione
Oreste Rossi (EFD)
(9 marzo 2012)

Oggetto: Trattamenti liscianti alla formaldeide

I trattamenti utilizzati per stirare i capelli contengono molto spesso la formaldeide, una sostanza nociva sia per chi si sottopone al trattamento sia per il parrucchiere, il quale viene a contatto con essa anche più volte al giorno. La formaldeide è molto irritante per gli occhi, e la sua tossicità ne ha causato la messa al bando.

Oggi, infatti, i trattamenti per capelli contenenti una certa quantità di formaldeide sono fuori legge e dal 2010 ne è vietata la distribuzione.

Alcuni prodotti liscianti costituiti da circa lo 0.2 % di formaldeide sono ancora permessi, ma la percentuale della sostanza lisciante è talmente bassa che non è sufficiente per la cosiddetta «stiratura brasiliana».

Nonostante i prodotti alla formaldeide siano vietati, molti parrucchieri continuano a utilizzarli. Sono soprattutto le ragazze più giovani a sottoporsi ai trattamenti nocivi, ignorando la tossicità della sostanza e gli effetti negativi che può avere sulla loro salute.

È evidente la necessità di una tutela maggiore dei consumatori riguardo a tali prodotti cosmetici.

Dato che, molto spesso, i trattamenti alla formaldeide sono importati dall'estero sotto false etichette, può dire la Commissione se intende adottare misure più restrittive per la commercializzazione di questi prodotti e sensibilizzare la popolazione ai rischi della sostanza menzionata?

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

La presenza di formaldeide nei prodotti cosmetici in funzione di conservante è consentita attualmente ad una concentrazione dello 0,2 %. Ciò corrisponde anche alla concentrazione massima accettabile allorché la sostanza è usata anche per altri fini.

La Commissione è consapevole che esistono diversi liscianti per capelli contenenti concentrazioni di formaldeide più elevate che non sono conformi alla legislazione sui cosmetici.

Far rispettare la legislazione sulla sicurezza dei prodotti rientra nella responsabilità degli Stati membri. La frequenza con cui i liscianti per capelli contenenti livelli eccessivi di formaldeide sono oggetto di notifiche per il tramite del sistema RAPEX ([1]) e sono ritirati dal mercato poiché presentano un grave rischio indica che gli Stati membri adottano misure per tutelare i consumatori.

La sorveglianza del mercato dei prodotti liscianti contenenti formaldeide è discussa dal 2010 tra gli Stati membri nell'ambito della Piattaforma delle autorità preposte alla sorveglianza del mercato dei prodotti cosmetici (PEMSAC). Le informazioni disponibili sono state scambiate tra le autorità nazionali competenti e si è deciso che un gruppo ristretto di Stati membri organizzerà nel 2012-2013 una campagna di informazione congiunta rivolta agli utilizzatori finali.

([1]) RAPEX è il sistema di informazione rapida dell'UE che agevola lo scambio rapido di informazioni tra gli Stati membri e la Commissione sulle misure adottate per prevenire o limitare la commercializzazione o l'uso di prodotti di consumo che presentino un grave rischio per la salute e la sicurezza. La base giuridica di tale sistema è la direttiva 2001/95/CE del Parlamento europeo e del Consiglio, del 3 dicembre 2001, sulla sicurezza generale dei prodotti, GU L 011 del 15.1.2002, pagg. 4-17.

(English version)

Question for written answer E-002756/12
to the Commission
Oreste Rossi (EFD)
(9 March 2012)

Subject: Hair-straightening treatments containing formaldehyde

Hair-straightening treatments frequently contain formaldehyde, a harmful substance both for people undergoing the treatment and for hairdressers, who come into contact with it several times a day. Formaldehyde is highly irritating to the eyes, and it has been banned as a result of its toxicity.

In fact, hair treatments containing a certain amount of formaldehyde are now illegal and their distribution has been prohibited since 2010.

Certain straightening products containing approximately 0.2 % formaldehyde are still permitted, but the percentage of the straightening substance is so low that it is not enough to perform 'Brazilian hair straightening'.

Despite the fact that products containing formaldehyde are banned, many hairdressers continue to use them. Young girls in particular undergo these harmful treatments, ignoring the substance's toxicity and the negative effects that it could have on their health.

There is a clear need for greater consumer protection with regard to these cosmetic products.

Given that formaldehyde treatments are very often imported from abroad under false labels, can the Commission state whether it intends to adopt more restrictive measures for the marketing of these products and raise awareness of the risks of the abovementioned substance?

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

Formaldehyde is currently allowed in cosmetic products as a preservative at a maximum concentration of 0.2 %. This is also the highest acceptable concentration when the substance is used for any other purpose.

The Commission is aware that a number of hair straightening products containing higher concentrations of formaldehyde exist, which do not comply with the cosmetics legislation.

Enforcement of product safety legislation is the responsibility of Member States. The frequency with which hair straightening products containing excessive levels of formaldehyde are notified through the RAPEX system ([1]), and withdrawn from the market as they pose a serious risk, shows that the Member States are taking measures to protect consumers.

The market surveillance of hair straightening products containing formaldehyde has been discussed among Member States within the Platform of European Market Surveillance Authorities for Cosmetics (PEMSAC) since 2010. Available information was exchanged between national competent authorities and it has been decided that a small group of Member States will organise a joint information campaign addressed to end-users during 2012-2013.

([1]) RAPEX is the EU rapid alert system that facilitates the rapid exchange of information between Member States and the Commission on measures taken to prevent or restrict the marketing or use of consumer products posing a serious risk to health and safety. The legal basis for this system is Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety, OJ L 011, 15.1.2002, p. 4-7.

(Magyar változat)

Írásbeli választ igénylő kérdés E-002757/12
a Bizottság számára
Göncz Kinga (S&D)
(2012. március 9.)

Tárgy: Visszamenőleges hatályú jogalkotás kontra EUSZ 2. cikke

Magyarországon a közelmúltban több olyan törvényi rendelkezés lépett hatályba, amely visszamenőlegesen, az érintett jogalanyokra kedvezőtlen módon rendezett át már lezárt jogviszonyokat, illetőleg elvont már megszerzett jogokat. A magyar kormány adótörvényei az elmúlt két évben háromszor, legutóbb 2011 májusában vetettek ki visszamenőlegesen különadó-fizetési kötelezettséget a végkielégítéssel távozó állami alkalmazottak egy meghatározott körére. Emellett a magyar kormány nyugdíjreformjának főbb pilléreit alkotó törvénymódosítások is áttörték a jogbiztonság és a jogba vetett bizalom védelmének követelményét. Ebben a körben tartható számon az a szabályozás, amely a magánnyugdíjpénztár-tagok befizetéseinek állami költségvetésbe terelésével párhuzamosan elvonta a pénztárban maradó biztosítottak járulékfizetéssel megvásárolt jogait. Ugyancsak ide sorolhatók a több tízezer korengedménnyel nyugállományba vonult fegyveres és rendvédelmi dolgozó szolgálati nyugdíját eltörlő, valamint a rokkantnyugdíjas státuszban lévők nyugellátását szociális járadékká leminősítő törvénymódosítások. Az Európai Unióról szóló szerződés 2. cikke az Európai Unió alapértékei között elsőként említi a jogállamiság elvének tiszteletben tartását, amely elképzelhetetlen a jogbiztonság követelményének megvalósulása nélkül. A jogbiztonság követelményére kiemelt figyelmet fordító Európai Bíróság ítélkezési gyakorlata egyértelműen rámutat, hogy a jogbiztonság elvéhez szervesen hozzátapad a visszaható hatályú jogalkotás tilalma, a bizalomvédelem, valamint a szerzett jogok védelmének kötelezettsége.

A Bizottság szerint a többrendbeli visszaható hatályú jogalkotással Magyarország megsértette-e az EUSZ 2. cikkében rögzített alapértékeket, vagy ezen alapértékek, illetve a Chartában foglaltak kizárólag az uniós jog végrehajtása során tekintendők irányadónak?

Viviane Reding válasza a Bizottság nevében
(2012. május 4.)

A Bizottság mindenekelőtt megjegyzi, hogy az uniós jogszabályok nem korlátozzák a tagállamok abbéli hatáskörét, hogy szociális biztonsági rendszereiket maguk alakítsák ki. Így az uniós szintű harmonizáció hiányában az egyes tagállamok jogszabályai határozzák meg, hogy milyen feltételek mellett, milyen összegben és mennyi ideig nyújtanak társadalombiztosítási ellátást. E hatáskör gyakorlásakor azonban a tagállamoknak be kell tartaniuk az uniós jogszabályokat, különösen a Szerződésnek a munkavállalók szabad mozgására vonatkozó rendelkezéseit, illetve az uniós polgároknak a tagállamok területén történő szabad mozgását és tartózkodását érintő rendelkezéseket. (lásd e tekintetben a C-135/99 Elsen ügyet (EBHT 2000., I-10409, 33. pont). Az EUMSZ 153. cikke szerint „az Unió támogatja és kiegészíti a tagállamok tevékenységeit" többek között „a munkavállalók szociális biztonsága és szociális védelme" és „a szociális védelmi rendszerek modernizálása" területén. A cikk azonban azt is egyértelműen kijelenti, hogy „az e cikk alapján elfogadott rendelkezések nem érinthetik a tagállamok azon jogát, hogy szociális biztonsági rendszerük alapelveit meghatározzák".

Az Európai Uniónak nincsen általános hatásköre arra, hogy az alapvető jogok területén fellépjen. Csak akkor léphet fel, ha az uniós jog érintettségéről van szó. Az Európai Unió Alapjogi Chartájának 51. cikke előírja, hogy rendelkezései csak akkor vonatkoznak a tagállamokra, amennyiben azok az Európai Unió jogát hajtják végre.

(English version)

Question for written answer E-002757/12
to the Commission
Kinga Göncz (S&D)
(9 March 2012)

Subject: Retrospective legislation versus Article 2 of the Treaty on European Union (TEU)

A number of legal provisions have come into force recently in Hungary that have retrospectively altered legal relations that have already terminated, to the detriment of the legal entities concerned, or curtailed rights that have already been acquired. The Hungarian Government's tax laws have retrospectively imposed, three times in the last two years, the latest occasion being in May 2011, the obligation to pay a special tax on a particular group of state employees retiring with severance pay. Furthermore, the legal amendments forming the main pillars of the Hungarian Government's pension reform have also contravened the requirement to protect legal certainty and confidence in the law. There is one noticeable regulation in this area which diverted to the state budget the contributions of private pension fund members, while at the same time curtailing the rights purchased by contributions of the insured persons remaining in the fund. We can also include in this list the legal amendments abolishing the service pension for several tens of thousands of military personnel and police officers who took early retirement, and downgrading the allowance of those on disability pension to a social benefit. Article 2 TEU mentions respect for the principle of the rule of law as the first of the European Union's fundamental values, which is inconceivable without the requirement for legal certainty being fulfilled. With its increased focus on the requirement of legal certainty, the case law of the Court of Justice of the European Union clearly indicates that the ban on retrospective legislation, the protection of legitimate expectations and the requirement to protect acquired rights are inextricably linked to the principle of legal certainty.

Does the Commission think that Hungary has breached the fundamental values stipulated in Article 2 TEU by repeatedly resorting to retrospective legislation, or should these fundamental values and the provisions of the Charter be regarded exclusively as guidelines during the implementation of EC law?

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

The Commission observes at the outset that Union law does not limit the power of the Member States to organise their social security schemes and that, in the absence of harmonisation at Union level, it is for the legislation of each Member State to lay down the conditions under which social security benefits are granted, as well as the amount of such benefits and the period for which they are granted. However, when exercising that power, the Member States must comply with Union law and, in particular, the Treaty provisions on freedom of movement for workers or again the freedom of every citizen of the European Union to move and reside in the territory of the Member States (see in that regard Case C-135/99 Elsen [2000] ECR I-10409, paragraph 33). According to Article 153 TFEU, 'the Union shall support and complement the activities of the Member States' *inter alia* in the field of 'social security and social protection of workers' and 'the modernisation of social protection systems'; the article, however, also states that 'the provisions adopted pursuant to this article shall not affect the right of Member States to define the fundamental principles of their social security systems'.

The EU has no general powers to intervene in the field of fundamental rights. It can only do so when EC law is involved. Article 51 of the EU Charter of Fundamental Rights states that the provisions of this Charter are addressed to the Member States only when they are implementing Union law.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002758/12
προς την Επιτροπή
Konstantinos Poupakis (PPE)
(9 Μαρτίου 2012)

Θέμα: Κατάσχεση μισθών και συντάξεων για χρέη προς το Δημόσιο

Σύμφωνα με πρόσφατη απόφαση του Υπουργείου Οικονομικών της Ελλάδας δρομολογείται η κατάσχεση μισθών, συντάξεων και ασφαλιστικών «βοηθημάτων» για βεβαιωμένα χρέη προς το δημόσιο. Η εν λόγω διαδικασία θα ενεργοποιείται επί του ποσού που υπερβαίνει τα 1 000 ευρώ πλέον των αναγκαστικών κρατήσεων (μισθοί, συντάξεις και ασφαλιστικά επιδόματα έως και 1 000 ευρώ, μείον τις αναγκαστικές κρατήσεις, δεν υπόκεινται σε αυτή τη ρύθμιση). Σχετικά με το ανωτέρω ερωτάται η Επιτροπή:

Προβλέπεται σε άλλα κράτη μέλη αντίστοιχη ρύθμιση και υπό ποιες προϋποθέσεις εφαρμόζεται (ύψος οφειλής, εφαρμογή στους εργαζομένους δημοσίου ή και ιδιωτικού τομέα, διακύμανση κράτησης ανάλογα με την οικογενειακή και εισοδηματική κατάσταση του οφειλέτη);

Στο πλαίσιο της ευρωπαϊκής εμπειρίας, υπό ποιες προϋποθέσεις πρέπει να εφαρμόζονται τέτοια μέτρα έτσι ώστε να συνδυάζεται η κοινωνική δικαιοσύνη με τη φοροεισπρακτική αποτελεσματικότητα;

Απάντηση του κ. Šemeta εξ ονόματος της Επιτροπής
(30 Απριλίου 2012)

Όπως έχει πληροφορηθεί η Επιτροπή, η διάταξη για τη συντηρητική κατάσχεση (κατάσχεση) των μισθών, των συντάξεων και των ασφαλιστικών παροχών προς εξόφληση χρεών προς το Ελληνικό Δημόσιο, στην οποία αναφέρεται το Αξιότιμο Μέλος, αποτελούσε ανέκαθεν μέρος του ελληνικού Κώδικα Είσπραξης Δημοσίων Εσόδων — Κ.Ε.Δ.Ε., ο οποίος είναι το κύριο νομοθέτημα που ασχολείται με την είσπραξη των φόρων. Το ελληνικό Υπουργείο Οικονομικών έχει ωστόσο εκδώσει πρόσφατα οδηγίες ([1]) για διάφορα φορολογικά ζητήματα, μεταξύ αυτών και για την εφαρμογή της παρούσας διάταξης.

Σύμφωνα με το δίκαιο της Ευρωπαϊκής Ένωσης (ΕΕ), τα κράτη μέλη και οι πολιτικές υποδιαιρέσεις τους διαθέτουν ευρύ περιθώριο ελευθερίας για να σχεδιάζουν τα φορολογικά τους συστήματα με τον πλέον κατάλληλο τρόπο, ώστε να ανταποκρίνονται στους στόχους της εθνικής τους πολιτικής.

Κατά την άσκηση των φορολογικών δικαιωμάτων τους, τα κράτη μέλη οφείλουν να τηρούν τις υποχρεώσεις που υπέχουν βάσει των Συνθηκών και δεν επιτρέπεται, επομένως, να επιβάλλουν διακρίσεις λόγω ιθαγένειας ή να εφαρμόζουν αδικαιολόγητους περιορισμούς στην άσκηση των θεμελιωδών ελευθεριών της Συνθήκης. Θα πρέπει επίσης να συμμορφώνονται με τη νομοθεσία της ΕΕ στον φορολογικό τομέα, όπως στους τομείς του ΦΠΑ και της διοικητικής συνεργασίας με τα άλλα κράτη μέλη. Ωστόσο, εντός των παραμέτρων αυτών, τα κράτη μέλη παραμένουν ελεύθερα να επιλέγουν τους φορολογικούς τους κανόνες, συμπεριλαμβανομένων και των μεθόδων είσπραξης του φόρου ή οφειλών προς το κράτος.

Τέλος, η Επιτροπή δεν διαθέτει λεπτομερή στοιχεία σχετικά με το κατά πόσον άλλα κράτη μέλη έχουν κανόνες παρόμοιους με εκείνους που περιλαμβάνονται στο προαναφερόμενο ελληνικό καταστατικό κείμενο (Κ.Ε.Δ.Ε.).

([1]) Βλ. επίσης το σημείο 25 στη σελίδα 35 του εγγράφου στον ακόλουθο σύνδεσμο: http://www.gsis.gr/forologikos_odigos/xrisimes_plirofories/genikes_plirofories/faq2012.pdf

(English version)

Question for written answer E-002758/12
to the Commission
Konstantinos Poupakis (PPE)
(9 March 2012)

Subject: Garnishment of wages and pensions to repay debts to the State

In accordance with a recent decision by the Greek Ministry of Finance, measures now being taken to garnish wages, pensions and insurance benefits to repay confirmed debts to the State. This procedure will apply to sums of over EUR 1 000 plus compulsory deductions (wages, pensions and insurance benefits of up to EUR 1 000, less compulsory deductions, will not be subject to this regulation).

In view of this:

Does the Commission indicate whether any other Member States have introduced similar regulations and, if so, what terms and conditions are they subject to (size of debt, application to public- and private-sector workers, fluctuations in deductions depending on the debtor's family and income status)?

Based on experience at European level, what terms and conditions should govern the application of such measures, so as to combine social justice with efficient tax collection procedures?

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

The Commission has been informed that the provision on the garnishment (confiscation) of wages, pensions and insurance benefits to repay debts to the Greek State, to which the Honourable Member refers, has always been part of the Greek Code for the Collection of Public Revenues (Κώδικας Είσπραξης Δημοσίων Εσόδων — Κ.Ε.Δ.Ε.) which is the main Statute dealing with the collection of taxes. However, the Greek Ministry of Finance has recently published guidance ([1]) on various tax issues including on the application of this provision.

Under European Union (EU) law, Member States and their political subdivisions have broad freedom to design their tax systems in the most appropriate way in order to meet their domestic policy objectives.

In the exercise of their taxation rights, Member States must respect their obligations under the Treaties and are therefore not allowed to discriminate on the basis of nationality or to apply unjustified restrictions to the exercise of the fundamental Treaty freedoms. They must also comply with EU legislation in the tax field, such as in the field of VAT and of administrative cooperation with other Member States. However, within these parameters, Member States remain free to choose their tax rules, including as regards methods of collection of tax or debts owed to the State.

Finally, the Commission has no detailed information on whether any other Member States have rules similar to those included in the abovementioned Greek Statute (Κ.Ε.Δ.Ε.).

([1]) Please see point 25 on page 35 of the document at the following link: http://www.gsis.gr/forologikos_odigos/xrisimes_plirofories/genikes_plirofories/faq2012.pdf

(Version française)

Question avec demande de réponse écrite E-002760/12
à la Commission
Sophia in 't Veld (ALDE) et Sylvie Goulard (ALDE)
(9 mars 2012)

Objet: Loi sur la conformité fiscale des comptes étrangers (FATCA)

Depuis avril 2011, la Commission ainsi que la France, l'Allemagne, le Royaume-Uni, l'Italie et l'Espagne ont entamé des pourparlers avec les États-Unis en vue de déterminer s'il serait possible d'atteindre les objectifs de la loi FATCA (Foreign Accounts Tax Compliance Act) d'une manière telle qu'elle pèse moins sur les intermédiaires financiers, évite d'enfreindre la législation sur la protection des données et autres lois des États membres, et profite aux administrations fiscales de l'UE (lettre du 22 février 2012 du commissaire Šemeta à Sophia in 't Veld). Dans une déclaration commune ([1]), toutes les parties s'accordent sur l'adoption d'une approche intergouvernementale et d'une démarche commune visant à mettre en œuvre cette loi moyennant l'établissement de déclarations nationales et l'échange automatique d'informations de manière réciproque et sur la base de conventions fiscales bilatérales existantes.

La Commission a-t-elle connaissance du fait qu'entre temps, les Pays-Bas ont également exprimé leur intérêt pour la conclusion d'un accord avec les États-Unis ([2])? Sait-elle si d'autres États membres ont aussi fait part de leur intérêt pour un tel accord?

Le commissaire Šemeta écrit dans sa lettre du 22 février 2012 que tous les États membres ne souhaitent pas nécessairement signer un tel accord avec les États-Unis. La Commission a-t-elle enquêté à ce sujet? Selon elle, quels sont les États membres qui ne sont pas intéressés? Comment les institutions financières étrangères (FFI) présentes dans ces États membres se conformeront-elles à la législation de l'UE en matière de protection des données?

La Commission est-elle d'avis que, compte tenu du fait que six États membres sont déjà engagés dans des négociations bilatérales avec les États-Unis et que, potentiellement, la loi FATCA concernera tous les États membres, il serait plus opportun pour l'Union européenne de conclure un accord international avec les États-Unis sur la base de l'article 218 du traité FUE, ce qui permettrait ainsi de garantir un haut niveau de protection des données et de sécurité juridique pour les entreprises mais aussi un contrôle parlementaire efficace?

La loi FATCA a été adoptée le 18 mars 2010. La Commission convient-elle qu'elle aurait eu suffisamment de temps pour résoudre cette question si elle lui avait donné la priorité dès le début?

La Commission pourrait-elle indiquer dans quelle mesure un contrôle parlementaire efficace est garanti dans cette approche intergouvernementale?

Réponse donnée par M. Šemeta au nom de la Commission
(25 avril 2012)

«L'approche intergouvernementale» décrite dans la déclaration commune ainsi que le projet de règlement d'application de la loi FACTA que les États-Unis ont publié le même jour établissent clairement que cette approche ne se limite pas aux cinq États membres. La Commission n'ignore pas que d'autres pays, et notamment les Pays-Bas, désirent également adopter cette approche; elle vise à assurer qu'ils puissent le faire et que les accords soient coordonnés, afin de garantir un traitement égal au sein de l'UE et la conformité avec la législation de l'UE en matière de protection des données. Mais tel n'est pas nécessairement le souhait de tous les États membres, certains préférant effectuer des retenues à la source plutôt qu'échanger des informations.

La Commission préférerait qu'un accord entre l'UE et les États-Unis soit conclu. Toutefois, les États membres sont libres de conclure des dispositions fiscales avec des pays tiers dès lors que celles-ci sont conformes à la législation de l'Union européenne, notamment en ce qui concerne la non-discrimination et la protection des données. En outre, un accord UE-États-Unis ne pourrait être conclu sans adoption unanime par les États membres, ce qui est improbable pour la raison expliquée au premier paragraphe.

Les États membres qui ne concluent pas d'approche intergouvernementale avec les États-Unis devront peut-être adopter des dispositions spécifiques pour assurer que leurs institutions financières n'enfreignent pas la directive 95/46/CE en appliquant la loi FACTA.

([1]) http://www.treasury.gov/press-center/press-releases/Documents/020712 %20Treasury%20IRS%20FATCA%20Joint%20Statement.pdf
([2]) http://www.rijksoverheid.nl/nieuws/2012/03/08/nederland-bereid-om-aan-te-sluiten-bij-joint-statement-vs-en-g5-inzake-fatca.html

La Commission a joué un rôle actif sur de multiples plans depuis l'adoption de la loi FACTA en vue de trouver une solution coordonnée au niveau de l'UE pour amortir les effets de la loi sur le secteur financier de l'UE et pour répondre aux inquiétudes en matière de protection des données.

Le contrôle parlementaire sera assuré par le parlement de l'État membre qui adopte l'accord avec les États-Unis. Le Parlement européen sera tenu informé ([3]).

([3]) Voir aussi QP-009925/2011: http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=P-2011-009925&language=FR

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002760/12
aan de Commissie
Sophia in 't Veld (ALDE) en Sylvie Goulard (ALDE)
(9 maart 2012)

Betreft: Wet op de naleving van de belastingen bij rekeningen in het buitenland (FATCA)

Sedert april 2011 voeren de Commissie en Frankrijk, Duitsland, het Verenigd Koninkrijk, Italië en Spanje gesprekken met de Verenigde Staten om na te gaan of de doelstellingen van de FATCA kunnen worden verwezenlijkt op een manier die minder belastend is voor de financiële tussenpersonen, schendingen van de wet inzake gegevensbescherming en andere wetten van de lidstaten voorkomt en gunstig is voor de belastingautoriteiten van de EU (brief van 22 februari 2012 van commissaris Semeta aan Sophia in 't Veld). In een gemeenschappelijke verklaring ([1]) stemmen alle partijen ermee in de kwestie intergouvernementeel aan te pakken en te zoeken naar een gemeenschappelijke benadering van de uitvoering van de FACTA door middel van binnenlandse melding en wederzijdse automatische uitwisseling, waarbij wordt uitgegaan van de bestaande bilaterale belastingsverdragen.

Is de Commissie ervan op de hoogte dat Nederland ondertussen ook blijk van belangstelling heeft gegeven voor een overeenkomst met de VS ([2])? Weet de Commissie of er nog andere lidstaten die belangstelling hebben getoond voor een overeenkomst met de VS?

Commissaris Semeta schrijft in zijn brief van 22 februari 2012 dat misschien niet alle lidstaten wensen dergelijke overeenkomsten met de VS te sluiten. Heeft de Commissie dit onderzocht? Welke lidstaten zijn volgens de Commissie niet geïnteresseerd in een overeenkomst met de VS? Hoe zullen de buitenlandse financiële instellingen in deze lidstaten de desbetreffende EU-wetgeving inzake gegevensbescherming naleven?

Denkt de Commissie, overwegende dat er al zes lidstaten bilaterale gesprekken met de VS hebben aangeknoopt en dat de FATCA gevolgen kan hebben voor alle lidstaten, dat het beter is dat de EU een internationale overeenkomst sluit met de VS op grond van artikel 218 VWEU, en zodoende zorgt voor een hoog niveau van gegevensbescherming en rechtszekerheid voor ondernemingen alsook voor een effectieve parlementaire controle?

De FATCA werd goedgekeurd op 18 maart 2010. Is de Commissie het ermee eens dat er ruim tijd zou zijn geweest indien zij deze kwestie vanaf het begin bovenaan op de agenda had geplaatst?

Kan de Commissie uitleggen hoe een effectieve parlementaire controle gewaarborgd wordt in deze intergouvernementele aanpak?

Antwoord van de heer Šemeta namens de Commissie
(25 april 2012)

Uit de „intergouvernementele aanpak" die in de gezamenlijke verklaring is beschreven en uit de ontwerpuitvoeringsbepalingen van de FACTA die de Verenigde Staten op dezelfde dag hebben bekendgemaakt, blijkt dat de regeling niet alleen openstaat voor de vijf lidstaten. De Commissie is zich ervan bewust dat andere lidstaten, waaronder Nederland, ook deze aanpak willen volgen; het is haar streven dat zij die mogelijkheid krijgen en dat de overeenkomsten op elkaar worden afgestemd, om te garanderen dat overal in de EU gelijke voorwaarden gelden en dat de EU-wetgeving op het gebied van gegevensbescherming in acht wordt genomen. Er kunnen ook lidstaten zijn die deze aanpak niet willen volgen en er de voorkeur aan geven om bronbelasting in te houden in plaats van inlichtingen uit te wisselen.

De Commissie is voorstander van een overeenkomst tussen de EU en de VS. Het staat de lidstaten evenwel vrij om belastingakkoorden te sluiten met derde landen voor zover deze in overeenstemming zijn met het EU-recht, waaronder op het gebied van non-discriminatie en gegevensbescherming. Een overeenkomst tussen de EU en de VS kan trouwens niet worden vastgesteld zonder unanieme goedkeuring van de lidstaten en het is, om de in de eerste alinea genoemde reden, niet waarschijnlijk dat die zal worden bereikt.

De lidstaten die niet de weg van de intergouvernementele aanpak met de VS willen volgen, zullen mogelijkerwijs specifieke wetten moeten aannemen om te voorkomen dat hun financiële instellingen inbreuk maken op Richtlijn 95/46/EG wanneer zij uitvoering geven aan de FACTA.

([1]) http://www.treasury.gov/press-center/press-releases/Documents/020712 %20Treasury%20IRS%20FATCA%20Joint%20Statement.pdf
([2]) http://www.rijksoverheid.nl/nieuws/2012/03/08/nederland-bereid-om-aan-te-sluiten-bij-joint-statement-vs-en-g5-inzake-fatca.html

De Commissie is sinds de goedkeuring van de FACTA op verschillende fronten actief geweest om op EU-niveau tot een gecoördineerde oplossing te komen die de gevolgen van de wet voor de financiële sector in de EU verzacht en de problemen op het gebied van de gegevensbescherming regelt.

De parlementaire controle zou worden gewaarborgd door het parlement van de lidstaat die het akkoord met de Verenigde Staten sluit. Het Europees Parlement zal op de hoogte worden gehouden ([3]).

([3]) Zie ook PV-009925/2011:. http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=P-2011-009925&language=EN.

(English version)

Question for written answer E-002760/12
to the Commission
Sophia in 't Veld (ALDE) and Sylvie Goulard (ALDE)
(9 March 2012)

Subject: Foreign Account Tax Compliance Act (FATCA)

Since April 2011 the Commission and France, Germany, the United Kingdom, Italy and Spain have been in talks with the United States to see 'if the objectives of FATCA could be achieved in a way that is less burdensome for financial intermediaries, avoids breaches of data protection and other laws of Member States and benefits EU tax administrations' (letter of 22 February 2012 from Commissioner Semeta to Sophia in 't Veld) . In a joint statement ([1]), all parties agreed to 'an intergovernmental approach' and to 'explore a common approach to FATCA implementation through domestic reporting and reciprocal automatic exchange and based on existing bilateral tax treaties'.

Is the Commission aware that in the meantime the Netherlands has also expressed interest in an agreement with the US ([2])? Does the Commission know whether any other Member States have expressed interest in an agreement with the US?

Commissioner Semeta writes in his letter of 22 February 2012 that 'not all Member States may wish to enter into such agreements with the US'. Has the Commission investigated this? Which Member States are not interested in an agreement with the US, according to the Commission? How will foreign financial institutions (FFIs) in those Member States comply with the relevant EU data protection laws?

Does the Commission think that, with six Member States already involved in bilateral talks with the US, and given the fact that the FATCA will potentially affect all Member States, it would be more appropriate for the EU to conclude an international agreement with the US on the basis of Article 218 TFEU, thus providing a high level of data protection and legal certainty for companies and ensuring effective parliamentary scrutiny?

The FATCA was enacted on 18 March 2010. Does the Commission agree that there would have been ample time if it had prioritised this issue from the start?

Could the Commission explain how effective parliamentary scrutiny is ensured in this intergovernmental approach?

Answer given by Mr Šemeta on behalf of the Commission
(25 April 2012)

The 'intergovernmental approach' described in the joint statement, and the draft FATCA implementing regulations that the US issued on the same day, make it clear that this approach is not just open to the five Member States. The Commission is aware that others, including the Netherlands, also wish to adopt this approach and aims to ensure they can do so and that the agreements are coordinated, so as to guarantee a level playing field in the EU and compliance with EU data protection law. Not all Member States may wish to do so, preferring to apply withholding taxes rather than exchanging information.

The Commission would prefer an EU-US agreement. However, Member States are free to sign tax arrangements with third countries once those arrangements comply with EC law, including on non-discrimination and data protection. Furthermore, an EU-US agreement could not be adopted without unanimous acceptance by Member States and this is unlikely for the reason explained in the first paragraph.

Member States which do not sign up to an intergovernmental approach with the US may have to enact specific laws to ensure that their financial institutions would not, by applying FATCA, breach Directive 95/46/EC.

The Commission has been active on several different fronts since the adoption of FATCA, aiming for an EU-wide coordinated solution to alleviate the impact of the law on the EU financial industry and address data protection concerns.

([1]) http://www.treasury.gov/press-center/press-releases/Documents/020712 %20Treasury%20IRS%20FATCA%20Joint%20Statement.pdf
([2]) http://www.rijksoverheid.nl/nieuws/2012/03/08/nederland-bereid-om-aan-te-sluiten-bij-joint-statement-vs-en-g5-inzake-fatca.html

Parliamentary scrutiny would be ensured by the Parliament of the Member State that adopts the arrangement with the US. The European Parliament will be kept informed ([3]).

([3]) See also QP-009925/2011: http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=P-2011-009925&language=EN .

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002774/12
alla Commissione
Oreste Rossi (EFD)
(12 marzo 2012)

Oggetto: Olio fritto da recupero eco-benefici

La raccolta di oli vegetali esausti potrebbe essere una nuova forma alternativa di energia. L'olio, una volta raccolto e pulito potrebbe essere riutilizzato sia per caldaie che per i diesel o essere addirittura trasformato in biodiesel. Il recupero dell'olio dovrebbe inserirsi all'interno di una catena virtuosa, una filiera in grado di attivare un meccanismo finalizzato al raggiungimento di un duplice obiettivo economico e ambientale.

Considerato l'impegno europeo volto a sostenere le iniziative sostenibili può la Commissione far sapere se intende prestare attenzione a questa nuova forma di energia alternativa, disponendo fondi in grado di implementare tale ricerca, invitando i gestori a livello europeo di entrare in relazione sviluppando la raccolta di questi oli, trasformandoli a fini energetici e immettendoli sul mercato nel rispetto delle politiche ambientali?

Risposta data da Máire Geoghegan-Quinn a nome della Commissione
(30 aprile 2012)

L'uso di oli vegetali esausti per la produzione di biodiesel in Europa non è una novità e rappresenta oggi il 5 % della produzione di biodiesel nell'UE27; nel 2011 sono state usate a tal fine 560 000 tonnellate di oli vegetali riciclati ([1]).

In passato la Commissione ha sostenuto progetti di ricerca focalizzati sull'uso degli oli vegetali esausti per la produzione di biodiesel.

Nel Quinto programma quadro di ricerca e sviluppo tecnologico (1998-2002) è stato finanziato un progetto dimostrativo intitolato *Demonstration of the production of biodiesel from tallow and recovered vegetable oil [Dimostrazione della produzione di biodiesel da sego e olio vegetale di recupero]* (BIODIEPRO, 2003-2005, contributo CE: 3 150 000 EUR) ([2]).

Nell'ambito del programma LIFE la Commissione ha finanziato un progetto che ha sviluppato un processo di recupero economico completo per il reimpiego di oli e grassi esausti nella produzione di biodiesel (1997-1998, contributo CE: 446 121 EUR) ([3]).

Nel programma ALTENER 2 la Commissione ha sostenuto un progetto incentrato sull'uso di oli e grassi saturi per la produzione di combustibile rinnovabile (2001-2022, contributo CE: 410 624 EUR) ([4]).

Dato che la tecnologia per la produzione di biodiesel da oli vegetali esausti è ormai matura, la Commissione non intende sostenerla nei programmi di ricerca futuri.

L'uso di oli vegetali esausti come carburante è incentivato dalla direttiva sulle energie rinnovabili ([5]), ai fini della quale la quantità dei biocarburanti prodotti a partire da rifiuti e residui è considerata equivalente al doppio di quella di altri biocarburanti.

I fondi per la politica di coesione includono l'energia, ed in particolare l'energia rinnovabile, tra le priorità per il periodo 2007-2013. Nell'UE il sostegno previsto per le attività relative alle energie rinnovabili per il periodo 2007-2013 è complessivamente di circa 4,7 miliardi di euro, di cui 1,7 destinati alla biomassa. La gestione di tali fondi è di responsabilità degli Stati membri.

([1]) Relazione dell'USDA EU27 annual biofuels report, 2011: http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Biofuels%20Annual_The%20Hague_EU-27_6-22-2011.pdf
([2]) http://cordis.europa.eu/search/index.cfm?fuseaction=proj.document&PJ_LANG=EN&PJ_RCN=6385046&pid=3&q=3CC8009FAAA33037709F7E0F28F5EF7A&type=sim
([3]) http://cordis.europa.eu/search/index.cfm?fuseaction=proj.document&PJ_LANG=EN&PJ_RCN=2750952&pid=1&q=3CC8009FAAA33037709F7E0F28F5EF7A&type=sim
([4]) http://cordis.europa.eu/search/index.cfm?fuseaction=proj.document&PJ_LANG=EN&PJ_RCN=5332816&pid=5&q=3CC8009FAAA33037709F7E0F28F5EF7A&type=sim
([5]) Direttiva 2009/28/CE del Parlamento europeo e del Consiglio del 23 aprile 2009 sulla promozione dell'uso dell'energia da fonti rinnovabili.

(English version)

Question for written answer E-002774/12
to the Commission
Oreste Rossi (EFD)
(12 March 2012)

Subject: Eco-benefits of recovering fried oil

The collection of waste vegetable oil could be a new form of alternative energy. Once collected and cleaned, the oil could be reused for both boilers and diesel engines or could even be transformed into biodiesel. Oil recovery would form part of a virtuous cycle, a chain that can act as a mechanism designed to achieve a dual economic and environmental objective.

Given Europe's commitment to supporting sustainable initiatives, can the Commission say whether it will consider this new form of alternative energy, providing funds to facilitate research and inviting operators at European level to cooperate in developing the collection and transformation of these oils for energy production and release on to the market, in accordance with its environmental policies?

Answer given by Ms Geoghegan-Quinn on behalf of the Commission
(30 April 2012)

The use of waste vegetable oil to produce biodiesel in Europe is not new and represents today 5 % of the biodiesel production in EU-27 with the use of 560 000 tons of recycled vegetable oil in 2011 ([1]).

The Commission has supported in the past research projects targeted on the use of waste vegetable oil to produce biodiesel.

One demonstration project was funded in the Fifth Framework Programme for Research and Technological Development (FP5, 1998-2002): Demonstration of the production of biodiesel from tallow and recovered vegetable oil (BIODIEPRO, 2003-2005, EC contribution: EUR 3 1 0 000) ([2]).

In the LIFE Programme , the Commission financed a project which developed a complete economical recycling process for the reuse of used oils and fats in biodiesel production (1997-1998, EC contribution: EUR 446 121) ([3]).

In the Programme ALTENER 2, the Commission supported a project working on the use of waste oils and fats to produce renewable fuel (2001-2022, EC contribution: EUR 410 624) ([4]).

As the technology to produce biodiesel from waste vegetable oils is currently mature, the Commission does not plan to support it in future research programmes.

The use of waste vegetable oil as a transport fuel is incentivised through the Renewable Energy directive RED ([5]), where the amount of biofuels produced from wastes and residues counts twice compared to other biofuels.

Cohesion policy funds have included energy as a priority for the period 2007-2013, in particular renewable energy. In the EU as a whole, the planned support for renewable energy activities for 2007-2013 is approximately EUR 4.7 billion, of which 1.7 billion for biomass. The management of theses funds is the responsibility of the Member States.

([1]) USDA report 'EU-27 annual biofuels report, 2011': http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Biofuels%20Annual_The%20Hague_EU-27_6-22-2011.pdf
([2]) http://cordis.europa.eu/search/index.cfm?fuseaction=proj.document&PJ_LANG=EN&PJ_RCN=6385046&pid=3&q=3CC8009FAAA33037709F7E0F28F5EF7A&type=sim
([3]) http://cordis.europa.eu/search/index.cfm?fuseaction=proj.document&PJ_LANG=EN&PJ_RCN=2750952&pid=1&q=3CC8009FAAA33037709F7E0F28F5EF7A&type=sim
([4]) http://cordis.europa.eu/search/index.cfm?fuseaction=proj.document&PJ_LANG=EN&PJ_RCN=5332816&pid=5&q=3CC8009FAAA33037709F7E0F28F5EF7A&type=sim
([5]) Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-002779/12
adresată Comisiei
Daciana Octavia Sârbu (S&D)
(12 martie 2012)

Subiect: Medicamente pentru bolnavii de cancer și boli cronice

Principalul producător de opioide oncologice din România, Mundipharma, a anunțat că își încetează activitatea în țara noastră. Unul dintre factorii care au determinat această companie să nu mai livreze medicamente în România a fost reprezentat de faptul că durata în care Casa Națională de Asigurări de Sănătate achită facturile este de aproximativ 360 de zile, dar și de introducerea taxei de clawback.

Se estimează că, în aprilie 2011, consumul de citostatice injectabile a scăzut cu 70%, în condițiile în care numărul de pacienți diagnosticați cu cancer crește.

În prezent, sunt aproximativ 10 000 de pacienți înscriși pe liste, în așteptarea medicamentelor oncologice de linia a doua, fără de care viața lor este pusă în pericol.

În acest context:

1. Poate spune Comisia dacă ar fi posibilă finanțarea printr-un program specific a unui stoc de medicamente la nivel european care să fie accesat în cazul crizelor de medicamente, pentru pacienții care suferă de cancer sau boli cronice, având în vedere gravitatea situației în care se află bolnavii de cancer din România?

2. Conform articolului 168 din TFUE, „acțiunile Comunității trebuie să îmbunătățească sănătatea publică, să prevină bolile și să combată sursele de amenințare la adresa sănătății publice". În acest sens, poate spune Comisia dacă poate oferi recomandări Ministerului Sănătății din România pentru a rezolva criza medicamentelor destinate bolnavilor de cancer?

Răspuns dat de dl Dalli în numele Comisiei
(30 aprilie 2012)

În conformitate cu articolul 168 din Tratat, accesul la medicamente, inclusiv prețurile, și includerea acestora în sistemele naționale, este, în primul rând, responsabilitatea statelor membre.

În trecut, menținerea unui stoc de medicamente la nivelul Uniunii Europene (UE) nu a părut să fie o soluție viabilă. Experiența dobândită în urma inițiativei UE de a institui un stoc strategic de medicamente antivirale împotriva gripei pandemice a stârnit îngrijorare cu privire la competența UE. Prin urmare, Comisia nu preconizează o rezervă europeană de medicamente, astfel cum menționează distinsul membru.

Cu toate acestea, Comisia operează o Platformă privind accesul la medicamente în Europa ([1]), care reunește autoritățile naționale competente și diferite părți interesate în vederea schimbului de experiență și de bune practici privind măsurile naționale care au scopul de a îmbunătăți accesul la medicamente.

Comisia lansează, de asemenea, un studiu asupra disponibilității medicamentelor în UE, cu scopul de a identifica cele mai bune practici în utilizarea cadrului de reglementare în vederea îmbunătățirii disponibilității.

Ar trebui să se remarce, de asemenea, că în cadrul legislației existente, titularul autorizației de introducere pe piață nu este obligat să introducă medicamentul pe toate pieţele naționale care fac obiectul unei autorizații de introducere pe piață. Cu toate acestea, legislația Uniunii prevede că titularul autorizației de introducere pe piață și distribuitorii unui medicament efectiv introdus pe piață trebuie, în limitele competențelor lor, să asigure o aprovizionare corespunzătoare și continuă a medicamentului, astfel încât nevoile pacientul să fie acoperite ([2]).

([1]) http://ec.europa.eu/enterprise/sectors/healthcare/competitiveness/process_on_corporate_responsibility/platform_access/index_en.htm
([2]) Articolul 81 din Directiva 2001/83/CE de instituire a unui cod comunitar cu privire la medicamentele de uz uman, JO L 311, 28.11.2001, astfel cum a fost modificată.

(English version)

Question for written answer E-002779/12
to the Commission
Daciana Octavia Sârbu (S&D)
(12 March 2012)

Subject: Medicines for patients suffering from cancer and chronic diseases

Mundipharma, the leading oncological opiates manufacturer in Romania, has announced its intention of ceasing operations there. One of the factors that have led the company to cease supplying medicines to Romania is the fact that the National Health Insurance Fund takes approximately 360 days to pay its invoices, as well as the introduction of the clawback tax.

It is estimated that, in April 2011, the use of injectable cytostatic agents fell by 70 %, while the number of patients diagnosed with cancer is growing.

Currently, there are approximately 10 000 registered patients awaiting second-line oncology drugs, without which their lives are in danger.

In this context:

1. Can the Commission say if it would be possible, through a specific programme, to fund the creation of a European reserve supply of medicines that could be made available to patients suffering from cancer or chronic diseases should there be sudden shortage of medicines, in view of the gravity of the situation now faced by cancer patients in Romania?

2. Article 168 of the Treaty on the Functioning of the European Union states that, 'Union action […] shall be directed towards improving public health, preventing physical and mental illness and diseases, and obviating sources of danger to physical and mental health.' In this regard, can the Commission say if it can recommend to the Romanian Health Ministry any means of restoring the acute shortage of medicines for cancer patients?

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

According to Article 168 of the Treaty, access to medicines, including prices, and their inclusion into national schemes, is primarily Member States responsibility.

In the past, keeping a stock of medicines at European Union (EU) level has not appeared to be a workable solution. The experience gained from an EU initiative to set up a strategic stockpile of antiviral medicinal products against pandemic influenza revealed concerns about EU competence. The Commission does therefore not envisage a European reserve of medicines as referred to by the Honourable Member.

However, the Commission is operating a Platform on Access to Medicines in Europe ([1]) that brings together national competent authorities and various stakeholders to exchange experience and best practices of national measures aimed at improving access to medicines.

The Commission is also launching a study on the availability of medicines in the EU, with the intention to identify best practices in using the regulatory framework with a view to improving the availability.

It should be noted also that under existing legislation, the marketing authorisation holder is not obliged to put the medicinal product on all national markets concerned by a marketing authorisation. However, Union legislation requires that the marketing authorisation holder and the distributors of a medicinal product actually placed on the market shall, within the limits of their responsibilities, ensure appropriate and continued supply of the medicine so that the needs of the patient are covered ([2]).

([1]) http://ec.europa.eu/enterprise/sectors/healthcare/competitiveness/process_on_corporate_responsibility/platform_access/index_en.htm
([2]) Article 81 of Directive 2001/83/EC on the Community code relating to medicinal products for human use, OJ L 311, 28.11.2001, as amended.

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-002786/12
komissiolle (varapuheenjohtajalle/korkealle edustajalle)
Mitro Repo (S&D) ja Hannu Takkula (ALDE)
(12. maaliskuuta 2012)

Aihe: VP/HR – Chen Zhenpingin ja Liu Shihuin tilanne

Kiinan Zhengzhoussa, Henanin maakunnassa asuva ja Falun Dafaa (Falun Gong) harjoittava Chen Zhenping tuomittiin kahdeksaksi vuodeksi vankeuteen 15. joulukuuta 2008. Hänen omaisensa eivät ole tavanneet tai kuullet hänestä mitään marraskuun 2009 jälkeen.

Kiinalainen ihmisoikeusjuristi Liu Shihui, joka on auttanut myös Chen Zhenpingia, on joutunut Kiinan kommunistisen poliisin vainon kohteeksi. Hänen molemmat jalkansa murrettiin hakkaamalla, ja häntä pidettiin salaisessa vankeudessa. Asiasta on raportoinut muun muassa ihmisoikeusjärjestö Human Rights Watch.

Asiassa meitä kirjeitse lähestynyt Chen Zhenpingin tyttären suomalainen aviomies kertoo, että Kiinan kommunistisen puolueen edustajat ovat vierailleet myös Suomessa, jossa asuvia Falun Dafaa harjoittavia tai heidän kanssaan tekemisissä olevia on uhkailtu.

Komissio ilmoitti joulukuussa 2008 lisänneensä Chen Zhenpingin EU-Kiina -ihmisoikeusdialogin listalle. Mitään ilmoitusta Chen Zhenpingin tilasta ei kuitenkaan ole hänen sukulaisilleen annettu.

1. Onko komissio seurannut Chen Zhenpingin tilannetta?

2. Voiko komissio varmistaa hänen olevan yhä elossa?

3. Onko komissio tietoinen Chen Zhenpingin nykyisestä olinpaikasta sekä terveydentilasta?

4. Onko komissio tietoinen Chen Zhenpingin lakimiehen Liu Shihuihin kohdistuneista väkivallanteoista ja vainosta?

5. Ovatko komissio sekä korkea edustaja Catherine Ashton keskustelleet Kiinan hallinnon edustajien kanssa Chen Zhenpingin sekä ihmisoikeusjuristi Liu Shihuin tapauksista 14. tammikuuta 2012 järjestetyssä EU-Kiina-huippukokouksessa Pekingissä?

6. Mihin toimenpiteisiin komissio aikoo ryhtyä edellä mainittujen henkilöiden kohdalla?

7. Onko komissio tietoinen Kiinan kommunistisen puolueen edustajien vierailuista Suomessa, ja mihin toimenpiteisiin se on näiden suhteen ryhtynyt?

Korkean edustajan, varapuheenjohtaja Catherine Ashtonin komission puolesta antama vastaus
(22. toukokuuta 2012)

Euroopan ulkosuhdehallinto (EUH) on seurannut Chen Zhenpingin tapausta. Ensimmäisen kerran EU otti asian puheeksi Kiinan viranomaisten kanssa vuonna 2009. Viranomaiset selittivät, että Chen on tuomittu viideksi vuodeksi vankeuteen kultin harjoittamisesta lain täytäntöönpanon häirintämielessä ja että hän kärsii tuomiotaan Henanin naisvankilassa. Vuonna 2010 EU otti Chenin tapauksen uudelleen asialistalle ja ilmaisi huolensa raporttien johdosta, joiden mukaan Chenille oli annettu suonensisäisesti lääkkeitä vastoin hänen tahtoaan. EU on pyytänyt Kiinaa antamaan selvityksen Chenin terveydentilasta ja siitä, onko kidutussyytteitä tutkittu. Näihin pyyntöihin ei ole vastattu.

EUH nosti Liu Shihuin tapauksen asialuetteloon, jonka se luovutti Kiinalle kesäkuussa 2011. EUH ilmaisi huolensa Liun katoamisesta ja raporteista, joiden mukaan hänen kimppuunsa oli hyökätty muutama päivä ennen hänen katoamistaan. EUH on pyytänyt Kiinalta selvitystä Liun säilöönoton perusteista, hänen nykyisestä olinpaikastaan ja siitä, onko hän saanut tavata asianajajaa. EUH ei ole saanut vastausta näihin kysymyksiin. Muista lähteistä saamiensa tietojen perusteella EUH on kuitenkin siinä käsityksessä, että Liu pääsi kesäkuussa 2011 vapaaksi takuita vastaan sen jälkeen, kun häntä vastaan oli nostettu syyte yllytyksestä valtiovallan heikentämiseen. Hänen raportoidaan kärsivän edelleen katoamisensa aikana häneen kohdistetusta kidutuksesta.

EU aikoo seurata molempia tapauksia jatkossakin ja ottaa ne tarvittaessa puheeksi Kiinan viranomaisten kanssa ainakin EU:n ja Kiinan ihmisoikeusvuoropuhelun seuraavalla kierroksella.

EUH ei ole kuullut, että Kiinan kommunistisen puolueen agentit olisivat käyneet tapauksen johdosta Suomessa.

(English version)

Question for written answer E-002786/12
to the Commission (Vice-President/High Representative)
Mitro Repo (S&D) and Hannu Takkula (ALDE)
(12 March 2012)

Subject: VP/HR — Fate of Chen Zhenping and Liu Shihui

Chen Zhenping, who lives in Zhengzhou in the Henan province of China and is a practitioner of Falun Dafa (Falun Gong), was sentenced to eight years' imprisonment on 15 December 2008. Her family have not seen her or heard from her since November 2009.

Liu Shihui, a Chinese human rights lawyer who has helped Chen Zhenping, has suffered persecution by China's communist police force. Both his legs were broken as a result of beatings and he was secretly imprisoned. Reports on the case have been published by Human Rights Watch, among others.

Chen Zhenping's Finnish son-in-law has written to us about the case and told us that Chinese Communist Party agents have also visited Finland; Falun Dafa practitioners living in Finland or those associated with them have been intimidated.

The Commission announced in December 2008 that it had added Chen Zhenping to the agenda for the EU-China human rights dialogue. Chen Zhenping's family have, however, received no word of her status or condition.

1. Has the Commission been monitoring the case of Chen Zhenping?

2. Can the Commission ascertain that she is still alive?

3. Does the Commission know of Chen Zhenping's current whereabouts and health?

4. Is the Commission aware of the violence and persecution inflicted on Chen Zhenping's lawyer, Liu Shihui?

5. Did the Commission or High Representative Baroness Catherine Ashton discuss the cases of Chen Zhenping and the human rights lawyer Liu Shihui with Chinese government delegates at the EU-China summit on 14 January 2012 in Beijing?

6. What measures will the Commission take where these two people are concerned?

7. Is the Commission aware that Chinese Communist Party agents have visited Finland, and what measures has it taken in that regard?

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

The European External Action Service (EEAS) has been monitoring the case of Chen Zhenping. The EU first raised her case with the Chinese authorities in 2009, who replied that Ms Chen had been convicted of using a 'cult' to undermine the implementation of the law, had been sentenced to five years' imprisonment and was serving her sentence in the Henan Women's Prison. In 2010, the EU raised Ms Chen's case again and indicated its concern at reports that Ms Chen had been forcibly injected with drugs. The EU asked China to clarify Ms Chen's health condition and to clarify whether allegations of torture had been investigated. The EU has not received a response to these questions.

The EEAS raised the case of Liu Shihui in the case list handed over in June 2011. The EEAS expressed concerns at Mr Liu's disappearance and at reports that he had been attacked a few days before his disappearance. The EEAS requested China to clarify the basis for Mr Liu's detention, his current location and whether he had been given access to a lawyer. The EEAS has not received answers to these questions. However, the EEAS understands from other sources that Mr Liu was released in June 2011 on bail after being charged with 'inciting subversion of state power', but reportedly still suffers from the effects of torture inflicted during his disappearance.

The EU will continue to monitor these cases and will raise them as appropriate with the Chinese authorities, in particular in the framework of the next round of the EU-China human rights dialogue.

The EEAS is not aware that agents of the Chinese Communist Party have visited Finland in this connection.

(Version française)

Question avec demande de réponse écrite E-002792/12
à la Commission
Sophie Auconie (PPE)
(12 mars 2012)

Objet: Risques sanitaires liés au manque d'hygiène dans certains abattoirs européens

Six ans après l'entrée en vigueur du nouveau paquet législatif relatif à l'hygiène des denrées alimentaires et compte tenu des récents débats au sujet des risques sanitaires liés au manque d'hygiène dans certains abattoirs européens, il convient de faire le point sur la mise en œuvre du Paquet Hygiène et plus particulièrement des règles spécifiques d'organisation des contrôles officiels concernant les produits d'origine animale destinés à la consommation humaine.

Conformément au règlement (CE) nº 854/2004 du Parlement européen et du Conseil fixant ces règles, les États membres sont tenus d'établir des listes d'établissements agréés et de les contrôler. Selon ce règlement, «lorsque les contrôles révèlent des carences ou des irrégularités, il convient de prendre les mesures appropriées». Il convient de rappeler le caractère particulier des abattoirs, où de nombreux aspects sont déterminants pour la sécurité des aliments et donc pour la santé publique. Dans ces lieux, la santé des animaux et la sécurité des denrées, mais également la protection des consommateurs européens sont intimement liés.

1. La Commission a-t-elle connaissance d'études européennes, réalisées ou en cours de réalisation, sur l'état des lieux de l'hygiène dans les abattoirs européens?

2. Après avoir lancé, en 2008, l'initiative «Une meilleure formation pour des aliments plus sains», qui visait à améliorer la formation des inspecteurs officiels pour assurer une meilleure harmonisation et une modernisation des activités de contrôle, la Commission a-t-elle évalué les avancées en matière d'harmonisation des activités de contrôle en Europe?

3. Étant donné qu'elle dispose du monopole d'initiative législative, la Commission envisage-t-elle la préparation de nouvelles mesures pour que les contrôles et les sanctions nécessaires soient systématiquement mis en œuvre?

Réponse donnée par M. Dalli au nom de la Commission
(30 avril 2012)

La Commission s'assure régulièrement, grâce à des audits réalisés dans les États membres par ses services ([1]), que la législation de l'Union européenne (UE) relative à l'hygiène alimentaire est correctement appliquée et exécutée. Les résultats de ces audits sont à la disposition du public ([2]).

Lorsqu'un audit met en évidence des manquements, la Commission agit conjointement avec les États membres pour prendre les mesures nécessaires à la résolution des problèmes décelés, quels qu'ils soient.

En juillet 2009, la Commission a remis au Parlement européen et au Conseil un rapport concernant l'expérience acquise dans l'application des règlements relatifs à l'hygiène des denrées alimentaires ([3]).

Selon les conclusions de ce rapport, les États membres et les exploitants du secteur alimentaire sont généralement satisfaits de ces règlements et ont bien réussi à s'y adapter. Les États membres ont adopté les mesures administratives et les mesures de contrôle nécessaires pour garantir le respect de la législation, même si l'application des dispositions peut encore être améliorée. La Commission suit de très près les progrès réalisés dans ce domaine.

Le rapport a en outre montré que les principes instaurés par les règlements étaient encore valables et requéraient uniquement de légers ajustements, mais non une refonte complète. La Commission a entamé une réflexion sur les ajustements à opérer et compte soumettre une proposition en ce sens au Parlement européen et au Conseil au cours du troisième trimestre 2012.

([1]) L'Office alimentaire et vétérinaire de la direction générale de la santé et des consommateurs.
([2]) Cf. http://ec.europa.eu/food/fvo/index_en.cfm
([3]) Rapport de la Commission au Conseil et au Parlement européen concernant l'expérience acquise dans l'application des règlements (CE) n° 852/2004, (CE) nº 853/2004 et (CE) n° 854/2004 du Parlement européen et du Conseil du 29 avril 2004 relatifs à l'hygiène des denrées alimentaires. Cf. http://ec.europa.eu/food/food/biosafety/hygienelegislation/docs/report_act_part1_fr.pdf

Parallèlement, la Commission est en train de réexaminer le cadre général applicable aux contrôles officiels ([4]) en vue de simplifier la législation en la matière et de permettre aux États membres d'utiliser plus efficacement les ressources affectées aux contrôles.

([4]) Règlement (CE) n° 882/2004 du Parlement européen et du Conseil du 29 avril 2004.

(English version)

Question for written answer E-002792/12
to the Commission
Sophie Auconie (PPE)
(12 March 2012)

Subject: Health risks due to a lack of hygiene in some European slaughterhouses

Six years after the new legislative package on the hygiene of foodstuffs came into force and in view of recent debates on the health risks due to a lack of hygiene in some European slaughterhouses, it is time to take stock of the implementation of the hygiene package, especially the specific rules for organising official controls on products of animal origin intended for human consumption.

Under Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down these rules, Member States are required to prepare lists of approved establishments and inspect them. Under that regulation, where inspections reveal shortcomings or irregularities, appropriate measures must be taken. Slaughterhouses are a case apart, with numerous determining factors in terms of food safety and hence public health. In slaughterhouses, animal health, food safety and European consumer protection are closely bound together.

1. Does the Commission know of any European studies carried out or under way to review hygiene in European slaughterhouses?

2. Having launched an initiative in 2008 to improve the training of official inspectors in order to improve harmonisation and to modernise inspection activities ('Better training for safer food'), has the Commission evaluated progress in the harmonisation of inspection activities in Europe?

3. Given that it has a monopoly on legislative initiative, does the Commission plan to prepare new measures to ensure that the necessary inspections and penalties are implemented systematically?

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

The Commission regularly monitors the proper implementation and enforcement of European Union (EU) legislation on food hygiene through audits by Commission services ([1]) carried out in Member States. The results of those audits are available to the public ([2]).

When shortcomings are detected in an audit, the Commission cooperates with Member States in order to take the necessary actions to address any problem detected.

In July 2009 the Commission submitted to the European Parliament and to the Council a report on the experience gained from the application of the hygiene Regulations ([3]).

The report concluded that Member States and food business operators are generally satisfied with the hygiene Regulations and they have made good progress in adjusting to them. Member States have taken the necessary administrative and control steps to ensure compliance even if there is still room for improvement in relation to implementation. The Commission is constantly monitoring this progress.

The report also demonstrated that the principles introduced by the regulations are still valid and require only slight adjustments, but no fundamental overhaul. The Commission is currently reflecting on such adjustments to be made and intends to submit a proposal to the European Parliament and to the Council in the third quarter of 2012.

Following the same timeline, the Commission is also reviewing the general framework for official controls ([4]) in order to simplify the legislation and allow Member States to use control resources more efficiently.

([1]) Directorate-General for Health and Consumers' Food and Veterinary Office.
([2]) See: http://ec.europa.eu/food/fvo/index_en.cfm.
([3]) Report from the Commission to the Council and the European Parliament on the experience gained from the application of the hygiene Regulations (EC) No 852/2004, (EC) No 853/2004 and (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 see: http://ec.europa.eu/food/food/biosafety/hygienelegislation/docs/report_act_part1_en.pdf.
([4]) Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004. .

(Latviešu valodas versija)

Jautājums, uz kuru jāatbild rakstiski, E-002793/12
Komisijai (priekšsēdētāja vietniecei/Augstajai pārstāvei)
Krišjānis Kariņš (PPE)
(2012. gada 13. marts)

Temats: VP/HR — Eiropas Savienības sankciju pret Baltkrieviju politika

Eiropas Savienība ievieš arvien stingrākas sankcijas pret Baltkrieviju ar mērķi veicināt demokrātiskas pārmaiņas šajā valstī. Tomēr, kā novērojams, esošā sankciju politika ne vienmēr ir nesusi gaidītos rezultātus un ved pie arvien lielākas Baltkrievijas izolācijas. Kaut gan ir skaidrs, ka Baltkrievijas valdības darba metodes nav savienojamas ar Eiropas Savienībā pastāvošajiem demokrātijas principiem, tomēr tālāka vēršanās ne tikai pret Baltkrievijas vadību, bet arī pret valsts tautsaimniecību var novest pie vēl lielākas šīs valsts atsvešināšanās no Eiropas Savienības ne tikai politiski, bet arī ekonomiski. Pašlaik Baltkrievijā veiksmīgi darbojas Eiropas Savienības dalībvalstu, tai skaitā Latvijas, uzņēmumi. Nozīmīgu daļu atsevišķu Latvijas uzņēmumu apgrozījuma veido darījumi ar Baltkrieviju. Ekonomisko sankciju gadījumā šie Latvijas uzņēmumi cietīs ievērojamus zaudējumus. Turklāt laikā, kad Eiropas Savienība par mērķi ir definējusi ekonomikas attīstības panākšanu, ekonomiskās sankcijas pret Baltkrieviju būtu pretrunā ar pašas Eiropas Savienības politiku un kavētu ekonomikas izaugsmi dalībvalstīs, kurām ir ekonomiskās saites ar Baltkrieviju.

Ņemot vērā iepriekš minēto, lūdzu atbildēt uz sekojošiem jautājumiem:

1. Vai ir aprēķināts, kāda ekonomiskā ietekme uz Savienības dalībvalstīm būtu sankcijām pret Baltkrieviju, kuras sniegtos tālāk par ceļošanas ierobežojumiem Baltkrievijas amatpersonām un skartu Baltkrievijas tautsaimniecību?

2. Vai tiek plānots piedāvāt ieviest sankcijas pret Baltkrieviju, kas skartu šīs valsts tautsaimniecības darbību?

3. Gadījumā, ja tiks ieviestas sankcijas pret Baltkrieviju ar mērķi ierobežot tās tautsaimniecības darbību, pēc kādas metodoloģijas aprēķinās kompensācijas un no kādiem avotiem tās tiks izmaksātas tām Eiropas Savienības dalībvalstīm, kuru uzņēmumi arī cietīs šo sankciju rezultātā?

Atbildi Komisijas vārdā sniedza Augstā pārstāve/Komisijas priekšsēdētāja vietniece Ketrina Eštone
(2012. gada 26. jūnijs)

Sankcijas pirms to pieņemšanas apspriež attiecīgajās reģionālajās un tehniskajās Padomes darba grupās. Šajās darba grupās dalībvalstīm ir iespēja paust savus apsvērumus par ierosinātajiem pasākumiem.

Tādi ierobežojoši pasākumi, kas skartu Baltkrievijas tautsaimniecības konkrētas nozares vai kuru mērķis būtu ierobežot Baltkrievijas tautsaimniecības darbību, nav pieņemti; pastāv tikai ierobežojoši pasākumi pret vienībām, kuras pieder personām, kas atbilst kritērijiem, saskaņā ar kuriem personas iekļauj sarakstā atbilstoši Baltkrievijai noteiktajam sankciju režīmam, vai kuras šādas personas kontrolē.

Saskaņā ar Padomes Lēmuma 2010/639/KĀDP ([1]) 3. panta 3. punktu personas vai vienības iekļaušana sarakstā, kuram piemēro aktīvu iesaldēšanu un maksājumu veikšanas aizliegumu, "(..) neliedz sarakstā iekļautai fiziskai vai juridiskai personai, vienībai vai struktūrai veikt maksājumus saskaņā ar līgumu, kas noslēgts pirms šīs fiziskās vai juridiskās personas, vienības vai struktūras iekļaušanas sarakstā, ja attiecīgā dalībvalsts ir secinājusi, ka maksājumu tieši vai netieši nesaņem 2. panta 1. punktā minēta fiziska vai juridiska persona, vienība vai struktūra (sarakstā iekļauta persona vai vienība)".

Līdz ar to, pastāvot 3. panta 3. punktā noteiktajiem apstākļiem, ir iespējams saņemt atlīdzinājumu par maksājumiem, kas ir veicami saskaņā ar līgumu, kas ar personu vai vienību noslēgts pirms šīs personas vai vienības iekļaušanas sarakstā. Paredzēt kompensāciju par darījumiem, kas ar fiziskām vai juridiskām personām, vienībām vai struktūrām veikti pēc to iekļaušanas sarakstā, nebūtu likumīgi.

([1]) Padomes Lēmums 2010/639/KĀDP (2010. gada 25. oktobris) par ierobežojošiem pasākumiem pret dažām Baltkrievijas amatpersonām, OV L 280, 26.10.2010.

(English version)

Question for written answer E-002793/12
to the Commission (Vice-President/High Representative)
Krišjānis Kariņš (PPE)
(13 March 2012)

Subject: VP/HR — Sanctions policy of the European Union against Belarus

The European Union is introducing increasingly more stringent sanctions against Belarus with the aim of promoting democratic change in the country. However, according to observations, the existing sanction policy has not always yielded the expected results and leads to increasing isolation of Belarus. Although it is clear that the working methods of the Belarusian government are incompatible with the principles of democracy existing in the European Union, further actions not only against the Belarusian leadership, but also against the national economy can lead to even greater alienation of the country from the European Union, not only politically but also economically. At present, companies from European Union Member States, including Latvia, are successfully operating in Belarus. Transactions with Belarus constitute a significant proportion of the turnover of some Latvian companies. In the case of economic sanctions, those Latvian companies will suffer significant losses. Moreover, at the time when the European Union has defined the goal of achieving economic development, economic sanctions against Belarus would counter the policy of the European Union itself and inhibit economic growth in the Member States which have economic ties with Belarus.

In view of the above, can the Commission (Vice-President/High Representative) state:

1. Has it been calculated what will be the economic effect for EU Member States if sanctions beyond travel restrictions for the officials of Belarus and affecting the economy of Belarus are introduced?

2. Is it planned to introduce sanctions against Belarus that would affect the economic activities of the country?

3. Provided sanctions are introduced against Belarus aimed at limiting its economic activities, what methodology will be used to calculate compensations and from what sources will compensations be paid to those European Union Member States whose companies will also suffer from the sanctions?

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

Sanctions are discussed in the relevant regional and technical Council working groups before their adoption. These working groups offer an opportunity for Member States to raise concerns they may have regarding the proposed measures.

Restrictive measures targeting specific sectors of the Belarus economy or which aim at limiting the economic activities of Belarus, have not been adopted, only against entities which are owned or controlled by persons meeting the criteria for listing under the Belarus sanctions regime.

Under Article 3(3) of Council Decision 2010/639/CFSP ([1]) the listing of a person or entities under the asset freeze and prohibition against making payments: '…shall not prevent a listed natural or legal person, entity or body from making a payment due under a contract entered into before the listing of such a natural or legal person, entity or body, provided that the relevant Member State has determined that the payment is not, directly or indirectly, received by a natural or legal person, entity or body referred to in Article 2(1) (a listed person or entity)'.

It is therefore possible, under the circumstances foreseen in Article 3(3), to be reimbursed for payments due under a contract with a listed person or entity before such persons or entities were listed. It would not be legal to provide compensation for dealings of natural or legal persons, entities or bodies after they have been listed.

([1]) Council Decision 2010/639/CFSP of 25 October 2010 concerning restrictive measures against certain officials of Belarus, OJ L 280, 26.10.2010.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-002795/12
til Kommissionen
Emilie Turunen (Verts/ALE)
(13. marts 2012)

Om: Farlige stoffer fundet i sutteflasker

EU indførte som bekendt i juni 2011 et forbud mod brug af stoffet bisphenol A i blandt andet sutteflasker. En ny rapport fra EU-Kommissionens Institut for Sundhed og Forbrugerbeskyttelse viser imidlertid, at de nye typer plastik, som nu bruges til sutteflasker, indeholder en mængde forskellige stoffer, hvoraf flere kan være skadelige for små børn.

Den mest almindelige type plastik til at fremstille sutteflasker i dag er polypropylen, og i 17 procent af flaskerne af dette materiale fandt forskerne blandt andet det kræftfremkaldende stof benzen. I en anden type flaske lavet af polyamid-plastik fandtes det omdiskuterede stof bisphenol A, der som nævnt har været forbudt i sutteflasker i alle EU-lande siden juni 2011.

På baggrund af undersøgelsen bedes Kommissionen svare på følgende spørgsmål:

1. Hvordan agter Kommissionen at reagere på, at man — trods det klare EU-forbud mod bisphenol A i blandt andet sutteflasker — har fundet spor af stoffet i sutteflasker?

2. Hvordan har Kommissionen tænkt sig at følge op på førnævnte undersøgelse? Vil man på baggrund af rapporten tage skridt til at forbyde yderligere stoffer til brug ved fremstillingen af sutteflasker og andre produkter, som småbørn er i kontakt med?

Svar afgivet på Kommissionens vegne af John Dalli
(30. april 2012)

1. De kompetente myndigheder i de medlemsstater, hvor denne særlige flasketype blev produceret og markedsført, blev informeret direkte med henblik på at træffe de nødvendige foranstaltninger.

2. Plastsutteflasker til spædbørn er omfattet af specifik lovgivning om plastmaterialer, der er i kontakt med fødevarer. De må kun fremstilles af stoffer, der er godkendt til denne anvendelse, og skal respektere de migrationsgrænser, der er fastsat i denne lovgivning.

Den undersøgelse, det ærede medlem henviser til, blev ikke gennemført som led i forberedelsen af nogen lovgivningsmæssig foranstaltning, men for at få et overblik over, hvad der i øjeblikket findes på markedet i Den Europæiske Union (EU). Undersøgelsen viste, at nogle af flaskerne frigiver stoffer, som ikke er godkendte til brug i plastmaterialer, der er i kontakt med fødevarer. Især med hensyn til den forekomst af benzen, det ærede medlem henviser til, skal det bemærkes, at de stoffer, der blev fundet og rapporteret, var derivater af benzen og ikke benzen selv.

Medlemsstaterne er blevet mindet om deres ansvar for at håndhæve EU-lovgivningen for alle materialer, der er i kontakt med fødevarer, og særlig behovet for at kontrollere sutteflasker til spædbørn på EU-markedet. Hvis der konstateres flasker, der ikke er i overensstemmelse med EU-lovgivningen, skal medlemsstaterne træffe korrigerende foranstaltninger.

(English version)

Question for written answer E-002795/12
to the Commission
Emilie Turunen (Verts/ALE)
(13 March 2012)

Subject: Dangerous substances found in babies' feeding bottles

As you will be aware, in June 2011, the EU prohibited the use of the substance bisphenol A in, among other things, babies' feeding bottles. However, a new report from the Commission's Institute for Health and Consumer Protection shows that the new types of plastic now being used in babies' bottles contain a number of different substances, many of which can be harmful for small children.

The most common type of plastic used in the manufacture of babies' bottles today is polypropylene, and researchers have discovered, inter alia, the carcinogenic substance benzene in 17 % of bottles made from this material. Another type of bottle made from polyamide plastic was found to contain bisphenol A which, as mentioned earlier, has been prohibited in babies' bottles in all EU Member States since June 2011.

In view of this study, the Commission is asked to answer the following questions:

1. How does the Commission intend to respond to the fact that, in spite of the clear EU ban on bisphenol A in babies' feeding bottles and other products, traces of the substance continues to be found in them?

2. How does the Commission intend to follow up the aforementioned study? On the basis of the report, will steps be taken to ban other substances used in the manufacture of babies' bottles and other products that small children may come into contact with?

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

1. The competent authorities of those Member States in which this specific type of bottle was manufactured and marketed were informed directly in order to take any necessary measures.

2. Plastic infant feeding bottles are covered by specific legislation on plastic food contact materials. They can only be manufactured with substances authorised to be used for their manufacture and have to respect the migration limits set out therein.

The study referred to was not carried out in preparation of any legislative measure, but to get an overview of what is currently present on the European Union (EU) market. The study showed that some of the bottles released substances that are not authorised for use in plastic food contact materials. With particular regard to the benzene mentioned, it should be noted that the substances found and reported were derivatives of benzene rather than benzene itself.

Member States have been reminded of their responsibility to enforce EU legislation for all materials in contact with food, in particular the need to control infant feeding bottles on the EU market. If bottles are found not to be in compliance with EU legislation Member States need to take corrective action.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002800/12
an die Kommission
Jutta Steinruck (S&D), Peter Simon (S&D) und Udo Bullmann (S&D)
(13. März 2012)

Betrifft: Solvabilität II — Erklärung von Kommissar Barnier vom 10.2.2012

Zu der Erklärung von Kommissar Barnier vom 10. Februar 2012 in Bezug auf die Veröffentlichung des Weißbuchs Rente am 16. Februar 2012 bitten wir um Klarstellung bezüglich des folgenden Sachverhalts:

In der Erklärung weist Kommissar Barnier darauf hin, dass keine „buchstäbliche Übertragung von Solvabilität II auf Pensionskassen und Pensionsfonds vor(ge)schlagen werde". „Wir werden uns — wenn angemessen — von den Solvabilität-II-Ansätzen inspirieren, aber das bedeutet nicht, dass wir Solvabilität II in die EbAV Richtlinie ‚kopieren und einfügen' werden".

Im Weißbuch hingegen heißt es unter Punkt 2 Absatz 11:

„Im Jahr 2012 wird die Kommission einen Legislativvorschlag zur Überprüfung der IORP-Richtlinie vorlegen. Mit dieser Überprüfung sollen einheitliche Rahmenbedingungen mit Solvabilität II hergestellt und die grenzüberschreitende Tätigkeit in diesem Bereich gefördert sowie das gesamte Angebot an Renten und Pensionen in der EU verbessert werden".

Das legt die Vermutung nahe, dass die Kommission trotzdem die Betriebsrenten in Europa, wenn nicht „buchstäblich", dann doch teilweise unter die Solvabilität-II-Regelung bringen möchte.

1. In welchem Umfang planen Sie und die GD Binnenmarkt eine Ausweitung bestimmter Regelungen von Solvabilität II auf europäische Betriebsrenten? Wie weit wird die „Inspiration" der Kommission bezüglich der Betriebsrenten gehen?

2. Wird diese (nicht buchstäbliche) Ausweitung der Solvabilität-II-Vorschriften Auswirkungen auf die Eigenkapitalanforderungen der Betriebsrenten und deren Fonds haben?

3. Bedeutet dies, dass sich dann auch die Mehrkosten für Verwaltung aufgrund der erhöhten Sicherungsvorschriften nicht „buchstäblich", sondern nur teilweise erhöhen werden? In welcher Höhe wird mit Mehrkosten gerechnet?

4. Gibt es Erhebungen darüber, inwieweit die Arbeitgeber aufgrund von steigenden Verwaltungskosten aus der (freiwilligen und arbeitgeberfinanzierten) Betriebsrente ausscheiden werden? Welches sind die Folgen für die Alterssicherung der Bevölkerung, wenn die zweite Säule dezimiert wird?

Antwort von Herrn Barnier im Namen der Kommission
(30. April 2012)

Die Kommission bereitet derzeit eine Überarbeitung der Richtlinie 2003/41/EG ([1]) vor, um grenzüberschreitende Aktivitäten für die Pensionsfonds zu erleichtern und eine risikobasierte Aufsicht auf EU-Ebene einzuführen, damit sichergestellt ist, dass die Versprechungen der Altersversorgung für die zukünftigen Generationen von Leistungsbeziehern eingehalten werden können und die Pensionsfonds in der Lage sind, ihre wichtige Rolle als Langzeitinvestoren und Stabilisatoren der Wirtschaft auch weiterhin wahrzunehmen. Soweit Pensionsfonds und Versicherungsunternehmen die gleichen Risiken abdecken, sollten auch die Aufsichtsregeln identisch sein, um gleiche Wettbewerbsbedingungen zu gewährleisten. Am 15. Februar 2012 hat EIOPA ([2]) der Kommission technischen Rat zu diesem Thema gegeben. Obwohl es zum gegenwärtigen Zeitpunkt noch zu früh ist, um zu entscheiden, welche Prinzipien von Solvabilität II übernommen werden können, beabsichtigt die Kommission, die Besonderheiten der betrieblichen Altersversorgung bei der Überarbeitung der Richtlinie in angemessener Form zu berücksichtigen.

Die Kommission wird keinen Legislativvorschlag vorlegen, ohne zuerst genauestens die quantitativen Auswirkungen zu überblicken und alle relevanten Beteiligten angehört zu haben. Zu diesem Zweck hat die Kommission am 1. März 2012 eine gut besuchte öffentliche Anhörung veranstaltet. EIOPA wird eine ausführliche technische Abschätzung der quantitativen Auswirkungen vornehmen. Gleichzeitig wird die Kommission weiterhin aktiv im Austausch mit allen Beteiligten stehen und an ihrer eigenen Folgenabschätzung arbeiten.

([1]) ABl. L 235 vom 23.9.2003, S. 10-21.
([2]) Europäische Aufsichtsbehörde für das Versicherungswesen und die betriebliche Altersversorgung.

Der Bericht zur Folgenabschätzung, welcher den Kommissionsvorschlag zur Überarbeitung der Richtlinie begleiten wird, soll außerdem die Folgen für das Angebot und die Leistungen freiwilliger Betriebsvorsorgesysteme beurteilen. Die Kommission ist sich bewusst, dass die betriebliche Alterversorgung ein kostensparender Weg ist, adäquate Renten für die Bürger zu gewährleisten, und dass solch eine Einrichtung unterstützt werden sollte, insbesondere in der derzeitigen wirtschaftlichen, sozialen und demografischen Lage.

(English version)

Question for written answer E-002800/12
to the Commission
Jutta Steinruck (S&D), Peter Simon (S&D) and Udo Bullmann (S&D)
(13 March 2012)

Subject: Solvency II — Statement by Commissioner Barnier on 10 February 2012

With regard to the statement made by Commissioner Barnier on 10 February 2012 in relation to the publication of the White Paper on Pensions on 16 February 2012, we would ask for clarification on the following point:

In his statement, Commissioner Barnier indicates that there was no suggestion of a literal application of Solvency II to pension reserves or pension funds. 'We will take our inspiration from the Solvency II approach — where appropriate — but that does not mean that we will "copy paste" Solvency II into the directive on Institutions for Occupational Retirement Provision (IORP).'

On the other hand, Point 2(11) of the White Paper states:

'The Commission will, in 2012, present a legislative proposal to review the IORP directive. The aim of the review is to maintain a level playing field with Solvency II and promote more cross-border activity in this field and to help improve overall pension provision in the EU.'

1. Can one assume that the Commission does intend to bring occupational pensions under the Solvency II regime, if not 'literally', then at least in part?

2. To what extent are the Commission and the Directorate-General for Internal Market and Services planning to extend certain provisions of Solvency II to European occupational pensions? Just how much 'inspiration' will the Commission take in relation to occupational pensions?

3. Will this (non-literal) broadening of the Solvency II provisions have an impact on the capital requirements for occupational pensions and the associated funds?

4. Does this mean that the additional costs for administration arising from the increased guarantee requirements will not rise 'literally', but only partially? What additional costs are expected?

5. Have there been any surveys to indicate the extent to which employers will drop out of (voluntary and employer-financed) occupational pension schemes because of the rising administration costs? What will the consequences be for old-age insurance among the population if the second pillar is decimated?

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

The Commission is currently preparing a revision of Directive 2003/41/EC ([1]) in order to facilitate cross-border activities for pension funds, introduce risk-based supervision at European Union level, ensuring that pension promises can be kept for future generations of pensioners and allowing pension funds to continue to play their crucial role as long-term investors and stabilisers of the economy. To the extent that the risks underwritten by pension funds and insurance companies are the same, the prudential requirements should be similar in order to maintain a level playing field. On 15 February 2012 EIOPA ([2]) provided the Commission with technical advice on this subject. Although at the present time it is too early to identify which principles can be taken from Solvency II, the Commission intends to take due account of the particular features of occupational retirement provision in the revision of the directive.

The Commission will not present a legislative proposal without first having understood in detail the quantitative effects and having heard all relevant stakeholders. To this purpose the Commission held a well-attended public hearing on 1st March 2012. EIOPA will carry out an extensive technical quantitative impact assessment. In parallel, the Commission is continuing its active dialogue with all stakeholders and is working on its own impact assessment.

This impact assessment report, which will accompany the Commission proposal for the revision of the directive, will also assess the impact on the supply and on the level of voluntary occupational pensions. The Commission is well aware that occupational pension provision can be a cost-efficient way of helping to ensure adequate pensions for citizens and that such provision should be supported, particularly in the current economic, social and demographic context.

([1]) OJ L 235, 23.9.2003. p. 10-21.
([2]) European Insurance and Occupational Pensions Authority.

(Magyar változat)

Írásbeli választ igénylő kérdés E-002830/12
a Bizottság számára
Tabajdi Csaba Sándor (S&D) és Göncz Kinga (S&D)
(2012. március 13.)

Tárgy: Az egységes támogatási rendszerre (etr) vonatkozó irányelvek alkalmazása

E kérdés egy olyan ügyre vonatkozik, melyben egy mezőgazdasági területet kezelő cég felszámolását kérték. A felszámolási eljárás miatt a földterület tulajdonosa felmondta a haszonbérleti szerződést, és másik haszonbérlő termelővel kötött bérleti szerződést a területre. Az előző és az új haszonbérlő között semmiféle jogviszony sem létesült. A 2008-as aratáshoz szükséges előmunkálatokat az előző haszonbérlő végezte el 2007 ősze és 2008 tavasza között. Az előző és az új haszonbérlő ugyanakkor megegyezett abban, hogy mivel az előző haszonbérlőnek semmiféle követelése sincs sem az egységes területalapú támogatási rendszer keretében, sem pedig agrár-környezetvédelmi támogatást illetően, az új haszonbérlő kompenzációt fizet neki.

A következő kérdések merültek fel a mezőgazdasági támogatásra való jogosultsággal kapcsolatban:

1. A haszonbérlő termelő megváltozása esetén az új haszonbérlő milyen körülmények között volt jogosult 2008-ban az egységes területalapú támogatási rendszer szerinti juttatásra és agrár-környezetvédelmi támogatásra?

2. Amennyiben mindkét haszonbérlő benyújtotta a támogatási kérelmet, melyikük volt jogosult az támogatásra 2008-ban?

3. Jogosult-e a támogatásra az olyan termelő, akinek (például termelőeszközök hiányában) nem áll módjában megművelni a területet?

4. Hogyan osztandó el a támogatás a haszonbérlő termelők között, ha bérlőváltás történik a mezőgazdasági év folyamán? A fenti konkrét esetben melyik haszonbérlő volt jogosult a támogatásra 2008-ban?

5. Valós értékű eszközként volt-e tekinthető 2008-ban a korábbi haszonbérlő termelők egységes területalapú támogatási rendszer szerinti juttatásra és agrár-környezetvédelmi támogatásra való jogosultsága?

Dacian Cioloş válasza a Bizottság nevében
(2012. május 11.)

A közvetlen kifizetések vonatkozásában (a 73/2009/EK tanácsi rendelet [1] alkalmazásában) a támogatás kedvezményezettje az a termelő, aki az e rendelet 2. cikkének c) pontjában meghatározott mezőgazdasági tevékenységet folytat. Az egységes területalapú támogatási rendszer keretében történő támogatásra való jogosultság feltétele, hogy a parcellák a tagállam által megállapított időpontban a mezőgazdasági termelő rendelkezésére álljanak. Következésképpen az a termelő, aki támogatási kérelmet nyújtott be és teljesíti a fent említett kritériumokat, jogosult az általa bejelentett támogatható hektárszám utáni támogatásra. Ez a mezőgazdasági termelő viseli továbbá (még ha időközben be is bizonyosodik a bérleti szerződés hiánya) a támogathatósági szabályok be nem tartása miatt a későbbiekben alkalmazott valamennyi szankció és támogatáscsökkentés anyagi terhét. A közvetlen kifizetésre vonatkozó jogszabály nem rendelkezik a két mezőgazdasági termelő közötti, a mezőgazdasági év folyamán megszűnő bérleti szerződéses viszonyról. Ilyen esetben az sem kizárt, hogy a felek között magánjogi szerződés jött létre. A mezőgazdasági üzemek átruházását szabályozó egyetlen jelenleg hatályos jogszabályi rendelkezés az 1122/2009/EK bizottsági rendelet [2] 82. cikke.

Ugyanarra a parcellára vonatkozó két támogatási kérelem benyújtása esetén a tagállamok illetékes hatóságai dönthetnek arról, melyik igénylő jogosult a támogatásra.

Nincs előírás arra vonatkozóan, hogy a közvetlen kifizetésekre való jogosultság feltételeként nyilatkozni kellene a termelési eszközökről.

[1] HL L 30., 2009.1.31., 16. o.
[2] HL L 316., 2009.12.2., 65. o.

Ami az agrár-környezetvédelmi támogatást illeti, amennyiben a támogatás feltételét képező kötelezettségvállalások fennállása alatt a kedvezményezett a mezőgazdasági üzem egészét vagy egy részét másik személyre ruházza át, a vonatkozó jogi rendelkezések ([3]) általános szabálya, hogy: ha a földterületet átvevő mezőgazdasági termelő nem kívánja átvállalni az agrár-környezetvédelmi kötelezettségvállalásokat, az eredeti kedvezményezettnek vissza kell térítenie a nyújtott támogatást. Az 1974/2006/EK bizottsági rendelet 44. cikkének (2) és (3) bekezdése ugyanakkor néhány kivételt biztosít e szabály alól.

A vidékfejlesztésre vonatkozó jogszabály nem rendelkezik a mezőgazdasági termelők között egy földterület haszonbérlete kapcsán fennálló szerződéses viszonyról.

([3]) HL L 368., 2006.12.23., 15. o.

(English version)

Question for written answer E-002830/12
to the Commission
Csaba Sándor Tabajdi (S&D) and Kinga Göncz (S&D)
(13 March 2012)

Subject: Application of directives regarding single payment scheme (SAPS)

This question refers to a case in which the liquidation of an enterprise which was managing an area of farmland was sought. Because of the liquidation procedure, the landowner terminated the lease and leased the land to another tenant farmer. No legal relationship was established between the new tenant and the former tenant. The preparation work indispensable for 2008 harvesting had been carried out by the former tenant between the autumn of 2007 and the spring of 2008. At the same time, the former tenant and the new one agreed that in exchange for the former tenant not having any claims under the single area payment scheme or claims to agro-environmental support, the new tenant would pay compensation to the former tenant.

The following questions have emerged concerning entitlement to agricultural support:

1. If there was a change of tenant farmer, in what circumstances was the new tenant entitled to SAPS and agro-environmental support in 2008?

2. If both tenants submitted an application for support, who was entitled to receive funding in 2008?

3. Can farmers who are not able to cultivate an area of land (for example because they lack the means of production) receive funding?

4. How is the funding divided between tenant farmers if one replaces another in the course of an agricultural year? With regard to the special case above, which tenant was entitled to funding in 2008?

5. Did the entitlement of former tenant farmers to SAPS and agro-environmental support in the year 2008 constitute an asset with a real value?

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

For the purpose of direct payments (Council Regulation (EC) 73/2009 ([1])) the beneficiary of the payment is a farmer who exercises an agricultural activity as defined in Article 2(c) of this regulation. For the purpose of the eligibility for the single area payment scheme (SAPS) the parcels shall be at the farmer's disposal on the date fixed by the Member State. Therefore a farmer who applied for the aid and complies with the abovementioned criteria shall be eligible for the aid in respect of the eligible hectares he declares. Such a farmer shall also bear the cost of all possible sanctions and reductions applied in the future for non-compliance with eligibility rules (notwithstanding eventual non-existence of the lease contract). Direct payment legislation does not regulate contractual relations between two farmers who terminated the lease contract in the course of an agricultural year. In such a case the existence of private contractual agreements is not excluded. Legal provisions exist only in the case of transfer of holdings according to Article 82 of Commission Regulation (EC) 1122/2009 ([2]).

If there are two aid applications in respect of the same parcel, it is up to the Member States responsible authorities to decide which of the applicant is eligible for the aid.

There is no obligation to declare means of production in order to be eligible for direct payments.

With regard to agri-environmental (AE) support, the legal provisions ([3]) on transfers of all or part of a holding of the beneficiary to another person during the period when AE commitments run include a general rule: if the farmer who takes over the land decides not to take over the AE commitments, the original beneficiary of the support is required to reimburse the received support. However, there are exceptions as defined in Art. 44(2)(3) of Regulation 1974/2006.

Rural development legislation does not regulate contractual relations concerning leasing of land between farmers.

([1]) OJ L 130, 31.1.2009, p. 16.
([2]) OJ L 316, 2.12.2009, p. 65.
([3]) OJ L 368, 23.12.2006, p.35.

(English version)

Question for written answer E-002835/12
to the Commission
Bairbre de Brún (GUE/NGL)
(13 March 2012)

Subject: Mental health and young people

Can the Commission explain how it intends to support individuals and groups working with young people in the field of mental health over the next period of EU funding (2014-2020)?

Specifically, as the current Commission proposals are framed, how can the following programmes potentially aid in this field:

— the 'Erasmus for All' Programme

— the EU Framework Programme for Research and Innovation

— the European Social Fund

— the EU programme establishing a Health for Growth Programme, the third multiannual programme of EU action in the field of health for the period 2014-2020

— any other potential areas where synergy could allow for investment/support?

In particular, can the Commission state if it sees any potential for supporting groups who work mainly in an online way to support mental health for young people?

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

In 2011, the Commission presented proposals for a new 'Health for Growth' programme, the 'Erasmus for All' programme, the Horizon 2020 programme, and for the new Structural Funds' regulations 2014-2020. These proposals are now under discussion in the European Parliament and the Council.

Once these programmes are adopted by the Parliament and the Council, they could provide support to groups working with young people in the field of mental health, if mental health fits within the programmes' final objectives and provisions.

In the case of Horizon 2020 (2014-2020), the future Framework Programme for Research and Innovation, mental health and mental well-being are specifically mentioned in both the framework programme ([1]) and specific programme ([2]) legislative proposals.

In the 2014-2020 programming period, the European Social Fund will be able to provide support to this target group through the promotion of healthy lifestyles.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0809:FIN:en:PDF.
([2]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0811:FIN:en:PDF.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002847/12
alla Commissione
Lorenzo Fontana (EFD)
(14 marzo 2012)

Oggetto: Colorante potenzialmente cancerogeno in Coca Cola e Pepsi

Lo Stato della California ha inserito nella lista delle «sostanze potenzialmente cancerogene» il 4-Mei, composto chimico presente nel caramello, usato come colorante nella lavorazione delle bevande Coca-Cola e Pepsi. La decisione è stata assunta a seguito di esperimenti di laboratorio sui topi, che hanno evidenziato la diffusa formazione di cancro negli animali cui è stata iniettata la sostanza a seguito della petizione del Centre for Science in the Public Interest, un gruppo per la protezione dei consumatori, il quale si batte da tempo per l'abolizione dell'uso di coloranti a base di ammoniaca-solfiti in quanto ritenuti «altamente nocivi per la salute». Le due case produttrici hanno reagito riducendo la concentrazione di 4-Mei per evitare il rischio che il governo californiano imponga una nuova etichettatura riportante i rischi per la salute derivanti dal consumo delle bevande stesse. Gli uffici stampa regionali di The Coca-Cola Company, l'American Beverage Association, lobby che sostiene l'industria dei soft drinks, e la FDA (Food and Drug Administration), l'autorità regolatoria statunitense in materia, affermano tuttavia che non vi sono mai stati rischi per la salute dei consumatori, in quanto il composto può produrre effetti cancerogeni solo se assunto in quantità estremamente elevate.

Considerando che il 4-Mei è stato inserito nella lista delle «sostanze potenzialmente cancerogene» solo negli USA, mentre in Europa è considerato innocuo alla salute;

considerando gli esiti degli esperimenti condotti sugli animali;

considerando l'art. 169 del trattato sul funzionamento dell'Unione europea e l'attuale Programma di protezione dei consumatori (2007-2013);

può la Commissione far sapere se ritiene opportuno approfondire l'eventuale presenza di potenziali rischi connessi all'utilizzo del composto 4-Mei nell'ambito della lavorazione e produzione di prodotti alimentari?

Risposta data da John Dalli a nome della Commissione
(30 aprile 2012)

Nell'Unione europea i limiti massimi di 4-metilimmidazolo (4-MEI) presente nei coloranti caramello E 150c ed E 150d sono fissati nella direttiva 2008/128/CE ([1]) che stabilisce i requisiti di purezza specifici per le sostanze coloranti per uso alimentare.

L'Autorità europea per la sicurezza alimentare (EFSA) ha adottato un parere scientifico in merito al riesame dei coloranti caramello (E 150 a, b, c, d) come additivi alimentari ([2]). Nell'ambito di tale riesame l'EFSA ha analizzato la sicurezza dell'esposizione al 4-MEI derivante dall'impiego di coloranti caramello e ha concluso che l'effetto cancerogeno del 4-MEI dipende dal livello di consumo. Ciò significa che al di sotto di livelli ben determinati l'effetto cancerogeno non si produce e l'EFSA ha stabilito un livello di sicurezza.

Tenendo conto di tale livello di sicurezza e dei limiti massimi del 4-MEI fissati nella legislazione UE, l'EFSA ha concluso che la presenza di 4-MEI nei coloranti caramello non pone problemi di sicurezza.

([1]) GU L 6 del 10.1.2009, pag. 20.
([2]) http://www.efsa.europa.eu/en/efsajournal/pub/2004.htm

(English version)

Question for written answer E-002847/12
to the Commission
Lorenzo Fontana (EFD)
(14 March 2012)

Subject: Potentially carcinogenic colouring in Coca-Cola and Pepsi

The State of California has included in its list of potentially carcinogenic substances 4-MEI, a chemical compound found in caramel which is used as a colouring in the manufacture of the soft drinks Coca-Cola and Pepsi. The decision was taken after laboratory experiments conducted on mice showed widespread cancer in the animals which had been injected with the substance. It followed on the heels of a petition from the Centre for Science in the Public Interest, a consumer protection group which has been campaigning for some time for the abolition of the use of ammonia-sulphite based colourings, since they are considered highly harmful to health. The two manufacturers have reacted by reducing the level of 4-MEI in their drinks to avoid the risk of the Californian government requiring them to use new labels warning against the health risks arising from consumption of the drinks. The regional press offices of The Coca-Cola Company, the American Beverage Association (a lobby group which supports the soft drinks industry), and the US regulator, the FDA (Food and Drug Administration), nonetheless maintain that there has never been any risk to consumer health, since the compound can produce carcinogenic effects only if consumed in extremely large quantities.

Given that 4-MEI has been listed as a potentially carcinogenic substance only in the USA, while in Europe it is considered harmless to health, and with reference to the results of the experiments conducted on animals and to Article 169 of the Treaty on the Functioning of the European Union and the current consumer protection programme (2007-2013), does the Commission consider that a closer look should be taken at whether any potential risks are connected to the use of the compound 4-MEI in the production of food and drinks?

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

In the European Union maximum limits of 4-methylimidazole (4-MEI) present in the caramel colours E 150c and E 150d are laid down in Directive 2008/128/EC ([1]) laying down specific purity criteria concerning colours for use in foodstuffs.

The European Food Safety Authority (EFSA) adopted a scientific opinion on the re-evaluation of caramel colours (E 150 a,b,c,d) as food additives ([2]). As part of this re-evaluation EFSA considered the safety of the exposure to 4-MEI resulting from the use of the caramel colours and concluded that the carcinogenic effect of 4-MEI depends on the level of consumption. This means that below well determined levels the carcinogenic effect does not occur and a safe level has been determined by EFSA.

Taking into account this safe level and the maximum limits of 4-MEI in the EU legislation, EFSA concluded that the presence of 4-MEI in caramel colours is not of safety concern.

([1]) OJ L 6, 10.1.2009, p. 20.
([2]) http://www.efsa.europa.eu/en/efsajournal/pub/2004.htm

(българска версия)

Въпрос с искане за писмен отговор E-002850/12
до Комисията
Мария Неделчева (PPE)
(14 март 2012 г.)

Относно: Нормативен акт на ЕС, регламентиращ професионалната дейност на юристите в страните — членки на ЕС

Ежедневно във всички органи на Европейския съюз, в държавната администрация, общините, търговските дружества и другите организации в държавите — членки на ЕС, се трудят юристи, работещи по служебно или трудово правоотношение. Осъществявайки своята професионална дейност на юристи, те са живата връзка между европейските и националните нормативни актове и държавната администрация, общините и другите правни субекти в стопанския и политическия живот. Те осъществяват тяхното тълкуване и прилагане, познават специфичните юридически проблеми на организацията, в която постоянно работят и полагат усилия те да бъдат решавани съобразно закона.

В различните държави — членки на ЕС, професията на тези юристи носи различно наименование:

— Legal advisor

— In house lawyer/counsel

— Consultant de juris

— Jurisconsult /Lat/

Освен различното наименование, тези юристи имат различен правен статут в различните държави — членки на ЕС. В някои държави дейността им е регламентирана със специален закон, в други — не. В едни държави те имат право да се явяват пред съд в защита на юридическите лица, при които работят, в други държави нямат такива права.

В този контекст в рамките на Европейския съюз съществува ли нормативен акт, регламентиращ професионалната дейност на юристите, работещи по служебно или трудово правоотношение в страните — членки на ЕС?

Отговор, даден от г-н Барние от името на Комисията
(2 май 2012 г.)

Съществуват две директиви, които уреждат упражняването в една държава членка на адвокатска професия от гражданин на Европейския съюз (ЕС), придобил професионалното звание „адвокат“ („lawyer“) в друга държава — членка на ЕС. Директива 77/249/ЕИО ([1]) (Директива относно адвокатските услуги) съдържа правила относно временното предоставяне на услуги. Директива 98/5/ЕО ([2]) (Директива относно установяването на адвокатите) урежда постоянното упражняване на адвокатска професия в държава членка, различна от държавата, в която е придобита квалификацията. И двете директиви се отнасят до упражняването на професията под професионалното звание, придобито в държавата членка по произход, въпреки че Директивата относно установяването на адвокатите предвижда и включването в професионалните съсловия на адвокатите в приемащата държава членка.

Признатите в другите държави членки професионални звания за „адвокат“ са изчерпателно изброени в член 1, параграф 2 от Директивата относно адвокатските услуги и в член 1, параграф 2, буква а) от Директивата относно установяването на адвокатите.

Посочените директиви имат за цел да улеснят трансграничната мобилност на адвокатите в ЕС и упражняването на професията в съответствие с правния режим на установяването или с правния режим на предоставянето на услуги в държава членка, различна от тази, в която е придобита квалификацията. Те съдържат разпоредби относно организацията на професионалната дейност и професионалното поведение, доколкото тези аспекти се отнасят до мобилността. Двете директиви обаче нямат за цел да хармонизират на равнището на ЕС правилата за упражняване на професията, независимо дали в качеството на самостоятелно заето лице, или по трудово или служебно правоотношение. Приложимите норми в този контекст са нормите на националното право относно упражняването на юридическа професия, в това число нормите относно обхвата на професионалната дейност на юристите, назначени в качеството на служители в държавната администрация, упражняващите професията по трудов договор или по друг начин.

([1]) Директива 77/249/ЕИО на Съвета от 22 март 1977 г. относно улесняване на ефективното упражняване от адвокатите на свободата на предоставяне на услуги (ОВ L 78, 26.3.1977 г., стр. 17), изменена с Директива 2006/100/ЕО на Съвета от 20 ноември 2006 г. за адаптиране на някои директиви в областта на свободното движение на хора поради присъединяването на България и Румъния (ОВ L 363, 20.12.2006, стр. 141).

([2]) Директива 98/5/ЕО на Европейския парламент и на Съвета от 16 февруари 1998 г. относно улесняване на постоянното упражняване на адвокатската професия в държава-членка, различна от държавата, в която е придобита квалификацията (ОВ L 77, 14.3.1998 г., стр. 36), изменена с Директива 2006/100/ЕО на Съвета.

(English version)

Question for written answer E-002850/12
to the Commission
Mariya Nedelcheva (PPE)
(14 March 2012)

Subject: EU regulatory act governing the professional activities of lawyers in EU Member States

Every day, lawyers work as civil servants or on a contract basis in all the bodies of the European Union, in state administrations, local authorities, commercial companies and other organisations in the EU Member States. In carrying on their professional activities, lawyers act as a human link between EU and national laws and state administrations, local authorities and the other legal entities in economic and political life. They interpret the application of those laws, are familiar with the specific judicial issues of the organisation in which they permanently work and strive to resolve these in accordance with the law.

These lawyers go by different names in the different EU Member States:

— legal advisor;

— in-house lawyer/counsel;

— legal consultant;

— jurisconsult (lat).

Apart from having a different name, these lawyers also have a different legal status in the various EU Member States. In some countries, their activities are regulated by a particular law, but in others they are not. In some countries, they have the right to appear in court to defend the legal entities they work for, but in others they do not have such rights.

In this connection, is there a regulatory act in the European Union governing the professional activities of lawyers who work as civil servants or on a contract basis in the EU Member States?

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

There are two directives regulating the practice of the profession of lawyer by an European Union (EU) citizen holding the professional title of lawyer of an EU Member State in another Member State. Directive 77/249/EEC ([1]) (Lawyers' Services Directive) sets out rules for the provision of temporary services. Directive 98/5/EC ([2]) ('Lawyers' Establishment Directive') regulates the practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained. Both directives relate to the practice of the profession under the home Member State title, although the Lawyers' Establishment Directive also provides for integration into the profession of lawyer of the host Member State.

The professional titles of lawyer recognised in the different Member States are exhaustively listed at Article 1(2) of the Lawyers' Services Directive and Article 1(2)(a) of the Lawyers' Establishment Directive.

The abovementioned directives aim to facilitate cross-border mobility of lawyers in the EU and practice of the profession under either the establishment or the service provision regime in a Member State other than that in which the qualification was obtained. They contain provisions on the organisation of professional activity and professional conduct to the extent that these are aspects related to mobility. However, the two directives do not aim to harmonise at EU level rules on the exercise of the profession, whether in a self-employed or a salaried capacity. In this context, national rules relating to the exercise of the profession of lawyer are applicable, including rules on the scope of professional activity of lawyers appointed in a public service capacity, exercising on an employment contract basis, or otherwise.

([1]) Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services (OJ L 78, 26.3.1977, p. 17), as amended by Council Directive 2006/100/EC of 20 November 2006 adapting certain directives in the field of freedom of movement of persons, by reason of the accession of Bulgaria and Romania (OJ L 363, 20.12.2006, p. 141).

([2]) Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained (OJ L 77, 14.3.1998, p. 36), as amended by Council Directive 2006/100/EC.

(English version)

Question for written answer E-002853/12
to the Commission
Edward McMillan-Scott (ALDE)
(14 March 2012)

Subject: Method of production labelling for meat and dairy products

At a meeting of the European Parliament's Intergroup on the Welfare and Conservation of Animals, on 7 February 2012, Commissioner John Dalli presented the European Commission's 'Strategy for the Protection and Welfare of Animals 2012-2015'. During his presentation, the Commissioner made reference to 'new communication tools, such as information and education campaigns, to increase transparency and quality of information to consumers on animal welfare to help them in making food purchases'.

The new strategy recognises that consumers are not always well informed about today's farming methods and their impact on the welfare of animals. It emphasises the EU's intention to increase transparency and the provision of adequate information to consumers on animal welfare.

Some 80 % of animals farmed in the EU each year are factory farmed, and the labelling of meat and dairy products does not provide consumer with adequate information to enable them to make an informed decision on whether to buy factory-farmed produce or not.

As such, can the Commission confirm that it will propose a method for production labelling for all meat and dairy products as part of the 'Strategy for the Protection and Welfare of Animals 2012-2015'?

Question for written answer E-002922/12
to the Commission
Kyriakos Mavronikolas (S&D)
(15 March 2012)

Subject: 'Method of production' labelling for animal-derived food

The new EU strategy recognises that consumers are not always well informed about today's farming methods and their impact on the welfare of animals. Labelling is an important mechanism for raising EU standards as regards the welfare of farm animal. It enables consumers to make informed choices, and provides producers with the means clearly to differentiate marketed products with higher welfare standards. From the information currently presented on the label, consumers cannot determine whether the meat or milk they are buying comes from a production system that is animal-welfare friendly. This underscores the urgent need for a labelling scheme that informs consumers about the farming system used to produce meat and dairy products, such as the one already in place for eggs.

The development of a new, EU-wide labelling scheme for meat and dairy products that have been produced in keeping with good standards for animal welfare would stimulate the entire EU market for products with higher welfare standards.

Labelling should be based on the method of production, giving consumers the type of information they want most, and should be applied to products imported into the EU as well as to domestically produced food.

Additionally, effective labelling should be mandatory and not voluntary, in order to avoid that only products farmed according to higher standards of animal welfare are labelled. The mandatory EU egg-labelling regime provides a successful precedent for such a scheme, using simple and clear terms that are easily understood by consumers.

Finally, the success of the EU egg-labelling scheme clearly shows that such a scheme should also be put in place for animal-derived food products.

What does the Commission intend to do as regards adopting effective labelling for animal-derived food products?

Joint answer given by Mr Dalli on behalf of the Commission
(14 May 2012)

Animal welfare labelling has been extensively studied to prepare the Commission report of 2009 ([1]). Following this report, a majority of Member States expressed a strong preference for voluntary animal welfare labelling ([2]). Since then, the Commission has continued to collect evidence and opinions on the issue.

In particular, during the preparation of the EU strategy for the protection and welfare of animals 2012-2015 ([3]), it appeared that consumers need to be better informed. However, during the impact assessment process the option for a mandatory system for animal welfare labelling was excluded for several reasons that are laid down in Annex AD (p. 109) of the impact assessment report ([4]).

In recent discussions of the Council's Working Party of Veterinary Experts (Animal Welfare) on the strategy, most Member States are still opposed to a mandatory labelling system based on production methods and there is no clear evidence that most consumers would be interested in this information. A consumer study carried out in the UK has shown that such a system is unlikely to be used by most consumers ([5]).

([1]) Report on options for animal welfare labelling and the establishment of a European Network of Reference Centres for the protection and welfare of animals — COM(2009) 584 final.
([2]) http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/agricult/113353.pdf
([3]) COM(2012) 6 final/2 of 15.2.2012.
([4]) http://ec.europa.eu/food/animal/welfare/actionplan/docs/impact_assesment_19012012_en.pdf
([5]) Are labels the answer? Barriers to buying higher animal welfare products. A report for Defra (September 2010).

(Versión española)

Pregunta con solicitud de respuesta escrita E-002859/12
a la Comisión
Francisco Sosa Wagner (NI)
(14 de marzo de 2012)

Asunto: Daños como consecuencia de explotaciones mineras a cielo abierto

Hace un par de meses pregunté a la Comisión Europea sobre las medidas que esta había adoptado con el fin de conseguir el cumplimiento de una sentencia del Tribunal de Justicia de la Unión Europea destinada a reparar una zona catalogada y protegida que estaba sufriendo un gran impacto negativo como consecuencia de explotaciones mineras a cielo abierto (E-000325/2012). La respuesta que me ha llegado de la Comisión, con todos los respetos, me parece insatisfactoria porque remite a unos trámites de requerimientos que pueden extenderse por un plazo medio —según la propia respuesta— hasta los veinticuatro meses. Es más, en la misma respuesta, se recuerda la Comunicación COM(2007)0502 final, «Una Europa de resultados. La aplicación del Derecho comunitario» donde ese largo plazo de ejecución se reserva a situaciones «excepcionales» y se insiste en que debe otorgarse prioridad a conflictos que tengan un especial impacto negativo.

De ahí que vuelva a preguntar:

1. ¿Qué plazo se ha dado a las autoridades competentes para que presenten las medidas de cumplimiento de la sentencia, restauren el entorno dañado e inicien el procedimiento de determinación de daños y perjuicios causados?

2. ¿Ha adoptado la Comisión alguna medida cautelar para evitar que persistan los daños ambientales en ese entorno protegido?

Respuesta del Sr. Potočnik en nombre de la Comisión
(10 de mayo de 2012)

Las autoridades españolas han informado a la Comisión de las medidas previstas para dar cumplimiento a la sentencia del Tribunal de Justicia Europeo ([1]).

Estas medidas se refieren a la revisión del contenido y la eficiencia de la restauración efectuada en la zona, con vistas a determinar su adecuación y, en caso necesario, definir y aplicar medidas adicionales de restauración integral. Las autoridades esperan tener esta revisión preparada para septiembre de 2012 y prevén su aplicación durante el período 2012-2015.

La Comisión examinará la idoneidad del contenido de la planificación tan pronto se apruebe y se presente a la Comisión.

En cuanto a las medidas adoptadas para evitar nuevos daños ambientales en la zona, las autoridades han comunicado que las explotaciones mineras en cuestión han cerrado o cesado su actividad como consecuencia de la cancelación de sus permisos.

En el caso de Fonfría, que es la única explotación que sigue en funcionamiento, la Comisión ha comunicado a las autoridades que, habida cuenta de que el Tribunal ha considerado que el funcionamiento de esta mina incumple lo dispuesto en la Directiva sobre hábitats ([2]), el Estado miembro debe adoptar las medidas necesarias para evitar nuevos daños medioambientales y ajustarse sin demora a las conclusiones del Tribunal de Justicia Europeo. Por consiguiente, esta mina no puede continuar su actividad en las mismas condiciones hasta que se haya subsanado el incumplimiento de la legislación de la UE.

Como se indica en la respuesta a la pregunta escrita E-325/2012 de Su Señoría ([3]), la Comisión supervisará la plena ejecución de la sentencia del Tribunal y no dudará en tomar las medidas necesarias en caso de que se presenten pruebas relacionadas con el incumplimiento de la sentencia mencionada.

([1]) Sentencia del Tribunal de Justicia de 24 de noviembre de 2011 en el asunto C-404/09.
([2]) Directiva 92/43/CEE del Consejo, de 21 de mayo de 1992, relativa a la conservación de los hábitats naturales y de la fauna y flora silvestres (DO L 206 de 22.7.1992).
([3]) http://www.europarl.europa.eu/QP-WEB/

(English version)

Question for written answer E-002859/12
to the Commission
Francisco Sosa Wagner (NI)
(14 March 2012)

Subject: Damage caused by open-cast mining

A few months ago I asked the European Commission about the measures it had adopted in order to guarantee compliance with a ruling by the Court of Justice of the European Union aimed at making good the serious damage caused to a designated protected area by open-cast mining in the Kingdom of Spain (E-000325/2012). In my opinion, the answer that I received from the Commission is, with all due respect, unsatisfactory, because it states that the proceedings to ensure implementation can extend over the medium term and even last up to 24 months, according to the answer. Moreover, in the same answer the Commission refers to the communication entitled 'A Europe of Results — Applying Community Law' (COM(2007) 0502 final), which notes that this long implementation period should be limited to 'exceptional' cases and stresses that priority should be given to infringements with a far-reaching negative impact.

Can the Commission explain:

1. What deadline has been given to the competent authorities to present their measures to comply with the ruling, restore the damaged area and launch the procedure to determine the damage and harm caused?

2. Has the Commission adopted any preventative measures to avoid further environmental damage in this protected area?

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

The Spanish authorities have informed the Commission of the envisaged measures to comply with the terms of the ruling of the European Court of Justice ([1]).

These measures relate to the review of the content and efficiency of the restoration carried out in the area with a view to determine its adequacy and, if necessary, define and implement further comprehensive restoration. The authorities expect to have this review ready by September 2012 and envisage its implementation over the period of 2012-2015.

The Commission will examine the suitability of the content of the planning as soon as it is approved and submitted to the Commission.

Regarding the measures taken to avoid further environmental damage in the area, the authorities have reported that the concerned mines have either closed or ceased their activity as a consequence of the cancellation of their permits.

In the case of Fonfría, which is the only exploitation still in operation, the Commission has informed the authorities that, considering that the Court has found the functioning of this mine to be in breach of the Habitats Directive ([2]), the Member State must take the necessary measures to avoid further environmental damage and conform without delay to the findings of the European Court of Justice. Therefore, this facility cannot continue its activity under the same conditions until the breach of EC law has been addressed.

As mentioned in the reply to Written Question E-325/2012 by the Honourable Member ([3]), the Commission will monitor the full implementation of the Court judgment and will not hesitate to take the necessary steps should evidence be produced in relation to lack of compliance with the referred ruling.

([1]) Judgment of the Court of 24 November 2011 in Case C-404/09.
([2]) 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.
([3]) http://www.europarl.europa.eu/QP-WEB/

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002868/12
alla Commissione
Sergio Paolo Frances Silvestris (PPE)
(14 marzo 2012)

Oggetto: Lotta alla pedofilia

La Procura della Repubblica di Firenze ed Eurojust hanno coordinato una vasta operazione internazionale contro la pedofilia online condotta in 28 paesi tra cui Francia, Portogallo, Belgio e USA. Stroncata con l'«Operazione Nanny» una rete mondiale di pedofili che, usando social network in Internet, sfruttava sessualmente bambini.

Dieci gli arresti in Italia, Usa, Francia e Portogallo, 112 gli indagati. Il promotore del sodalizio criminale è un italiano. Sono già state eseguite perquisizioni in Italia, in Francia e in Portogallo nonché in Belgio e negli Stati Uniti, in Texas, California, Illinois, Washington, Missouri, Virginia e Ohio. Gli italiani coinvolti sono 14 — fra cui il promotore del sodalizio criminale internazionale arrestato a Milano — presso le cui abitazioni in Lombardia, Lazio, Veneto, Valle d'Aosta, Friuli, Toscana, Sicilia e Puglia sono in corso le perquisizioni dei carabinieri e della guardia di finanza disposte dalla Procura di Firenze. Per gli indagati le accuse sono di associazione per delinquere finalizzata alla produzione e diffusione di materiale pedopornografico.

Alla luce dei fatti più sopra esposti può la Commissione far sapere:

1. se è a conoscenza dell'operazione internazionale contro la pedofilia denominata «Operazione Nanny»?

2. se può fornire un quadro generale con dati e statistiche sulla pedofilia nei vari Stati membri?

3. come intende contrastare il fenomeno delle violenze sessuali nei confronti dei minori?

Risposta data da Cecilia Malmström a nome della Commissione
(4 maggio 2012)

La Commissione è al corrente dell'operazione internazionale «Nanny» condotta dalle autorità di contrasto di diversi Stati membri dell'Unione europea (UE), insieme a Eurojust e Europol. La raccolta di dati statistici sulla criminalità affidabili e comparabili a livello UE è un'impresa laboriosa che la Commissione affronta nell'ambito del nuovo piano d'azione sulle statistiche criminali per il periodo 2011-2015. Il piano d'azione, che riguarda essenzialmente lo scambio di informazioni e la raccolta di dati statistici in determinati settori (tratta di esseri umani, riciclaggio di denaro, cibercriminalità e corruzione), mira ad elaborare una metodologia per la raccolta di dati statistici di qualità da estendere gradualmente ad altri settori criminali, come lo sfruttamento sessuale dei minori.

La nuova direttiva 2011/92/UE ([1]), proposta della Commissione nel 2009 e approvata di recente, permetterà di intensificare la lotta contro lo sfruttamento sessuale dei minori. La direttiva armonizza le definizioni di 20 fattispecie di reato, stabilisce livelli minimi per le sanzioni penali, facilita le segnalazioni, le indagini e l'azione penale, estende l'ambito di giurisdizione nazionale allo sfruttamento perpetrato da cittadini dell'Unione all'estero, agevola l'accesso delle vittime minorenni agli strumenti giuridici e contempla misure intese a prevenire ulteriori traumi causati dalla loro partecipazione al procedimento penale. La Commissione si avvale inoltre di una serie di programmi di finanziamento, come i programmi «Prevenzione e lotta contro la criminalità», «DAPHNE» e «Internet più sicuro», per finanziare progetti sullo sfruttamento sessuale dei minori, sulla violenza contro i minori e sullo sfruttamento online.

([1]) Direttiva 2011/92/UE del Parlamento europeo e del Consiglio, del 13 dicembre 2011, relativa alla lotta contro l'abuso e lo sfruttamento sessuale dei minori e la pornografia minorile, e che sostituisce la decisione quadro 2004/68/GAI del Consiglio (GU L 335 del 17.12.2011, pag. 1).

(English version)

Question for written answer E-002868/12
to the Commission
Sergio Paolo Frances Silvestris (PPE)
(14 March 2012)

Subject: The fight against paedophilia

The Public Prosecutor's Office in Florence and Eurojust have coordinated a vast international operation against online paedophilia across 28 countries, including France, Portugal, Belgium and the USA. A global paedophile ring that was sexually exploiting children through online social networks was thus brought down by 'Operation Nanny'.

Ten people have been arrested in Italy, the USA, France and Portugal, and 112 people are under investigation. The organiser of this criminal association is Italian. Searches have already been carried out in Italy, France and Portugal, as well as in Belgium and in the USA, in the states of Texas, California, Illinois, Washington, Missouri, Virginia and Ohio. 14 Italians are involved (including the organiser of the criminal association, who was arrested in Milan) and their homes in Lombardy, Lazio, Veneto, Valle d'Aosta, Friuli, Tuscany, Sicily and Apulia are currently being searched by the Carabinieri and *Guardia di Finanza* police, upon the order of the Florence Public Prosecutor's Office. Those under investigation have been charged with criminal conspiracy aimed at the production and distribution of child pornographic material.

In view of this, can the Commission answer the following:

1.Is the Commission aware of 'Operation Nanny', the international operation against paedophilia?

2. Can the Commission provide a general overview, including data and statistics, of paedophilia in all the Member States?

3. How does the Commission intend to combat the phenomenon of sexual violence against children?

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

The Commission is aware of the international operation 'Nanny', involving law enforcement authorities from different European Union (EU) Member States, as well as Eurojust and Europol.

The collection of reliable and comparable crime statistics at EU level is a challenging undertaking which the Commission is addressing through a new Action Plan on crime statistics covering the period 2011-15. The action plan focuses on the exchange of information and the collection of statistics in particular areas, such as trafficking in human beings, money laundering, cybercrime and corruption, the aim being to gradually extend the methodology for collecting good quality statistics to other crime areas such as child sexual abuse.

Following a proposal by the Commission of 2009, the newly adopted Directive 2011/92/EU ([1]) will step up the fight against child sexual abuse. It approximates the definition of 20 offences, sets minimum levels for criminal penalties, and facilitates reporting, investigation and prosecution. It extends national jurisdiction to cover abuse by EU nationals abroad, gives child victims easier access to legal remedies and includes measures to prevent additional trauma from participating in criminal proceedings. In addition, the Commission provides funding for projects to fight child sexual abuse, combat violence against children and protect children from abuse online through financial programmes, in particular 'Prevention of and Fight against Crime', 'DAPHNE', and 'Safer Internet'.

([1]) Directive 2011/92/EU of the European Parliament and of the Council of 13December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA, OJ L 335, 17.12.2011, p. 1.

(Magyar változat)

Írásbeli választ igénylő kérdés P-002871/12
a Bizottság számára
Gyürk András (PPE)
(2012. március 15.)

Tárgy: Az uniós intézmények közbeszerzési stratégiája

A jelenleg a Parlament által tárgyalt közbeszerzési irányelv (COM(2011)0896) fényében fel kell hívni a nyilvánosság figyelmét a közbeszerzés kérdésére. Számos új kihívás szükségessé teszi a megkülönböztetésmentesség megerősítését, az átláthatóság fokozását, valamint a közpénzek hatékony felhasználását. A Bizottságnak saját közbeszerzési tevékenysége e szabályok szerinti megvalósítása révén vezető szerepet kell vállalnia annak bemutatásában, hogy hogyan kell megfelelni e közbeszerzési alapszabályoknak.

– Hogyan zajlik a telekommunikációs eszközök (pl. okostelefonok, tabletek, laptopok) beszerzése a Bizottságban?

– Mennyire átlátható a közbeszerzés folyamata? Csak kiválasztott ajánlattevők csoportja számára nyitott-e az eljárás vagy pedig közzéteszik az ajánlati felhívást az Európai Unió Hivatalos Lapjában?

– Meghívásos eljárás esetén milyen fő elvek alapján hívják meg a szolgáltatókat a részvételre?

– Milyen fő kiválasztási feltételeket alkalmaznak az ajánlatok értékelése során?

– A megfelelőnek tartott ajánlattevő felőli döntés meghozatala során figyelembe veszi-e a Bizottság, hogy a potenciális ajánlattevő hány munkahelyet teremtene egy tagállamban?

Janusz Lewandowski válasza a Bizottság nevében
(2012. április 12.)

Az uniós intézmények közbeszerzéseiről a költségvetési rendelet és annak végrehajtási szabályai rendelkeznek, amelyek összhangban állnak az építési beruházásra, az árubeszerzésre és a szolgáltatásnyújtásra irányuló közbeszerzési szerződések odaítélési eljárásainak összehangolásáról szóló, 2004. március 31-i 2004/18/EK irányelvvel.

A Bizottságnál a telekommunikációs eszközök beszerzése két különböző nyílt eljárást követően kötött két szerződés révén történik. Az eljárásokat meghirdették a Hivatalos Lapban, továbbá a szerződési hirdetmény és az ajánlattételhez szükséges dokumentáció az Europa honlapon keresztül elérhető:

– DIGIT/R2/PO/2010/032 MTS II nyílt ajánlati felhívás (mobil távközlési szolgáltatások) ([1])

– DIGIT/R2/PO/2008/0032 MEQ 2009 nyílt ajánlati felhívás (mobil eszközök) ([2])

A közbeszerzés a költségvetési rendelet értelmében az átláthatóság, a megkülönböztetésmentesség, az egyenlő bánásmód, valamint a hatékony és eredményes pénzgazdálkodás, vagyis a gazdaságosság, az eredményesség és a hatékonyság elvét követi. Az ajánlati felhívások közzététele ennélfogva online történik a Hivatalos Lapban.

A meghívásos eljárás azonos a nyílt eljárással, azzal az egyetlen eltéréssel, hogy két szakaszban történik: bárki kérheti az eljárásban való részvételt (első szakasz), majd a kizárási és kiválasztási feltételeket teljesítő pályázókat felkérik ajánlatuk benyújtására.

A kiválasztási feltételek közé tartoznak az ajánlattevőnek az odaítélendő szerződés tárgyához kapcsolódó gazdasági, finanszírozási, technikai és szakmai képességei. Az egyes ajánlatok értékelése a szóban forgó ajánlati felhívásban rögzített odaítélési feltételek alapján történik.

Az uniós közbeszerzés egyformán nyitva áll az EU-ban és az Unióval két- vagy többoldalú megállapodást kötött harmadik országokban bejegyzett összes jogalany számára. A szerződések odaítélése a legalacsonyabb ár vagy a gazdaságilag legelőnyösebb ajánlat alapján történik.

([1]) http://ec.europa.eu/dgs/informatics/procurement/calls_closed/2010/2010032_en.htm A távközlési szolgáltatások ára a telefonkészülékek beszállítását is tartalmazza.

([2]) http://ec.europa.eu/dgs/informatics/procurement/calls_closed/2008/2008032_en.htm Hordozható számítógépek és egyéb mobil eszközök beszállítása.

(English version)

Question for written answer P-002871/12
to the Commission
András Gyürk (PPE)
(15 March 2012)

Subject: Public procurement strategy of the EU institutions

In the light of the public procurement directive (COM(2011) 0896) currently being discussed by Parliament, the issue of public procurement now requires increasing public attention. Due to several new challenges, there is a need to strengthen anti-discrimination and transparency, as well as the efficient use of public funding. The Commission should take the lead in demonstrating how to abide by these basic principles in public procurement, by carrying out their own public procurement activities according to these rules.

— How does the procurement of telecommunications tools (e.g. smartphones, tablets, laptops) operate within the Commission?

— How transparent is the process of public procurement? Is this process open only to a selected group of bidders, or is the call for tenders published in the *Official Journal of the European Union*?

— As far as the restricted procedure is concerned, what are the main principles under which providers are invited to participate?

— What are the main selection criteria employed when evaluating tenders?

— Does the Commission take into account the number of jobs a potential bidder would provide in a Member State when deciding on the preferred bidder?

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

Public procurement by the EU institutions is codified in the Financial Regulation and its Implementing Rules, which are in line with Directive 2004/18/EC of 31 March 2004 on the coordination of procedures for the award of public works, supply and service contracts.

In the Commission, the telecommunication tools are purchased through two contracts concluded following two separate open procedures, which have been published on the Official Journal and whose contract notice and tender specifications can be accessed on the Europa website:

— Open call for tender DIGIT/R2/PO/2010/032 MTS II (Mobile Telephony Services) ([1]);

— Open call for tender DIGIT/R2/PO/2008/0032 MEQ 2009 (Mobile equipment) ([2]).

According to the Financial Regulation, public procurement follows the principles of transparency, non-discrimination, equal treatment as well as sound financial management, that is to say economy, efficiency and effectiveness. Calls for tenders are thus published online in the Official Journal.

The restricted procedure is identical to the open procedure, except that it takes place in two stages: anyone can submit a request to participate (first phase), and the candidates who pass exclusion and selection criteria are invited to tender.

Selection criteria include economic, financial, technical and professional capacity of the tenderer in relation to the subject matter of the contract to be awarded. The offers themselves are assessed on the basis of the award criteria defined in the corresponding call for tenders.

EU procurement is open equally to all entities registered in the EU and in third countries with which the EU has a bilateral or multilateral agreement. The contracts are awarded on the basis of the lowest price or the most economically advantageous tender.

([1]) http://ec.europa.eu/dgs/informatics/procurement/calls_closed/2010/2010032_en.htm Includes the supply of telephones within the price of telecommunications.

([2]) http://ec.europa.eu/dgs/informatics/procurement/calls_closed/2008/2008032_en.htm Covers the supply of laptops and other portable devices.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002877/12
an die Kommission
Angelika Werthmann (NI)
(15. März 2012)

Betrifft: Olympische Sommerspiele — Beteiligung der Europäischen Kommission

Im Juli/August finden in London die olympischen Sommerspiele 2012 statt.

1. Veranstaltet die Kommission im zeitlichen Umfeld der Olympischen Spiele eigene Veranstaltungen (Events, Empfänge, Dinner etc.) im Großraum London?

2. Welche Mitglieder der Kommission und gegebenenfalls Mitarbeiter der Kommission besuchen die Olympischen Spiele in offizieller Funktion?

3. Für welche Mitglieder der Kommission liegen offizielle Einladungen vor und für welche Veranstaltung(en)?

4. Welche Veranstaltungen gedenkt die Kommission aufgrund vorliegender Einladungen wahrzunehmen?

Anfrage zur schriftlichen Beantwortung E-002878/12
an die Kommission
Angelika Werthmann (NI)
(15. März 2012)

Betrifft: Olympische Sommerspiele in London

Im Juli/August finden in London die olympischen Sommerspiele 2012 statt.

1. Erhalten die Stadt London oder das Vereinigte Königreich EU-Fördermittel beispielsweise für:

— die Durchführung der Olympischen Spiele,

— den Aufbau der erforderlichen Sport-Infrastruktur, wie Stadien, Sportlerunterkünfte etc.,

— den Ausbau/die Erweiterung der erforderlichen Verkehrsinfrastruktur, um dem erhöhten Verkehrs— und Gästeaufkommen Rechnung zu tragen?

2. Hat die Kommission Kenntnis von Mitteln aus dem EU-Haushalt, die direkt oder indirekt dem Thema Olympische Sommerspiele in London zuzurechnen sind?

Antwort von Frau Vassiliou im Namen der Kommission
(11. Mai 2012)

Die Kommission darf der Frau Abgeordneten mitteilen, dass das Internationale Olympische Komitee die für Sport zuständige EU-Kommissarin eingeladen hat, die Olympischen Spiele in London zu besuchen. Es ist derzeit keine weitere direkte Beteiligung der Kommission oder ihrer Bediensteten an den Spielen und auch keine Organisation spezieller Veranstaltungen in diesem Zusammenhang geplant.

Was eine mögliche finanzielle Förderung der Olympischen Spiele in London durch die Europäische Union angeht, so verfügt diese über keinerlei Finanzinstrumente, die direkt auf sportliche Großveranstaltungen oder sportspezifische Infrastrukturen ausgerichtet sind.

Im Rahmen kohäsionspolitischer Instrumente wie dem EFRE oder dem ELER können jedoch unter Umständen Aktivitäten im Zusammenhang mit Sport (einschließlich Renovierung, Erweiterung und Bau von Infrastrukturen) und damit verbundene Verkehrsnetze (Straßen, öffentliche Verkehrsmittel, Einrichtungen an Flughäfen) gefördert werden, sofern sie im Einklang mit den Zielen und Vorschriften des jeweiligen Fonds stehen. Weitere Informationen hierzu können Sie den kürzlich erteilten Antworten auf die Fragen E-009127/2011 und E-009373/2011 entnehmen.

Das Vereinigte Königreich hat jedoch im Rahmen des Europäischen Fonds für regionale Entwicklung eine Förderung für eine Seilbahn beantragt, die die beiden Themseufer miteinander und verschiedene Gebiete mit einer Reihe von Austragungsorten verbinden soll, u. a. dem ExCel-Centre in den Royal Docks und der O2-Arena auf der Greenwich Peninsula. Der Antrag wird derzeit von der Kommission unter beihilferechtlichen Gesichtspunkten geprüft.

(English version)

Question for written answer E-002877/12
to the Commission
Angelika Werthmann (NI)
(15 March 2012)

Subject: Summer Olympic Games/involvement of the Commission

The 2012 Summer Olympic Games are to be held in London in July and August.

1. Is the Commission planning any functions of its own (events, receptions, dinners, etc.) in the Greater London area to coincide with the Olympic Games?

2. Which Members of the Commission or Commission staff are to attend the Olympic Games in an official capacity?

3. Which Members of the Commission have received official invitations, and to what event(s)?

4. In what cases does the Commission plan to attend events to which it has been invited?

Question for written answer E-002878/12
to the Commission
Angelika Werthmann (NI)
(15 March 2012)

Subject: Summer Olympic Games in London

The 2012 Summer Olympic Games are to be held in London in July and August.

1. Is the City of London or the United Kingdom receiving EU funding, for example, for:

— the organisation of the Olympic Games,

— the construction of the necessary sports infrastructure, such as stadia, athletes' accommodation, etc.,

— the development/expansion of the necessary transport infrastructure in order to cater for the increased volume of traffic and visitors?

2. Does the Commission know whether funds from the EU budget are to be earmarked directly or indirectly for the summer Olympic Games in London?

Joint answer given by Ms Vassiliou on behalf of the Commission
(11 May 2012)

The Commission wishes to inform the Honourable Member that the International Olympic Committee has invited the Commissioner responsible for Sport to attend the Games in London. Otherwise, no direct involvement of the Commission or its officials in the Games is currently envisaged, and nor is the organisation of specific Olympic-related events.

As to possible EU funding for the London Olympic Games, the European Union does not have any financial instruments that directly target major sport events or sport-related infrastructure.

Sport-related activities (including the refurbishment, extension or construction of infrastructure) and connected transport networks (e.g. roads, public transport, facilities at airports) may however sometimes be funded by Cohesion Policy instruments such as the ERDF or the EAFRD, if in line with the objectives and rules of each Fund. More detailed information was recently provided in replies to Questions E-009127/2011 and E-009373/2011.

However, the UK have asked for European Regional Development Funding for the London cable car connecting both sides of the river Thames and linking areas with a number of Olympic venues, including the ExCel Centre in the Royal Docks area, and the O2 Arena on the Greenwich Peninsular. The project's application for State Aid clearance is being processed currently by the Commission.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002891/12
alla Commissione
Salvatore Tatarella (PPE)
(15 marzo 2012)

Oggetto: Utilizzo dell'amianto in aeronautica e bonifica dei vecchi veicoli

L'amianto è un minerale che ha avuto uno sviluppo esponenziale negli anni '80 . Le ottime caratteristiche chimiche e meccaniche del minerale hanno fatto sì che il suo utilizzo si sia rapidamente diffuso: è stato quindi utilizzato per la fabbricazione di oltre 3000 prodotti e manufatti industriali. Nessun settore della vita civile è stato risparmiato da questo potente cancerogeno. Tubi per acquedotti, fogne, frizioni, freni e prodotti vari per attrito, filtri per bevande, guanti antincendio, pannelli fonoassorbenti, vernici, tegole sono solo alcuni dei prodotti in cui l'amianto è stato utilizzato in modo massiccio. In Italia, la legge 257 del 27 marzo 1992 ha sancito la messa al bando della «fibra assassina» e nel 2001 è stato pubblicato un regolamento recante un programma nazionale di bonifica e ripristino ambientale che comprendeva anche l'amianto.

L'Osservatorio nazionale sull'amianto esegue, da anni, degli studi sull'utilizzo del minerale in materia aereonautica. Alcune perizie del 2005 sui motori dei veicoli MD80 della flotta Alitalia, dimostrano che, almeno fino a metà 2005, e quindi più di dieci anni dopo la legge che ne ha stabilito la messa al bando, l'amianto era usato nei velivoli e negli hangar dei principali aeroporti, gestiti dalla società Atitech, che adesso si trova a fronteggiare centinaia di cause in altrettanti tribunali italiani da parte di ex piloti, personale a bordo e di terra. Attualmente, presso l'aeroporto di Ciampino (Roma), sono abbandonati, su uno dei piazzali della manutenzione, nove veicoli MD80 dell'Alitalia. Questi giganti dovevano essere in parte smembrati per una eventuale vendita o rottamazione.

Durante le fasi di smontaggio i tecnici hanno trovato a bordo degli aerei, negli arredi e in alcune componenti meccaniche e strutturali, quantità di amianto tali da richiedere il fermo delle operazioni in attesa di una bonifica, come la legge prevede, per procedere in sicurezza alla rimozione delle componenti d'amianto, fino al loro completo smaltimento in discarica, come rifiuti tossici e pericolosi. Sugli MD80 abbandonati sono presenti numerosi pezzi visibilmente danneggiati, esposti al contatto con l'aria, sia nelle parti meccaniche che negli arredi di bordo. Le polveri rischiano, quindi, di essere disperse nei piazzali e nelle piste, frequentati dai lavoratori del settore e dagli stessi passeggeri.

Può dire la Commissione se gli enti preposti al controllo della navigazione hanno mai effettuato analisi o bonifiche delle piste o dei piazzali aeroportuali? Tenuto conto del fatto che l'amianto non decade e ha un ciclo pressoché infinito, quanti sono gli MD80 della ex Alitalia, ora CAI, che contengono parti in amianto sparse nei vari aeroporti italiani? Quali sono i rischi per le migliaia di operatori e i milioni di passeggeri che transitano in questi aeroporti? Se le leggi italiane ne vietano da anni l'utilizzo nella costruzione, ad esempio, dei sistemi frenanti, quali certezze si hanno che le stesse leggi siano applicate e rispettate da tutte le compagnie internazionali che volano in Italia?

Risposta data da László Andor a nome della Commissione
(15 maggio 2012)

La Commissione europea non è a conoscenza dei fatti menzionati dall'onorevole deputato.

La Commissione attira tuttavia l'attenzione dell'onorevole deputato sulla direttiva 2009/148/CE sulla protezione dei lavoratori contro i rischi connessi con un'esposizione all'amianto durante il lavoro ([1]) che è stata recepita nella legislazione italiana. La legislazione nazionale che recepisce tale direttiva, la quale prevede misure specifiche e dettagliate di natura preventiva e protettiva per la tutela della salute e della sicurezza dei lavoratori, deve essere attuata in modo corretto ed efficace. Spetta alle autorità italiane competenti far rispettare le disposizioni nazionali.

I rifiuti contenenti amianto devono essere classificati quali rifiuti pericolosi e manipolati conformemente alle disposizioni della direttiva 2008/98/CE ([2]) del Parlamento europeo e del Consiglio, del 19 novembre 2008, relativa ai rifiuti. La Commissione chiederà alle autorità italiane chiarimenti sul caso in questione.

([1]) GU L 330 del 16.12.2009, pag. 28.
([2]) GU L 312 del 22.11.2008.

(English version)

Question for written answer E-002891/12
to the Commission
Salvatore Tatarella (PPE)
(15 March 2012)

Subject: Use of asbestos in aviation and reclamation of old vehicles

Asbestos is a mineral that underwent exponential development in the 1980s. The mineral's excellent chemical and mechanical characteristics ensured that its use became rapidly widespread. It was therefore used in the production of over 3 000 manufactured and industrial products. No sector of society was saved from this powerful carcinogen. Water and drain pipes, clutches, brakes and various other friction products, drinks filters, fireproof gloves, sound-absorbent panels, paints and tiles are just some of the products in which asbestos was used extensively. In Italy, Law No 257 of 27 March 1992 sanctioned the prohibition of this 'killer fibre' and in 2001 a regulation was published incorporating a national environmental restoration and reclamation programme that included asbestos.

The national asbestos monitoring body has been studying the use of the mineral in the aviation industry for years. Some expert reports prepared in 2005 on the engines of MD80 aircraft in the Alitalia fleet showed that, at least until mid-2005, and, therefore, more than 10 years after the law that prohibited it, asbestos continued to be used in the aircraft and hangars of the major airports managed by Atitech, the company now faced with hundreds of lawsuits brought before as many Italian courts by ex-pilots, cabin crew and ground staff. At present, nine MD80 aircraft belonging to Alitalia stand abandoned on one of the maintenance aprons at Ciampino Airport near Rome. These giants had to be partially dismantled for potential sale or scrapping.

During the dismantling phase, technicians found such quantities of asbestos in the furnishings and in some of the mechanical and structural components on board the aeroplanes, as to require a halt to operations to await reclamation, in accordance with the law, in order to proceed with the safe removal of the asbestos components and complete disposal in landfill as hazardous, toxic waste. A great many visibly damaged mechanical parts and on-board furnishings can be seen on the abandoned MD80s, exposed to the air. The dust therefore risks being dispersed across the aprons and runways used by airport staff and passengers.

Can the Commission say whether the organisations responsible for monitoring navigation have ever analysed or carried out reclamation works on airport runways or aprons? Considering that asbestos does not decay and has a virtually infinite cycle, how many former Alitalia (now CAI) MD80s containing asbestos parts are currently located in the various Italian airports? What are the risks for the thousands of staff and millions of passengers travelling through these airports? If Italian law has prohibited its use in the construction of braking systems, for example, for years, what certainty is there that these same laws are applied and respected by all the international airlines flying to and from Italy?

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

The European Commission is not aware of the details alluded to by the Honourable Member.

The Commission draws however the attention of the Honourable Member to Directive 2009/148/EC on the protection of workers from the risks related to exposure to asbestos at work ([1]).which has been transposed into Italian law. The national legislation transposing this directive, which contains specific and detailed preventive and protective measures to the protection of the health and safety of workers, shall be correctly and effectively implemented. It is up to the competent Italian authorities to enforce the national provisions.

Asbestos containing waste should be classified as hazardous waste and handled in accordance with the provisions of Directive 2008/98/EC ([2]) of the European Parliament and of the Council of 19 November 2008 on waste. The Commission will request clarification about this case from the Italian authorities.

([1]) OJ L 330, 16.12.2009, p. 28.
([2]) OJ L 312, 22.11.2008.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej P-002895/12
do Komisji
Janusz Wojciechowski (ECR)
(15 marca 2012 r.)

Przedmiot: Udział organów śledczych Unii Europejskiej w wyjaśnianiu katastrofy lotniczej w Smoleńsku

W dniu 13 kwietnia 2010 r. szef rządu Federacji Rosyjskiej W.W. Putin przeprowadził posiedzenie Komisji Państwowej w sprawie ustalenia przyczyn katastrofy samolotu Tu-154. Na posiedzenie byli zaproszeni przedstawiciele polskiej strony, uczestniczący w dochodzeniu ws. wyjaśnienia okoliczności katastrofy ([1]).

Podczas tego posiedzenia pani T.G. Anodina z Międzypaństwowego Komitetu Lotniczego WNP powiedziała między innymi: „Organy dochodzeniowe Unii Europejskiej oraz innych państw wyraziły chęć uczestnictwa w pracach Komisji Technicznej (…)" (w języku rosyjskim: „Органы расследования Евросоюза и других государств изъявили готовность принять участие в работе Технической комиссии (…)").

Niniejszym proszę o udzielenie informacji, jaki organ Unii Europejskiej wyraził chęć uczestnictwa w pracach rosyjskiej Komisji Technicznej, kto występował personalnie w imieniu tego organu, kiedy oraz o której godzinie i dlaczego organ ten nie wziął ostatecznie udziału w pracach Komisji Technicznej.

— Czy przyczyną była odmowa strony rosyjskiej czy polskiej?

— Ponadto proszę o informację, czy ze strony Unii Europejskiej były nawiązane inne kontakty techniczne, polityczne lub innego rodzaju ze stroną rosyjską w sprawie Katastrofy Smoleńskiej z dnia 10 kwietnia 2010 r.

Odpowiedź udzielona przez Wiceprzewodniczącego Siima Kallasa w imieniu Komisji
(20 kwietnia 2012 r.)

Zarówno przepisy międzynarodowe, jak i europejskie stanowią, że badania wypadków lotniczych muszą być prowadzone niezależnie i bez ingerencji z zewnątrz. Zasady te są zapisane w konwencji chicagowskiej (załącznik 13), która reguluje międzynarodowe lotnictwo cywilne, jak również w rozporządzeniu (UE) nr 996/2010 ([2]). W Unii Europejskiej organy prowadzące takie badania są wyznaczone na szczeblu krajowym, natomiast na szczeblu UE nie istnieje obecnie żaden centralny organ ds. badania zdarzeń lotniczych. Komisji nie jest wiadomo o żadnym organie Unii Europejskiej, który wyraziłby chęć udziału w pracach międzypaństwowej komisji lotniczej wspomnianych przez Szanownego Pana Posła, ani o odmowie dopuszczenia do takiego udziału.

Badanie wypadku lotniczego dotyczącego polskiego samolotu prezydenckiego, zarejestrowanego i użytkowanego jako wojskowy statek powietrzny, wykonującego lot państwowy, przeprowadza się zgodnie z suwerenną decyzją państw, których dotyczy wypadek, gdyż brak jest międzynarodowych lub unijnych regulacji prawnych mających zastosowanie do tego rodzaju sytuacji.

Procedura stosowana w przypadku przedmiotowego dochodzenia dotyczącego wypadku lotniczego została uzgodniona wspólnie przez rządy Polski i Rosji. Chociaż załącznik 13 do konwencji chicagowskiej ma zastosowanie wyłącznie do lotnictwa cywilnego, to oba państwa zdecydowały o prowadzeniu badania zdarzenia lotniczego zgodnie z normami zawartymi w załączniku 13. Normy te przewidują, że w tym przypadku dochodzenie takie dotyczy jedynie Polski oraz Federacji Rosyjskiej. W świetle braku kompetencji UE dotyczących wypadku Komisja nie zamierza w żaden sposób ingerować w to dochodzenie.

([1]) Informacja źródłowa w języku rosyjskim: http://premier.gov.ru/events/news/10207/.
([2]) Rozporządzenie Parlamentu Europejskiego i Rady (UE) nr 996/2010 z dnia 20 października 2010 r. w sprawie badania wypadków i incydentów w lotnictwie cywilnym oraz zapobiegania im oraz uchylające dyrektywę 94/56/WE. Tekst mający znaczenie dla EOG, Dz.U. L 295 z 12.11.2010, s. 35-50.

(English version)

Question for written answer P-002895/12
to the Commission
Janusz Wojciechowski (ECR)
(15 March 2012)

Subject: Involvement of EU investigatory bodies in determining the causes of the plane crash in Smolensk

On 13 April 2010 the Russian Prime Minister, Vladimir Putin, chaired a meeting of the National Commission investigating the causes of the Tu-154 plane crash. Representatives of the Polish side taking part in the crash investigation were invited to the meeting ([1]).

At that meeting, Tatiana Anodina of the CIS Interstate Aviation Committee said: 'The investigatory bodies of the European Union and other countries have expressed an interest in taking part in the work of the Technical Committee (…)' (in Russian: 'Органы расследования Евросоюза и других государств изъявили готовность принять участие в работе Технической комиссии (…))'.

I would like to know which European Union body expressed an interest in taking part in the work of the Russian Technical Committee; who personally acted on behalf of that body; when and why the decision was taken for that body not, in the end, to take part in the work of the Technical Committee.

— Was the reason a refusal by the Russian or Polish side?

— In addition, I would like to know whether the European Union established any other technical, political or other type of contact with the Russian side in connection with the Smolensk disaster on 10 April 2010.

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

According to both international and European rules, safety investigations of air accidents must be conducted independently and without external interference. These principles are enshrined in the Chicago Convention (Annex A3), which governs International Civil Aviation, as well as in Regulation (EU) No 996/2010 ([2]). In the European Union, these authorities are set out at national level and no centralised investigation body currently exists at EU level. Accordingly, the Commission is not aware of any European Union body having expressed its interest to participate in the Interstate Aviation Committee investigation mentioned by the Honourable Member and of the related refusal.

The Polish Presidential aeroplane being registered and operated as a military aircraft, performing a State flight, the investigation of such an accident is conducted under the sovereign decision of the States involved as there is no international or EU legal obligation applicable to this specific situation.

The procedure followed in this safety investigation was jointly agreed by Polish and Russian governments. Although Annex A3 to the Chicago Convention is only applicable to civil aviation, both countries decided to conduct the safety investigation in accordance with the standards contained in Annex A3. According to those standards this investigation only concerns Poland and the Russian Federation. The Commission has, in the absence of EU competence on such accident, no intention to intervene.

([1]) Source information in Russian: http://premier.gov.ru/events/news/10207

([2]) Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC (Text with EEA relevance), OJ L 295, 12.11.2010, pp. 35-50.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002906/12
alla Commissione
Oreste Rossi (EFD)
(15 marzo 2012)

Oggetto: Scie chimiche dannose per la salute

Secondo un blogger italiano, dal 1996 ad oggi si è intensificata la presenza di scie chimiche, dette anche chemtrails, fenomeno che molti ignorano. Tali scie, a differenza di quelle di condensazione, non si dissolvono in breve tempo nell'atmosfera. Inoltre, esistono prove che attestano la presenza nelle scie di elementi chimici dannosi. Alcuni ricercatori hanno studiato la composizione e gli effetti di questo fenomeno che, ai nostri occhi, sembra innocuo e comune. A detta di questi studiosi, le scie chimiche sono la conseguenza di operazioni sperimentali che hanno molteplici scopi. Gli obiettivi principali, seppur non dimostrati, spaziano dal settore della meteorologia a quello militare. Le analisi effettuate hanno accertato la presenza dei seguenti elementi nelle chemtrails: bario, alluminio, torio e cesio radioattivi, rame, titanio, silicio, litio, cobalto, piombo, etilene dibromide o dibromuro e alcuni agenti patogeni.

Le scie chimiche possono causare una sindrome definita Morgellons. Si tratta di un morbo che provoca un grave deperimento dell'organismo. Oltre a questa malattia, le chemtrails sono associate ad altre patologie come forme tumorali, morbo di Parkinson e disfunzioni cardiache.

Considerato che gli effetti sulla salute umana provocati dalle scie chimiche descritti dal blog sembrano essere molto gravi, può la Commissione far sapere se è al corrente degli effetti delle scie chimiche e quale sia la posizione dell'Unione europea per quanto riguarda gli scopi perseguiti che sono all'origine del fenomeno?

Risposta data da Janez Potočnik a nome della Commissione
(21 maggio 2012)

La Commissione è al corrente delle denunce relative ai *chemtrails* e ha risposto in diverse occasioni in merito a domande analoghe da parte dei cittadini o delle istituzioni (ad es. E-002455/07 di Erik Meijer e E-006621/11 di Nessa Childers) ([1]). Tuttavia, essa non ha riscontrato prove delle affermazioni relative agli effetti negativi sulla salute umana.

La Commissione è a conoscenza di diversi programmi di ricerca ([2]) nel corso dei quali piccoli quantitativi di sostanze di marcatura innocue vengono rilasciati per convalidare modelli di dispersione per la protezione civile (ad esempio emissioni accidentali di sostanze chimiche o di radioattività) o per le previsioni meteorologiche. Non vi sono prove del fatto che tali emissioni abbiano un effetto dannoso per la salute umana.

La Commissione non è a conoscenza di eventuali emissioni deliberate di sostanze tossiche quali metalli pesanti o sostanze patogene rilasciate da suoli, aeromobili o altro, che possano danneggiare la salute umana.

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

([2]) Il progetto ETEX ha convalidato i modelli di dispersione dell'inquinamento atmosferico (Atmospheric Environment Vol 32, n. 24, pagg. 4245-4264, 1998) ed il progetto ATMES ha convalidato modelli per emissioni radioattive accidentali (cfr. http://rem.jrc.ec.europa.eu/etex/8.htm).

(English version)

Question for written answer E-002906/12
to the Commission
Oreste Rossi (EFD)
(15 March 2012)

Subject: Chemical trails harmful to health

According to an Italian blogger, from 1996 until now, there has been an increase in chemical trails, also known as chemtrails, which many people know nothing about. These trails, unlike condensation trails, do not dissipate quickly into the atmosphere. In addition, there is proof which confirms the presence of there being harmful chemical elements in the trails. Some researchers have studied the composition and effects of this phenomenon, which may to us seem harmless and commonplace. According to these experts, chemical trails are the result of experimental operations which have manifold purposes. The main objectives, albeit unproven, range from the meteorological to the military. The analyses carried out have verified the presence of the following elements in the chemtrails: barium, aluminium, radioactive thorium and caesium, copper, titanium, silicon, lithium, cobalt, lead, ethylene dibromide and several pathogenic agents.

Chemical trails can cause a condition called Morgellons syndrome. It is a disease which causes serious deterioration in the body. As well as this disease, chemtrails are associated with other illnesses such as tumours, Parkinson's disease and cardiac dysfunction.

Given that the effects on human health caused by the chemical trails described in the blog seem to be very serious, can the Commission state if it is aware of the effects of chemical trails and what the European Union's position is as regards the objectives that are being pursued and giving rise to this phenomenon?

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

The Commission is aware of the claims concerning 'chemtrails' and has responded on several occasions to similar claims from the public or the institutions (e.g. E-002455/07 by M Meijer and E-006621/11 by Ms Childers) ([1]). However, it has found no evidence for the claims made on the adverse effects on human health.

The Commission is aware of several research programmes ([2]) where small amounts of non-damaging tracer substances are released to validate dispersion models used for civil protection (e.g. accidental chemicals or radioactivity releases) or meteorological forecasts. There is no evidence that these small releases have any adverse effect on human health.

The Commission has no knowledge of any deliberate releases of toxic substances, such as heavy metals or pathogenic substances from the ground, aircraft or otherwise that would be damaging human health.

([1]) http://www.europarl.europa.eu/QP-WEB/
([2]) The ETEX project validated air pollution dispersion models (Atmospheric Environment Vol. 32, No 24, pp. 4245-4264, 1998) and the ATMES project validated models for accidental radioactive releases (see http://rem.jrc.ec.europa.eu/etex/8.htm).

(Versión española)

Pregunta con solicitud de respuesta escrita E-002912/12
a la Comisión
Antolín Sánchez Presedo (S&D)
(15 de marzo de 2012)

Asunto: Sistema fiscal del sector naval español

El mes pasado, el Presidente del Gobierno español, Mariano Rajoy, aseguraba en comparecencia parlamentaria que la solución al bloqueo del «tax lease» llegaría en próximas fechas. Daba por bien encauzado el proceso abierto para encontrar una alternativa que contara con el visto bueno de Bruselas a la mayor brevedad. Sin embargo, la semana pasada, la prensa gallega y española se hacía eco de determinadas informaciones por las que la solución al problema fiscal del sector naval español no parecía que fuera a llegar en meses.

En este momento, los astilleros españoles son los únicos de Europa que carecen de un régimen fiscal que incentive la contratación después de que, en julio del 2009, la Dirección General de Competencia, aceptando una denuncia de Holanda, decidiera bloquear el sistema en vigor desde 2001. Desde entonces, los astilleros españoles no han cerrado ningún nuevo contrato de grandes buques (los que necesitan «tax lease»).

Al parecer, los negociadores españoles descartan la posibilidad de aceptar los esquemas propuestos por Competencia que, por tres veces, ha valorado negativamente la propuesta remitida por el Gobierno, el pasado 3 de febrero, para habilitar un sistema fiscal que permita la vuelta a la contratación de buques. Según estas fuentes, los encargados de evaluar la propuesta española comunicaron a los responsables españoles la inviabilidad de la rentabilidad fiscal de entre un 20 y un 21 %, un baremo idéntico al que se utiliza en el caso de Francia y Holanda, fijando el límite de las bonificaciones fiscales autorizadas para la construcción de buques en España entre un 1 y un 3 %, dejando así, en la práctica, a los astilleros españoles fuera del mercado, por falta de competitividad frente al resto de los países de la UE.

— ¿Puede la Comisión confirmar que el sistema de rentabilidad fiscal de Francia y/u Holanda para la construcción de buques es del 20/21 % y que el sistema de «tax lease» que se ofrece a España es de, únicamente, un 1/3 %?

— ¿Asegura un trato equiparable al de los demás Estados miembros?

Respuesta del Sr. Almunia en nombre de la Comisión
(13 de junio de 2012)

En junio de 2011, a raíz de una serie de denuncias que distintos astilleros de la UE habían ido formulando desde 2006, la Comisión abrió una investigación sobre ayudas estatales centrada en el sistema español de arrendamiento fiscal, en virtud del cual las compañías navieras podrían adquirir buques españoles pagando cerca de un 20-30 % menos que por los buques construidos en otros Estados miembros. El sistema se basa en una compleja estructura jurídica y financiera organizada generalmente por bancos españoles, en la que participan distintos intermediarios entre el constructor naval y el comprador (una sociedad de arrendamiento financiero, un grupo de interés económico y el banco facilitador) y la cual origina diversas ventajas fiscales. El régimen parece haber sido utilizado en 273 compras de buques.

La Comisión está analizando los argumentos esgrimidos por las autoridades españolas y por terceros.

Paralelamente, la Comisión ha mantenido conversaciones informales con España sobre cómo debería modificarse el sistema en el futuro, de modo que se ajuste a las normas sobre ayudas estatales, basando su planteamiento en la Decisión relativa a las «*GIE fiscaux*» francesas ([1]).

Según esa Decisión, el régimen francés constituye una ayuda considerada compatible si su cuantía no rebasa los límites de las Directrices sobre transporte marítimo; es decir, el nivel máximo de las ayudas percibidas por cada armador no puede rebasar las cargas fiscales y sociales aplicables a los marinos y el nivel del impuesto sobre sociedades de las compañías marítimas. La Comisión no puede, sin embargo, especificar la intensidad de la ayuda compatible concedida, ya que ese régimen nunca fue aplicado.

El 23 de mayo de 2012 España notificó los primeros elementos de la futura medida que sustituirá al sistema actual; el 30 de mayo se recibió finalmente una notificación formal.

Una vez haya recibido y analizado toda la información necesaria, la Comisión adoptará las decisiones pertinentes para cerrar el caso en curso y evaluar la compatibilidad del régimen futuro.

([1]) Decisión 2007/256/CE de la Comisión, de 20 de diciembre de 2006, relativa al régimen de ayudas ejecutado por Francia en virtud del artículo 39 CA del Code général des impôts, ayuda estatal C 46/2004 (DO L 112 de 30.4.2007, p. 41).

(English version)

Question for written answer E-002912/12
to the Commission
Antolín Sánchez Presedo (S&D)
(15 March 2012)

Subject: Tax system for the Spanish shipbuilding industry

Last month the Spanish Prime Minister, Mariano Rajoy, gave the Spanish Parliament an assurance that the problem that has brought the tax lease system to a standstill would soon be resolved. He said that the search for an alternative that would quickly find approval in Brussels was well underway. Nevertheless, last week the Galician and Spanish press reported information indicating that it would not be possible for the tax problem affecting the Spanish shipbuilding industry to be resolved within a matter of months.

Spanish shipyards are currently the only ones in Europe that do not benefit from a tax system providing an incentive for the awarding of contracts, following the July 2009 decision by the Directorate-General for Competition to accept a complaint by the Netherlands and block the system that had been in force since 2001. Since then Spanish shipyards have not signed any new contracts to build large vessels (which need the tax lease system).

Spanish negotiators are apparently ruling out the possibility of accepting the arrangements proposed by the Directorate-General for Competition, which for the third time has given a negative assessment of the proposal submitted by the Spanish Government on 3 February 2012 aimed at establishing a tax system that would open the way for shipbuilding contracts to be signed once again. According to these sources, the people responsible for assessing the Spanish proposal informed the Spanish representatives that a fiscal return of between 20 % and 21 %, which is the same rate as that applied in France and the Netherlands, would not be possible and that the tax bonuses authorised for shipbuilding in Spain would be restricted to between 1 % and 3 %, thus in effect excluding Spanish shipyards from the market, since they would be unable to compete with other EU countries.

Can the Commission confirm that the tax systems for shipbuilding in France and the Netherlands provide a fiscal return of between 20 % and 21 % while the tax lease system being offered to Spain only involves between 1 % and 3 %?

Is it guaranteeing equal treatment for Spain by comparison with the remaining Member States?

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

In June 2011, following complaints received since 2006 from EU shipbuilders, the Commission opened a state aid investigation into the Spanish Tax lease system, which allegedly enables shipping companies to buy Spanish ships around 20-30 % cheaper than ships built in other Member States. The system relies on a complex legal and financial structure usually organised by Spanish banks involving different intermediaries between the shipbuilder and buyer — a leasing company, an Economic Interest Grouping and the arranging bank — which leads to several tax advantages. The scheme appears to have been used in 273 ship purchases.

The Commission is analysing the arguments put forward by Spain and third parties.

In parallel, the Commission has had informal talks with Spain on how the system should be modified for the future so as to be in conformity with state aid rules, basing its approach on the Commission decision on the French 'GIE fiscaux' ([1]).

This considered the French scheme to be aid that could be considered compatible if granted with the limits of the Maritime Guidelines; i.e. each ship-owner cannot receive more aid than the level of taxes and social charges for seafarers, and the level of corporate taxation of shipping activities. The Commission cannot, however, specify the intensity of the compatible aid awarded, as this scheme was never applied.

Spain notified the first elements of the future measure to replace the current system on 23 May 2012; a formal notification was finally received on 30 May.

Once it has received and analysed all necessary information, the Commission will adopt decisions closing the ongoing case and assessing the compatibility of the future regime.

([1]) Commission Decision 2007/256/EC of 20 December 2006 on the aid scheme implemented by France under Article 39 CA of the General Tax Code — State aid C 46/2004 (OJ L 112, 30.4.2007, p. 41).

(българска версия)

Въпрос с искане за писмен отговор E-002933/12
до Комисията
Sophia in 't Veld (ALDE), Антония Първанова (ALDE), Françoise Castex (S&D), Véronique Mathieu (PPE), Norbert Neuser (S&D), Sirpa Pietikäinen (PPE) и Jean Lambert (Verts/ALE)
(16 март 2012 г.)

Относно: Небезопасни аборти в Европейския съюз

В неотдавнашно проучване, публикувано в медицинското списание „The Lancet“ ([1]), се установява, че 49 % от всички аборти в света не са безопасни. Това означава, че аборт се извършва от лица без необходимите умения или при условия, които са под равнището на минималните медицински стандарти, или и двете. В друго проучване Световната здравна организация определя небезопасните аборти в световен мащаб като „предотвратима пандемия“ предвид факта, че всяка година се осъществяват 20 милиона небезопасни аборта ([2]). В рамките на Европейския съюз процентите стойности за небезопасни аборти са много различни — почти няма такива аборти в държавите членки, където услугите по извършване на аборт са законни и достъпни, а в държавите от Източна Европа техният дял е до 13 %. На всеки 1000 жени в Източна Европа се падат общо извършени 43 аборта, 5 от които не са безопасни.

Счита ли Комисията небезопасните аборти за риск за здравето? Каква е оценката на Комисията на този предотвратим проблем за общественото здраве в рамките на ЕС и съседните му държави?

Счита ли Комисията, че сексуалното и репродуктивното здраве са неразделна част от политиките в областта на общественото здраве? Може ли Комисията да разясни дали предложеният регламент за създаване на програма „Здраве за растеж“ за периода 2014-2020 г. (COM(2011)709), по-специално целта за „подобряване на достъпа на гражданите до по-качествено и по-сигурно здравно обслужване“, обхваща и здравното обслужване във връзка със сексуалното и репродуктивното здраве, включително безопасни и законни аборти? Планира ли Комисията да допълни провежданите национални политики в областта на здравето, които не предоставят достатъчно високо равнище на закрила от небезопасни аборти ([3])? Ако не, защо?

Споделя ли Комисията заключението на статията в „The Lancet“, че да се предостави достъп до безопасен и законен аборт и да се постави край на темите табу относно сексуалното и репродуктивно здраве е от основно значение за намаляването на общия брой на абортите?

Отговор, даден от г-н Дали от името на Комисията
(30 април 2012 г.)

Рискованите аборти, които не се извършват от квалифициран медицински персонал, безспорно представляват опасност за здравето на жените.

В Договора се предвижда, че действията на Европейския съюз са съобразени изцяло с отговорностите на държавите членки, що се отнася до определянето на тяхната здравна политика, както и в организирането и предоставянето на здравни услуги и медицински грижи. Отговорностите на държавите членки включват управлението на здравните услуги и медицинските грижи, както и разпределянето на ресурсите, които са им предоставени.

Предвид етичните, социалните и културните аспекти, свързани с абортите, държавите членки сами разработват и прилагат своята политика и правна уредба.

Комисията не възнамерява да допълва националните политики в здравеопазването в това отношение.

([1]) http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(11)61786-8/abstract.
([2]) http://www.who.int/reproductivehealth/publications/general/lancet_4.pdf
([3]) Член 168, параграф 1 от ДФЕС.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002933/12
an die Kommission
Sophia in 't Veld (ALDE), Antonyia Parvanova (ALDE), Françoise Castex (S&D), Véronique Mathieu (PPE), Norbert Neuser (S&D), Sirpa Pietikäinen (PPE) und Jean Lambert (Verts/ALE)
(16. März 2012)

Betrifft: Unsichere Schwangerschaftsabbrüche in der Europäischen Union

Einer kürzlich in der medizinischen Zeitschrift „The Lancet" ([1]) veröffentlichten Studie zufolge sind 49 % aller weltweit durchgeführten Schwangerschaftsabbrüche unsicher. Das bedeutet, dass Schwangerschaftsabbrüche von Personen ohne die erforderlichen Fachkenntnisse und/oder in Umgebungen durchgeführt werden, die nicht den medizinischen Standards entsprechen. In einer weiteren Studie bezeichnet die Weltgesundheitsorganisation unsichere Schwangerschaftsabbrüche auf globaler Ebene als eine „vermeidbare Pandemie", wenn man bedenkt, dass jedes Jahr 20 Millionen unsichere Schwangerschaftsabbrüche stattfinden ([2]). Innerhalb der Grenzen der Europäischen Union weichen die Zahlen bei unsicheren Schwangerschaftsabbrüchen stark voneinander ab: von nahezu nicht existent in Mitgliedstaaten, in denen Schwangerschaftsabbruchsdienste legal und verfügbar sind, bis annähernd 13 % in osteuropäischen Ländern. Auf 1 000 Frauen entfallen in Osteuropa insgesamt 43 Schwangerschaftsabbrüche, von denen 5 unsicher sind.

Betrachtet die Kommission unsichere Schwangerschaftsabbrüche als Gesundheitsrisiko? Wie schätzt die Kommission die Existenz dieses vermeidbaren Problems der öffentlichen Gesundheit innerhalb der Grenzen der EU und ihrer Nachbarländer ein?

Betrachtet die Kommission die Sexual- und Reproduktionsgesundheit als integralen Bestandteil der Politik für die öffentliche Gesundheit? Kann die Kommission klären, ob die vorgeschlagene Verordnung für das Programm „Gesundheit für Wachstum 2014-2020" (KOM(2011)0709), insbesondere das Ziel des „verbesserten Zugangs zu besserer und sichererer medizinischer Versorgung für Bürger", auch den Zugang zu Diensten der Sexual- und Reproduktionsgesundheit einschließlich sicherer und legaler Schwangerschaftsabbrüche umfasst? Plant die Kommission die Ergänzung nationaler Gesundheitspolitiken, die keinen ausreichenden Schutz vor unsicheren Schwangerschaftsabbrüchen bieten ([3])? Falls nicht, warum nicht?

Teilt die Kommission die Schlussfolgerung des Artikels in der Zeitschrift „The Lancet", dass die Ermöglichung des Zugangs zu sicheren und legalen Schwangerschaftsabbrüchen und die Abschaffung von Tabus in der Sexual- und Reproduktionsgesundheit entscheidend sind, um die Anzahl der Schwangerschaftsabbrüche insgesamt zu verringern?

Antwort von Herrn Dalli im Namen der Kommission
(30. April 2012)

Unsichere Schwangerschaftsabbrüche, die nicht von qualifiziertem medizinischen Personal vorgenommen werden, stellen ganz klar ein Gesundheitsrisiko für Frauen dar.

Gemäß dem Vertrag wahrt die Europäische Union die Verantwortlichkeit der Mitgliedstaaten für die Festlegung ihrer Gesundheitspolitik sowie die Organisation des Gesundheitswesens und die medizinische Versorgung. Die Verantwortung der Mitgliedstaaten umfasst die Verwaltung des Gesundheitswesens und der medizinischen Versorgung sowie die Zuweisung der dafür bereitgestellten Mittel.

Angesichts der mit dem Thema Schwangerschaftsabbruch verbundenen ethischen, sozialen und kulturellen Aspekte obliegt es den Mitgliedstaaten, ihre diesbezüglichen politischen und rechtlichen Rahmenbedingungen festzulegen und umzusetzen.

Die Kommission hat nicht die Absicht, die nationalen Gesundheitspolitiken diesbezüglich zu ergänzen.

([1]) http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(11)61786-8/abstract
([2]) http://www.who.int/reproductivehealth/publications/general/lancet_4.pdf
([3]) Artikel 168 Absatz 1 AEUV.

(Version française)

Question avec demande de réponse écrite E-002933/12
à la Commission
Sophia in 't Veld (ALDE), Antonyia Parvanova (ALDE), Françoise Castex (S&D), Véronique Mathieu (PPE), Norbert Neuser (S&D), Sirpa Pietikäinen (PPE) et Jean Lambert (Verts/ALE)
(16 mars 2012)

Objet: Les avortements à risque dans l'Union européenne

Selon une étude récente publiée dans la revue médicale *«The Lancet»* ([1]), 49 pour cent des avortements pratiqués dans le monde sont réalisés dans des conditions précaires. Ce constat suppose que des avortements sont effectués par des personnes qui ne disposent pas des compétences requises et/ou que l'opération est pratiquée dans des environnements ne répondant pas aux normes médicales minimales. Dans une autre étude, l'Organisation mondiale de la Santé décrit les avortements à risque à l'échelle mondiale comme une «pandémie qui pourrait être évitée» étant donné que, chaque année, 20 millions d'avortements à risques ont lieu ([2]). À l'intérieur des frontières de l'Union européenne (UE), le taux d'avortements à risque diffère fortement d'un pays à l'autre: pratiquement inexistants dans les États membres qui proposent des services d'avortement légaux et accessibles, les avortements à risque représentent jusqu'à 13 % des avortements dans les pays de l'Europe orientale. Dans ces pays, on dénombre 43 avortements sur 1 000, dont cinq sont pratiqués dans des conditions précaires.

La Commission considère-t-elle les avortements à risque comme un risque pour la santé? Comment la Commission évalue-t-elle l'existence de ce problème de santé publique, qui pourrait être évité, à l'intérieur des frontières de l'UE et de ses pays voisins?

Selon la Commission, la santé sexuelle et génésique fait-elle partie intégrante des politiques de santé publique? La Commission pourrait-elle préciser si la proposition de règlement établissant le programme intitulé «La santé en faveur de la croissance» 2014-2020 (COM(2011)0709), notamment l'objectif qui consiste à «améliorer l'accès à des soins de santé de meilleure qualité et plus sûrs», couvre l'accès aux services de santé sexuelle et génésique, en ce compris l'avortement légal et sûr? La Commission a-t-elle prévu de compléter les politiques nationales en matière de santé qui n'offrent pas une protection suffisante contre les avortements à risque ([3])? Dans la négative, pour quelle raison?

La Commission approuve-t-elle la conclusion de l'article publié dans *«The Lancet»* selon laquelle fournir un accès à l'avortement légal et sûr et lever les tabous liés à la santé sexuelle et génésique constituent des clés pour réduire le nombre total d'avortements?

Réponse donnée par M. Dalli au nom de la Commission
(30 avril 2012)

Les avortements à risque, non pratiqués par du personnel médical qualifié, constituent manifestement un péril pour la santé des femmes.

Le traité prévoit que l'action de l'Union européenne est menée dans le respect des responsabilités des États membres en ce qui concerne la définition de leur politique de santé, ainsi que l'organisation et la fourniture de services de santé et de soins médicaux. Les responsabilités des États membres incluent la gestion des services de santé et des soins médicaux, ainsi que l'allocation des ressources qui leur sont affectées.

Compte tenu de la dimension éthique, sociale et culturelle de l'avortement, il appartient aux États membres d'élaborer et de faire appliquer leurs politiques et leur législation en la matière.

La Commission n'entend pas compléter les politiques nationales de santé publique dans ce domaine.

([1]) http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(11)61786-8/abstract
([2]) http://www.who.int/reproductivehealth/publications/general/lancet_4.pdf
([3]) Article 168, paragraphe 1, du TFUE.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002933/12
aan de Commissie
Sophia in 't Veld (ALDE), Antonyia Parvanova (ALDE), Françoise Castex (S&D), Véronique Mathieu (PPE), Norbert Neuser (S&D), Sirpa Pietikäinen (PPE) en Jean Lambert (Verts/ALE)
(16 maart 2012)

Betreft: Onveilige abortus in de Europese Unie

Uit een recente studie die gepubliceerd werd in het medische tijdschrift „The Lancet" ([1]) bleek dat van alle abortussen die wereldwijd uitgevoerd worden, ongeveer 49 procent niet op een veilige manier uitgevoerd wordt. Dit houdt in dat de abortus wordt uitgevoerd door personen die niet over de nodige vaardigheden beschikken of in omstandigheden die niet voldoen aan de medische minimumnormen, of beide. In een andere studie beschouwde de Wereldgezondheidsorganisatie onveilige abortussen op wereldwijd vlak als een „te voorkomen pandemie", aangezien er elk jaar 20 miljoen onveilige abortussen worden uitgevoerd ([2]). Binnen de grenzen van de Europese Unie lopen de cijfers met betrekking tot onveilige abortus sterk uiteen: in sommige lidstaten, waar abortusdiensten wettig en toegankelijk zijn, komt het probleem nauwelijks voor, terwijl het percentage onveilige abortussen in Oost-Europese landen tot 13 procent bedraagt. In Oost-Europa worden er voor elke 1000 vrouwen 43 abortussen uitgevoerd, waarvan 5 op een onveilige manier.

Beschouwt de Commissie onveilige abortussen als een risico voor de volksgezondheid? Wat is de mening van de Commissie over het bestaan van dit te voorkomen probleem voor de volksgezondheid binnen de grenzen van de EU en in haar buurlanden?

Beschouwt de Commissie seksuele en reproductieve gezondheid als een integraal deel van het volksgezondheidsbeleid? Kan de Commissie verduidelijken of het voorstel voor de Verordening betreffende het programma Gezondheid voor groei 2014-2020 (COM(2011)0709), in het bijzonder de doelstelling om „de toegang tot een betere en veiligere gezondheidszorg voor EU-burgers te vergroten" eveneens betrekking heeft op de toegang tot diensten voor seksuele en reproductieve gezondheid, met inbegrip van veilige en wettige abortus? Is de Commissie van plan om het volksgezondheidsbeleid van de lidstaten aan te vullen waar dat niet voorziet in afdoende bescherming tegen onveilige abortus ([3])? Indien niet, waarom niet?

Is de Commissie het eens met de conclusie van het artikel in The Lancet dat het verschaffen van toegang tot veilige en wettige abortus en het wegwerken van taboes rond seksuele en reproductieve gezondheid van essentieel belang zijn om het totale aantal abortussen terug te dringen?

Antwoord van de heer Dalli namens de Commissie
(30 april 2012)

Onveilige abortussen, die niet door gekwalificeerd medisch personeel worden verricht, vormen duidelijk een gezondheidsrisico voor vrouwen.

Volgens het Verdrag eerbiedigt het optreden van de Europese Unie de verantwoordelijkheden van de lidstaten met betrekking tot de bepaling van hun gezondheidsbeleid, alsmede de organisatie en verstrekking van gezondheidsdiensten en geneeskundige verzorging. De verantwoordelijkheden van de lidstaten omvatten het beheer van gezondheidsdiensten en geneeskundige verzorging, alsmede de allocatie van de daaraan toegewezen middelen.

Gelet op de ethische, sociale en culturele dimensies van abortussen staat het aan de lidstaten hun beleid en rechtskaders te ontwikkelen en daaraan uitvoering te geven.

De Commissie is niet voornemens het volksgezondheidsbeleid van de lidstaten op dit punt aan te vullen.

([1]) http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(11)61786-8/abstract.
([2]) http://www.who.int/reproductivehealth/publications/general/lancet_4.pdf
([3]) Artikel 168, lid 1, van het VWEU.

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-002933/12
komissiolle
Sophia in 't Veld (ALDE), Antonyia Parvanova (ALDE), Françoise Castex (S&D), Véronique Mathieu (PPE), Norbert Neuser (S&D), Sirpa Pietikäinen (PPE) ja Jean Lambert (Verts/ALE)
(16. maaliskuuta 2012)

Aihe: Vaaralliset abortit Euroopan unionissa

Lääketieteellisessä julkaisussa The Lancet ([1]) hiljattain julkaistun tutkimuksen mukaan maailmassa tehdyistä aborteista 49 prosenttia on vaarallisia. Vaarallisesta abortista on kyse, kun sen suorittavat henkilöt, joilla ei ole tarvittavia taitoja, ja/tai se tehdään oloissa, jotka eivät täytä lääketieteellisiä vähimmäisvaatimuksia. Toisessa tutkimuksessa Maailman terveysjärjestö määrittelee vaaralliset abortit ehkäistävissä olevaksi pandemiaksi. Vuosittain maailmassa tehdään 20 miljoonaa vaarallista aborttia ([2]). Euroopan unionin alueella vaarallisten aborttien määrissä on suuria eroja: niitä ei käytännössä ole lainkaan jäsenvaltioissa, joissa abortti on laillinen ja kaikille mahdollinen, kun taas Itä-Euroopan maissa aborteista 13 prosenttia on vaarallisia. Itä-Euroopassa tuhatta naista kohti tehdään 43 aborttia. Näistä 43:sta viisi on vaarallisia.

Katsooko komissio, että vaaralliset abortit ovat terveysriski? Miten komissio arvioi tätä ehkäistävissä olevaa kansanterveydellistä ongelmaa EU:n alueella ja sen naapurimaissa?

Onko seksuaali- ja lisääntymisterveys komission mielestä olennainen osa kansanterveyspolitiikkaa? Voiko komissio selventää, kattaako ehdotettu asetus Kansanterveys kasvun tukena -ohjelmasta kaudeksi 2014–2020 (COM(2011)0709) ja erityisesti sen tavoite "lisätä entistä paremman ja turvallisemman terveydenhuollon saatavuutta" myös seksuaali- ja lisääntymisterveyden palveluiden saatavuuden mukaan lukien turvallisen ja laillisen abortin? Suunnitteleeko komissio täydentävänsä sellaisia kansallisia terveyspolitiikkoja, jotka eivät suojaa riittävästi vaarallisilta aborteilta ([3])? Jos ei, miksi ei?

Yhtyykö komissio The Lancet -julkaisun artikkelissa esitettyyn johtopäätökseen siitä, että turvallisen ja laillisen abortin saatavuus ja seksuaali- ja lisääntymisterveyteen liitettyjen tabujen poistaminen ovat keskeisiä tekijöitä aborttien kokonaismäärän vähentämisessä?

John Dallin komission puolesta antama vastaus
(30. huhtikuuta 2012)

Vaaralliset abortit, jotka eivät ole pätevän lääkintähenkilöstön suorittamia, ovat selvästi terveysriski naisille.

Perussopimuksessa määrätään, että Euroopan unionin toiminnassa otetaan huomioon jäsenvaltioiden velvollisuudet, jotka liittyvät niiden terveyspolitiikan määrittelyyn sekä terveyspalvelujen ja sairaanhoidon järjestämiseen ja tarjoamiseen. Jäsenvaltioiden velvollisuuksiin kuuluvat terveyspalvelujen ja sairaanhoidon hallinnointi sekä niihin osoitettujen voimavarojen kohdentaminen.

Mitä tulee aborttien eettisiin, sosiaalisiin ja kulttuurisiin näkökohtiin, jäsenvaltioiden tehtävänä on laatia ja panna täytäntöön omat politiikkansa ja oikeudelliset kehyksensä.

Komissiolla ei ole aikomusta täydentää kansallisia terveyspolitiikkoja tässä suhteessa.

([1]) http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(11)61786-8/abstract
([2]) http://www.who.int/reproductivehealth/publications/general/lancet_4.pdf
([3]) SEUT-sopimuksen 168 artiklan 1 kohta.

(English version)

Question for written answer E-002933/12
to the Commission
Sophia in 't Veld (ALDE), Antonyia Parvanova (ALDE), Françoise Castex (S&D), Véronique Mathieu (PPE), Norbert Neuser (S&D), Sirpa Pietikäinen (PPE) and Jean Lambert (Verts/ALE)
(16 March 2012)

Subject: Unsafe abortions in the European Union

A recent study published in the medical journal *The Lancet* ([1]) determined that 49 % of all abortions performed globally were unsafe. An abortion is unsafe if it is performed by an individual without the requisite skills, or in an environment below minimum medical standards, or both. In another study, the World Health Organisation designates unsafe abortions at a global level as a 'preventable pandemic', given that 20 million unsafe abortions take place every year ([2]). Unsafe abortion rates within the European Union vary greatly, ranging from virtually zero in those Member States in which abortion services are legal and accessible to up to 13 % in east European countries. A total of 43 abortions are carried out per 1 000 women in eastern Europe, five of which are unsafe.

Does the Commission consider unsafe abortions to be a health risk? How does it view the existence of this preventable public health problem within the EU and in neighbouring countries?

Does the Commission consider sexual and reproductive health to be an integral part of public health policies? Can the Commission clarify whether the proposed Regulation on establishing a Health for Growth Programme for the period 2014-2020 (COM(2011) 0709), in particular the objective of 'increasing access to better and safer healthcare for citizens', covers access to sexual and reproductive health services, including safe and legal abortion? Is the Commission planning to complement national health policies that do not offer sufficient protection from unsafe abortions ([3])? If not, why not?

Does the Commission agree, as concluded in the article published in *The Lancet*, that it is essential to provide access to safe and legal abortion and to eliminate taboos on sexual and reproductive health in order to reduce the overall number of abortions?

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

Unsafe abortions, not carried out by qualified medical personnel, clearly represent a health risk for women.

The Treaty stipulates that European Union action shall respect Member State responsibilities for the definition of their health policy and for the organisation and delivery of health services and medical care. The responsibilities of the Member States shall include the management of health services and medical care and the allocation of the resources assigned to them.

Considering the ethical, social and cultural dimension of abortions, it is for Member States to develop and implement their policies and legal frameworks.

The Commission does not have the intention to complement national health policies in this respect.

([1]) http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(11)61786-8/abstract.
([2]) http://www.who.int/reproductivehealth/publications/general/lancet_4.pdf
([3]) Article 168(1) TFEU.

(English version)

Question for written answer E-002934/12
to the Council
Edward McMillan-Scott (ALDE)
(16 March 2012)

Subject: The economic, social and environmental cost of the three working places of the European Parliament

1. Can the Council give an estimate of the number of offices and the volume of office space it has in (a) Luxembourg and (b) Strasbourg?

2. Can the Council give an estimate of the duration and cost of the missions its members, officials and other staff undertook to the European Parliament in (a) Luxembourg and (b) Strasbourg in 2010 and 2011?

3. Can the Council give an estimate of the number of working days lost as a result of these missions in 2010 and 2011?

4. Can the Council provide an estimate of the environmental cost of these journeys in 2010 and 2011?

5. Can the Council inform us if any assessment has been made of the physical and mental health of officials so transferred?

6. Can the Council indicate what contribution it made towards the cost of (a) renting and (b) maintaining offices and equipment in (a) Luxembourg and (b) Strasbourg in 2010 and 2011?

7. Can the Council indicate how much money would be saved annually if the Treaty were to be amended to give the European Parliament a single seat and working place, in Brussels?

Reply
(14 May 2012)

1. Can the Council give an estimate of the number of offices and the volume of office space it has in (a) Luxembourg and (b) Strasbourg?

(a) As from April 2012, the Council will occupy new premises in the Kirchberg conference centre. The space dedicated to the Council will be approximately 8 100 m^2 of conference rooms and 4 700 m^2 of offices (corresponding to roughly 256 offices), plus all the shared areas.

(b) In Strasbourg, under an agreement concluded with the European Parliament, the Council has at its disposal three offices covering a total of approximately 50 m^2.

2. Can the Council give an estimate of the duration and cost of the missions its members, officials and other staff undertook to the European Parliament in (a) Luxembourg and (b) Strasbourg in 2010 and 2011?

The travel expenses of the President and of other members of the Council are borne by their respective Member States. (a) In 2010 there were three missions by Council officials to the European Parliament in Luxembourg, for a total duration of three days and a total cost of EUR 308. In 2011 there were again three missions (total duration: three days; total cost: EUR 436). (b) In 2010 there were 258 missions by Council officials to the European Parliament in Strasbourg, and 274 missions in 2011; the total duration was 725 and 715 days respectively, and the total costs EUR 288 623 and EUR 314 234 respectively.

3. Can the Council give an estimate of the number of working days lost as a result of these missions in 2010 and 2011?

All missions by Council officials, and in particular those to the European Parliament in Luxembourg and Strasbourg, are part of the core activities of the institution and are performed in the interest of the service; consequently, time spent on missions by Council officials cannot in any respect be considered anything other than working time.

4. Can the Council provide an estimate of the environmental cost of these journeys in 2010 and 2011?

The Council cannot provide an estimate of the environmental cost of missions, as this is beyond the scope of its activities.

5. Can the Council inform us if any assessment has been made of the physical and mental health of officials so transferred?

The Council Medical Service does not have data on the possible physical or psychological impact of recurring missions because no official has ever submitted a complaint about this.

6. Can the Council indicate what contribution it made towards the cost of (a) renting and (b) maintaining offices and equipment in (a) Luxembourg and (b) Strasbourg in 2010 and 2011?

(a) Luxembourg: Protocol No 6 annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and to the Treaty establishing the European Atomic Energy Community, on the location of the seats of the institutions and of certain bodies, offices, agencies and departments of the European Union, provides that the Council 'shall have its seat in Brussels. During the months of April, June and October, the Council shall hold its meetings in Luxembourg'. In accordance with these provisions, the Council is renting a conference centre for the following costs:

in 2010 the following expenses were borne:

— rental: EUR 1 010 000,

— maintenance and surveillance: EUR 666 000.

in 2011 the following expenses were borne:

— rental: EUR 1 035 000,

— maintenance and surveillance: EUR 676 000.

(b) Strasbourg: The Council does not incur any expenses for the offices available to it.

7. Can the Council indicate how much money would be saved annually if the Treaty were to be amended to give the European Parliament a single seat and working place, in Brussels?

The Council is not able to evaluate how much money it would save if the Treaty were to be amended to give the European Parliament a single seat and working place in Brussels.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002951/12
alla Commissione
Elisabetta Gardini (PPE)
(16 marzo 2012)

Oggetto: Arsenico in alimenti per neonati

Uno studio condotto dall'americano Dartmouth College ha svelato come in certi alimenti a base di riso biologico prodotti in America e destinati ai neonati siano state trovate tracce di arsenico.

L'arsenico si trova comunemente a bassi livelli negli alimenti, data la sua naturale presenza nell'ambiente. Ma proprio il riso ha livelli più alti di arsenico rispetto agli altri cereali, perché lo assorbe dal terreno.

Lo studio si conclude con la raccomandazione ai genitori di non comprare cibi per neonati in cui il latte di riso integrale sia il principale ingrediente.

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

1. se è a conoscenza di questo fenomeno;

2. se esistono pericoli per i neonati europei;

3. in caso affermativo, come intende affrontare questo problema?

Risposta data da John Dalli a nome della Commissione
(3 maggio 2012)

L'arsenico è presente sotto diverse forme negli alimenti. Le forme inorganiche sono più tossiche di quelle organiche. A causa di problemi analitici, la maggior parte dei dati relativi all'arsenico negli alimenti si riferisce all'«arsenico totale» senza differenziare tra le varie specie.

Nel suo parere scientifico ([1]) sull'arsenico negli alimenti, l'Autorità europea per la sicurezza (EFSA) ha identificato, tra l'altro, i chicchi di riso e i prodotti a base di riso quali importante fonte dell'esposizione giornaliera all'arsenico inorganico. In detto parere si conferma che, a causa del maggiore consumo di alimenti rispetto al peso corporeo, l'esposizione attraverso l'alimentazione all'arsenico inorganico è più alta nei bambini di meno di tre anni che negli adulti. L'EFSA ha raccomandato la riduzione dell'esposizione alimentare all'arsenico inorganico.

L'EFSA ha indicato che occorrono maggiori dati sulla presenza di arsenico inorganico in diversi prodotti alimentari al fine di perfezionare la valutazione del rischio e consentire così alla Commissione di fissare appropriati livelli massimi. È attualmente in corso la raccolta dei dati a tal fine. La mancanza dei dati specifici sui livelli di arsenico inorganico è anche il motivo per cui sono attualmente sospesi i lavori, nell'ambito del Codex Alimentarius, sui livelli massimi di arsenico nel riso.

([1]) EFSA Panel on Contaminants in the Food Chain (CONTAM); Scientific Opinion on Arsenic in Food. Summary: EFSA Journal 2009; 7(10):1351. [4 pp.]. doi:10.2903/j.efsa.2009.1351. Disponibile online: www.efsa.europa.eu

(English version)

Question for written answer E-002951/12
to the Commission
Elisabetta Gardini (PPE)
(16 March 2012)

Subject: Arsenic in baby food

A study carried out by Dartmouth College in the United States has revealed that traces of arsenic have been found in some baby foods made using organic rice produced in the US.

Trace levels of arsenic are commonly found in food, given its natural presence in the environment. However, rice, in particular, has much higher levels of arsenic than other cereals because it absorbs it from the ground.

The study concludes with the recommendation to parents not to buy baby food in which wholegrain rice milk is the main ingredient.

In view of the above, could the Commission state:

1. Whether it is aware of this phenomenon?

2. Whether there are dangers for babies in Europe?

3. If so, how does it intend to deal with this problem?

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

Arsenic occurs in different forms in food. The inorganic forms are more toxic than organic arsenic. Due to analytical problems, most of the data in food are reported as total arsenic without differentiating the various arsenic species.

In its Scientific Opinion ([1]) on Arsenic in Food, the European Food Safety Authority (EFSA) identified, amongst other, rice grains and rice based products as largely contributing to the inorganic arsenic daily exposure. In the opinion it is confirmed that, due to their greater food consumption relative to their body weight, dietary exposure to inorganic arsenic for children under three years old is higher than that of adults. EFSA recommended that dietary exposure to inorganic arsenic should be reduced.

EFSA indicated that more data on inorganic arsenic for different food commodities were needed, in order to refine the risk assessment so that appropriate maximum levels can be set by the Commission. Such data collection is currently ongoing. The lack of specific data on levels of inorganic arsenic is also the reason why work in Codex Alimentarius on maximum levels for arsenic in rice is currently suspended.

([1]) EFSA Panel on Contaminants in the Food Chain (CONTAM); Scientific Opinion on Arsenic in Food. Summary: *EFSA Journal* 2009; 7(10):1351. [4 pp.]. doi:10.2903/j.efsa.2009.1351. Available online: www.efsa.europa.eu.

(English version)

Question for written answer E-002958/12
to the Commission (Vice-President/High Representative)
Charles Tannock (ECR)
(19 March 2012)

Subject: VP/HR — Anti-Hindu violence in Bangladesh

A special war crimes tribunal in Bangladesh is trying senior members of the Islamist group Jamaat-e-Islami for their alleged involvement in atrocities perpetrated during the 1971 liberation war from Pakistan. It now appears that religious fundamentalist sentiment is being mobilised in order to put pressure on Prime Minister Sheikh Hasina of the Awami League party to abandon the war crimes trial. This pressure has been manifested as an in increase in violence and discrimination directed mainly against religious minorities, especially Hindus, who are perceived by many Islamists in Bangladesh as being supporters of the Awami League and pro-India. Recently a number of Hindu temples were vandalised and torched, and Hindu businesses and private homes have been looted and ransacked in several parts of the country. Those allegedly responsible for orchestrating this violence are members of Jamaat-e-Islami and its student wing, Islami Chhatra Shibir. The violence is also believed to be linked to a judicial investigation ordered by Sheikh Hasina into anti-Hindu pogroms that followed the 2001 general election, which was won by the current opposition party BNP (Bangladesh Nationalist Party).

Can the High Representative and the EEAS substantiate allegations about recent violence and identify those responsible for such violence against Hindus in Bangladesh? Does the High Representative agree that this unrest threatens the stability of Bangladesh's secular democracy? Given the principle of no impunity or the Statute of Limitations on War Crimes, how can the High Representative and Member States, through their bilateral embassies, support the current government's efforts to seek justice (according to international standards) for victims of widespread atrocities in Bangladesh, both in 1971 and after the 2001 election? Will the High Representative, through the EU delegation in Dhaka, engage with the BNP and request that the party actively promote calm and inter-religious harmony in Bangladesh and, in particular, denounce, and disassociate itself from, the serious alleged recent actions of Jamaat-e-Islami?

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

The main recent incidents reported by the media and by human rights organisations are the attacks that that took place on 9-10 February 2012 in the Hathazari Upazila near Chittagong, where tensions erupted after several Hindu temples, houses and shops were vandalised and torched apparently following the spread of a rumour that Hindus had attacked a mosque. On 1 March 2012, the Supreme Court ordered the Government to restore the ransacked Hindu temples, houses and shops to their original state, and to ensure the security of the affected Hindus and the arrest of the perpetrators. This case is believed to have been triggered by local, rather than national disputes. Investigations are still ongoing.

The statistics on attacks against religious minorities in 2011 reported by human rights organisations do not present substantial variations from those of 2010 ([1]).

Given the history of Bangladesh, the ongoing war crimes trials are important to the national healing process. The Bangladeshi authorities have not requested the EU to become involved in the legal process in any way. During its regular dialogue with the Bangladeshi authorities, the EU has underlined the need to ensure that the trials meet the international standards of due process endorsed by both Bangladesh and the EU.

However, as is well known, the EU has stressed that its main concern about the war crimes trials is the possible application of the death penalty, since it advocates its universal and definitive abolition.

During its contacts with all political parties, the EU has repeatedly stressed the need to adopt a constructive approach to politics and to take their national responsibilities. It will continue to do so.

([1]) For example, in 2011, Odhikar reported a total of 107 people injured (244 in 2010), 3 rape cases (6 in 2010), 6 land grabbing incidents (9 in 2010) and 25 temple attacks (23 in 2010).

(English version)

Question for written answer E-002959/12
to the Commission
Charles Tannock (ECR)
(19 March 2012)

Subject: Religious freedom in Hungary

I have been contacted by a London constituent regarding the new Hungarian Constitution which has just come into force. My constituent is particularly concerned about the fact that this new Constitution grants state recognition to 14 religious groups, including traditional Roman Catholic, Reformed, Lutheran and Orthodox congregations, as well as some Jewish groups, but at the same time removes recognition from 300 Christian groups or denominations, including mainstream ones such as the Methodists and Anglicans.

It appears that those who are losing recognition are also losing their official status, tax exemptions and freedom to run schools.

Is the Commission aware of this controversial move and what looks like an encroachment by the state on religious freedom? Will the Commission raise this issue with the Hungarian Government?

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

Respect for freedom of religion is a core value of the European Union which is enshrined in the Charter of Fundamental Rights of the European Union and in the European Convention on Human Rights.

However, according to Article 51 of the Charter, its provisions are addressed to the Member States only when they are implementing Union law. On the basis of the information provided by the Honourable Member, it does not appear that the matter concerning the legal status of religious communities is related to the implementation of Union law. In that matter it is thus for Member States alone to ensure that their obligations regarding fundamental rights — as resulting from their national legislation and international agreements — are respected. Therefore, the Commission is not in a position to comment on the fundamental rights issue raised by the Honourable Member.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-002960/12
adresată Comisiei
Daciana Octavia Sârbu (S&D)
(19 martie 2012)

Subiect: Proiecte de cercetare

Strategia din 2007 privind alimentația, excesul de greutate și obezitatea conținea angajamente referitoare la promovarea cercetării privind o serie de chestiuni esențiale, inclusiv factorii care determină alegerea alimentelor, comportamentul consumatorilor, impactul alimentelor și al alimentației asupra sănătății, factorii de prevenire a obezității în grupuri țintă și intervențiile eficiente în alimentație.

În afară de faptul că prezintă trei exemple de proiecte de cercetare, raportul pe 2010 de punere în aplicare a strategiei nu menționează care dintre domeniile de cercetare de mai sus au fost abordate începând cu anul 2007.

Poate Comisia estima ce sumă de bani a fost cheltuită pentru cercetarea legată de strategia UE privind alimentația și poate Comisia menționa ce obiective specifice de cercetare prezentate în strategia respectivă au fost abordate?

Răspuns dat de dna Geoghegan-Quinn în numele Comisiei
(30 aprilie 2012)

În cadrul celui de-al șaptelea Program-cadru pentru cercetare și dezvoltare tehnologică (FP7 2007-2013), Comisia a alocat până în prezent circa 191 milioane EUR pentru proiecte legate de strategia Uniunii Europene cu privire la alimentație, excesul de greutate și obezitate în cadrul programului bioeconomie bazată pe cunoaștere (KBEE) ([1]) ([2]).

În cadrul Programului pentru sănătate s-au cheltuit până în prezent circa 195 milioane EUR pentru proiecte legate de această strategie ([3]).

Proiectele finanțate răspund tuturor obiectivelor esențiale din domeniul cercetării prezentate în strategie.

([1]) http://cordis.europa.eu/fp7/kbbe/about-kbbe_en.html

([2]) În acest context, iată câteva exemple din domenii ca informarea consumatorilor, excesul de greutate, alimentația sănătoasă și sprijin pentru politici: http://www.eatwellproject.eu/, legate de grupuri prioritare, obezitate, alimentație și activitate fizică, http://www.toybox-study.eu/, obiceiuri alimentare sănătoase:
http://www.habeat.eu/nutrition și obezitate: http://www.full4health.eu/

([3]) Exemple referitoare la: obezitate: http://www.tobi-project.eu/, diabet: www.dali-project.eu/, activitate fizică:
http://metapredict.eu/, stil de viață: www.projectpapa.org

(English version)

Question for written answer E-002960/12
to the Commission
Daciana Octavia Sârbu (S&D)
(19 March 2012)

Subject: Research projects

The 2007 Strategy on Nutrition, Overweight and Obesity contained commitments to promote research on a variety of key issues, including the determinants of food choices, consumer behaviour; the health impact of food and nutrition, drivers for preventing obesity in target groups and effective diet interventions.

Apart from giving three examples of research projects, the 2010 Implementation Report for the strategy does not indicate which of the above research areas have been addressed since 2007.

Can the Commission estimate how much money has been spent on research related to the EU's strategy on nutrition and say which specific research aims outlined in that strategy have been addressed?

Answer given by Ms Geoghegan-Quinn on behalf of the Commission
(30 April 2012)

In the Seventh Framework Programme for Research and Technological Development (FP7, 2007-2013), the Commission has spent so far about EUR 191 million on projects related to the European Union's strategy on Nutrition, Overweight and Obesity in the Knowledge-Based Bio-Economy (KBBE) programme ([1]) ([2]).

The Health Programme has spent so far about EUR 195 Million on projects related to this strategy ([3]).

The funded projects address all key research aims outlined in that strategy.

([1]) http://cordis.europa.eu/fp7/kbbe/about-kbbe_en.html

([2]) examples in this context are for the areas of informed consumers, overweight, healthy eating and policy support: http://www.eatwellproject.eu/, addressing priority groups, obesity, nutrition and physical activity: http://www.toybox-study.eu/, healthy eating habits: http://www.habeat.eu/nutrition and obesity: http://www.full4health.eu/

([3]) examples for: obesity: http://www.tobi-project.eu/, diabetes: www.dali-project.eu/, physical activity: http://metapredict.eu/, lifestyle: www.projectpapa.org

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-002961/12
an die Kommission
Jürgen Klute (GUE/NGL) und Marie-Christine Vergiat (GUE/NGL)
(19. März 2012)

Betrifft: Menschenrechtsklausel im Freihandelsabkommen und im APS-Abkommen zwischen der EU und Kolumbien

Im Rahmen des Allgemeinen Präferenzsystems der EU (APS+) müssen 27 Kernabkommen über Menschen- und Arbeitnehmerrechte, Umweltnormen und verantwortungsvolle Regierungsführung ratifiziert und wirksam umgesetzt werden.

Vor und während der Umsetzung des APS war Kolumbien mit schwerwiegenden Verstößen gegen die Menschenrechte konfrontiert (und ist auch weiterhin mit derartigen Verstößen konfrontiert), darunter auch außergerichtliche Hinrichtungen und willkürliche Verhaftungen und Inhaftierungen, die von offiziellen kolumbianischen Stellen begangen wurden.

Normalerweise konnte die EU im Rahmen des APS Zollpräferenzen aussetzen oder Sanktionen anwenden, wenn Menschenrechtsstandards nicht erfüllt wurden.

1. Weshalb hat die Kommission keine Untersuchung in Kolumbien eingeleitet?

2. Weshalb hat die Kommission in Anbetracht der Aussagen der Vereinten Nationen, von nichtstaatlichen Organisationen und der kolumbianischen Justizbehörden, in denen die schwerwiegenden Verstöße gegen die Menschenrechte bestätigt werden, das APS+ mit Kolumbien nicht ausgesetzt?

3. Auf welche Weise beabsichtigt die Kommission, dafür zu sorgen, dass Kolumbien mit dem Freihandelsabkommen seine Menschenrechtsstandards verbessern wird, wo das Freihandelsabkommen doch weniger multilaterale Standards enthält als das APS+ und keinen verbindlichen Mechanismus, um die wirksame Umsetzung dieser Standards zu gewährleisten?

Antwort von Karel De Gucht im Namen der Kommission
(27. April 2012)

Die Kommission überwacht aktiv, ob Kolumbien seinen Verpflichtungen im Rahmen der Menschenrechtskonventionen der Vereinten Nationen (UN) nachkommt. In diesem Zusammenhang standen die Kommission und der Europäische Auswärtige Dienst (EAD) in einem bilateralen Dialog mit Kolumbien. Dabei trat eine Reihe positiver Entwicklungen zutage, die in den jüngsten Berichten einschlägiger internationaler Aufsichtsgremien bestätigt wurden. Unter diesen Umständen wurde unter Berücksichtigung der Zielsetzung des Allgemeinen Präferenzsystems (APS+) sowie der Tatsache, dass Kolumbien mit der EU und internationalen Organisationen zusammenarbeitet, wurde die Aussetzung der APS+-Präferenzen als nicht gerechtfertigt betrachtet. Es wird weiterhin überwacht, ob Kolumbien seine Verpflichtungen erfüllt.

In Bezug auf Freihandelsabkommen vertritt die Kommission die Ansicht, dass verbindliche Verpflichtungen wie die des Freihandelsabkommens mit Kolumbien und Peru unerlässliche Voraussetzungen für eine sozial verträgliche wirtschaftliche Entwicklung unter und die Stärkung demokratischer Institutionen, persönlicher Freiheiten und der Rechtsstaatlichkeit sind. Daher ist der erfolgreiche Abschluss des derzeit laufenden Zustimmungsverfahrens im Parlament von entscheidender Bedeutung.

Neben den Gesamtauswirkungen, die derartige Abkommen auf die Rechenschaftspflicht haben, entsprechen die verbindlichen Menschenrechtsbestimmungen in diesem Freihandelsabkommen den höchsten in anderen Freihandelsabkommen der EU festgelegten Standards. In dem Maße, in dem grundlegende Arbeitnehmerrechte Bestandteil der Allgemeinen Erklärung der Menschenrechte (AEMR) sind, könnten die im Rahmen des Freihandelsabkommens gewährten Präferenzen unter Berufung auf die Klausel über die Wesensgrundsätze ausgesetzt werden. Diese Klausel ist relativ allgemein gehalten, so dass sie bei Bedarf viele unterschiedliche Situationen abdeckt. Die EU prüft auf Grundlage ihrer internen Verfahren unabhängig, was unter die AEMR fällt und mit dem Völkerrecht vereinbar ist.

(Version française)

Question avec demande de réponse écrite E-002961/12
à la Commission
Jürgen Klute (GUE/NGL) et Marie-Christine Vergiat (GUE/NGL)
(19 mars 2012)

Objet: Clause relative aux Droits de l'homme de l'ALE UE-Colombie et du SPG

Le bénéfice du système de préférences généralisées de l'Union européenne (SPG+) est subordonné à la ratification et à l'application effective de vingt-sept conventions essentielles sur les Droits de l'homme et les droits des travailleurs, les normes environnementales et les principes de bonne gouvernance.

Avant et pendant l'application du SPG, la Colombie a connu (et continue de connaître) de graves violations des Droits de l'homme, dont des exécutions extrajudiciaires et des arrestations et mises en détention arbitraires, pratiquées par les autorités colombiennes.

Normalement, dans le cadre du SPG, l'Union européenne pouvait suspendre les préférences tarifaires ou infliger des sanctions en cas de non-respect des principes des Droits de l'homme.

1. Pourquoi la Commission n'a-t-elle pas ouvert d'enquête en Colombie?

2. Pourquoi la Commission n'a-t-elle pas suspendu l'application du SPG+ à la Colombie, compte tenu des déclarations effectuées par les Nations unies, les ONG et les autorités judiciaires colombiennes, attestant les graves violations des Droits de l'homme?

3. Que compte faire la Commission pour que, avec l'ALE, la Colombie obtienne de meilleurs résultats en matière de Droits de l'homme, alors que l'ALE comporte moins de normes multilatérales que le SPG+ et est dépourvu de mécanismes contraignants permettant de garantir la mise en œuvre effective de ces normes?

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

La Commission surveille activement le respect par la Colombie des obligations qui lui incombent en vertu des conventions de l'Organisation des Nations unies (ONU) en matière de Droits de l'homme, au sujet desquelles la Commission et le Service européen pour l'action extérieure (SEAE) ont eu un dialogue bilatéral avec la Colombie. Ce dialogue a mis en évidence un certain nombre d'évolutions positives confirmées par de récents rapports émanant des instances internationales de contrôle compétentes. Dans ces circonstances, étant donné l'objectif du système de préférences généralisées (SPG+) et compte tenu du fait que la Colombie coopère avec l'UE et les organisations internationales, le retrait des préférences du SPG+ n'a pas été considéré comme justifié. Le contrôle du respect par la Colombie de ses obligations sera poursuivi.

En ce qui concerne les accords de libre-échange (ALE), la Commission considère que des engagements contraignants, tels que ceux contenus dans l'ALE avec la Colombie et le Pérou, sont essentiels pour assurer un développement économique qui préserve la cohésion sociale et pour renforcer les institutions démocratiques, les libertés individuelles et l'état de droit. Dès lors, il est important que la procédure d'approbation en cours au sein du Parlement européen aboutisse à une conclusion positive.

Outre l'impact global que les ALE peuvent avoir sur la responsabilisation des partenaires aux accords, les dispositions de l'accord de libre-échange avec la Colombie en matière de respect des Droits de l'homme sont comparables aux normes les plus élevées établies dans d'autres accords de libre-échange de l'UE et sont contraignantes. Dans la mesure où les droits fondamentaux des travailleurs font partie intégrante de la Déclaration universelle des Droits de l'homme (DUDH), les préférences offertes dans le cadre de l'accord pourraient être suspendues sur la base de la clause sur les éléments essentiels. Le champ d'application de cette dernière est large, de manière à pouvoir s'adapter aux circonstances. L'UE évaluera de manière autonome ce que la DUDH couvre, sur la base de ses procédures internes et conformément au droit international.

(English version)

Question for written answer E-002961/12
to the Commission
Jürgen Klute (GUE/NGL) and Marie-Christine Vergiat (GUE/NGL)
(19 March 2012)

Subject: Human rights clause in the EU-Colombia FTA and GSP

The EU General System of Preferences (GSP+) is subject to the ratification and effective implementation of 27 core conventions on human and labour rights, environmental standards and governance principles.

Before and during the implementation of the GSP, Colombia has faced (and is still currently facing) grave human rights violations, including extrajudicial executions and arbitrary arrests and detentions, carried out by the Colombian authorities.

Normally, with the GSP, it was possible for the EU to suspend tariff preferences or apply sanctions if human rights standards were not complied with.

1. Why has the Commission not started an investigation in Colombia?

2. Why has the Commission not suspended the GSP+ with Colombia, in view of the statements made by the United Nations, NGOs and the Colombian judicial authorities attesting to the grave human rights violations?

3. How is the Commission planning to ensure that, with the FTA, Colombia will improve its human rights standards, since the FTA includes less multilateral standards than the GSP+ and no binding mechanisms to guarantee the effective implementation of these standards?

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

The Commission actively monitors compliance with Colombia's obligations under United Nations (UN) human rights conventions, during which the Commission and the European External Action Service (EEAS) had a bilateral dialogue with Colombia. This highlighted a number of positive developments, confirmed in recent reports of the relevant international monitoring bodies. In these circumstances, and given the aim of the General System of Preferences (GSP+) scheme and that Colombia is cooperating with the EU and international organisations, the withdrawal of GSP+ preferences was not considered warranted. Monitoring of Colombia's compliance with its obligations will continue.

Regarding Free Trade Agreements (FTAs), the Commission's view is that binding commitments such as the ones contained in the FTA with Colombia and Peru are pivotal in ensuring socially cohesive economic development and the strengthening of democratic institutions, individual freedoms and the rule of law. Hence the importance of a successful conclusion of the ongoing consent procedure in Parliament.

Besides the overall impact that such agreements may have on accountability, the human rights provisions in this FTA match the highest standards set in other EU FTAs and are binding. Insofar as fundamental labour rights are part of the Universal Declaration of Human Rights (UDHR), the preferences afforded under the Agreement could be suspended on the basis of the Essential Elements clause. The latter is designed to be wide-ranging in scope, should circumstances require. The EU will assess autonomously what is covered by the UDHR on the basis of its internal procedures and consistent with international law.

(English version)

Question for written answer E-002962/12
to the Commission
Brian Simpson (S&D)
(19 March 2012)

Subject: Proposal for sugar sector reform

Is the Commission aware that its proposal to eliminate sugar beet and isoglucose quotas under the CAP reform will decimate the sugar cane refining industry in the EU, most notably in the UK, Portugal, Spain, Bulgaria and Romania, with the potential loss of up to 4 000 jobs?

Is it further aware of the impact this proposal could have on ACP cane producers, and can it explain why it is not only taking a biased approach in favour of sugar beet, but actually encouraging protectionist measures against the sugar cane sector?

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

The Commission refers the Honourable Member to its replies to Written Questions E-010379/2011 by Mr Mauro, E-010161/2011 by Mr Lyon, E-010117/2011 by Ms Schaldemose, and E-002555/2012 by Mr Agnew ([1]) on the future EU sugar regime, on impact on ACP countries, and on discrimination between different operators in the sugar supply chain.

The Commission underlines that there are no changes in market access provisions for cane sugar contained in the reform of the common agricultural policy.

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

(Version française)

Question avec demande de réponse écrite E-002963/12
à la Commission
Jean-Luc Bennahmias (ALDE)
(19 mars 2012)

Objet: Utilisation opérationnelle des hélicoptères et questions relatives à la sécurité à bord

Les opérateurs d'hélicoptères, français et européens, ont été durement touchés par la crise. L'agence européenne de la sécurité aérienne (AESA) a publié un nouveau document, l'OPS 3, entrant en application le 8 avril prochain, qui concerne l'utilisation opérationnelle des hélicoptères et les questions relatives à la sécurité à bord. Selon certains témoignages reçus sur le terrain, il semble que ce texte soulève des inquiétudes parmi les opérateurs, notamment du fait de l'obligation d'avoir deux membres d'équipage: un pilote et un membre «qualifié», et de l'obligation de disposer d'appareils multi-moteurs dans diverses situations, dont le travail en montagne.

1. De quelle façon la Commission a-t-elle associé le milieu professionnel à l'élaboration de ces nouvelles normes?

2. La Commission peut-elle clarifier ce qu'elle entend par «qualifié» concernant les deux membres à bord de l'hélicoptère? Peut-elle préciser le type de qualifications, formations, examens qui seront nécessaires?

3. Enfin, compte tenu des difficultés évoquées par la profession avant même la mise en œuvre de l'OPS 3, une évaluation de ces nouvelles mesures est-elle prévue? Si oui, quel est le calendrier?

Réponse donnée par M. Kallas au nom de la Commission
(26 avril 2012)

La Commission invite l'Honorable Parlementaire à prendre connaissance de sa réponse à la question écrite n° E-4439/2011 ([1]). En outre, des règles relatives aux activités de transport aérien commercial par hélicoptère devraient entrer en vigueur au second semestre de l'année 2012. Cette réglementation a été élaborée en consultation avec les parties prenantes concernées et en coordination étroite avec les États membres.

Étant donné que certaines zones montagneuses ne se prêtent pas à un atterrissage forcé en sécurité en cas de panne du moteur, la réglementation future requiert l'utilisation d'hélicoptères multimoteurs pour le survol de ces zones. Toutefois, les dispositions laissent une certaine latitude, moyennant une évaluation de la sécurité effectuée par l'exploitant concerné.

Un deuxième membre d'équipage est requis pour les services médicaux d'urgence par hélicoptère (SMUH), pour les opérations d'héliportage ou pour les opérations assistées par un système de vision nocturne (NVIS). Le deuxième membre d'équipage est nécessaire pour aider le pilote à éviter les obstacles et à naviguer dans des conditions défavorables. Cette tâche peut être assurée par un autre pilote qualifié ou par un technicien qualifié de l'équipage. La sélection, la formation et les critères de contrôle pour les techniciens de l'équipage sont inclus dans la réglementation.

([1]) Disponible à l'adresse suivante: http://www.europarl.europa.eu/QP-WEB/application/search.do.

(English version)

Question for written answer E-002963/12
to the Commission
Jean-Luc Bennahmias (ALDE)
(19 March 2012)

Subject: Operational use of helicopters and on-board safety issues

French and European helicopter operators have been badly affected by the crisis. The European Aviation Safety Agency (EASA) has published a new text, OPS 3, on the operational use of helicopters and on-board safety issues, which is to be applied from 8 April 2012. From comments made within the industry it would seem that this document raises concerns among operators, particularly regarding the requirement to have two crew members — a pilot and a 'qualified' crew member — and the requirement to use multi-engine helicopters in various situations, including operations over mountainous areas.

1. In what way did the Commission consult the sector when drawing up these new standards?

2. Can the Commission clarify what is meant by 'qualified' in relation to the two on-board helicopter crew members? Can it specify what type of qualifications, training or exams are required?

3. Finally, in view of the difficulties cited by the industry before OPS 3 has even been implemented, has an assessment of these new measures been planned? If so, what is the timetable for this?

Answer given by Mr Kallas on behalf of the Commission
(26 April 2012)

The Commission would refer the Honourable Member to its answer to Written Question E-4439/2011 ([1]). In addition, draft rules on commercial air transport helicopter operations are expected to enter into force in the second half of 2012. These rules have been established in consultation with concerned stakeholders and in close coordination with the Member States.

As certain mountainous areas are not appropriate for a safe-forced-landing in the case of engine failure, future rules require the use of multi-engine helicopters to overfly those areas. However, the provisions allow for some flexibility upon a safety assessment conducted by the operator concerned.

A second crew member is required for helicopter emergency medical service (HEMS), helicopter hoist operations (HHO) or operations with the aid of night vision imaging systems (NVIS). The second crew member is necessary to assist the pilot to avoid obstacles and navigate in adverse conditions. This task can be performed by another qualified pilot or a qualified technical crew member. Selection, training and checking criteria for technical crew members are embedded in the rules.

([1]) Available at http://www.europarl.europa.eu/QP-WEB/application/search.do.

(Version française)

Question avec demande de réponse écrite E-002964/12
à la Commission
Michel Dantin (PPE)
(19 mars 2012)

Objet: Définition et éligibilité des zones de pâturage permanent aux paiements directs de la PAC

Le règlement (CE) nº 1120/2009 définit à l'article 2, alinéas c) et d) les termes «pâturage» et «pâturage permanent» aux fins d'application du règlement (CE) nº 73/2009 sur le régime de paiements directs.

Or, dans la proposition de réforme de la PAC présentée le 12 octobre 2011, le terme «pâturage permanent» n'apparaît plus dans le projet de règlement relatif aux paiements directs. Celui-ci est remplacé par le terme «prairie permanente».

Ce changement sémantique suscite une vive inquiétude dans le sud de l'Europe, où des pratiques de pâturage s'étendent à des parcours, à des bois pâturés ou à des parcours boisés. C'est notamment le cas en France dans les régions Languedoc-Roussillon, Provence-Alpes-Côte d'Azur et Corse.

Ces pratiques correspondent à un milieu spécifique et sont notamment indispensables dans le cadre de la prévention et de la lutte contre les incendies de forêt.

— En conséquence, la Commission est-elle en mesure de confirmer que ces zones resteront à l'avenir éligibles dans le cadre du futur règlement sur les paiements directs?

Réponse donnée par M. Cioloş au nom de la Commission
(25 avril 2012)

L'article 4, paragraphe 1, point h), de la proposition prévoit, dans le cadre des paiements directs, la définition suivante: les «prairies permanentes» sont «les terres consacrées à la production d'herbe et d'autres plantes fourragères herbacées (ensemencées ou naturelles) qui ne font pas partie du système de rotation des cultures de l'exploitation depuis cinq ans ou davantage; d'autres espèces adaptées au pâturage peuvent être présentes, pour autant que l'herbe et les autres plantes fourragères herbacées restent prédominantes».

La définition proposée est plus large que la définition de «pâturage permanent» actuellement applicable aux paiements directs, qui se limite à l'«herbe et autres plantes fourragères herbacées». Dans les termes de la définition proposée, des zones recouvertes en tout ou en partie, non seulement d'«herbe et autres plantes fourragères herbacées», mais aussi d'un certain nombre d'autres espèces appropriées pour le pâturage, telles que des espèces ligneuses, sont admissibles à condition qu'une activité agricole soit exercée dans la zone et que les herbes et autres plantes fourragères herbacées restent prédominantes. Un tel élargissement est justifié, étant donné que les zones en question peuvent avoir une grande valeur environnementale. Par comparaison à la définition actuelle, il a été préféré au terme «pâturage permanent» le terme «prairies permanentes» pour mieux refléter le contenu de la définition, qui concerne également les prairies.

La proposition de la Commission sera, après adoption, complétée par des règles détaillées. Des questions telles que l'admissibilité de certains bois pâturés seront, dans ce contexte, examinées de façon appropriée.

(English version)

Question for written answer E-002964/12
to the Commission
Michel Dantin (PPE)
(19 March 2012)

Subject: Definition and eligibility of permanent pasture areas for the purposes of direct CAP payments

Article 2(c) and (d) of Commission Regulation (EC) No 1120/2009 define the terms 'permanent pasture' and 'grassland' for the purposes of implementation of Regulation (EC) No 73/2009 governing the direct payment scheme.

However, in the proposed CAP reforms presented on 12 October 2011, the term 'permanent pasture' no longer appears in the draft regulation on direct payments. This has been replaced by the term 'permanent grassland'.

This semantic change has sparked serious concern in southern Europe, where pasturing practices extend to paths, grassy woodlands and wooded paths. Such practices are particularly common in France in the regions of Languedoc-Roussillon, Provence-Alpes-Côte d'Azur and Corsica.

These practices are suited to a specific type of environment and are especially important in the prevention of and fight against forest fires.

— Can the Commission therefore confirm that these areas will remain eligible under the future regulation governing direct payments?

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

Article 4(1)(h) of the proposal provides for the purpose of direct payments the following definition: 'permanent grassland' means land used to grow grasses or other herbaceous forage naturally (self-seeded) or through cultivation (sown) and that has not been included in the crop rotation of the holding for five years or longer; it may include other species suitable for grazing provided that the grasses and other herbaceous forage remain predominant.

The proposed definition is broader than the definition of 'permanent pasture' currently applicable to direct payments, which is limited to 'grasses or other herbaceous forage'. Under the proposed definition also areas or part of areas which are covered not only with 'grasses or other herbaceous forage' but also covered with a certain share of other species suitable for grazing such as certain ligneous species become eligible provided that there is an agricultural activity on the area and that the grasses and other herbaceous forage remain predominant. Such an enlargement is justified as the areas in question may have an important environmental value. In comparison to the current definition the term has been changed from 'permanent pasture' to 'permanent grassland' to better reflect the substance of the definition which covers also meadows.

The Commission proposal will after adoption be complemented by detailed rules. Issues such as the eligibility of certain forest pastures will in that context be considered in an appropriate way.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002965/12
alla Commissione
Sonia Alfano (ALDE)
(19 marzo 2012)

Oggetto: Progetto Smile House Lazio — informazioni su fondi europei

Operation Smile Italia Onlus è una Fondazione nata nel 2000, costituita da volontari medici, infermieri e operatori sanitari che realizzano missioni umanitarie in oltre 60 Paesi del mondo, per correggere con interventi di chirurgia plastica ricostruttiva gravi malformazioni facciali come il labbro leporino e la palatoschisi, esiti di ustioni e traumi. Lo scorso settembre 2011 è stata inaugurata la Smile House di Milano, primo centro in Italia di ricerca sulle malformazioni congenite infantili maxillofacciali.

L'idea è quella di poter fare la stessa cosa nel Lazio, specialmente nella zona di Roma e provincia dove, a causa della carenza di strutture e dei tagli alla spesa pubblica destinata alla sanità, l'intero reparto di Chirurgia Maxillo-Facciale dell'Ospedale Santo Spirito è stato chiuso, lasciando così medici e infermieri senza i luoghi e gli strumenti per lavorare, pur essendo ancora sotto contratto dell'Asl di Roma. L'equipe è la stessa che lavora per la fondazione Operation Smile Italia.

Per questo motivo è volontà della Fondazione la ricerca di fondi europei e nazionali con la speranza di ridare una struttura all'equipe che operava presso il reparto dell'Ospedale Santo Spirito e avviare così un altro punto di ricerca e cura delle malformazioni congenite in età infantile. Al momento sono state individuate due strutture che si presterebbero ad essere utilizzate per l'apertura di una Smile House, il cui funzionamento sarebbe garantito dal personale già sotto contratto.

— Si chiede pertanto alla Commissione se è in grado di indicare dei canali di finanziamento europei, diretti o indiretti, che potrebbero essere utilizzati per consentire l'apertura della Smile House.

Risposta data da Johannes Hahn a nome della Commissione
(30 aprile 2012)

Il progetto segnalato dall'onorevole parlamentare non può essere cofinanziato dal Fondo europeo di sviluppo regionale. A norma dell'articolo 5 del regolamento (CE) n. 1080/2006 del Parlamento europeo e del Consiglio, del 5 luglio 2006, relativo al Fondo europeo di sviluppo regionale ([1]), le iniziative nel settore della salute non possono accedere al cofinanziamento nelle regioni che, come il Lazio, rientrano nell'obiettivo competitività regionale e occupazione.

Il progetto non è inoltre cofinanziabile nell'ambito del secondo programma d'azione comunitaria in materia di salute 2008-2013 ([2]). Il finanziamento delle strutture sanitarie, quali le infrastrutture, resta di competenza degli Stati membri.

([1]) Versione consolidata (compresa la modifica dell'articolo 7 da aprile 2009), del regolamento (CE) n. 1080/2006 del Parlamento europeo e del Consiglio, del 5 luglio 2006, relativo al Fondo europeo di sviluppo regionale e che abroga il regolamento (CE) n. 1783/1999.

([2]) Decisione n. 1350/2007/CE del Parlamento europeo e del Consiglio, del 23 ottobre 2007, articolo 2: «Il programma integra, sostiene e aggiunge valore alla politica degli Stati membri …» nel settore della sanità pubblica.

(English version)

Question for written answer E-002965/12
to the Commission
Sonia Alfano (ALDE)
(19 March 2012)

Subject: Smile House Lazio project — information on European funds

Operation Smile Italia non-profit organisation is a foundation created in 2000, consisting of volunteer doctors, nurses and healthcare operators who undertake humanitarian missions in over 60 countries worldwide to correct serious facial malformations such as harelips and cleft palates, burns and trauma through reconstructive plastic surgery. In September 2011 Smile House in Milan was opened, the first centre in Italy for research into maxillofacial infantile congenital malformations.

The idea is to be able to do the same thing in Lazio, especially in Rome and its province where, owing to the lack of facilities and cuts to public health spending, the entire ward for maxillofacial surgery at Santo Spirito Hospital has been closed, thus leaving doctors and nurses without the premises and instruments to work, despite still being under contract with the Rome local health authority (ASL). The team is the same one which works for the Operation Smile Italia foundation.

For this reason the Foundation wishes to seek European and Italian funding with the hope of re-establishing facilities for the team which operated in Santo Spirito Hospital and thus launching another research and treatment centre for congenital malformations in infancy. At the moment two establishments have been identified which could be used to open a Smile House, which would be run by the staff who are already under contract.

— Can the Commission therefore say whether there are any direct or indirect European financing channels which could be used to enable Smile House to be opened?

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

The project mentioned by the Honourable Member is not eligible for co-financing under the European Regional Development Fund. According to Article 5 of Regulation (EC) No 1080/2006 of the European Parliament and of the Council of 5 July 2006 on the European Regional Development Fund ([1]), actions in the health sector are not eligible for co-financing in regions falling under the regional competitiveness and employment objective such as Lazio.

This project is also not eligible for co-financing under the second programme of Community Action in the field of health 2008-2013 ([2]). The funding of health facilities, such as infrastructure, remains the competence of the Member States.

([1]) Consolidated version (including modification of Article 7 from April 2009) of Regulation (EC) No 1080/2006 of the European Parliament and of the Council of 5 July 2006 on the European Regional Development Fund and repealing Regulation (EC) No 1783/1999.

([2]) Decision 1350/2007/EC of the European Parliament and of the Council of 23 October 2007), Article 2: 'The Programme shall complement, support and add value to the policies of the Member States…' in the area of public health.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002966/12
al Consiglio
Sonia Alfano (ALDE)
(19 marzo 2012)

Oggetto: Rimpatrio volontario assistito per cittadini comunitari: discriminazione etnica e violazione libertà di circolazione e di soggiorno in Italia

Il 31 dicembre 2011 le autorità italiane hanno proceduto al rimpatrio «volontario assistito» di 36 cittadini rumeni di etnia rom domiciliati presso il villaggio «Al Karama», nei pressi di Latina. Nel corso del 2009-2010 anche il comune di Pisa aveva preso simili provvedimenti, «importando» e rafforzando in Italia una pratica lanciata dal governo francese nel corso della campagna di espulsione dei rom dell'agosto 2010.

La direttiva 2004/38/CE del 29 aprile 2004 relativa al diritto dei cittadini dell'Unione e dei loro familiari di circolare e di soggiornare liberamente nel territorio degli Stati membri non prevede la possibilità di attuare rimpatri «volontari assistiti», neppure attraverso il corrispettivo di un pagamento; al contrario la direttiva prevede una serie di garanzie contro l'allontanamento dei cittadini comunitari da uno Stato membro, che non sono state rispettate nei casi summenzionati.

L'ordinamento italiano prevede il rimpatrio «volontario assistito» solamente per «i cittadini di Paesi non appartenenti all'Unione europea» e gli apolidi, come previsto dal decreto del ministro dell'interno del 27 ottobre 2011 «Linee guida per l'attuazione dei programmi di rimpatrio volontario e assistito», in applicazione della L. 129/11 di recepimento della direttiva UE rimpatri del 2008. Tali misure non possono quindi in alcun modo applicarsi ai cittadini comunitari.

Non ritiene il Consiglio che i provvedimenti presi dalle autorità italiane di «rimpatrio volontario assistito» violino le norme sul diritto dei cittadini dell'Unione e dei loro familiari di circolare e di soggiornare liberamente nel territorio degli Stati membri (articolo 45 della Carta dei diritti fondamentali, articolo 18 TFUE, direttiva 2004/38/CE) nonché la proibizione delle discriminazioni basate sull'origine razziale o etnica (articolo 21 della Carta dei diritti fondamentali, articolo 2 TUE, direttiva 2000/43/CE)?

Risposta
(30 aprile 2012)

Il Consiglio non ha discusso la questione sollevata nell'interrogazione.

La Commissione, in quanto custode dei trattati, è responsabile del controllo dell'applicazione del diritto dell'Unione da parte degli Stati membri.

Si invita pertanto l'onorevole parlamentare a rivolgere questa interrogazione alla Commissione, poiché rientra nelle sue competenze.

(English version)

Question for written answer E-002966/12
to the Council
Sonia Alfano (ALDE)
(19 March 2012)

Subject: Assisted voluntary return for EU citizens: ethnic discrimination and violation of freedom to move and reside in Italy

On 31 December 2011, Italian authorities arranged the 'assisted voluntary' return of 36 Romanian citizens of Roma ethnic origin domiciled in the 'Al Karama' camp near Latina. During 2009-2010 Pisa Town Council took similar measures, 'importing' into and enhancing in Italy a practice started by the French Government during the campaign to expel Roma citizens in August 2010.

Directive 2004/38/EC of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States does not envisage the possibility of implementing 'assisted voluntary' returns, not even in return for payment; on the contrary, the directive envisages a series of guarantees against removing EU citizens from a Member State, which were not respected in the aforementioned cases.

Italian law provides for 'assisted voluntary' return only for 'citizens of countries that do not belong to the European Union' and stateless people, as stipulated in the Decree of the Minister of the Interior of 27 October 2011, 'Guidelines for the implementation of voluntary and assisted return programmes', implementing Law 129/11 transposing the EU returns Directive of 2008. These measures cannot, therefore, be applied in any form to EU citizens.

Does the Council not believe that the arrangements made by the Italian authorities for 'assisted voluntary return' violate the laws on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States (Article 45 of the Charter of Fundamental Rights, Article 18 of the Treaty on the Functioning of the European Union, Directive 2004/38/EC)? Are these measures not also in breach of the prohibition of discrimination based on racial or ethnic origin (Article 21 of the Charter of Fundamental Rights, Article 2 of the Treaty on the Functioning of the European Union, Directive 2000/43/EC)?

Reply
(30 April 2012)

The Council has not discussed the issue.

The Commission, as guardian of the Treaties, is responsible for overseeing Member States' application of Union law.

The Honourable Member is therefore invited to put this question to the Commission, as it falls within its powers.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-002967/12
alla Commissione
Sonia Alfano (ALDE)
(19 marzo 2012)

Oggetto: Rimpatrio volontario assistito per cittadini comunitari: discriminazione etnica e violazione libertà di circolazione e di soggiorno in Italia

Il 31 dicembre 2011 le autorità italiane hanno proceduto al rimpatrio «volontario assistito» di 36 cittadini rumeni di etnia rom domiciliati presso il villaggio «Al Karama», nei pressi di Latina. Nel corso del 2009-2010 anche il comune di Pisa aveva preso simili provvedimenti, «importando» e rafforzando in Italia una pratica lanciata dal governo francese nel corso della campagna di espulsione dei rom dell'agosto 2010.

La direttiva 2004/38/CE del 29 aprile 2004 relativa al diritto dei cittadini dell'Unione e dei loro familiari di circolare e di soggiornare liberamente nel territorio degli Stati membri non prevede la possibilità di attuare rimpatri «volontari assistiti», neppure attraverso il corrispettivo di un pagamento; al contrario la direttiva prevede una serie di garanzie contro l'allontanamento dei cittadini comunitari da uno Stato membro, che non sono state rispettate nei casi summenzionati.

L'ordinamento italiano prevede il rimpatrio «volontario assistito» solamente per «i cittadini di Paesi non appartenenti all'Unione europea» e gli apolidi, come previsto dal decreto del ministro dell'interno del 27 ottobre 2011 «Linee guida per l'attuazione dei programmi di rimpatrio volontario e assistito», in applicazione della L. 129/11 di recepimento della direttiva UE rimpatri del 2008. Tali misure non possono quindi in alcun modo applicarsi ai cittadini comunitari.

Non ritiene la Commissione che i provvedimenti presi dalle autorità italiane di «rimpatrio volontario assistito» violino le norme sul diritto dei cittadini dell'Unione e dei loro familiari di circolare e di soggiornare liberamente nel territorio degli Stati membri (articolo 45 della Carta dei diritti fondamentali, articolo 18 TFUE, direttiva 2004/38/CE) nonché la proibizione delle discriminazioni basate sull'origine razziale o etnica (articolo 21 della Carta dei diritti fondamentali, articolo 2 TUE, direttiva 2000/43/CE)?

Risposta data da Viviane Reding a nome della Commissione
(23 maggio 2012)

La Commissione considera estremamente importante garantire che i cittadini dell'UE beneficino appieno del diritto di circolare e soggiornare liberamente all'interno dell'Unione.

La direttiva 2004/38/CE ([1]) stabilisce le condizioni per l'ingresso e il soggiorno di cittadini dell'UE in altri Stati membri.

In tale contesto, la direttiva consente le espulsioni (che per loro natura non sono volontarie) di cittadini dell'UE dal territorio di uno Stato membro, a condizione che vengano rispettate una serie di garanzie materiali e procedurali. L'allontanamento di un cittadino dell'Unione è possibile soltanto se la persona interessata non soddisfa più le condizioni che determinano il suo diritto di soggiorno come stabilito dalla direttiva, o per motivi di ordine pubblico, di pubblica sicurezza o di sanità pubblica. Prima di adottare un provvedimento di allontanamento dal territorio, è sempre necessario effettuare una valutazione individuale del comportamento della persona e delle circostanze che la riguardano. Ogni provvedimento deve essere notificato per iscritto, pienamente motivato e impugnabile con ricorso.

I rimpatri volontari non rientrano invece nel campo di applicazione della direttiva 2004/38/CE né sembrano rientrare, in quanto tali, in quello della direttiva 2000/43/CE sull'uguaglianza razziale ([2]), che proibisce la discriminazione per motivi di razza o di origine etnica in vari settori specifici.

([1]) Direttiva 2004/38/CE relativa al diritto dei cittadini dell'Unione e dei loro familiari di circolare e di soggiornare liberamente nel territorio degli Stati membri, GU L 158 del 30.4.2004.

([2]) Direttiva 2000/43/CE del Consiglio del 29 giugno 2000 che attua il principio della parità di trattamento fra le persone indipendentemente dalla razza e dall'origine etnica, GU L 180 del 19.7.2000.

Nell'ambito del quadro dell'UE per i Rom, la Commissione sta attualmente valutando la strategia nazionale di integrazione presentata dall'Italia il 5 marzo 2012. In tale valutazione, si presta particolare attenzione a verificare che Stati membri abbiano compiuto gli sforzi necessari per migliorare la situazione dei Rom in quattro settori chiave (istruzione, occupazione, sanità e situazione abitativa) garantendo al contempo che essi siano trattati come ogni altro cittadino dell'Unione.

(English version)

Question for written answer E-002967/12
to the Commission
Sonia Alfano (ALDE)
(19 March 2012)

Subject: Assisted voluntary return for EU citizens: ethnic discrimination and violation of freedom to move and reside in Italy

On 31 December 2011, Italian authorities arranged the 'assisted voluntary' return of 36 Romanian citizens of Roma ethnic origin domiciled in the 'Al Karama' camp near Latina. During 2009-2010, Pisa Town Council took similar measures, 'importing' into and enhancing in Italy a practice started by the French Government during the campaign to expel Roma citizens in August 2010.

Directive 2004/38/EC of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States does not envisage the possibility of implementing 'assisted voluntary' returns, not even in return for payment; on the contrary, the directive envisages a series of guarantees against removing EU citizens from a Member State, which were not respected in the aforementioned cases.

Italian law provides for 'assisted voluntary' return only for 'citizens of countries that do not belong to the European Union' and stateless people, as stipulated in the Decree of the Minister of the Interior of 27 October 2011, 'Guidelines for the implementation of voluntary and assisted return programmes', implementing Law 129/11 transposing the EU returns Directive of 2008. These measures cannot, therefore, be applied in any form to EU citizens.

Does the Commission not believe that the arrangements made by the Italian authorities for 'assisted voluntary return' violate the laws on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States (Article 45 of the Charter of Fundamental Rights, Article 18 of the Treaty on the Functioning of the European Union, Directive 2004/38/EC)? Are these measures not also in breach of the prohibition of discrimination based on racial or ethnic origin (Article 21 of the Charter of Fundamental Rights, Article 2 of the Treaty on the Functioning of the European Union, Directive 2000/43/EC)?

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

The Commission attaches great importance to ensuring that EU citizens fully enjoy their right to move and reside freely within the EU.

Directive 2004/38/EC ([1]) lays down the conditions governing the entry and residence of EU citizens in other Member States.

Within this framework, expulsions of EU citizens from the territory of a Member State, which, by nature, are not voluntary, are only allowed by the directive provided that certain material and procedural safeguards are complied with. It is only possible to remove an EU citizen if the person concerned no longer meets the conditions attached to the right of residence laid down in the directive, or on grounds of public policy, public security or public health. An individual assessment of the personal conduct and circumstances of the person concerned must always be carried out before taking an expulsion measure. Decisions must be in writing, fully justified and open to appeal.

As far as voluntary returns are concerned, these do not fall within the scope of Directive 2004/38/EC. Nor do they appear to fall as such within the scope of Directive 2000/43/EC on Racial Equality ([2]), which prohibits discrimination on grounds of racial or ethnic origin in a number of specified areas.

In the context of the EU framework for Roma, the Commission is currently assessing the National Roma Integration Strategy submitted by Italy on 5 March 2012. In its assessment, it pays particular attention to whether Member States have taken necessary efforts to improve the situation of Roma in four key areas (education, employment, health and housing) while ensuring that Roma are treated like any other EU citizen.

([1]) Directive 2004/38/EC on the right on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, OJ L 158, 30.4.2004.
([2]) Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, OJ L 180, 19.7.2000.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002968/12
aan de Commissie
Ivo Belet (PPE)
(19 maart 2012)

Betreft: Project Zilina Universiteit van Slowakije in het kader van het Europees Fonds voor Regionale Ontwikkeling

Als antwoord op parlementaire vraag P-002555/2011 van 15 maart 2011 over de aanschaf van een „luchtvaartlaboratorium" door de Zilina Universiteit in Slowakije in het kader van het Slowaakse operationele programma voor onderzoek en ontwikkeling, zei de Europese Commissie dat ze besloot over te gaan tot nader onderzoek van het project in kwestie.

De aanbesteding van dit luchtvaartlaboratorium lijkt in werkelijkheid immers betrekking te hebben op de aanschaf van een vliegtuig voor de productie van luchtfotografie. Er bestaan vermoedens dat de universiteit dit vliegtuig heeft verworven voor de verkoop van luchtfoto's op de particuliere markt.

Hierbij zou het dus gaan om een inkomstengenererend project, terwijl in de operationele programma's van het Europees Fonds voor Regionale Ontwikkeling alleen projecten in aanmerking mogen worden genomen die de kwaliteit van onderzoeksfaciliteiten ondersteunen.

Heeft de Commissie het onderzoek naar dit project intussen afgerond? Wat waren de resultaten van dit onderzoek of wanneer kunnen deze worden verwacht?

Welke volgende stappen plant de Commissie te ondernemen?

Antwoord van de heer Hahn namens de Commissie
(3 mei 2012)

In haar antwoord op vraag P-002555/2011 ([1]) heeft de Commissie benadrukt dat het overeenkomstig het beginsel van gedeeld beheer bij de administratie van het cohesiebeleid de verantwoordelijkheid van de nationale autoriteiten is ervoor te zorgen dat de doelstellingen van het Programma voor onderzoek en ontwikkeling worden vertaald in projecten, door middel van doelgerichte oproepen tot het indienen van voorstellen en een zorgvuldige selectie van projecten.

De Commissie heeft de aan de geachte afgevaardigde beloofde nadere informatie betreffende het twee jaar durende project „Center of Excellence for air transport" intussen verstrekt bij schrijven van 17 juni 2011.

Volgens de laatste van de beheersautoriteit ontvangen informatie is het project nog steeds in de uitvoeringsfase en zou het tegen het einde van juli 2012 voltooid moeten zijn. Alle geplande aankopen van uitrusting zijn verricht en de testfase van het laboratorium loopt.

De beheersautoriteit heeft opnieuw bevestigd dat dit geen „inkomstengenererend project" is. De subsidieaanvraag van de universiteit van Žilina, die deel uitmaakt van het contract, omvat een verklaring van de begunstigde dat het project „niet van inkomstengenererende aard" is. Daarnaast verplichten de contractvoorwaarden de begunstigde de beheersautoriteit te informeren zodra het project inkomsten begint te genereren. De begunstigde is verplicht om tot vijf jaar na voltooiing van het project regelmatig verslagen in te dienen om controle daarop mogelijk te maken.

De activiteiten van de beheersautoriteiten in de lidstaten, met inbegrip van projecten van begunstigden, zijn voorwerp van toezichts- en auditactiviteiten op het niveau van de lidstaat en ook door de EU-autoriteiten. De uitvoering van het project is tot nu toe gecontroleerd door het uitvoeringsagentschap en een laatste controle ter plaatse is gepland voor mei 2012.

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

(English version)

Question for written answer E-002968/12
to the Commission
Ivo Belet (PPE)
(19 March 2012)

Subject: Project by University of Žilina, Slovakia within the framework of the European Regional Development Fund

In response to parliamentary Question P-002555/2011 of 15 March 2011, regarding the purchase of a 'flight laboratory' by the University of Žilina in Slovakia under the Slovak Operational Programme for Research and Development, the European Commission said that it had decided to further inquire into the project in question.

In reality, the tender for this flight laboratory seems to concern the purchase of an aircraft for the production of aerial photographs. There are suspicions that the university has acquired this aircraft for the purpose of selling aerial photographs on the private market.

The project in question is therefore a revenue-generating one and only projects that support the quality of research facilities may be considered as a part of the Operational Programmes of the European Regional Development Fund.

Has the Commission now completed its inquiry into this project? What were the results of this inquiry or when can they be expected?

What further action does the Commission plan to take?

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

In its reply to Question P-002555/2011 ([1]), the Commission underlined that, in line with the shared management principle used for the administration of cohesion policy, it is the responsibility of the national authorities to ensure that objectives set in the Research and Development Programme are translated into projects, through properly designed calls for proposals and project selection.

The Commission has already provided the further information promised to the Honourable Member regarding the two-year project called 'Center of Excellence for air transport' by letter of 17 June 2011.

According to the latest information received from the managing authority, the project is still in the implementation phase and should be completed by end-July 2012. Purchasing of all planned equipment has been finalised and a testing phase of the laboratory is currently running.

The managing authority has re-confirmed that this is not 'a revenue-generating project'. The grant application submitted by the University of Žilina, which is part of the contract, includes a declaration by the beneficiary stating that the project is not of a 'revenue-generating' nature. In addition, the contract conditions oblige the beneficiary to inform the managing authority if the project starts generating any revenues. The beneficiary provides regular monitoring reports up to five years after the project's completion.

The activities of the managing authorities in the Member States, including projects run by beneficiaries, are subject to monitoring and audit activity at the level of the Member State as well as by the EU authorities. The implementation of the project has so far been monitored by the implementation agency and a final spot check is scheduled for May 2012.

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

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002969/12
aan de Commissie
Ivo Belet (PPE)
(19 maart 2012)

Betreft: Export zonnepanelen uit China

Zowel in de Europese Unie als in de Verenigde Staten is vorig jaar ophef ontstaan over de toegenomen import van zonnepanelen uit China. China zou door middel van staatssubsidies Chinese producenten van fotovoltaïsche cellen steunen om de prijzen van zonnepanelen laag te houden en zo de export te bevorderen. Ondermeer daardoor is China goed voor bijna drie vijfde van de wereldproductie in zonnepanelen. Het US Department of Commerce onderzoekt momenteel of er sprake is van oneerlijke handel. Eind deze maand zal de Amerikaanse overheid beslissen of ze invoerheffingen zal opleggen aan Chinese zonnepanelen. Die zouden kunnen oplopen tot 100 procent van de waarde ervan.

Heeft de Commissie hierover klachten van de sector ontvangen? Loopt er op Europees niveau een gelijkaardig onderzoek?

Welke stappen zal de Commissie in deze ondernemen?

Antwoord van de heer De Gucht namens de Commissie
(24 april 2012)

Bij verstoring van de internationale handel in zonnepanelen door tot compenserende maatregelen aanleiding gevende subsidies en/of dumpingpraktijken die schade toebrengen aan de bedrijfstak van de EU, kunnen na onderzoek door de Commissie antisubsidie- en/of antidumpingrechten worden ingesteld.

Wanneer de Commissie over voldoende voorlopig bewijsmateriaal beschikt om aan te tonen dat er sprake is van dumping of subsidie en dat de bedrijfstak van de EU aanmerkelijke schade lijdt door de invoer met dumping of subsidiëring, kan zij overwegen een antisubsidie- of antidumpingonderzoek te openen. Indien de Commissie dergelijk bewijsmateriaal verkrijgt, zal zij alle feiten grondig analyseren en kan zij een onderzoek openen om na te gaan of aan alle wettelijke voorschriften is voldaan.

Om op de voorschriften van de Wereldhandelsorganisatie (WTO) gebaseerde juridische redenen kan de Commissie niet ingaan op het bestaan van mogelijke klachten van de bedrijfstak. Het staat de bedrijfstak vrij een klacht in te dienen, en indien er voldoende bewijsmateriaal beschikbaar is, heeft de Commissie de wettelijke plicht een onderzoek te openen om na te gaan of aan de toepasselijke WTO- en EU-voorwaarden is voldaan.

(English version)

Question for written answer E-002969/12
to the Commission
Ivo Belet (PPE)
(19 March 2012)

Subject: Solar panels exported from China

There was a lot of controversy last year, both in the European Union and the United States, concerning increased imports of solar panels from China. China is said to be supporting Chinese manufacturers of photovoltaic cells through state subsidies in order to keep the solar panel prices low and thus promote exports. This is one of the reasons why China accounts for almost three-fifths of the world's solar panel production. The US Department of Commerce is currently investigating whether this practice constitutes unfair trade. The American Government will decide at the end of this month whether to impose import duties on Chinese solar panels. These duties could amount to up to 100 % of their value.

Has the Commission received any complaints about this matter from industry? Is a similar investigation being conducted at European level?

What steps will the Commission take in this regard?

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

In cases where international trade in solar panels is distorted in so far as countervailing and/or dumping practices cause injury to EU industry, anti-subsidy and/or anti-dumping duties may be imposed after investigation by the Commission.

The Commission can consider opening an anti-subsidy and/or an anti-dumping investigation when it has sufficient prima facie evidence that dumping or subsidisation takes place and EU industry is suffering material injury, caused by the dumped or subsidised imports. If the Commission obtains such evidence, it will carefully analyse all facts and may initiate an investigation if all legal conditions are met.

For legal reasons based on the rules of the World Trade Organisation (WTO), the Commission cannot comment on the existence of any potential complaints by industry. Industry is free to bring a complaint and if there is sufficient evidence, the Commission is under a legal obligation to initiate an investigation if the relevant WTO and EU conditions are met.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002970/12
aan de Raad
Auke Zijlstra (NI)
(19 maart 2012)

Betreft: Deens voorzitterschap: „Freedom of expression does not equal the right to express anything about everyone"

Tijdens het plenaire debat „Discriminatory Internet sites and government reactions" van woensdag 14 maart 2012 heeft Nicolai Wammen, namens het Deens voorzitterschap, het volgende gezegd: „Freedom of expression does not equal the right to express anything about everyone ([1])."

1. Kan de Raad de voornoemde uitspraak van de heer Wammen bevestigen? Onderschrijft de Raad deze uitspraak? Zo neen, neemt de Raad dan afstand van deze woorden? Zo ja, waarop baseert de Raad deze uitspraak?

2. Kan de Raad aangeven wat men, conform EU-regelgeving, wél mag zeggen over iedereen?

3. Kan de Raad aangeven wat men, conform EU-regelgeving, níet mag zeggen over iedereen?

Antwoord
(6 juni 2012)

Het voorzitterschap spreekt in het Europees Parlement namens de Raad, en geeft derhalve in grote lijnen het standpunt van de Raad over de ter tafel liggende kwestie weer, maar beslist zelf over de exacte bewoordingen van zijn mondelinge opmerkingen.

([1]) http://news.bbc.co.uk/democracylive/hi/europe/newsid_9704000/9704683.stm, vanaf 03:00.

(English version)

Question for written answer E-002970/12
to the Council
Auke Zijlstra (NI)
(19 March 2012)

Subject: Danish presidency: 'Freedom of expression does not equal the right to express anything about everyone'

During the plenary debate, 'Discriminatory Internet sites and government reactions' on Wednesday, 14 March 2012, Nicolai Wammen said the following on behalf of the Danish Presidency: 'Freedom of expression does not equal the right to express anything about everyone' ([1]).

1. Can the Council confirm the aforesaid statement by Mr Wammen? Does the Council agree with this statement? If not, does the Council then repudiate this statement? If so, on what does the Council base this statement?

2. Can the Council indicate what, in accordance with EU rules, one is allowed to say about everyone?

3. Can the Council indicate what, in accordance with EU rules, one is not allowed to say about everyone?

Reply
(6 June 2012)

The Presidency intervenes in the European Parliament on behalf of the Council and therefore broadly reflects the position of the Council on the issue under discussion, while retaining discretion as to the exact wording of such oral interventions.

([1]) http://news.bbc.co.uk/democracylive/hi/europe/newsid_9704000/9704683.stm, from 03:00.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002971/12
aan de Commissie
Auke Zijlstra (NI)
(19 maart 2012)

Betreft: Deens voorzitterschap: „Freedom of expression does not equal the right to express anything about everyone"

Tijdens het plenaire debat „Discriminatory Internet sites and government reactions" van woensdag 14 maart 2012 heeft Nicolai Wammen, namens het Deens voorzitterschap, het volgende gezegd: „Freedom of expression does not equal the right to express anything about everyone ([1])."

1. Is de Commissie het eens met de uitspraak van de de heer Wammen namens het Deens voorzitterschap? Zo neen, neemt de Commissie dan afstand van zijn woorden? Zo ja, op grond waarvan verdedigt de Commissie deze uitspraak?

2. Kan de Commissie aangeven wat men, conform EU-regelgeving, wél mag zeggen over iedereen?

3. Kan de Commissie aangeven wat men, conform EU-regelgeving, níet mag zeggen over iedereen?

Antwoord van mevrouw Reding namens de Commissie
(14 mei 2012)

Het fundamentele recht op vrijheid van meningsuiting, verankerd in artikel 11 van het Handvest van de grondrechten van de Europese Unie en artikel 10 van het Europees Verdrag tot bescherming van de rechten van de mens, is geen absoluut recht (zie artikel 52 van het Handvest). Het Europees Hof voor de rechten van de mens heeft gesteld dat het wellicht noodzakelijk moet worden geacht de vrijheid van meningsuiting in democratische samenlevingen te beperken zodat uitdrukkingsvormen worden bestraft die tot haat aanzetten en haat verspreiden, bevorderen of rechtvaardigen ([2]).

Kaderbesluit 2008/913/JBZ van de Raad inzake de bestrijding van bepaalde vormen en uitingen van racisme en vreemdelingenhaat door middel van het strafrecht, verplicht alle EU-lidstaten ertoe het opzettelijk publiekelijk aanzetten tot geweld of haat jegens een groep personen, of een lid van die groep, die op basis van ras, huidskleur, godsdienst, afstamming, dan wel nationale of etnische afkomst wordt gedefinieerd, strafbaar te stellen ([3]). Het is aan de nationale rechtbanken, al naargelang de omstandigheden en context, om te bepalen of een concrete situatie een aansporing vormt tot haat of geweld van religieuze of racistische aard.

([1]) http://news.bbc.co.uk/democracylive/hi/europe/newsid_9704000/9704683.stm, vanaf 03:00.
([2]) Gündüz/Turkije, 35071/97.
([3]) Kaderbesluit 2008/913/JBZ van de Raad van 28 november 2008 betreffende de bestrijding van bepaalde vormen en uitingen van racisme en vreemdelingenhaat door middel van het strafrecht, PB L 328 van 6.12.2008.

(English version)

Question for written answer E-002971/12
to the Commission
Auke Zijlstra (NI)
(19 March 2012)

Subject: Danish Presidency: 'Freedom of expression does not equal the right to express anything about everyone'

During the plenary debate on 'Discriminatory Internet sites and government reactions' on Wednesday, 14 March 2012, Nicolai Wammen said the following on behalf of the Danish Presidency: 'Freedom of expression does not equal the right to express anything about everyone' ([1]).

1. Does the Commission agree with Mr Wammen's statement on behalf of the Danish Presidency? If not, does the Commission then repudiate his statement? If so, on what grounds does the Commission support this statement?

2. Can the Commission indicate what, in accordance with EU rules, one is allowed to say about everyone?

3. Can the Commission indicate what, in accordance with EU rules, one is not allowed to say about everyone?

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

The fundamental right to freedom of expression, enshrined in Article 11 of the Charter of Fundamental Rights of the EU and Article 10 of the European Convention of Human Rights, is not an absolute right (see Article 52 of the Charter). The European Court of Human Rights has stated that it may be considered necessary in democratic societies to sanction all forms of expression which spread, incite, promote or justify hatred based on intolerance ([2]).

Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law obliges Member States to make punishable the intentional public incitement to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin ([3]). It is for the national courts to determine, according to the surrounding circumstances and context, whether a given situation represents an incitement to xenophobic or racist hatred or violence.

([1]) http://news.bbc.co.uk/democracylive/hi/europe/newsid_9704000/9704683.stm, from 03:00.
([2]) *Gündüz v Turkey*, 35071/97.
([3]) Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, OJ L 328, 6.12.2008.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-002972/12
aan de Commissie
Auke Zijlstra (NI)
(19 maart 2012)

Betreft: Visumvrij reizen voor Kosovo (vervolgvraag)

Op 14.3.2012 gaf mevrouw Malmström namens de Commissie antwoord op vraag E-000903/2012. Daarin staat geschreven:

„De gemeenschappelijke Visumcode (Verordening (EG) nr. 810/2009) regelt de procedures en voorwaarden voor de afgifte van visa. Artikel 29, lid 2, van de Visumcode bepaalt: „Indien de lidstaat van afgifte het reisdocument van de aanvrager niet erkent, wordt gebruikgemaakt van het afzonderlijke blad voor het aanbrengen van een visum". Dat wordt gedaan in de lidstaten die Kosovo niet erkennen."

1. Is het voor een lidstaat mogelijk óók het zogenaamde „afzonderlijke blad voor het aanbrengen van een visum" niet te erkennen? Zo neen, waarom niet? Zo ja, wat heeft dat tot gevolg?

De Commissie heeft nog geen antwoord gegeven op subvraag 2 in E-000903/2012.

2. Kan de Commissie alsnog mededelen welke nationaliteit iemand uit Kosovo heeft in een lidstaat die Kosovo niet erkent?

Antwoord van mevrouw Malmström namens de Commissie
(14 mei 2012)

De Commissie heeft in haar antwoord op Vraag E-000903/2012 benadrukt dat de erkenning van staten een bevoegdheid van de lidstaten is. De EU, met inbegrip van de Commissie, kan derhalve geen standpunt innemen inzake de status van Kosovo ([1]). Volgens het acquis met betrekking tot visa en grenzen zijn enkel de lidstaten bevoegd om door een derde land of territoriale entiteit uitgegeven reisdocumenten te erkennen. Deze bevoegdheid wordt tevens bekrachtigd door artikel 1, lid 3, van Besluit 1105/2011/EU.

Indien de aanvrager een reisdocument bezit dat door een of meerdere lidstaten niet wordt erkend, dient volgens artikel 25, lid 3, van de visumcode (Verordening (EG) nr. 810/2009) een visum te worden uitgegeven dat geldig is voor het grondgebied van de lidstaten die het reisdocument erkennen. Indien de lidstaat die het visum afgeeft, het reisdocument van de aanvrager niet erkent, is het afgegeven visum uitsluitend voor die lidstaat geldig. Een dergelijk visum dient niet aan het reisdocument te worden gehecht, maar komt op een afzonderlijk blad. Dat wordt gedaan in de lidstaten die Kosovo niet erkennen.

Artikel 288 VWEU bepaalt dat „een verordening een algemene strekking [heeft]. Zij is verbindend in al haar onderdelen en is rechtstreeks toepasselijk in elke lidstaat." Dientengevolge is Verordening (EG) nr. 810/2009 verbindend in al haar onderdelen en rechtstreeks toepasselijk in elke lidstaat.

([1]) Deze benaming laat de standpunten over de status van Kosovo onverlet, en is in overeenstemming met Resolutie 1244 van de VN-Veiligheidsraad en het advies van het Internationaal Gerechtshof over de onafhankelijkheidsverklaring van Kosovo.

(English version)

Question for written answer E-002972/12
to the Commission
Auke Zijlstra (NI)
(19 March 2012)

Subject: Visa-free travel for Kosovars (follow-up question)

On 14 March 2012, Ms Malmström gave an answer on behalf of the Commission to Question E-000903/2012. The answer says:

'The Community Code on Visas (Regulation (EC) No 810/2009) regulates the procedures and conditions concerning the issuing of visas. Article 29(2) of the Visa Code provides that: "Where the issuing Member State does not recognise the applicant's travel document, the separate sheet for affixing a visa shall be used." This is the practice used by Member States that do not recognise Kosovo.'

1. Can the Commission say if it is also possible for a Member State to not recognise the so-called 'separate sheet for affixing a visa'? If not, why not? If so, what effect does this have?

The Commission has not yet answered the second part of Question E-000903/2012.

2. Can the Commission indicate what nationality someone from Kosovo has in a Member State that does not recognise Kosovo?

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

The Commission highlighted in its reply to Question E-000903/2012 that the recognition of states is a Member State competence. For this reason, the EU, including the Commission, cannot take a position on the status of Kosovo ([1]). According to the *acquis* on visas and borders, Member States are solely competent to recognise travel documents issued by a third country or territorial entity. This competence is also confirmed by Article 1(3) of Decision 1105/2011/EU.

According to Article 25(3) of the Visa Code (Regulation 810/2009), if the applicant holds a travel document that is not recognised by one or more Member States, a visa valid for the territory of the Member States recognising the travel document shall be issued. If the issuing Member State does not recognise the applicant's travel document, the visa issued shall only be valid for that Member State. Such a visa shall not be affixed to the travel document, but on a separate sheet. This is the practice used by Member States that do not recognise Kosovo.

Article 288 TFEU makes it clear that a 'regulation shall have general application. It shall be binding in its entirety and directly applicable in all Member States'. For this reason, Regulation 810/2009 is binding in its entirety and directly applicable in all Member States.

([1]) This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-002973/12
adresată Comisiei
Elena Băsescu (PPE)
(19 martie 2012)

Subiect: Site-ul anti-imigranți lansat de partidul olandez PVV

Partidul Libertății (PVV) din Olanda a lansat site-ul anti-imigranți „Meldpunt Midden en Oost Europeanen", prin care invită cetățenii olandezi să formuleze plângeri cu privire la europenii din Est. Site-ul are un evident caracter xenofob și discriminatoriu, fiind în contradicție cu valorile și principiile fundamentale ale Uniunii Europene, consfințite prin tratate. În plus, prin invitația de a indica datele personale ale cetățenilor est-europeni, site-ul poate pune în pericol siguranța acestora și încalcă dreptul lor la protecția datelor cu caracter personal.

— Ce va face Comisia pentru a proteja cetățenii est-europeni din Olanda de efectele periculoase ale existenței acestui site?

— Ce măsuri vor fi luate pentru a impune respectarea drepturilor și principiilor fundamentale încălcate de site-ul PVV?

— Cum va reacționa Comisia față de Guvernul olandez, care nu s-a delimitat de acțiunile PVV?

— Ce măsuri suplimentare va lua Comisia pentru a combate xenofobia și discriminarea?

Răspuns dat de dna Reding în numele Comisiei
(7 mai 2012)

Comisia dorește să aducă în atenția distinsei membre declarația făcută în cadrul dezbaterii din ședința plenară din 13 martie 2012 ([1]). Comisia sprijină pe deplin rezoluția comună adoptată de Parlamentul European la 15 martie 2012 ([2]).

În ceea ce privește prelucrarea datelor cu caracter personal, în conformitate cu articolul 8 din Directiva 95/46/CE, statele membre interzic prelucrarea datelor cu caracter personal care dezvăluie, printre altele, originea etnică. Asemenea date sensibile pot fi prelucrate numai în cazul în care un anumit număr de criterii specifice sunt îndeplinite. Monitorizarea legalității prelucrării datelor este în sarcina autorităților naționale de protecție a datelor, care au responsabilitatea de a supraveghea punerea în aplicare a legislației în materie de protecție a datelor și de a întreprinde investigațiile necesare pentru a asigura aplicarea corectă a acesteia.

([1]) http://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20120313&secondRef=ITEM-012&language=RO.
([2]) http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0087+0+DOC+XML+V0//RO.

(English version)

Question for written answer E-002973/12
to the Commission
Elena Băsescu (PPE)
(19 March 2012)

Subject: Anti-immigrant website launched by the Dutch Freedom Party (PVV)

The PVV has launched the anti-immigrant website *Meldpunt Midden en Oost Europeanen*, through which it invites Dutch citizens to formulate complaints regarding Eastern Europeans. The website has an evidently xenophobic and discriminatory character, contrary to the fundamental values and principles of the European Union embodied in the Treaties. Furthermore, through the invitation to indicate the personal data of Eastern European citizens, the website could jeopardise their safety and violate their right to personal data protection.

— What does the Commission plan to do to protect Eastern European citizens in the Netherlands from the dangerous effects of the existence of this website?

— What measures will be taken to impose respect for the fundamental rights and principles violated by the PVV website?

— How will the Commission respond to the Dutch government, which has not distanced itself from the actions of the PVV?

— What supplementary measures will the Commission take to combat xenophobia and discrimination?

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

The Commission refers the Honourable Member to the statement made in the plenary debate on 13 March 2012 ([1]). The Commission fully supports the joint resolution adopted by the European Parliament on 15 March 2012 ([2]).

As regards the processing of personal data, according to Article 8 of Directive 95/46/EC, Member States shall prohibit the processing of personal data revealing, among other things, ethnic origin. Such sensitive data may only be processed if a number of specific criteria are satisfied. The monitoring of the legality of data processing is the task of national data protection authorities, which are responsible for the supervision of the implementation of data protection legislation and the investigations necessary to ensure its correct application.

([1]) http://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20120313&secondRef=ITEM-012&language=EN.
([2]) http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0087+0+DOC+XML+V0//EN&language=EN.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung P-002974/12
an die Kommission
Evelyn Regner (S&D)
(19. März 2012)

Betrifft: Geschlechtergleichheit in EU-Informationsbroschüren

Nach einem kürzlichen Besuch der europäischen Institutionen in Brüssel erhielt eine Besucherin bei der Informationsstelle der EU verschiedene Broschüren, die als Unterrichtsmaterial über die EU für Schulkinder dienen sollten. Dieses Material ist auch kostenlos über die Bibliotheks-Website der Kommission erhältlich. Die Besucherin brachte ihre Besorgnis darüber zum Ausdruck, dass in den Geschichten vieler Broschüren überproportional viele Jungen die Hauptfiguren sind.

1. Angesichts der Tatsache, dass die Gleichheit eines der in der Charta der Grundrechte der Europäischen Union dargelegten Rechte ist und dies offensichtlich auch die Geschlechtergleichheit umfasst, sollte nicht bei allen Informationsmaterialien und Broschüren, die Besuchern ausgehändigt werden, sichergestellt sein, dass beide Geschlechter in gleichem Umfang vertreten sind?

2. Ist die Kommission nicht der Ansicht, dass die Geschlechtergleichheit gewahrt werden muss, insbesondere im Hinblick auf Unterrichtsmaterial, das sich an Kinder und Jugendliche richtet, die in dem Glauben an das Grundrecht der Gleichheit aufwachsen sollten und die für eine europäische Zukunft stehen, in der Gleichheit die Norm ist, und nicht eine Ausnahme, die erkämpft werden muss?

3. Ist die überproportionale Auswahl von Jungen als Hauptfiguren in Geschichten, die sich speziell an Kinder richten, nicht ein negatives Signal an Mädchen wie auch an Jungen, die sich in ein Rollenklischee gedrängt sehen, welche sich möglicherweise nicht von Geschichten angesprochen fühlen, zu denen sie keinen Bezug finden können? Sollte es nicht gleich viele Geschichten geben, die sich zusammen und/oder getrennt an beide Geschlechter richten?

Antwort von Frau Reding im Namen der Kommission
(17. April 2012)

Die Kommission teilt die Ansichten der Frau Abgeordneten zur Geschlechtergleichstellung uneingeschränkt. Die Kommission hat mit der Annahme der „Frauen-Charta“ und der „Strategie für die Gleichstellung von Frauen und Männern 2010-2015“ ihr Engagement für die Geschlechtergleichstellung bekräftigt.

Die Kommission strebt die effektive Umsetzung der Grundsätze der Geschlechtergleichstellung und der Bekämpfung von Diskriminierung aufgrund des Geschlechts auf all ihren Politikfeldern an, auch in der Informations- und Kommunikationspolitik.

Alle Publikationen der Kommission mit allgemeinen Informationen über die EU sind geschlechterneutral formuliert, insbesondere solche, die sich an junge Menschen richten. Lehrpläne und Lehrmaterial fallen jedoch in die Zuständigkeit der Mitgliedstaaten. Nichtsdestotrotz fördern die europäischen Programme im Rahmen der Modernisierung und Reform der nationalen Bildungssysteme auf den Gebieten allgemeine und berufliche Bildung und Jugend die Geschlechtergleichstellung als allgemeines Ziel in all ihren Maßnahmen.

(English version)

Question for written answer P-002974/12
to the Commission
Evelyn Regner (S&D)
(19 March 2012)

Subject: Gender equality in EU information brochures

After a recent visit to the European institutions in Brussels, a visitor picked up various brochures at an EU Info-Point with the aim of finding teaching material on the EU for schoolchildren. The same material is also freely available on the Commission's library website. She expressed concern about the fact that many of the brochures disproportionately feature boys as the main protagonists of stories.

1. Given that equality is one of the rights outlined in the European Union Charter of Fundamental Rights, and that this of course includes gender equality, should not all information and brochures handed out to visitors ensure that both sexes are equally represented?

2. Does the Commission not think that the value of gender equality needs to be upheld, especially with regard to educational material aimed at children and young people, who ought to grow up with a belief in the fundamental right of equality, and who represent a European future where equality is the norm, not an exception which needs to be fought for?

3. Is the disproportionate choice of boys as the main characters in stories aimed specifically at children not a negative signal towards both girls and boys, who find themselves stereotyped and who might feel alienated by stories they cannot relate to? Should there not be an equal number of stories aimed at the two sexes together and/or separately?

Answer given by Mrs Reding on behalf of the Commission
(17 April 2012)

The Commission fully shares the Honourable Member's view that the value of gender equality should be upheld. The Commission has strengthened its commitment to equality between women and men by adopting the 'Women's Charter' and the 'Strategy for Equality between Women and Men (2010-2015)'.

The Commission aims at promoting the effective implementation of the principles of gender equality and of combating discrimination based on gender in all its policies, including its information and communication policy.

In this respect, the Commission's products containing general information about the EU, and in particular the publications addressed to young people, are gender-neutral Curricula and education materials are however national competences. Nevertheless, in support of the modernisation and reform of national education systems, the European Programmes promote, for education, training and youth, gender equality as a general objective, in all its actions.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-002975/12
til Kommissionen
Jens Rohde (ALDE)
(19. marts 2012)

Om: Hindringer ved afstemning til lokalvalg for udeboende EU-borgere

Ifølge en rapport fra Kommissionen den 9. marts 2012 støder udeboende EU-borgere stadig på hindringer, når de skal udøve deres stemmeret til lokalvalg. Kun 10 procent af de mange EU-borgere, som har bopæl i en anden medlemsstat end deres eget hjemland, bruger deres ret til at stemme eller stille op til lokalvalg i det EU-land de bor i.

Kommissionen meddeler i en pressemeddelelse samme dag, at den vil gå sammen med de nationale, regionale og lokale myndigheder og arbejde på at identificere og løse tilbageværende vanskeligheder med at udøve borgernes stemmeret.

Rapporten slår samtidig fast, at selvom medlemslandene har gennemført det relevante direktiv om regler for valgret og valgbarhed ved kommunale valg for unionsborger (94/80/EF) på tilfredsstillende vis, er der fortsat visse udestående spørgsmål.

Hvilke konkrete initiativer planlægger Kommissionen at få gennemført i samarbejde med de nationale, regionale og lokale myndigheder for at få fjernet de identificerede hindringer for øget valgdeltagelse?

Svar afgivet på Kommissionens vegne af Viviane Reding
(7. maj 2012)

Som nævnt i Kommissionens rapport af 9. marts 2012 ([1]) om anvendelsen af direktiv 94/80/EF om unionsborgeres deltagelse i lokalvalg agter Kommissionen at gøre brug af en uformel samarbejdsplatform mellem Kommissionen, Regionsudvalget og nationale sammenslutninger af lokale og regionale myndigheder. Formålet er at identificere eventuelle vedvarende problemer i forbindelse med EU-borgeres udøvelse af deres stemmeret i bopælslandet og fremme aktiviteter, der øger deltagelsen i det politiske liv. I den henseende er det vigtigt at udnytte de lokale myndigheders erfaringer og den bedste praksis, de har udviklet, for at styrke den faktiske udøvelse af denne ret.

Endvidere har Kommissionen allerede taget kontakt med de medlemsstater, der endnu ikke har gennemført direktivet, og vil ikke tøve med at gøre brug af sine beføjelser i medfør af traktaten til om nødvendigt at sikre fuld overensstemmelse med EU-lovgivningen.

Endelig har Kommissionen foreslået at udnævne 2013 til »Borgernes Europaår«. Det vil også give mulighed for at engagere de lokale myndigheder, civilsamfundet og offentligheden generelt i spørgsmålet om stemmeret og identificere nye foranstaltninger, der kan sikre en højere valgdeltagelse.

([1]) KOM(2012)0099.

(English version)

Question for written answer E-002975/12
to the Commission
Jens Rohde (ALDE)
(19 March 2012)

Subject: Problems on voting in municipal elections for EU nationals living in other Member States

According to a Commission report of 9 March 2012, EU nationals living in Member States of which they are not a national are still experiencing problems when attempting to vote in municipal elections. Only 10 % of the many such EU nationals use their right to vote or to stand as a candidate in municipal elections in the Member State in which they reside.

In a press release the same day, the Commission states that it will work with national, regional and local authorities towards identifying and solving outstanding difficulties for citizens exercising voting rights.

The report also emphasises that even though Member States have implemented the relevant Directive on the right to vote and to stand as a candidate in municipal elections by Union citzens (94/80/EC) in a satisfactory way, there remain certain unanswered questions.

What specific initiatives is the Commission planning for collaboration with national, regional and local authorities to have the identified barriers to increased participation in elections removed?

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

As highlighted in the Commission Report of 9 March 2012 ([1]) on the application of Directive 94/80/EC on participation of resident EU citizens in local elections, the Commission intends to make use of an informal platform of cooperation with the Committee of the Regions and the main national associations of the regional and local authorities. The aim is to identify any remaining obstacles in the concrete exercise of the electoral rights of the EU citizens in their Member State of residence and to promote activities aiming at increasing participation in the political life. For this purpose, the experience of the local authorities and the best practices put in place at local level are important to enhancing this right on the ground.

In addition, the Commission has already taken contact with those Member States where transposition issues are still outstanding and will not hesitate to make full use of its powers under the Treaty to ensure full conformity with EC law, if needed.

Finally, the Commission has proposed 2013 as the European Year of Citizens. This would also allow for engaging local authorities, civil society and the public at large on the issue of voting rights, including the identification of further actions leading to a higher turnout.

([1]) COM(2011) 99.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-002976/12
til Kommissionen
Jens Rohde (ALDE)
(19. marts 2012)

Om: Beskatning af den finansielle sektor

Den danske økonomi- og indenrigsminister Margrethe Vestager har ifølge dagbladet Børsen fredag den 16. marts 2012 fået et afslag fra Kommissionens skattekommissær Algirdas Semeta på hendes forslag om at erstatte den finansielle transaktionsskat med en skat på bankernes drift i stil med den danske lønsumsafgift.

Kommissæren udtaler til Børsen, at »en finansiel aktivitetsskat er en anden form for skat, som ikke indgår i Kommissionens forslag, og det er kun Kommissionen, der har ret til at komme med nye initiativer«.

Hvad ligger konkret til grund for, at Kommissionen har valgt at afvise den danske økonomi- og indenrigsministers forslag om at erstatte den finansielle transaktionsskat med en skat på bankernes drift, særligt taget i betragtning at Kommissionen selv tidligere har foretrukket en aktivitetsskat, den såkaldte FAT-skat, frem for en skat på finansielle transaktioner, som beskrevet bl.a. i meddelelsen om beskatning af den finansielle sektor, KOM(2010)0549/5?

Svar afgivet på Kommissionens vegne af Algirdas Šemeta
(15. maj 2012)

I konsekvensanalysen ([1]) undersøgte Europa-Kommissionen nøje fordele og ulemper ved forskellige tilgange til beskatning af den finansielle sektor og analyserede i særdeleshed en afgift på finansielle transaktioner (FT-afgift) og en afgift på finansielle aktiviteter (FA-afgift). Det danske forslag om at erstatte afgiften på finansielle transaktioner med en afgift på bankernes drift svarer i store træk til indførelsen af en afgift på finansielle aktiviteter.

Efter at have foretaget gennemførlighedsanalyser fandt Kommissionen, at en harmonisering af afgifter på finansielle transaktioner var den mest hensigtsmæssige løsningsmodel. Navnlig forekom det sandsynligt, at der i forbindelse med afgifter på finansielle transaktioner ville opstå en særlig risiko for, at ukoordinerede nationale skatteforanstaltninger ville skade det indre markeds rette funktion. Det blev desuden vurderet, at det var mere sandsynligt, at en harmonisering af afgifterne på finansielle transaktioner på EU-plan ville fremme en global løsning med henblik på at sikre, at den finansielle sektor yder et rimeligt bidrag til de offentlige finanser. Endelig har en afgift på finansielle transaktioner et højere indtægtsforøgende potentiale og positive følgevirkninger for dynamikken inden for visse segmenter af markedet.

([1]) SEK(2011)1102.

(English version)

Question for written answer E-002976/12
to the Commission
Jens Rohde (ALDE)
(19 March 2012)

Subject: Taxation of the financial sector

According to the Danish financial daily *Børsen*, on Friday 16 March 2012 the Danish Minister for Economic and Interior Affairs, Margrethe Vestager, had her proposal for replacing the financial transaction tax with a tax on banking operations similar to the Danish payroll tax (*lønsumsafgift*) rejected by the EU Commissioner for Taxation, Algirdas Semeta.

The Commissioner told *Børsen* that 'a financial activities tax is a different form of tax that is not included in the Commission's proposal and it is only the Commission that has the right to propose new initiatives'.

Can the Commission say why it has chosen to reject the suggestion by the Danish Minister for Economic and Interior Affairs to replace the financial transactions tax with a tax on banking operations, especially considering that the Commission itself has previously favoured a financial activities tax, the so-called FAT tax, rather than a tax on financial transactions as described *inter alia* in the communication on taxation of the financial Sector, COM(2010) 0549/5?

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

In its Impact Assessment ([1]) the European Commission services carefully examined the advantages and disadvantages of various approaches to taxation of the financial sector and in particular analysed both the financial transactions tax (FTT) and financial activities tax (FAT). The Danish proposal to replace the FTT with a bank-specific payroll tax broadly corresponds to such FAT.

After analysing the feasibility, the Commission has considered that FTT harmonisation was the most appropriate course of action. In particular, the risk that uncoordinated national measures could undermine the proper functioning of the internal market appeared particularly likely in regard to financial transaction taxes. The harmonised FTT at EU level was also more likely to promote a global solution with a view to ensure a fair contribution of the financial sector to the public finances. Lastly, FTT has a higher revenue raising potential and positive side effects on the dynamics of some market segments.

([1]) SEC(2011) 1102.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002977/12
προς την Επιτροπή (Αντιπρόεδρος/Ύπατη Εκπρόσωπος)
Nikolaos Salavrakos (EFD)
(19 Μαρτίου 2012)

Θέμα: VP/HR — Το θεμελιώδες δικαίωμα στην ιθαγένεια

Η άνιση μεταχείριση των γυναικών σε 25 χώρες οδηγεί στην ανιθαγένεια. Σύμφωνα με έρευνα της Ύπατης Αρμοστείας του ΟΗΕ (UNHCR), παρατηρείται άνιση μεταχείριση γυναικών σε ό,τι αφορά τους νόμους περί ιθαγένειας στις περισσότερες ηπείρους του κόσμου. Συγκεκριμένα, σε τουλάχιστον 25 χώρες διατηρούνται νόμοι περί ιθαγενείας που δεν επιτρέπουν στις γυναίκες να μεταβιβάζουν την ιθαγένειά τους στα παιδιά τους. Τα κράτη που αρνούνται στις μητέρες αυτό το δικαίωμα βρίσκονται στη Μέση Ανατολή και, συγκεκριμένα, στην Βόρεια Αφρική (δώδεκα κράτη), στη Νότια Αφρική (εννέα κράτη),στην Ασία (τέσσερα κράτη), και στην Αμερικανική ήπειρο (δύο κράτη).

Η Έρικα Φέλλερ, Βοηθός του Ύπατου Αρμοστή για ζητήματα προστασίας προσφύγων δηλώνει πως «όταν υπάρχει διάκριση κατά τη μεταβίβαση της ιθαγένειας, βλέπουμε παιδιά που καθίστανται ανιθαγενή από τη στιγμή της γέννησής τους». Αυτό μπορεί να συμβεί για τους εξής λόγους: είτε ο πατέρας είναι και ο ίδιος ανιθαγενής ή έχει πεθάνει ή, ακόμη, τα έχει εγκαταλείψει δίχως να αφήσει έγγραφα που να επιβεβαιώνουν την εθνικότητά τους. Ως αποτέλεσμα οι ανιθαγενείς υπολογίζονται σε περίπου 12 εκατομμύρια ανά τον κόσμο, από αυτούς οι μισοί είναι παιδιά.

Δεδομένου ότι το δικαίωμα στην ιθαγένεια έχει αναγνωριστεί από την διεθνή κοινότητα ως θεμελιώδες ανθρώπινο δικαίωμα, σύμφωνα με το Άρθρο 15 της Οικουμενικής Διακήρυξης των Ανθρωπίνων Δικαιωμάτων,

Ερωτάται η Αντιπρόεδρος/Ύπατη Εκπρόσωπος:

Πώς σκοπεύει να ενεργήσει για την επίλυση του προβλήματος της ανιθαγένειας το οποίο αναιρεί το δικαίωμα 12 εκατομμύριων ανθρώπων σε μια ασφαλή ζωή και στον προσδιορισμό της εθνικότητας τους;

Με ποιο συμβουλευτικό, τεχνικό και νομοθετικό τρόπο μπορεί να παρέμβει θετικά και διπλωματικά σε αυτές τις χώρες ώστε να διευκολυνθεί η αλλαγή των νομοθεσιών που δημιουργούν αυτές τις ανισότητες;

Απάντηση της Ύπατης Εκπροσώπου/Αντιπροέδρου Ashton εξ ονόματος της Επιτροπής
(8 Ιουνίου 2012)

Η Επιτροπή επέστησε την προσοχή στη σημασία που αποδίδει στο ζήτημα της ανιθαγένειας στην ανακοίνωση της στις 18 Νοεμβρίου 2011 σχετικά με τη Συνολική Προσέγγιση της Μετανάστευσης και της Κινητικότητας (ΣΠΜΚ). Η ανακοίνωση επισήμανε, στη σελίδα 17, ότι η ΕΕ πρέπει να ενθαρρύνει τις τρίτες χώρες να αντιμετωπίσουν το θέμα των ανιθαγενών οι οποίοι είναι ιδιαίτερα ευπαθής ομάδα, λαμβάνοντας μέτρα για να ελαττωθεί η ανιθαγένεια. Σ' αυτό το πλαίσιο, κατά τη διάρκεια διαλόγων για τα ανθρώπινα δικαιώματα, η ΕΕ κάλεσε ορισμένες χώρες των οποίων η νομοθεσία, όπως έχει επισημάνει η UNHCR, δημιουργεί πιθανό κίνδυνο ανιθαγένειας, να τροποποιήσουν τη νομοθεσία αυτή. Η ΕΕ προτίθεται να προσφέρει τεχνικές συμβουλές και βοήθεια στις τρίτες χώρες για το σκοπό αυτό. Η ΕΕ θα συνεχίσει να θέτει το ζήτημα σε όλες τις χώρες των οποίων η νομοθεσία δημιουργεί κίνδυνο ανιθαγένειας.

(English version)

Question for written answer E-002977/12
to the Commission (Vice-President/High Representative)
Nikolaos Salavrakos (EFD)
(19 March 2012)

Subject: VP/HR — The fundamental right to citizenship

The unequal treatment of women in 25 countries is leading to statelessness. According to research carried out by the United Nations High Commissioner for Refugees (UNHCR), unequal treatment of women in nationality laws affects people in most continents. Specifically, at least 25 countries maintain nationality laws that do not allow women to confer nationality on their children. The countries denying mothers this right are situated in the Middle East and North Africa (12 countries), South Africa (9 countries), Asia (4 countries) and America (2 countries).

Erika Feller, Assistant High Commissioner for Protection, has stated that: 'When there is discrimination in conferring nationality, we see children becoming stateless from the moment they are born.' This can occur for the following reasons: the father is also stateless, has died or has abandoned the children without leaving documentation confirming their nationality. As a result, there are an estimated 12 million stateless persons worldwide, half of whom are children.

Given that the right to citizenship is recognised as a fundamental human right by the international community, in accordance with Article 15 of the UN Universal Declaration of Human Rights, will the VP/HR answer the following:

What does she intend to do to solve the problem of statelessness, which denies the right of 12 million people to a secure life and a settled nationality?

How can the VP/HR intervene in an advisory, technical and legal capacity, both positively and diplomatically, with these countries to facilitate a change to the legislation creating these inequalities?

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

The Commission drew attention to the importance which it attaches to the issue of statelessness in its communication of 18 November 2011 on The Global Approach to Migration and Mobility. The communication noted, at page 17, that the EU should encourage non-EU countries to address the issue of stateless persons, who are a particularly vulnerable group, by taking measures to reduce statelessness. In this light, during human rights dialogues, the EU has called on a number of the countries whose laws have been identified by the UNHCR as giving rise to a risk of statelessness to amend these laws. The EU is willing to offer technical advice and assistance to third countries to this end. The EU will continue to raise this issue with all countries whose laws give rise to a risk of statelessness.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002978/12
προς την Επιτροπή
Niki Tzavela (EFD)
(19 Μαρτίου 2012)

Θέμα: Ιράν

Αυστηρό μήνυμα στην Τεχεράνη απηύθυναν ο Αμερικανός Πρόεδρος και ο Βρετανός πρωθυπουργός, τονίζοντας ότι λιγοστεύουν οι προοπτικές για την εξεύρεση διπλωματικής λύσης ενώ, σχετικά με τη Συρία, τόνισαν ότι το καθεστώς Ασαντ πρέπει να τερματίσει την καταστολή και να δώσει μια πολιτική λύση.

Ο Αμερικανός πρόεδρος Μπαράκ Ομπάμα διεμήνυσε ότι μικραίνει το παράθυρο για την εξεύρεση διπλωματικής λύσης με το Ιράν για το πυρηνικό του πρόγραμμα και ενθάρρυνε την Τεχεράνη να αδράξει την ευκαιρία των συνομιλιών με τους διεθνείς ηγέτες για να αποφευχθούν «ακόμη χειρότερες συνέπειες».

Μιλώντας στην κοινή συνέντευξη Τύπου με τον Βρετανό πρωθυπουργό Ντέιβιντ Κάμερον, δήλωσε ότι η τάση του Ιράν είναι να αναβάλλει και να καθυστερεί τις συνομιλίες με τις παγκόσμιες δυνάμεις.

Αναφερόμενος στο Αφγανιστάν, ο Αμερικανός πρόεδρος διαβεβαίωσε ότι το αμερικανικό χρονοδιάγραμμα για την αποχώρηση από το Αφγανιστάν δεν θα γνωρίσει καμία «ξαφνική» αλλαγή στην εκτέλεσή του, παρά τα πρόσφατα περιστατικά στα οποία εμπλέκονται Αμερικανοί στρατιώτες.

Ερωτάται η Επιτροπή ποια είναι η επίσημη θέση της ΕΕ.

Απάντηση της Ύπατης Εκπροσώπου/Αντιπροέδρου Ashton εξ ονόματος της Επιτροπής
(5 Ιουνίου 2012)

Η ΕΕ συνεχίζει να ζητά μια πολιτική λύση στη συριακή κρίση. Στηρίζει απόλυτα τον κοινό ειδικό απεσταλμένο των ΗΕ και του συνδέσμου των αραβικών κρατών Κόφι Αννάν και το σχέδιο έξι σημείων σχετικά με αυτό το θέμα. Η ΕΕ κάλεσε το συριακό καθεστώς να αλλάξει κατεπειγόντως πορεία και να εφαρμόσει το σχέδιο Αννάν με ολοκληρωτική παύση της βίας από τις 12 Απριλίου 2012.

Η Ύπατη Εκπρόσωπος/Αντιπρόεδρος Ashton συνεχίζει, εκ μέρους των E3+3, τις επίμονες προσπάθειες εξεύρεσης διπλωματικής λύσης του ιρανικού πυρηνικού ζητήματος. Στις 14 Απριλίου 2012 επαναλήφθηκαν, στην Κωνσταντινούπολη, οι συνομιλίες με το Ιράν σχετικά με το πυρηνικό ζήτημα. Ο στόχος είναι να δημιουργηθεί πρόσφορο έδαφος για βιώσιμη διαδικασία σοβαρού διαλόγου που να οδηγήσει σε απτά αποτελέσματα. Το Ιράν πρέπει να δεσμευθεί σε ουσιώδεις συζητήσεις για απτά και πρακτικά μέτρα που θα δημιουργήσουν κλίμα εμπιστοσύνης προκειμένου να αντιμετωπιστούν οι σοβαρές ανησυχίες της διεθνούς κοινότητας σχετικά με τη φύση του ιρανικού πυρηνικού προγράμματος, συμπεριλαμβανομένης της πιθανότητας ανάπτυξης πυρηνικής τεχνολογίας στρατιωτικής χρήσης.

Η στάθμευση ή η απόσυρση των στρατευμάτων των ΗΠΑ στην περιοχή είναι εθνικό προνόμιο της κυβέρνησης των ΗΠΑ. Η ΕΕ θα συνεχίσει να παρακολουθεί προσεκτικά τις εξελίξεις στον τομέα της ασφάλειας καθόσον αυτές επηρεάζουν τις δραστηριότητες της ΕΕ στο Αφγανιστάν και την ευρύτερη περιοχή.

(English version)

Question for written answer E-002978/12
to the Commission
Niki Tzavela (EFD)
(19 March 2012)

Subject: Iran

The US President and the British Prime Minister have delivered a harsh message to Tehran, emphasising that the prospect of finding a diplomatic solution is diminishing, while, regarding Syria, they stressed that the Assad regime must end its repression and find a political solution.

US President Barack Obama said that the window for finding a diplomatic solution with Iran on its nuclear programme is shrinking and encouraged Tehran to take the opportunity for discussions with international leaders in order to avoid 'even worse consequences'.

Speaking at a joint press conference with British Prime Minister David Cameron, he said that Iran's tendency has been to postpone and delay talks with the international powers.

Regarding Afghanistan, the US President confirmed that the US schedule for withdrawal will not undergo any 'sudden' change, despite recent incidents involving US soldiers.

Will the Commission state the official EU position on these issues?

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

The EU continues to call for a political solution to the Syrian crisis. It fully supports the Joint UN-Arab League Envoy Kofi Annan and his six point plan in this regard. The EU has strongly urged the Syrian regime to change course implement the Annan plan including through a complete cessation of violence as of 12 April 2012.

High Representative/Vice-President Ashton continues her relentless efforts, on behalf of the E3+3, to find a diplomatic solution to the Iranian nuclear issue. On 14 April 2012, talks with Iran were resumed on the nuclear issue in Istanbul. The objective is to create an environment conducive for a sustained process of serious dialogue leading to concrete results. Iran has to engage into meaningful discussions on concrete and practical confidence building measures in order to address the international community's serious concerns on the nature of the Iranian nuclear programme, including concerning the possible development of military nuclear technology.

The stationing or withdrawal of US forces in the region are a national prerogative of the US Government. The EU will continue to monitor developments in the security field carefully insofar as they affect EU activities in Afghanistan and the region.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002980/12
προς την Επιτροπή
Kyriakos Mavronikolas (S&D)
(19 Μαρτίου 2012)

Θέμα: Ανέγερση σκοπευτικού κέντρου στο Δίκωμο

Με λύπη μου αναγκάζομαι να επανέλθω σε προηγούμενη ερώτηση που είχα θέσει σχετικά με ανέγερση σκοπευτικού κέντρου στα νότια του χωριού Κάτω Δίκωμο της Κερύνειας, αφού η απάντηση της Επιτροπής ήταν ελλιπής σε σχέση με ένα ευαίσθητο θέμα, όπως είναι η οικολογική καταστροφή μεγάλης έκτασης στο κατεχόμενο Δίκωμο, καθώς και η απαράδεκτη εκμετάλλευση των περιουσιών των Ελληνοκυπρίων προσφύγων.

Ήδη χάθηκε πολύτιμος χρόνος, αφού η Επιτροπή δεν θεώρησε ότι η ενημέρωσή της από ένα Μέλος του Ευρωπαϊκού Κοινοβουλίου είναι αξιόπιστη ή επαρκής, ούτως ώστε διερευνήσει το θέμα και να ασκήσει πίεση προς το ψευδοκράτος και την Τουρκία για να μην συνεχιστεί η ανέγερση του εν λόγω έργου.

Ερωτάται η Επιτροπή:

Σκοπεύει να διερευνήσει το θέμα και, εάν χρειαστεί, να προβεί σε ενέργειες για να σταματήσει η κατασκευή του Κέντρου;

Σκοπεύει να πράξει ό,τι είναι δυνατό βάσει των αρμοδιοτήτων της και να εξασφαλίσει απόλυτη διαφάνεια, ώστε οι άμεσα ενδιαφερόμενοι να έχουν πρόσβαση και ενημέρωση για την εξέλιξη του θέματος;

Απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(10 Μαΐου 2012)

Η Επιτροπή έθεσε στην τουρκοκυπριακή κοινότητα το ζήτημα της ανέγερσης διεθνούς σκοπευτικού κέντρου στο χωριό Κάτω Δίκωμο της Κερύνειας και έλαβε την απάντηση ότι δεν εκτελείται τέτοιο έργο.

(English version)

Question for written answer E-002980/12
to the Commission
Kyriakos Mavronikolas (S&D)
(19 March 2012)

Subject: Construction of a shooting range in Dikomo

I regret that I have to return to a previous question posed on the construction of a shooting range south of the village of Kato Dikomo in Kyrenia, since the Commission's answer was insufficient in respect of this sensitive issue, namely the major ecological disaster being perpetrated in occupied Dikomo and the inappropriate use of Greek-Cypriot refugee properties.

Valuable time has already been lost, since the Commission did not consider that information from a Member of the European Parliament was sufficiently reliable to persuade it to investigate the matter and put pressure on the self-styled state and on Turkey to halt the construction of the project in question.

In view of this:

Does the Commission intend to investigate the matter and, if necessary, take action to halt the construction of the shooting range?

Does it intend to take whatever action its jurisdiction allows and to ensure full transparency such that those directly concerned can have access to information regarding the developments in this matter?

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

The Commission has raised the question of the construction of an international shooting range in the village of Kato Dikomo in Kyrenia with the Turkish Cypriot community and was informed that there is no such ongoing project.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-002981/12
προς την Επιτροπή
Nikos Chrysogelos (Verts/ALE)
(19 Μαρτίου 2012)

Θέμα: Διευκρινήσεις σχετικά με τις προτάσεις της Επιτροπής για το πρόγραμμα LIFE

Η πρόταση της Επιτροπής σχετικά με νέο Κανονισμό του προγράμματος LIFE για την περίοδο 2014-2020 χαρακτηρίζεται από ιδιαίτερα χαμηλό προϋπολογισμό. Ενόψει της δημιουργίας νέων υποπρογραμμάτων όπως αυτό για την κλιματική αλλαγή, εκτιμάται ([1]) ότι το αναιμικό 0,3 % επί του συνολικού προϋπολογισμού της Ένωσης δε θα είναι σε θέση να ανταπεξέλθει στην κάλυψη των πραγματικών αναγκών του μοναδικού αυτού χρηματοδοτικού εργαλείου για το περιβάλλον. Η πρόταση φαίνεται να δίνει βάρος σε μεγάλα κυβερνητικά σχέδια και μειώνει κατά το ήμισυ τα πολυάριθμα μικρά αλλά επιτυχημένα προγράμματα που πραγματοποιούνται κυρίως από Μη Κυβερνητικές Οργανώσεις (ΜΚΟ) σε συνεργασία συνήθως με τοπικές αρχές ([2]) ([3]) ([4]). Η κατάργηση της χρηματοδότησης του μη ανακτώμενου ΦΠΑ και η μη επιλεξιμότητα μόνιμων θέσεων εργασίας μπορεί να κάνουν απαγορευτική τη συμμετοχή τοπικών φορέων, μικρών εταιρειών και ΜΚΟ στα προγράμματα LIFE, ακόμα και με τα υψηλότερα επίπεδα συγχρηματοδότησης.

Ερωτάται η Επιτροπή:

1. Πόσα από τα πετυχημένα προγράμματα είχαν δικαιούχους ΜΚΟ και τοπικούς φορείς επί του συνόλου των προγραμμάτων που έτυχαν ενίσχυσης από το πρόγραμμα LIFE;

2. Υπάρχει δυνατότητα αύξησης του προϋπολογισμού του LIFE 2014-2020;

3. Πώς διασφαλίζεται από τον νέο Κανονισμό η δυνατότητα των τοπικών φορέων, των ΜΚΟ και χωρών σε κρίση, όπως η Ελλάδα και η Πορτογαλία, που δεν διαθέτουν πλέον δυνατότητες για την απαιτούμενη συγχρηματοδότηση, να συνεχίσουν να επωφελούνται με δίκαιο τρόπο από τα προγράμματα LIFE;

4. Πώς διασφαλίζεται ταυτοχρόνως η ενίσχυση: (α) δράσεων σε θεματικούς τομείς προτεραιότητας και δράσεων που εστιάζουν σε τοπικές και περιφερειακές ιδιαιτερότητες και (β) προγραμμάτων που αφορούν την προστασία απειλούμενων ειδών και σημαντικών οικοσυστημάτων προστατευόμενων από διεθνείς συμβάσεις αλλά και περιοχών με ιδιαιτερότητες, όπως π.χ. νησιά και ορεινές περιοχές;

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

1. Από την έναρξη του προγράμματος LIFE το 1992 έχουν υλοποιηθεί 430 προγράμματα με δικαιούχους μη κυβερνητικές οργανώσεις (ΜΚΟ) και 407 με δικαιούχους τοπικούς φορείς. Ο συνολικός αριθμός των προγραμμάτων που χρηματοδοτήθηκαν αυτή την περίοδο ανέρχεται στα 3 503.

2. Ο προϋπολογισμός του προγράμματος LIFE αποτελεί αντικείμενων συζητήσεων στο πλαίσιο του γενικού πολυετούς δημοσιονομικού πλαισίου.

3. Σύμφωνα με την πρόταση της Επιτροπής, προτεραιότητα δίνεται σε δράσεις που έχουν ως στόχο την απλοποίηση του μελλοντικού οργάνου. Για παράδειγμα, οι δαπάνες για το ΦΠΑ και το μόνιμο προσωπικό θα γίνουν μη επιλέξιμες. Ωστόσο, αυτό θα αντισταθμιστεί από την αύξηση του ποσοστού συγχρηματοδότησης της ΕΕ στο 70 % για τα παραδοσιακά προγράμματα και στο 80 % για τα ολοκληρωμένα προγράμματα.

4. α) Η πρόταση για έναν νέο κανονισμό του LIFE αναφέρει σαφώς ότι ορισμένα περιβαλλοντικά προβλήματα μπορούν να επιλυθούν καλύτερα σε περιφερειακό ή τοπικό επίπεδο.

([1]) http://ec.europa.eu/environment/consultations/life.htm
([2]) BirdLife — Conservation International — EEB — WWF LIFE for Nature and Biodiversity 2014-2020, Position paper on the reform of the EU's financial instrument for the environment (http://www.eeb.org/?LinkServID=70F782A5-FB89-FFF3-7A4EF9EA4C079D02&showMeta=0). Adopted 28 February 2011.
([3]) BirdLife — EEB — WWF. LIFE position statement (http://www.worldbirdwatch.org/eu/pdfs/2012Jan_BLE_WWWF_EEBPositionLIFE.pdf), 19th January 2012.
([4]) BirdLife — EEB — WWF. Eligibility and co-financing under LIFE: Case studies from Member States, 2nd February 2012.

β) Τουλάχιστον το 50 % των δημοσιονομικών πόρων που χορηγούνται για έργα υπό την μορφή ενίσχυσης δράσεων στο πλαίσιο του υποπρογράμματος «Περιβάλλον», προορίζονται ειδικά για έργα που συμβάλλουν στη διατήρηση της φύσης και της βιοποικιλότητας. Δράσεις σε οποιαδήποτε περιοχή της Ευρωπαϊκής Ένωσης θα είναι επιλέξιμες για χρηματοδότηση στα πλαίσια του νέου προγράμματος.

(English version)

Question for written answer E-002981/12
to the Commission
Nikos Chrysogelos (Verts/ALE)
(19 March 2012)

Subject: Clarification regarding the Commission's proposals on the LIFE Programme

The Commission's proposal for the new regulation on the LIFE Programme for 2014-2020 has a particularly low budget. In view of the creation of new sub-programmes on, for example, climate change, it is estimated that ([1]) 0.3 % of the total EU budget is not capable of covering the actual needs of this, the only funding instrument for the environment. The proposal appears to emphasise major governmental plans and reduces by half the many small but successful programmes implemented mainly by non-governmental organisations (NGOs), usually in cooperation with local authorities ([2]) ([3]) ([4]). The refusal to offset unpaid VAT, the non-eligibility of permanent jobs and the high level of co-financing required may make it impossible for local bodies, small firms and NGOs to participate in the LIFE Programme.

In view of this:

1. Can the Commission say how many of the successful programmes, out of the total number of programmes that received support from the LIFE Programme, had NGOs and local bodies as beneficiaries?

2. Could the LIFE 2014-2020 budget be increased?

3. How can the new regulation provide the possibility for local bodies, NGOs and countries in crisis, such as Greece and Portugal, which cannot provide the required co-financing, to continue to benefit in a fair way from the LIFE Programme?

4. At the same time, how can support be provided: (a) for actions in thematic priority areas and actions focusing on special local and regional features; (b) for programmes connected with the protection of endangered species and important ecosystems protected by international agreements, as well as areas with special features, such as islands and mountainous areas?

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

1. Since the start of the LIFE programme in 1992 there have been 430 projects with NGOs as beneficiaries, and 407 with local authorities as beneficiaries. The total number of projects funded over this period is 3 503.

2. The budgetary envelope for the LIFE programme is part of the discussions on the overall Multiannual Financial Framework package.

3. In the Commission proposal several priorities aim at simplification of the future instrument. For instance VAT and permanent staff costs would become non-eligible costs. This would, however, be compensated by an increase in the EU co-financing rate to 70 % for traditional projects and 80 % for integrated projects.

4. a) The proposal for a new LIFE regulation clearly states that some environmental problems are best solved at regional or local level.

b) At least 50 % of the budgetary resources allocated to projects supported by way of action grants under the sub-programme for Environment shall be dedicated to projects supporting the conservation of nature and biodiversity. Actions on any territory inside the European Union would be eligible for funding under the programme.

([1]) http://ec.europa.eu/environment/consultations/life.htm
([2]) BirdLife — Conservation International — EEB — WWF LIFE for Nature and Biodiversity 2014-2020, Position paper on the reform of the EU's financial instrument for the environment (http://www.eeb.org/?LinkServID=70F782A5-FB89-FFF3-7A4EF9EA4C079D02&showMeta=0). Adopted 28 February 2011.
([3]) BirdLife — EEB — WWF. LIFE position statement (http://www.worldbirdwatch.org/eu/pdfs/2012Jan_BLE_WWWF_EEBPositionLIFE.pdf), 19 January 2012.
([4]) BirdLife — EEB — WWF. Eligibility and co-financing under LIFE: Case studies from Member States, 2 February 2012.

(Leagan Gaeilge)

Ceist i gcomhair freagra scríofa E-002982/12
chuig an gCoimisiún
Liam Aylward (ALDE)
(19 Márta 2012)

Ábhar: Dul chun cinn maidir le hinrochtaineacht ghréasáin do lucht lagamhairc

Sa Chlár Oibre Digiteach don Eoraip (gníomhaíocht uimh. 64), gheall an Coimisiún go mbeadh lánrochtain ann faoin mbliain 2015 ar shuíomhanna idirlín na hearnála poiblí agus ar na suíomhanna sin a chuireann bunseirbhísí ar fáil do mhuintir na hEorpa agus go bhfoilseofaí togra chuige sin roimh dheireadh na bliana 2011. Go dtí seo, níl togra ar bith ar an tsaincheist sin foilsithe ag an gCoimisiún.

An bhféadfadh an Coimisiún sonraí a thabhairt maidir leis an gclár ama na dtograí atá le foilsiú faoin gClár Digiteach don Eoraip?

An bhfuil sé i gceist ag an gCoimisiún beartas nua a chur i bhfeidhm d'fhonn go mbeadh lánrochtain ar shuíomhanna idirlín na hearnála poiblí agus ar na suíomhanna sin a chuireann bunseirbhísí ar fáil do mhuintir na hEorpa faoin mbliain 2015?

An bhfuil sé i gceist ag an gCoimisiún togra nó tionscnamh nua ar bith a thabhairt isteach chun feabhas a chur ar inrochtaineacht ghréasáin do lucht lagamhairc mar atá sonraithe i gCoinbhinsiún na Náisiún Aontaithe maidir le cearta daoine faoi mhíchumas?

An bhfuil dul chun cinn breise ar bith déanta ag an gCoimisiún i dtaca leis an measúnú um thionchar atá le déanamh ar inrochtaineacht suíomhanna idirlín na hearnála poiblí sna Ballstáit ar fad?

Freagra ón gCoimisinéir Kroes thar ceann an Choimisiúin
(2 Bealtaine 2012)

Tá an tAontas Eorpach ag forbairt a thionscnaimh maidir le hinrochtaineacht Gréasáin. I Samhain 2011 agus i bhFeabhra 2012, rinne Bord an Choimisiúin Eorpaigh um Measúnú Iarmharta a thuairimí a eisiúint maidir leis an tuarascáil um measúnú iarmharta. Rinneadh na moltaí atá sna tuairimí sin a mheas sa leagan deiridh den tuarascáil. Faoi láthair tá an togra á ullmhú i gcomhar le seirbhísí éagsúla de chuid an Choimisiúin. Táthar ag súil leis go gcuirfear faoi bhráid an Choimisiúin é lena ghlacadh faoi dheireadh na chéad leithe de 2012.

Tá sé mar aidhm leis an tionscnamh seo a áirithiú, ar a laghad ar bith go mbeidh rochtain iomlán ar shuíomhanna Gréasáin na hearnála poiblí ina gcuirtear faisnéis agus seirbhísí fíor-riachtanacha ar fáil do shaoránaigh, agus freisin, más féidir, go mbeidh rochtain ar gach suíomh Gréasáin de chuid na hearnála poiblí agus/nó ar shuímh eile ina gcuirtear bunseirbhísí ar fáil do shaoránaigh, agus é sin a áirithiú faoin mbliain 2015 i gcomhréir leis na ceanglais chomhchuibhithe. Cé go bhfuil an tionscnamh seo bunaithe ar an mbunús dlí a bhaineann leis an margadh aonair, d'fhéadfadh sé rannchuidiú le hAirteagal 9 de Choinbhinsiún na Náisiún Aontaithe um Chearta an Duine faoi Mhíchumas a chomhlíonadh i ndáil le 'cearta comhionanna a áirithiú maidir le rochtain ar sheirbhísí ar líne', go háirithe i gcás daoine lagamhairc.

Tá tionscnaimh eile beartais ag an gCoimisiún freisin atá ábhartha i dtaca le hinrochtaineacht Gréasáin. Mar shampla, in Airteagal 54 den athbhreithniú atá beartaithe faoi láthair ar an Treoir um Sholáthar Poiblí ([1]) ceanglaítear 'sonraíochtaí teicniúla a tharraingt suas le go ndéanfar critéir inrochtaineachta le haghaidh daoine faoi mhíchumas nó dearadh do gach úsáideoir a chur san áireamh, ach amháin i gcásanna ina bhfuil bonn cuí le gan é sin a dhéanamh'.

In 2005, d'eisigh an Coimisiún sainordú (M/376 ([2])) do na hEagraíochtaí Eorpacha um Chaighdeánú le haghaidh caighdeán a leagan síos ina sonrófaí na riachtanais fheidhmiúla inrochtaineachta do tháirgí agus seirbhísí teicneolaíochta faisnéise agus cumarsáide, lena n-áirítear inneachar Gréasáin agus uirlisí ceapadóireachta. Táthar ag súil leis go mbeidh an dréachtchaighdeán deiridh ar fáil i dtreo dheireadh 2012 le tuairimí a fháil ón bpobal ina leith.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011PC0895:EN:NOT.
([2]) http://ec.europa.eu/enterprise/standards_policy/mandates/database/index.cfm?fuseaction=search.detail&id=333 agus http://www.mandate376.eu/.

(English version)

Question for written answer E-002982/12
to the Commission
Liam Aylward (ALDE)
(19 March 2012)

Subject: Progress on web accessibility for the visually impaired

In the Digital Agenda for Europe (Action 64), the Commission promised to make sure that public sector websites (and websites providing basic services to citizens) are fully accessible by 2015, and to make a proposal to this effect by 2011. To date, the Commission has not published any proposals on the matter.

Could the Commission provide details in relation to the timetable for proposals to be published under the Digital Agenda for Europe?

Does the Commission intend to implement a new policy to ensure public sector websites and sites providing basic services to citizens are fully accessible by 2015?

Does the Commission intend to introduce any new proposals or initiatives to improve web accessibility for the visually impaired as detailed in the United Nations Convention on the Rights of Persons with Disabilities?

Has the Commission made any further progress on the impact assessment to be conducted on the accessibility of public sector websites in all Member States?

Answer given by Ms Kroes on behalf of the Commission
(2 May 2012)

An European Union initiative on web-accessibility is being elaborated. In November 2011 and February 2012, the impact assessment Board of the European Commission has issued its opinions on the impact assessment report, the recommendations of which were considered in the final version. Currently the proposal is being prepared in cooperation with different Commission services. Submission to the Commission for adoption is expected by the end of the 1st half of 2012.

This initiative aims at ensuring that at least public sector websites offering essential information and services for the citizens, and where possible all public sector websites and/or sites providing basic services to citizens, are fully accessible by 2015 in compliance with harmonised requirements. Although based in the internal market basis, it could serve as an element in fulfilling Article 9 of the UN CRPD on 'ensuring equal rights on the access to online services', notably to visually impaired persons.

The Commission has also other policy initiatives relevant for web-accessibility. For example, Article 54 of the currently proposed revision of the Public Procurement Directive ([1]) requires that 'technical specifications shall, except in duly justified cases, be drawn up so as to take into account accessibility criteria for people with disabilities or design for all users'.

In 2005, the Commission issued a mandate (M/376 ([2])) to the European Standards Organisations for a standard specifying the functional accessibility requirements for ICT products and services, including web content and authoring tools. The final standard draft is expected to be available for public comments towards the end of 2012.

([1]) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011PC0895:EN:NOT
([2]) http://ec.europa.eu/enterprise/standards_policy/mandates/database/index.cfm?fuseaction=search.detail&id=333 and http://www.mandate376.eu/

(Leagan Gaeilge)

Ceist i gcomhair freagra scríofa E-002983/12
chuig an gCoimisiún
Liam Aylward (ALDE)
(19 Márta 2012)

Ábhar: Ag dul i ngleic le saothar leanaí: córas lipéadaithe d'earraí a 'táirgíodh gan saothar leanaí'

Is buanaidhm an Choimisiúin Eorpaigh í deireadh a chur le saothar leanaí. I measc na n-iarrachtaí atá ar bun aige chuige sin tá an tacaíocht atá á tabhairt don Lá Idirnáisiúnta in aghaidh Saothair Leanaí agus an Teachtaireacht a foilsíodh maidir le bearta áirithe um leanaí a bheith in áireamh le beartais an AE um Ghníomhaíochtaí Seachtracha. Measann an Eagraíocht Idirnáisiúnta Saothair, áfach, go bhfuil 38.7 milliún leanbh, idir 5 bliana agus 17 mbliana d'aois san Afraic Fho-Shahárach i mbun na gcineálacha is measa de shaothar leanaí (obair ghuaiseach). Anuas air sin, de réir staidéir a rinneadh le déanaí is 'neamhchothrom' agus 'neamhfhoirfe' iad iarrachtaí earnáil an chócó dul i ngleic le saothar leanaí agus níl faic tarlaithe i gcás 97 % d'fheirmeoirí an Chósta Eabhair.

Chuige sin, céard í barúil an Choimisiúin maidir le córas lipéadaithe a thabhairt isteach d'earraí a dhíoltar san AE a dhearbhódh nach le saothar leanaí a táirgíodh iad?

An bhfuil sé i gceist ag an gCoimisiún beartas ar bith maidir le cearta leanaí a thabhairt isteach chun dul i ngleic le fadhb an tsaothair leanaí?

Céard atá an Coimisiún chun déanamh chun go mbeadh na leanaí sin a gcuirtear iallach orthu an scoil a fhágaint chun dul i mbun saothair in ann oideachas a fháil?

An bhfuil sé i gceist ag an gCoimisiún go mbeadh ailt bhreise um chearta an duine san áireamh i gcomhaontaithe trádála le tíortha nó réigiúin a bhfuil an saothar leanaí leitheadach iontu?

Freagra ón gCoimisinéir De Gucht thar ceann an Choimisiúin
(3 Bealtaine 2012)

Tá an Coimisiún ag leanúint de bheith ag obair i dtreo deireadh a chur leis na cineálacha is measa saothair leanaí agus le cineálacha eile saothair leanaí atá faoi thoirmeasc ('saothar leanaí' anseo feasta), agus é sin bunaithe ar an gcur chuige a leagadh amach i gConclúidí na Comhairle maidir le Saothar Leanaí i mí an Mheithimh 2010 ([1]). Tá comhleanúnachas agus comhordú beartais thar a bheith tábhachtach; is féidir tuilleadh eolais a fháil freisin sa Teachtaireacht ó 2011 maidir le Clár Oibre an AE um Chearta an Linbh ([2]).

Tá athbhreithniú ar siúl ar Threoirlínte 2007 an AE maidir le Cearta an Linbh a Chur chun Cinn agus a Chosaint agus ba cheart go dtiocfadh bunús níos láidre fós as sin chun leanúint den chomhrac i gcoinne saothair leanaí.

Measann an Coimisiún nach mbeadh córas lipéadaithe d'earraí comhréireach ná cost-éifeachtach mar mhodh chun dul i ngleic leis an bhfadhb. Ní thagann isteach san AE ach céatadán beag de na hearraí agus na seirbhísí a tháirgtear trí bhíthin saothair leanaí. Ina theannta sin, is saincheist chasta i gcónaí í an saothar leanaí, go háirithe i dtaca leis an sainmhíniú a dhéantar air. Sna hionstraimí idirnáisiúnta ábhartha — agus go háirithe i gCoinbhinsiúin 138 agus 182 de chuid na hEagraíochta Idirnáisiúnta Saothair — tá solúbthacht ar fáil do pháirtithe conarthacha lena mbeartas a cheapadh i ndáil leis an aois íosta nó i ndáil leis an sainmhíniú ar obair ghuaiseach, mar shampla.

Cheana féin, tá na comhaontuithe saorthrádála ar fad ina bhfuil an AE páirteach faoi réir an chlásail ghinearálta maidir le cearta an duine; sna comhaontuithe saorthrádála, dírítear freisin go sainráite ar shaothar leanaí sa chaibidil a dhéileálann le forbairt inbhuanaithe, agus tá sé ar cheann de na Croí-Chaighdeáin Saothair atá cumhdaithe sna hocht gcoinbhinsiún bhunúsacha atá ag an Eagraíocht Idirnáisiúnta Saothair.

([1]) http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/115180.pdf
([2]) COM (2011) 60 final.

(English version)

Question for written answer E-002983/12
to the Commission
Liam Aylward (ALDE)
(19 March 2012)

Subject: Tackling child labour: labelling system for goods 'produced without child labour'

It is a fundamental objective of the European Commission to end to child labour. Efforts undertaken by it to that end include supporting the World Day Against Child Labour and the communication published in relation to the inclusion of specific measures relating to children in EU policies on External Actions. The International Labour Organisation estimates, however, that 38.7 million children between the ages of 5 and 17 in Sub-Saharan Africa are engaged in the worst forms of child labour (hazardous work). Furthermore, according to a recent study, the cocoa sector's efforts to tackle child labour have been 'uneven' and 'incomplete' and nothing has happened in the case of 97 % of farmers in Côte d'Ivoire.

What is the Commission's opinion on introducing a labelling system for goods sold in the EU that would certify that they were not produced by child labour?

Does the Commission intend to introduce any policy on children's' rights to tackle the problem of child labour?

What measures will the Commission introduce so that children, who are forced to leave school and engage in labour, can receive education?

Does the Commission intend to include more human rights clauses in trade agreements with countries or regions in which child labour is still widespread?

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

The Commission continues to work towards the elimination of the worst forms of child labour and other prohibited forms of child labour (hereinafter 'child labour'), based on the approach outlined in the June 2010 Council conclusions on child labour ([1]). Policy coherence and coordination are key; further information can also be found in the 2011 Communication on an EU Agenda for the Rights of the Child ([2]).

A review of the 2007 EU Guidelines for the Promotion and Protection of the Rights of the Child is underway and should result in a stronger basis to continue to combat child labour.

The Commission considers that a labelling system for goods would not be a proportionate or cost effective means to tackle the issue. Only a small percentage of goods and services produced using child labour enter the EU. Furthermore, the issue of child labour remains a complex one, not least in relation to its definition. The relevant international instruments — and notably International Labour Organisation (ILO) Conventions 138 and 182 — provide policy space for contracting parties in relation to, for example, minimum age and the definition of hazardous work.

All EU Free Trade Agreements (FTAs) are already subject to the general human rights clause; child labour is also explicitly addressed in the sustainable development chapter of the FTA among the Core Labour Standards enshrined in the eight ILO Fundamental Conventions.

([1]) http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/115180.pdf
([2]) COM(2011) 60 final.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης P-002984/12
προς την Επιτροπή
Theodoros Skylakakis (ALDE)
(19 Μαρτίου 2012)

Θέμα: Σύμβαση ΟΠΑΠ-ΙΝΤΡΑΛΟΤ — Εφόσον η σύμβαση συνεχίζεται, γιατί μπήκε η υπόθεση στο αρχείο της Ευρωπαϊκής Επιτροπής

Στην απάντησή της, της 24ης Ιουνίου 2011 για την σύμβαση μεταξύ ΟΠΑΠ-ΙΝΤΡΑΛΟΤ του 2007 η Επιτροπή δηλώνει ότι δεν μπορεί να διερευνήσει την σχετική σύμβαση διότι «η σύμβαση παρήγαγε όλα τα νομικά αποτελέσματά της και έχει λήξει». Επικαλείται μάλιστα νομολογία σύμφωνα με την οποία «Εν προκειμένω, είναι σημαντικό να σημειωθεί ότι, σε ό,τι αφορά την ανάθεση δημόσιων συμβάσεων, το Ευρωπαϊκό Δικαστήριο απεφάνθη ότι μία προσφυγή για μη εκπλήρωση υποχρεώσεων δεν είναι δυνατό να γίνει αποδεκτή εάν, … η επίμαχη σύμβαση έχει ήδη εκτελεστεί πλήρως».

Μετά τη δημοσιοποίηση του τροποποιητικού συμφωνητικού του 2010 πριν μερικές ημέρες από τον ΟΠΑΠ (όχι όμως και των παραρτημάτων της που καλύπτονται από ρήτρα εχεμύθειας ύψους 5 εκ. ευρώ), προκύπτει ότι:

— η σύμβαση του 2010 δεν αποτελεί νέα σύμβαση, αλλά τροποποίηση του συμφωνητικού του 2007·

— το αντικείμενο της σύμβασης το 2007 δεν είχε λήξει και μέρος του περιλαμβάνεται στη σύμβαση του 2010, όπως προκύπτει από το άρθρο 8.10 της τροποποίησης («Δεν θεωρούνται πρόσθετες παροχές και συνεχίζουν να αποτελούν συμβατική υποχρέωση του Εργολάβου παραδοτέα του από 31.7.2007 Ιδιωτικού Συμφωνητικού (και των συνημμένων σε αυτό παραρτημάτων τα οποία αποτελούν αναπόσπαστο μέρος αυτού), όπως τροποποιήθηκε και ισχύει με το από 4.9.2009 τροποποιητικό Ιδιωτικό Συμφωνητικό, τα οποία δεν έχουν, μέχρι και την έναρξη ισχύος της συναφθησόμενης σύμβασης, παραληφθεί από την ΟΠΑΠ ΑΕ»).

Με τα δεδομένα αυτά, καθώς και τα νέα στοιχεία που προέκυψαν για τη σύμβαση του 2007, για την οποία εκκρεμούν ποινικές διώξεις από την ελληνική δικαιοσύνη, ερωτάται η Επιτροπή, αν θεωρεί ότι καλώς αυτή η υπόθεση μπήκε και παραμένει στο αρχείο, και, αν όχι, προτίθεται να τη διερευνήσει περαιτέρω;

Απάντηση του κ. Barnier εξ ονόματος της Επιτροπής
(30 Απριλίου 2012)

Η Επιτροπή παραπέμπει το Αξιότιμο Μέλος του Κοινοβουλίου στη συμπληρωματική απάντησή της στις γραπτές ερωτήσεις E-009057/2010, E-010766/2010 και E-004656/2011 ([1]), την οποία έστειλε στις 16 Δεκεμβρίου 2011.

Σύμφωνα με την εν λόγω απάντηση, η Επιτροπή συμπέρανε ότι οι παρατάσεις της σύμβασης του 2007 μεταξύ ΟΠΑΠ και ΙΝΤΡΑΛΟΤ (η πρώτη από τις οποίες προβλεπόταν ρητά στη σύμβαση του 2007) χρησίμευσε για να γεφυρωθεί το χρονικό κενό και για να διασφαλιστεί η συνέχιση λειτουργίας των τυχερών παιχνιδιών μέχρι την ολοκλήρωση, από τον ΟΠΑΠ, της ανταγωνιστικής διαδικασίας υποβολής προσφορών.

Η Επιτροπή δεν έχει γνώση νέων στοιχείων τα οποία θα άλλαζαν τις εκτιμήσεις της που εκφράζονται στη συμπληρωματική απάντησή της στις ανωτέρω ερωτήσεις.

Η Επιτροπή θα εξακολουθήσει να παρακολουθεί την εν εξελίξει διαδικασία και θα δώσει συνέχεια εφόσον προκύψουν νέα στοιχεία.

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

(English version)

Question for written answer P-002984/12
to the Commission
Theodoros Skylakakis (ALDE)
(19 March 2012)

Subject: OPAP-INTRALOT contract — reasons for the Commission's decision to archive the case while the contract remains valid

In its answer of 24 June 2011 regarding the OPAP-INTRALOT contract of 2007, the Commission states that it cannot re-open the investigation into this contract because 'the contract has produced all its legal effects and has been terminated'. Referring to established case law, it goes on to say: 'In that regard, it is important to note that, as regards the award of public procurement contracts, the Court has held that an action for failure to fulfil obligations is inadmissible if, …the contract in question had already been completely performed'.

Following the publication of the amended contract for 2010 a few days ago by OPAP (not including however the annexes which are covered by a EUR 5 million confidentiality clause) it appears that:

— the 2010 contract is not new but simply amends the 2007 contract;

— the subject of the 2007 contract had not expired and part of it is included in the 2010 contract, as shown in Article 8.10 of the amended contract ('These are not considered additional supplies and continue to be a contractual obligation of the Contractor, deliverable from 31 July 2007 under the Private Contract (and its annexes which form an integral part of this), amended as of 4 September 2009 under the amended Private Contract, these supplies not having been received by OPAP S.A. up to the entry into force of the relevant contract').

In view of this and the new information revealed about the 2007 contract, for which criminal proceedings are pending in the Greek courts, does the Commission believe that the reasons for which the case has been archived and remains closed are valid and, if not, does it intend to investigate matters further?

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

The Commission would refer the Honourable Member to its complementary reply to the Written Questions E-009057/2010, E-010766/2010 and E-004656/2011 ([1]) sent on 16 December 2011.

According to this reply, the Commission understood that the prolongations of the 2007 contract between OPAP and Intralot (the first of which was explicitly provided for in the 2007 contract) served to bridge the time gap and to ensure continuation of the games operations until the conclusion of the competitive tender procedure by OPAP.

The Commission is not aware of new elements which would change its considerations expressed in its complementary reply to the above questions.

The Commission will continue to monitor the ongoing process and will follow-up should new elements occur.

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

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003005/12
προς την Επιτροπή
Nikolaos Chountis (GUE/NGL)
(20 Μαρτίου 2012)

Θέμα: Ελληνικό μνημόνιο και ιδιωτικοποιήσεις

Με δεδομένη την απάντηση της Επιτροπής (E-006953/2011), στην οποία καταγράφονται οι διάφορες μέθοδοι ιδιωτικοποιήσεων, μεταξύ των οποίων και «η πώληση σε καθορισμένη από ανεξάρτητο εκτιμητή τιμή, στο μέτρο που η διαδικασία ιδιωτικοποίησης δεν συνεπάγεται τιμή χαμηλότερη από την αγοραία αξία του πωλούμενου μεριδίου», ερωτάται η Επιτροπή:

Έχουν υπάρξει, μέχρι σήμερα, εκτιμήσεις από ανεξάρτητους εκτιμητές των ελληνικών προς πώληση περιουσιακών στοιχείων, τόσο κινητών, όσο και ακινήτων; Διαθέτει κατάλογο με τις εν λόγω εκτιμήσεις από ανεξάρτητους εκτιμητές; Μπορεί να τον κοινοποιήσει;

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

Όπως θα αντιλαμβάνεται το Αξιότιμο Μέλος του Κοινοβουλίου, η εκτιμώμενη τιμή κάθε περιουσιακού στοιχείου αποτελεί ευαίσθητη πληροφορία καθότι επηρεάζει την αγορά και, για τον λόγο αυτόν, η Επιτροπή δεν μπορεί να αποκαλύψει τις εκτιμώμενες τιμές που της διαβίβασαν το Υπουργείο Οικονομικών και/ή το Ταμείο Ανάπτυξης Περιουσιακών Στοιχείων της Ελληνικής Δημοκρατίας (ΤΑΠΣΕΔ) σχετικά με τις εκτιμήσεις των τιμών.

Ο κατάλογος των προς ιδιωτικοποίηση περιουσιακών στοιχείων έχει δημοσιοποιηθεί και το Αξιότιμο Μέλος του Κοινοβουλίου μπορεί να ανατρέξει στην τελευταία αναθεώρηση του σχεδίου ιδιωτικοποιήσεων, το οποίο περιλαμβάνεται στο πρόγραμμα οικονομικής προσαρμογής της Ελλάδας, στην ακόλουθη διεύθυνση στο Διαδίκτυο, και ειδικότερα στις σελίδες 31-33 και 118:
http://ec.europa.eu/economy_finance/publications/occasional_paper/2012/op94_en.htm

(English version)

Question for written answer E-003005/12
to the Commission
Nikolaos Chountis (GUE/NGL)
(20 March 2012)

Subject: Greek Memorandum and privatisation

In light of the Commission's reply (E-006953/2011) mapping various privatisation methods, one of which is sale at a price set by an independent valuer, provided that the share sold is not privatised at a lower-than-market value, will the Commission say:

Have there to date been any estimates from independent sources of the value of Greek movable and immovable assets that are due to be sold? Does the Commission have a list of the said estimates from independent valuers? Can it divulge them?

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

As the Honourable Member of Parliament understands, the estimated price of each specific asset is market sensitive information and the Commission is not allowed to reveal the estimated prices provided by the Ministry of Finance and/or the Hellenic Republic Asset Development Fund (HRADF).

The list of assets for privatisation is in the public domain and the Honourable Member of Parliament is invited to consult the latest review of the Privatisation Plan, included in Greece's economic adjustment programme, available at the link below, more specifically in pages 31-33 and 118:
http://ec.europa.eu/economy_finance/publications/occasional_paper/2012/op94_en.htm

(Versión española)

Pregunta con solicitud de respuesta escrita E-003016/12
a la Comisión (Vicepresidenta / Alta Representante)
María Muñiz De Urquiza (S&D) y Alexander Graf Lambsdorff (ALDE)
(20 de marzo de 2012)

Asunto: VP/HR — El papel de la UE en las organizaciones multilaterales

Algo más de un año después del establecimiento del SEAE, reconocemos los acuerdos de trabajo recientemente adoptados entre el SEAE y los servicios de la Comisión Europea. Creemos que constituyen un instrumento interno útil para mejorar la eficacia y la transparencia entre dichos servicios, y acogemos con agrado que se haya mencionado específicamente el diálogo de control democrático con el Parlamento Europeo.

A pesar de ello, cabe recordar que, el año pasado, el Parlamento Europeo aprobó también el Informe Muñiz y la Recomendación Lambsdorff al Consejo, en los que se solicitaba la presentación de un Libro Blanco sobre el papel de la UE en las organizaciones multilaterales y las directrices para las consultas periódicas entre los embajadores de los Estados miembros y los embajadores de la UE, respectivamente.

Le estaríamos muy agradecidos si pudiera arrojar algo de luz respecto a las siguientes preguntas:

1. ¿Están trabajando los servicios de la Comisión respecto de las mencionadas solicitudes del Parlamento Europeo y, en caso afirmativo, cuál es el calendario previsto para ello?

2. ¿Podría informar la Comisión de los progresos realizados por la UE para mejorar su representación en los diversos organismos multilaterales?

3. A la vista de los enfoques divergentes de los Estados miembros respecto a las normas que regulan la representación exterior de la UE, ¿está estudiando la Comisión la posibilidad de introducir un mecanismo de cooperación reforzada en este ámbito?

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

1. En el debate en la sesión plenaria del Parlamento de 11 de mayo de 2011, la Alta Representante y Vicepresidenta Sra. Ashton dio las gracias a Dª María Muñiz de Urquiza por su informe y prometió examinar el papel de la UE en el sistema de las Naciones Unidas y en todas las otras organizaciones internacionales, ya que la UE debe transmitir un mensaje más claro y ser más visible y más creativa en el desempeño de sus funciones.

Como parte de este compromiso, el Colegio de Comisarios, el 31 de enero de 2012, pidió a los servicios de la Comisión, en estrecha cooperación con el Servicio Europeo de Acción Exterior, que realizara un mapa de posicionamiento del estatus de la UE en las organizaciones internacionales. Como primer paso, el objetivo de este ejercicio es establecer prioridades para adaptar paulatinamente la participación de la UE en las organizaciones internacionales, por medio de las disposiciones sobre representación exterior de la UE del Tratado de Lisboa.

El primer paso es obtener una imagen clara de qué se necesita y dónde, y de cuáles son los requisitos formales para conseguirlo.

2. La adopción de la Resolución 276/65 de la Asamblea General de las Naciones Unidas supone un paso importante en la mejora del estatus de la UE en las organizaciones multilaterales. La UE y sus Estados miembros están trabajando para lograr su aplicación efectiva.

3. En cuanto a la puesta en marcha de un mecanismo de cooperación reforzada en el ámbito de la PESC, se aplican las disposiciones de artículo 329.2 del TFUE.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003016/12
an die Kommission (Vizepräsidentin/Hohe Vertreterin)
María Muñiz De Urquiza (S&D) und Alexander Graf Lambsdorff (ALDE)
(20. März 2012)

Betrifft: VP/HR — Die Rolle der EU in multilateralen Organisationen

Über ein Jahr nach der Errichtung des EAD werden die vor kurzem angenommenen Vereinbarungen zur Zusammenarbeit zwischen dem EAD und den Dienststellen der Kommission zur Kenntnis genommen. Dies wird als ein nützliches internes Instrument für die Verbesserung von Effizienz und Transparenz in den betreffenden Dienststellen erachtet, und es wird begrüßt, dass der Dialog mit dem Europäischen Parlament über die demokratische Kontrolle eigens erwähnt wird.

Dessen ungeachtet wird daran erinnert, dass das Parlament im letzten Jahr den Muñiz-Bericht und die Lambsdorff-Erklärung an den Rat angenommen hat, in denen die Vorlage eines Weißbuchs über die Rolle der EU in multilateralen Organisationen neben Leitlinien für die regelmäßige Konsultation zwischen den Botschaftern der Mitgliedstaaten und den Botschaftern der EU gefordert wurden.

Es wird daher um Informationen zu den folgenden Fragen ersucht:

1. Arbeiten die Dienststellen der Kommission an der oben erwähnten Ersuchen des Parlaments, und falls ja, welcher Zeitplan ist hierfür vorgesehen?

2. Welche Fortschritte sind in Bezug auf die Verbesserung der Vertretung der EU in unterschiedlichen multilateralen Gremien festzustellen?

3. Wird angesichts der Tatsache, dass die Mitgliedstaaten in Bezug auf die Vorschriften für die Außenvertretung der EU unterschiedliche Ansätze verfolgen, erwogen, in diesem Bereich den Mechanismus der verstärkten Zusammenarbeit einzuführen?

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

1. Auf der Plenartagung des Parlaments vom 11. Mai 2011 dankte die Hohe Vertreterin/Vizepräsidentin Ashton Frau Muñiz de Urquiza für ihren Bericht und sagte zu, die Position der EU im System der Vereinten Nationen und in allen anderen internationalen Organisation zu untersuchen, da die EU klarere Aussagen machen sowie eine bedeutendere Rolle spielen und kreativer werden müsse.

In Anbetracht dieser Verpflichtung forderte das Kollegium der Kommissionsmitglieder die Kommissionsdienststellen am 31. Januar 2012 auf, in enger Zusammenarbeit mit dem Europäischen Auswärtigen Dienst eine Übersicht über die Stellung der EU in internationalen Organisationen zu erstellen. Ziel ist es, zunächst Prioritäten festzulegen, um die Mitwirkung der EU in internationalen Organisationen allmählich an die Vorschriften des Vertrags von Lissabon über die Außenvertretung der EU anzupassen.

Diese erste Maßnahme soll ein klareres Bild davon verschaffen, welche Anpassungen wo erforderlich sind und welche förmlichen Voraussetzungen dabei erfüllt werden müssen.

2. Die Annahme der Resolution 276/65 der Generalversammlung der Vereinten Nationen zur Beteiligung der Europäischen Union an der Arbeit der Vereinten Nationen ist ein wichtiger Schritt für die Stärkung der Stellung der EU in multilateralen Organisationen. Die EU und ihre Mitgliedstaaten arbeiten an der effektiven Umsetzung der Resolution.

3. Was einen Mechanismus für verstärkte Zusammenarbeit auf dem Gebiet der GASP betrifft, so gilt Artikel 329 Absatz 2 AEUV.

(English version)

Question for written answer E-003016/12
to the Commission (Vice-President/High Representative)
María Muñiz De Urquiza (S&D) and Alexander Graf Lambsdorff (ALDE)
(20 March 2012)

Subject: VP/HR — Role of the EU in multilateral organisations

More than a year after the setting-up of the EEAS, we acknowledge the recently adopted working arrangements between the EEAS and Commission services. We believe they are a useful internal tool for improving efficiency and transparency across these services, and we welcome the specific mention made of the democratic scrutiny dialogue with the European Parliament.

Nevertheless, we would like to remind you that Parliament also adopted the Muñiz report and the Lambsdorff recommendation to the Council last year, in which we requested the presentation of a White Paper on the role of the EU in multilateral organisations, along with guidelines for regular consultation between the ambassadors of the Member States and the EU ambassadors, respectively.

We would be very grateful if you could shed some light on the following questions:

1. Are your services working on Parliament's aforementioned requests and, if so, what is the timeframe for that process?

2. Could you tell us what progress the EU has made in improving its representation within different multilateral bodies?

3. In view of the Member States' differing approaches as regards the rules on external representation of the EU, are you considering the possibility of establishing an enhanced cooperation mechanism in this area?

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

1. At the debate in the parliament plenary of 11 May 2011, the High Representative/Vice-President Ashton thanked Ms Muñiz de Urquiza for her report and promised to look at the EU in the UN system and in all of the other international organisations as the EU has got to be clearer in its voice and more prominent and more creative in what it does.

As part of this commitment, the College of Commissioners on 31 January 2012 requested the Commission services in close cooperation with the European External Action Service to proceed with a mapping of EU status in international organisations. The aim of this exercise is to establish, as a first step, priorities for gradually aligning EU participation in international organisations with the Treaty of Lisbon provisions on external representation of the EU.

The first step is to get a clear picture of what is needed and where, and what the formal requirements are to achieve it.

2. The adoption of UNGA Resolution 276/65 is an important step in enhancing the status of the EU in multilateral organisations. The EU and its Member States are working towards its effective implementation.

3. In relation an enhanced cooperation mechanism in the CFSP area, the provisions of Article 329.2 of the TFEU apply.

(Magyar változat)

Írásbeli választ igénylő kérdés E-003033/12
a Bizottság számára
Gyürk András (PPE)
(2012. március 20.)

Tárgy: Magyar Bálintnak, az ETI igazgatótanácsa tagjának függetlensége

Magyar Bálint — a magyar liberális párt (Szabad Demokraták Szövetsége) volt elnöke, illetve volt magyar oktatási miniszter, aki jelenleg az Európai Innovációs és Technológiai Intézet (ETI) igazgatótanácsának tagja — részletes politikai nyilatkozatot tett közzé az Osteuropa 2011. decemberi számában „Autokratie in Aktion — Ungarn unter Orbán" (Működésben az autokrácia — Magyarország Orbán alatt) címmel, erősen kritizálva a magyar kormány legutóbbi reformjait.

Az ETI összeférhetetlenségét szabályozó magatartási kódexe I. mellékletének (2) bekezdése kijelenti, hogy „az igazgatótanács tagjának személyes minőségben, valamint az ETI és küldetésének lehető legjobb érdekeit szem előtt tartva kell eljárnia, függetlenül bármilyen esetleges tudományos, intézményi, ipari, politikai vagy egyéb konkrét érdektől".

Mivel Magyar Bálint nyilatkozata egy nyílt politikai vádirat, amely ellentmond az ETI magatartási kódexe alapelveinek, vizsgálatot kell indítani az ügyben.

— Mikorra tud a Bizottság információval szolgálni a vizsgálat eredményét illetően?

Andrula Vasziliu válasza a Bizottság nevében
(2012. június 14.)

A „Működésben az autokrácia — Magyarország Orbán alatt" címet viselő cikk, melyre a tisztelt képviselő hivatkozik, az Osteuropa 2011. decemberi számában jelent meg.

Az Európai Innovációs és Technológiai Intézet (EIT) igazgatótanácsának tagjaitól megkívánják, hogy tartsák tiszteletben és alkalmazzák a rájuk vonatkozó magatartási kódexben leírtakat. A magatartási kódex, amely 2008. október 16-án került jóváhagyásra, az EIT igazgatótanácsának tagjai közötti összeférhetetlenséget szabályozza. Létrehozásának célja annak biztosítása, hogy az igazgatótanács tagjai kizárólag az EIT érdekeit szolgálják, és független módon álljanak ki annak céljai, küldetése, identitása és egységessége mellett. Ennek érdekében a magatartási kódex 1. cikkének 2. pontja kimondja, hogy az EIT igazgatótanácsi tagjainak személyes minőségükben, valamint az EIT-nek és küldetésének lehető legjobb érdekeit szem előtt tartva kell eljárniuk, függetlenül bármilyen esetleges tudományos, intézményi, ipari, politikai vagy egyéb konkrét érdektől.

A fent hivatkozott cikkben az EIT nem kerül említésre. Továbbá, Magyar Bálint a cikket volt oktatási miniszterként írta alá másokkal közösen, és nem tett említést vagy utalást az EIT igazgatótanácsában betöltött szerepére. Figyelembe véve, hogy az EIT nem került említésre, illetve nem utaltak rá a cikkben, az EIT igazgatótanácsa azon a véleményen van, hogy az EIT-nek semmilyen lépést nem kell tennie ebben az ügyben.

Mivel az EIT teljes körű jogi személyiséggel rendelkező, önálló európai szerv, a Bizottság nem foglal állást olyan ügyekben, melyek az EIT igazgatótanácsának hatáskörébe tartoznak.

(English version)

Question for written answer E-003033/12
to the Commission
András Gyürk (PPE)
(20 March 2012)

Subject: Independence of Bálint Magyar, member of the EIT Governing Board

Bálint Magyar — former chairman of the Hungarian liberal party (Alliance of Free Democrats) and former Hungarian Minister for Education, currently a member of the Governing Board of the European Institute of Innovation and Technology (EIT) — published a detailed political statement in the December 2011 edition of *Osteuropa* entitled 'Autokratie in Aktion — Ungarn unter Orbán' (Autocracy in action — Hungary under Orbán), heavily criticising the latest reforms of the Hungarian Government.

Annex A(2) of the EIT Code of Good Conduct Regarding Conflicts of Interest states that 'the members of the Governing Board shall participate in their personal capacity and act in the best possible interests of the EIT and its mission, independently from any academic, institutional, industrial, political or other specific interests they might have'.

Since Bálint Magyar's statement is an open political accusation which does not comply with the basic principles of the EIT Code of Good Conduct, an investigation of the issue must follow.

— When could the Commission provide any information about the outcome of the investigation?

Answer given by Ms Vassiliou on behalf of the Commission
(14 June 2012)

The article to which the Honourable Member refers, 'Autocracy in action — Hungary under Orbán', was published in the December 2011 edition of *Osteuropa*.

The members of the Governing Board of the European Institute of Innovation and Technology (EIT) are asked to respect and adhere to a specific Code of Conduct. The Code of Conduct regarding the Conflicts of Interest of the Governing Board members of the EIT, approved on 16 October 2008, was established to ensure that the Governing Board members act in the sole interests of the EIT, safeguarding its goals and mission, identity and coherence, in an independent way. For this reason, Article 1, point 2 of the Code of Conduct states that members of the EIT Governing Board shall participate in the Board in a personal capacity and act in the best possible interests of the EIT and its mission, independently from any academic, institutional, industrial, political or other specific interest they might have.

In the article cited above, the EIT is not mentioned. Furthermore, Mr Magyar co-signed the article as former Minister of Education and without mentioning or referring to his role as EIT Governing Board member. Considering that the EIT was not mentioned or referred to in the article, the EIT Governing Board is of the view that the EIT should not take any action on this matter.

As the EIT is an autonomous European body with full legal personality, the Commission does not take positions on matters that fall under the remit of the EIT Governing Board.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003039/12
alla Commissione
Giommaria Uggias (ALDE)
(20 marzo 2012)

Oggetto: Vaccinazione infantile in Europa. Un bilancio

Il diritto alla salute e all'integrità fisica e psichica, come ripreso e ampliato nella Carta dei diritti fondamentali dell'Unione europea, ove, l'art. 3, punto 2 recita «[…]Nell'ambito della medicina e della biologia devono essere in particolare rispettati: a) il consenso libero e informato della persona interessata, secondo le modalità definite dalla legge;[…]»,, rappresenta a livello dell'Unione un principio fondamentale e non discutibile.

La competenza in materia di salute generale e quindi anche di immunizzazione contro epidemie e ceppi virali infettivi è affidata ai singoli Stati membri. Ciò contribuisce a definire un quadro non uniforme di contrasto alla diffusione di epidemie.

Principi come la libera circolazione dei cittadini, uniti a una costante politica di allargamento sollevano importanti quesiti riguardo all'efficacia delle politiche nazionali di immunizzazione.

Posto che sono noti numerosi casi di intolleranza, spesso invalidante o mortale, ai principi attivi inoculati durante le profilassi vaccinatorie.

A tal proposito, si chiede alla Commissione di:

— Informare l'interrogante sullo stato dell'arte del settore a livello europeo e se tuttora persistano le necessità di immunizzazione obbligatoria a livello unionale?

— Informare l'interrogante se la Commissione non ritenga opportuno affrontare la questione sulla base del principio di sussidiarietà uniformando la disciplina delle iniziative d'immunizzazione a livello comunitario e riducendole nel contempo alle sole effettivamente innocue e/o quantomeno strettamente necessarie a salvaguardia della salute pubblica?

— Intraprendere un'iniziativa volta alla valutazione clinico scientifica della capacità di tolleranza dei singoli soggetti destinatari della profilassi immunitaria onde ridurre drasticamente la casistica, ormai accertata, di gravi reazioni anche invalidanti o mortali alla pratica della stessa?

Risposta data da John Dalli a nome della Commissione
(3 maggio 2012)

In una rassegna dei programmi d'immunizzazione in Europa ([1]) intrapresa nel 2007 ad opera della rete VENICE (finanziata originariamente dal programma Salute) i seguenti paesi hanno segnalato che alcuni o tutti i vaccini per l'infanzia erano obbligatori: BE, BG, CZ, FR, HU, IT, LV, PL, SI e SK.

Visto che la responsabilità dell'organizzazione della prestazione di servizi sanitari e di assistenza medica (compresa l'immunizzazione) è degli Stati membri, la decisione in merito ai vaccini da raccomandare o da rendere obbligatori compete agli Stati membri. La Commissione fornisce un sostegno agli Stati membri agevolando lo scambio di informazioni basate su prove esperienziali a partire dall'Agenzia europea per i medicinali, dal Centro europeo di prevenzione e di controllo delle malattie e dagli Stati membri.

I prodotti medicinali, vaccini compresi, sono autorizzati dalla Commissione europea o dalle autorità competenti a seguito di una valutazione approfondita della loro qualità, sicurezza ed efficacia. Nel fascicolo di autorizzazione alla commercializzazione il candidato deve esibire i risultati di ampie prove cliniche per dimostrare che i pazienti hanno sviluppato immunità contro la pertinente malattia, ma devono anche segnalare tutte le possibili reazioni negative. L'autorizzazione può essere concessa soltanto se il rapporto rischio/beneficio sia stato ritenuto positivo per i pazienti.

Una volta concessa l'autorizzazione, gli effetti nocivi continuano ad essere segnalati per il tramite della rete Eudravigilance. In seguito alla valutazione di tali relazioni la Commissione europea o le autorità competenti possono prendere iniziative che vanno fino alla sospensione dell'autorizzazione alla commercializzazione.

([1]) http://venice.cineca.org/Report_II_WP3.pdf

(English version)

Question for written answer E-003039/12
to the Commission
Giommaria Uggias (ALDE)
(20 March 2012)

Subject: Child vaccinations in Europe — a balance sheet

The right to physical and mental integrity is, for the Union, a fundamental principle which is not open to discussion. It is included and expanded upon in the Charter of Fundamental Rights of the European Union. Article 3(2) of the Charter states: 'In the fields of medicine and biology, the following must be respected in particular: a) the free and informed consent of the person concerned, according to the procedures laid down by law […]'.

Responsibility for general health matters and, therefore, also for immunisation against epidemics and infectious viral strains lies with the individual Member States. This has helped produce a mixed picture of efforts to prevent the spread of epidemics.

Principles such as the free movement of citizens, together with an ongoing enlargement policy, raise important questions about the effectiveness of national immunisation policies.

Many cases of intolerance, often disabling or fatal, to the active ingredients inoculated during prophylactic vaccination have been observed.

— Can the Commission provide information on the state of progress in the sector Europe-wide and whether there is still a need for mandatory immunisation at EU level?

— Would the Commission not agree that the subsidiarity principle should apply to this issue, standardising the regulation of vaccination across the EU and at the same time focusing solely on those that are harmless and/or strictly necessary for safeguarding public health?

— Can the Commission take action to produce a clinical and scientific evaluation of the tolerance capacity of individual subjects receiving immunoprophylaxis in an attempt to drastically reduce the number of well-documented cases of severe reactions causing disabilities or fatalities?

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

In a survey of immunisation programmes in Europe ([1]) undertaken in 2007 by the VENICE network (originally funded by the Health Programme), the following countries reported that some or all childhood vaccines were mandatory: BE, BG, CZ, FR, HU, IT, LV, PL, SI and SK.

As the Member States are responsible for the organisation and delivery of health services and medical care (including immunisation), the decision about which vaccines to recommend or make mandatory is for the Member States to take. The Commission provides support to the Member States in facilitating the exchange of evidence-based information from the European Medicines Agency, the European Centre for Disease Prevention and Control, and the Member States.

Medicinal products including vaccines are authorised by the European Commission or the competent authorities following an in-depth evaluation of their quality, safety and efficacy. In the marketing authorisation dossier, the applicant has to show the results of extensive clinical trials to demonstrate that the patients have developed immunity against the relevant disease but also to report all possible adverse reactions. The authorisation can only be granted after the benefit/risk balance has been considered positive for patients.

After authorisation, adverse events continue to be reported through the Eudravigilance network. Following the evaluation of such reports, actions may be taken by the European Commission or the competent authorities, up to the suspension of the marketing authorisation.

([1]) http://venice.cineca.org/Report_II_WP3.pdf

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-003041/12
komissiolle
Satu Hassi (Verts/ALE) ja Tarja Cronberg (Verts/ALE)
(20. maaliskuuta 2012)

Aihe: Päivittäistavarakaupan keskittyminen

Päivittäistavarakauppa Suomessa on Euroopan keskittyneintä (n. 80 prosenttia markkinoista on kahden suurimman ketjun hallussa). Keskittyminen rajoittaa kilpailua ja on tuonut epäterveitä käytäntöjä. Esimerkiksi tuottajat joutuvat usein maksamaan kauppaketjuille markkinointirahaa, jonka ainut vastine on tuotteen pääsy kaupan valikoimaan. Tuottaja saatetaan myös velvoittaa lunastamaan myymättä jääneet tuotteet. Lisäksi kaupat hinnoittelevat ulkopuolisten tuottajien tuotteet huomattavasti kalliimmiksi kuin omat tuotemerkkinsä.

Suurilla kauppaketjuilla on suhteettoman suuri neuvotteluvoima tuottajiin nähden. Riskin siirtäminen tavaran toimittajille korottaa hintoja, heikentää uusien toimijoiden pääsyä markkinoille ja pienempien tuottajien mahdollisuuksia pysyä markkinoilla. Keskittyneisyydestä seuraa, että tuottajien on lähes välttämätöntä saada tuotteensa markkinajohtajien valikoimiin. Tästä kaikesta seurauksena ovat kohonneet kuluttajahinnat, valikoimien yhtenäistyminen ja kuluttajan valinnanmahdollisuuksien kaventuminen.

Pellervon Taloustutkimuksen raportissa ”Voimasuhteet ruokamarkkinoilla” (2011) todetaan, että päivittäistavarakauppojen osuus elintarvikkeiden hinnasta on noussut 8 prosenttiyksikköä vuosien 2000 ja 2009 välillä. Samalla maatalouden ja elintarviketeollisuuden osuudet ovat pienentyneet. Taustalla ovat kaupan kasvaneet mahdollisuudet kilpailuttaa tuottajia sekä toisiaan että tuontituotteita vastaan.

Kauppojen lukumäärä Suomessa lähes puolittui vuosien 1990 ja 2010 välillä, 6 000:sta 3 300:aan. Suurin osa lakkautetuista kaupoista oli alle 200 m^2:n pienmyymälöitä. Suurimmat myymälät, jotka muodostavat 10 prosenttia myymälöiden lukumäärästä, vastaavat nyt 50 prosentista myynnin arvosta. Kaupan keskittyminen taajamien ulkopuolella oleviin suuryksiköihin syrjii autottomia kuluttajia ja lisää liikenteen hiilidioksidipäästöjä.

— Katsooko komissio kaupan keskittymisen ja siihen liittyvien käytäntöjen olevan määräävän markkina-aseman väärinkäyttöä?

— Jos näin on, aikooko komissio puuttua Suomen kahden suurimman päivittäistavarakauppaketjun määräävän markkina-aseman väärinkäyttöön?

— Aikooko komissio ryhtyä toimiin pienten ja keskisuurten päivittäistavarakauppayritysten kilpailumahdollisuuksien parantamiseksi?

Joaquín Almunian komission puolesta antama vastaus
(16. toukokuuta 2012)

Pitkälle keskittyneiden markkinoiden ja määräävän aseman väärinkäytön välillä ei ole automaattista yhteyttä. Mahdollinen määräävän aseman väärinkäyttö on analysoitava aina tapauskohtaisesti. Komissiolle ei ole esitetty virallista kantelua mahdollisesta kilpailusääntöjen rikkomisesta Suomen vähittäismyyntimarkkinoilla.

Komissio on pyrkinyt edistämään vuoropuhelua EU:n elinkeinoelämän järjestöjen välillä elintarvikeketjun toiminnan parantamista käsittelevän korkean tason foorumin puitteissa. Tarkoituksena on poistaa toimitusketjusta epäoikeudenmukaiset sopimuskäytännöt. Yksitoista elinkeinoelämän järjestöä pääsi vuonna 2011 sopimukseen hyviä toimintatapoja koskevista periaatteista ([1]). Komissio kehotti niitä sopimaan periaatteiden soveltamisesta ja täytäntöönpanosta kesäkuuhun 2012 mennessä. Riippuen tämän prosessin tuloksesta ja sovitun itsesääntelyyn perustuvan täytäntöönpanomekanismin uskottavuudesta komissio päättää, tarvitaanko lisää EU-tason toimia.

Kuten sisämarkkinoiden toimenpidepaketissa todetaan, komissio aikoo käynnistää aloitteen, joka koskee yritysten välisten sopimattomien käytäntöjen torjumista. Se on odotettavissa vuoden 2012 jälkipuoliskolla.

Vuonna 2011 esittämässään maaseudun kehittämisen tukemista koskevassa ehdotuksessa ([2]) komissio ehdottaa alkutuottajien ottamista paremmin mukaan elintarvikeketjuun, paikallismarkkinoiden kehittämistä ja toimitusketjujen lyhentämistä.

([1]) http://ec.europa.eu/enterprise/sectors/food/files/competitiveness/good_practices_en.pdf
([2]) http://ec.europa.eu/agriculture/cap-post-2013/legal-proposals/com627/627_en.pdf

SEUT-sopimuksen 173 artiklan mukaisessa kertomuksessaan ([3]) komissio puolestaan teki sen johtopäätöksen, että Suomen elintarvike- ja vähittäiskaupan yritystoiminnan rakenteet ovat erittäin keskittyneet. Neuvosto suositti Suomelle toimenpiteiden toteuttamista palvelualan avaamiseksi uudistamalla sääntelykehys ja poistamalla tarpeettomat rajoitukset, jotta palvelualan markkinoille pääsy helpottuisi. Kilpailunrajoitukset ovat Suomessa lähinnä rakenteellisia, ne liittyvät esimerkiksi vähittäiskaupan rakentamisen suunnitteluun. Ne kuuluvat kansallisten rakenneuudistusten piiriin. Komissio suhtautuu myönteisesti Suomen hallituksen aloitteeseen käynnistää uusi tervettä kilpailua koskeva ohjelma.

([3]) http://ec.europa.eu/enterprise/policies/industrial-competitiveness/industrial-policy/files/ms_comp_report_2011_en.pdf

(English version)

Question for written answer E-003041/12
to the Commission
Satu Hassi (Verts/ALE) and Tarja Cronberg (Verts/ALE)
(20 March 2012)

Subject: Concentration in the consumer goods retail sector

Finland has the most concentrated consumer goods retail sector in Europe (approximately 80 % of the market is controlled by two large chains). Concentration limits competition and has led to unhealthy practices. For example, producers often have to pay retail chains a marketing fee, for which the only benefit they receive is inclusion of their products in the chains' product ranges. Producers may also be obliged to buy back unsold products. Furthermore, retailers charge consumers a significantly higher price for third-party products compared with their own brands.

The large retail chains have disproportionate bargaining power over producers. Transferring risk to suppliers results in higher prices, and makes it more difficult for new operators to enter the market and for smaller suppliers to remain on the market. A consequence of market concentration is that it is all but vital for producers to ensure that their products are included in the market leaders' product ranges. All this leads to inflated consumer prices, standardised product ranges and reduced choice for consumers.

A report entitled *Voimasuhteet ruokamarkkinoilla* (The balance of power in the food market) (2011) published by Pellervo Economic Research stated that consumer goods retailers' share of the price of foodstuffs rose by 8 % between 2000 and 2009. At the same time, farmers and the food industry saw their shares decrease. This is caused by retailers becoming more able to force producers into competition with each other and with imported products.

The number of shops in Finland almost halved between 1990 and 2010, dropping from 6 000 to 3 300. The majority of the stores that closed were small shops with floor areas of less than 200 m^2. Large shops, which make up 10 % of the total number of shops, now account for 50 % of sales in terms of value. The concentration of shops into larger units outside of population centres is disadvantageous for those who do not have a car and serves to increase carbon dioxide emissions due to traffic.

— Does the Commission consider the concentration of retail businesses, and its associated practices, to constitute abuse of a dominant market position?

— If so, does the Commission intend to intervene to prevent the two largest consumer goods retail chains in Finland from abusing their dominant market positions?

— Does the Commission intend to take action to improve the competitiveness of small— and medium-sized consumer goods retailers?

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

There is no automatic link between highly concentrated markets and abuses of dominant position; any potential abuse has to be analysed case by case. The Commission has received no formal complaint regarding potential competition infringements in the Finnish retail market.

Under the High Level Forum for a better Functioning of the Food Supply Chain, the Commission has encouraged a dialogue between EU business organisations aiming to eliminate unfair contractual practices in the supply chain. In 2011 eleven business organisations agreed on Principles of Good Practice ([1]). The Commission invited them to agree on implementation and enforcement by June 2012. Depending on the outcome of this process and the credibility of the agreed self-regulatory enforcement mechanism, the Commission will decide whether more EU level actions are needed.

As set out in the single market Act, the Commission will launch an initiative to combat unfair business-to-business practices, expected in the second half of 2012.

In its 2011 ([2]) proposal on support for rural development, the Commission suggests supporting better integration of primary producers into the food chain, developing local markets, and shortening supply chains.

([1]) http://ec.europa.eu/enterprise/sectors/food/files/competitiveness/good_practices_en.pdf
([2]) http://ec.europa.eu/agriculture/cap-post-2013/legal-proposals/com627/627_en.pdf

In its Article 173 report ([3]) the Commission concluded that business structures in the Finnish food and retail trade are highly concentrated. The Council recommended that Finland take measures to open up the service sector, by redesigning the regulatory framework and removing unnecessary restrictions in order to facilitate new entry into service sector markets. In Finland restrictions on competition are mainly structural, such as those for planning retail development. These fall within the scope of national structural reforms. The Commission welcomes the Finnish Government's initiative to launch a new programme for healthy competition.

([3]) http://ec.europa.eu/enterprise/policies/industrial-competitiveness/industrial-policy/files/ms_comp_report_2011_en.pdf

(English version)

Question for written answer E-003042/12
to the Commission
Catherine Bearder (ALDE)
(21 March 2012)

Subject: Cross-border criminal record checks

Christopher Varian, a constituent of mine, was killed in 2010. The man who committed this appalling crime, Jonathan Limani, was recently sentenced.

At the trial, Limani was said to have a lengthy history of mental ill health and paranoid schizophrenia. He also had a criminal conviction for supplying heroin in Switzerland. Although Limani was Serbian, he obtained a Swedish passport and, after lying about his conviction, was cleared to work in Britain through a Swedish employment agency. He then ended up working in the same hotel as Christopher Varian, where he committed this shocking crime.

The family of Christopher Varian have questioned how a man of Jonathan Limani's background could come to be working and moving freely within the EU.

1. What checks already in place were missed by the employment agency in Sweden, thereby allowing Jonathan Limani to enter the UK and freely work there?

2. Does the Commission have any plans to investigate the carrying out of checks on the criminal background of those entering and moving around the EU to live and work?

3. Does the Commission plan to consider allowing cross-border employment agencies to conduct criminal record checks on prospective employees to prevent crimes like this happening again?

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

In the case of a change of nationality, it is up to the Member State awarding the new nationality to verify the criminal record of its new citizen to ensure continuity of the criminal record history and the comprehensiveness of the information contained.

The rules on the free movement of EU citizens allow a Member State to require an incoming EU citizen to report their presence within its territory in a reasonable period of time or, for periods of residence for longer than three months, to require registration with the relevant authorities (Article 8 of Directive 2004/38 ([1])), and to request the Member State of origin and, if need be, other Member States, to provide information concerning any previous police record (Article 27(3)).

As of 27 April 2012, the European Criminal Records Information System (ECRIS) ([2]) allows for an electronic exchange of information on criminal records regarding crimes committed in the territory of the European Union between the Member States.

([1]) Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, OJ L 158 30.4.2004, p. 77.

([2]) Council Framework Decision 2009/315/JHA of 26 February 2009 on the organisation and content of the exchange of information extracted from the criminal record between Member States, OJ L 093 of 07/04/2009, p. 23 and Council Decision 2009/316/JHA of 6 April 2009 on the establishment of the European Criminal Records Information System (ECRIS) in application of Article 11 of Framework Decision 2009/315/JHA, OJ L 093, 7.4.2009, p. 33.

(Versión española)

Pregunta con solicitud de respuesta escrita E-003044/12
a la Comisión
Willy Meyer (GUE/NGL)
(21 de marzo de 2012)

Asunto: Fondos europeos otorgados a la Comunidad Valenciana (España) para la construcción o mejora de plantas de tratamiento de residuos

Teniendo en cuenta que, actualmente, los ciudadanos y ciudadanas de la Comunidad Valenciana están pagando una serie de tasas supuestamente para financiar la construcción de plantas de tratamiento y para cubrir el coste de su funcionamiento, a pesar de que, según la legislación española, dichos costes deben ser financiados por los Sistemas Integrados de Gestión de Residuos, financiados en parte por los ciudadanos y ciudadanas con lo que se ha denominado «tasa verde»:

¿Dispone la Comisión de información sobre los fondos comunitarios recibidos por las autoridades públicas de la Comunidad Valenciana (España) para la construcción o mejora del funcionamiento de plantas de tratamiento de residuos?

¿Puede la Comisión facilitar el importe exacto de estos fondos europeos, así como detallar los proyectos financiados, el estado en que se encuentran y la fecha límite prevista para su ejecución?

Respuesta del Sr. Hahn en nombre de la Comisión
(26 de abril de 2012)

Su Señoría encontrará en el cuadro adjunto ([1]) la información solicitada referente a los proyectos cofinanciados por el Fondo de Cohesión durante el periodo 2000-2006 concedidos a la Comunidad Valenciana para la mejora o la construcción de centrales de tratamiento de residuos. Todos estos proyectos han finalizado y se encuentran en funcionamiento, habiendo sido financiados en un 80 % por el Fondo de Cohesión.

([1]) El anexo se envía directamente a Su Señoría, así como a la Secretaría del Parlamento.

(English version)

Question for written answer E-003044/12
to the Commission
Willy Meyer (GUE/NGL)
(21 March 2012)

Subject: European funds granted to the Valencian Community (Spain) for the construction or improvement of waste treatment plants

The citizens of the Valencian Community are currently paying a series of taxes that are supposed to finance the construction of treatment plants and to cover their running costs, despite the fact that according to Spanish law such costs must be funded by the Integrated Waste Management Systems paid for, in part, by citizens through what has been called a 'green tax'.

Does the Commission have any information concerning Community funds received by the public authorities of the Valencian Community (Spain) for the construction or improved operation of waste treatment plants?

Can the Commission provide information about the exact amount of these European funds, as well as details of the projects funded, their current status and the deadline set for their completion?

(Version française)

Réponse donnée par M. Hahn au nom de la Commission
(26 avril 2012)

L'Honorable Parlementaire trouvera dans le tableau annexé ([1]) l'information demandée sur les projets cofinancés par le fonds de cohésion pendant la période 2000-2006 en faveur de la «communauté valencienne» et visant l'amélioration ou la construction de centrales de traitement de résidus. Tous ces projets ont été conclus et sont en état de fonctionnement. Ils ont été cofinancés par le fonds de cohésion à un taux de 80 %.

([1]) L'annexe est envoyée directement à l'Honorable Parlementaire et au secrétariat du Parlement.

(Versión española)

Pregunta con solicitud de respuesta escrita E-003046/12
a la Comisión
Francisco Sosa Wagner (NI)
(21 de marzo de 2012)

Asunto: Necesidad de actualizar EUR-Lex

El acceso sencillo a la normativa jurídica de la Unión Europea es uno de los requisitos indispensables para el adecuado conocimiento del Derecho aplicable. La base de datos EUR-Lex, que ofrece la Oficina de Publicaciones de la Unión Europea, constituye un instrumento muy importante a estos efectos. No obstante, hay que señalar que se advierten algunas deficiencias que sería conveniente corregir.

Por ejemplo, hay algunos textos jurídicos que no están refundidos o «consolidados» (un término por cierto improcedente). Tal es el caso de los Reglamentos del Parlamento Europeo y del Consejo sobre supervisión presupuestaria y déficit excesivo, aprobados en noviembre de 2011 y que modificaron sendas disposiciones de 1997. Tampoco las bases de datos para la búsqueda por palabras ofrecen siempre todos los resultados. En fin, sería conveniente que la publicación del Diario Oficial recogiera también un sistema eficaz de búsqueda como hacen la mayoría de los Estados miembros de la Unión Europea en sus boletines para facilitar el conocimiento de las disposiciones aprobadas.

Por ello, me permito preguntar:

¿Existe alguna instrucción para actualizar y mejorar la base de datos EUR-Lex, garantía del conocimiento del Derecho de la Unión Europea y, por tanto, instrumento capital para la seguridad jurídica?

Respuesta de la Sra. Reding en nombre de la Comisión
(21 de mayo de 2012)

Actualmente EUR-Lex ([1]) permite efectuar dos tipos de búsqueda (simple y avanzada), que permiten acceder a los documentos jurídicos de la UE utilizando distintos criterios. También es posible acceder a los documentos mediante navegación.

La nueva versión EUR-Lex, que se está terminando, ofrecerá tres modos de búsqueda: rápida, avanzada y experta; incluirá información sobre los procedimientos legislativos (actualmente disponibles en PreLex ([2])) y permitirá tener acceso tanto a los documentos como a los procedimientos.

La consolidación integra (en un solo texto jurídicamente no vinculante) las disposiciones del instrumento original, así como todas las modificaciones posteriores. La consolidación de los nuevos actos legislativos se lleva a cabo en cuanto se publica una modificación de un texto del acervo. Las versiones consolidadas de los actos están disponibles en EUR-Lex. El plazo de la puesta a disposición de la consolidación en todas las lenguas oficiales es de cuatro semanas a partir de la modificación del acto modificador.

Dos de los seis actos adoptados en noviembre de 2011 (vigilancia presupuestaria y déficit excesivo), publicados en el DO L 306 (23.11.2011), requerían una consolidación. Las versiones consolidadas están disponibles en EUR-Lex desde el 21 de diciembre de 2011.

La consolidación puede servir de base para una codificación (dirigida a clarificar la legislación agrupando en un nuevo acto jurídico todas las disposiciones de un acto y todas las modificaciones) y para la refundición (modificación considerable del acto).

([1]) http://eur-lex.europa.eu/es/index.htm
([2]) http://ec.europa.eu/prelex/apcnet.cfm?CL=es

(English version)

Question for written answer E-003046/12
to the Commission
Francisco Sosa Wagner (NI)
(21 March 2012)

Subject: Need to update EUR-Lex

Easy access to European Union legislation is vital if we are to have a sufficient understanding of the laws in force. The EUR-Lex database provided by the Publications Office of the European Union is a very important tool in this respect, although it has a number of shortcomings that need to be rectified.

Some of the legislative texts, for example, have not been recast or 'consolidated' (surely an inappropriate term). This is the case with the European Parliament and Council regulations on budgetary surveillance and the excessive deficit procedure, which were adopted in November 2011 to amend legislation dating from 1997. Another problem is that keyword searches of the database do not always display all the results. With this in mind it would be a good idea for the Official Journal to include an effective search facility, thereby following the example set by the official gazettes of most EU Member States with a view to making it easier for people to understand the legislation that has been adopted.

With this in mind, are there any plans to update and improve EUR-Lex, a database that is vital to the understanding of EC law and therefore an essential tool in ensuring legal certainty?

(Version française)

Réponse donnée par M^me^ Reding au nom de la Commission
(21 mai 2012)

EUR-Lex ([1]) offre actuellement 2 types de recherche: simple et avancée, permettant d'accéder aux documents juridiques de l'UE en utilisant divers critères. Il est également possible d'accéder aux documents par navigation.

La nouvelle version EUR-Lex, en cours de finalisation, offrira 3 modes de recherche: rapide, avancée et experte, intégrera des informations sur les procédures législatives (actuellement disponibles dans PreLex ([2])) et permettra d'accéder tant aux documents qu'aux procédures.

La consolidation intègre (dans un seul texte juridiquement non contraignant) les dispositions de l'instrument original ainsi que toutes les modifications ultérieures. La consolidation des nouveaux actes législatifs se fait dès la publication d'une modification apportée à un texte de l'acquis. Les versions consolidées des actes sont disponibles sur EUR-Lex. Le délai de mise à disposition de la consolidation dans toutes les langues officielles est de 4 semaines à partir de la publication de l'acte modificateur.

Deux des 6 actes adoptés en novembre 2011 (surveillance budgétaire et déficits excessifs), publiés au JO L 306 (23.11.2011), appelaient une consolidation. Les versions consolidées sont disponibles dans EUR-Lex depuis le 21.12.2011.

La consolidation peut servir de base à une codification (visant à clarifier la législation en réunissant, dans un nouvel acte juridique, toutes les dispositions d'un acte et toutes les modifications) et à la refonte (modification considérable de l'acte).

([1]) http://eur-lex.europa.eu/en/index.htm
([2]) http://ec.europa.eu/prelex/apcnet.cfm?CL=fr

(Danske udgave)

Forespørgsel til skriftlig besvarelse E-003047/12
til Kommissionen
Emilie Turunen (Verts/ALE)
(21. marts 2012)

Om: Task forces mod ungdomsarbejdsløshed

Ved det uformelle topmøde den 30. januar 2012 annoncerede Kommissionens formand Barroso, at Kommissionen vil sende en række »action teams« til de otte EU-medlemsstater, der er særlig hårdt ramt af ungdomsarbejdsløshed. Ved samme topmøde vedtog EU's stats- og regeringsledere, at EU skal »samarbejde med de medlemsstater, der har den højeste ungdomsarbejdsløshed, om at omdirigere disponible EU-midler, så de anvendes som støtte til, at unge kommer i arbejde eller uddannelse«.

Det har været fremme i pressen, at »action teams'ene« allerede har været på besøg i de otte medlemsstater, og at arbejdet med at formulere planer til bekæmpelse af ungdomsarbejdsløsheden i de enkelte lande allerede er i gang. Planen er ifølge Kommissionens formand Barrosos udmeldinger, at de nationale planer — udarbejdet af action teams'ene — skal indgå i de Nationale Reformprogrammer, der præsenteres senere på foråret, og at planerne delvist skal finansieres af EU's strukturfondsmidler.

1. Er der nogen foreløbige resultater af de nævnte action teams besøg i de 8 medlemslande?

2. Hvor mange EU-midler forudser Kommissionen, at EU vil afsætte til at afhjælpe ungdomsarbejdsløshed i de pågældende lande?

Svar afgivet på Kommissionens vegne af László Andor
(3. maj 2012)

1. En interimsrapport om de seneste foranstaltninger og politikker i de medlemsstater, som har en høj ungdomsarbejdsløshed, herunder de otte medlemsstater, der blev besøgt af indsatshold, blev forelagt medio april som en del af beskæftigelsespakken. Rapporten vil blive drøftet på det uformelle møde i Rådet (beskæftigelse og socialpolitik) den 24.-25. april 2012.

2. Den nationale situation vil afgøre, hvordan de strukturfondsmidler fra Den Europæiske Union (EU), som er til rådighed i de enkelte medlemsstater, kan anvendes mere effektivt til finansiering af foranstaltninger til fordel for unge. Gennemførelsen kan være forsinket, og ressourcerne kan være udnyttet i for ringe grad i mange medlemsstater, der har afsat EU's strukturfondsmidler til foranstaltninger for unge ledige. På bilaterale møder med de medlemsstater, der har den højeste ungdomsarbejdsløshed og kun i begrænset omfang udnytter EU-midler, blev der søgt fælles løsninger på problemerne vedrørende en hurtigere gennemførelse af igangværende programmer og sikring af dækningen af flere unge arbejdsløse gennem udvidelse af budgettet eller bedre målretning. Mange medlemsstater har vist interesse i at optimere eksisterende politiske foranstaltninger gennem en mere effektiv udnyttelse af EU-midlerne, herunder gennem omfordeling af ikke-tildelte eller ikke-anvendte EU-midler med henblik på styrkelse af beskæftigelsesforanstaltninger for unge.

Hvor det er nødvendigt, vil Kommissionen yde hjælp til omprogrammeringen af ikke-tildelte strukturfondsmidler. Selv om der ikke findes nogen specifik samfinansieringsordning for beskæftigelsesforanstaltninger for unge, er medlemsstaterne med de største budgetmæssige vanskeligheder berettiget til højere samfinansieringssatser (op til 95 %) for al bistand under strukturfondene. Endvidere opfordres medlemsstaterne til at anvende finansielle instrumenter til at forbedre adgangen til finansiering for SMV'er med henblik på at skabe flere job for unge.

(English version)

Question for written answer E-003047/12
to the Commission
Emilie Turunen (Verts/ALE)
(21 March 2012)

Subject: Task forces to tackle youth unemployment

During the informal summit on 30 January 2012, Commission President Barroso announced that the Commission would send a number of 'action teams' to the eight EU Member States which are particularly hard-hit by youth unemployment. At the summit, EU Heads of State and Government agreed that the EU should work 'with those Member States which have the highest youth unemployment levels to re-direct available EU funds towards support for young people to get into work or training'.

It has been reported in the press that the action teams have already visited the eight Member States and that work on devising plans to tackle youth unemployment in the individual countries is under way. According to the statements by Commission President Barroso, the intention is for the national plans — drawn up by the action teams — to be included in the National Reform Programmes, which will be presented later in the spring, and for the plans to be partially financed from the EU's Structural Funds.

1. Are there any preliminary results from the visits made by the abovementioned action teams to the eight Member States?

2. What volume of EU resources does the Commission envisage that the EU will earmark to tackle youth unemployment in the relevant countries?

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

1. An interim account of recent measures and policies in the Member States with high youth unemployment, including the eight Member States that were visited by action teams, has been presented mid-April as part of the Employment Package. This report will be discussed at the informal EPSCO on 24-25 April 2012.

2. The national situation will determine the way European Union (EU) Structural Fund resources available in each Member State can be used more effectively to fund measures benefiting youth. Implementation may be behind schedule and resources under-used in many Member States which have allocated EU Structural Fund resources to measures for young unemployed people. At bilateral meetings with the Member States with the highest youth unemployment rates and low EU fund absorption rates, joint solutions were sought on how to speed up implementation of programmes under way or ensure they covered more young unemployed people by increasing the budget or improving targeting. Many Member States have shown interest in optimising current policy measures by using EU funds more effectively, including by rechanneling uncommitted or unused EU funds to bolster youth employment measures.

Where necessary, the Commission will provide help in reprogramming unallocated Structural Fund resources. Although there is no specific co-financing arrangement for youth employment measures, the Member States with the greatest budgetary difficulties are entitled to higher rates of co-financing (up to 95 %) for all Structural Fund assistance. Furthermore Member States are encouraged to use financial instruments to improve access to finance for SMEs, with a view to creating more jobs for young people.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003084/12
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(21 Μαρτίου 2012)

Θέμα: Παραβίαση θρησκευτικών ελευθεριών στην Κύπρο

Σε μια περίοδο, που η τουρκική κυβέρνηση, προπαγανδίζει ασύστολα, μέσα στην ίδια την ΕΕ και το Ευρωπαϊκό Κοινοβούλιο, πως σέβεται τις θρησκευτικές ελευθερίες όλων, οι τουρκικές κατοχικές δυνάμεις συνεχίζουν προκλητικά να παραβιάζουν τις θρησκευτικές ελευθερίες στην Κύπρο. Την Τρίτη, 13 Μαρτίου 2012, απαγόρευσαν στον Επίσκοπο Καρπασίας κ. Χριστόφορο, να διέλθει από το οδόφραγμα του Αστρομερίτη και στη συνέχεια από το οδόφραγμα του Αγίου Δομετίου, για να επισκεφθεί τον κατεχόμενο μητροπολιτικό ναό του Αγίου Μάμα, στη Μόρφου. Στο οδόφραγμα του Αστρομερίτη, ανέκοψαν τον Επίσκοπο Καρπασίας, χωρίς να δώσουν καμία εξήγηση, ενώ αντίθετα επέτρεψαν επιλεκτικά την είσοδο, στο μητροπολίτη Μόρφου, Νεόφυτο. Οι δύο μητροπολίτες προσπάθησαν στη συνέχεια να διέλθουν μαζί στα κατεχόμενα, από το οδόφραγμα του Αγίου Δομετίου στη Λευκωσία και πάλι χωρίς επιτυχία, κάτι που οδήγησε το Μητροπολίτη Μόρφου να αρνηθεί τη διέλευσή του στα κατεχόμενα, αν δεν επιτραπεί η είσοδος και στον Επίσκοπο Καρπασίας.

Ερωτάται λοιπόν η Επιτροπή:

1. Τι προτίθεται να πράξει για να τερματίσει τις συνεχιζόμενες παραβιάσεις των θεμελιωδών ανθρωπίνων δικαιωμάτων των Κυπρίων-Ευρωπαίων πολιτών και ιερέων από την κατοχική Τουρκία και το ψευδοκράτος;

Απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(30 Απριλίου 2012)

Η Επιτροπή σημειώνει το επεισόδιο της 13ης Μαρτίου 2012 στο οποίο αναφέρεται το Αξιότιμο Μέλος.

Η Επιτροπή εγείρει τακτικά το ζήτημα της θρησκείας στην τουρκοκυπριακή κοινότητα και θα συνεχίσει να το παρακολουθεί δεόντως, τονίζοντας την υψίστη σπουδαιότητα του σεβασμού της ελευθερίας θρησκεύματος ή πεποιθήσεων.

Η ερώτηση του Αξιότιμου Μέλους για άλλη μια φορά επισημαίνει την αναγκαιότητα ταχείας και συνολικής επίλυσης του κυπριακού προβλήματος, επίλυση η οποία θα έδινε οριστική απάντηση στο υπό εξέταση ζήτημα. Η Επιτροπή έχει επανειλημμένα καλέσει τους ηγέτες των δύο κοινοτήτων να αδράξουν την ευκαιρία των τρεχουσών συνομιλιών προκειμένου να επιτύχουν μια συνολική διευθέτηση.

(English version)

Question for written answer E-003084/12
to the Commission
Antigoni Papadopoulou (S&D)
(21 March 2012)

Subject: Infringement of religious freedom in Cyprus

While the Turkish Government is brazenly trumpeting in the European Parliament and throughout the EU its respect for the religious freedom of all, the Turkish occupying forces are flagrantly continuing to infringe religious freedom in Cyprus.

On Tuesday 13 March 2012, they prevented Bishop Christoforos of Karpasia from proceeding beyond the Astromeriti and Agios Dometios crossing points to visit the occupied cathedral of Agios Mamas in Morfos. At the Astromeriti crossing point, they intercepted the Bishop of Karpasia without any explanation, while selectively allowing Neofitos, metropolitan bishop of Morfos, to enter. The two clergymen then attempted to enter the occupied territory together through the Agios Dometios crossing point in Nicosia, again without success, which resulted in the metropolitan bishop of Morfos refusing to cross over to the occupied territory if the bishop of Karpasia was not allowed to enter.

In view of this:

1. What action will the Commission take to end the continued infringement of the basic human rights of Cypriot EU citizens and members of the clergy by the Turkish occupiers and the self-styled state?

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

The Commission takes note of the incident of 13 March 2012 to which the Honourable Member refers.

The Commission regularly raises the issue of religion with the Turkish Cypriot community and will continue to take up this issue as appropriate, stressing the paramount importance of respecting the freedom of religion or belief.

The question of the Honourable Member once again underlines the need for a rapid comprehensive settlement in Cyprus, which would be an effective remedy to the issue raised. The Commission has repeatedly called on the leaders of both communities in Cyprus to grasp the opportunity of the ongoing talks to reach a comprehensive settlement.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-003098/12
aan de Commissie
Lambert van Nistelrooij (PPE) en Lena Kolarska-Bobińska (PPE)
(22 maart 2012)

Betreft: Onderzoek schaliegas

Schaliegas kan voor een beveiliging van onze energievoorziening zorgen door onze afhankelijkheid van gas te verminderen. Het zou ook een schoner alternatief kunnen zijn in lidstaten die in sterke mate afhankelijk van steenkool zijn. In lidstaten die zich geleidelijk uit de kernenergie terugtrekken, zoals Duitsland, kan schaliegas eraan meewerken de energieprijzen laag te houden doordat de ontstane leemte wordt opgevuld.

Het onderzoek op het gebied van schaliegas kan inspireren to innovatie die leidt tot exploitatiemethoden die nog schoner en veiliger zijn dan de reeds bestaande. Er bestaat een reëel potentieel om seismische technieken en boormethoden te gebruiken om het aantal gasboringen zo gering mogelijk te houden, het voor de gasproductie vereiste oppervlak te verkleinen en om veel minder water te gebruiken. Bovendien kunnen met het gebruik van multi-purpose boortechnieken zowel bronnen van schaliegas als van geothermische energie worden aangeboord.

Aangezien schaliegas evidente mogelijkheden voor een vermindering van de kooldioxide-uitstoot biedt, maar de toepassing zich in Europa nog in een vroeg stadium bevindt, zou onderzoek naar eventuele technische mogelijkheden voor de ontsluiting van het schaliegaspotentieel in Europa een steun voor de exploratiepogingen betekenen.

1. Welke plannen heeft de Commissie om verder onderzoek op dit gebied te bevorderen? Bestaat er een EU-forum voor informatie-uitwisseling tussen deskundigen en instellingen?

2. Steunt de Commissie nieuwe initiatieven voor innovatie bij schaliegasboortechnieken?

3. Overweegt de Commissie, gezien het lopende onderzoek naar schaliegasboortechnieken in de VS, financiering door de EU van fundamenteel onderzoek naar multi-wall boren in Europa bij voorbeeld teneinde multi-purpose boringen in Europa in te voeren?

4. Ziet de Commissie mogelijkheden om schaliegasonderzoek een rol in bestaande EU-programma's te laten spelen, met name in de kaderprogramma's voor onderzoek 7 en 8?

Antwoord van de heer Oettinger namens de Commissie
(15 mei 2012)

De Commissie is van mening dat het voornamelijk de taak van de sector is om efficiënte en vernieuwende exploratie- en productietechnologieën voor schaliegas te ontwikkelen, waarmee het milieueffect van de activiteiten kan worden beperkt. De Commissie blijft de technologische ontwikkelingen en beste praktijken volgen en zal daarover met de regelgevende instanties en belanghebbenden in gesprek blijven. Verder biedt het Gemeenschappelijk Centrum voor Onderzoek van de Commissie wetenschappelijke steun bij het identificeren van de gevolgen die schaliegas op het milieu en de economie kan hebben.

Het huidige zevende kaderprogramma voor onderzoek biedt geen wettelijke grondslag voor onderzoeks- of demonstratie-activiteiten op het gebied van technologie die bestemd is voor de exploratie of winning van schaliegas. In het voorstel van de Commissie voor „Horizon 2020" — het kaderprogramma voor onderzoek en innovatie (2014-2020) ([1]) — is vastgelegd dat wat betreft fossiele brandstoffen de aandacht binnen de EU moet blijven uitgaan naar onderzoeks- en demonstratieactiviteiten met betrekking tot het afvangen, vervoeren en opslaan van CO_2. Speciaal op schaliegas of andere koolwaterstoffen gerichte boortechnieken maken daarom geen deel uit van het voorstel.

([1]) COM(2011)811 final.

(Wersja polska)

Pytanie wymagające odpowiedzi pisemnej E-003098/12
do Komisji
Lambert van Nistelrooij (PPE) oraz Lena Kolarska-Bobińska (PPE)
(22 marca 2012 r.)

Przedmiot: Badania nad złożami gazu łupkowego

Gaz łupkowy może poprawić nasze bezpieczeństwo energetyczne przez zmniejszenie naszej zależności od dostaw gazu. Mógłby też stanowić bardziej ekologiczną alternatywę w państwach członkowskich, które są w większym stopniu uzależnione od węgla. Natomiast w państwach członkowskich, które rezygnują stopniowo z energii jądrowej, takich jak Niemcy, gaz ten mógłby przyczynić się do utrzymania cen energii na niskim poziomie, zapełniając powstałą lukę.

Badania nad złożami gazu łupkowego mogą sprzyjać innowacjom prowadzącym do opracowania metod wydobywczych, które są nawet bardziej ekologiczne i bezpieczniejsze niż te stosowane obecnie. Istnieje duży potencjał w zakresie wykorzystywania technologii sejsmicznych i wiertniczych do ograniczenia liczby budowanych szybów, zmniejszenia powierzchni terenów koniecznych do produkcji gazu oraz zużywania o wiele mniejszych ilości wody. Ponadto stosowanie wielofunkcyjnych technik wiertniczych umożliwia jednoczesne wydobycie gazu łupkowego i energii geotermalnej.

Ponieważ gaz łupkowy zapewnia znaczące możliwości w zakresie redukcji CO_2, ale analizy jego złóż są w Europie nadal na wczesnym etapie, zintensyfikowanie badań nad możliwymi technologiami umożliwiającymi wykorzystanie jego potencjału na naszym kontynencie wsparłyby działania w dziedzinie poszukiwań.

1. Co Komisja zamierza uczynić w celu propagowania dalszych badań w tej dziedzinie? Czy istnieje unijne forum wymiany między ekspertami a instytucjami?

2. Czy Komisja wspiera nowe inicjatywy dotyczące innowacji w dziedzinie technik wykonywania odwiertów w poszukiwaniu gazu łupkowego?

3. Biorąc pod uwagę obecne badania nad technologiami wykonywania odwiertów w poszukiwaniu gazu łupkowego prowadzone w USA, czy Komisja rozważałby przeznaczenie środków finansowych na podstawowe badania z zakresu szeroko zakrojonych odwiertów w Europie, na przykład w celu wprowadzenia na naszym kontynencie odwiertów wielofunkcyjnych?

4. Czy zdaniem Komisji istnieją jakiekolwiek możliwości, dzięki którym badania nad złożami gazu łupkowego mogłyby zostać uwzględnione w istniejących programach UE, a dokładniej w ramach 7PR i 8PR?

Odpowiedź udzielona przez komisarza Günthera Oettingera w imieniu Komisji
(15 maja 2012 r.)

Zdaniem Komisji rozwijanie wydajnych i innowacyjnych technologii w zakresie wydobywania i produkcji gazu łupkowego, mogących ograniczyć wpływ działalności wydobywczej na środowisko, to przede wszystkim zadanie dla przemysłu. Komisja będzie kontynuować dialog z organami regulacyjnymi i zainteresowanymi stronami na temat rozwoju technologii i najlepszych praktyk oraz monitorować sytuację w tej dziedzinie. Wspólne Centrum Badawcze Komisji jest również zaangażowane w udzielanie wsparcia naukowego w zakresie określenia potencjalnego wpływu gazu łupkowego na środowisko naturalne i gospodarkę.

Aktualny siódmy program ramowy w zakresie badań (7PR) nie stanowi podstawy prawnej do podjęcia działalności w zakresie badań i demonstracji w dziedzinie technologii wydobywania lub produkcji gazu łupkowego. Wniosek Komisji dotyczący programu „Horyzont 2020" – programu ramowego w zakresie badań naukowych i innowacji (2014-2020) ([1]) – przewiduje wychwytywanie, transport i składowanie CO_2 (CCS) jako stały przedmiot wysiłków badawczych i demonstracyjnych UE w dziedzinie w dziedzinie paliw kopalnych. Technologie w zakresie wykonywania odwiertów dla gazu łupkowego lub innych węglowodorów nie zostały zatem uwzględnione we wniosku.

([1]) COM(2011) 811 wersja ostateczna.

(English version)

Question for written answer E-003098/12
to the Commission
Lambert van Nistelrooij (PPE) and Lena Kolarska-Bobińska (PPE)
(22 March 2012)

Subject: Shale gas research

Shale gas can improve our energy security by reducing our gas dependency. It could also be a cleaner alternative in more coal-dependent Member States. In Member States that are phasing out nuclear energy, such as Germany, shale gas could contribute to keeping energy prices down by filling in the gap.

Shale gas research may inspire innovation that leads to exploitation methods that are even cleaner and safer than the current ones. Real potential exists to use seismic and drilling technologies in order to minimise the number of wells drilled, reduce the land required for gas production, and use much less water. Moreover, using multi-purpose drilling techniques both shale gas and geothermic energy sources can be extracted.

As shale gas offers significant CO_2 reduction possibilities but is still in an early stage in Europe, research into possible technological developments for exploring shale gas potential in Europe would support exploration efforts.

1. What does the Commission plan to do in order to promote further research in this area? Is there an EU forum for exchange between experts and institutions?

2. Does the Commission support new initiatives for innovation in shale gas drilling techniques?

3. Given the ongoing research into shale gas drilling technologies in the US, would the Commission consider EU funding for fundamental research into multi-wall drilling in Europe, for example in order to introduce multi-purpose drillings in Europe?

4. Does the Commission see any opportunities which might enable shale gas research to play a role in existing EU programmes, specifically under the FP7 and FP8 programmes?

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

In the Commission's view it is primarily a task for the industry to develop efficient and innovative exploration and production technologies for shale gas, which can reduce environmental impacts of operations. The Commission will continue to monitor and discuss with regulators and stakeholders ongoing technological developments and best practices. The Commission's Joint Research Centre is also providing scientific support to the identification of the potential environmental and economic impact of shale gas.

The current 7th Research Framework Programme (FP7) does not provide a legal basis to undertake research or demonstration activities in the area of shale gas exploration or production technologies. The Commission proposal for Horizon 2020 — The framework Programme for Research and Innovation (2014-2020) ([1]) — foresees CO_2 capture, transport and storage (CCS) as a continued focus of EU research and demonstration efforts in the area of fossil fuels. Drilling technologies specifically for shale gas or other hydrocarbons are therefore not included in the proposal.

([1]) COM(2011) 811 final.

(English version)

Question for written answer E-003112/12
to the Commission
Glenis Willmott (S&D)
(22 March 2012)

Subject: Blacklisting

In December, as part of its report on the mid-term review of the European strategy 2007-2012 on health and safety at work, Parliament called on the Commission to put an end to the blacklisting of workers who are active in raising awareness of the health and safety risks in their workplaces ([1]).

Any strategy to promote health and safety for workers must necessarily involve the workers themselves, in order to identify health and safety risks and call upon their employers to mitigate them. Workers must therefore be protected against unfair treatment as a result of speaking up about the risks in their workplace. The 1989 health and safety framework directive establishes the right of a worker or a workers' representative not to be placed at a disadvantage for carrying out these activities and to appeal to the relevant authority if problems cannot be resolved with the employer ([2]).

However, in practice, this continues to be a problem. I have been contacted by workers in my constituency who have continued to experience 'blacklisting', or the refusal of employment by employers across an entire industry. A UK court is currently looking into the discovery of a clandestine blacklist which contained the names and details of 3 200 workers in the construction industry ([3]). It is clear that workers who are health and safety activists will continue to be put at a disadvantage unless the provisions in the 1989 directive are strengthened and sanctions are introduced for employers who fail to comply with them.

For this reason, Parliament, in December 2011, called on the Commission to propose a directive in order to protect such workers and 'put an end to blacklisting of such workers by making sure that such a violation of a fundamental labour right is prevented by means of effective, proportionate and dissuasive sanctions'.

What plans does the Commission have to respond to this call by Parliament, in particular by proposing a directive which will protect workers who are active in raising awareness of health and safety risks and put an end to the blacklisting of such workers?

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

The Commission is aware that some employers continue to blacklist workers. The framework Directive ([4]) lays down the general principles on the prevention of occupational risks, the health and safety of workers, and the information, consultation, participation and training of workers and their representatives. The directive also provides that workers or workers' representatives with special responsibility for the health and safety of workers, may not be placed at a disadvantage because they consult or raise issues with the employer regarding measures to mitigate hazards or to remove sources of danger.

Member States are required to transpose the directive into national law. It is, therefore, the responsibility of the relevant national authorities to enforce the national provisions transposing the EU legislation. According to the case-law of the Court of Justice, Member States are obliged to adopt all measures necessary to ensure that the directive is fully effective in accordance with its objectives ([5]). Member States are also required to ensure that infringements of EC law are penalised under conditions which are analogous to those applicable to infringements of national law, provided they render the penalty effective, proportionate and dissuasive ([6]).

In the light of the above considerations, the Commission has, at present, no intention of proposing specific legislation in this field. However, as the Commission will shortly carry out a review of all the relevant *acquis* in the area of safety and health at work, as provided for by the framework Directive, it may, as a result, consider addressing the issue of blacklisting.

([1]) European Parliament resolution of 15 December 2011 on the mid-term review of the European strategy 2007-2012 on health and safety at work (2011/2147(INI)), Article 54.
([2]) Council Directive 89/391/EEC, Article 11(4) and (6).
([3]) *The Guardian*, 'Blacklisted building workers hope for day in court after ruling', 3 March 2012.
([4]) Council Directive 89/391/EEC 89/391 of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, OJ L 183, 29.6.1989, p. 1.
([5]) Case 14/83 *Sabine von Colson and Elisabeth Kamann* v *Land Nordrhein-Westfalen* [1984] ECR 1891.
([6]) See, *inter alia*, Case 68/88 *Commission* v *Greece* [1989] ECR 2965.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003116/12
alla Commissione (Vicepresidente/Alto rappresentante)
Fiorello Provera (EFD)
(22 marzo 2012)

Oggetto: VP/HR — Cristiani presi di mira in Sudan

Il 20 marzo 2012, l'organizzazione Diritti umani senza frontiere ha riferito che, secondo gli operatori umanitari attivi in Sudan, l'operazione di «pulizia etnica» del presidente Omar al-Bashir contro i neri africani mira anche a rimuovere il cristianesimo da aree quali le montagne Nuba. Un operatore dice che puntando il mirino specificamente contro i cristiani che vivono accanto ad altri abitanti che praticano l'Islam, il regime potrà presentare queste violenze ai musulmani all'estero come una «jihad». Nel nord, i cristiani Nuba sono considerati infedeli e ciò consente di giustificare il lancio di una guerra di religione, allo scopo evidentemente di islamizzarli.

Ci sono stati una serie di bombardamenti aerei nelle montagne Nuba, uno dei quali, il 25 febbraio 2012 ha causato la morte di cinque membri di una famiglia che apparteneva a una chiesa episcopale in Umsirdipa. Un altro operatore umanitario ha detto che il governo di Khartoum sta usando aerei Antonov per bombardare, «mentre la milizia sponsorizzata dallo stato attacca chiese e famiglie cristiane». A Kadugli, che è la capitale del Sud Kordofan, almeno quattro chiese sono state rase al suolo e più di 20 cristiani uccisi. Le Nazioni Unite stimano che il conflitto ha fatto sfollare 400 000 persone, con il pericolo che 300 000 potrebbero trovarsi a morire di fame entro un mese. L'Alto Commissario delle Nazioni Unite per i rifugiati stima che ci siano 185 mila profughi provenienti dal Sud Kordofan e dal Nilo Azzurro in Sud Sudan e in Etiopia. I combattimenti nel Sud Kordofan sono scoppiati nel giugno 2011 dopo che il governo di Khartoum si era mosso per affermare la propria autorità contro gli uomini in armi ex alleati dell'ormai indipendenti Sud Sudan. Inoltre, il governo sudanese ha spogliato della loro cittadinanza dai 5 ai 700 000 cristiani e ha intimato loro di partire per il Sud Sudan entro l'8 aprile 2012.

L'8 marzo 2012, la Vicepresidente/Alto Rappresentante ha annunciato che l'Unione europea «insiste affinché il governo sudanese accetti la proposta dell'ONU, dell'UA e del LSA di consentire l'accesso umanitario delle agenzie umanitarie internazionali a tutte le popolazioni civili del Sud Kordofan e del Nilo Azzurro». Ha anche ribadito «il desiderio dell'UE di vedere i popoli del Sudan e del Sud Sudan coesistere in pace in due Stati vitali fondati sulla democrazia, lo Stato di diritto e il rispetto dei diritti umani».

1. La VP/HR è a conoscenza di queste notizie che riferiscono di milizie sudanesi contro i cristiani nelle montagne Nuba?

2. La VP/HR crede che attraverso la collaborazione con organizzazioni regionali come l'Unione africana e le Nazioni Unite, sarebbe possibile far cessare i bombardamenti aerei su regioni, quali i Monti Nuba?

3. Qual è la posizione della VP/HR in merito alla decisione del governo sudanese di intimare ai cristiani sudanesi di lasciare il nord entro l'8 aprile 2012?

4. La VP/HR è pronta a sollevare la questione con le competenti autorità di Khartoum?

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

1. L'Alta Rappresentante/Vicepresidente segue molto attentamente l'evolversi della situazione in Sudan e in particolare il conflitto nelle «due aree», ovvero il Kordofan meridionale (compresi i monti Nuba) e lo Stato del Nilo azzurro. Le informazioni riguardanti i civili presi di mira dall'esercito sudanese destano viva preoccupazione, anche perché è difficile conoscere la situazione reale visto che il governo del Sudan non permette alle organizzazioni umanitarie internazionali, agli osservatori dei diritti umani o ad altri operatori internazionali di accedere alla regione.

2. L'UE sostiene, sia politicamente che finanziariamente, il gruppo di attuazione ad alto livello dell'Unione africana (AUHIP) per il Sudan, presieduto dall'ex Presidente Tabo Mbeki. In numerose occasioni l'Unione europea, l'Unione africana e il Consiglio di sicurezza delle Nazioni Unite hanno invitato le parti coinvolte nel conflitto in corso nel Kordofan meridionale e nello Stato del Nilo azzurro a cessare le attività militari, autorizzare l'accesso delle agenzie umanitarie internazionali e cercare una soluzione negoziata al conflitto.

3. Per quanto riguarda il termine imposto dal governo sudanese ai cittadini del Sud Sudan per regolarizzare la propria situazione oppure lasciare il paese, l'Alta Rappresentante/Vicepresidente è dell'avviso che vada prorogato per concedere più tempo alla soluzione del problema. Con l'aiuto dell'AUHIP, il governo sudanese e quello del Sud Sudan

hanno recentemente convenuto, in linea di principio, di risolvere i problemi legati alla «nazionalità». L'Alta Rappresentante/Vicepresidente invita entrambe le parti a firmare l'accordo e ad avviarne l'attuazione quanto prima.

4. L'Alta Rappresentante/Vicepresidente ha sollevato questa ed altre questioni in una lettera del 20 marzo 2012 al ministro degli Esteri sudanese Ali Karti.

(English version)

Question for written answer E-003116/12
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD)
(22 March 2012)

Subject: VP/HR — Targeting of Christians in Sudan

On 20 March 2012, the human rights organisation Human Rights without Frontiers reported that, according to humanitarian workers operating in Sudan, President Omar al-Bashir's 'ethnic cleansing' against black Africans is also aimed at removing Christianity from areas such as the Nuba Mountains. One worker says that by specifically targeting Christians living alongside other people who practice Islam, the regime will be able to portray the violence as a 'jihad' to Muslims abroad. In the north, Nuba Christians are regarded as infidels and this is being used to justify launching a religious war, ostensibly to islamise them.

There have been a number of aerial bombardments in the Nuba Mountains, one of which, on 25 February 2012 caused the death of five members of a family who belonged to an Episcopal church in Umsirdipa. Another humanitarian worker said the government in Khartoum is using Antonov aircraft to drop bombs, 'coupled with state-sponsored militia targeting churches and Christian families'. In Kadugli, which is the capital of South Kordofan, at least four church buildings have been razed and more than 20 Christians killed. The United Nations estimates that the conflict has displaced 400 000 people, with the danger that 300 000 could face starvation within a month. The UN High Commissioner for Refugees estimates that there are 185 000 refugees from South Kordofan and Blue Nile in South Sudan and Ethiopia. Fighting in South Kordofan broke out in June 2011 after the government in Khartoum moved to assert its authority against gunmen formerly allied to the now independent South Sudan. In addition, the Sudanese Government has stripped between 500 000 — 700 000 Christians of their citizenship and given them until 8 April 2012 to leave for South Sudan.

On 8 March 2012, the Vice-President/High Representative announced that the EU 'urges the Government of Sudan to accept the proposal by the UN, AU and LAS on allowing humanitarian access for international humanitarian agencies to all civilian populations in Southern Kordofan and Blue Nile'. She also reaffirmed 'the EU's wish to see the peoples of Sudan and South Sudan coexisting peacefully in two viable states based on democracy, rule of law and respect for human rights'.

1. Is the VP/HR aware of these reports of Sudanese militias targeting Christians in the Nuba Mountains?

2. Does the VP/HR believe that through working with regional bodies such as the African Union and the United Nations, it would be feasible to bring aerial bombardments of regions such as the Nuba Mountains to a halt?

3. What is the VP/HR's position regarding the Sudanese Government's decision to order Sudanese Christians to leave the north by 8 April 2012?

4. Is the VP/HR prepared to raise this issue with the relevant authorities in Khartoum?

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

1. The HR/VP follows very closely developments in Sudan, in particular the conflict in the Two Areas (Southern Kordofan, including the Nuba Mountains) and Blue Nile State. Reports on the targeting of civilians by the Sudanese Army are extremely worrying. In particular also because it is difficult to know what is really happening since the Government of Sudan does not grant access to the region for international humanitarian agencies, human rights observers or other international staff.

2. The EU supports the African Union High Level Implementation Panel for Sudan (AUHIP), chaired by former President Tabo Mbeki, both politically and financially. On many occasions, the EU, AU and the UN Security Council have called on the parties to the conflict in Southern Kordofan and Blue Nile State to stop their military activities, grant access for international humanitarian agencies and seek a negotiated solution to the conflict.

3. With regard to the deadline set by the Government of Sudan for South Sudanese citizens to regularise their status or otherwise leave the country, the HR/VP is of the opinion that this deadline must be extended to allow for more time to settle the issue. With the help of the AUHIP, the Government of Sudan and the Government of South Sudan have recently agreed, in principle, on solving issues of 'nationality'. The HR/VP calls on both parties to sign and start implementing this agreement as soon as possible.

4. The HR/VP raised this and other issues in a letter, dated 20 March 2012, to the Sudanese Foreign Minister Ali Karti.

(Versión española)

Pregunta con solicitud de respuesta escrita E-003130/12
a la Comisión
Willy Meyer (GUE/NGL)
(22 de marzo de 2012)

Asunto: Bloqueo de la prohibición de la entrada en el mercado comunitario de materias primas muy contaminantes para la elaboración de combustibles

El pasado 23 de febrero de 2012 tuvo lugar una reunión en el Consejo Europeo para decidir la imposición de una prohibición definitiva de la entrada en el mercado común de materias primas muy contaminantes para la elaboración de combustibles, tal y como ha solicitado la Comisión Europea.

La decisión de impedir la entrada de estas materias, entre las que se encuentran las arenas bituminosas, de gran impacto contaminante, se postergó debido al bloqueo de una minoría de países que votaron en contra, entre los que se encontraba España.

Los combustibles fabricados a partir de arenas bituminosas producen la emisión de un 23 % más de CO_2 que los combustibles elaborados a partir de petróleo crudo, pues son una de las materias primas más perjudiciales en términos medioambientales para la elaboración de combustibles.

Este bloqueo pone en serio riesgo el objetivo de disminuir en un 6 % las emisiones de CO_2 en la Unión Europea a través de la aplicación de la Directiva europea sobre calidad de los combustibles.

La posición adoptada por el Gobierno español presidido por Mariano Rajoy se debe a su alineamiento con las compañías petroleras y el *lobby* del refinado, anteponiendo así los intereses de esta industria a los objetivos de mejora de la salud pública y lucha contra el cambio climático perseguidos por la Unión Europea.

Muchas ciudades españolas violan flagrante e impunemente la Directiva 2008/50/CE relativa a la calidad del aire y a una atmósfera más limpia en Europa, y la entrada de este tipo de materias primas para combustible conduciría al empeoramiento de esta situación.

¿Piensa la Comisión investigar la continua violación de la Directiva 2008/50/CE y exigir al Gobierno español la adopción de medidas efectivas para su cumplimiento? ¿Ha informado la Comisión al Gobierno español del daño que la entrada de arenas bituminosas en el mercado comunitario puede causar a la salud y al medio ambiente y de su efecto contraproducente para la lucha contra el cambio climático?

En caso de que continúe el bloqueo en la próxima votación en el seno del Consejo, en junio de 2012, ¿qué medidas piensa tomar la Comisión para que se respete todo el acervo comunitario relativo a la calidad del aire, la salud pública y la lucha contra el cambio climático y la contaminación?

Respuesta de la Sra. Hedegaard en nombre de la Comisión
(21 de mayo de 2012)

En la reunión del Comité sobre Calidad del Combustible de 23 de febrero de 2012, los Estados miembros votaron sobre la adopción de una medida de aplicación de una metodología para calcular las emisiones de gases de efecto invernadero de los combustibles fósiles durante su ciclo de vida, con arreglo al artículo 7 *bis* de la Directiva 98/70/CE ([1]). Dada la ausencia de una mayoría cualificada a favor o en contra del proyecto de medida presentado por la Comisión, el Comité no emitió dictamen alguno. Así pues, la Comisión debe presentar al Consejo una propuesta sobre la medida. La Comisión ha decidido realizar una evaluación de impacto y presentar una propuesta al Consejo a principios de 2013.

Por lo que respecta a la Directiva 2008/50/CE, relativa a la calidad del aire ambiente y a una atmósfera más limpia en Europa ([2]), la Comisión está tomando medidas contra España por incumplimiento de los valores límite de PM_{10} en varias zonas de calidad del aire y desde hace varios años. Tras una serie de advertencias, la Comisión ha decidido llevar a España ante el Tribunal de Justicia de la Unión Europea por no respetar dichos valores ([3]).

([1]) Directiva 98/70/CE del Parlamento Europeo y del Consejo, de 13 de octubre de 1998, relativa a la calidad de la gasolina y el gasóleo y por la que se modifica la Directiva 93/12/CEE del Consejo (DO L 350 de 28.12.1998, p. 58).
([2]) DO L 152 de 11.6.2008.
([3]) http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/1586&format=HTML

(English version)

Question for written answer E-003130/12
to the Commission
Willy Meyer (GUE/NGL)
(22 March 2012)

Subject: Blocking of the ban on highly-polluting raw materials for the manufacture of fuels entering the Community market

On 23 February 2012, the European Council met to decide whether to impose a definitive ban on highly-polluting raw materials for the manufacture of fuels entering the common market, as requested by the European Commission.

The decision to ban the entry of these materials, including tar sand, which have a major impact in terms of pollution, was postponed owing to its being blocked by a minority of countries that voted against, including Spain.

Fuels manufactured from tar sand generate 23 % more CO_2 emissions than fuels manufactured from crude oil, with tar sand being one of the most environmentally damaging of the raw materials used to manufacture fuels.

That blocking seriously jeopardises the objective of reducing CO_2 emissions in the European Union by 6 % through the implementation of the European Fuel Quality Directive.

The stance of the Spanish Government, headed by Mariano Rajoy, is the upshot of his siding with the oil companies and refining lobby, meaning that he places that industry's interests ahead of the goals being pursued by the European Union in the fields of improving public health and combating climate change.

Many Spanish cities violate, flagrantly and with impunity, Directive 2008/50/EC on ambient air quality and cleaner air for Europe. The entry of raw materials of this kind for the manufacture of fuel would exacerbate this situation.

Does the Commission plan to investigate the continual violation of Directive 2008/50/EC and require the Spanish Government to adopt effective measures to enforce it? Has the Commission informed the Spanish Government of the damage that the entry of tar sand onto the Community market may cause to health and the environment, and of its counterproductive effect in terms of combating climate change?

In the event that this blocking continues during the next vote in the Council, in June 2012, what measures does the Commission plan to take in order to ensure that the entire Community *acquis* relating to air quality, public health and combating climate change and pollution is respected?

Answer given by Ms Hedegaard on behalf of the Commission
(21 May 2012)

The vote on 23 February 2012, by Member States in the Committee on Fuel Quality, related to the adoption of an implementing measure for a methodology for calculating lifecycle greenhouse gas emissions of fossil fuels pursuant to Article 7a of Directive 98/70/EC ([1]). In absence of a qualified majority in favour or against the draft measure submitted by the Commission, the Committee did not issue an opinion. In such circumstances the Commission is required to submit a proposal related to the measure to the Council. The Commission has decided to make an impact assessment and to submit a proposal to the Council early 2013.

Regarding Directive 2008/50/EC on ambient air quality and cleaner air for Europe ([2]), the Commission is taking action against Spain for failure to comply with the PM_{10} limit values in several air quality zones and over several years. After several warnings, the Commission has decided to take Spain to the European Court of Justice for that failure ([3]).

([1]) Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC, OJ L 350, 28.12.1998.
([2]) OJ L 152, 11.6.2008.
([3]) http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/1586&format=HTML.

(České znění)

Otázka k písemnému zodpovězení E-003132/12
Komisi
Jiří Havel (S&D)
(22. března 2012)

Předmět: Jednotný trh v EU

Vedle legislativních nástrojů na podporu rozpočtové a fiskální disciplíny členských států EU bude pro překonání současné krize rozhodující především obnovení ekonomického růstu a posílení konkurenceschopnosti států EU. Klíčovou roli má v této souvislosti zcela jednoznačně jednotný trh, který má zásadní potenciál být hnacím motorem růstu evropské ekonomiky.

1. Jaká je momentální situace ohledně převádění schválené legislativy EU týkající sejednotného trhu v jednotlivých členských státech?

2. Do jaké míry má Komise přehled o tom, jak konkrétně postupují jednotlivé členské státy v přejímání této legislativy, která má rozhodující vliv na jejich konkurenceschopnost a hospodářský růst?

3. Může Komise porovnat a předložit informace o tom, jak se jednotlivé členské státy EU 27 až dosud vyrovnaly s přejímáním evropského práva ohledně jednotného trhu do své národní legislativy? A to nejlépe formou tabulky (scoreboard), která by reflektovala situaci jak v absolutních číslech, tak i procentuálně.

Odpověď pana Barniera jménem Komise
(3. května 2012)

1. Dne 24. února 2012 přijala Komise dokument „Making the Single Market deliver – Annual Governance Check-up 2011“ ([1]) (*Přínos jednotného trhu: Výroční přezkum správy za rok 2011*). Z tohoto přezkumu vyplývá, že deficit provádění směrnic do vnitrostátního práva činí 1,2 %, což znamená, že nebylo včas zcela provedeno 6 % z 1 388 směrnic týkajících se jednotného trhu nebo alespoň že jejich převedení do vnitrostátního práva nebylo oznámeno Komisi. Oznámení chybělo u 85 směrnic z oblasti vnitřního trhu, které nenabyly plně účinku alespoň v jednom členském státě. Problémy s transpozicí se týkají hlavně těchto oblastí: životního prostředí, finančních služeb a dopravy. Je třeba poznamenat, že došlo k pokroku při snižování deficitu v provádění směrnic, u nichž existovalo výrazné zpoždění – tj. které nebyly transponovány ještě dva roky po termínu.

2. Pokud jde o kvalitu transpozičních opatření, je obtížné ji posoudit bez provedení detailních kontrol souladu. Osvědčeným ukazatelem, který Komise při měření souladu opatření používá, je nicméně počet směrnic, na které se vztahuje řízení o nesplnění povinnosti. V současné době činí průměrná hodnota 0,8 % a v Aktu o jednotném trhu ji Komise navrhla snížit na 0,5 %.

Komise vyzývá členské státy, aby si vyměňovaly osvědčené prováděcí postupy. Ve srovnávacím přehledu výsledků v oblasti vnitřního trhu uvedla nejosvědčenější postupy některých členských států, které by mohly sloužit jako příklad. Proces přijímání právních předpisů je však výhradně v pravomoci členských států. Komise připravila v tomto ohledu řadu doporučení v takzvaném sdělení o partnerství ([2]).

3. Tabulka v příloze znázorňuje provádění právních předpisů týkajících se jednotného trhu za každý členský stát.

([1]) http://ec.europa.eu/internal_market/score/docs/relateddocs/single_market_governance_report_2011_en.pdf
([2]) Úř. věst. L 176, 7.7.2009, s. 17-26.

(English version)

Question for written answer E-003132/12
to the Commission
Jiří Havel (S&D)
(22 March 2012)

Subject: Single market in the EU

In addition to the legislative instruments supporting budgetary and fiscal discipline in EU Member States, it will be vital in overcoming the current crisis to restore economic growth and boost the competitiveness of Member States. The single market clearly has a key role to play in this respect, as it has the basic potential to be the engine of growth for the European economy.

1. What is the current situation in individual Member States with regard to the transposition of adopted EU legislation relating to the single market?

2. To what extent is the Commission aware of how the different Member States are actually making progress in transposing such legislation, which will have a decisive impact on their competitiveness and economic growth?

3. Can the Commission compare and submit information on the progress that the 27 different EU Member States have so far made in transposing European law relating to the single market into national legislation? This would ideally be in the form of a table (scoreboard) reflecting the situation both in absolute figures and in percentages.

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

1. On 24 February 2012 the Commission adopted the 'Making the single market deliver — Annual Governance Check-up 2011' ([1]). It follows from this report that the transposition deficit amounts to 1.2 %, which means that 6 % of 1 388 of the single market Directives were not entirely transposed in time or at least not notified to the Commission as being transposed. The missing notifications concern 85 internal market directives that do not produce the full effect at least in one Member State. The problems of transposition mainly concern the following areas: environment, financial services and transport. It has to be noted that there has been a progress in reducing the transposition deficit of the directives that were significantly late — i.e. still not transposed two years after the deadline.

2. As regards the quality of transposition measures, it is difficult to assess without undergoing detailed compliance checks. Nevertheless, a good proxy used by the Commission to measure compliance is based on the number of directives which are concerned by infringement procedures. At present the average is 0.8 % and in the single market Act the Commission proposed to reduce it to 0.5 %.

The Commission encourages Member States to exchange best implementation practices. In the internal market Scoreboard, it presented the best practices of certain Member States that could serve as an example. However, the process of adopting legislation is exclusively of Member States' competence. The Commission made a number of recommendations in this regard in the so-called Partnership Communication ([2]).

3. The annexed table shows the transposition of the single market legislation per Member State.

([1]) http:/ec.europa.eu/internal_market/score/docs/relateddocs/single_market_governance_report_2011_en.pdf
([2]) OJ L 176, 7.7.2009, p. 17-26.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse P-003149/12
til Kommissionen
Jens Rohde (ALDE)
(22. marts 2012)

Om: Retten til at strejke

Kommissionens beskæftigelses- og socialkommissær Lázslo Andor har onsdag den 21. marts 2012 fremlagt et forslag til forordning om »udøvelse af retten til kollektive skridt inden for rammerne af etableringsfriheden og den frie udveksling af tjenesteydelser« (KOM(2012)0130 — 2012/0064 (APP)).

I artikel 4 foreslår Kommissionen en »varslingsmekanisme«, hvor medlemslandene skal indmelde aktioner eller situationer, som kan påvirke funktionen af det indre marked, til de involverede medlemslande samt til Kommissionen. Medlemslandene skal ligeledes videregive den information til Kommissionen, som denne måtte bede om, ligesom Kommissionen skal involveres i informationsstrømme mellem medlemslande.

Kan Kommissionen bekræfte, at strejker og øvrige konfliktretlige aktioner er inkluderet i »aktioner og situationer«?

Hvad er Kommissionens formål i så fald med at modtage disse oplysninger? Mener Kommissionen, at den skal have vetoret over konfliktretlige aktioner, og i så fald hvordan ville dette være i overensstemmelse med traktaten, særlig art. 153 TFEU?

Svar afgivet på Kommissionens vegne af Lázslo Andor
(24. april 2012)

Formålet med den varslingsmekanisme, som er fastlagt i Kommissionens forslag ([1]), og som det ærede medlem henviser til, er at give Kommissionen og de øvrige berørte medlemsstater hurtig og klar information om alvorlige handlinger eller forhold, som berører den faktiske udøvelse af etableringsretten eller den frie udveksling af tjenesteydelser, og som ville kunne forårsage alvorlige forstyrrelser i det indre markeds funktion eller forvolde alvorlig skade for den berørte medlemsstats arbejdsmarkedsordninger eller skabe alvorlig social uro på medlemsstatens område. Sådanne alvorlige handlinger kan også omfatte strejker.

Forslaget til en forordning giver ikke Kommissionen nogen ret eller forpligtelse til at gribe ind under de omstændigheder, det ærede medlem omtaler. Kommissionen overholder fuldt ud artikel 153 i traktaten om Den Europæiske Unions funktionsmåde, og den fastslår udtrykkeligt, at den ikke på nogen måde vil påvirke friheden eller retten til at strejke, som er anerkendt i medlemsstaterne.

Kommissionen vil gerne henlede det ærede medlems opmærksomhed på Rådets forordning (EF) nr. 2679/98 af 7. december 1998 om det indre markeds funktion med hensyn til fri bevægelighed for varer mellem medlemsstaterne ([2]). I forordningen er der fastlagt en varslingsmekanisme, i henhold til hvilken enhver medlemsstat, som har relevante oplysninger om hindringer eller trusler herom (herunder strejker) for den frie varebevægelighed, underretter Kommissionen og de øvrige berørte medlemsstater. Ligesom forslaget, som det ærede medlem henviser til, påvirker denne mekanisme ikke på nogen måde udøvelsen af de grundlæggende rettigheder, herunder retten eller friheden til at strejke.

([1]) Forslag til Rådets forordning om udøvelse af retten til kollektive skridt inden for rammerne af etableringsfriheden og den frie udveksling af tjenesteydelser (KOM(2012)0130 endelig af 21. marts 2012).
([2]) EFT L 337 af 12.12.1998, s. 8.

(English version)

Question for written answer P-003149/12
to the Commission
Jens Rohde (ALDE)
(22 March 2012)

Subject: The right to strike

The European Commissioner responsible for Employment and Social Affairs, László Andor, presented a proposal on Wednesday, 21 March 2012 for a regulation on the 'exercise of the right to take collective action within the context of the freedom of establishment and the freedom to provide services' (COM(2012) 0130 — 2012/0064 (APP)).

In Article 4, the Commission proposes an 'alert mechanism' whereby Member States must notify the relevant Member States and the Commission of acts or circumstances with the potential to affect the functioning of the internal market. Member States must also pass on to the Commission any information that it requests and the Commission must be included in information flows between Member States.

Can the Commission confirm that strikes and other acts governed by the law on industrial action are included under 'acts and circumstances'?

If this is the case, what is the intention of the Commission in requiring this information? Does the Commission consider that it should have the right to veto industrial action and if so, how can this be reconciled with the Treaty, in particular Article 152 TFEU?

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

The purpose of the alert mechanism provided for in the Commission proposal ([1]) to which the Honourable Member refers is to provide the Commission and the other Member States concerned with timely and transparent information on serious acts or circumstances affecting the effective exercise of freedom of establishment or freedom to provide services and which could cause grave disruption to the proper functioning of the internal market or serious damage to the industrial relations system of the Member State concerned or create serious social unrest in the latter's territory. Such serious acts may include strikes.

The proposal for a regulation does not provide for any right of, or obligation on, the Commission to intervene in circumstances of the sort referred to by the Honourable Member. It fully respects Article 153 TFEU and it states explicitly that it in no way affects the exercise of the right or freedom to strike as recognised in the Member States.

The Commission would draw the Honourable Member's attention to Council Regulation (EC) No 2679/98 of 7 December 1998 on the functioning of the internal market in relation to the free movement of goods among the Member States ([2]). That regulation establishes an alert mechanism requiring any Member State which has relevant information on obstacles or threats thereof (including strikes) to free movement of goods is to transmit it to the Commission and to the other Member States concerned. Like the proposal to which the Honourable Member refers, that mechanism in no way affects the exercise of fundamental rights, including the right or freedom to strike.

([1]) Proposal for a Council regulation on the exercise of the right to take collective action within the context of the freedom of establishment and the freedom to provide services (COM(2012) 130 final of 21 March 2012).

([2]) OJ L 337, 12.12.1998, p. 8.

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-003155/12
komissiolle
Eija-Riitta Korhola (PPE)
(22. maaliskuuta 2012)

Aihe: Tarkistetun päästökauppajärjestelmän vaikutus EU:n talouteen

Kun päästöoikeuksia vähennetään asteittain vuoden 2013 jälkeen tarkistetun päästökauppajärjestelmän mukaisesti, niiden hinta nousee. EU:n sähkömarkkinoilla hinta määräytyy marginaalisen tuotantokapasiteetin mukaan – tavallisesti hiilivoimaloiden osalta. Koska hiilivoiman muuttuvaan hintaan lisätään hiilidioksidikustannukset, kaiken sähkön hinta markkinoilla nousee. Tämä aiheuttaa vakavan ongelman paljon energiaa kuluttaville teollisuudenaloille, jotka toimivat maailmanmarkkinoilla, koska niiden tuotantokustannukset nousevat, mikä puolestaan heikentää niiden kilpailukykyä.

Näin ollen vähäpäästöiset EU:n teollisuudenalat poistuvat markkinoilta ja tuotanto lisääntyy maissa, joissa ei ole ilmastopolitiikkaa eikä määrätä kustannuksia hiilidioksidipäästöistä. EU:n teollisuudesta häviää tuotantoa ja työpaikkoja, mutta maailmanlaajuiset päästöt lisääntyvät. Tällaista tilannetta kutsutaan usein hiilivuodoksi. Kuvailtu synkkä mutta todenmukainen lopputulos on odotettavissa, kun päästökauppa yhdistetään keinotekoisesti sähkömarkkinoihin.

Ongelma voitaisiin kuitenkin välttää, jos hiilidioksidikustannukset kattavat maksut kerättäisiin suoraan sähkönkuluttajilta ja sähköntuottajat, joilla on päästökauppavelvoitteita, saisivat hiilidioksidin markkinahinnasta riippuvista hiilidioksidikustannuksistaan korvauksia. Näin sähkön markkinahinnoista poistuisi hiilidioksikustannukset, mikä laskisi sähkön hintoja. Voimalaitokset, joilla on pienet hiilipäästöt ja päästökauppavelvoitteita, esimerkiksi bioenergiaa tai maakaasua käyttävät laitokset, saisivat samat korvaukset kuin hiilivoimalat, mikä vahvistaisi kannustetta vähentää päästöjä.

Päästökauppadirektiiviä ei tarvitsisi muuttaa, koska sähköntuottajat, joilla on jo päästökauppavelvoitteita, olisivat edelleen velvollisia hankkimaan tarvitsemansa päästöoikeudet. Kuluttajahinnat seuraisivat hiilidioksidipäästöjen vaihteluita, mutta rasitteena ei olisi sähkön hinnannousuja, jotka johtuvat hiilidioksidikustannusten siirtämisestä hintoihin. Hiilivuodon torjumiseen ei tarvittaisi valtion tukea, ja sähköntuottajien ansiottomat voitot pienenisivät. EU täyttäisi ilmastonmuutossitoumuksensa kansalaisten ja teollisuuden huomattavasti pienemmällä maksutaakalla.

Aikooko komissio harkita tätä ehdotusta, jolla vältettäisiin hiilivuotoa, työttömyyttä ja yhä huonontuvaa taloudellista tilannetta?

Connie Hedegaardin komission puolesta antama vastaus
(11. toukokuuta 2012)

Komissio ja EU tunnustavat hiilivuodon riskin tietyillä paljon energiaa kuluttavilla teollisuudenaloilla. Parlamentti ja neuvosto ovat päättäneet keinoista, joilla hallitaan hiilivuodon riskiä Euroopan unionin päästökauppajärjestelmän (EU ETS) kolmannessa vaiheessa (2013-2020) kasvihuonekaasupäästöihin liittyvien suorien ja välillisten kustannusten osalta. Suorien kustannusten osalta laitoksille jaetaan kriteereihin perustuvia maksuttomia päästöoikeuksia. Kasvihuonekaasupäästöihin liittyvien sähkön hintoihin siirtyvien epäsuorien kustannusten osalta jäsenvaltiot voivat ottaa käyttöön taloudellisia toimenpiteitä, jotka suosivat altistuneimpia sektoreita. Näitä rahoitustoimenpiteitä koskevien valtiontuen suuntaviivojen on määrä valmistua vuoden 2012 aikana.

Arvoisan parlamentin jäsenen ehdottamaa vaihtoehtoista lähestymistapaa on harkittu tarkkaan. Tällainen lähestymistapa kuitenkin arvioitiin jo muutamia vuosia sitten, jolloin siihen todettiin liittyvän puutteita, joiden vuoksi sen täytäntöönpanoa ei koskaan ehdotettu.

(English version)

Question for written answer E-003155/12
to the Commission
Eija-Riitta Korhola (PPE)
(22 March 2012)

Subject: Impact of the revised Emission Trading Scheme on the EU economy

As allowances gradually are reduced after 2013, in keeping with the revised Emissions Trading Directive, their trading price will increase. In the EU electricity market, the price is determined by the marginal generation capacity — usually of coal-fired power plants. Because the CO_2 cost is added to the variable cost of coal power, all electricity in the market becomes more expensive. This is a serious problem for energy-intensive industries exposed to global markets because their production costs will increase, making them non-competitive.

The result is that low-emission EU industries will shut down and that production will increase in countries that have no climate policy and that impose no cost for CO_2 emissions. EU industries will lose output and jobs while global emissions increase — a situation often referred to as carbon leakage. This grim but realistic outcome is predicted on the artificial combination of emissions trading and electricity markets.

The problem could be avoided if the fees to cover CO_2 cost were to be collected directly from electricity consumers, and if power producers with emission trading obligations were to get compensation for their CO_2 costs dependent on the CO_2 market price. This would remove the CO_2 cost element from electricity market prices, with the effect of driving electricity prices down. Power plants with low carbon emissions and with emission trading obligations, such as those fuelled by bioenergy and natural gas, would get the same CO_2 compensation as the coal-fired power plants, thus reinforcing the incentive to reduce emissions.

There would be no need to amend the Emissions Trading Directive since electricity producers that already are subject to the emission trading obligation would still be obliged to obtain the emission allowances they need. Consumer prices would follow the fluctuations for CO_2 emission without the additional burden of electricity price hikes resulting from the cost pass-through of the CO_2 price. State aid would not be needed to prevent carbon leakage, and the windfall profits for power producers would be reduced. The EU would be able to achieve its climate change commitments at a much lower cost for its citizens and industries.

Would the Commission take this suggestion to avoid carbon leakage, unemployment and a worsening economic situation under consideration?

Answer given by Ms Hedegaard on behalf of the Commission
(11 May 2012)

The Commission and the EU recognise the risk of carbon leakage for certain energy-intensive industries. The methods to address the risk of carbon leakage for the third phase (2013-2020) of the EU Emissions Trading Scheme (ETS) have been decided by the Parliament and the Council, both for the direct and indirect costs relating to greenhouse gas emissions (GHG). For direct costs, installations receive a free allocations of allowances based on benchmarks, while for indirect cost relating to GHG emissions passed on in electricity prices the Member States may adopt financial measures in favour of the most exposed sectors. The state aid guidelines for these financial measures are to be finalised in 2012.

The alternative approach proposed by the Honourable Member has been carefully considered. However, this type of approach was already assessed some years ago and was found to have a number of shortcomings, which is the reason why it was never proposed for implementation.

(Versión española)

Pregunta con solicitud de respuesta escrita E-003157/12
a la Comisión
Ramon Tremosa i Balcells (ALDE)
(23 de marzo de 2012)

Asunto: Industria del cerdo

La Unión Europea en su conjunto y, en particular, algunos Estados miembros están sufriendo una crisis económica sin precedentes. La poca liquidez en el mercado, la alta morosidad y la escasez de crédito son una realidad estructural para muchas partes de la Unión. De hecho, tal y como pone de relieve este artículo ([1]), y según el Banco de España, la banca española acarreó el pasado febrero el 47 % del total de la liquidez ofertada por el Banco Central Europeo para el Eurogrupo. No obstante, el crédito a la economía real sigue decreciendo a ritmos alarmantes ([2]).

Desde la Comisión se insta a los Estado miembros a desarrollar, entre otras políticas, una política de desarrollo rural activa para, otros muchos objetivos, mejorar la competitividad, la cohesión territorial y el mantenimiento del territorio europeo.

Así, el 1 de enero de 2013 entra en vigor la Directiva 2001/93/CE, en la que se obliga a las explotaciones del sector del cerdo a adaptarse a la normativa del bienestar animal descrita. Si no lo hacen, el sector no podrá exportar al conjunto de la UE.

Dada la grave crisis económica, pero también financiera y de grave restricción del crédito que padecen algunos Estados como el descrito, y de niveles de paro que están entre los más altos de la OCDE.

¿Ha pensado la Comisión en la posibilidad de dar alguna laxitud, por ejemplo mediante créditos blandos o excepciones fiscales, a aquellas explotaciones del sector que quieran adaptarse a la normativa y que sean viables económicamente, pero que por las causas macroeconómicas descritas anteriormente no puedan hacer frente a los costes de adaptarse a tiempo a la normativa?

Respuesta del Sr. Cioloş en nombre de la Comisión
(4 de mayo de 2012)

En respuesta a la pregunta acerca de la posible ayuda a los productores de porcino cuyas explotaciones deben estar adaptadas el 1 de enero de 2013 a más tardar para ajustarse a las normas relativas a la protección del ganado porcino (Directiva 2008/120/CE del Consejo) ([3]), la Comisión informa a Su Señoría de que el artículo 26 del Reglamento (CE) n° 1698/2005, relativo a la ayuda al desarrollo rural ([4]), prevé la posibilidad de conceder una ayuda a las inversiones necesarias para el cumplimiento de las normas comunitarias introducidas recientemente. Dicha disposición contempla la posibilidad de conceder un periodo de gracia, que no podrá superar 36 meses a partir de la fecha en que dichas normas pasen a ser obligatorias para la explotación agrícola. Este periodo de gracia, durante el cual la ayuda puede concederse para inversiones destinadas a adaptar la explotación a las normas, afecta únicamente a las condiciones para la obtención de la ayuda a la modernización de la explotación en el marco del desarrollo rural [artículo 26 del Reglamento (CE) n° 1698/2005], y no a la obligación principal (en el caso que nos ocupa, la conformidad con la Directiva 2008/120/CE del Consejo, relativa a las normas mínimas para la protección de cerdos).

([1]) http://economia.elpais.com/economia/2012/03/14/actualidad/1331718857_670090.html
([2]) http://elpais.com/diario/2011/05/15/negocio/1305465268_850215.html
([3]) DO L 47 de 18.2.2009, pp. 5-13.
([4]) DO L 277 de 20.9.2005, p. 16.

(English version)

Question for written answer E-003157/12
to the Commission
Ramon Tremosa i Balcells (ALDE)
(23 March 2012)

Subject: Pork industry

The European Union as a whole and some Member States in particular, are experiencing an unprecedented economic crisis. Low market liquidity, high payment default rates and limited credit are a structural reality in many parts of the EU. In fact, as highlighted in the source article ([1]), according to the Bank of Spain, in February 2012 Spanish banks took up 47 % of the total European Central Bank liquidity tender for the Euro Group. Nevertheless, credit in the real economy continues to decline at an alarming rate ([2]).

The Commission is calling upon Member States to develop an active rural development policy with multiple objectives, including greater competitiveness, territorial cohesion and maintaining European territory.

On 1 January 2013, Directive 2001/93/EC will enter into force, requiring pig farms to adapt to the animal welfare rules described. If they do not do so, the sector will not be able to export to the EU as a whole.

Given the severe economic and financial crisis, with the extreme credit restrictions encountered in some Member States, as indicated, and unemployment levels that are among the highest in the OECD:

Has the Commission considered the possibility of building in some flexibility, for example in the form of soft loans or tax exemptions, for those farms in the sector that want to adapt to the rules and are economically viable, but, for the macroeconomic reasons set out above, are unable to cope with the cost of adapting to the rules in time?

(Version française)

Réponse donnée par Mr Cioloş au nom de la Commission
(4 mai 2012)

En réponse à la question relative au possible soutien aux producteurs de porcs dont les exploitations doivent être adaptées pour le 1er janvier 2013 pour se mettre en conformité avec les normes relatives à la protection des porcs (Directive 2008/120/CE du Conseil) ([3]), la Commission informe l'Honorable Parlementaire que l'article 26 du Règlement (CE) nº 1698/2005 du Conseil ([4]) concernant le soutien au développement rural prévoit la possibilité d'accorder un soutien pour des investissements nécessaires en vue de respecter des normes communautaires récemment introduites. Il convient d'ajouter que la disposition susmentionnée prévoit la possibilité d'accorder un délai de grâce ne dépassant pas 36 mois à compter de la date à laquelle la norme devient obligatoire pour l'exploitation agricole. Ce délai de grâce pendant lequel l'aide peut être accordée en vue des investissements effectués pour satisfaire aux normes concerne uniquement les conditions pour l'obtention de l'aide pour la modernisation de l'exploitation au titre du développement rural [article 26 du Règlement (CE) nº 1698/2005] et non pas l'obligation principale (dans le cas d'espèce, la mise en conformité avec la Directive 2008/120/CE établissant les normes minimales relatives à la protection des porcs).

([1]) http://economia.elpais.com/economia/2012/03/14/actualidad/1331718857_670090.html
([2]) http://elpais.com/diario/2011/05/15/negocio/1305465268_850215.html
([3]) JO L 47 du 18.2.2009, pp. 5-13.
([4]) JO L 277 du 20.9.2005, p. 16.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-003162/12
til Kommissionen
Morten Messerschmidt (EFD)
(23. marts 2012)

Om: Tyrkiske trusler i forhandlingerne om Cyperns fremtid

Den tyrkiske minister for europæiske anliggender, Egemen Bağış, er i forbindelse med de fortsatte genforeningsforhandlinger mellem tyrkiske og græske cyprioter refereret i adskillige medier for at udtale, at der i tilfælde af sammenbrud kan ske anneksion af Nordcypern til Tyrkiet. Ministeren har således udtalt til den tyrkisk-cypriotiske avis Kibris (her refereret fra Today's Zaman, 4. marts 2012): »Reunification under a deal that [Turkish and Greek Cypriot] leaders could reach, creation of two independent states after an agreement between the two leaders if they are unable to reach a deal for reunification, or annexation of the [Turkish Republic of Northern Cyprus] KKTC to Turkey. These are all options on the table«.

Har Kommissionen på denne baggrund udtrykt nogen formel protest over, at Tyrkiets minister for europæiske anliggender således truer et EU-medlemsland?

Svar afgivet på Kommissionens vegne af Štefan Füle
(27. april 2012)

Kommissionen henviser til konklusionerne fra Det Europæiske Råd den 9. december 2011, hvor Det Europæiske Råd gav udtryk for alvorlig bekymring over tyrkiske erklæringer og trusler, og til Rådets konklusioner af 5. december 2011, hvor Rådet gav udtryk for en forventning om, at Tyrkiet aktivt støtter de igangværende forhandlinger, der tager sigte på en retfærdig, samlet og varig løsning af Cypern-problemet inden for rammerne af FN i overensstemmelse med de relevante resolutioner fra FN's Sikkerhedsråd og de principper, som Unionen bygger på.

(English version)

Question for written answer E-003162/12
to the Commission
Morten Messerschmidt (EFD)
(23 March 2012)

Subject: Turkish threats in talks on the future of Cyprus

In connection with the ongoing talks between Turkish and Greek Cypriots on the reunification of Cyprus, the Turkish Minister for European Union Affairs, Egemen Bağış has been cited in various media as stating that a breakdown in the talks could result in Turkey annexing Northern Cyprus. In the Turkish Cypriot newspaper *Kibris* (as reported in *Today's Zaman on 4 March 2012), the minister is quoted as saying* 'Reunification under a deal that [Turkish and Greek Cypriot] leaders could reach, creation of two independent states after an agreement between the two leaders if they are unable to reach a deal for reunification, or annexation of the KKTC [Turkish Republic of Northern Cyprus] to Turkey. These are all options on the table'.

In view of this, has the Commission lodged any formal protest at this threat made by the Turkish Minister for European Union Affairs against an EU Member State?

Answer given by Mr Füle on behalf of the Commission
(27 April 2012)

The Commission refers to the conclusions of the European Council of 9 December 2011, in which the European Council expressed serious concern with regard to Turkish statements and threats and to the Council conclusions of 5 December 2011, in which the Council expressed its expectation that Turkey actively supports the ongoing negotiations aimed at a fair, comprehensive and viable settlement of the Cyprus problem within the UN framework, in accordance with the relevant UN Security Council resolutions and in line with the principles on which the Union is founded.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003166/12
προς την Επιτροπή
Marietta Giannakou (PPE) και Georgios Papanikolaou (PPE)
(23 Μαρτίου 2012)

Θέμα: Αξιολόγηση της πορείας των ευρωπαϊκών προγραμμάτων για την αντιμετώπιση του ντόπινγκ

Η Επιτροπή έχει χρηματοδοτήσει τρία προγράμματα για την αποτροπή και αντιμετώπιση του ντόπινγκ στον χώρο του αθλητισμού.

1. Είναι σε θέση να με ενημερώσει για την αποτελεσματικότητα και τα πρακτικά συμπεράσματα από την εφαρμογή αυτών των προγραμμάτων;

2. Συμμετείχαν όλα τα κράτη μέλη σε αυτά; Σε ποιες δράσεις διοχετεύτηκαν στην Ελλάδα και ποια τα αποτελέσματά τους;

Απάντηση της κας Βασιλείου εξ ονόματος της Επιτροπής
(29 Μαΐου 2012)

Η Επιτροπή έχει συγχρηματοδοτήσει τρία έργα για δίκτυα πρόληψης του ντόπινγκ στο πλαίσιο των προπαρασκευαστικών δράσεων στον τομέα του αθλητισμού. Τα τρία έργα επιλέχθηκαν με την πρόσκληση υποβολής προτάσεων που πραγματοποιήθηκε το 2010 (EAC/22/2010), ενώ υπογράφηκαν συμβάσεις επιδότησης με το Anti Doping Danmark, το Deutsche Sportjugend και την Ευρωπαϊκή Ένωση για την Υγεία και την Ευεξία, που είναι οι κυριότεροι εταίροι των αντίστοιχων δικτύων τους. Και τα τρία έργα παρουσιάζονται τεκμηριωμένα στον αθλητικό ιστοχώρο της Επιτροπής.

Τα τρία διαφορετικά δίκτυα αντιπροσώπευαν διάφορους συνασπισμούς κρατών μελών. Το έργο του οποίου ηγείτο το Anti Doping Danmark είχε εταίρους με έδρα την Κύπρο, τις Κάτω Χώρες, την Πολωνία και τη Σουηδία. Το έργο του οποίου ηγείτο το Deutsche Sportjugend είχε εταίρους με έδρα την Αυστρία, τη Γαλλία, τη Γερμανία, την Ιταλία, τη Σλοβενία και την Ελβετία. Το έργο του οποίου ηγείτο η Ευρωπαϊκή Ένωση για την Υγεία και την Ευεξία είχε εταίρους με έδρα τη Βουλγαρία, τη Δανία, τη Γερμανία, την Ουγγαρία, τις Κάτω Χώρες, την Πολωνία, την Πορτογαλία, το Ηνωμένο Βασίλειο και την Ελβετία. Σε κανένα από αυτά τα δίκτυα δεν συμμετείχαν έλληνες εταίροι.

Τα έργα απέδειξαν ότι τα δίκτυα στα οποία συμμετέχουν πολλοί παράγοντες, όπως αθλητικές οργανώσεις, μπορούν να συμβάλουν σημαντικά στην πρόληψη του ντόπινγκ στον χώρο του ερασιτεχνικού αθλητισμού και άσκησης.

(English version)

Question for written answer E-003166/12
to the Commission
Marietta Giannakou (PPE) and Georgios Papanikolaou (PPE)
(23 March 2012)

Subject: Evaluation of European anti-doping programmes

The Commission has funded three programmes for tackling and preventing doping in sport.

1. Is it therefore in a position to inform me about the effectiveness of these programmes and the practical conclusions to be drawn from their implementation?

2. Did all Member States participate in these programmes? In which actions were they channelled in Greece and what were the results?

Answer given by Mrs Vassiliou on behalf of the Commission
(29 May 2012)

The Commission has co-financed three doping prevention network projects under the Preparatory Actions in the field of sport. The three projects were selected under the 2010 call for proposals (EAC/22/2010) and grant agreements were signed with Anti Doping Denmark, Deutsche Sportjugend and the European Health and Fitness Association as lead partner of their respective networks. All three projects have been documented on the Commission's sport website.

The three different networks represented various constellations of Member States. The project led by Anti Doping Denmark had partners based in Cyprus, the Netherlands, Poland and Sweden. The project led by Deutsche Sportjugend had partners based in Austria, France, Germany, Italy, Slovenia and Switzerland. The project led by the European Health and Fitness Association had partners based in Bulgaria, Denmark, Germany, Hungary, the Netherlands, Poland, Portugal, the UK and Switzerland. There were no Greek participating partners in any of these networks.

The projects have demonstrated that multi-actor networks including sports organisations can make an important contribution to the prevention of doping in amateur and fitness settings.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-003171/12
à Comissão
Regina Bastos (PPE) e Carlos Coelho (PPE)
(23 de Março de 2012)

Assunto: Violação dos direitos dos consumidores por parte da Apple

No dia 6 de dezembro de 2011, apresentámos à Comissão Europeia uma pergunta escrita relativa ao período de garantia dos produtos adquiridos na União Europeia, na qual fazíamos referência à situação dos consumidores europeus que adquiriam produtos Apple.

No dia 3 de fevereiro, a Comissão Europeia respondeu, confirmando que o prazo de garantia dos produtos adquiridos na UE é de 2 anos, tal como estipula a Diretiva 1999/44/CE do Parlamento Europeu e do Conselho, de 25 de maio de 1999, sobre certos aspetos da venda de bens de consumo e das garantias a ela relativas.

Em dezembro de 2011, a Autoridade da Concorrência e Mercado, de Itália, condenou as três empresas de tecnologia presentes naquele mercado — Apple Sales internacional, Apple Itália e Apple Retail Itália — ao pagamento de uma multa de 900 mil euros pelo facto de as três subsidiárias da Apple não aplicarem a garantia legal de dois anos a cargo do vendedor.

Mais recentemente, em Espanha, a Organazación de Consumidores e Usuarios (OCU) apresentou queixa contra a Apple junto da Direção Geral de Consumo da Comunidade de Madrid por violação dos direitos dos consumidores, visto oferecer apenas uma garantia de um ano, quando, na verdade, a lei impõe uma garantia de dois anos.

A OCU e o resto das organizações congéneres europeias, designadamente as de Itália, Bélgica, Portugal, Luxemburgo, Alemanha, Holanda, Polónia, Eslovénia, Dinamarca e Grécia, membros da Organização Europeia de Consumidores (BEUC), denunciaram que existe uma clara política comercial por parte da Apple e dos seus vendedores, ao informarem que os respetivos produtos só têm garantia de 1 ano e que qualquer extensão de garantia deverá ser adquirida separadamente.

Com esta política, a Apple e os seus vendedores prestam informação que vai ao arrepio da legislação europeia, violando esta legislação, induzindo em erro os consumidores relativamente aos prazos de garantia dos seus produtos e acarretando prejuízos económicos, dado que os consumidores terão de pagar por uma garantia a que têm direito gratuitamente.

Na verdade, de acordo com a legislação europeia em vigor, designadamente a Diretiva 1999/44/CE do Parlamento Europeu e do Conselho, de 25 de maio de 1999, sobre certos aspetos da venda de bens de consumo e das garantias a ela relativas, independentemente das coberturas adicionais que se possam contratualizar, os produtos vendidos na Europa estão cobertos por uma garantia de 2 anos.

Pelo exposto, solicitamos à Comissão os seguintes esclarecimentos:

1. Tem a Comissão conhecimento destas situações?

2. Tenciona a Comissão desencadear um processo de investigação sobre esta situação relativa aos prazos de garantia concedidos pela Apple na Europa?

Resposta dada por Viviane Reding em nome da Comissão
(16 de maio de 2012)

A Comissão tem conhecimento das alegações formuladas contra a Apple em matéria de informações erróneas sobre as garantias oferecidas pela empresa e de garantia legal, regida pela Diretiva 1999/44/CE relativa a certos aspetos da venda de bens de consumo e das garantias a ela relativas ([1]).

Em dezembro de 2011, as autoridades italianas decidiram sancionar a Apple (decisão que foi confirmada em recurso em 22 de março), com base na Diretiva 2005/29/CE relativa às práticas comerciais desleais ([2]). Várias associações de consumidores dos Estados-Membros estão a tomar medidas para pôr termo a esta prática nos seus mercados.

([1]) Diretiva 1999/44/CE do Parlamento Europeu e do Conselho, de 25 de maio de 1999, relativa a certos aspetos da venda de bens de consumo e das garantias a ela relativas.
([2]) Diretiva 2005/29/CE relativa às práticas comerciais desleais, JO L 149 de 11.6.2005.

Em 29 de março, nos sítios Internet específicos para cada país da UE, a Apple esclareceu que os consumidores podem beneficiar da garantia legal da UE de dois anos, solicitando-a junto dos vendedores. Como os Centros Europeus do Consumidor são referidos nessas mesmas páginas, a Comissão solicitou por escrito explicações à Apple.

A Comissão apoia as iniciativas de todos os organismos nacionais responsáveis pelo acompanhamento geral da correta aplicação e observação da legislação da UE relativa à defesa dos consumidores, apoiando, por exemplo, as atividades das organizações de consumidores, o desenvolvimento da rede de Centros Europeus do Consumidor da UE e coordenando os esforços transfronteiriços das autoridades nacionais através da rede de cooperação no domínio da defesa do consumidor. Neste contexto, a Comissão gostaria de salientar que já chamou a atenção da rede para este caso.

Sendo a aplicação e o controlo da legislação da UE da responsabilidade das autoridades nacionais, a Comissão envida esforços significativos para assegurar que a transposição das diretivas da UE para as legislações nacionais é coerente em todos os Estados-Membros e acompanha a sua aplicação ([3]). Sempre que necessário, a Comissão dá início a processos por infração contra os Estados-Membros nos termos do artigo 258.° do TFUE.

([3]) Ver, por exemplo, a comunicação da Comissão sobre a aplicação da diretiva relativa a certos aspetos da venda de bens de consumo e das garantias a ela relativas (http://ec.europa.eu/consumers/cons_int/safe_shop/guarantees/CSD_2007_PT_final.pdf), e o Compêndio de Direito Comunitário do Consumo: (http://www.eu-consumer-law.org/study_en.cfm).

(English version)

Question for written answer E-003171/12
to the Commission
Regina Bastos (PPE) and Carlos Coelho (PPE)
(23 March 2012)

Subject: Breaches of consumer rights by Apple

On 6 December 2011, we submitted a written question to the European Commission on guarantee periods for products acquired in the European Union, in which we mentioned the situation of consumers acquiring Apple products.

On 3 February, the European Commission responded, confirming that the guarantee period for products acquired in the EU is two years, as laid down in Directive 1999/44/EC of the European Parliament and the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees.

In December 2011, the Italian Competition and Market Authority ordered the three technology companies with a presence in that market — Apple Sales International, Apple Italia and Apple Retail Italia — to pay a EUR 900 000 fine because Apple's three subsidiaries had not applied the legal guarantee of two years at the seller's expense.

More recently, in Spain, the Organisation of Consumers and Users (OCU) lodged a complaint against Apple with the Directorate General for Consumer Affairs of the Community of Madrid for breaching consumer rights by offering a guarantee of just one year, when the law in fact requires a two-year guarantee.

The OCU and other similar European organisations that are members of the European Consumers' Organisation (BEUC), specifically in Italy, Belgium, Portugal, Luxembourg, Germany, the Netherlands, Poland, Slovenia, Denmark and Greece, have reported that Apple and its resellers have a clear commercial policy of stating that their products have a guarantee of only one year and that any extension of the guarantee must be bought separately.

With this policy, Apple and its resellers are providing information that is against European legislation. They are breaching this legislation by misleading consumers about guarantee periods for Apple products and causing financial harm, since consumers have to pay for a guarantee to which they are entitled for free.

In reality, under the European legislation in force, specifically Directive 1999/44/EC of the European Parliament and the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees, products sold in Europe are covered by a two-year guarantee, regardless of any additional cover that may be purchased.

Can the Commission provide the following clarifications:

1. Is the Commission aware of these situations?

2. Does the Commission intend to launch an investigation into this situation regarding the guarantee periods offered by Apple in Europe?

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

The Commission is aware of the allegations which have been made against Apple concerning misleading statements about the the warranty schemes offered by the company and the legal guarantee, regulated by Directive 1999/44/EC on Consumer Sales and Guarantees ([1]).

There has been a decision of the Italian authorities to sanction Apple in December 2011 (confirmed in appeal on 22 March), based on Directive 2005/29/EC on Unfair Commercial Practices ([2]). Several consumer associations in the Member States are taking actions to bring this practice to an end on their markets.

On 29 March, on its website in all its EU countries pages, Apple clarified that consumers can ask sellers to benefit from the two year EU legal guarantee. As European Consumer centres are referenced on these same pages, the Commission has written to Apple to request some explanations.

([1]) Directive 1999/44/EC Consumer Sales and Guarantees of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees.
([2]) Directive 2005/29/EC on unfair commercial practices, OJ L 149, 11.6.2005.

The Commission supports the action of all national bodies in charge with the overall monitoring on the correct application and enforcement of the EU consumer acquis, for instance by supporting consumer organisations' work, by supporting the further development of the EU-wide network of European Consumer Centres and by coordinating the cross-border efforts of national authorities through the Consumer Protection Cooperation (CPC) network. In this context, the Commission would like to underline that it has already drawn the attention of the CPC-network to this case.

Implementation and control of the EU legislation being the responsibility of national authorities, the Commission invests significant effort into ensuring that the transposition of EU Directives into national laws is consistent in all the Member States and it monitors their implementation ([3]). Wherever appropriate, it initiates infringement proceedings against Member States in accordance with Article 258 TFEU.

([3]) See, e.g., the Commission Communication on the Implementation of the directive on Sale of Consumer Goods and Guarantees, http://ec.europa.eu/consumers/cons_int/safe_shop/guarantees/CSD_2007_EN_final.pdf, and the EU Consumer Law Compendium, http://www.eu-consumer-law.org/study_en.cfm.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-003180/12
προς την Επιτροπή
Georgios Papastamkos (PPE)
(23 Μαρτίου 2012)

Θέμα: Ενίσχυση της διαπραγματευτικής θέσης των παραγωγών στην αλυσίδα εφοδιασμού τροφίμων

Η Ολομέλεια του Ευρωπαϊκού Κοινοβουλίου υιοθέτησε προσφάτως Νομοθετικό Ψήφισμα ως προς τη ρύθμιση των συμβατικών σχέσεων στον γαλακτοκομικό τομέα ([1]). Η εν λόγω νομοθετική ρύθμιση κινείται προς την ορθή κατεύθυνση ως προς τη ζητούμενη ενίσχυση της διαπραγματευτικής θέσης των παραγωγών στην αλυσίδα εφοδιασμού τροφίμων. Εστιάζει, όμως, στο ζήτημα της ανισορροπίας και της ανισοκατανομής της προστιθέμενης αξίας μόνο μεταξύ παραγωγών και μεταποιητών.

Ερωτάται η Επιτροπή:

Επί τη βάσει της ως άνω νομοθετικής ρύθμισης των συμβατικών σχέσεων στον γαλακτοκομικό τομέα, προτίθεται να υποβάλει περαιτέρω προτάσεις, πέραν των ήδη υποβληθεισών ως προς την ΚΑΠ μετά το 2013, οι οποίες θα καλύπτουν και άλλους γεωργικούς τομείς, καθώς και τους λοιπούς κρίκους — πέραν των παραγωγών και των μεταποιητών — της εφοδιαστικής αλυσίδας στο πλαίσιο μίας συνολικής προσέγγισης;

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

Οι προτάσεις για την Κοινή Γεωργική Πολιτική στην πορεία προς το 2020 και συγκεκριμένα τα άρθρα 106-116 του σχεδίου κανονισμού του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου για τη θέσπιση κοινής οργάνωσης των αγορών γεωργικών προϊόντων (Κανονισμός ενιαίας ΚΟΑ), έγγραφο COM(2011)626 αφορούν τις οργανώσεις παραγωγών, τις ενώσεις οργανώσεων παραγωγών και τις διεπαγγελματικές οργανώσεις. Η Επιτροπή θεωρεί ότι οι προτάσεις αυτές καλύπτουν τις ανάγκες όλων των γεωργικών τομέων.

Εξάλλου, στο πλαίσιο του φόρουμ υψηλού επιπέδου για τη βελτίωση της λειτουργίας της διατροφικής αλυσίδας η Επιτροπή συνεργάζεται με εκπροσώπους των κρατών μελών και του ιδιωτικού τομέα για τη βελτίωση της διαφάνειας και τις σχέσεις μεταξύ επιχειρήσεων σε ολόκληρη την διατροφική αλυσίδα, σε όλα τα επίπεδα και μεταξύ όλων των εμπλεκόμενων φορέων.

Στο πλαίσιο αυτό, έντεκα οργανώσεις ευρωπαϊκών επιχειρήσεων που εκπροσωπούν γεωργούς, μεταποιητές και διανομείς ενέκριναν μια δέσμη αρχών καλής πρακτικής τον Νοέμβριο του 2011. Οι οργανώσεις αυτές μελετούν τώρα διάφορους τρόπους εφαρμογής και επιβολής. Το φόρουμ και η Επιτροπή θα εξετάσουν προσεκτικά κάθε συμφωνία που θα συνάψουν οι εν λόγω οργανώσεις επ' αυτού του θέματος μέχρι τον Ιούνιο του 2012. Πάνω σε αυτήν τη βάση ενδέχεται να εξετάσει τη λήψη πρόσθετων μέτρων. Για λεπτομερέστερες πληροφορίες επ' αυτού παραπέμπουμε το Αξιότιμο Μέλος του Κοινοβουλίου στα σχόλια που έκανε η Επιτροπή στο ψήφισμα του Κοινοβουλίου της 19ης Ιανουαρίου 2012 σχετικά με τις ανισορροπίες της διατροφικής αλυσίδας (P7_TA(2012)0012).

([1]) Νομοθετικό Ψήφισμα της 15ης Φεβρουαρίου 2012, (COM(2010)0728 — C7-0408/2010 — 2010/0362(COD)).

(English version)

Question for written answer E-003180/12
to the Commission
Georgios Papastamkos (PPE)
(23 March 2012)

Subject: Strengthening the bargaining position of producers in the food supply chain

The European Parliament recently adopted in plenary a legislative resolution on the regulation of contractual relations in the milk and milk products sector ([1]).This legislation is a step in the right direction to strengthen the bargaining position of producers in the food supply chain. However, it focuses on the imbalance and unequal distribution of added value between farmers and processors only.

In view of this:

Does the Commission intend, on the basis of the above legislation, to put forward further proposals in addition to those already submitted regarding the CAP after 2013 to cover other agricultural sectors, as well as other parts of the food supply chain (besides farmers and processors) in the context of an overall approach?

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

In the proposals for the common agricultural policy towards 2020, the Commission puts forward proposals on producer organisations, associations of producer organisations, and inter-branch organisations in Articles 106-116 of the draft regulation of the European Parliament and the Council establishing a common organisation of the markets in agricultural products (single CMO Regulation), document COM(2011) 626. The Commission is of the opinion that these proposals cover the needs of all agricultural sectors.

Furthermore, in the framework of the High Level Forum for a Better Functioning Food Supply Chain, the Commission is working with representatives of Member States and of the private sector to improve transparency and business-to-business relations across the whole food supply chain, looking at all levels and actors involved.

In this context, 11 European business organisations representing farmers, processors and distributors agreed on a set of Principles of Good Practice in November 2011. These organisations are currently considering implementation and enforcement tools. The Forum and the Commission will carefully examine any agreement that these organisations would attain on this topic by June 2012. On this basis the Commission may consider additional policy action. For more detailed information on this work, the Honourable Member is invited to consult the reaction of the Commission to the resolution of the Parliament of 19 January 2012 on imbalances in the food supply chain (P7_TA(2012)0012).

([1]) Legislative Resolution of 15 February 2012 (COM(2010) 0728 — C7-0408/2010 — 2010/0362(COD)).

(English version)

Question for written answer E-003189/12
to the Commission
William (The Earl of) Dartmouth (EFD)
(23 March 2012)

Subject: Visa and immigration issues in Turkey

Can the Commission comment on how it plans to manage the migration of citizens from Turkey in the event that Turkey accedes to the EU, given that Turkey has visa-free travel agreements with Syria and Iran and the ongoing issues with illegal immigrants from other MENA (Middle Eastern and North African) countries arriving in Greece from Turkey?

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

As a candidate country to the EU, Turkey will have to fully align its legislation and practices with the EU *acquis* by the time of accession. In particular, Turkey will have to align with the EU lists of countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (Council Regulation (EC) No 539/2001 ([1])). This regulation is part of the so-called Schengen *acquis*, but it will be binding and applicable for Turkey already from the date of their EU accession (and not only from a future date on which Turkey could become part of the Schengen area without internal borders).

In all of the relevant fora, and in particular in the framework of the EU-Turkey Association Committee, the EU encourages Turkey to work towards alignment with the positive and negative EU visa lists at an early stage in the broader context of the prevention of irregular migration to the EU. The visa waiver that has been granted in the past years for certain third countries such as Syria, Libya or Yemen (countries which are on the EU negative visa list) does not go in this direction. This has been conveyed to the Turkish authorities and the Commission will continue to monitor this issue closely.

([1]) Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, OJ L 81, 21.3.2001.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-003192/12
al Consiglio
Fiorello Provera (EFD)
(23 marzo 2012)

Oggetto: Cittadini dell'UE che operano nel Pakistan nordoccidentale

Il 21 marzo 2012 vari servizi giornalistici hanno riferito che Mohammed Merah, l'uomo che ha ucciso sette persone nel sud-ovest della Francia, era stato addestrato da forze di al-Qaeda al confine tra Pakistan e Afghanistan. Il quotidiano britannico *Daily Telegraph* ha commentato che questa regione è ormai nota per il «turismo della Jihad» e ha prospettato la possibilità di nuovi attentati. Merah era stato in Pakistan nel 2010 e nel 2011. Il ministro dell'Interno francese Claude Guéant ha dichiarato che Merah faceva parte di un gruppo di circa 15 seguaci della dottrina salafita a Tolosa. Inoltre Merah aveva collegamenti con un gruppo denominato Forsane Alizza, dichiarato illegale, che il governo francese ha classificato come organizzazione terroristica.

Un membro di Tehrik-i-Taliban Pakistan (TTP), un gruppo militante di al-Qaeda che ha la sua base nel Waziristan, ha dichiarato al *Daily Telegraph*: «Ci sono più di 80 persone "appartenenti alla Francia", la maggior parte delle quali si trova nel Waziristan del nord, ma alcune anche nel Waziristan del sud. Cinque di loro quali hanno lasciato il Waziristan a gennaio». Ha detto di non poter rivelare le loro destinazioni o i loro piani, ma ha aggiunto che il TTP rivendicherà a suo tempo la responsabilità delle loro azioni. Faisal Shahzad, responsabile del fallito attentato esplosivo di Times Square a New York, era stato addestrato dal TTP. L'anno scorso due cittadini britannici sono stati uccisi in incursioni di droni nel Waziristan del sud.

Il pubblico ministero francese François Molins ha dichiarato che Merah «si recava in Afghanistan senza utilizzare le reti note ai servizi di intelligence francesi e stranieri, il che significa che viaggiava per conto proprio e senza l'aiuto di fiancheggiatori noti ai servizi segreti, e senza attraversare paesi normalmente tenuti sotto controllo». Pur essendo sorvegliato, Merah è riuscito a recarsi una seconda volta nella regione dell'Afghanistan/Pakistan e a procurarsi una scorta di armi dopo essere tornato a casa.

1. È al corrente il Consiglio dei numerosi cittadini dell'UE che operano e si addestrano nel Pakistan nordoccidentale con gruppi affiliati ad al-Qaeda come il TTP?

2. Non ritiene che si debbano adottare delle misure per migliorare le tecniche di sorveglianza applicate a persone come Mohammed Merah, che riescono a recarsi in più occasioni in regioni in cui si svolge l'addestramento dei terroristi? In caso affermativo, di che misure si tratterebbe?

3. Inoltre, alla luce del caso di Mohammed Merah, che misure si potrebbero adottare per impedire a persone già sorvegliate dall'antiterrorismo di ottenere armi e materiali affini?

Risposta
(6 giugno 2012)

La questione dei viaggi a fini terroristici è stata discussa periodicamente in sede di Consiglio, in particolare nel corso della sessione del 2 e 3 dicembre 2010 ([1]) sulla base di un documento di riflessione del coordinatore antiterrorismo dell'UE.

Per quanto riguarda le domande specifiche dell'onorevole parlamentare:

1. Il Consiglio non ha idee precise sul numero di cittadini dell'UE che potrebbero operare ed essere addestrati in Pakistan con gruppi affiliati ad al-Qaeda. Stando alle informazioni a sua disposizione, il coordinatore antiterrorismo dell'UE ritiene che forse alcune centinaia di persone abbiano fatto ritorno nel frattempo in Europa anche se molte di esse saranno state deluse da quest'esperienza e non sosterranno più attivamente il terrorismo.

2. Il Consiglio sta attualmente esaminando una serie di misure che potrebbero in proposito risultare utili, in particolare la proposta di direttiva del Parlamento europeo e del Consiglio sull'uso dei dati del codice di prenotazione a fini di prevenzione, accertamento, indagine e azione penale nei confronti dei reati di terrorismo e dei reati gravi ([2]).

([1]) 16918/10.
([2]) COM(2011)32 final.

3. La vendita di armi da fuoco all'interno dell'UE è disciplinata dalla direttiva 91/477/CEE ([3]). Il Consiglio ha inoltre adottato il 2 e 3 dicembre 2010 ([4]) il piano d'azione europeo contro il traffico illecito di armi da fuoco cosiddette «pesanti» che potrebbero essere o sono usate in attività criminali. Nessuna di queste misure comprende specificamente un punto sulla sorveglianza antiterrorismo, il cui ambito operativo rientrerebbe nella sfera di competenza degli Stati membri.

([3]) GU L 256 del 13.9.1991, pagg. 51-58.
([4]) 16427/1/10 REV 1.

(English version)

Question for written answer E-003192/12
to the Council
Fiorello Provera (EFD)
(23 March 2012)

Subject: EU citizens operating in north-west Pakistan

On 21 March 2012, various news services reported that Mohammed Merah, who killed seven people in south-west France, had been trained by al-Qaeda forces on the Pakistan/Afghanistan border. The UK's *Daily Telegraph* noted that this region has become known for 'Jihadi tourism', and raises the prospect of more attacks. Merah had visited Pakistan in 2010 and 2011. French Interior Minister Claude Guéant has said that Merah was part of a group of some 15 followers of Salafist doctrine in Toulouse. Merah also had connections with an outlawed group called Forsane Alizza, which the French Government has designated as a terrorist organisation.

A member of Tehrik-i-Taliban Pakistan (TTP), an al-Qaeda militant group based in Waziristan, told the *Daily Telegraph*: 'There are more than 80 persons belonging to France, mostly in North Waziristan, but some in South Waziristan. Five of them left from here in January'. He said that he could not disclose their destinations or plans, but that the TTP would claim responsibility when the time came. Faisal Shahzad, who was responsible for the Times Square bomb plot in New York, was trained by the TTP. Last year, two British nationals were killed in drone strikes in South Waziristan.

French prosecutor François Molins said that Merah 'travelled to Afghanistan without using the networks known by French and foreign intelligence services, which means he went by his own means and without going through facilitators known by intelligence services, and without going through countries usually monitored'. Although Merah was under surveillance, he was able to visit the Afghanistan/Pakistan region a second time and accumulate weapons after he returned home.

1. Is the Council aware of the numbers of EU nationals working and training with al-Qaeda affiliates in north-west Pakistan such as the TTP?

2. Does the Council believe that steps need to be taken to improve surveillance techniques to monitor individuals such as Mohammed Merah, who have travelled on a number of occasions to regions associated with terrorist training? If so, what are they?

3. In addition, in light of the case involving Mohammed Merah, what steps could be taken to prevent individuals who have been under terrorism surveillance from obtaining weapons and other related materials?

Reply
(6 June 2012)

The issue of terrorist travel has been discussed regularly in the Council, notably at the meeting of 2-3 December 2010 ([1]) on the basis of a discussion paper by the EU Counter-Terrorism Coordinator.

As far as the Honourable Member's detailed questions are concerned:

1. The Council has no precise idea about the numbers of EU nationals that might be working and training with Al-Qaeda affiliates in Pakistan. From the information that is available to him, the EU Counter-Terrorism Coordinator would estimate that perhaps a few hundred such people have since returned to Europe, although many of these will have been disillusioned by the experience and will no longer be active supporters of terrorism.

2. The Council is currently discussing a number of measures which might help in this respect, in particular a proposal for a directive of the European Parliament and the Council on the use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime ([2]).

3. The sale of firearms within the EU is regulated by Directive 91/477/EEC ([3]). In addition, the Council adopted on 2-3 December 2010 ([4]) the European Action Plan to combat illegal trafficking in so-called 'heavy' firearms which could be used or are used in criminal activities. Neither of these measures covers specifically the point on terrorism surveillance, which as an operational matter would fall within the sphere of competence of Member States.

([1]) 16918/10.
([2]) COM(2011) 32 final.
([3]) OJ L 256, 13.9.1991, pp. 51-58.
([4]) 16427/1/10 REV 1.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-003197/12
an die Kommission
Franz Obermayr (NI)
(26. März 2012)

Betrifft: Antibiotikaresistente Keime in Hühnerfleisch

In Massentierhaltungsbetrieben werden oft alle Tiere präventiv mit Antibiotika, teils auch Humanantibiotika, behandelt. Durch zum Teil falsche, d. h. zu kurze Anwendung der Antibiotika können sich antibiotikaresistente Keime bilden, die für den Menschen enorme gesundheitliche Risiken darstellen. Schätzungen zufolge fallen in der EU jährlich etwa 25 000 Menschen Antibiotikaresistenzen zum Opfer. Nachdem die Antibiotikaresistenzen mit Humanantibiotika nicht mehr behandelt werden können, fällt es schwer, geeignete Medikamente zu finden. Hierin liegt die besondere Gefahr für den Menschen. Nachdem in der Vergangenheit mehrfach mit antibiotikaresistenten Keimen belastetes Geflügelfleisch in Deutschland festgestellt wurde, hat die Umweltschutzorganisation Global 2000 nun auch in österreichischen Supermärkten belastetes Hühnerfleisch nachgewiesen.

Daraus ergeben sich folgende Fragen:

1. Werden mit dem massiven Einsatz von Antibiotika in der Tierhaltung EU-Standards verletzt?

2. Ist die EFSA mit dem Problem vertraut, und gibt es entsprechende Maßnahmen zur Einschränkung oder Unterbindung des Einsatzes von Antibiotika in der Tierhaltung?

3. Sind der Kommission die Gefahren bekannt, und gedenkt die Kommission, Maßnahmen zu ergreifen?

4. Gedenkt die Kommission, den Einsatz von Antibiotika in der Tierhaltung und die Bildung von Antibiotikaresistenzen zentral zu erfassen und diese Daten transparent zugänglich zu machen?

Antwort von Herrn Dalli im Namen der Kommission
(4. Mai 2012)

Die Kommission verweist den Herrn Abgeordneten auf ihre Antworten zu den schriftlichen Anfragen E-010443/2011, E-006000/2011, E-01117/2012, E-000251/2012 und E-000298/2012 ([1]).

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

(English version)

Question for written answer E-003197/12
to the Commission
Franz Obermayr (NI)
(26 March 2012)

Subject: Antibiotic-resistant bacteria in poultry meat

It is common practice for all animals raised in battery farms to be treated with antibiotics, in some cases including human antibiotics, on a preventive basis. In some cases, the incorrect administration of antibiotics, e.g. failure to administer a full course of antibiotics, can lead to antibiotic-resistant bacteria forming, which can pose a significant health risk to human beings. Estimates indicate that about 25 000 people in the EU fall victim to antibiotic resistance each year. Because the cases of antibiotic resistance can no longer be treated with human antibiotics, it is difficult to find suitable medicines. This is where the particular danger for people lies. Following the detection of numerous cases of antibiotic-resistant bacteria in poultry meat in Germany in the past, the Global 2000 environmental protection organisation has now found contaminated poultry meat in Austrian supermarkets.

1. Does the widespread use of antibiotics in livestock farming breach EU standards?

2. Is the European Food Safety Authority aware of the problem and are there appropriate measures in place to restrict or prevent the use of antibiotics in livestock farming?

3. Is the Commission aware of the dangers and is it considering taking action?

4. Is the Commission considering centralising the recording of the use of antibiotics in livestock farming and the formation of antibiotic resistances and making this data available in a transparent way?

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

The Commission would refer the Honourable Member to its answer to Written Questions E-010443/2011, E-006000/2011, E-01117/2012, E-000251/2012 and E-000298/2012 ([1]).

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

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-003203/12
komissiolle (Varapuheenjohtajalle/Korkealle edustajalle)
Tarja Cronberg (Verts/ALE)
(26. maaliskuuta 2012)

Aihe: VP/HR – Naton alueellinen ohjuspuolustusjärjestelmä

Lissabonin huippukokouksessa 19.–20. marraskuuta 2010 Naton valtion- ja hallitusten päämiehet päättivät sellaisen ohjuspuolustusjärjestelmän rakentamisesta, joka kattaisi paitsi taktisen ohjuspuolustuksen, tarjoaisi myös ”turvaa kaikille Naton eurooppalaisille jäsenmaille ja alueita ja asevoimia taistelussa ballististen ohjusten leviämisen kasvavaa uhkaa vastaan, perusteenaan liittoutuneiden maiden turvallisuuden ja Naton solidaarisuuden jakamattomuuden periaate sekä riskien ja rasitteiden tasapuolisen jakamisen ja kohtuullisten vaatimusten periaate” (Lissabonin huippukokouksen julistuksen 36 kohta). Naton tulevassa Chicagon huippukokouksessa 20.–21. toukokuuta 2010 Naton pääsihteeri odottaa lopullista päätöstä ohjuspuolustusjärjestelmästä.

Kun tämä otetaan huomioon, esiin nousevat seuraavat kysymykset:

1. Mikä on varapuheenjohtajan/korkean edustajan kanta Naton ohjuspuolustussuunnitelmiin? Onko Euroopan unionilla kanta tässä asiassa?

2. Tulisiko Naton ohjuspuolustusjärjestelmän kattaa maantieteellisesti kaikki EU:n jäsenvaltiot ja ehdokasvaltiot? Siinä tapauksessa, että Naton ohjuspuolustusjärjestelmä tulee kattamaan vain osan EU:n alueesta, miten varapuheenjohtaja/korkea edustaja aikoo reagoida asiaan? Vaikuttaisiko sellainen tilanne negatiivisesti SEUT-sopimuksen 222 artiklaan (yhteisvastuulauseke)?

3. Onko varapuheenjohtaja/korkea edustaja ollut yhteydessä Naton pääsihteeriin Naton ohjuspuolustusjärjestelmää koskevissa asioissa? Onko Naton ja EU:n (YTPP) välillä ollut Naton ohjuspuolustusjärjestelmää koskevia tapaamisia ja onko asiassa tehty käytännön tason yhteistyötä?

4. Miten varapuheenjohtaja/korkea edustaja suhtautuu Venäjän rooliin Naton ohjuspuolustusjärjestelmää koskevassa kysymyksessä? Pitäisikö EU:n näkökulmasta Venäjän olla mukana Euroopan ohjuspuolustusjärjestelmässä kaikissa olosuhteissa vai olisiko järjestelmä mahdollinen ilman Venäjän osallisuutta?

Korkean edustajan, varapuheenjohtaja Catherine Ashtonin komission puolesta antama vastaus
(2. elokuuta 2012)

1. Huippukokouksessa annetun sotilaallisia voimavaroja koskevan julkilausuman mukaisesti NATO on ilmoittanut keskipitkän kantaman ballististen ohjusten torjuntaan tarkoitetusta puolustusjärjestelmästä, jolla NATOn eurooppalaisia alueita, väestöjä ja asevoimia suojellaan ballististen ohjusten leviämisen kasvavaa uhkaa vastaan. Euroopan unioni ei ole ottanut kantaa kyseisiin suunnitelmiin, jotka ovat ainoastaan NATOn ja sen jäsenmaiden vastuulla.

2. EU:lla ei ole kantaa tähän asiaan, joka on ainoastaan NATOn jäsenmaiden vastuulla.

3. Valmiuksien kehittämistä koskeva tiivis yhteistyö NATOn kanssa ei sellaisenaan kata ohjuspuolustusjärjestelmää.

4. Kysymys siitä, olisiko Venäjän osallistuttava ohjuspuolustusjärjestelmän kehittämiseen, kuuluu niin ikään NATOn toimivaltaan.

(English version)

Question for written answer E-003203/12
to the Commission (Vice-President/High Representative)
Tarja Cronberg (Verts/ALE)
(26 March 2012)

Subject: VP/HR — NATO's territorial missile defence capability

At their Lisbon Summit of 19 and 20 November 2010, NATO heads of state and government decided to build a missile defence capability which would not only cover theatre missile defence but also provide 'protection for all NATO European populations, territory and forces against the increasing threats posed by the proliferation of ballistic missiles, based on the principles of the indivisibility of Allied security and NATO solidarity, equitable sharing of risks and burdens, as well as reasonable challenge' (Paragraph 36 of the Lisbon Summit Declaration). At NATO's upcoming summit in Chicago on 20 and 21 May 2012, its Secretary-General expects a final decision on NATO's missile defence capability.

Against this background, the following questions arise:

1. What is the position of the Vice-President/High Representative with regard to NATO's missile defence plans? Does the EU have a position on the issue?

2. Should NATO's missile defence capability geographically cover all EU Member States and candidate states? In the event that NATO's missile defence capability will cover only parts of the EU's territory, what will be the response of the Vice-President/High Representative? Would such a situation have a negative impact on Article 222 TFEU (the solidarity clause)?

3. Is the Vice-President/High Representative in contact with NATO's Secretary-General concerning the issue of NATO's missile defence capability? Are there working-level contacts and meetings between NATO and the EU (CSDP) with regard to NATO's missile defence capability?

4. What is the position of the Vice-President/High Representative on the role of Russia with regard to NATO's missile defence capability? From an EU perspective, should Russia be part of a European missile defence system under any circumstances, or is such system feasible without any Russian involvement?

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

1. According the the Summit Declaration on capabilities, NATO has declared an interim ballistic missile defence capability which will protect all NATO European territories, populations and forces against the increasing threats posed by the proliferation of ballistic missiles. The EU has not taken a position with regard to these plans which are the sole responsibility of NATO and its members.

2. The EU does not have a position on this issue, which is the sole responsibility of the nations which are members of NATO.

3. The close cooperation with NATO on capabilities development does not encompass the Missile Defence Capability as such.

4.Whether the Russian Federation should be involved in the establishment of the capability is also a prerogative of NATO.

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-003204/12
komissiolle (Varapuheenjohtajalle/Korkealle edustajalle)
Tarja Cronberg (Verts/ALE)
(26. maaliskuuta 2012)

Aihe: VP/HR – Sotilasteknologian ja puolustustarvikkeiden viennin valvontaa koskevien yhteisten sääntöjen määrittämistä koskevan neuvoston yhteisen kannan 2008/944/YUTP tarkistus

EU:n yhteisen kannan 2008/944/YUTP 15 artiklassa esitetään, että ”yhteistä kantaa tarkastellaan uudelleen kolmen vuoden kuluttua sen hyväksymisestä”. Vuoden 2011 lopussa asianomainen EU:n COARM-työryhmä aloitti tarkistusmenettelyn.

Edellä esitetyt seikat huomioon ottaen kysyn seuraavaa:

1. Kuinka kauan tarkistuksen arvioidaan kestävän? Miten ehdotetussa aikataulussa otetaan huomioon asekauppasopimuksesta käytävien neuvotteluiden aikataulu?

2. Onko tarkistuksen toimeksiannosta sovittu? Jos ei ole, milloin siitä sovitaan? Toimitetaanko se komitealle? Julkaistaanko se, ja jos julkaistaan, niin milloin?

3. Mitä ulkoisten sidosryhmien kanssa toteutettavia virallisia kuulemisia koskevia säännöksiä laaditaan osaksi tarkistusta? Millaista asemaa COARM-työryhmä on suunnitellut sidosryhmille kuten (kansallisille ja Euroopan) parlamentin jäsenille, teollisuudelle ja kansalaisjärjestöille?

4. Aiotaanko ulkoisten sidosryhmien vastauksiin laatia väliaikaisia tuloksia tai ehdotuksia ja saattaa ne ulkoisten sidosryhmien saataville?

5. Tarkastellaanko tarkistuksessa yhteisen kannan tekstiä ja/tai täytäntöönpanoa? Tarkistetaanko myös Käyttäjän oppaan sisältö?

6. Miten tarkistuksen lopulliset tulokset julkistetaan?

Catherine Ashtonin komission puolesta antama vastaus
(22. toukokuuta 2012)

Yhteisen kannan 2008/944/YUTP tarkistukseen ei yhteisen kannan säännösten mukaisesti sovelleta mitään määräaikoja. Keskustelut on vasta aloitettu asianomaisessa neuvoston työryhmässä (tavanomaisten aseiden viennin työryhmä, COARM) ja sovittu, ettei tässä vaiheessa ole syytä asettaa mitään takarajaa. Tulosten julkistaminen, tarkistusta koskeva toimeksianto ja käyttäjän oppaan mahdollinen tarkistaminen ovat kysymyksiä, joista ei ole vielä tehty päätöstä.

COARM tapaa säännöllisesti valtiosta riippumattomien järjestöjen ja Euroopan parlamentin edustajia. Näissä tapaamisissa käsitellään usein ajankohtaisia asioita, ja niissä voidaan keskustella myös yhteisen kannan 2008/944/YUTP tarkistuksesta.

(English version)

Question for written answer E-003204/12
to the Commission (Vice-President/High Representative)
Tarja Cronberg (Verts/ALE)
(26 March 2012)

Subject: VP/HR — Review of Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment

Article 15 of EU Common Position 2008/944/CFSP states that 'this Common Position shall be reviewed three years after its adoption'. In late 2011 the relevant EU working group, COARM, initiated the review process.

In view of the above:

1. How long is the review expected to take? How will the proposed timing take account of the Arms Trade Treaty negotiation timetable?

2. Have the terms of reference for the review been agreed ? If not, when will they be agreed? Will they be circulated to the Committee? Will they be made public, and if so, when?

3. What provision is being made for formal consultations with external stakeholders as part of the review? What role does COARM envisage for stakeholders such as parliamentarians (national and European), industry and NGOs?

4. Will interim findings/proposals be formulated and made available to external stakeholders for their response?

5. Will the review consider the text and/or implementation of the Common Position? Is the content of the User's Guide up for review?

6. How will the ultimate outcomes of the review be made public?

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

The review of Common Position 2008/944/CFSP is not bound by specific timelines according to the provisions of the Common Position. Discussions have only just started in the relevant Council working party on conventional arms exports (COARM) with the agreement that no deadline should be set at this stage. Issues such as publicity of outcomes, terms of reference for the review and opportunity to also encompass the User's guide have not been determined yet.

COARM regularly liaises with NGO and the Parliament. Such regular meetings usually pay attention to topical current issues, which can represent the opportunity to address the review of Common Position 2008/944/CFSP.

(Suomenkielinen versio)

Kirjallisesti vastattava kysymys E-003205/12
komissiolle
Sirpa Pietikäinen (PPE)
(26. maaliskuuta 2012)

Aihe: Eläinten hyvinvointia koskevat asiat EU:n ja Intian kauppasopimuksissa

Euroopan unioni (EU) ja Intia ovat laatimassa kunnianhimoista yhteistyökehystä. Strateginen kumppanuus aloitettiin vuonna 2004, minkä jälkeen EU ja Intia alkoivat neuvotella kahdenvälisestä kauppa- ja investointisopimuksesta vuonna 2007. Neuvotteluja ei ole vielä saatu päätökseen.

1. Vaikka EU ja Intia ovat vakuuttaneet toistuvasti olevansa sitoutuneita kestävään kehitykseen, kauppaneuvotteluissa ei olla laatimassa kestävää kehitystä koskevaa lukua.

Miksi kestävää kehitystä koskevaa lukua ei ole sisällytetty neuvotteluihin?

Miten komissio neuvottelijana aikoo varmistaa yhdenmukaisuuden sen ympäristö- ja kauppapolitiikan välillä sekä muiden solmittujen kahdenvälisten kauppasopimusten kanssa, joissa on kestävää kehitystä koskeva luku (esimerkiksi EU:n ja Etelä-Korean vapaakauppasopimus)?

2. Intia valittaa säännöllisesti EU:n eläinten hyvinvointia koskevista asetuksista kahdenvälisen kaupan tasolla, mutta myös monenvälisellä tasolla (kuten WTO:n SPS-komitean kokouksessa).

Miten komissio varmistaa tässä yhteydessä, että Intia ymmärtää ja kunnioittaa EU:n eläinten hyvinvointia koskevaa kantaa ja politiikkaa?

Pyrkivätkö neuvottelijat sisällyttämään tulevaan (esimerkiksi yhteistyötä koskevaan) sopimukseen lausekkeen eläinten hyvinvoinnista? Miten komissio aikoo toisaalta varmistaa, että intialaiset viejät noudattavat EU:n asetuksia, jotka koskevat eläinten hyvinvointia ja erityisesti eläinten kuljetusta ja teurastusta?

Karel de Guchtin komission puolesta antama vastaus
(27. huhtikuuta 2012)

1. Kestävää kehitystä koskevan luvun sisällyttäminen EU:n ja Intian vapaakauppasopimukseen on EU:lle selkeä tavoite ja osa EU:n neuvottelustrategiaa – aivan kuten muissakin EU:n vapaakauppasopimuksissa. Samaan tapaan kuin muissakin viimeaikaisissa vapaakauppasopimuksissa, kestävää kehitystä koskevan luvun olisi perustuttava pikemminkin avoimuuteen, vuoropuheluun ja yhteistyöhön kuin sanktioihin. Tällaista lukua koskevat neuvottelut ovat hankalia, koska aihe on Intiassa arkaluonteinen, mutta EU:lla on tässä asiassa hyvin tinkimätön kanta.

2. Komissio edistää tietoisuutta eläinten hyvinvoinnista ja kansainvälisesti tunnustetuista eläinten hyvinvointia koskevista säännöistä myös kauppaneuvottelujen yhteydessä. Tämä pätee myös Intian kanssa käytäviin kauppaneuvotteluihin, joissa komissio on ehdottanut säännöksiä, jotka koskevat yhteistyötä eläinten hyvinvointiin liittyvissä kysymyksissä.

Mitä tulee eläinten hyvinvointia ja varsinkin kuljetusta ja teurastusta koskevan EU:n lainsäädännön noudattamiseen yleisemmin, eläinten suojelusta lopetuksen yhteydessä 24 päivänä syyskuuta 2009 annetussa neuvoston asetuksessa (EY) N:o 1099/2009([1]) edellytetään, että EU:hun lihaa vievien kolmansissa maissa sijaitsevien teurastamojen on noudatettava kyseisessä asetuksessa säädettyjä vaatimuksia vastaavia hyvinvointistandardeja. Komission tarkastusyksikkö (elintarvike- ja eläinlääkintätoimisto) tekee tarkastuksia kolmansissa maissa sijaitseviin laitoksiin, jotka ovat saaneet hyväksynnän viedä tuotteita EU:n alueelle, ja valvoo siten näiden vaatimusten noudattamista. On kuitenkin tärkeä huomata, että tällä hetkellä Intia ei ole saanut hyväksyntää eikä se näin ollen vie lihaa EU:n alueelle. Lisäksi Intia on jäsenenä Maailman eläintautijärjestössä (OIE), joka on jo antanut ohjeiston maaeläinten kuljetuksesta([2]).

([1]) EUVL L 303, 18.11.2009.
([2]) http://www.oie.int/index.php?id=169&L=0&htmfile=titre_1.7.htm

(English version)

Question for written answer E-003205/12
to the Commission
Sirpa Pietikäinen (PPE)
(26 March 2012)

Subject: Animal welfare issues in EU-India trade agreements

The European Union (EU) and India are developing an ambitious cooperation framework. After the strategic partnership launched in 2004, the EU and India started negotiating a bilateral trade and investment agreement in 2007. These negotiations have not yet been concluded.

1. Although the EU and India have repeatedly reaffirmed their commitment to sustainable development, the trade negotiations do not foresee a chapter on sustainable development.

Why has a chapter on sustainable development not been included in the negotiations?

How does the Commission, as negotiator, ensure coherence between its environmental and trade policies, and with other bilateral trade agreements that have been concluded and include a chapter on sustainable development (e.g. the EU-Korea FTA)?

2. India regularly complains about EU animal welfare regulations at bilateral trade level, but also at multilateral level (e.g. meeting of the WTO SPS Committee).

In this context, how does the Commission ensure that India understands and respects the EU stance and policy on animal welfare?

Do the negotiators aim to include a provision on animal welfare in the future agreement (e.g. cooperation)? Alternately, how will the Commission make sure that Indian exporters respect EU regulations on animal welfare, particularly on transport and slaughter?

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

1. The inclusion of a chapter on sustainable development in the EU-India Free Trade Agreement (FTA) is a clear EU objective and part of the EU's negotiating strategy — consistent with the EU's other FTAs. As in the case for other recent FTAs, the sustainable development chapter should be based on transparency, dialogue and cooperation rather than on sanctions. The negotiation of any such chapter is difficult given the sensitivity it has in India, but the EU's position in this respect is very firm.

2. With respect to animal welfare, the Commission raises awareness on animal welfare and internationally recognised animal welfare standards also in the context of trade negotiations. This also holds for trade negotiations with India where the Commission proposed provisions on cooperation on animal welfare issues.

As regards compliance with EU regulations on animal welfare more generally, particularly on transport and slaughter, Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing ([1]) requires that slaughterhouses in third countries exporting meat to the EU comply with welfare standards equivalent to those in the regulation. The Commission inspection services (Food and Veterinary Office) carry out audits in establishments from third countries approved for export to the EU to check compliance with these requirements. However, it is important to note that, at present, India is not approved and hence does not export meat to the EU. Furthermore, India is a Member of the World Organisation for Animal Health (OIE) which has already adopted guidelines on transport of terrestrial animals ([2]).

([1]) OJ L 303, 18.11.2009.
([2]) http://www.oie.int/index.php?id=169&L=0&htmfile=titre_1.7.htm

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-003210/12
adresată Comisiei
Rareş-Lucian Niculescu (PPE)
(26 martie 2012)

Subiect: Moratoriu francez privind cultivarea porumbului MON810

Autoritățile franceze au hotărât de curând să adopte o măsură de protecție menită să interzică temporar cultivarea porumbului MON810 pe teritoriul național „în vederea protejării mediului".

1. Consideră executivul european că moratoriul francez este neîntemeiat și intenționează să solicite anularea acestuia?

2. Care va fi demersul Comisiei în fața Consiliului în dosarul privind modificarea Directivei 2001/18/CE, având în vederea această nouă decizie?

Răspuns dat de dl Dalli în numele Comisiei
(4 mai 2012)

1. La 20 februarie 2012, Franța a trimis o notificare oficială prin care solicita Comisiei să ia măsuri de urgență în conformitate cu articolul 53 din Regulamentul nr. 178/2002 ([1]), de suspendare a autorizației de cultivare a porumbului MON810. Notificarea respectivă a fost însoțită de informații științifice.

La 6 martie, Comisia a răspuns Franței că, pe baza unei analize preliminare a informațiilor științifice furnizate, nu a existat niciun temei pentru a adopta o măsură de urgență a Uniunii Europene. Cu toate acestea, Comisia a trimis un mandat către Autoritatea Europeană pentru Siguranța Alimentară (EFSA), la 22 februarie, pentru a efectua o evaluare detaliată a acestor date.

La 16 martie, Franța a introdus o interdicție națională temporară privind cultivarea porumbului MON810, fără să aștepte rezultatul evaluării științifice a EFSA.

Comisia va decide cu privire la măsurile adecvate de întreprins atunci când avizul EFSA va fi disponibil.

2. Comisia consideră că această nouă evoluție nu pune sub semnul întrebării obiectivele propunerii de regulament care permite statelor membre să restricționeze sau să interzică cultivarea OMG-urilor pe teritoriul lor. Alături de măsurile de urgență, propunerea menționată ar permite statelor membre, luând în considerare alți factori decât riscurile asupra sănătății și mediului, să aplice o restricție/interdicție privind cultivarea OMG-urilor.

([1]) Regulamentul (CE) nr. 178/2002 al Parlamentului European și al Consiliului din 28 ianuarie 2002 de stabilire a principiilor și a cerințelor generale ale legislației alimentare, de instituire a Autorității Europene pentru Siguranța Alimentară și de stabilire a procedurilor în domeniul siguranței produselor alimentare, JO L 31, 1.2.2002, p.1-24.

(English version)

Question for written answer E-003210/12
to the Commission
Rareş-Lucian Niculescu (PPE)
(26 March 2012)

Subject: France's moratorium on the cultivation of MON 810 corn

As a precautionary measure, French authorities recently decided to temporarily ban the cultivation of MON 810 corn across France 'in order to protect the environment'.

1. Does the Commission consider that France's moratorium is unfounded and does it intend to call for its end?

2. In view of this new decision, what approach will the Commission take towards the Council concerning the modifications to Directive 2001/18/EC?

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

1. On 20 February 2012 France sent an official notification asking the Commission to take an emergency measure in accordance with Article 53 of Regulation 178/2002 ([1]) to suspend the authorisation of the maize MON810 for cultivation. This notification was accompanied by scientific information.

On 6 March the Commission replied to France that, based on a preliminary analysis of the provided scientific information, there was no basis to adopt an European Union emergency measure. However, the Commission sent a mandate to the European Food Safety Authority (EFSA) on 22 February to perform a detailed assessment of these data.

On 16 March, France introduced a temporary national ban on cultivation of the maize MON810, without waiting for the outcome of EFSA's scientific assessment.

The Commission will decide on the appropriate actions to take when EFSA's opinion is available.

2. The Commission considers that this new development does not put into question the objectives of the proposal for a regulation allowing the Member States to restrict or prohibit the cultivation of GMO in their territory. Next to emergency measures, this proposal would allow Member States taking into consideration factors other than risks on health and the environment to enforce a GMO cultivation restriction/ban.

([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, p. 1-24.