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QUESTIONS AU CONSEIL

(La Présidence en exercice du Conseil de l'Union européenne est seule responsable de ces réponses)

QUESTIONS TO THE COUNCIL

(The Presidency-in-Office of the Council of the European Union bears sole responsibility for these answers)

Anfrage Nr. 1 von Bernd Posselt (H-0241/10)

Betrifft: Haftbedingungen in Serbien für Gefangene aus dem Preševo-Tal

Was weiß der Rat über das Schicksal der serbischen Staatsbürger Agush Memishi, Faton Hajdari, Samet Hajdari, Ferat Hajdari, Kamber Sahiti, Nazif Hasani, Ahmet Hasani, Sulejman Sadiku und Burim Fazliu, die am 26.12.2008 als Angehörige der albanischen Minderheit im südserbischen Preševo-Tal festgenommen wurden? Wird das Verfahren gegen sie auf seinen rechtsstaatlichen Verlauf hin beobachtet? Ist die Misshandlung der Gefangenen auszuschließen, können ihre Familienangehörigen sie ungehindert besuchen, und sieht der Rat Möglichkeiten, die sofortige Freilassung dieser Menschen zu erwirken?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The case referred to by the Honourable Member of Parliament concerns a high-profile trial involving the so-called Gnjilane group. This trial is ongoing in front of the war crimes chamber of the Belgrade High Court. The group was indicted by the war crimes prosecutor in August 2009 for crimes against civilians committed in their capacity as Kosovo Liberation Army members after the conflict in Kosovo in 1999. Out of 17 indicted, 8 are tried in absentia, because they remain at large. The remaining 9 have been in detention. Their arrest in 2008 triggered wide protests by Albanians in south Serbia, who assessed the accusations as politically motivated. They also alleged ill-treatment and torture of the detainees in detention.

According to the OSCE, which is monitoring individual cases, families are able to visit the detainees mentioned by the Honourable Member of Parliament and families are allowed to attend the open parts of the trial. There are apparently no more allegations of mistreatment.

The Council has neither pronounced itself on the fate of the persons, nor on the other issues raised by the Member of the European Parliament in his oral question.

The Council draws attention to the fact that the annual progress report of the European Commission on Serbia deals with the prison system in Serbia. However, individual cases are not raised. The progress report says:

"Some progress was made with reform of the prison system. Initial steps were taken in November 2008 to introduce a system of alternative sanctions. Progress was made on developing programmes and capacity for individual treatment of prisoners and providing better medical services. However, the effects of these measures remained limited pending revision

of the legislation. The problem of overcrowding in prisons continues, due to ineffective implementation of alternative sanctions and the lack of decriminalisation of minor offences or of reintegration programmes. Moreover, the lack of training is hampering prevention of discrimination and protection of human rights. Increased levels of drug use and corruption in prisons were reported following independent monitoring by NGOs."

The Council discussed the Commission's progress report on Serbia in its December 2009 meeting and broadly shared the assessments made by the Commission.

Question no 2 by Marian Harkin (H-0250/10)

Subject: Human rights in Columbia

Bearing in mind the report of the UN Special Rapporteur on extrajudicial executions and the March 2010 report by the UN High Commissioner for Human Rights on the situation in Colombia, which demonstrated that alleged executions in Colombia were not isolated acts and that it is necessary to allocate sufficient human, technical and financial resources to ensure that such cases do not go unpunished, will the Council ask the Colombian Government to take the necessary steps to put a total and permanent stop to extrajudicial killings in Colombia?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The Council is aware of the human rights situation generally in Colombia and is following closely developments related to the issues raised by the Honourable Member. However, the report of the UN High Commissioner for Human Rights in Colombia of March 2010 has not been discussed within the Council.

The Council has several instruments at its disposal to follow these developments on the spot and specifically in Bogotá. The EU participates in a EU-Colombia Human Rights Dialogue with the highest authorities of this country on a regular basis. The third and most recent of these regular meetings took place in Bogotá on 12 May 2010. The specific issue of extrajudicial killings was the subject of a detailed discussion at the second of these regular meetings on 21 October 2009 in Bogotá. This dialogue has generally been intense, since in addition to those regular meetings, two additional meetings were organised to deal with a range of issues.

In addition to these meetings, local EU embassies also hold regular, monthly meetings with the Colombian authorities in Bogotá. In this case as well, the issue of human rights is a regular item for discussion on the agenda. The EU delegation, as well as the Member States' missions, report regularly on these meetings and these reports are discussed from time to time in particular at Council level.

The Council will continue to follow closely the situation and will pay specific attention to the issues raised by the Honourable Representative.

Klausimas Nr. 3, pateikė Justas Vincas Paleckis (H-0252/10)

Tema: ES tikslai

ES svarsto galimybes pereiti prie tikslo CO₂ išmetimą sumažinti 30 proc. (Europos Komisija šiuo metu rengia atitinkamą poveikio vertinimą), tuo rodydama pavyzdį visam pasauliui. Tai kainuos didžiules lėšas ir gali sumažinti ES valstybių konkurencingumą. ES 2020 strategijoje įrašytas siekis tapti socialiai konkurencingiausia ekonomika pasaulyje. Tai taip pat pareikalaus didelio valstybių narių indėlio.

Abu šie tikslai labai svarbūs ir siektini, tačiau, ar jie tarpusavyje suderinami? Ar ES pasimokė iš Lisabonos strategijos vykdymo (tiksliau – neįvykdymo) pamokų, ar nekelia pernelyg daug ambicingų tikslų vienu metu? Ar pakelsime šią našta, turint galvoje skirtingą ES valstybių narių išsivystymo lygį, taip pat ekonomikos krizę?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

Based on the Commission's communication "Europe 2020: a strategy for smart, sustainable and inclusive growth", the European Council has placed the EU's climate objectives at the heart of the European Strategy for Jobs and Growth. A more resource-efficient, climate-resilient and greener economy will boost Europe's potential for a more competitive economy, exploiting its leadership in key areas to develop new processes and technologies.

In the framework of the climate and energy package adopted on 23 April 2009, the European Parliament and the Council have set out the parameters to be assessed by the Commission with a view to a possible step-up in the EU's 2020 emission reduction commitment. To this effect, the European Parliament and the Council will decide jointly on the basis of a legislative proposal from the Commission on the possible adjustments to the current EU legislation.

In its Communication "Analysis of options to move beyond 20% greenhouse gas emission reductions and assessing the risk of carbon leakage" of 26 May 2010, the Commission sets out the result of analysis into the implications of the 20% and 30% targets, in order to facilitate a more informed debate.

In its meeting of 11 June 2010, the Council took note of this communication and stressed that it covered a wide range of issues which need to be discussed in-depth in order to prepare the EU for the medium- and longer-term climate change challenges, and more specifically for the next steps in the international climate negotiations. The Council agreed to revert to these issues as soon as possible and in any case no later than at its October 2010 session, and welcomed the intention by the Commission to conduct more detailed analysis on the policy options and costs and benefits, including at Member State level, as appropriate.

It should be noted that, by virtue of Article 28 (2) (2) of Directive 2003/87/EC of the European Parliament and of the Council, as amended by Directive 2009/29/EC and by virtue of Article 8 (2) of Decision 406/2009/EC of the European Parliament and of the Council, a possible proposal for a Directive implementing further emission reduction shall be based upon the principles of transparency, economic efficiency and cost-effectiveness, as well as fairness and solidarity in the distribution of efforts between Member States.

Question no 4 by Seán Kelly (H-0258/10)

Subject: Sport Forum 2010

Following on from the recent informal meeting of Sports Ministers in Madrid, can the Council comment on how it foresees the elaboration of a sports policy for the EU under Lisbon? Can the Council also comment on its position vis-à-vis adequate resourcing of an effective sports policy?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The Lisbon Treaty has established a specific EU competence for cooperation on sport issues. Member States' Sports ministers met formally within the Council for the first time on 10 May 2010 in Brussels as part of the Education Youth and Culture Council. The centre piece of the meeting was a debate about the priorities for EU action in the field of sport following the entry into force of the Lisbon Treaty.

There were no formal conclusions from the debate and the Council has not yet a position on the issues raised by the Honourable Member.

During the discussions delegations welcomed this new EU competence for coordinating sports policies and underlined that EU action needed to have clear added value compared to national plans, respecting the subsidiarity principle and the specific nature of sport. The following areas were among those mentioned for possible EU action:

Social and educational functions of sport, e.g. social inclusion through sport and health-enhancing physical activity, dual careers for athletes;

Sport structures, in particular those based on voluntary activity;

Fairness and openness in sport, including the fight against racism, discrimination and violence;

Physical and moral integrity of sportsmen and sportswomen, especially the fight against doping and the protection of minors;

Dialogue and close cooperation with the sports movement.

Regarding a possible EU funding programme supporting sports activities, the Council awaits with interest any proposal that may be forthcoming from the Commission.

Klausimas Nr. 5, pateikė Vilija Blinkevičiūtė (H-0260/10)

Tema: Švietimo lygio gerinimas ir mokyklos nebaigusių asmenų skaičiaus mažinimas

Vienas iš svarbiausių tikslų, numatytų naujoje strategijoje „Europa 2020“, yra pagerinti švietimo lygį, sumažinti mokyklos nebaigusių asmenų skaičių ir padidinti aukštąjį ar lygiavertį išsilavinimą turinčių asmenų dalį.

Per 2010 m. kovo 25–26 d. susitikimą Europos Vadovų Taryba pritarė šiam Europos Komisijos numatytam tikslui, bet nepateikė rodiklių ir nenustatė skaičiais išreikštų tikslų. Taigi, kaip ir į ką atsižvelgdama Taryba ruošiasi nustatyti konkrečius skaičius ir parengti tinkamus rodiklius šioje srityje? Kokių konkrečių priemonių imsis Taryba, kad pagerintų švietimo lygį Europoje ir sumažintų mokyklos nebaigusių mokinių skaičių?

Ar Taryba ruošiasi parengti atskirą veiksmų strategiją dėl švietimo lygio gerinimo ir aukštąjį ar lygiavertį išsilavinimą turinčių asmenų skaičiaus didinimo? Investicijos į jaunimą, ypač per švietimą, profesinį rengimą ir jaunimo mainų programas, yra būtinos Europos Sąjungos tikslams pasiekti užimtumo, socialinės integracijos srityse ir ugdant aktyvius piliečius.

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The Council consistently emphasises the benefits of investing in education and training as a means of promoting competitiveness and employment whilst fostering social cohesion and active citizenship. Successive Presidencies have focused attention - and will no doubt continue to do so in future - on areas of common concern such as the need to reduce early school leaving rates and to raise tertiary attainment levels. As a specific example of the kind of "dedicated strategy of action" it has in mind, the Council would refer the Honourable Member to the strategic framework for European cooperation in education and training which it adopted in May 2009¹, which consists of four key objectives to be achieved over the next ten years, namely:

- Making lifelong learning and mobility a reality;
- Improving the quality and efficiency of education and training;
- Promoting equity, social cohesion and active citizenship; and
- Enhancing creativity and innovation.

¹ OJ C 119, 28.5.2009.

Moreover, the fact that objectives such as reducing the number of early school leavers and increasing the share of the population having completed tertiary or equivalent education are to feature prominently in the new Europe 2020 strategy clearly demonstrates the importance attached to these areas at the highest level of the Union.

While it is true that the European Council in March did not set precise numerical rates for the two education targets under the new strategy, it made it clear that it would do so at its meeting in June 2010². As a contribution to preparations for the June summit, it should be noted that the Council debated the issue of the numerical rates for the headline targets when it met on 10 and 11 May 2010. At the end of that debate, the Presidency concluded that the Council had agreed³ to propose to the European Council that the numerical rates should build on the two corresponding levels of European average performance ("European benchmarks") which were approved last year under the abovementioned strategic framework, namely that - by 2020 - the school drop-out rate should be less than 10% and the share of population having completed tertiary or equivalent education should be at least 40%.

The Honourable Member will however appreciate that the final decision on specific figures in the context of the Europe 2020 strategy rests solely with the European Council.

Question no 6 by Gay Mitchell (H-0268/10)

Subject: EU-Japan trade

The relationship between the European Union and Japan is one of the most important to both parties. Japan is the third largest economy in the world and the EU's fifth largest trading partner. Despite this, a lot of the economic potential between us remains untapped; much of this is down to trade restrictions on both sides.

In the EU-Japan summit of 28 April the EU seemed to dampen prospects of a free trade agreement. Would the Council now outline the reasons for this stance and the actions both parties need to take to open the door to such an agreement that would bolster prosperity for all?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

As the Honourable Member mentions in his question, the economic and commercial importance of Japan cannot be contested. According to the latest available figures, with a share of 3.3% of EU exports (2009), Japan is the EU's seventh largest export market and the six largest source of imports (4.6%) into the EU. Conversely, in 2008 the EU was the third trade partner for Japan's regarding imports and exports. Regarding investments, Japan is also a major source of foreign direct investment (FDI) into the EU (4.51% of the stock of EU inward FDI at the end of 2008) and recipient of 1.7% of EU outflow. In general, FDI to Japan remains very low (around 4.1% of GDP).

Trade relations between EU and Japan have been traditionally characterised by a strong trade surplus in favour of Japan. In recent years, both partners have created a number of informal instruments/dialogues in several areas in order to enhance bilateral trade and investment relations. The Summit in 2004 in particular reiterated the need to strengthen trade and bilateral investment links; to that end, a Cooperation Framework was established aimed at promoting two-way investment through specific initiatives in areas such as regulatory transparency, standards and conformity assessment, facilitation of conditions for foreign residents. In addition, discussions have been conducted on a range of issues, including intellectual property rights (IPR), government procurement and financial matters.

Since 1995, both partners have participated in a Regulatory Reform Dialogue aimed at reducing the number of unnecessary and obstructive regulations which may hamper trade and foreign investment. Two agreements have been concluded: a Mutual recognition agreement which entered into force in 2002, and an agreement on cooperation on anticompetitive activities adopted in 2003.

More recently, at the 2009 Summit, both sides agreed to cooperate in strengthening the integration of their economies with a view to making fuller use of the potential of their economic relationship. To that end, in order to tackle existing trade restrictive barriers, and to increase market access opportunities and promote bilateral investment flows, the EU and Japan

² Council doc. EUCO 7/10 of 26 March 2010, page 2, paragraph 5(b), fourth indent.

³ With the exception of UK, which was unable to agree the targets pending the formation of a new government after its election on 6 May 2010.

together underlined the importance of focusing on a few specific non-tariff issues through existing dialogues, and agreed to take stock of progress at the 2010 Summit.

In the run-up to the Summit, the Japanese side did not hide its interest in entering into negotiations with the EU on a Free Trade Area (FTA), and suggested the launching of a joint study to identify the economic benefits and the possible scope of such an agreement. From the EU side, it was considered that, while some tangible results had been achieved, the suggestion was premature and that more progress would be needed in the bilateral cooperation in areas such non-tariff barriers, government procurement, protection of intellectual property rights, in particular geographical indications, and investment before engaging in such an exercise.

At the 2010 Summit, the EU suggestion to establish a joint High Level Group to identify options for the comprehensive strengthening of all aspects of Japan-EU relations was eventually endorsed. The joint High Level Group will address issues such as tariffs, non-tariff measures, services, investment in services and non-services sectors, IPR and government procurement. The joint High Level Group will report to the 2011 Summit, which will decide on appropriate next steps based on the outcome and the options identified by the High Level Group.

Ερώτηση αρ. 7 του κ. Νικόλαου Χουντή (H-0270/10)

Θέμα: Πρωτόκολλο Ελλάδας-Τουρκίας για "θέματα αντιμετώπισης μη νόμιμης μετανάστευσης, οργανωμένου εγκλήματος, διακίνησης ναρκωτικών και πολιτικής προστασίας"

Κατά την πρόσφατη επίσκεψη του τούρκου Πρωθυπουργού στην Αθήνα, υπεγράφη πρωτόκολλο μεταξύ Ελλάδας και Τουρκίας για «θέματα αντιμετώπισης μη νόμιμης μετανάστευσης, οργανωμένου εγκλήματος, διακίνησης ναρκωτικών και πολιτικής προστασίας».

Ερωτάται το Συμβούλιο: Θεωρεί ότι το πρωτόκολλο Ελλάδας-Τουρκίας μπορεί να υποκαταστήσει την συμφωνία ΕΕ-Τουρκίας, όπως περιγράφεται στο σημείο 3 της κοινή δήλωσης (5.11.2009) Επιτροπής, Συμβουλίου και Τουρκίας στην Άγκυρα; Οι διαπραγματεύσεις για την εν λόγω συμφωνία ΕΕ – Τουρκίας συνεχίζονται κανονικά;

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The document to which the Honourable Member refers covers issues regarding illegal immigration, asylum, organized crime, drug trafficking and civil protection. It was signed by Greece and Turkey in May 2010. The document takes form of a bilateral Joint Declaration; it cannot, in any sense, replace the EU-Turkey readmission agreement currently under negotiation.

The mandate to negotiate the readmission agreement was given to the Commission by the Council in November 2002. Those negotiations are ongoing and significant progress has been made during the course of recent rounds of negotiation. These are expected to lead in due course to the signature and conclusion of the agreement. The Commission informed the Council on the state-of-play of the negotiations at the Council meeting of 3 and 4 June 2010.

The readmission agreement under negotiation provides that it will take precedence over the provisions of any other relevant legally binding instrument insofar as the provisions of the latter are incompatible with those of the Agreement.

Klausimas Nr. 8, pateikė Zigmantas Balčytis (H-0275/10)

Tema: Netolygūs laivų degalų standartai

Nuo 2015 m. įsigalios Europos Sąjungos reikalavimas laivams, prisišvartuojantiems ES uostuose, naudoti degalus, turinčius ne daugiau kaip 0,1 proc. sieros. Kol kas tokios taisyklės numatytos tik uostams Šiaurės ir Baltijos jūroje, o visame pasaulyje leidžiama laivams naudoti mazutą, kuriame 4,5 proc. sieros. Toks degalų kokybės reikalavimų sugriežtinimas pasunkins jūrų transporto vežėjų padėtį, nes dėl to išaugs degalų kaina, taip pat ir gabenimo įkainiai. Dėl to gali labai sumažėti gabenamų jūra krovinių skaičius ir padaugėti krovinių, kurie bus vežami keliais, visoje Šiaurės ir Rytų Europoje.

Ar Taryba nemano, kad netolygūs laivų degalų standartai Baltijos ir Šiaurės jūros šalyse sudarys sąlygas netolygiai konkurencijai, lyginant ne tik su kitais ES regionais, bet ir su ne Europos Sąjungos valstybėmis?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The 0.1% sulphur limit for the Baltic and North Seas is a requirement of international law, set out in the revised version of Regulation 14 of Annex VI of the International Convention for the Prevention of Pollution from Ships (MARPOL), which is deemed to enter into force on 1 July 2010. This Regulation designates the Baltic and North Seas as sulphur emission control areas (SECAs), within which stricter sulphur limits apply, decreasing progressively from 1.5% now down to 0.1% by 2015. These rules apply throughout the Baltic and North seas area, not just to EU Member States.

Outside these SECAs, the same Regulation also provides for decreasing sulphur limits, from 4.5% applicable at the moment down to 3.5% from 1 January 2012 and then progressively down to 0.5% by 1 January 2020.

Furthermore, it should be noted that already under the current Annex VI of the MARPOL Convention, which entered into force in 2005, the Baltic and North Seas were defined as sulphur emission control area and stricter limits than for other areas were imposed, i.e. 1.5% instead of 4.5%. Therefore, the revised Annex will diminish the difference between the global limit and the stricter limit for SECAs.

Ερώτηση αρ. 9 της κ. Ρόδης Κράτσα-Τσαγκαροπούλου (H-0276/10)

Θέμα: Επιπτώσεις της δημοσιονομικής προσαρμογής των ευρωπαϊκών κρατών στο ευρωπαϊκό κοινωνικό μοντέλο

Το μοντέλο ανάπτυξης της μεταπολεμικής Ευρώπης στηρίχθηκε στη θεμελίωση των κοινωνικών δικαιωμάτων και στη δημιουργία κράτους πρόνοιας, το οποίο έφερε εντυπωσιακά αποτελέσματα στην προσωπική ευημερία και στην κοινωνική συνοχή. Αποτέλεσε δε το γνωστό ευρωπαϊκό κοινωνικό μοντέλο. Σήμερα, τα ευρωπαϊκά κράτη βρίσκονται σε δύσκολη θέση λόγω ανάγκης δημοσιονομικών προσαρμογών, οι οποίες δημιουργούν ισχυρές πιέσεις στο ευρωπαϊκό κοινωνικό μοντέλο. Το Συμβούλιο ερωτάται:

πώς επηρεάζει η δημοσιονομική προσαρμογή την κοινωνική πολιτική των κρατών μελών και πώς προσαρμόζεται το ευρωπαϊκό κοινωνικό μοντέλο,

εάν και ποια ευρωπαϊκή στρατηγική αναμένεται να εφαρμοστεί για την προστασία των κοινωνικών κεκτημένων και την αντιμετώπιση των σοβαρών κοινωνικών προβλημάτων, και με ποιο χρονοδιάγραμμα,

πώς οι διαφορές κοινωνικοοικονομικής ανάπτυξης και δομών μεταξύ των κρατών επηρεάζουν την ευρωπαϊκή στρατηγική και τον συντονισμό.

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The Council considers the objective of providing a high level of social protection, in particular with regard to those groups which are at risk of poverty and social exclusion, as one of the cornerstones of the European social objectives.

Indeed, the economic recession has led to a considerably increased number of unemployed in Europe, to a drop in income in many households and to a great number of people exposed to poverty and over indebtedness.

Against this background, the Council agreed at its session of 7 June 2010 to propose to the European Council a target of promoting social inclusion, in particular through the reduction of poverty, which would aim at lifting at least 20 million people from the risk of poverty and exclusion by 2020.

Moreover, on 8 June 2010, the Council agreed that the core of the new Europe 2020 Strategy for growth and jobs is a framework for enhanced co-ordination of Member States' economic policies building on widened country surveillance which covers all relevant macroeconomic and structural policy areas in an integrated fashion.

The Council also reached an agreement on a general approach to the Employment Guidelines which form together with the Broad Economic Policy Guidelines the integrated guidelines for implementing the Europe 2020 Strategy. Those guidelines should represent the basis for any country-specific recommendations that the Council may address to the Member States. In particular, Guideline 10 on Promoting social inclusion and combating poverty sets out "that the extension of employment opportunities is an essential aspect of Member States' integrated strategies to prevent and reduce poverty and to promote full participation in society and economy".

The June European Council is expected to adopt the Europe 2020 strategy, whose shared objectives include the targets aiming to bring to 75% the employment rate for women and men aged 20-64 and improving education level, in particular by aiming to reduce school drop-out rates and thus contribute to boost Europe's competitiveness, productivity and growth potential and to reduce the social impact of the crisis.

Question no 10 by Richard Howitt (H-0278/10)

Subject: The role of Regional Development Agencies in securing the recovery

What discussion has taken place in the Ecofin Council regarding the role of Regional Development Agencies (RDAs) in promoting Europe's recovery plan?

Bearing in mind the importance of the RDA in my own East of England region, have Member State governments indicated how far they are increasing or cutting resources to the RDAs, given the importance of the direct financial support to business which they provide?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The Council acknowledges the important role of all national, regional and local development authorities in tackling the economic crisis and promoting the European Economic Recovery Plan. It goes without saying that the financial support that can be channelled through various development agencies can contribute to the economic activities, creation of jobs and securing a sustainable economic development.

The ECOFIN Council has not discussed as such the role of the Regional Development Agencies in this respect, nor has there been any discussion on Member State specific measures in relation to these agencies.

However, it is worth underlining that on 14 June the General Affairs Council had a general discussion on cohesion policy, based on the Commission's Strategic Report on the subject, and in this context the Council also adopted a set of Conclusions, in which - among other things invites all stakeholders to continue discussions with regard to economic, social and territorial cohesion, especially with regard to simplification and with the aim of securing the necessary public financial resources at national, regional or local level in addition to the available EU budgetary resources, and to ensure that effective management systems are employed.

Uimh. na ceiste 11 le Liam Aylward (H-0280/10)

Ábhar: Todhchaí Chlár Oibre Sóisialta na hEorpa

Ag tús na hUachtaránachta, mhaígh an Chomhairle go mbeidh sí ag obair as lámh a chéile leis an gCoimisiún agus Clár Oibre Sóisialta Nua na hEorpa á cheapadh acu. An bhfuil aon ní le rá ag an gComhairle maidir le stádas an chomhoibrithe seo agus maidir leis an dul chun cinn atá á dhéanamh?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

In its legislative work, the Council works very closely with the Commission, including in the area of Employment and Social Policy. In the past ten years, this co-operation was based on the so called European Social Agenda. This agenda was closely related to the objectives of the Lisbon Strategy and set the main priorities and initiatives in the social policy area. In 2008, a Renewed Social Agenda was launched by the Commission to take stock of Europe's changing social reality. In this framework the Commission adopted a set of legislative and non-legislative initiatives, such as Works Councils Directive, Anti-discrimination Directive etc.

The intensive co-operation of the two institutions was recently demonstrated in the context of the launching of a new EU 2020 Strategy. This Strategy has been proposed by the Commission in order to boost Europe's competitiveness, productivity and growth potential and to reduce the social impact of the crisis. Among its five shared objectives are the targets aiming to bring to 75% the employment rate for women and men aged 20-64 and improving education level, in particular by aiming to reduce school drop-out rates. Moreover, the Council agreed at its meeting on 7 June 2010 to propose to the European Council: that the quantified target of the Europe 2020 Strategy to promote social inclusion, in particular through the reduction of poverty, be formulated in such a way that it would aim at lifting at least 20 million people from the risk of poverty and exclusion by 2020; to accept the three set up indicators established by the Social Protection Committee. This will be submitted to the European Council as a contribution to the overall EU 2020 Strategy on jobs and growth, to be adopted at the European Council in June 2010.

The Council also reached an agreement on a general approach to the Employment Guidelines which form together with the Economic guidelines the integrated guidelines for implementing the EU 2020 Strategy. According to Article 121(4) and 148(4) TFEU, these guidelines should represent the basis for country-specific recommendations that the Council may address to the Member States. Based on the EU headline targets of the new Strategy, Member States should also set their national targets and draw up National Reform Programmes setting out in detail the actions they will undertake to implement the Strategy.

Question no 12 by Pat the Cope Gallagher (H-0285/10)

Subject: Oil spill in the Gulf of Mexico

Can the Council specify the assistance measures which the European Union is providing to the USA in their efforts to control the oil spill in the Gulf of Mexico?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The Council has not discussed the question of assistance measures to be provided to the USA to control the oil spill in the Gulf of Mexico. It is clear however that any incident of this scale, which is having such a negative effect on the environment, is of concern to all of us.

Clearly the issue of controlling the oil spill is primarily an issue for the US authorities. However, the EU has been able to provide some assistance and stands ready to continue to offer any support where that might be necessary and in response to specific requests. The Council understands that the Monitoring and Information Centre (MIC) has received a number of requests from the US authorities for sets of equipment, in particular sweeping arms to assist in the offshore oil recovery efforts, and has received and forwarded offers to the US authorities in response to these requests.

The Council also understands that the MIC is ready to look into any further request for assistance to be provided by the Member States, and has suggested organising a joint MIC/EMSA experts' mission to the USA in order to discuss with the US administration further possibilities for assistance. The Commission would be ready to provide further detailed information on these assistance measures.

Question no 13 by Brian Crowley (H-0287/10)

Subject: Research and development in the European Union

What specific measures is the Council putting in place so as to improve the coordination and effectiveness of research and development initiatives across the European Union?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The improvement of coordination and effectiveness of research and development (R&D) initiatives at national, regional and EU levels has been in the heart of the "Ljubljana Process" of enhanced governance of the European Research Area (ERA), part of which is the ERA 2020 Vision, a long-term vision the main goals of which are fully in line with the Europe 2020 Strategy.

The Council has recently taken various measures with a view to contributing to the improvement of coordination and effectiveness of R&D initiatives and programmes, in particular as regards the following:

– Enhanced European Research Area (ERA) governance

In its resolution on the "enhanced governance of the ERA"⁴, the Council underlined that the new governance should aim at facilitating cooperation and coordination of ERA related activities, programmes and policies at all levels. In its resolution on the developments in the governance of the ERA⁵ the Council renamed the "Scientific and Technical Research Committee" (CREST) to "European Research Area Committee" (ERAC) and strengthened its roles and responsibilities in order to make it a strategic policy advisory body to the Council, the Commission and the Member States. Among its core missions is to monitor the progress of ERA with specific attention to the efficiency, accessibility, transparency and coherence of its different instruments and initiatives, and to contribute to promoting the coordination of national research and innovation policies.

– Europe 2020 Strategy

In the context of the flagship initiative "Innovation Union" of the Europe 2020 Strategy, the Council awaits the proposal on the European Plan for Research and Innovation, to be presented by the Commission in September. To this end, the Council adopted conclusions on "creating an innovative Europe"⁶ in which it stressed the need for action in areas such as financial, markets, governance, the regional aspects and people. Furthermore, the Council agreed that the European innovation policy should ensure that adequate support for innovation actors, including small and medium-sized enterprises, is provided also at regional level.

In its conclusions on the various issues related to the development of the ERA⁷, the Council also invited Member States and the Commission to continue improving the articulation between their efforts in programming of and support for research, development and innovation, with a view to making further progress in realising the ERA 2020 Vision and the Europe 2020 Strategy

– Joint Programming

Since the adoption of Council conclusions on Joint Programming in December 2008⁸ there has been an important progress made in this area. The Council is currently examining the Commission recommendations for the Joint Programming Initiatives (JPIs) "Agriculture, Food security and Climate Change"⁹, "Cultural Heritage and Global Change – A new challenge for Europe"¹⁰ and "A healthy diet for a healthy life"¹¹. In addition, at its meeting of 25 and 26 May 2010, the Council welcomed the progress made in the High Level Group on Joint Programming (GPC), at its meeting on 4 May 2010, by identifying and substantiating new themes for JPIs.

– Simplification of programmes supporting European research and innovation

⁴ 17159/09

⁵ 10255/10

⁶ 10266/10

⁷ 10246/10

⁸ 16775/08

⁹ 9585/10

¹⁰ 9387/10

¹¹ 9388/10

On the basis of Commission communication on "Simplifying the implementation of the Research Framework Programmes" the Council adopted on 26 May 2010¹² conclusions on simplified and more efficient Programmes supporting European Research and Innovation which recalled the need to simplify and streamline all research, development and innovation-related policies and programmes in terms of their design, implementation and reporting. The Council identified the principles for the design and implementation of such programmes. These are: simplicity, consistency, stability and legal certainty, trust-based approach, result oriented funding, general acceptance of usual accounting practices, interoperability and flexibility.

In addition, the Council agreed on the general orientations for future Commission proposals: reducing complexity; reducing the need for audit intensity; improving quality, accessibility, transparency and procedures; interoperability programmes and instruments.

The Council will continue to pursue this issue.

Question no 14 by Laima Liucija Andrikiene (H-0290/10)

Subject: Results of EU - Latin America and Caribbean Summit in Madrid

The Spanish Presidency held a high-level EU - Latin America and Caribbean Summit (EU-LAC) in Madrid on 18 May 2010. Could the Presidency outline the main achievements of the summit? What impact will this summit have on the future of EU-LAC relations? What initiatives will the Spanish Presidency pass on to the upcoming Belgian Presidency that will require continuous support and special political attention?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The VIth EU-Latin America and Caribbean Summit (EU-LAC) in Madrid was particularly positive. The Summit welcomed the advances made in light of the EU-LAC Strategic Partnership, and expressed a commitment to further strengthening the partnership, with the goals of deepening political dialogue and regional integration, promoting social inclusion and cohesion, as well as intensifying bilateral relations with individual countries.

In particular, leaders expressed their satisfaction with at the conclusion of the Multi-Party Trade Agreement with Colombia and Peru, and the conclusion of the negotiations for an Association Agreement with Central America. The VIth EU-LAC Summit also announced the resumption of negotiations on an Association Agreement with MERCOSUR, after a gap of 6 years.

The Summit also witnessed the creation of the EU-LAC Foundation, as a useful tool for enhancing the visibility and strengthening the bi-regional partnership and a means of triggering debate on common strategies and actions, and the official launch of the Latin America Investment Facility, the main objective of which is to serve as a leverage to mobilize additional financing to support investment in Latin America in areas such as transport, telecommunications, energy and environment.

Leaders welcomed the adoption, in the framework of the first Summit held under the EU-Mexico Strategic Partnership, of a Joint Executive Plan to support implementation of the Partnership, and the establishment of the EU-Chile Association for Development and Innovation (ADI), which is intended to exploit fully the potential of the EU-Chile Association Agreement.

Finally, the Summit welcomed the adoption of various documents, such as the Joint Declaration and the 2010-2012 Action Plan, which proposes enhanced dialogues and new initiatives in priority areas with the objective of achieving concrete results between summit meetings.

The outcome of the VIth EU-LAC Summit will contribute to a strengthening and deepening of future EU-LAC relations. It will be important to continue the high-level political dialogue in order to strengthen the network of EU-LAC Agreements, to shape bilateral relations according to the specificities of each country, and to cooperate in new areas.

¹² 10268/10

In the short and medium term, the main focus will be on the EU-LAC Summit Declaration and implementation of the 2010-2012 Action Plan. A specific objective will be to reach a final decision on the EU-LAC Foundation headquarters and the actual setting-up of the Foundation, as well as taking forward negotiations for an Association Agreement with MERCOSUR.

The EU, will also explore ways of re-launching negotiations for a Multi-Party Trade Agreement with Ecuador, and of further developing the Strategic Partnerships with Brazil and Mexico, in particular through the implementation of their respective action/executive plans. The Council will also work towards the signature, ratification and entry into force of the Association Agreement with Central America and of the Multi-Party Trade Agreement with Colombia and Peru. The initiation of the implementation process of the Memorandum of Understanding concluded with Peru and Colombia with a view to deepening political dialogue and cooperation, and the implementation of the Association for Development and Innovation with Chile are other important initiatives. Finally, the EU will also be looking to strengthen dialogue and cooperation on issues of regional security with Central America, and explore the possibility of developing appropriate frameworks for managing bilateral relations with new countries of the region.

Spørgsmål nr. 15 af Bendt Bendtsen (H-0294/10)

Om: EU's handelsrelationer med Brasilien

Brasilien er for indeværende et stort potentielt marked for EU, men er fortsat beskyttet af en række barrierer. Den 17. maj mødtes formanden for Det Europæisk Råd og det spanske formandskab med Mercosur-landene til topmøde i Madrid med det formål at genstarte forhandlingerne om en associeringsaftale.

Rådet bedes redegøre for forventningerne til de fremtidige handelsrelationer med Brasilien. På hvilken måde er forudsætningerne for oprettelsen af et frihandelsområde mellem EU og Brasilien/Mercosur forbedret, siden forhandlingerne brød sammen i 2004?

Rådet bedes redegøre for, i hvilket omfang de succesrige forhandlinger med Sydkorea om indgåelse af en frihandelsaftale og den fortsatte stilstand i Doha-forhandlingerne vil komme til at påvirke EU's handelsstrategi i retning af at søge flere frihandelsaftaler frem for multilaterale frihandelsaftaler.

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

As the honourable member mentions in his question, Brazil is currently a large potential market for the EU. According to the latest available figures, Brazil is the EU's tenth largest trading partner and the EU is Brazil's biggest trading partner, accounting for 22.5% of global trade. In goods, the EU runs an overall trade deficit with Brazil, although it has a surplus in services. The EU is also the biggest foreign investor in Brazil. Trade relations with Brazil are addressed in particular within the framework of the negotiations over a bi-regional Association Agreement with Mercosur.

Negotiations between the EU and Mercosur had been effectively stalled for more than six years. However informal contacts at technical level resumed in 2009. Taking into account the results of this informal dialogue, in particular the most recent meetings in Buenos Aires on 18-19 March and in Brussels on 26-27 April 2010, the Commission decided on 4 May to resume negotiations with Mercosur. At the IV EU-Latin America Summit in Madrid the Heads of State and Government of the European Union and Latin America "recalled the importance of the negotiations recently re-launched".

The Council will closely monitor the progress of these negotiations to ensure that they respect the conditions established in the negotiating directives. A successful EU-Mercosur negotiation must be ambitious and address all aspects of the talks, particularly the core areas of industrial goods, services and agriculture, as well as protection of intellectual property rights and government procurement.

On the EU's trade strategy in relation to bilateral and multilateral free trade agreements, it must be said that the EU is, as it is well known, deeply committed to multilateralism in general and to the WTO and the DDA negotiations in particular. Bilateral trade agreements should be established as a complementary platform to the WTO and the multilateral negotiations. In this context the Council, in its conclusions on "Global Europe: Competing in the world", stated that :

[...] the EU should aim at a new generation of WTO-compatible FTAs that extend beyond present agreements and build towards future multilateral negotiations. [...] The agreements, which should be part of a coherent framework of the EU's

relations with each partner, should include far-reaching liberalisation of services and investment and should place special emphasis on the elimination of non-tariff barriers and on regulatory issues.

Question no 16 by Mairead McGuinness (H-0297/10)

Subject: EU preparedness in the event of a major oil spill

Can the Council reassure this House that the EU has contingency plans in the event of a major oil spill in its waters? Can it confirm who would be responsible for the containment and clean-up operation, and how that would be funded? In the light of the US oil spill in the Gulf of Mexico, what steps is the Council taking in relation to the European offshore oil industry?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

The Council is aware that, following the tragic accident at a drilling rig in the Gulf of Mexico on April 20, resulting in a major oil spill, the risks associated with off-shore oil and gas operations have become of increased concern not only in the US but also in Europe.

In the EU there are specific bodies and mechanisms which can quickly respond to a possible accident. With a fleet of oil recovery vessels under contract across the EU, the European Maritime Safety Agency has the means to complement Member States' capacity to deal with sea pollutions. The Civil Protection Mechanism of the EU provides support to Member States in the event of a major emergency and facilitates co-ordination of intervention.

The Council has addressed the question of EU preparedness at its meeting on 31 May 2010. It was informed that the Commission services, as the gravity of the situation in the Gulf of Mexico became clearer, launched a review of applicable EU legislation to make sure that it is adequate to minimize the risk of a disaster of similar nature. Given that Member States are responsible for the adoption of the most of the applicable legislation on safety of operations and health protection this review will be carried out in liaison with national regulatory bodies.

To guarantee safety, beyond the regulators' diligence the attitude and practices of the industry are essential. Politics and business need to work together to ensure that the environment in the European Union is as safe as possible. In this context, the Council was informed that the Commission is launching dedicated discussions with industry and stakeholders and that, at a first meeting on 11 May, the industry was asked to make a commitment that all possible efforts are made to avoid a similar accident near EU shores. A second meeting is scheduled for July.

Question n° 17 de Gilles Pargneaux (H-0298/10)

Objet: Apporter une assistance aux victimes du fumarate de diméthyle

En France, des canapés et fauteuils fabriqués par l'entreprise chinoise Linkwise et contenant du fumarate de diméthyle ont été vendus par l'enseigne d'ameublement Conforama. Ces fauteuils et canapés "allergisants" auraient fait 128 victimes connues. En dépit du retrait des objets incriminés, les victimes continuent de souffrir de différents maux tels que des douleurs persistantes dans le dos, des problèmes de respiration, des réactions cutanées et un état de fatigue permanent. Le Conseil peut-il nous préciser quels sont les recours possibles pour ces victimes? L'établissement d'un lien entre ces pathologies et le fumarate de diméthyle par une instance européenne permettrait-il d'apporter une aide morale et financière aux victimes?

Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

In application of the Rapid Alert System for non-food consumer products (RAPEX) established by Directive 2001/95/EC of the European Parliament and the Council of 3 December 2001 on general product safety¹³, the Commission and all Member States have been informed about the concerned products which were withdrawn from the French market in December 2008.

Concerning the action which could be taken by the victims to seek redress, Article 17 of the afore mentioned Directive on general product safety clarifies that Council Directive 85/374/EEC of 25 July 1985 concerning liability for defective products¹⁴ applies. This Directive sets out the conditions under which the victims can seek redress and receive support. In particular, according to its Article 4, the injured person is required to prove the damage, the defect and the causal relationship between defect and damage.

Thus, without changing this Directive, it is not for the Council to establish a link between the elements reported by the Honourable member and the use of dimethyl fumarate.

In accordance with Article 21 of Directive 85/374/EEC, the Commission has to present every five years a report to the Council on the application of this Directive and, if necessary, can submit appropriate proposals for its modification. No such proposal has yet been received by the Council.

QUESTIONS A LA COMMISSION

QUESTIONS TO THE COMMISSION

Ερώτηση αρ. 29 του κ. Γεωργίου Παπαστάμκου (H-0245/10)

Θέμα: Ενίσχυση του ηλεκτρονικού εμπορίου

Το ηλεκτρονικό εμπόριο εκτυλίσσεται με συναλλαγές είτε από επιχείρηση σε επιχείρηση, είτε από επιχείρηση σε καταναλωτή, είτε από καταναλωτή σε καταναλωτή. Επίσης, οι εμπορικές συναλλαγές στις διαδικτυακές πλατφόρμες έχουν αλλάξει σημαντικά τον τρόπο με τον οποίο οι άνθρωποι συναλλάσσουν προϊόντα και υπηρεσίες, δημιουργώντας νέες ευκαιρίες ιδίως για τις ΜΜΕ, ώστε να προσεγγίσουν νέους πελάτες σε διασυνοριακό επίπεδο. Ωστόσο, η οικονομία του διαδικτύου εξακολουθεί να προσκρούει σε αντικειμενικά προβλήματα, αλλά και στη δυσπιστία των καταναλωτών. Δεδομένου ότι η τεχνολογία και η οικονομία απαιτούν συνεχώς νέες νομικές λύσεις και ότι η υφιστάμενη πολυδιάσπαση των νομικών πλαισίων προκαλεί σύγχυση και αβεβαιότητα, δύναται η Επιτροπή να με ενημερώσει αν προτίθεται να αναλάβει νέες νομοθετικές πρωτοβουλίες για την ενίσχυση της οικονομίας του διαδικτύου;

Answer

The Commission shares the view that the digital society requires a continuous effort to monitor the developments of the digital infrastructure and the e-commerce services, which can significantly contribute to economic growth in the years to come. EU digital markets are still separated by multiple barriers which hamper access to pan-European, online services and digital content. As is also highlighted in Mr Monti's report "A new strategy for the Single Market", urgent action is necessary to remove the bottlenecks and boost trust in the digital economy, enabling citizens to enjoy online commercial services across borders. The Commission's Proposal for a Consumer Rights Directive¹⁵ is part of the legislative answers as it proposes to simplify and consolidate the existing legislation in the area of consumer contract law, on the basis of a fully harmonised set of key internal market aspects of consumer contract law. However, even if adopted as proposed, it would not eliminate all the differences between national contract laws.

The Commission has recently adopted the Digital Agenda for Europe, the first flagship initiative under the Europe 2020 strategy. The Digital Agenda sets out seven priority areas for actions. The focus on the digital single market represents one of the pillars of this strategy which aims to deliver the benefits of the digital era to all EU citizens.

By way of examples, in terms of concrete actions, the Commission:

¹³ OJ L 11, 15.1.2002, p. 4-17.

¹⁴ OJ L 210, 7.8.1985, p. 29.

¹⁵ COM (2008) 614 final

will adopt by end of 2010 a Communication on e-commerce which will both evaluate the impact of the e-commerce Directive and assess the remaining obstacles to the development of e-commerce. A report on retail market monitoring, which includes electronic commerce, to be adopted before the summer stresses the slow development of e-commerce in Europe, as it still represents less than 4% of retail sales in Member States. Among the obstacles, particular attention will be given to cross border postal delivery issues. A study commissioned by the Internal Market and Services Directorate-General (DG MARKT) will deal with this specific aspect;

make a proposal to simplify copyright clearance, management and cross-border licensing;

ensure the completion of the Single Euro Payment Area with the definition of a target date for migration;

propose by 2011 a revision of the e-Signature Directive;

explore initiatives for online redress, including for an EU-wide Online Dispute Resolution.

These actions will also be part of the Commission's wide-ranging initiative on the re-launch of the single market which is expected to be taken during the autumn. This work will involve a number of Commissioners who will work closely together with the European Parliament, other EU institutions and stakeholders to make the digital internal market a reality.

Question no 30 by Marian Harkin (H-0251/10)

Subject: Patient safety

The Commission recently launched an EU-wide databank for medical devices in order to boost market surveillance; the Member States will be obliged to use this web-based portal for information exchange as of May 2011. The overall aim of the databank is to ensure patient safety by guaranteeing rapid access to critical data for national authorities across the EU. In this context, would the Commission consider building on that initiative by launching a similar databank allowing national regulatory authorities to share information on healthcare professionals who cross borders?

Directive 2005/36/EC¹⁶ allows the movement of professionals, including health professionals, between Member States. Would the Commission agree that, in order to ensure patient safety, it is necessary to establish a system for monitoring the professional competence and accountability of healthcare professionals who cross borders? Such an initiative would allow the Member States easy access to vital information such as lists of registered professionals, fitness to practise and competence assurance, including notifications of any disciplinary hearings or disciplinary action, thus further ensuring patient safety across the EU.

Question no 31 by Richard Howitt (H-0279/10)

Subject: Ensuring that doctors travelling across borders have the proper professional competences and language skills

What consultation has the Commission's DG for Health and Consumer Policy had with the British Medical Association concerning the case of my Cambridgeshire constituent who tragically died following an intervention from a German locum for whom local checks had not been made?

Could the Commission clarify that European law does not prevent such checks taking place within Member States for immigrating EU nationals on professional competence, including language competence?

Question n° 32 de Constance Le Grip (H-0293/10)

Objet: Reconnaissance des qualifications professionnelles

À l'instar du rapport d'Alain Lamassoure «Le citoyen et l'application du droit communautaire» remis aux autorités françaises le 27 juin 2008, le professeur Mario Monti souligne dans son rapport «Une nouvelle stratégie pour un marché

¹⁶ OJ L 255, 30.9.2005, p. 22.

unique», remis le 9 mai 2010 au président de la Commission européenne, l'importance d'une meilleure reconnaissance des qualifications professionnelles et la nécessité d'améliorer le système de reconnaissance des diplômes et des compétences afin de faciliter la circulation de nos concitoyens à l'intérieur de l'Union. Il préconise notamment une extension de la reconnaissance automatique des qualifications, et l'instauration d'une classification des compétences et des qualifications qui permettrait d'augmenter les équivalences.

Alors qu'un groupe de réflexion s'est créé sur ce sujet au sein de la commission du marché intérieur et de la protection des consommateurs, quelles pourraient être les nouvelles mesures proposées par la Commission pour faciliter la circulation des Européens à l'intérieur du marché unique, notamment des étudiants et des professionnels ?

Réponse commune

Mme Le Grip demande quelles nouvelles mesures pourraient être proposées pour faciliter la circulation des Européens à l'intérieur du marché unique, notamment des étudiants et des professionnels.

En octobre 2010, la Commission présentera une Communication sur la Relance du marché intérieur, qui se penchera notamment sur la mobilité des professionnels, qui est une des clés de voute du marché intérieur.

Dans ce contexte, la Commission a entamé un processus d'évaluation de la directive de 2005 sur la reconnaissance des qualifications professionnelles¹⁷. Jusqu'en septembre 2010 les autorités compétentes sont invitées à faire connaître leur expérience de l'application de la directive. Les services de la Commission publieront un rapport sur la transposition de la directive et les premières leçons à en tirer. A la fin de l'année 2010, la Commission envisage de lancer une large consultation afin de recueillir les réactions des citoyens. Un rapport d'évaluation devrait être publié en 2011. Sur la base de ce rapport, la Commission se prononcera sur la nécessité – ou non – de proposer des réformes dans ce domaine.

Par ailleurs, la Commission continue de soutenir mobilité des étudiants via les programmes européens, notamment Erasmus et Erasmus Mundus. La Commission a présenté en juillet 2009 un livre vert intitulé "Promouvoir la mobilité des jeunes à des fins d'apprentissage" qui a lancé une large consultation publique. En mars 2010 la Commission a annoncé, dans sa stratégie "Europe 2020", une nouvelle initiative phare, "Youth on the Move" ou "Jeunesse en mouvement". L'objectif de cette initiative est de renforcer la performance et l'attractivité internationale des établissements d'enseignement supérieur européens et de promouvoir la mobilité des étudiants et des apprentis, et d'améliorer la situation des jeunes face à l'emploi. La Commission prévoit de présenter en automne une Communication à ce sujet.

Les questions de Mme Harkin et de M. Howitt concernent la portée de la reconnaissance automatique des diplômes et les droits et obligations de l'Etat membres d'accueil tels que prévus par la directive sur la reconnaissance des qualifications professionnelles.

La directive a pour objet de permettre la reconnaissance automatique des diplômes de certains professionnels de santé, tels que les médecins. Conformément à ce dispositif, l'Etat membre d'accueil autorise le médecin à exercer ses activités sur la base de la formation qu'il a obtenue dans l'Etat membre d'origine.

En revanche, la reconnaissance automatique ne permet pas à une personne qui n'est plus autorisée dans son pays d'origine d'exercer la profession dans un autre Etat membre. L'acquis actuel prévoit déjà une sauvegarde pour l'Etat membre d'accueil afin d'éviter une telle situation. Il peut par exemple demander à un médecin de produire un certificat de bonnes vie et de mœurs ou un certificat attestant qu'il ne fait pas l'objet d'une exclusion de l'exercice de sa profession dans l'Etat membre d'origine.

La base de données EUDAMED visant les dispositifs médicaux pourrait être un des modèles possibles pour un système permettant d'améliorer la mise à jour et l'accessibilité de ces informations. Une autre option serait de s'appuyer sur le système d'information du marché intérieur – l'IMI – qui est déjà largement utilisé dans ce domaine. On pourrait en rendre l'usage obligatoire et renforcer les obligations d'informations entre les Etats membres par un régime d'alerte. Un régime d'alerte existe d'ailleurs déjà dans le cadre de la directive « Services »¹⁸.

Mme Harkin propose aussi de considérer dans quelle mesure le niveau des compétences d'un médecin peut être mieux vérifié par l'Etat membre d'accueil. Une piste à examiner pourrait être de voir dans quelle mesure la formation continue des médecins pourrait jouer un rôle plus important dans le processus de reconnaissance des qualifications professionnelles.

La Commission a l'intention de considérer ces différentes options dans le cadre de l'exercice de révision de la Directive sur les qualifications professionnelles mentionné plus haut.

¹⁷ Directive 2005/36/CE du Parlement et du Conseil du 7 septembre 2005 relative à la reconnaissance des qualifications professionnelles (Texte présentant de l'intérêt pour l'EEE), JO L 255, 30.9.2005.

¹⁸ Directive 2006/123/CE du Parlement et du Conseil du 12 décembre 2006 relative aux services dans le marché intérieur, JO L 376 du 27.12.2006.

Enfin, et en réponse à la question soulevée par Mr Howitt, il faut souligner que la directive sur les qualifications professionnelles n'interdit pas l'examen des connaissances linguistiques d'un médecin. Dès lors que le diplôme est reconnu par l'Etat membre d'accueil, un tel examen peut être imposé au cas par cas et la connaissance linguistique requise doit être proportionnelle aux activités que le médecin va exercer.

Klausimas Nr. 33, pateikė Vilija Blinkevičiūtė (H-0261/10)

Tema: Europos finansų priežiūros institucijų kūrimas

Komisija planuoja sukurti Europos finansų priežiūros institucijų sistemą (EFPI), kurią sudarytų nacionalinės priežiūros institucijos ir trys naujos Europos priežiūros institucijos, atsakingos už bankininkystės, vertybinių popierių ir draudimo bei profesinių pensijų sektorius.

Labai svarbu pagerinti informacijos prieinamumą ir palyginamumą sukūriant atskaitinių duomenų sistemą, siekiant šiuos duomenis, naudojant tarptautinę viešąją infrastruktūrą, padaryti prieinamus politikos formuotojams, priežiūros institucijoms, finansų rinkoms bei visiems piliečiams.

Kaip Komisija planuoja užtikrinti, kad visa šių institucijų pateikiama informacija būtų skaidri ir lengvai prieinama visiems piliečiams? Kaip Komisija planuoja padidinti pasitikėjimą bendrąja rinka tų vartotojų, kurie planuoja investuoti savo lėšas į pensijų fondus?

Answer

The proposals establishing three European Supervisory Authorities (ESAs) for banking, insurance and occupational pensions, and securities markets, are a key element of the EU framework for financial stability and the strategy for preventing future financial crises. They will have a major role, inter alia, by developing technical standards, promoting the consistent application of Community law, settling disagreements between national supervisors, and dealing with emergencies on the financial markets. The planned date for the creation of the ESAs is 1 January 2011.

The ESAs will, in legal terms, be EU Regulatory Agencies, and therefore subject to the same rules on openness of information, professional secrecy and data protection as other EU agencies, in addition to rules arising out of the sectoral financial legislation which they will apply. As always with public supervisory bodies which have access to confidential information of private companies, a balance must be struck between these various objectives. According to the Commission's proposal, the ESAs will have access to confidential information on individual financial institutions originating in national financial supervisors, and they will not be able to divulge such information outside of supervisory authorities forming part of the European System of Financial Supervisors. This is necessary, in the Commission's view, in order to maintain confidence between supervisors and supervised entities and to prevent the disclosure of commercially sensitive information, which would also distort competition. Aggregated information will however be publicly accessible for policymakers and the general public. Regulation 1049/2001 on access to documents will apply to the ESAs.

As regards Pensions Funds, as defined by Directive 2003/41/EC on the activities and supervision of institutions for occupational retirement provision (IORP Directive), the Commission has proposed in the so-called Omnibus I Directive (amending sectoral financial legislation to the new supervisory framework) concrete measures to enhance transparency among Member States on national provision of prudential nature relevant to the field of occupational pension schemes, which are not covered by the reference to national social and labour law. Relevant information shall be regularly updated by Member States and shall be made available by the new European Authority for insurance and occupational pensions on its website. This shall enable, e.g. potential sponsoring undertakings to have relevant information easily available before deciding to pay contributions to an institution for occupational retirement provision. Moreover, various services of the Commission, the ECB and others are making efforts to create a homogenous database on comparable statistics in the field of pensions.

The Commission is also preparing the publication of a Green Paper on pensions. As part of this consultation, the Commission will seek to launch a rigorous debate about the need to review the internal market regulation for pension funds aiming to deliver safe and efficient retirement income for EU citizens.

Question no 34 by Gay Mitchell (H-0269/10)

Subject: Patent reform

There is urgent need for reform of the European patent system in order for the European Union to fulfil the Lisbon Agenda. An efficient and coherent patent system will encourage researchers, entrepreneurs and businesses toward innovation. This will in turn promote job creation and a robust modern economy and ensure that Europe leads the world in creativity and commerce into the 21st century.

Would the Commission outline its plans for patent reform and identify the stumbling blocks and its charted course around these obstacles?

Answer

The Commission shares the view of the Honourable Member that there is an urgent need for final adoption of the EU patent reform package in order to improve innovation, growth, job creation and competitiveness in the EU. As has been pointed out in the Monti Report on the re-launch of the Single Market (May 2010) a EU patent is the test ground on which to measure the seriousness of the commitment to a re-launch the Single Market. Business and innovators need a single patent regime – and a single jurisdiction system – across Europe, which is attractive and cost effective for users.

The Commission supports the Council's conclusions on an enhanced patent system in Europe which were adopted on 4 December 2009. It is understood that these conclusions should form part of an overall final agreement on a package of measures for an Enhanced Patent System in Europe comprising the creation of a European and EU Patents Court (EEUPC), an EU patent, including the separate regulation on the translation arrangements, an Enhanced Partnership between the European Patent Office and central industrial property offices of Member States and, to the extent necessary, amendments to the European Patent Convention.

Towards this end the Commission is working on a Council Regulation establishing translation arrangements for the EU patent in accordance with Article 118 (2) TFEU on which Parliament would be consulted.

On 4 December 2009 the Council also adopted a general approach on the draft Regulation establishing the EU patent pursuant to Article 118 (1) TFEU. Further to Parliament's resolution of 5 May 2010 it is expected that the Council will now further proceed with the draft Regulation before it will be re-submitted to Parliament for a second reading.

The Honourable Member will be aware that the European Court's opinion on the compatibility of the envisaged agreement creating the EEUPC with the TFEU (opinion 1/09) is still outstanding.

The main stumbling block for the patent reform file remains the translation issue, on which the Commission is determined to find a solution, together with all relevant parties.

Spørgsmål nr. 35 af Bendt Bendtsen (H-0295/10)

Om: Forhandlingerne om Kinas tiltrædelse af WTO's Government Procurement Act (GPA)

Kinas såkaldte National Indigenous Innovation Products Accreditation Programme er ét eksempel på, hvordan Kina målrettet har søgt at beskytte kinesiske virksomheder. Programmet ville ikke kunne være blevet gennemført, hvis Kina – som en række andre lande – havde tilsluttet sig GPA, hvilket landet åbent har forpligtet sig til at gøre.

Kommissionen bedes redegøre for status i forhandlingerne om Kinas tiltrædelse af GPA samt EU's strategi for forhandlingerne. Det bør være en klar europæisk prioritet, at Kina tilslutter sig aftalen.

Kommissionen bedes redegøre for udfaldet af det besøg, som formand Barroso, kommissær De Gucht og Catherine Ashton mfl. for nylig var på i Kina, i relation til markedsadgang samt forhandlingerne vedrørende GPA.

Kommissionen bedes forholde sig til Jörg Wuttkes udtalelse i Financial Times den 7. april, hvor han udtaler, at ikke-kinesiske virksomheder overvejer at forlade landet – ikke på grund af konkurrencen, men fordi virksomhedsmiljøet synes at være indrettet med det formål at stille dem dårligst muligt.

Answer

The Chinese authorities issued in 2009 a circular in which they announced measures for creating a system in 'innovative' sectors where access to public procurement takes place on the basis of a pre-qualification system (accreditation). Since then the Commission has repeatedly raised the issue in numerous bilateral contacts at all levels with the Chinese

Government to express its concerns about these measures and to invite the Chinese Government to give explanations. The Commission also sent the Chinese Government written comments before a public hearing deadline on 10 May 2010 on these measures. In parallel, a number of international partners as well as a significant number of national and international business organisations have done the same. During this period, the Commission has been in close contact with European business in China and in the EU as well as with international partners to assess the impact of this circular. From ongoing contacts to the Chinese authorities, it appears that the Chinese Government is now studying business and international reactions to the draft measures and is reflecting on the possible ways forward.

During the various discussions with the Chinese Government, it has been the view of the Commission - and of many of its international partners - that the Chinese authorities have not provided satisfactory explanations for all aspects of the intended new measures and that important questions remain unanswered. Accordingly, the Commission has endeavoured to pursue the issue with the Chinese authorities at all levels to both clarify the situation and to ensure that the interests of European businesses in the Chinese procurement market are defended.

The points raised by Joerg Wuttke, the President of the European Chamber of Commerce (EUCCC) in China are very important. They have been part of the basis for the Commission's discussions with the Chinese Government. A meeting was held on 29 April 2010 in Beijing to discuss concerns on the business climate in China directly with the Chinese leadership. This meeting took place between the President of the Commission, the Member of the Commission responsible for Trade, a number of other Members of the Commission, as well as representatives from 32 European companies in China, including EUCCC President Joerd Wuttke, with Premier Wen Jiabao, Commerce Minister Chen Deming and a number of Chinese Ministers and Vice-Ministers on the Chinese side. This was the opportunity to stress messages on the importance of economic reform and openness, market access, non-discrimination, a level playing for foreign and foreign invested companies in China and other issues related to the business climate in China. On indigenous innovation, the Chinese Premier stressed that all legally registered entities in China, including foreign-invested companies, will be treated on an equal footing.

China is not party to the WTO agreement on government procurement (GPA), although negotiations are ongoing. Once China will join the GPA, it will have to abide by internationally agreed disciplines which will be instrumental in addressing such issues. It appears that China is now preparing to put forward a renewed offer in the GPA negotiations. This is a result of strong and sustained pressure from the EU and other WTO partners in the GPA negotiations. It has been stressed vis-a-vis the Chinese Government that the Commission finds that the indigenous innovation measures - in the versions that have been known so far - go in a direction that would not be expected from a partner that has the stated objective of wanting to accede to the WTO Government Procurement Agreement. It should be noted that other international partners have also raised such concerns with China.

Question no 36 by Anni Podimata (H-0299/10)

Subject: The role of the sovereign credit default swaps (CDS) market

The emergence of the fiscal deficit problem in Greece, Portugal and Spain and the overall fiscal crisis in the eurozone have highlighted significant inefficiencies in supervision and a complete lack of transparency in the sovereign credit default swaps (CDS) market. According to market participants and the international press, the role of sovereign CDS has been transformed: from being a means of risk transfer, allowing investors to hedge their position in a national debt, it has become a potential tool of speculation, provoking spill-over risks and influencing price dynamics in ways that do not necessarily reflect a country's actual fiscal situation.

In view of the anticipated Commission proposals on regulation of the over-the-counter (OTC) market, will there be concrete proposals in relation to the CDS market and is there an intention to restrict sovereign credit default swaps that are not hedging already assumed risks and positions?

In the light of the debate on a new approach to economic governance and the new financial supervision package, and given the significant threat of systemic contagion posed by uncertainty over market participants' risk exposure, is the long-term financial and fiscal stability of the eurozone being undermined by the lack of information on the position of CDS participants in the underlying market and on the end beneficiaries?

Answer

La Commission s'est saisie très activement de la question des CDS.

En premier lieu, les services de la Commission examinent dans le cadre d'une mission d'études interne, les problématiques liées au marché des CDS souverains.

En outre, la Commission prépare une proposition législative sur la vente à découvert des titres financiers. Une consultation publique sera lancée en juin 2010 afin d'assurer la possibilité pour toutes les parties prenantes à donner leur avis sur ce sujet important.

La proposition législative sera présentée cet été et couvrira la question des CDS souverains, sur la base notamment des conclusions de la mission d'étude. L'objectif est de renforcer la transparence, les règles applicables et la coordination européenne en matière de vente à découvert.

Au-delà de la question des CDS, la Commission présentera également cet été 2010 une proposition législative sur la régulation des marchés dérivés.

Enfin, les exigences en matière de transparence seront encore renforcées par la révision de la Directive sur le Marché des Instruments Financiers (la MIF)¹⁹ prévue au début de l'année prochaine.

Anfrage Nr. 37 von Bernd Posselt (H-0242/10)

Betrifft: Rauchen in Gaststätten

Plant die Kommission ein EU-weites totales Rauchverbot in Gaststätten, was der Vernunft und dem Subsidiaritätsprinzip widersprechen würde, oder respektiert sie die mühsam ausgehandelten Kompromisse, wie sie derzeit in vielen Ländern der Bundesrepublik Deutschland und der Europäischen Union funktionieren?

Answer

The Commission would like to reassure the Honourable Member that it has no intention to propose banning smoking in bars and restaurants as such a measure would not be compatible with the division of competences between the European Union and the Member States in the field of health protection.

The Commission's intends, however, in response to the Council Recommendation on smoke-free environments²⁰ to cooperate closely with the Member States. The first meeting with the designated National Focal Points will take place in autumn 2010 in this area to support their efforts at national level.

Question n° 38 de Marc Tarabella (H-0243/10)

Objet: Effets négatifs de la libéralisation des services publics pour les consommateurs

De multiples enquêtes effectuées notamment par des régulateurs nationaux, des organisations de consommateurs, des médiateurs, ont mis en évidence de graves dysfonctionnements et des effets très négatifs pour les consommateurs de la libéralisation des marchés du gaz et de l'électricité, des postes, des chemins de fer, notamment en termes d'augmentations des prix, de manque de transparence dans le mode de tarification, de baisse de qualité des services, en totale contradiction avec les objectifs de la libéralisation en faveur des usagers.

La Commission ne considère-t-elle pas qu'il serait extrêmement urgent d'entreprendre une étude à grande échelle et tout à fait objective, afin d'analyser les effets de la libéralisation des services publics pour les consommateurs et de prendre les initiatives indispensables pour que les consommateurs soient les véritables bénéficiaires de cette libéralisation?

Answer

As part of its commitment to evidence-based policies, the Commission carries out regular market monitoring exercises.

¹⁹ Directive 2004/39/CE du Parlement et du Conseil du 21 avril 2004 concernant les marchés d'instruments financiers

²⁰ Council Recommendation of 30 November 2009 on smoke-free environments (OJ C296, 5.12.2009, p. 4.).

The Commission publishes a yearly benchmarking report, in which it reviews the functioning of the internal energy market. This report is supplemented by studies from energy regulators and industry, which provide an analysis of various aspects of the market such as the quality of supply. The Citizens' Energy Forum also meets each year to consider the operation of the retail energy market and consumer protection.

In addition, the Consumer Markets Scoreboard monitors consumer outcomes in the Internal Market. Since 2010, this report is published twice a year. In the spring edition, it investigates national consumer environments and the level of integration of the Internal Market at retail level. The autumn edition focuses on the performance of a wide range of consumer markets.

In 2009, the Scoreboard revealed that electricity is one of the sectors which appear to be failing consumer expectations. The publication of data on prices, complaints, switching and satisfaction created a significant debate on energy and consumer issues in the EU. As a result, an in-depth study was launched. The electricity market study will analyse the consumer situation in retail electricity markets. It will focus on problems consumers face and will yield relevant insights to help the Commission and national authorities formulate policies. Specifically, the study will address whether and to what extent consumers can benefit from a well-functioning market in terms of choice, price and quality. It will seek consumers' views and will also test whether consumers are able to make informed, rational and empowered choices and how easy or difficult it is for them to participate in the market and exercise choice. The results will be available by the end of 2010.

In October 2010, the Scoreboard will analyse 50 markets and will rank them based on their performance from the perspective of consumers. Electricity, network gas, railways and postal services will feature amongst those services. In-depth studies will be launched on the sectors which present the largest signs of malfunctioning.

Question no 39 by Jim Higgins (H-0249/10)

Subject: Trans-EU consumer policy on trans-fats

Given the clear health risks associated with the human consumption of trans-fatty acids, which have already prompted Denmark and Switzerland to limit the content in food of trans-fatty acids to a maximum level of 2%, will the Commission please outline how it intends to tackle this public health and food safety issue?

Answer

Consumption of trans fatty acids is, along with overall fat intake and the intake of saturated fatty acids, known to be a risk factor for the development of cardiovascular disease.

In the regulatory context, the Commission proposal for a regulation on the provision of food information to consumers²¹ provides the possibility for manufacturers to indicate the trans fatty acids content on products on a voluntary basis. The Commission did not oblige the declaration of trans fatty acids as it was considered important to focus on the nutrients that are important in public health terms across the EU.

According to the European Food Safety Authority²² (EFSA) the intake of trans fatty acids in the EU has decreased considerably over recent years. EFSA notes that more recent reported intakes in some Member States are within or close to the recommended maximum intake levels of 1 or 2 percent of energy intake.

The Commission is encouraging self-regulatory action in order to further decrease the content of trans fatty acids in food products. There are commitments in the EU Platform for Action on Diet, Physical Activity and Health that concern the reformulation of products to reduce the content of trans fatty acids. It is expected that these commitments will contribute to the further reduction of the intake of trans fatty acids in Europe. Studies^{23 24} indicate that voluntary approaches undertaken in European countries have resulted in reductions of trans fatty acid consumption in those countries.

²¹ Commission proposal for a regulation of the European Parliament and the Council on the provision of food information to consumers (COM (2008) 40 final).

²² EFSA: Dietary Reference Values for fats, including saturated fatty acids, polyunsaturated fatty acids, monounsaturated fatty acids, trans fatty acids, and cholesterol, scientific opinion of the Panel on Dietetic Products, Nutrition and Allergies, adopted on 4 December 2009, EFSA Journal 2010; 8(3):1461.

²³ Johansson Lars, et al.: Trans fatty acids in the Norwegian diet. Tidsskr Nor Lægeforen nr. 6, 2006; 126: 760-3.

²⁴ Survey carried out on behalf of the Food Standards Agency and the Department of Health: National Diet and Nutrition Survey Headline results from Year 1 of the Rolling Programme, 2008/2009

The Commission believes that dietary habits depend on many different factors and influencing them is a very complex exercise that requires a variety of actions. These should be proportionate and take into account the respective competence and responsibilities of the European Union and its Member States.

Klausimas Nr. 40, pateikė Justas Vincas Paleckis (H-0253/10)

Tema: Elektroninės cigaretės

Kai kuriose Europos Sąjungos valstybėse tėvai sunerimę dėl to, kad tarp moksleivių, kaip teigiama, populiarėja elektroninės cigaretės, kitaip vadinamos elektroniniais nikotino inhaliatoriais. Šios cigaretės ypač pavojingos nepilnamečiams, kuriems priklausomybė vystosi greičiau negu suaugusiems. Gavus didelę nikotino dozę gresia sunkus apsinuodijimas.

Parduodamos internetu elektroninės cigaretės lengvai prieinamos nepilnamečiams. Ant įprastų cigarečių pakelių yra parašyta, kad tai kenkia sveikatai, kad iki 18 metų jos neparduodamos, yra ir kitokių apribojimų. Elektroninėms cigaretėms neturime jokių apribojimų.

Ar, Komisijos nuomone, vertėtų imtis veiksmų, kurie užkirstų kelią vadinamųjų elektroninių cigarečių platinimui internete, ir imtis kitų priemonių nepilnamečių sveikatai apsaugoti?

Answer

Electronic cigarettes (e-cigarettes) are regulated differently in the Member States.

At the one end of the spectrum, they are regulated as medicinal products. At the other end, they are marketed as normal consumer products covered by the General Product Safety Directive²⁵.

Some Member States regulate e-cigarettes the same way as tobacco products, with the same requirements for sale, labelling and advertising. The issue is complicated because some e-cigarettes do not contain nicotine.

The Commission is currently considering a possible revision of the Tobacco Products Directive²⁶, and e-cigarettes are a possible issue for reflection, including their means of distribution in this context.

Question no 41 by Malcolm Harbour (H-0259/10)

Subject: Window blind cords

It is estimated that some 20 children have lost their lives in the past 10 years as a result of strangulation by looped blind cords in the UK alone. There is already a European Safety Standard (EN 13120) for internal blinds, but the continued fatalities have highlighted its deficiencies and an update is long overdue.

Why has the Commission failed to address this problem when both the US and Australia have already developed an appropriate standard, covering many of the hazards of all types of window blind cord?

Given that a significant amount of research and evidence has already been collected on this subject both in the UK, by the British Standards Institute, and by other relevant consumer safety authorities outside the EU, can the Commission confirm that it is building on the existing work in this area and exchanging best practices, rather than starting the process from the beginning, which would stand in the way of a swift and cost-effective solution to the problem?

²⁵ Directive 2001/95/EC of Parliament and of the Council of 3 December 2001 on general product safety (Text with EEA relevance), OJ L 11, 15.1.2002.

²⁶ Directive 2001/37/EC of Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products - Commission statement, OJ L 194, 18.7.2001.

Answer

The Commission is aware of the risks posed to children by cords in blinds. In 2006, the Commission requested the European Committee for Standardisation (CEN) to revise the relevant standard EN 13120. The revision was completed in 2009 and more stringent requirements against strangulation risks were included in the standard.

According to these new requirements, manufacturers are obliged to add a warning on the product in a conspicuous position. In addition, the blind shall be designed in such a way as to keep the cords out of reach of children. Alternatively, a safety device shall be supplied.

This revision represents a step ahead for the safety of blinds but there are still some loopholes that have to be addressed.

Some models of blinds operated by a cord are not included in the scope of standard EN 13120. Design requirements that limit the use of cords in blinds are needed as well as requirements for blinds made-to-measure, as these are not subject to the specifications of the European standard EN 13120.

The Commission is working with the Member States and consumer safety stakeholders to set new standards for the safety of consumers in line with the procedures and timing laid down in Directive 2001/95 of the Parliament and of the Council²⁷. Each option must be assessed scrupulously so as to identify the solutions that can stand the test of time and be implemented effectively by economic operators and market surveillance authorities.

In this process the Commission is assessing existing work and working in close contact with the consumer safety authorities in the US and Canada. Despite their existing standards, these countries have been recently confronted with tragic accidents.

Both the US and Canada are therefore revising their relevant standards and legislation to improve the safety of blinds. The Commission is exchanging with these countries technical information and best practices with the aims of fostering a harmonized and coordinated standard development, promoting European values and quality rules and achieving a swift, cost-effective, globally relevant solution that ensures the highest level of safety for children.

Klausimas Nr. 42, pateikė Zigmantas Balčytis (H-0274/10)

Tema: Dėl GMO ženklavimo ir kontrolės reglamentavimo Europos Sąjungos teritorijoje

Lietuvoje atlikta naujausia visuomenės nuomonės apklausa dėl GMO atskleidė nerimą keliančią informaciją, kad net 42 proc. žmonių apie GMO turinčių maisto produktų įsigijimą sužino tik juos parsinešę namo. Tai rodo, kad GMO ženklavimas yra nepakankamas ir vartotojams nėra suteikiama reikiama ir išsami informacija apie maisto produktus.

Kaip šiuo metu yra reglamentuojamas produktų, pagamintų iš ar savo sudėtyje turinčių GMO, ženklavimo ir visuomenės informavimo klausimas?

Kaip Komisija ketina spręsti produktų, savo sudėtyje turinčių GMO, ženklavimo ir kontrolės, kurie turėtų būti privalomi visose valstybėse narėse, klausimą?

Answer

According to the European Union legislation, all products that contain or consist of GMOs must be labelled as such. The same obligation exists for all food or feed products which are derived from GMOs, whether or not the GM origin can be detected by laboratory tests (for instance, oils derived from GM soya must be labelled as GM even if the oil composition is not different from oil from conventional soya). This obligation does not exist for foods and feeds containing material which consists of or is produced from GMOs in a proportion lower than 0.9%.

The labelling requirements that are set out in the EU legislation provide that for pre-packaged food, ingredients containing or produced from GMOs are indicated on the label. By contrast, products (such as eggs, milk or meat) of animals fed with GM feed do not have to be labelled as genetically modified. This is because the animals from which these foods are obtained are not GMOs. This is consistent with other labelling rules that are of major interest for consumers.

²⁷ OJ L 11, 15.1.2002

The application of the current rules regarding GM labelling and their control by Member States is satisfactory and there is no need for particular action on this matter. However, it seems that due to market choices, only a very limited number of GM foods are available to EU consumers.

The Commission has asked an independent contractor to carry out an evaluation on the GM food and feed legislation, including its existing labelling provisions. Once this work is finalised - expected for this summer - the Commission will make the evaluation report available to the public, and it would be happy to discuss its results further with the Honourable Member.

Question no 43 by Liam Aylward (H-0284/10)

Subject: Health and safety standards of produce imported into the EU

European agriculture and its food production system operate to the highest standards of quality and are considered to be among the best in the world. European consumers appreciate the safe, high-quality food that is produced by European farmers. Reports by the EU Food and Veterinary Office have raised several concerns about the traceability, safety and hygiene standards of exports to the EU from some Brazilian holdings.

Given that these breaches in standards exist, what action can the Commission take to ensure that European consumers are guaranteed safe and hygienic products produced to European standards at all times? Will the Commission consider allocating further funding and resources to the Food and Veterinary office in order to strengthen its activities, increase its vigilance and enable it to further protect the interests of European consumers?

Question no 44 by Pat the Cope Gallagher (H-0286/10)

Subject: Monitoring and testing of Brazilian beef

What monitoring and testing procedures are being carried out by the Commission in Brazil so as to ensure beef imports originating from Brazil comply with EU food safety standards? Are the monitoring and testing procedures conducted by the Commission as extensive as the procedures used by the USDA?

Joint answer

For imports of meat, the EU has put in place a cascade of risk-mitigating measures with requirements at several levels of the production chain. These include the territory of origin, which must be recognised as free of Foot and Mouth Disease (FMD), the holding of origin, the animals, the controls on animal movements, the conditions at slaughter during meat production and storage.

The European Food Safety Authority (EFSA) recognised in 2006 that the measures in place are very effective at reducing the risk of introducing FMD into the EU.

EU requirements for imported meat are fully consistent with the principles of the Sanitary and Phytosanitary agreement of the World Trade Organization (WTO).

As the Honourable Members have rightly mentioned, the Commission's inspection service of the Directorate-General for Health and Consumer Policy (FVO – Food and Veterinary Office located in Grange, Ireland) carries out inspections in order to verify the performance of the third country's official control systems and to verify compliance or equivalence with EU standards. They also carry out inspections at the EU Border Inspection Posts to verify that their controls are carried out in accordance with the EU requirements.

Based on the findings of the FVO missions, the Commission takes the appropriate measures, on a proportionate, non-discriminatory and transparent basis.

Since January 2007, nine such missions have taken place in Brazil which concerned beef destined for the EU. A total of 32 FVO inspectors were involved in these missions. The current funding and resources allocated to the FVO have allowed us to carry out these frequent inspections.

The latest of these missions took place in March 2010. The findings of that inspection which focussed on FMD confirmed that the situation has improved and indicated that the official supervision and audit of EU eligible holdings provides the guarantees required by EU legislation.

Regarding the control of residues of veterinary medicinal products, Brazil has an EU-approved residues monitoring programme for, inter alia, beef. The most recent FVO inspection in Brazil focussing on residues took place in 2008 with a satisfactory outcome.

In addition to the guarantees given by the third countries, Member States carry out appropriate controls to ensure that beef imported in the EU complies with the requirements of the EU legislation. In the framework of the national plans for controls of residues, Member States carry out additional checks for residues of veterinary medicinal products on samples drawn at the point of importation into the EU. This system is similar to the one in place in the United States of America (USA). These checks have not brought to light any new concerns which would justify corrective measures.

As a result of these missions, and of the controls carried out at EU points of entry, the Commission is confident that the EU's strict safety standards are being met so far, and that beef from Brazil can therefore be safely placed on the EU market. The Commission nonetheless continues to maintain a high level of vigilance in relation to these imports to ensure that there is no slippage in the effectiveness of controls.

Question no 45 by Brian Crowley (H-0288/10)

Subject: EU health promotion strategies for the prevention of cancer

Can the Commission outline the specific measures it is undertaking so as to strengthen health promotion strategies across the European Union in order to address the pressing issue of cancer?

Answer

Addressing Health promotion and cancer prevention are longstanding priorities of the Commission. The Commission have undertaken a wide range of actions in recent years in the areas of alcohol, nutrition and physical activity, as well as legislation in areas such as tobacco control.

A cancer-specific instrument is the European Code Against Cancer. The code is primarily a prevention tool, conveys two clear messages: that certain cancers can be avoided and health in general can be improved by adopting a healthier lifestyle; and that cancers may be cured, or the prospects of cure greatly increased, if they are detected at an early stage.

One of the major causes of cancer is tobacco. EU legislation on tobacco aims, inter alia, at any citizen aware of the risks of smoking, through textual and pictorial warnings²⁸. The Commission meets regularly with representatives from Member States to discuss tobacco control matters as well as to ensure that the legislation in this area is implemented effectively and takes account of new developments. The Commission is currently considering presenting a proposal to review the Tobacco Products Directive.

Health promotion will be one of key working areas of the recently initiated European Partnership for Action Against Cancer. Among other things we expect the Partnership to promote the European Code by raising awareness of its important messages within the European population.

Question no 46 by Sarah Ludford (H-0302/10)

Subject: Diabetes

Non-communicable diseases, of which diabetes is one, are the leading cause of death in the world. When does the Commission intend to coordinate European action on chronic/non-communicable diseases, including diabetes which is a major and growing cause of ill health and premature death?

²⁸ Directive 2001/37/EC of the European Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products - Commission statement; Available at: http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32001L0037&model=guichett

Will the Commission develop a targeted EU strategy to deal with the growing epidemic of diabetes (type 1 and type 2) in the Union – addressing research into causes and cure, primary prevention, screening, management and the care of people living with this condition, which also imposes a severe and growing burden on national health systems?

Answer

The Commission fully shares the Honourable Member's concern about the need to prevent chronic diseases. Europe must step up efforts to promote good health and prevent diseases such as diabetes. In this context, the Commission is convinced EU action needs to focus on the causes of such diseases, in particular nutrition and obesity, physical activity and smoking.

In addition, in 2010 the Commission has pointed to the need for information and data on diabetes, which one of the project areas for financing under the Health Programme.

Finally, the Commission also supports Member States by providing an evidence base at European level on diseases such as diabetes and by fostering the development of best practices on therapeutic strategies and research.

Zapytanie nr 47 skierowane przez Konrad Szymański (H-0247/10)

Przedmiot: Wygaśnięcie Rozporządzenia MV-BER 1400/2002

W związku ze zbliżającym się wkrótce wygaśnięciem rozporządzenia MV-BER 1400/2002²⁹, Komisja opublikowała nowy projekt rozporządzenia w sprawie wyłączeń grupowych w sektorze motoryzacyjnym oraz projekt wytycznych uzupełniających.

W jaki sposób Komisja ma zamiar zagwarantować ochronę niezależnych producentów i warsztatów samochodowych?

Jakie środki Komisja przewiduje, aby zagwarantować, iż w razie objęcia określonego porozumienia wyłączeniem grupowym jego strony będą musiały spełnić przepisy dotyczące dostępu do informacji technicznej dla wszystkich niezależnych uczestników rynku?

W jaki sposób Komisja zagwarantuje zakaz uzależniania gwarancji na pojazd od jego serwisowania, konserwowania lub naprawiania wyłącznie w sieciach warsztatów naprawczych autoryzowanych przez producenta?

Answer

The Commission adopted a new block exemption and guidelines for the motor vehicle sector on 27 May 2010³⁰. These two texts are the result of a multi-stage review that lasted three-and-a-half-years, with input from all categories of stakeholder. The analysis revealed that the markets for the distribution of new motor vehicles are very competitive, and that there was no reason to treat them any differently to other sectors. The Commission therefore decided that the general vertical block exemption Regulation 330/2010³¹ will apply to dealership agreements from 2013.

The situation in the markets for the distribution of spare parts and for the provision of repair and maintenance services is different. These are markets where one player – the owner of the brand network – often has a market share of over 50%. Independent garages provide the only competition, and are vulnerable to behaviour that shuts them out of the market, such as failures to grant access to technical information, or refusals to honour warranties if consumers use their services. Behaviour of this type harms consumers notably by pushing up the cost of repair. As the Honourable Member may be aware, it is expensive to keep a car on the road – repair bills account for 40% of the total cost of ownership. Unlike car prices, the cost of the average repair and maintenance job has risen over the past years. There is also a danger that if prices are too high, motorists will delay maintenance work, and their cars may become dangerous or pollute the environment.

In the markets for the distribution of spare parts and for the provision of repair and maintenance services the Commission has decided to reduce the scope of the exemption and to align it with the general vertical block exemption Regulation 330/2010 so that it can enforce the Treaty rules directly against typically anticompetitive arrangements. This means that certain vertical agreements that restrict the sales of spare parts or repair tools will no longer benefit from the block

²⁹ Dz.U. L 203 z 1.8.2002, s. 30

³⁰ IP/10/619

³¹ OJ L 102, 23.4.2010

exemption. Guidelines for the motor vehicle sector provide for an interpretation of the general vertical block exemption Regulation that makes it easier for the Commission to act if technical information is withheld. In these guidelines it is stated that when assessing the competitive impact of vertical agreements on the motor vehicle aftermarket the Commission will take account of the need for access to technical information in order to preserve competition both between the members of authorised repair networks and between those members and independent repairers.

Moreover, the repair markets are intrinsically linked to the markets for spare parts, which account for a major part of most repair bills. By accessing cheaper competing brands of spare parts, independent repairers are often able to offer consumers a cost-effective alternative to the carmakers' networks. To this end, in addition to the above mentioned improvements, the new framework contains specific rules to ensure that parts suppliers' own brands can reach the market, and can be purchased by both independent and authorised repairers. In some cases there is no alternative to the carmaker's own brand, which is why the new framework makes it clear that independent garages should be able to get hold of these parts.

The Commission believes that this new framework will bring tangible benefits for consumers. The Commission will monitor the sector carefully, and will enforce the competition rules should any infringements be identified.

Interrogazione n. 48 dell'on. Salvatore Iacolino (H-0254/10)

Oggetto: Servizi sanitari per il policonsumo di droga e alcol

Nel 2008, secondo le stime dell'EMCDDA di Lisbona, 22 milioni e mezzo di persone in Europa hanno fatto uso di cannabis, in 2 milioni hanno consumato anfetamine o ecstasy, in 4 milioni la cocaina. Circa il 4% di tutti i decessi di cittadini europei di età compresa fra i 15 e i 39 anni è stato legato all'abuso di eroina. In aggiunta, il fenomeno che caratterizza oggi l'uso di droga è la poliassunzione di stupefacenti, combinati con altre sostanze psicoattive o con l'alcol. Pertanto, può la Commissione chiarire quali linee comuni intende definire affinché gli Stati membri possano offrire servizi sanitari adeguati alla gestione del policonsumo di droga e alcol?

Inoltre, come intende la Commissione coordinare l'attività dei Commissari competenti, da un lato, per gli aspetti sanitari della prevenzione e della cura delle tossicodipendenze e, dall'altro, per il contrasto al narcotraffico gestito dalle organizzazioni criminali internazionali?

Answer

According to the EU Drugs Action Plan for 2009-2012, drug prevention should also cover poly-drug use³². The Action Plan also calls for increasing the effectiveness and spread of evidence-based drug treatment, including relevant treatment adapted to new drugs or types of use. Specific high risk groups, including poly-drug users, should be offered low-threshold access to counselling, problem-behaviour management and outreach work.

Problems related to poly-drug use and responses to it were discussed in the EU National drug coordinators meeting in Madrid on 28 April 2010. According to the conclusions of this meeting, the possibility of adopting a common policy to all psychoactive substances at EU level is an issue that should be studied further, from now until the completion in 2012 of both the Strategy and Action Plan on Drugs and the EU strategy on alcohol³³. The EMCDDA, whose mandate also covers poly-drug use, has produced a publication, "Poly-drug use: patterns and responses", that outlines a framework for evidence based prevention, treatment, rehabilitation and harm reduction on different forms of poly-drug use³⁴.

Concerning the second question, the EU Drugs Action Plan calls for a balanced and integrated approach to tackle drug problems, where drug demand reduction and supply reduction are seen as equally important. Apart from regular contacts between Members of the Commission responsible for different aspects of the drugs phenomenon, the Commission has set up an Interservice Group on Drugs that meets regularly to ensure a coordinated Commission approach both internally and externally, e.g. in the Horizontal Working Party on Drugs (HDG) in the Council and on international fora like the United Nations.

³² OJ C 326, 20.12.2008, objective five

³³ Cordroque 51, 19 May 2010, Council document 9929/10

³⁴ Available at <http://www.emcdda.europa.eu/publications/selected-issues/polydrug-use>

Ερώτηση αρ. 50 του κ. Νικόλαου Χουντή (H-0272/10)

Θέμα: Κατασκευή πυρηνικού εργοστασίου στο Ακκούγιου-Τουρκία

Ρωσία και Τουρκία (12.5.2010 Άγκυρα) συμφώνησαν στην κατασκευή πυρηνικής μονάδας στο Ακκούγιου. Και στο παρελθόν παρουσιάστηκαν ανάλογα σχέδια, που δεν είχαν ευοδωθεί. Η υλοποίησή του εγκυμονεί κινδύνους για την Τουρκία και την Μεσόγειο. Σεισμολόγοι έχουν εκφράσει την έντονη ανησυχία τους για το σχέδιο καθώς η περιοχή είναι σεισμογενής. Αναμένεται δε, η Μεσόγειος να χρησιμοποιηθεί συστηματικά ως δρόμος μεταφοράς πυρηνικών αποβλήτων. Ερωτάται η Επιτροπή: Πώς σχολιάζει την συμφωνία; Στο πλαίσιο των διαπραγματεύσεων, πώς αξιολογείται η μέχρι τώρα εφαρμογή του κοινοτικού κεκτημένου για την πυρηνική ασφάλεια από μέρους της Τουρκίας; Έχει ευθυγραμμιστεί με τις διεθνείς συμβάσεις για τις βασικές προδιαγραφές ασφάλειας και τις πρακτικές της ΕΕ για την διαχείριση των ραδιενεργών αποβλήτων; Έχει προσχωρήσει η Τουρκία στην κοινή σύμβαση για την ασφάλεια διαχείρισης αναλωμένου καυσίμου και την ασφάλεια διαχείρισης ραδιενεργών αποβλήτων; Σε τι ενέργειες θα προβεί ώστε να αποθαρρύνει την Τουρκία για την υλοποίηση ενός τέτοιου επικίνδυνου σχεδίου;

Answer

On 12 May 2010 Russia and Turkey signed a cooperation agreement for the establishment and operation of a nuclear power plant in Akkuyu.

In the Commission's view the national decision on using nuclear energy as a source of the electricity generation should be based on the country's capacity to ensure a high level of safety, security and safeguards throughout the entire lifecycle of a nuclear installation, in line with international conventions and best practices.

The Commission is closely monitoring the development of the legislation, the practices and administrative capacities of Turkey in the field of nuclear safety. Turkey is in the process of aligning its legislation with the *acquis*: it has adopted a framework law on establishment and operation of nuclear power plants and energy sales as well as implementing regulations, e.g. on nuclear power plant sites and on special principles and design principles for the safety of nuclear power plants. Legislation aimed at transposing the *acquis* on control of high-activity sealed radioactive sources and orphan sources has been transposed. However, the Turkish Atomic Energy Agency (TAEK) continues to perform both the regulatory functions and its operational tasks. Turkey is not participating in the Community programme on nuclear safety and radiation protection. Nor is it a party to the Joint Convention on the Safety of Spent Fuel Management and Radioactive Waste Management. This issue is regularly underlined in our progress reports.

During all relevant contacts with Turkey, the Commission signals its interest in receiving comprehensive information regarding the country's plans in the area of nuclear energy. At the same time, the Commission also stresses that any initiative needs to meet the level of nuclear safety that is required from a candidate country. Furthermore, the Commission underlines its availability for advice and assistance, especially under the Instrument for Pre-accession Assistance.

Question no 51 by Nessa Childers (H-0273/10)

Subject: Former Irish Commissioner takes up Ryanair post

Former Irish Minister for Finance and European Commissioner for the Internal Market Charlie McCreevy recently took up a position on the board of Ryanair, a company which was affected by many of the laws he made at a European level, a position which he stepped down from less than six months ago. It hardly seems appropriate that Mr McCreevy takes up this position so soon after leaving his post in the Commission.

What process and criteria did the Commission use to permit the former Irish Commissioner to take up a senior position within the Ryanair company less than a year since he stepped down from the Commission?

Does the Commission believe that a longer 'cooling off' period is required for former Commissioners before they can take up duties in the private sector in order to avoid possible conflicts of interest?

Answer

The former Commissioner referred to in the question informed the Commission about his intention to join the board of Ryanair Holdings as a Non Executive Director. After having consulted the Ad-hoc Ethical Committee established in accordance with the Code of Conduct for Commissioners, the Commission decided, on 4 May 2010, that the envisaged activity was compatible with Article 245(2) of the TFEU. The Commission noted however that the former Commissioner

should abstain from providing advice to the board and to the management of Ryanair where such advice would relate to a case involving Ryanair about which he might have been consulted during his term of office.

The criteria applicable to the assessment of the compatibility of an activity envisaged by a former Commissioner are defined in Article 245(2) of the Treaty, namely the duty to behave with integrity and discretion as regards the acceptance of certain appointments or benefits after the Members of the Commission cease to hold office.

As concerns the process, the Code of Conduct for Commissioners set up a two-tier obligation: (1) former Commissioners must notify their envisaged activities during the year after they have ceased to hold office; (2) the Commission shall examine the nature of the planned occupation. The Commission shall seek the opinion of an Ad hoc Ethical Committee whenever the envisaged activity is related to the content of the former Commissioner's portfolio and will decide on the compatibility of the envisaged activity with the Treaty.

In the current case, the Ad-hoc Ethical Committee³⁵ was consulted, although the former Commissioner's envisaged post-office activity was not directly related to the responsibilities he held during his mandate. The Commission's decision took into account the Ad-hoc Ethical Committee's opinion and the fact that that none of the files which Mr McCreevy handled, or was occasionally reallocated from the competition portfolio of the former Commissioner responsible for Competition, concerned Ryanair.

As for the idea of setting a mandatory cooling-off period, a measure of this kind to be applied as an absolute rule in all cases would be disproportionate when no conflict of interest is at stake and the obligations of professional secrecy and integrity are duly respected. Only where in a specific case, after a detailed analysis of the situation, the Commission took the view that there were sufficiently compelling reasons requiring a more restrictive measure, such a measure could be applied.

Vraag nr. 52 van Ivo Belet (H-0282/10)

Betreft: Off-shore olieboringen in EU-wateren

De ramp met het olieboorplatform in de Golf van Mexico noopt ook de EU tot actie.

Gaat de Commissie ermee akkoord dat de EU-lidstaten minimumnormen afspreken en respecteren voor de exploratie en ontginning van olie in EU-wateren, en meer in het bijzonder voor diepzeeboringen?

Zal de Commissie hiertoe een initiatief op korte termijn nemen?

Is de Commissie bereid dergelijke minimumnormen voor olieboringen ook op de agenda te zetten van de G20-meeting?

Answer

The EU legislation already contains a number of standards and requirements that are binding for the Member States and applicable to offshore drilling and oil production facilities. Standards for equipment and protective systems intended for use in potentially explosive atmospheres or for pressure equipment may serve as an example (Directive 94/9/EC on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres³⁶ and Directive 97/23/EC on the approximation of the laws of the Member States concerning pressure equipment³⁷). The legislation on safety of work place also sets additional requirements on the safety of operations (The general Council Directive 89/391/EEC³⁸ on the introduction of measures to encourage improvements in the safety and health of workers at work in connection with special directives such as Council Directive 92/91/EEC concerning the minimum requirements for improving the safety and health protection of workers in the mineral- extracting industries through drilling³⁹). In addition, the Member States have enacted rather extensive national legislation to maintain a high level of safety of offshore operations in Europe. The information and response systems in place to avoid or mitigate incidents also include the European Maritime Safety Agency (EMSA) created in 2002. These activities focus on prevention of pollution and response to pollution. EMSA operates 24 hours a day a state-of-the-art maritime traffic monitoring centre in Lisbon linked to all EU Member States. Its tools include a fleet of oil recovery vessels under contract across the EU and available at all times to Member States at their request via the Monitoring and Information Centre (MIC).

³⁵ Ad-hoc Ethical Committee composed of Mr Terry Wynn, former Member of the European Parliament, Mr Rafael Garcia-Valdecasas Y Fernandez, former Judge of the Court of First Instance, and by Mr Michel Petite, former Director-General of the Legal Service of the Commission.

³⁶ OJ L 100, 19.4.1994, p. 1–29

³⁷ OJ L 181, 9.7.1997, p. 1–55

³⁸ OJ L 183, 29.6.1989, p. 1–8

³⁹ OJ L 348, 28.11.1992, p. 9–24

As regards new initiatives, the Commission has launched a thorough review of the applicable legislation and is reinforcing its dialogue with the offshore industry on their safety measures. The industry has been given a set of detailed questions which will allow for a more complete assessment of their practices. A second high level meeting is planned for 14 July to review the available information. Should there eventually be a need for new measures to improve safety, both on legislative and non-legislative level, the Commission would be ready to take action. In parallel, the Commission is closely following developments in the USA.

The Commission is already including the issue of offshore safety on the agenda of our multilateral and bilateral dialogues, particularly with partners having significant offshore operations and/or operations in the vicinity of Europe. This includes for the time being multilateral contacts with OPEC and Gulf Cooperation Council as well as bilateral contacts with the US, Norway and countries with production in the Mediterranean.

Въпрос № 53 на г-жа Nadezhda Neynsky (H-0292/10)

Относно: Удължаване за България на срока за допустимост на разходите за някои проекти по програма ИСПА в областта на околната среда

Комисията разполага с информация за тежкото положение, в което се намират много от проектите, изпълнявани по Оперативна програма „Околна среда” във водния сектор и в сферата на управлението на отпадъците в България. Към днешна дата страната ни се стреми да предприеме всички необходими мерки за изпълнение на директивите на ЕС в областта на околната среда и за изпълнение на договореностите си по програма ИСПА.

В тази връзка Комисията ще удовлетвори ли искането на България за удължаване на срока за допустимост на разходите за някои проекти по програма ИСПА в областта на опазване на околната среда, одобрени в периода 2000-2006 г. и изпълнявани по правилата на Кохезионния фонд?

Answer

On 19 April 2010 the Commission published a communication amending the "Guidelines on the closure of Cohesion Fund and ex-ISPA projects 2000-2006" (SEC/2008/415 of 4 April 2008) concerning the extension of the final date of eligibility of expenditure for the ex-ISPA projects.

According to this communication, the Commission may under justified circumstances extend the final date of eligibility beyond 31 December 2010 for projects first adopted from 2004 onwards. Therefore, for projects first approved after 1 January 2004 the Commission may decide, on the basis of a duly justified request, to extend the final date of eligibility to 31 December 2011. Moreover, for projects with a Cohesion Fund (CF) contribution of at least EUR 100 million, the final date of eligibility may be extended to 31 December 2012.

In the light of this communication, the ex-ISPA environment projects in Bulgaria corresponding to the above conditions may, in principle, be considered for an extension until 31 December 2011 (all ex-ISPA environment projects in Bulgaria have a CF contribution below EUR 100 million, so no project is eligible for a 2 years extension until 31 December 2012).

So far no request for extension of the final date of eligibility of an ex-ISPA environment project has been submitted by the Bulgarian competent authorities.

Anfrage Nr. 54 von Elisabeth Köstinger (H-0296/10)

Betrifft: Forcierung der erneuerbaren Energien

Die untergegangene Ölplattform „Deepwater Horizon“ hat die größte je dagewesene Ölkatastrophe der Geschichte verursacht. Bis heute sind Millionen Liter Rohöl in den Golf von Mexico geflossen und haben zu einem Massensterben von Meeres- und Landtieren geführt. Die globalen Folgen für das Ökosystem sind verheerend.

Eine stärkere Forcierung auf erneuerbare Energien, die u. a. ein wichtiger Bestandteil der Zukunft der GAP sind und somit einen elementaren Beitrag zu einer nachhaltigen Landwirtschaft sowie zum Umwelt- und Klimaschutz liefern, kann eine Antwort auf den weltweit steigenden Energieverbrauch sein. Im Besonderen ist hier der im Verkehrssektor zur Anwendung bestimmte Treibstoff zu hinterfragen:

Wird die Beimischung von biogenen Treibstoffen zur Substitution von Diesel und Benzin in der EU schrittweise erhöht, um so die Abhängigkeit von fossilen Energieträgern zu vermindern?

Answer

In 2008, biofuels accounted for about 3.4 % of transport fuel consumption – up from 0.5% five years earlier. Under the Renewable Energy Directive⁴⁰, each Member State is required to ensure that its share of energy from renewable sources in all forms of transport in 2020 will raise to at least 10%. The choice of fuel mix and whether to use high or low blend biofuels will remain to be determined by each Member State. Moreover, Member States will have the choice to aim at a higher share of renewable energy in transport if they wish.

The Renewable Energy Directive also requires each Member State to work out a National Renewable Energy Action Plan and to submit it to the Commission by 30 June 2010. In these plans, Member States shall indicate how they plan to reach the share of the renewable energy in transport and what measures will be taken to that end.

The Commission will publish the plans on its Renewable Energy Transparency Platform as soon as it receives them and will send them to Parliament in accordance with Article 4 (6) of the above Directive.

In order to enable the EU target for increased use of renewable energy in transport to be reached, the revised Fuel Quality Directive⁴¹ (2009/30 EC) now allows Member States to increase the bioethanol share in petrol from previously 5% to 10%. For diesel, blends of up to 7% are possible under current CEN standards.

Implementation of these two EU legislative acts should increase the proportion of renewable energy in the transport fuels and lead to a gradual reduction in the EU's dependence on fossil fuels.

Question n° 55 de Gilles Pargneaux (H-0300/10)

Objet: Statut de la SNCF

Dans un courrier daté du 11 février 2010, publié le 31 mai par *les Echos*, la Commission réclame de nouveau à la France de réformer le statut de la SNCF. La Commission demande à la France de transformer la SNCF en Société anonyme (SA), afin de "mettre fin à la garantie d'Etat dont la compagnie ferroviaire bénéficie implicitement, notamment pour ses engagements financiers et notamment le remboursement de ses emprunts".

La Commission peut-elle m'indiquer pourquoi j'ai été informé de cette proposition par le biais de la presse? Cette question ne devrait-elle pas faire l'objet d'un débat et d'une décision au sein de la commission transport et tourisme? La Commission peut-elle me préciser les raisons pour lesquelles elle entend remettre en cause les services publics européens, et plus particulièrement les services français tels que la SNCF et la RATP?

Réponse

Les lignes directrices communautaires sur les aides d'Etat aux entreprises ferroviaires de 2008⁴² précisent que les garanties publiques illimitées dans un secteur ouvert à la concurrence sont incompatibles avec le droit de l'UE. Ces lignes directrices demandent aux Etats membres d'informer la Commission pour le 22 juillet 2009, des mesures envisagées pour supprimer les garanties illimitées. La Commission a rappelé cette obligation à la France en ce qui concerne le statut d'EPIC de la SNCF. En outre, les Etats membres sont obligés de supprimer les garanties illimitées au plus tard le 22 juillet 2010.

La Commission ne demande pas à la France de transformer le statut de la SNCF en société anonyme ou autre forme juridique particulière, mais uniquement de mettre fin à la garantie illimitée.

S'agissant en particulier des services d'intérêt économique général, les textes communautaires en matière d'aides d'Etat garantissent un financement total des coûts spécifiques supportés par les entreprises en cause. Les Etats membres ont donc toute possibilité pour mettre en place des services d'intérêt économique général efficaces et abordables pour les citoyens.

⁴⁰ Directive 2009/28/EC of Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC Text with EEA relevance, OJ L 140, 5.6.2009.

⁴¹ Directive 2009/30/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC Text with EEA relevance, OJ L 140, 5.6.2009.

⁴² JO C 184 du 22.07.2008