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2014/C 230/01

Anfragen der Mitglieder des Europäischen Parlaments zur schriftlichen Beantwortung und die
entsprechenden Antworten eines Organs der Europäischen Union

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Hinweis für den Leser

Diese Veröffentlichung enthält Anfragen der Mitglieder des Europäischen Parlaments zur schriftlichen Beantwortung und die entsprechenden Antworten eines Organs der Europäischen Union.

Jede Anfrage und ihre Antwort werden zunächst in der Originalsprache und anschließend in den eventuellen Übersetzungen angegeben.

In einigen Fällen kann es vorkommen, dass die Antwort in einer anderen Sprache verfasst ist als die Anfrage. Dies hängt von der Arbeitssprache des Gremiums ab, das mit der Beantwortung beauftragt wurde.

Die vorliegenden Anfragen und Antworten werden gemäß den Artikeln 117 und 118 der Geschäftsordnung des Europäischen Parlaments veröffentlicht.

Alle Anfragen und Antworten sind auf der Internetseite des Europäischen Parlaments (Europarl) unter der Rubrik „parlamentarische Anfragen“ verfügbar:

<http://www.europarl.europa.eu/plenary/de/parliamentary-questions.html>

ABKÜRZUNGEN DER FRAKTIONEN

PPE Fraktion der Europäischen Volkspartei (Christdemokraten)

S&D Fraktion der Progressiven Allianz der Sozialisten und Demokraten im Europäischen Parlament

ALDE Fraktion der Allianz der Liberalen und Demokraten für Europa

Verts/ALE Fraktion der Grünen/Freie Europäische Allianz

ECR Europäische Konservative und Reformisten

GUE/NGL Konföderale Fraktion der Vereinigten Europäischen Linken/Nordische Grüne Linke

EFD Fraktion „Europa der Freiheit und der Demokratie“

NI Fraktionslos

IV

(Informationen)

INFORMATIONEN DER ORGANE, EINRICHTUNGEN UND SONSTIGEN STELLEN DER
EUROPÄISCHEN UNION

EUROPÄISCHES PARLAMENT

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(Versión española)

**Pregunta con solicitud de respuesta escrita E-011986/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(21 de octubre de 2013)

Asunto: Armonización del mercado laboral

En respuesta a mi pregunta E-008789/2013 el Sr. Andor afirma lo siguiente:

«La Comisión no considera la posibilidad de adoptar actos legislativos para armonizar la normativa laboral de los Estados miembros con el fin de evitar el cierre de una empresa en un Estado miembro y su transferencia a otro.»

A la vista de esa respuesta, parece que la Comisión no piensa que sea ni necesario ni conveniente armonizar la normativa laboral dentro de la Unión. ¿Es correcta esa interpretación?

¿No piensa la Comisión que una normativa laboral desarmonizada crea desigualdades y tensiones entre los trabajadores de los diferentes Estados de la Unión, lo que puede llevar al reforzamiento de un sentimiento antieuropeo entre ellos?

¿No considera la Comisión que el proyecto europeo saldría reforzado si existiese una legislación laboral armonizada en la que los derechos laborales de los trabajadores de todos los Estados miembros estuviesen en unos niveles similares y se garantizase el cumplimiento de unos mínimos justos?

Respuesta del Sr. Andor en nombre de la Comisión

(9 de diciembre de 2013)

La Comisión desea señalar a su Señoría que ha citado la frase de la respuesta de la Comisión fuera de su contexto, que hacía referencia a la legislación específicamente concebida para evitar cierres de empresas y traslados a otros Estados miembros.

La UE ya ha adoptado una importante legislación laboral con arreglo a las disposiciones del Tratado en materia de política social con el fin de garantizar una mayor calidad del empleo y unas mejores condiciones laborales para los ciudadanos de la UE ⁽¹⁾. El actual ejercicio REFIT, destinado a garantizar que el corpus legislativo de la UE está «apto para el uso previsto», no impide la presentación de nuevas propuestas legislativas cuando existe una clara necesidad de acción, a reserva de una auténtica evaluación de sus repercusiones económicas y sociales previstas.

En el ámbito de la reestructuración, la legislación laboral de la UE incluye tres Directivas sobre información y consulta de los trabajadores, que un reciente chequeo de la legislación ⁽²⁾ consideró globalmente aptas para el uso previsto. Sin embargo, puesto que dicho chequeo también puso de manifiesto una serie de deficiencias, la Comisión ha propuesto ⁽³⁾ que se consulte a los interlocutores sociales europeos sobre la posible consolidación de las directivas. La Comisión también está trabajando para establecer un marco de calidad de la UE a efectos de la reestructuración y previsión del cambio.

La Comisión recuerda que el Tratado de Funcionamiento de la Unión Europea prevé la adopción de Directivas de la UE por las que se establecen requisitos mínimos, y que estas no impiden a los Estados miembros introducir medidas de protección más estrictas compatibles con los Tratados y que tengan en cuenta las diferencias en las prácticas nacionales, en particular en el ámbito de las relaciones contractuales, así como la necesidad de mantener la competitividad de la economía de la Unión.

⁽¹⁾ <http://ec.europa.eu/social/main.jsp?catId=157&langId=es>

⁽²⁾ Documento de trabajo de la Comisión «chequeo» de la legislación de la UE en el ámbito de la información y consulta de los trabajadores [SWD(2013) 293 final de 26 de julio de 2013].

⁽³⁾ Véase la Comunicación de la Comisión «Adecuación y Eficacia de la Reglamentación (REFIT): Resultados y próximas etapas» [COM(2013) 685 final, de 2 de octubre de 2013].

(English version)

**Question for written answer E-011986/13
to the Commission**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(21 October 2013)

Subject: Harmonisation of the labour market

In answer to my Question E-008789/2013, Mr Andor stated the following:

'The Commission is not considering adopting legislation to harmonise the labour laws of Member States with the aim of preventing the closure of a company in a Member State and its transfer to another one.'

In view of this answer, the Commission does not appear to think it necessary or desirable to harmonise labour laws within the Union. Is this interpretation correct?

Does the Commission not believe that non-harmonised labour laws create inequalities and tensions between workers in different EU Member States, potentially strengthening anti-European feelings among them?

Does the Commission not believe that the European project would be strengthened by harmonised labour legislation in which the labour rights of workers in all Member States were at similar levels and respect for fair minimum rights guaranteed?

Answer given by Mr Andor on behalf of the Commission

(9 December 2013)

The Commission would point out the Honourable Member has quoted the sentence in the Commission's answer out of its context, which related to legislation specifically designed to prevent company closures and transfers to other Member States.

The EU has already adopted substantial labour law legislation under the Treaty provisions on social policy with a view to guaranteeing better job quality and working conditions for EU citizens ⁽¹⁾. The current 'REFIT' exercise to ensure that the body of EC law is 'fit for purpose' does not preclude the presentation of new proposals for legislation where there is a clear need for action, subject to a fully fledged assessment of their anticipated economic and social impact.

In the area of restructuring, EU labour law legislation includes three Directives on worker information and consultation, which a recent fitness check ⁽²⁾ concluded were broadly fit for purpose. However, since that check also highlighted a number of shortcomings, the Commission has proposed ⁽³⁾ that the European social partners be consulted on the directives' possible consolidation. The Commission is also working to establish an EU quality framework for restructuring and anticipation of change.

The Commission would point out that the Treaty on the Functioning of the European Union provides for the adoption of EU directives laying down minimum requirements, and that these do not prevent the Member States from introducing more stringent protective measures compatible with the Treaties and which take account of differences in national practice, in particular in the field of contractual relations, and the need to maintain the competitiveness of the Union's economy.

⁽¹⁾ <http://ec.europa.eu/social/main.jsp?catId=157&langId=en>

⁽²⁾ See Commission Staff Working Document "Fitness check" on EC law in the area of Information and Consultation of Workers' (SWD(2013) 293 final of 26 July 2013).

⁽³⁾ See Commission Communication 'Regulatory Fitness and Performance (REFIT): Results and Next Steps' (COM(2013) 685 final of 2 October 2013).

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012001/13
a la Comisión (Vicepresidenta / Alta Representante)
Willy Meyer (GUE/NGL)
(21 de octubre de 2013)**

Asunto: VP/HR — Integridad territorial de la República Democrática del Congo, mercado mundial del coltán y grupos armados en la RDC: consideraciones en relación con la respuesta E-010886/2012

En su repuesta a mi pregunta E-010886/2012, sobre el recrudecimiento de los combates en la República Democrática del Congo, la Alta Representante afirma que «la UE ha reiterado en varias ocasiones que la soberanía y la integridad territorial de la República Democrática del Congo (RDC) deben respetarse».

Es de resaltar la importancia de la parte este de la RDC por las numerosas minas de coltán que hay en la zona, buena parte de estas fuera del control del Gobierno congolés y en manos de grupos armados, que tienen en el negocio del coltán una de sus fuentes de financiación. A este respecto, en dicha respuesta afirma que, según las informaciones de las que disponen el SEAE y la Alta Representante, el coltán de la RDC —el país con mayores reservas conocidas de este mineral de todo el planeta— supone menos del 20 % del total. ¿Puede la Vicepresidenta / Alta Representante aclarar e informar sobre las fuentes de información consultadas para esta y otras afirmaciones recogidas en la respuesta a mi pregunta E-010886/2012?

Al afirmar que la RDC aporta menos del 20 % a la producción del coltán mundial, ¿está la Alta Representante reconociendo indirectamente que la mayor parte del coltán obtenido de extracción minera, a nivel internacional, sigue siendo coltán congoleño que no está bajo el control del Gobierno congoleño, sino de grupos armados que lo hacen circular por el mercado ilegal? ¿Ha tenido en cuenta en su análisis la Alta Representante que el puente prioritario usado para hacer circular ese coltán de terreno congoleño es la zona de los Kivus en dirección a Ruanda?

Asimismo, afirma que «aunque el tráfico de coltán (así como de otros minerales, pero también de terrenos, madera, carbón y el crimen organizado) contribuye a financiar grupos armados en Kivu, este no es un elemento fundamental». En ese caso ¿cuál considera la Alta Representante el elemento fundamental de la existencia de estos grupos armados y del conflicto que asola y alimenta desde hace tantos años esta región?

Igualmente, la Alta Representante afirma que ninguna empresa europea participa directamente en la producción de coltán en la RDC. ¿Tiene constancia la Alta Representante de empresas europeas que participan directa o indirectamente en el tráfico ilegal del coltán congoleño o sobre las que recaen sospechas de hacerlo? ¿Considera necesario la Alta Representante establecer —si no se ha establecido aún— algún tipo de control sobre las empresas europeas para verificar que ningún componente electrónico se fabrique utilizando coltán congoleño procedente del mercado ilegal?

**Respuesta de la Alta Representante y Vicepresidenta Ashton en nombre de la Comisión
(9 de enero de 2014)**

Aunque el comercio de minerales es una fuente potencial de ingresos para la República Democrática del Congo (RDC) y sus ciudadanos, el vínculo entre los minerales conflictivos y los grupos armados sigue constituyendo un reto importante.

En la respuesta anterior se estimaba que la RDC producía menos del 20 % del coltán del mundo. Dicha estimación está en consonancia con las procedentes de otras fuentes, incluido el Instituto Geológico de Estados Unidos (*US Geological Survey*), sobre el tantío que se explota a escala mundial.

En la última actualización efectuada por la ONU sobre la lista de personas y entidades que violan la Resolución 1533 del Consejo de Seguridad de las Naciones Unidas no aparecen empresas de la UE.

Al no existir estadísticas comerciales, el volumen de fondos de empresas de la UE que llegan a grupos armados no puede estimarse. Esto sería posible si se aplicase la trazabilidad y la debida diligencia con respecto al origen y suministro de los minerales pertinentes. La UE apoya activamente la adopción de las directrices de la OCDE en materia de diligencia debida y responsable de las cadenas de abastecimiento de minerales desde zonas en conflicto y zonas de alto riesgo. Como se indicó en la respuesta anterior, la UE también apoya la creación de un mecanismo de certificación, que debería considerarse como un instrumento temporal que permita el aprovisionamiento en minerales y facilite el comercio, mientras prosiguen los esfuerzos para abordar las causas profundas de los conflictos y la inestabilidad. Una de las causas principales de la existencia de grupos armados en la RDC ha sido la incapacidad del Estado para afirmar su autoridad y prestar servicios esenciales a los ciudadanos en su territorio. Esta constituye una de las prioridades de la ayuda de la UE a la RDC: la UE sigue apoyando a las autoridades congoleñas y a la MONUSCO con el fin de restablecer efectivamente el control estatal en todas las zonas.

(English version)

Question for written answer E-012001/13
to the Commission (Vice-President/High Representative)
Willy Meyer (GUE/NGL)
(21 October 2013)

Subject: VP/HR — Territorial integrity of the Democratic Republic of the Congo (DRC), the world coltan market and armed groups in the DRC: considerations regarding the answer to E-010886/2012

In her answer to my Question E-010886/2012, on renewed fighting in the Democratic Republic of the Congo, the High Representative said that 'the EU reiterated on several occasions that the sovereignty and territorial integrity of the DRC must be respected'.

Attention should be drawn to the importance of the eastern part of the DRC because of its many coltan mines. Many of these are out of the Congolese Government's control and are in the hands of armed groups for which the coltan business provides a source of funding. In this regard, the abovementioned answer states that, according to information available to the European External Action Service (EEAS) and the High Representative, coltan in the DRC — the country with the largest known reserves of this mineral in the world — represents less than 20% of the total. Can the Vice-President/High Representative clarify and report on the sources of information for this and other statements contained in the answer to my Question E-010886/2012?

By stating that the DRC's world production share of coltan is less than 20%, is the High Representative indirectly acknowledging that most of the coltan obtained internationally from mining is still Congolese coltan not under the Congolese Government's control, but under the control of armed groups trafficking it on the black market? Has the High Representative's analysis taken into account that the main channel for trafficking this coltan out of the DRC is the Kivu region near Rwanda?

The High Representative also states that 'though coltan trafficking contributes to fund armed groups in the Kivus (as well as other minerals, but also land, timber, charcoal, racketeering), it is not central to its underlying causes'. In that case, what does the High Representative believe to be the central cause of the existence of these armed groups and the conflict that has fed on and ravaged this region for so many years?

The High Representative also states that no EU company is directly involved in coltan production in the DRC. Is the High Representative aware of any European companies directly or indirectly involved in the illegal traffic of Congolese coltan, or of any suspected of doing so? Does the High Representative believe it is necessary to establish — if this has not been done already — some kind of monitoring of European companies to verify that no electronic components are manufactured using Congolese coltan from the black market?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(9 January 2014)

Although trade in minerals is a potential source of income for DRC and its citizens, the link between conflict minerals and armed groups remains a serious challenge.

The previous answer estimated the DRC share of global production of coltan at less than 20%: this estimate is in line with a number of sources including US Geological Survey estimates of global mined tantalum.

There are no EU companies on the latest update of the UN list of persons and entities violating UN Security Council Resolution 1533.

In the absence of trade statistics, the volume of funds from EU companies reaching armed groups cannot be estimated. This would be possible if traceability and due diligence is performed on sourcing and supply of the relevant minerals. The EU actively supports the adoption of the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. As mentioned in the previous answer, the EU also supports the establishment of a certification mechanism: this should be seen as a temporary tool to allow minerals sourcing and facilitate trade while efforts to address the root causes of conflict and instability are pursued. A central cause of the existence of armed groups in DRC has been the inability of the state to assert its authority and to provide essential services to citizens across the country's territory. Addressing this issue is a priority for EU assistance in DRC. The EU continues to support the DRC authorities and MONUSCO in efforts to re-establish effective state control over all areas.

(Versión española)

Pregunta con solicitud de respuesta escrita E-012011/13

al Consejo

Willy Meyer (GUE/NGL)

(21 de octubre de 2013)

Asunto: Medidas de presión a los EE.UU. para que pongan fin al injusto, inhumano e ilegal bloqueo económico, financiero y comercial contra Cuba

Tal y como recoge el informe de Cuba sobre la Resolución 67/4 de la Asamblea General de las Naciones Unidas, publicado en julio pasado, el mantenimiento desde hace más de 50 años del inhumano bloqueo que lleva a cabo EE.UU. contra Cuba y, en general, de su política de asfixia y obstaculización económica, no solo «constituye una violación masiva, flagrante y sistemática de los derechos humanos de todo un pueblo» sino que también es «un acto de violación del derecho internacional, contrario a los propósitos y principios de la Carta de las Naciones Unidas y una trasgresión al derecho a la paz, el desarrollo y la seguridad de un Estado soberano».

Así lo entiende la inmensa mayoría de la comunidad internacional que, año tras año, condena y pide el fin del embargo en la votación de la Resolución 67/4 en la Asamblea General de las Naciones Unidas. El año pasado, la totalidad de los Estados miembros de la UE, junto con otros 161 Estados, votaron a favor de esta resolución emplazando así al Gobierno de los EE.UU. a poner fin al injusto bloqueo económico, comercial y financiero que sufre la isla desde 1962 —endurecido con las leyes Torricelli en 1992 y Helms Burton en 1996— y que se estima que ha supuesto un dramático daño económico para el pueblo cubano superior a 1 157 327 000 000 dólares.

Por tanto, considerando que el conjunto de los Estados miembros de la UE se posiciona unánimemente a favor de la necesidad de que se ponga fin a este injusto bloqueo, ¿qué acciones ha implementado el Consejo para trasladar a su actividad este rechazo al bloqueo? ¿Qué medidas concretas lleva a cabo el Consejo para presionar a las autoridades estadounidenses a que cumplan el Derecho internacional y pongan fin al ilegal bloqueo?

Considerando que el próximo 29 de octubre la Asamblea General de las Naciones Unidas votará de nuevo la Resolución 67/4 sobre la necesidad de poner fin al bloqueo económico, comercial y financiero impuesto por los EE.UU. contra Cuba, ¿piensa respaldar públicamente el Consejo esta resolución de las Naciones Unidas y recomendar formalmente a los Estados miembros que la apoyen? ¿Tiene conocimiento el Consejo del informe citado en esta pregunta sobre la Resolución 67/4 y lo tiene presente a la hora de abordar las relaciones políticas con EE.UU. y Cuba? ¿Piensa el Consejo trasladar directamente a las autoridades estadounidenses su preocupación por las dramáticas consecuencias que tiene el bloqueo sobre el pueblo cubano y su apoyo a la Resolución 67/4 y, por tanto, al fin del bloqueo?

Respuesta

(23 de diciembre de 2013)

Como en años anteriores, el 29 de octubre de 2013 los Estados miembros de la UE respaldaron la Resolución, presentada por Cuba en la Asamblea General de las Naciones Unidas, sobre la «Necesidad de poner fin al bloqueo económico, comercial y financiero de los Estados Unidos contra Cuba». En su explicación de voto, la UE expresó su rechazo a todas las medidas unilaterales contra Cuba, que conculcan las normas comúnmente aceptadas del comercio internacional. La UE considera asimismo que la supresión del embargo de los Estados Unidos facilitará la apertura de la economía de Cuba para beneficio del pueblo cubano.

Al mismo tiempo, la UE también pidió al gobierno cubano que conceda a sus ciudadanos todos los derechos civiles, políticos y económicos internacionalmente reconocidos.

(English version)

**Question for written answer E-012011/13
to the Council**

Willy Meyer (GUE/NGL)

(21 October 2013)

Subject: Pressure on the US to end the unjust, inhumane and illegal economic, financial and trade blockade against Cuba

As stated in Cuba's report, published in July 2013, on Resolution 67/4 of the United Nations General Assembly, keeping the inhumane blockade imposed by the United States on Cuba in place for over 50 years and, in general, the US policy of choking off and hampering the economy, is not only a 'massive, flagrant and systematic violation of the human rights of an entire people', it is also 'an act which violates international law, contradicts the aims and principles of the United Nations Charter and is a transgression of the right to peace, development and safety of a sovereign State'.

That view is shared by the vast majority of the international community which, year after year, condemns the embargo and calls for an end to it in the vote on Resolution 67/4 of the United Nations General Assembly. Last year, all of the EU Member States, together with 161 other states, voted in favour of the resolution, thus calling on the US Government to end the unjust economic, trade and financial blockade imposed on the island since 1962 — and intensified by the Torricelli Act in 1992 and the Helms Burton Act in 1996 —, which is estimated to have caused serious economic harm to the Cuban people in excess of USD 1 157 327 000 000.

Given that all of the EU Member States are unanimously in favour of the need to end this unjust blockade, what action has the Council taken to express this rejection of the blockade in its work? What concrete action is the Council taking to put pressure on the US authorities to comply with international law and put an end to the illegal blockade?

Given that, on 29 October 2013, the United Nations General Assembly will once again vote on Resolution 67/4 on the necessity of ending the economic, commercial and financial blockade imposed by the United States against Cuba, is the Council planning to publicly support this UN Resolution and formally recommend that the Member States support it? Is the Council aware of the report on Resolution 67/4, as referred to in this question, and does it keep it in mind when broaching political relations with the United States and Cuba? Does the Council plan to inform the US authorities directly of its concern over the drastic consequences that the blockade is having for the Cuban people and its support for Resolution 67/4 and, therefore, for an end to the blockade?

Reply

(23 December 2013)

As in previous years, the EU Member States supported, on 29 October 2013, the Resolution presented by Cuba to the UNGA on the 'Necessity of ending the economic, commercial and financial embargo imposed by the USA against Cuba'. In its explanation of vote, the EU expressed its rejection of all unilateral measures directed against Cuba that are contrary to commonly accepted rules of international trade. The EU also considered that the lifting of the US embargo would facilitate an opening of the Cuban economy to the benefit of the Cuban people.

At the same time, the EU also called on the Cuban Government to fully grant its citizens internationally recognised civil, political and economic rights.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012012/13
a la Comisión (Vicepresidenta/Alta Representante)**

Willy Meyer (GUE/NGL)

(21 de octubre de 2013)

Asunto: VP/HR — Medidas de presión a los EE.UU. para que pongan fin al injusto, inhumano e ilegal bloqueo económico, financiero y comercial contra Cuba

Tal y como recoge el informe de Cuba sobre la Resolución 67/4 de la Asamblea General de las Naciones Unidas, publicado en julio pasado, el mantenimiento desde hace más de 50 años del inhumano bloqueo que lleva a cabo EE.UU. contra Cuba y, en general, de su política de asfixia y obstaculización económica, no solo «*constituye una violación masiva, flagrante y sistemática de los derechos humanos de todo un pueblo*» sino que también es «*un acto de violación del derecho internacional, contrario a los propósitos y principios de la Carta de las Naciones Unidas y una trasgresión al derecho a la paz, el desarrollo y la seguridad de un Estado soberano*».

Así lo entiende la inmensa mayoría de la comunidad internacional que, año tras año, condena y pide el fin del embargo en la votación de la Resolución 67/4 en la Asamblea General de las Naciones Unidas. El año pasado, la totalidad de los Estados miembros de la UE, junto con otros 161 Estados, votaron a favor de esta resolución emplazando así al Gobierno de los EE.UU. a poner fin al injusto bloqueo económico, comercial y financiero que sufre la isla desde 1962 —endurecido con las leyes Torricelli en 1992 y Helms Burton en 1996— y que se estima que ha supuesto un dramático daño económico para el pueblo cubano superior a los 1 157 327 000 000 dólares.

Por tanto, considerando que el conjunto de los Estados miembros de la UE se posiciona unánimemente a favor de la necesidad de que se ponga fin a este injusto bloqueo, ¿qué acciones ha implementado la Vicepresidenta para trasladar a su actividad como Alta Representante de la UE para Asuntos Exteriores este rechazo al bloqueo? ¿Qué medidas concretas lleva a cabo la Vicepresidenta/Alta Representante para presionar a las autoridades estadounidenses a que cumplan el derecho internacional y pongan fin al ilegal bloqueo?

Considerando que, el próximo 29 de octubre, la Asamblea General de las Naciones Unidas votará de nuevo la Resolución 67/4 sobre la necesidad de poner fin al bloqueo económico, comercial y financiero impuesto por los EE.UU. contra Cuba, ¿piensa respaldar públicamente la Vicepresidenta/Alta Representante esta resolución de las Naciones Unidas y recomendar formalmente a los Estados miembros que la apoyen? ¿Tiene conocimiento la Vicepresidenta/Alta Representante del informe citado en esta pregunta sobre la Resolución 67/4 y lo tiene presente a la hora de abordar las relaciones políticas con EE.UU. y Cuba? ¿Piensa la Vicepresidenta/Alta Representante trasladar directamente a las autoridades estadounidenses su preocupación por las dramáticas consecuencias que tiene el bloqueo sobre el pueblo cubano y su apoyo a la Resolución 67/4 y, por tanto, al fin del bloqueo?

Respuesta de la alta representante y vicepresidenta Ashton en nombre de la Comisión

(10 de diciembre de 2013)

Como en años anteriores, los Estados Miembros de la UE apoyaron, el 29 de octubre de 2013, la Resolución presentada por Cuba a la Asamblea General de las Naciones Unidas titulada «Necesidad de poner fin al bloqueo económico, comercial y financiero impuesto por los Estados Unidos de América contra Cuba». La UE explica su posición en una declaración, la cual se adjunta en anexo.

(English version)

**Question for written answer E-012012/13
to the Commission (Vice-President/High Representative)**

Willy Meyer (GUE/NGL)

(21 October 2013)

Subject: VP/HR — Pressure on the US to end the unjust, inhumane and illegal economic, financial and commercial embargo against Cuba

As stated in Cuba's report, published in July 2013, on Resolution 67/4 of the United Nations General Assembly, keeping the inhumane embargo imposed by the United States on Cuba in place for over 50 years and, in general, the US policy of choking off and hampering the economy, is not only a 'massive, flagrant and systematic violation of the human rights of an entire people', it is also 'an act which violates international law, contradicts the aims and principles of the United Nations Charter and is a transgression of the right to peace, development and safety of a sovereign State'.

That view is shared by the vast majority of the international community which, year after year, condemns the embargo and calls for an end to it in the vote on Resolution 67/4 of the United Nations General Assembly. Last year, all the EU Member States, together with 161 other States, voted in favour of the resolution, thus calling on the US Government to end the unjust economic, commercial and financial embargo imposed on the island since 1962, which was intensified by the Torricelli Act in 1992 and the Helms Burton Act in 1996, and which is estimated to have caused serious economic harm to the Cuban people in excess of USD 1 157 327 000 000.

Given that all of the EU Member States are unanimously in favour of the need to end this unjust embargo, what action has the Vice-President taken to express this rejection of the embargo in her work as High Representative of the Union for Foreign Affairs? What concrete action is the Vice-President/High Representative taking to put pressure on the US authorities to comply with international law and put an end to the illegal embargo?

Given that, on 29 October 2013, the United Nations General Assembly will once again vote on Resolution 67/4 on the necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba, is the Vice-President/High Representative planning to publicly support this UN Resolution and formally recommend that the Member States support it? Is the Vice-President/High Representative aware of the report on Resolution 67/4, as referred to in this question, and does she keep it in mind when broaching political relations with the United States and Cuba? Does the Vice-President/High Representative plan to inform the US authorities directly of her concern over the drastic consequences that the embargo is having for the Cuban people and her support for Resolution 67/4 and, therefore, for an end to the embargo?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission

(10 December 2013)

As in previous years, the EU Member States supported, on 29 October 2013, the Resolution presented by Cuba to the UNGA 'Necessity of ending the economic, commercial and financial embargo imposed by the USA against Cuba'. The EU explained its position in a statement, which is annexed.

(Leagan Gaeilge)

Ceist i gcomhair freagra scríofa E-012015/13

chuig an gCoimisiún

Liam Aylward (ALDE)

(21 Deireadh Fómhair 2013)

Ábhar: Tionchar agus éifeacht Bhliain Eorpach na Saoránach

Fiche bliain ó shin a ceapadh saoránacht an Aontais faoi Chonradh Maastricht agus nach oiriúnach atá sé, mar sin, gur beartaíodh Bliain Eorpach na Saoránach a chéiliúradh i mbliana chun muintir na hEorpa a chur ar an eolas faoin AE agus faoi chearta na saoránach.

De réir Thuarascáil Eurobarometer maidir le Saoránacht an AE (a foilsíodh i mí Fheabhra 2013), ní bhraitheann ach 36 % de mhuintir an AE a gheallfaidh acu faoina gcearta mar shaoránaigh an AE. An bhféadfadh an Coimisiún cur síos a dhéanamh ar a bhfuil déanta ar mhaithe le feabhas a chur ar an eolas atá ag daoine faoin AE agus ar chomh maith agus atá ag éirí leis na hiarrachtaí sin?

Foilsíodh Tuarascáil an Choimisiúin um Shaoránacht an AE an 8 Bealtaine 2013 ina leagtar amach dhá mholadh déag a chabhródh le muintir an AE a gcearta Eorpacha a bhaint amach. An cuireadh an dá mholadh déag sin san áireamh agus tionscnaimh agus gníomhaíochtaí Bhliain Eorpach na Saoránach á bpleanáil? Agus má cuireadh san áireamh iad, an bhféadfadh an Coimisiún cur síos a dhéanamh orthu?

Faoi Airteagal 8 de Chinneadh Uimh. 1093/2012/AE ó Pharlaimint na hEorpa agus ón gComhairle an 21 Samhain 2012 maidir le Bliain Eorpach na Saoránach (2013), tá an Coimisiún in ainm agus tuarascáil maidir le cur i bhfeidhm, torthaí agus measúnú ginearálta na dtionscnaimh a bhfuil cur síos orthu sa chinneadh sin a fhoilsiú roimh an 31 Nollaig 2014. An bhféadfadh an Coimisiún cur síos a dhéanamh ar na measúnuithe atá ar bun mar ullmhúchán don tuarascáil sin?

Freagra ón gCoimisinéir Reding thar ceann an Choimisiúin

(29 Samhain 2013)

Úsáideann an Coimisiún go leanúnach iomlán a chuid uirlisí agus bealaí cumarsáide chun feasacht ar chearta AE i measc an phobail i gcoitinne a mhéadú. Ina measc sin tá an obair a dhéanann Ionadaíocht an Choimisiúin, na hionaid eolais agus an t-ionad glaonna a chuimsíonn Europe Direct ⁽¹⁾, leathanaigh éagsúla ar shuíomh gréasáin Europa (go háirithe ‘An Eoraip Agatsa’ ⁽²⁾), agus na leathanaigh atá tiomnaithe do cheartas agus do chearta na saoránach ⁽³⁾, agus obair leanúnach leis an bpreas trína Sheirbhís Urlabhraithe chun clúdach na meán a mhéadú ar thuarascálacha, cinntí agus tionscnaimh an Choimisiúin a bhfuil mar aidhm acu saol na saoránach a fheabhsú, mar a tharla i gcás ghlacadh eagrán 2013 den Tuarascáil Saoránachta an AE ⁽⁴⁾.

Ba ghá an t-ullmhúchán do Bhliain Eorpach na Saoránach a thosú in 2012, tamall maith roimh Thuarascáil Saoránachta 2013 an AE ⁽⁵⁾. Mar sin féin, mar bhunspríoc inghnóthaithe do Bhliain Eorpach na Saoránach, tá Tuarascáil Saoránachta an AE, agus a chuid beart ar leith, le feiceáil ar ndóigh arís agus arís eile agus go comhsheasmhach i ngníomhaíochtaí cumarsáide an Choimisiúin agus a chomhpháirtithe i bhfeachtas Bhliain Eorpach na Saoránach ó glacadh é.

Tá meastóir seachtrach earcaithe ag an gCoimisiún le measúnú fairsing a dhéanamh ar thionchar, éifeachtacht, éifeachtúlacht agus inbhuanaitheacht na ngníomhaíochtaí agus na dtionscnaimh arna nglacadh le linn fheachtas Bhliain Eorpach na Saoránach. Foghlaimíodh an Coimisiún freisin ón tsraith de Chomhphlé Saoránach ⁽⁶⁾ atá ar bun aige agus ó ghníomhaíochtaí eile atá dírithe ar shaoránaigh agus atá ar siúl i gcomhthéacs na Bliana Eorpaí. Tuarascáil deiridh an mheastóra faoi fheachtas na Bliana Eorpaí, agus an t-aiseolas ón gComhphlé Saoránach agus ó ghníomhaíochtaí gaolmhara, beidh siad ina n-ionchur rithábachtach i dtuarascáil chur chun feidhme an Choimisiúin féin chuig a hInstitiúidí eile, atá le teacht faoi dheireadh na bliana 2014.

⁽¹⁾ http://europa.eu/europedirect/index_en.htm

⁽²⁾ <http://europa.eu/youreurope/>

⁽³⁾ http://ec.europa.eu/news/justice/index_en.htm

⁽⁴⁾ http://ec.europa.eu/justice/newsroom/citizen/news/130508_en.htm

⁽⁵⁾ Arna ghlacadh an 8 Bealtaine 2013.

⁽⁶⁾ <http://ec.europa.eu/debate-future-europe/>

(English version)

Question for written answer E-012015/13
to the Commission
Liam Aylward (ALDE)
(21 October 2013)

Subject: The impact and effect of the European Year of Citizens

The concept of European citizenship was introduced by the Maastricht Treaty twenty years ago. It is therefore fitting that the European Year of Citizens should be celebrated this year, so that Europeans may learn more about the EU and their rights as citizens.

According to the Eurobarometer European Union Citizenship report, published in February 2013, only 36% of EU citizens say that they feel well informed about their rights as EU citizens. What has been done to raise public awareness of the EU and how are these efforts progressing?

On 8 May 2013 the Commission published its EU Citizenship report, setting out 12 new concrete measures to help citizens understand their rights. Were these measures considered when initiatives and activities were being planned for the European Year of Citizens? If so, can the Commission describe how this was done?

Under Article 8 of Decision No 1093/2012/EU of the European Parliament and of the Council of 21 November 2012 on the European Year of Citizens (2013), the Commission is called upon to submit a report on the implementation, results and overall assessment of the initiatives provided for in the decision by 31 December 2014. What assessments are being carried out to prepare for this report?

Answer given by Mrs Reding on behalf of the Commission
(29 November 2013)

The Commission is continually using its full range of communication tools and channels to increase awareness of EU rights among the general public. These include the work done every day by the Representation of the Commission, the Europe Direct Information Centres and Call Centre ⁽¹⁾ various pages on Europa website, especially 'Your Europe' ⁽²⁾ and the dedicated pages on justice and citizens' rights ⁽³⁾, and ongoing press work through its Spokespersons Service to increase media coverage of Commission reports, decisions and initiatives that aim to improve citizens' lives, such as was the case for the adoption of the 2013 edition of the EU Citizenship Report ⁽⁴⁾.

The preparations for the European Year of Citizens had to begin in 2012, well before the 2013 EU Citizenship Report ⁽⁵⁾. However, as a key deliverable of the European Year of Citizens, the EU Citizenship Report, and its individual actions, has of course featured repeatedly and consistently in the communication activities of the Commission and its partners in the European Year of Citizens campaign since its adoption.

The Commission has recruited the services of an external evaluator to carry out an extensive evaluation of the impact, effectiveness, efficiency and sustainability of the actions and initiatives taken in the course of the European Year of Citizens campaign. The Commission will also draw lessons from its series of Citizens' Dialogues ⁽⁶⁾ and other citizens-oriented activities that are taking place in the context of the European Year. The evaluator's final report on the European year campaign, and the feedback from the Citizens' Dialogues and related activities, will be crucial inputs into the Commission's own implementation report to the other Institutions, which is due by the end of 2014.

⁽¹⁾ http://europa.eu/eurodirect/index_en.htm.

⁽²⁾ <http://europa.eu/youreurope/>

⁽³⁾ http://ec.europa.eu/news/justice/index_en.htm

⁽⁴⁾ http://ec.europa.eu/justice/newsroom/citizen/news/130508_en.htm

⁽⁵⁾ Adopted on 8 May 2013.

⁽⁶⁾ <http://ec.europa.eu/debate-future-europe/>

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012017/13
a la Comisión**

Santiago Fisas Ayxela (PPE) y Pablo Arias Echeverría (PPE)

(22 de octubre de 2013)

Asunto: Compra de un vehículo en Italia

El pasado 26 de abril de 2011, el diputado Íñigo Méndez de Vigo formuló la pregunta E-004000/2011 sobre el hecho de que un ciudadano español no pudiese comprar un vehículo en Italia, donde posee una casa, al no ser residente o ciudadano italiano. Dicho ciudadano se encontró además con el problema de que, si compraba el vehículo en España y lo llevaba a Italia, debería pasar la inspección técnica en España cada año o cada dos años por no existir homologación a escala europea.

El 24 de junio de 2011, el comisario Kallas respondió que la Comisión era conocedora de la situación a la que se enfrentaban los ciudadanos de la Unión Europea e informó de futuras iniciativas que la Comisión pensaba organizar.

Han pasado más de dos años desde esta pregunta y, en concreto, me gustaría saber lo siguiente:

1. ¿En qué punto se encuentra la iniciativa sobre registro de vehículos motorizados matriculados previamente en otro Estado miembro?
2. ¿En qué punto se encuentra la iniciativa de revisión de la legislación europea sobre la inspección técnica de vehículos?

Respuesta del Sr. Kallas en nombre de la Comisión

(10 de diciembre de 2013)

A la Comisión le complace informar a Su Señoría de la adopción, el 4 de abril de 2012, de una propuesta de Reglamento por el que se simplifica el traslado dentro del mercado único de vehículos de motor matriculados en otro Estado miembro ⁽¹⁾.

De acuerdo con esa propuesta, un Estado miembro solo puede exigir la matriculación de un vehículo que ya esté matriculado en otro Estado miembro si el titular del permiso de circulación tiene su residencia normal en su territorio. Asimismo, la propuesta establece que, cuando el titular del permiso de circulación traslada su residencia normal a otro Estado miembro, debe solicitar la matriculación de un vehículo ya matriculado en otro Estado miembro en los seis meses siguientes a su llegada. Esta norma se completa con una serie de disposiciones que simplifican los procedimientos de nueva matriculación de vehículos y reducen las formalidades administrativas y burocráticas a las que se enfrentan los ciudadanos.

La propuesta ha sido objeto de debate en el Consejo desde diciembre de 2012. La Comisión de Mercado Interior y Protección del Consumidor del Parlamento Europeo presentó su informe sobre la propuesta el 22 de julio de 2013.

En cuanto a las inspecciones técnicas, la Comisión desea llamar la atención de Su Señoría sobre el paquete legislativo que propuso el 13 de julio de 2012 para la armonización de las inspecciones técnicas en la EU ⁽²⁾. La propuesta se encuentra ahora en el proceso legislativo tras la votación de las enmiendas en el pleno del Parlamento Europeo de 2 de julio de 2013.

⁽¹⁾ COM(2012) 164 final.

⁽²⁾ COM(2012) 380 final, COM(2012) 381 final y COM(2012) 382 final.

(English version)

**Question for written answer E-012017/13
to the Commission**
Santiago Fisas Ayxela (PPE) and Pablo Arias Echeverría (PPE)
(22 October 2013)

Subject: Purchasing a vehicle in Italy

On 26 April 2011, Íñigo Méndez de Vigo asked Question E-004000/2011, concerning a Spanish citizen who could not purchase a vehicle in Italy, where he owned a house, as he was not an Italian resident or citizen. The citizen in question also had the problem that, if he bought a vehicle in Spain and took it to Italy, it would have to undergo roadworthiness testing in Spain every year or every two years as there was no EU-level type-approval.

On 24 June 2011, Commissioner Kallas replied that the Commission was aware of the problems facing EU citizens and mentioned the future initiatives the Commission was planning to prepare.

Over two years have passed since that question was asked.

1. What progress has been made with the initiative on registering motor vehicles previously registered in another Member State?
2. What progress has been made with the initiative to revise European legislation on roadworthiness testing?

Answer given by Mr Kallas on behalf of the Commission
(10 December 2013)

The Commission would like to inform the Honourable Member that, on 4 April 2012, it adopted a proposal for a regulation simplifying the transfer of motor vehicles registered in another Member State within the single market ⁽¹⁾.

This proposal provides that a Member State may only require the registration of a vehicle already registered in another Member State if the holder of the registration certificate is normally resident in its territory. The proposal also provides that, where the holder of the registration certificate moves and becomes normally resident in another Member State, the holder shall request registration of a vehicle already registered in another Member State within a period of six months following arrival. This is complemented by provisions simplifying procedures for the re-registration of vehicles and reducing the administrative and bureaucratic formalities on citizens.

The proposal has been discussed in the Council since December 2012. The IMCO committee of the EP tabled its report on the proposal on 22 July 2013.

As regards roadworthiness testing, the Commission would like to draw the attention of the Honourable Member to the Commission's package proposal of 13 July 2012 to harmonise roadworthiness testing in the EU ⁽²⁾. The proposal is currently in the legislative process following the vote on amendments in the plenary of the European Parliament on 2 July 2013.

⁽¹⁾ COM(2012) 164 final.

⁽²⁾ COM(2012) 380 final, COM(2012) 381 final and COM(2012) 382 final.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012040/13
a la Comisión**

María Irigoyen Pérez (S&D)

(22 de octubre de 2013)

Asunto: Armonización del sistema de etiquetado de tallas y de las dimensiones corporales

El pasado mes de septiembre, la Comisión publicó un informe relativo a los posibles nuevos requisitos de etiquetado de los productos textiles y al estudio sobre las sustancias alergénicas presentes en estos productos. Este informe responde al compromiso de la Comisión, tal y como quedaba fijado en el artículo 24 del Reglamento (UE) n° 1007/2011, de 27 de septiembre de 2011, relativo a las denominaciones de las fibras textiles y al etiquetado y marcado de la composición en fibras de los productos textiles.

En este estudio se subraya la importancia que tiene para los consumidores el sistema de etiquetado de tallas, pero se estima que están familiarizados con varios sistemas voluntarios y que, además, las empresas y las organizaciones públicas ofrecen tablas de conversión. Asimismo, la Comisión señala que la atención debe centrarse en continuar y completar la labor de normalización en curso y que, por tanto, no se prevé ningún tipo de medida.

Lamentablemente, esa labor de normalización que persigue un sistema armonizado de designación y codificación de tallas, a nivel de la UE e internacional, llevará todavía mucho tiempo.

¿No cree la Comisión que un sistema armonizado mejoraría la competitividad industrial, tal y como reclaman un número elevado de empresas del sector? ¿No cree la Comisión que un sistema armonizado facilitaría la confianza de los consumidores en el comercio digital, en especial en las ventas transfronterizas?

¿Piensa la Comisión tomar alguna medida para impulsar la labor de normalización?

Respuesta del Sr. Tajani en nombre de la Comisión

(10 de enero de 2014)

El informe de la Comisión reconoce la importancia que los consumidores conceden al etiquetado de las tallas. Las consultas con un amplio espectro de partes interesadas y la encuesta realizada entre los consumidores lo confirman.

En los Estados miembros, en la EU y en el mundo coexisten en la actualidad distintos sistemas de etiquetado. Estos sistemas varían incluso dentro de un mismo país o de una misma región según el fabricante o el minorista. Esta situación puede confundir a los consumidores.

Los organismos de normalización internacional y europeo ISO y CEN están trabajando en la normalización en este ámbito. Existen, sin embargo, puntos de vista divergentes al respecto, especialmente sobre cómo relacionar las medidas corporales con los intervalos de talle y cómo proporcionar información sobre las tallas en las etiquetas. La opinión de los Estados miembros de la UE y de las empresas (por ejemplo, los productores, los minoristas y los propietarios de marcas) acerca del sistema de medida y de codificación⁽¹⁾ que debería emplearse también está dividida. En este contexto, podría resultar útil llevar a cabo pruebas de comportamiento para comprobar cómo perciben los consumidores los diferentes sistemas de etiquetado de tallas y cuál sería la mejor forma de proporcionarles información sobre ellas.

Un sistema de etiquetado de tallas uniforme puede facilitar el comercio por correspondencia y a través de internet, lo que incrementaría las ventas y reduciría el número de devoluciones (y de los costes asociados), beneficiando tanto a consumidores como a minoristas.

Por ello, la Comisión está analizando posibles maneras de fomentar y apoyar un mayor consenso acerca de un sistema de designación y codificación de tallas uniforme y normalizado a nivel de la UE. En este contexto, se está contemplando la posibilidad de conferir un mandato a CEN, el organismo europeo de normalización.

⁽¹⁾ Centímetros o pulgadas y letras o números.

(English version)

**Question for written answer E-012040/13
to the Commission**

María Irigoyen Pérez (S&D)

(22 October 2013)

Subject: Harmonisation of the size labelling system and body dimensions

In September 2013, the Commission published a report on possible new labelling requirements of textile products and on a study on allergenic substances in textile products. This report fulfils the Commission's commitment undertaken in Article 24 of Regulation (EU) No 1007/2011 of 27 September 2011 on textile fibre names and related labelling and marking of the fibre composition of textile products.

This study stresses the importance of the size labelling system for consumers, but they are considered to be familiar with various voluntary systems and, in addition, businesses and public organisations do offer conversion tables. Moreover, the Commission points out that the emphasis should be placed on pursuing and completing ongoing standardisation work and that, therefore, no measures have been laid down whatsoever.

Regrettably, this standardisation work to create a harmonised size designation and coding system, at EU and international level, will still take a long time.

Does the Commission not think that a harmonised system would improve industrial competitiveness, as claimed by many businesses in the sector? Does the Commission not think that a harmonised system would foster consumer confidence in e-commerce, and particularly in cross-border sales?

Is the Commission planning to take any steps to encourage standardisation work?

Answer given by Mr Tajani on behalf of the Commission

(10 January 2014)

In its report the Commission acknowledges the importance that consumers attach to size labelling. This was confirmed by a consumer survey and consultations with a broad spectrum of stakeholders.

Today, different labelling schemes coexist at Member State, EU and global level. Even within the same country or region, manufacturers and retailers use different labelling schemes. This may create confusion for consumers.

International and European standardisation organisations (ISO and CEN) are engaged in standardisation work in this field. There are, however, diverging views, notably on how to link body dimensions with size intervals, and on how to communicate size information on the labels. The EU Member States as well as businesses (e.g. producers, retailers, and brand owners) are also divided as regards which measurement and coding system ⁽¹⁾ should be used. In this context, it could be useful to carry out behavioural tests to check how consumers understand the different size labelling systems and how the size information could be best communicated to consumers.

A uniform size labelling system may facilitate mail order and online shopping, therefore increasing sales, and reducing the number of returns (and associated costs) for the benefit of both consumers and retailers.

The Commission is, therefore, assessing possible ways to encourage and support the development of a wider consensus for a uniform EU-wide standard-based size designation and coding system. In this context, giving a mandate to CEN, the European standardisation organisation, is currently under consideration.

⁽¹⁾ Centimetres versus inches, and letters versus numbers.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-012041/13
an die Kommission
Ingeborg Gräßle (PPE)
(22. Oktober 2013)

Betrifft: Follow-up zur Anfrage E-004680/2013: Misswirtschaft in OLAF

Wann wird die Kommission dem Haushaltskontrollausschuss, wie versprochen, die in der Anfrage aufgelisteten Dokumente mit den ARES-Nummern 498015, 812133, 853167 und 184406 sowie die Aufzeichnung über die Reise einer Delegation nach Brasilien (17.11.2006 — Nr. 965), die Aufzeichnung des OLAF vom Februar 2009 (Nr. 630) wie auch die Aufzeichnungen des Juristischen Dienstes (Nr. 72668 und Nr. 73062 vom 11.2.2009 bzw. 27.7.2010) übersenden?

In einer Antwort auf einen Antrag auf Zugang zu den Dokumenten D/000955 vom 5. Februar 2009 schreibt OLAF: „Die Offenlegung des Dokuments könnte dem Ruf dieser Einrichtung und somit ihren geschäftlichen Interessen schaden. Die Informationen beziehen sich auf Untersuchungen des OLAF, auf Missstände bei der Verwaltung von EU-Mitteln und auf Bestechungsvorwürfe und geben nicht unbedingt den Standpunkt der Kommission wieder.“

1. Um welche Bestechungsvorwürfe handelt es sich?
2. Zu welchem Ergebnis kam OLAF hinsichtlich dieser Bestechungsvorwürfe?
3. Welche Ermittlungsmaßnahmen wurden von OLAF unternommen, um die Bestechungsvorwürfe aufzuklären?
4. Wie bewertet die Kommission diese offenen Vorwürfe der Bestechlichkeit im Lichte der derzeitigen Tätigkeit der damaligen Präsidentin der betroffenen NGO für ein Organ der Europäischen Institutionen?
5. Wird die Kommission das Dokument D/000955 vom 5. Februar 2009 ungeschwärzt und vollständig veröffentlichen oder dem Parlament, insbesondere den Mitgliedern des Haushaltskontrollausschusses des Europäischen Parlaments, gegebenenfalls auch vertraulich zur Einsicht zur Verfügung stellen?
6. Wann?

Antwort von Herrn Šemeta im Namen der Kommission
(28. Januar 2014)

Die Kommission hat im Jahr 2013 gemäß den Bestimmungen der Verordnung (EG) Nr. 1049/2001 auf Anfrage Kopien folgender Dokumente offengelegt: ARES(2010)498015 und ARES(2010)853167.

Die Kopien wurden dem Vorsitzenden des Haushaltskontrollausschusses des Europäischen Parlaments am 20. Dezember 2013 übermittelt.

Was die übrigen Dokumente anbelangt, so beabsichtigt die Kommission nicht, diese zu veröffentlichen, sondern wird etwaige diesbezügliche Anfragen des Europäischen Parlaments nach Maßgabe der Rahmenvereinbarung zwischen dem Parlament und der Kommission prüfen.

Die Frau Abgeordnete zitiert zwei Sätze aus dem Antwortschreiben des OLAF an den Antragsteller, der sich selbst als private natürliche Person bezeichnet hat. Der Schutz der Privatsphäre des Einzelnen in Bezug auf im Besitz des OLAF befindliche Informationen verpflichtet das OLAF, sich diesbezüglich jeden Kommentars zu enthalten.

Das in dem Antrag auf Zugang zu Dokumenten erwähnte Dokument (D/000955 vom 5.2.2009) ist teilweise öffentlich und liegt dieser schriftlichen Antwort in seiner öffentlichen (d. h. geschwärzten) Fassung bei, ebenso der ihm beigefügte Anhang (der teilweise offengelegte abschließende Untersuchungsbericht).

Was die ungeschwärzte Fassung des Dokuments D/000955 anbelangt, so wird die Kommission etwaige diesbezügliche Anfragen des Europäischen Parlaments nach Maßgabe der Rahmenvereinbarung zwischen dem Parlament und der Kommission prüfen.

Das OLAF hat der Kommission mitgeteilt, dass ihm keine Beweise für eine etwaige Verwicklung der ehemaligen Präsidentin der betroffenen NRO in den angeblichen Bestechungsfall vorliegen.

(English version)

Question for written answer E-012041/13
to the Commission
Ingeborg Gräßle (PPE)
(22 October 2013)

Subject: Follow-up to Question E-004680/2013: mismanagement in OLAF

When will the Commission forward to the Committee on Budgetary Control, as promised, ARES documents Nos 498015, 812133, 853167 and 184406; Note 965 of 17 November 2006 concerning the delegation visit to Brazil; OLAF note 630 of February 2009; and Notes 72668 and 73062 from the Legal Service of 11 February 2009 and 27 July 2010 respectively?

In its answer to a request for access to Document D/000955 of 5 February 2009, OLAF wrote: 'Disclosing the document could damage the reputation of this institution and, consequently, its commercial interests. The information concerns OLAF's investigations, the mismanagement of EU funds and allegations of corruption, and does not necessarily represent the views of the Commission.'

1. What are the specific allegations involved?
2. What conclusions did OLAF reach regarding these allegations?
3. What investigative measures did OLAF take in order to shed light on the allegations?
4. What view does the Commission take of these public allegations of corruption in the light of the work which the then-president of the NGO concerned is now doing for a European institution?
5. Will the Commission publish or make available to Parliament, in particular to the members of Parliament's Committee on Budgetary Control, the full, unredacted version of Document D/000955 of 5 February 2009, confidentially if necessary?
6. When?

Answer given by Mr Šemeta on behalf of the Commission
(28 January 2014)

The Commission disclosed under the provisions of Regulation 1049/2001 upon request in 2013 copies of the following documents: ARES(2010)498015 and ARES(2010) 853167.

They were sent to the Chairman of the Budgetary Control Committee of the European Parliament on 20 December 2013.

As for the remaining documents, the Commission does not intend to publish them but will assess any request from the European Parliament under the conditions of the framework Agreement between the Parliament and the Commission.

The Honourable Member quotes two sentences from OLAF's reply to the author of the letter who has qualified himself/herself as a private natural person. Protection of privacy of individuals with respect to information held by OLAF is an obligation requiring the Office to abstain from any comments in this regard.

The document mentioned in the letter (D/000955 of 05.02.09) is partly public and it is attached to this answer in its public redacted version, together with the annex of this letter which is the partially disclosed Final Case Report.

As for the unredacted version of Document D/000955, the Commission will assess any request from the European Parliament under the conditions of the framework Agreement between the Parliament and the Commission.

OLAF has informed the Commission that it holds no evidence which might implicate the former President of the NGO in the alleged corruption activities.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012052/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(22 de octubre de 2013)

Asunto: BEI y proyecto Castor

El Banco Europeo de Inversiones puso en marcha este año la prueba piloto de los bonos para la financiación de proyectos con el proyecto Castor, entre otros. Como se sabe, el proyecto Castor ha sido el causante de varios microsismos en las costas catalana y valenciana.

El BEI invirtió de manera directa 300 millones en la emisión que cerró Escal UGS, la empresa promotora del almacén gasista, el pasado mes de julio. Pero, además, aprobó una línea de liquidez de otros 200 millones destinada a los inversores institucionales que confiaron en la colocación, según consta en la propia nota que hizo pública la entidad pública europea. El 80 % de los compradores de los títulos fueron grupos internacionales.

Puede ser que Escal UGS y el Gobierno se enzarzen en una batalla judicial en el Tribunal Supremo por la indemnización por un posible cierre de Castor que podría durar cinco años. De ser así, algunos inversores pueden intentar activar la línea de liquidez del BEI y realizar los 200 millones, con lo que el banco se acabaría quedando el 35 % del riesgo de la emisión ⁽¹⁾.

¿Por qué motivos cree la Comisión que se decidió apostar por el proyecto Castor en la fase piloto de los bonos para proyectos, en lugar de otra clase de infraestructura como cualquiera de los corredores de la red TEN-T?

¿Qué datos tenía la Comisión sobre los riesgos del proyecto Castor antes que el BEI aprobara la emisión de bonos para financiar este proyecto? ¿Los piensa hacer públicos?

Respuesta del Sr. Rehn en nombre de la Comisión

(17 de enero de 2014)

1. La función de la Comisión Europea consiste en comprobar la conformidad de la política con las orientaciones RTE-E. La Comisión no determina la solución financiera más apropiada para un proyecto determinado.
2. Según lo indicado anteriormente, la Comisión no ha participado en la evaluación de los riesgos del proyecto. Estos riesgos los evalúan normalmente los promotores del proyecto y las autoridades nacionales correspondientes que conceden las autorizaciones y permisos necesarios. Al formar parte del plan de infraestructuras energéticas españolas, el proyecto se incluyó en la evaluación estratégica medioambiental realizada por el Ministerio de Energía español en 2007 (Informe de sostenibilidad ambiental de la planificación de los sectores de electricidad y gas 2007-2016). El promotor también llevó a cabo una evaluación de impacto ambiental que fue objeto de una amplia consulta pública y recibió la aprobación de la autoridad competente española en octubre de 2009.

⁽¹⁾ http://www.elconfidencial.com/empresas/2013-10-19/otro-roto-a-la-marca-espana-el-bei-tiene-500-millones-de-euros-pillados-en-castor_43622/

(English version)

**Question for written answer E-012052/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(22 October 2013)

Subject: EIB and the Castor project

This year, the European Investment Bank launched the pilot phase for project bonds to finance projects such as Castor. The Castor project has caused numerous tremors along the coastline of Catalonia and Valencia.

The EIB directly invested EUR 300 million in the bond issue, which was agreed with Escal UGS (the Spanish gas storage company) in July 2013. Moreover, the EIB also provided a EUR 200 million liquidity line to attract institutional investors and boost confidence in the bond issue, according to an EIB press release. Eighty per cent of the project bond investors were international groups.

Escal UGS and the Spanish Government may have to engage in a legal battle in the Supreme Court over compensation for the possible closure of the Castor project, and the legal process could take five years. If this is the case, some investors may try to tap into the EIB liquidity line and use the EUR 200 million, which would leave the bank responsible for 35% of the risk associated with the bond issue ⁽¹⁾.

Why did the Commission decide to use the Castor project in the project bonds pilot phase as opposed to another type of infrastructure such as any of the TEN-T network corridors?

What information did the Commission have on the risks posed by the Castor project before the EIB approved the bond issue to fund this project? Will it publish this information?

Answer given by Mr Rehn on behalf of the Commission

(17 January 2014)

1. The role of the European Commission is to check policy compliance with the TEN-E guidelines. The Commission does not determine the appropriate financing solution for a given project.
2. As indicated above, the Commission has not been involved in the assessment of the project's risks. These risks are normally assessed by the project promoters and the corresponding National authorities who provide the required permits and authorisations. As a part of the Spanish energy infrastructure plan, the project was included in the Strategic Environmental Assessment carried out by the Spanish Energy Ministry in 2007 (Informe de sostenibilidad ambiental de la planificación de los sectores de electricidad y gas 2007-2016). The promoter has also carried out an Environmental Impact Assessment that was subject to extensive public consultation and was approved by the Spanish competent authority in October 2009.

⁽¹⁾ http://www.elconfidencial.com/empresas/2013-10-19/otro-roto-a-la-marca-espana-el-bei-tiene-500-millones-de-euros-pillados-en-castor_43622/

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012054/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(22 de octubre de 2013)

Asunto: Uso de símbolos franquistas en el Ejército del Aire de España

Todas las aeronaves de las fuerzas armadas de España tienen pintada en su cola la Cruz de San Andrés. Este símbolo, nacido en la Edad Media, es también conocido como la Cruz de Borgoña y tiene una larga historiografía.

A pesar de ello, su aparición como símbolo identificativo de las aeronaves españolas fue introducida por el General Francisco Franco, dictador golpista que gobernó el Estado español durante 36 años. Según la página web oficial del Ejército: «Jesús Salas Larrazábal, en su libro “La guerra de España desde el aire: dos ejércitos y sus cazas frente a frente”, Ediciones Ariel, 1969, página 78 del capítulo II, indica que la Cruz de San Andrés la ordenó pintar el General Franco sobre un fondo blanco al tiempo que hizo desaparecer las banderas tricolor o bicolor, el día 8 de agosto de 1936» ⁽¹⁾.

Además, este símbolo es recogido por organizaciones nostálgicas del régimen de Franco como la llamada «Asociación de la Cruz de San Andrés», participante en la manifestación del 12 de octubre en Barcelona ⁽²⁾.

¿Qué información tiene la Comisión sobre la transposición de la Decisión Marco 2008/913/JAI sobre la trivialización de símbolos relacionados con dictaduras y crímenes contra la humanidad?

¿Podría informar la Comisión en esta fase, antes de su valoración debida para finales de este año, de cómo se ha aplicado este instrumento en España, así como sobre la eficacia de la legislación española para luchar contra la incitación pública e intencional a la violencia y el odio?

Respuesta de la Sra. Reding en nombre de la Comisión

(20 de enero de 2014)

La Comisión remite a Su Señoría a su respuesta escrita E-011140/2013 ⁽³⁾.

⁽¹⁾ <http://www.ejercitodelaire.mde.es/ea/pag?idDoc=A497CA6D4A538AAFC125746D0020EB55>

⁽²⁾ <http://www.cruzdesanandres.org/alertas.php?idalerta=200>

⁽³⁾ <http://www.europarl.europa.eu/plenary/es/parliamentary-questions.html>

(English version)

**Question for written answer E-012054/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(22 October 2013)

Subject: Use of Francoist symbols by the Spanish Air Force

All aircraft belonging to the Spanish Armed Forces have an image of the St Andrew's Cross on their tail fins. This symbol, which came into being in the Middle Ages, is also known as the Cross of Burgundy and has a long history.

It was first used as an identifying symbol on Spanish aircraft by General Francisco Franco, the dictator who took power in a military coup and ruled Spain for 36 years. The following quotation appears on the official website of the Spanish Air Force: In his book *Air War Over Spain: two armies and their fighter planes face to face* (Ariel publishing house, 1969), Jesús Salas Larrazábal states, on page 78 of Chapter II that, on 8 August 1936, General Franco ordered that the St Andrew's Cross be painted on a white background, with the simultaneous erasing of the tricolour and bicolour flags' ⁽¹⁾.

What is more, this symbol is used by organisations which lament the end of Franco's regime, such as the 'St Andrew's Cross Association' which participated in the demonstration held on 12 October 2013 in Barcelona ⁽²⁾.

What information does the Commission have on the transposal of Framework Decision 2008/913/JHA as regards the trivialisation of symbols linked to dictatorship and crimes against humanity?

Can the Commission give its interim opinion, prior to the assessment due by the end of the year, on how this instrument has been applied in Spain, and on the effectiveness of Spanish legislation to combat intentional public incitement to violence and hate?

Answer given by Mrs Reding on behalf of the Commission

(20 January 2014)

The Commission refers the Honourable Member to its answer to Written Question E-011140/2013 ⁽³⁾.

⁽¹⁾ <http://www.ejercitodelaire.mde.es/ea/pag?idDoc=A497CA6D4A538AAFC125746D0020EB55>

⁽²⁾ <http://www.cruzdesanandres.org/alertas.php?idalerta=200>

⁽³⁾ <http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html>

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012062/13
a la Comisión**

Salvador Sedó i Alabart (PPE)

(23 de octubre de 2013)

Asunto: Los acuerdos de inversión privada entre Ryanair y aeropuertos catalanes

El pasado 16 de octubre la Comisión Europea inició investigaciones ⁽¹⁾ sobre los acuerdos privados de publicidad firmados entre la compañía aérea Ryanair y el Gobierno catalán así como otras instituciones públicas y privadas.

Estos acuerdos bilaterales tienen como objeto promover y publicitar las regiones de Girona-Costa Brava y Reus-Tarragona-Costa Daurada y su práctica es habitual en el sector aéreo.

El Tribunal de Justicia de la Unión Europea en sentencia de 17 de diciembre de 2008 anuló la Decisión 2004/393/CE de la Comisión relativa a las ventajas otorgadas por la Región de Valonia y Brussels South Charleroi Airport a Ryanair señalando que un Estado puede actuar en su condición de operador económico (y no como autoridad reguladora) y por tanto puede operar como inversor privado en una economía de mercado, no suponiendo por tanto que tales condiciones impliquen ventajas económicas a una empresa.

Teniendo en cuenta el antecedente jurídico expuesto, ¿no deberían respetarse las negociaciones comerciales en acuerdos de inversión privada entre las partes teniendo en cuenta que la naturaleza del contrato es de carácter económico, es decir, la promoción turística y publicidad?

Respuesta del Sr. Almunia en nombre de la Comisión

(16 de diciembre de 2013)

Los asuntos relacionados con el contexto jurídico mencionado, incluida la sentencia indicada por Su Señoría ⁽²⁾, y la naturaleza exacta de los acuerdos adoptados en este caso entre las partes contratantes han sido analizados en detalle en la Decisión de incoación de la investigación de ayudas estatales adoptada por la Comisión el 16 de octubre de 2013. La Comisión está trabajando actualmente con España para identificar las partes de la Decisión que deberán mantenerse con carácter confidencial, en aras de la protección de los secretos comerciales. Toda vez que se haya resuelto dicho asunto, la Decisión será publicada en el *Diario Oficial de la Unión Europea*, y será incluida con el número de asunto SA.33909 en el registro de ayudas estatales ⁽³⁾ del sitio web de la Comisión.

La decisión de incoar una investigación sobre ayudas estatales ofrece a los terceros interesados la oportunidad de presentar observaciones sobre las medidas en cuestión y no prejuzga el resultado de dicha investigación.

⁽¹⁾ European Commission IP/13/956 http://europa.eu/rapid/press-release_IP-13-956_en.htm

⁽²⁾ Asunto T-196/04, Ryanair Ltd/Comisión, Rec. 2008, p. II-3643.

⁽³⁾ http://ec.europa.eu/competition/elojade/isef/case_details.cfm?proc_code=3_SA_33909

(English version)

**Question for written answer E-012062/13
to the Commission**

Salvador Sedó i Alabart (PPE)

(23 October 2013)

Subject: Private investment agreements between Ryanair and Catalan airports

On 16 October 2013, the Commission opened investigations ⁽¹⁾ into private advertising agreements signed between the airline Ryanair and the Catalan Government and other public and private bodies.

The aim of these bilateral agreements is to promote and advertise the Girona-Costa Brava and Reus-Tarragona-Costa Daurada regions, and they are commonplace in the aviation sector.

On 17 December 2008, the Court of Justice of the European Union issued a judgment annulling Commission Decision 2004/393/EC concerning advantages granted by the Walloon Region and Brussels South Charleroi Airport to the airline Ryanair, indicating that a State may act in its capacity as an economic operator (and not a regulatory authority) and therefore may act as a private investor in a market economy, assuming then that such conditions do not entail economic advantages for a company.

Taking into account the aforementioned legal background, should we not respect the commercial negotiations in private investment agreements between the parties, given that the agreements are economic in nature, as they relate to advertising and the promotion of tourism?

Answer given by Mr Almunia on behalf of the Commission

(16 December 2013)

Issues connected to the legal background mentioned, including the judgment mentioned by the Honourable Member ⁽²⁾, and the exact nature of the agreements made in this case between the contracting parties are explored in detail in the decision to open the state aid investigation adopted by the Commission on 16 October 2013. The Commission is currently working with Spain to identify the parts of the decision that should be kept confidential for the sake of the protection of business secrets. Once that issue is resolved, the decision will be published in the Official Journal of the EU and made available under case number SA.33909 in the state aid Register ⁽³⁾ on the Commission's website. .

The decision to open a state aid investigation gives interested third parties an opportunity to submit comments on the measures under assessment and it does not prejudice the outcome of the state aid investigation.

⁽¹⁾ European Commission IP/13/956 http://europa.eu/rapid/press-release_IP-13-956_en.htm

⁽²⁾ Case T-196/04 Ryanair v Commission [2008] ECR II-3643.

⁽³⁾ http://ec.europa.eu/competition/elojade/isef/case_details.cfm?proc_code=3_SA_33909

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012070/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(23 de octubre de 2013)

Asunto: Prestaciones sanitarias a personas extranjeras

En respuesta a una pregunta sobre la influencia del Real Decreto Ley 16/2012 en la posesión de tarjeta sanitaria por personas extranjeras en situación irregular, presentada en el Congreso de España por el diputado de Amaiur Jon Iñarritu, el Gobierno de España ha contestado textualmente: «toda persona extranjera que lo necesita recibe puntualmente atención sanitaria en España atendiendo a la legislación europea en vigor y con las prestaciones más generosas de toda la UE».

¿Tiene conocimiento la Comisión de si existe algún informe realizado por la Unión Europea o alguno de sus organismos oficiales en el cual se pueda sustentar la afirmación del Gobierno de España de que las personas extranjeras reciben las prestaciones sanitarias «más generosas de toda la UE»?

Respuesta de la Sra. Malmström en nombre de la Comisión

(10 de enero de 2014)

La Comisión no ha elaborado ningún informe en el que se comparen los servicios sanitarios que ofrecen los Estados miembros a los extranjeros. El Sistema de Información Mutua sobre Protección Social (MISSOC), coordinado por la Comisión, compila cuadros comparativos ⁽¹⁾ que recogen información detallada sobre la protección social en 31 países, incluidas las condiciones que dan derecho a la cobertura sanitaria en los Estados miembros.

En el artículo 168 del Tratado de Funcionamiento de la Unión Europea se establece que «al definirse y ejecutarse todas las políticas y acciones de la Unión se garantizará un alto nivel de protección de la salud humana». La acción de la Unión Europea «complementará las políticas nacionales». Además, se insiste en que «la acción de la Unión respetará las responsabilidades de los Estados miembros por lo que respecta a la definición de su política de salud, así como a la organización y prestación de servicios sanitarios y atención médica».

De igual manera, en el artículo 35 de la Carta de los Derechos Fundamentales de la Unión Europea se establece que «toda persona tiene derecho a la prevención sanitaria y a beneficiarse de la atención sanitaria en las condiciones establecidas por las legislaciones y prácticas nacionales». De conformidad con su artículo 51, la Carta se dirige a las instituciones de la Unión Europea y a los Estados miembros cuando apliquen el Derecho de la Unión.

En vista de lo anteriormente expuesto, el acceso a la atención sanitaria de los nacionales de terceros países presentes ilegalmente en la EU y que no están cubiertos por las disposiciones de la Directiva de Retorno ⁽²⁾ (es decir, los inmigrantes irregulares presentes en el territorio de un Estado miembro que no hayan sido interceptados y no estén sujetos a una decisión de retorno) no está armonizado a escala de la Unión.

⁽¹⁾ Véase <http://www.missoc.org/>

⁽²⁾ 2008/115/CE.

(English version)

**Question for written answer E-012070/13
to the Commission**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(23 October 2013)

Subject: Health services for foreigners

In response to a question on the influence of Royal Decree-Law No 16/2012 on undocumented foreigners holding health insurance cards, tabled in the Spanish Parliament by Member of Parliament Amañur Jon Iñárritu, the Spanish Government has issued the following reply: 'any foreigner who so requires receives healthcare in Spain in a timely manner, in line with European legislation in force and with the most generous services in the whole of the EU'.

Does the Commission know if the European Union or any of its official bodies has produced any reports which support the Spanish Government's claim that foreigners receive the 'most generous' health services in the whole of the EU?

Answer given by Ms Malmström on behalf of the Commission

(10 January 2014)

The Commission has not produced any report comparing the health services offered to foreigners by Member States. The EU's Mutual Information System on Social Protection (MISSOC), coordinated by the Commission, compiles comparative tables ⁽¹⁾ that contain detailed information on social protection in 31 countries, including on qualifying conditions for healthcare coverage in Member States.

Article 168 of the Treaty on the Functioning of the European Union states that a 'high level of human health protection shall be ensured in the definition and the implementation of all union policies and activities'. Action by the European Union 'shall complement national policies and activities'. Further, it states that 'Union action shall respect the responsibilities of the Member States for the definition of their health policy and for the organisation and delivery of health services and medical care.'

Likewise, Article 35 of the Charter of Fundamental Rights of the European Union stipulates that 'everyone has the right of access to preventive healthcare and the right to benefit from medical treatment under the conditions established by national laws and practices'. According to its Article 51, the Charter is addressed to the European Union institutions and to the Member States when they are implementing Union Law.

In view of the above, the access to healthcare of illegally staying third-country nationals who are not covered by the provisions of the Return Directive ⁽²⁾ — i.e. those irregular migrants staying on Member State territory who have not been apprehended and not yet made subject of a return decision — is not harmonised at Union level.

⁽¹⁾ See <http://www.missoc.org/>

⁽²⁾ 2008/115/EC.

(Versione italiana)

**Interrogazione con richiesta di risposta scritta E-012127/13
alla Commissione (Vicepresidente/Alto Rappresentante)**

Fiorello Provera (EFD) e Charles Tannock (ECR)

(23 ottobre 2013)

Oggetto: VP/HR — Repressione ai danni delle comunità tibetane e uigure

L'8 ottobre 2013 il *Washington Post* ha pubblicato una relazione sui presunti casi di repressione ai danni di membri delle comunità uigure e tibetane della Cina. La Campagna internazionale per il Tibet (ICT) ha riferito che le autorità cinesi avevano rafforzato la loro presenza in materia di sicurezza nella contea di Biru, ubicata nella prefettura di Nagchu della regione autonoma del Tibet, dopo il rifiuto espresso dai residenti di esporre le bandiere cinesi in occasione della celebrazione della Festa nazionale svoltasi il 1° ottobre.

ICT ha affermato che alcuni gruppi di lavoro del governo erano stati inviati a Biru in vista della festività nazionale per obbligare i tibetani locali a esporre la bandiera nell'ambito di un maggiore impegno a imporre la fedeltà al partito comunista. Uno dei residenti locali della contea di Biru è stato arrestato per aver partecipato alle manifestazioni contro l'ordinanza. Il 6 ottobre alcuni tibetani hanno manifestato a favore della sua liberazione e tale azione avrebbe indotto le forze di sicurezza a usare i lacrimogeni. Il governo tibetano in esilio sostiene che esistono informazioni secondo cui alcuni manifestanti sarebbero stati feriti.

Nella regione nord-occidentale dello Xinjiang tra la fine di giugno e la fine di agosto di quest'anno le autorità avrebbero sottoposto a detenzione oltre 100 persone con l'accusa di propagazione di «estremismo religioso». Gli attivisti uiguri sostengono che la polizia cinese sta tentando di esercitare il controllo sulla diffusione dell'ideologia secessionista e accusano il governo cinese di aver tentato di impedire agli uiguri di utilizzare internet per esprimere le loro opinioni e le loro esperienze riguardanti la situazione politica nel Tibet.

1. Qual è la posizione del Vicepresidente/Alto Rappresentante circa le politiche adottate dalle autorità cinesi in relazione alle repressioni segnalate ai danni delle minoranze cinesi?
2. Intende il VP/AR chiedere spiegazioni al governo cinese sulle recenti repressioni avvenute nella contea di Biru?
3. Quali misure sta adottando l'UE per esaminare in modo indipendente i casi di violazione dei diritti umani segnalati in Tibet e nello Xinjiang?

Risposta dell'Alta Rappresentante/Vicepresidente Ashton a nome della Commissione

(21 gennaio 2014)

L'Unione europea ha sollevato pubblicamente la questione dei diritti umani degli appartenenti alle minoranze nonché, in numerose occasioni, la situazione nel Tibet e nello Xinjiang. Ad esempio, il 12 giugno 2012 l'Alta Rappresentante/Vicepresidente Ashton ha parlato della situazione tibetana di fronte al Parlamento europeo; il 14 dicembre 2012 ha rilasciato una dichiarazione a nome dell'UE27 sulle autoimmolazioni in Tibet e, da ultimo, il 13 marzo 2013, il Commissario Füle ha affrontato a suo nome la questione del Tibet durante il dibattito sull'adozione della relazione del Parlamento europeo sulle relazioni UE-Cina. Il Tibet è inoltre regolarmente menzionato nelle dichiarazioni dell'Unione europea in sede di Consiglio delle Nazioni Unite per i diritti umani.

Durante l'ultimo dialogo UE-Cina sui diritti umani, svoltosi a Guiyang (provincia del Guizhou) in Cina il 25 giugno 2013, la situazione degli appartenenti alle minoranze etniche e religiose è stata fra gli argomenti al centro delle discussioni. Sono stati sollevati anche casi individuali. Nel mese di settembre, il rappresentante speciale dell'UE per i diritti umani si è impegnato a discutere approfonditamente i temi delle minoranze mentre si trovava a Pechino e durante la sua visita nella provincia di Qinghai e nella regione autonoma del Tibet.

L'AR/VP continuerà a sorvegliare la situazione e a manifestare al governo cinese le proprie preoccupazioni per quanto accade nel Tibet e nello Xinjiang.

(English version)

Question for written answer E-012127/13
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD) and Charles Tannock (ECR)
(23 October 2013)

Subject: VP/HR — Repression of Tibetan and Uighur communities

On 8 October 2013, the *Washington Post* published a report on alleged cases of repression against members of China's Uighur and Tibetan communities. The International Campaign for Tibet (ICT) reported that the Chinese authorities had stepped up their security presence in Biru County, in the Nagchu Prefecture of the Tibet Autonomous Region, following residents refusal to display Chinese flags in celebration of National Day, held on 1 October.

ICT said that government working groups had been sent to Biru ahead of the national holiday to compel local Tibetans to fly the flag as part of an intensified effort to enforce loyalty to the Communist Party. One local resident of Biru County was arrested after participating in demonstrations against the order. On 6 October, a number of Tibetans protested in favour of the man's release, which allegedly prompted the use of tear gas by the security forces. The Tibetan Government-in-exile says that there are reports that some of the protesters were injured.

In the north-western region of Xinjiang, the authorities reportedly detained over 100 people between late June and the end of August this year on the grounds of spreading 'religious extremism'. Uighur activists say that the Chinese police are attempting to control the spread of secessionist ideology. The activists have also accused the Chinese Government of attempting to crackdown on Uighurs use of the Internet to express their views and experiences regarding the political situation in Tibet.

1. What is the position of the Vice-President/High Representative regarding the policies of the Chinese authorities in relation to the reported crackdowns against China's minority groups?
2. Will the VP/HR ask the Chinese Government about the recent crackdown in Biru County?
3. What steps is the EU taking to independently verify cases of human rights abuses in both Tibet and Xinjiang?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(21 January 2014)

The EU has publicly raised the human rights of persons belonging to minorities, as well as the situation in Tibet and Xinjinag on many occasions. For example, on 12 June 2012, HR/VP Ashton addressed the Tibetan situation before the European Parliament; on 14 December 2012, she made a statement on behalf of the EU-27 on Tibetan self-immolations; and on 13 March 2013 Commissioner Füle raised Tibet on her behalf during the debate on the adoption of the European Parliament's report on EU-China relations. Tibet is also highlighted regularly in EU statements at the UN Human Rights Council.

During the most recent EU-China Human Rights Dialogue, which took place in Guiyang (Guizhou province) in China on 25 June 2013, the situation of persons belonging to ethnic and religious minorities was one of the issues substantially discussed. Individual cases were also raised. In September, the EU Special Representative for Human Rights made a point of discussing extensively the issue of minorities whilst in Beijing and when visiting the province of Qinghai and the Tibetan Autonomous Region

The HR/VP will continue to monitor the situation and raise its concerns over the situation in Tibet and Xinjiang with the Chinese Government.

(Versione italiana)

**Interrogazione con richiesta di risposta scritta E-012128/13
alla Commissione (Vicepresidente/Alto Rappresentante)**

Fiorello Provera (EFD) e Charles Tannock (ECR)

(23 ottobre 2013)

Oggetto: VP/HR — Scorte di uranio dell'Iran

Nell'ambito dei negoziati in corso con l'Iran sul suo programma nucleare, i governi occidentali hanno chiesto al paese di sospendere la sua attività di arricchimento di uranio al 20 %, di inviare all'estero una parte delle scorte esistenti e di chiudere il suo sito sotterraneo di Fordow. Nonostante i rinnovati colloqui tenutisi a Ginevra, l'Iran ha fatto sapere che non intende inviare fuori dal paese il materiale nucleare sensibile. Il viceministro degli Esteri iraniano Abbas Araçchi ha detto che l'invio di materiale fuori dal paese è la nostra «linea rossa».

Dal 2010 l'Iran ha prodotto tra i 240 kg e i 250 kg di gas di uranio, una quantità superiore a quella necessaria per una bomba nucleare. Secondo gli esperti l'Iran ha anche accumulato una quantità sufficiente di uranio impoverito per produrre diversi ordigni in caso di proseguimento della lavorazione. Data la riluttanza dell'Iran a consegnare tutte le sue scorte, si teme che i negoziati possano nuovamente raggiungere una situazione di stallo. La decisione dell'Iran di tracciare «linee rosse» potrebbe tuttavia creare difficoltà nel pervenire a un accordo duraturo.

1. Qual è la posizione del Vicepresidente/Alto Rappresentante riguardo alle osservazioni rese dal viceministro degli Esteri iraniano stando alle quali l'uranio arricchito non verrà inviato fuori dal paese?
2. Intende il VP/AR fissare insieme ai funzionari statunitensi un calendario per le richieste concernenti la rimozione di materiale fissile dalle scorte dell'Iran?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione

(10 febbraio 2014)

L'AR/VP si adopera con impegno, insieme all'E3+3, per trovare una soluzione diplomatica in merito al programma nucleare iraniano. L'espansione del programma, che comprende anche la produzione e l'accumulo di uranio arricchito, resta una delle preoccupazioni principali. Nel cercare una soluzione negoziata alla questione nucleare iraniana si dovrà tener conto di tutte le preoccupazioni in materia di proliferazione, comprese quelle connesse alle riserve iraniane di uranio arricchito.

(English version)

Question for written answer E-012128/13
to the Commission (Vice-President/High Representative)
Fiorello Provera (EFD) and Charles Tannock (ECR)
(23 October 2013)

Subject: VP/HR — Iran's uranium stockpile

As part of the ongoing negotiations with Iran concerning its nuclear programme, Western governments have demanded that Iran suspend the enrichment of uranium to a fissile concentration of 20%, send part of its existing stockpile abroad, and close its underground site at Fordow. Despite the renewed talks held in Geneva, Iran has said that it will not send sensitive nuclear material out of the country. Iran's Deputy Foreign Minister, Abbas Araqchi, said that shipping material out of the country was 'our red line'.

Since 2010, Iran has produced 240 to 250 kg of uranium gas, which is more than is needed for a nuclear bomb. Experts have suggested that Iran has also gathered enough low-enriched uranium to produce several bombs if it were processed further. There are fears that, given Iran's reluctance to hand over its entire stockpile, negotiations could once more end in deadlock. Nevertheless, Iran's decision to draw 'red lines' could create difficulties in securing a long term agreement.

1. What is the position of the Vice-President/High Representative regarding the comments made by Iran's Deputy Foreign Minister in which he stated that it would not send enriched uranium out of the country?
2. Does the VP/HR, together with US officials, plan to set a timeline for demands regarding the removal of Iran's stockpile of fissile material?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(10 February 2014)

The VP/HR together with the E3+3 has been engaged to find a diplomatic solution on Iran's nuclear programme. Expansion of Iran's nuclear programme, which includes also the production and accumulation of enriched uranium, remains one of the key concerns. Efforts to find a negotiated solution on the Iranian nuclear issue will have to address all proliferation concerns, including those resulting from Iran's enriched uranium stockpile.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012142/13
a la Comisión**

Antonio Masip Hidalgo (S&D), Luis Yáñez-Barnuevo García (S&D) y Andrés Perelló Rodríguez (S&D)

(23 de octubre de 2013)

Asunto: Descarga de piedras frente a Gibraltar

La Directiva «Hábitats» tiene por objetivo contribuir al mantenimiento de la biodiversidad de los Estados miembros. En la mañana de hoy un diario español señala que en las próximas horas se descargarán en las aguas frente a Gibraltar, con el fin de alterar esta costa, toneladas de piedras procedentes del norte de África.

¿No considera la Comisión que se trata de una infracción de dicha directiva por tratarse de una zona LIC (lugar de importancia comunitaria) del Estrecho Oriental?

¿No cree la Comisión que este hábitat de interés comunitario de tal riqueza biológica —clasificado con el número 1110— por sus bancos de arena cubiertos permanentemente por agua marina poco profunda, arrecifes, estructuras submarinas causadas por emisiones de gases y cuevas marinas sumergidas o semisumergidas, así como por la presencia de especies de interés comunitario como el delfín mular, la tortuga boba o la marsopa común merece la adopción de medidas inmediatas para evitar males irreparables?

Respuesta del Sr. Potočnik en nombre de la Comisión

(12 de diciembre de 2013)

La Comisión no tiene conocimiento de la descarga de toneladas de piedras procedentes del norte de África en las aguas costeras de Gibraltar. Si se tratara de una cuestión relacionada con el proyecto «Eastside», se informa a Sus Señorías de que la Comisión se está preparando para solicitar información al gobierno británico sobre este proyecto, especialmente en lo que respecta a las evaluaciones realizadas con arreglo a la Directiva 92/43/CEE ⁽¹⁾ (Directiva sobre hábitats) y la Directiva 2008/56/CE (Directiva marco sobre la estrategia marina) ⁽²⁾.

⁽¹⁾ Directiva 92/43/CE del Consejo, de 21 de mayo de 1992, relativa a la conservación de los hábitats naturales y de la fauna y flora silvestres, DO L 206 de 22.7.1992.

⁽²⁾ Directiva 2008/56/CE del Parlamento Europeo y del Consejo, de 17 de junio de 2008, por la que se establece un marco de acción comunitaria para la política del medio marino (Directiva Marco sobre la estrategia marina) (Texto pertinente a efectos del EEE), DO L 164 de 25.6.2008.

(English version)

**Question for written answer E-012142/13
to the Commission**

Antonio Masip Hidalgo (S&D), Luis Yáñez-Barnuevo García (S&D) and Andrés Perelló Rodríguez (S&D)

(23 October 2013)

Subject: Dumping of rocks off Gibraltar

The aim of the Habitats Directive is to help preserve Member States' biodiversity. According to a report in a Spanish newspaper this morning, in the next few hours, tonnes of rocks from North Africa will be dumped into the waters off Gibraltar, in order to alter the coastline.

Does the Commission not think that this is a breach of the aforementioned directive, as it involves the Estrecho Oriental site of Community importance (SCI)?

Does the Commission not think that this site, with its wealth of flora and fauna, which is classed as a habitat of Community interest with the code 1110, in view of its sandbanks which are slightly covered by sea water all the time, reefs, submarine structures made by leaking gases and submerged or partially submerged sea caves, as well its native species of Community interest, such as the bottlenose dolphin, loggerhead sea turtle and harbour porpoise, warrants the adoption of urgent measures to prevent irreparable damage?

Answer given by Mr Potočník on behalf of the Commission

(12 December 2013)

The Commission is not aware of the dumping of tons of rocks from North Africa into the waters off Gibraltar. Should the question be related to the 'Eastside Project', the Honourable Member is informed that the Commission is preparing to request information from the UK Government on this project, particularly on the assessments carried out under Directive 92/43/EEC ⁽¹⁾ (Habitats Directive) and under Directive 2008/56/EC (Marine Strategy Framework Directive) ⁽²⁾.

⁽¹⁾ Council Directive 92/43/EEC, of 21 May 1992, on the protection of natural habitats and wild fauna and flora, OJ L 206, 22.7.1992.

⁽²⁾ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (Text with EEA relevance), OJ L 164, 25.6.2008.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012143/13
a la Comisión (Vicepresidenta/Alta Representante)**

Raül Romeva i Rueda (Verts/ALE)

(23 de octubre de 2013)

Asunto: VP/HR — Birmania

La reciente visita a Birmania de la AR/VP de la UE, Catherine Ashton, que se centró en fomentar las relaciones comerciales entre la UE y Birmania, coincidió con la sentencia de un tribunal militar reunido a puerta cerrada de condena a 14 destacados activistas pro democracia a 65 años de prisión por su participación en el levantamiento contra el Gobierno del año pasado. La gravedad de la sentencia, que debe cumplirse en la tristemente célebre cárcel de Insein en Rangún, sorprendió incluso a los más acostumbrados al duro régimen militar. La sentencia puso de manifiesto una vez más el mal historial en materia de derechos humanos de Birmania.

¿Qué está haciendo la AR/VP para garantizar la protección de los partidarios de la democracia?

En la actual situación de Birmania, ¿exigirá la UE a las empresas europeas que operan en Birmania que cumplan criterios de responsabilidad social de las empresas?

Respuesta de la Alta Representante y Vicepresidenta Ashton en nombre de la Comisión

(11 de diciembre de 2013)

La liberación de prisioneros políticos continúa siendo uno de los aspectos fundamentales de las políticas de la UE con respecto a Birmania/Myanmar. La Alta Representante y Vicepresidenta ha recordado en repetidas ocasiones al Gobierno de Birmania/Myanmar las expectativas albergadas por la UE de que este cumpla sin restricciones su compromiso de liberar antes de que finalice 2013 a todos sus prisioneros políticos, incluidos los 14 activistas condenados en 2008. Asimismo, ha expresado la preocupación de la UE por las recientes detenciones de activistas políticos.

Más recientemente, la Alta Representante y Vicepresidenta convocó al grupo operativo UE-Birmania/Myanmar los días 13 a 15 de noviembre de 2013 a fin de hacer un llamamiento para la protección de los activistas y defensores de los derechos humanos.

Dado que el texto de la resolución de la Asamblea General de las Naciones Unidas promovida por la UE en relación con Birmania/Myanmar y los derechos humanos se encuentra aún en preparación, durante su redacción se ha tenido en cuenta el asunto de las detenciones y condenas arbitrarias de activistas políticos.

Si bien la EU fomenta la inversión por parte de empresas europeas en Birmania/Myanmar, tal y como lo demostró la amplia participación de las mismas en el grupo operativo UE-Birmania/Myanmar los días 13 a 15 de noviembre, insta asimismo a los inversores europeos a aplicar unas normas muy estrictas de integridad y RSC ⁽¹⁾. Esto se reitera en la Estrategia renovada de la UE para 2011-2014 sobre la responsabilidad social de las empresas, que incentiva a las empresas de la UE para adherirse a directrices y principios internacionalmente reconocidos, entre ellos las Líneas Directrices de la OCDE ⁽²⁾ para Empresas Multinacionales, los diez principios del Pacto Mundial de las Naciones Unidas, la Guía ISO ⁽³⁾ 26000 en materia de responsabilidad social, la Declaración tripartita de principios sobre las empresas multinacionales y la política social de la OIT ⁽⁴⁾, y los Principios rectores de la ONU sobre empresas y derechos humanos.

⁽¹⁾ Responsabilidad social corporativa.
⁽²⁾ Organización para la Cooperación y el Desarrollo Económicos.
⁽³⁾ Organización Internacional de Normalización.
⁽⁴⁾ Organización Internacional del Trabajo.

(English version)

Question for written answer E-012143/13
to the Commission (Vice-President/High Representative)
Raül Romeva i Rueda (Verts/ALE)
(23 October 2013)

Subject: VP/HR — Burma

The recent visit to Burma by Vice-President/High Representative Catherine Ashton, which focused on fostering trade relations between the EU and Burma, coincided with the 65-year prison sentence passed by a closed military court on 14 prominent pro-democracy activists for their part in last year's anti-government uprising. The severity of the sentence, to be served in Rangoon's notorious Insein jail, came as a surprise even to those accustomed to the country's harsh military regime. The verdict once again highlighted Burma's poor human rights record.

What is the VP/HR doing to ensure the protection of pro-democracy activists?

Given the current conditions in Burma, will the EU require European businesses operating in Burma to fulfil Corporate Social Responsibility criteria?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(11 December 2013)

The release of political prisoners remains a focus of attention for EU policy towards Myanmar/Burma. The HR/VP has repeatedly reminded the Government of Myanmar of the EU's expectation that its commitment to releasing all political prisoners by the end of 2013, including the 14 activists sentenced in 2008, be fulfilled without restrictions. The HR/VP has expressed the EU's concern about recent arrests of political activists.

Most recently, the HR/VP used the EU-Myanmar Task Force on 13-15 November 2013 provided to call for the protection of human rights defenders and activists.

While the text of the EU-sponsored UN General Assembly Human Rights Resolution on Myanmar is still under preparation, the issue of arbitrary arrests and conviction of political activists has been taken into account when drafting the resolution.

While the EU encourages European companies to invest in Myanmar/Burma, as demonstrated by the strong participation of European enterprises at the EU-Myanmar Task Force on 13-15 November, it also calls on European investors to apply the highest standards of integrity and CSR ⁽¹⁾. This is reinforced in the EU strategy 2011-2014 for CSR, which encourages EU companies to adhere to internationally recognised principles and guidelines, including the OECD ⁽²⁾ Guidelines for Multinational Enterprises, the ten principles of the United Nations Global Compact, the ISO ⁽³⁾ 26000 Guidance Standard on Social Responsibility, the ILO ⁽⁴⁾ Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy, and the United Nations Guiding Principles on Business and Human Rights.

⁽¹⁾ Corporate Social Responsibility.

⁽²⁾ Organisation for Economic Cooperation and Development.

⁽³⁾ International Organisation for Standardisation.

⁽⁴⁾ International Labour Organisation.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012150/13
a la Comisión**

Raül Romeva i Rueda (Verts/ALE), Dan Jørgensen (S&D), Carl Schlyter (Verts/ALE), Iñaki Irazabalbeitia Fernández (Verts/ALE) y Keith Taylor (Verts/ALE)
(23 de octubre de 2013)

Asunto: Incumplimiento por España de la aplicación de la Directiva para la protección de los cerdos

La Directiva 2008/120/CE del Consejo exige que los cerdos tengan acceso permanente a materiales manipulables que cumplan como mínimo los requisitos pertinentes del anexo I de la Directiva. Prohíbe, asimismo, que se practique el raboteo sistemáticamente.

En 2008, Compassion in World Farming visitó once explotaciones de ganado porcino en España. Ninguna proporcionaba materiales de enriquecimiento ambiental y se encontró en todas ellas un significativo número de cerdos con la cola cortada. Se informó de tales circunstancias a las autoridades españolas y a la Comisión. En 2013, Compassion in World Farming volvió a España y visitó nueve explotaciones porcinas. Ninguna proporcionaba materiales de enriquecimiento ambiental y todos los cerdos vistos en las nueve granjas habían sufrido raboteo. No ha mejorado el grado de cumplimiento de las explotaciones porcinas en España desde la investigación llevada a cabo en 2008. Se ha informado también a las autoridades españolas y a la Comisión de estas nuevas constataciones.

¿Ha escrito la Comisión a las autoridades españolas y ha insistido ante ellas en la necesidad de mejorar el grado de cumplimiento de estas disposiciones?

Respuesta del Sr. Borg en nombre de la Comisión
(12 de diciembre de 2013)

La Comisión desea remitir a Su Señoría a su respuesta a la pregunta escrita E-011216/2013 ⁽¹⁾.

La Comisión se puso expresamente en contacto con España en 2010 en relación con las constataciones de *Compassion in World Farming*. Por otra parte, la Comisión está elaborando directrices sobre la provisión de materiales manipulables en estrecha colaboración con los Estados miembros a fin de garantizar que se presta la debida atención al tema antes mencionado.

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

(Dansk udgave)

**Forespørgsel til skriftlig besvarelse E-012150/13
til Kommissionen**

**Raül Romeva i Rueda (Verts/ALE), Dan Jørgensen (S&D), Carl Schlyter (Verts/ALE), Iñaki Irazabalbeitia Fernández
(Verts/ALE) og Keith Taylor (Verts/ALE)**
(23. oktober 2013)

Om: Spaniens manglende håndhævelse af direktivet om svins velfærd

I Rådets direktiv 2008/120/EF hedder det, at søer og gylte skal have permanent adgang til rodemateriale, der som minimum opfylder de relevante krav i direktivets bilag I. Direktivet forbyder også regelmæssig halekupering.

I 2008 besøgte organisationen Compassion in World Farming 11 svinefarme i Spanien. Ingen af farmene sørgede for rode- og beskæftigelsesmateriale til svinene, og på samtlige 11 farme havde et betydeligt antal grise fået deres haler kuperet. De spanske myndigheder og Kommissionen blev underrettede om disse iagttagelser. I 2013 vendte Compassion in World Farming tilbage til Spanien og besøgte ni svinefarme. Ingen af farmene sørgede for rode- og beskæftigelsesmateriale til svinene, og alle de grise, som de så på samtlige ni farme, havde fået deres hale kuperet. Der er ikke sket nogen forbedring i de spanske svinefarmes overholdelse af direktivet siden undersøgelsen i 2008. Disse nye iagttagelser er endnu engang blevet formidlet videre til de spanske myndigheder og til Kommissionen.

Har Kommissionen henvendt sig til de spanske myndigheder og indskærpet, at det er nødvendigt at forbedre overholdelsen af disse bestemmelser?

Svar afgivet på Kommissionens vegne af Tonio Borg
(12. december 2013)

Kommissionen henviser det ærede medlem til sit svar på skriftlig forespørgsel E-011216/2013 ⁽¹⁾.

Kommissionen kontaktede Spanien i 2010 angående resultaterne af de undersøgelser, Compassion in World Farming har foretaget. Kommissionen er imidlertid i gang med at udarbejde retningslinjer om tilvejebringelse af rodemateriale i tæt samarbejde med medlemsstaterne, og dette vil sikre, at området får den fornødne opmærksomhed.

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

(Svensk version)

**Frågor för skriftligt besvarande E-012150/13
till kommissionen**

**Raül Romeva i Rueda (Verts/ALE), Dan Jørgensen (S&D), Carl Schlyter (Verts/ALE), Iñaki Irazabalbeitia Fernández
(Verts/ALE) och Keith Taylor (Verts/ALE)**
(23 oktober 2013)

Angående: Spaniens bristfälliga tillämpning av direktivet om svins välbefinnande

Rådets direktiv 2008/120/EG föreskriver att suggor och gyltor måste ha konstant tillgång till bökbart material som åtminstone uppfyller de relevanta kraven i bilaga I till direktivet. I direktivet förbjuds också svanskupering.

Under 2008 besökte Compassion in World Farming elva grisfarmar i Spanien. Inte på någon av dessa farmar gavs svinen tillgång till berikningsmaterial och på samtliga elva farmar fanns ett betydande antal grisar med kuperade svansar. Undersökningsresultatet översändes till de spanska myndigheterna och till kommissionen. År 2013 återvände Compassion in World Farming till Spanien och besökte då nio grisfarmar. Inte på någon av dessa farmar gavs svinen tillgång till berikningsmaterial och samtliga svin som syntes till på samtliga nio farmar hade fått sina svansar kuperade. Det har alltså inte gjorts några som helst förbättringar på de spanska grisfarmarna sedan undersökningen 2008. Även detta undersökningsresultat har översänts till de spanska myndigheterna och till kommissionen.

Har kommissionen skrivit till de spanska myndigheterna och påtalat behovet av förbättringar när det gäller efterlevnaden av dessa bestämmelser?

Svar från Tonio Borg på kommissionens vägnar
(12 december 2013)

Kommissionen ber att få hänvisa till sitt svar på den skriftliga frågan E-011216/2013 ⁽¹⁾.

Kommissionen kontaktade Spanien 2010 gällande de resultat som Compassion in World Farming kom fram till. Kommissionen håller emellertid på att i nära samarbete med medlemsstaterna utarbeta riktlinjer gällande svins tillgång till bökbart material, vilket kommer att säkerställa att ovannämnda fråga får lämplig uppmärksamhet.

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

(English version)

**Question for written answer E-012150/13
to the Commission**

Raül Romeva i Rueda (Verts/ALE), Dan Jørgensen (S&D), Carl Schlyter (Verts/ALE), Iñaki Irazabalbeitia Fernández (Verts/ALE) and Keith Taylor (Verts/ALE)
(23 October 2013)

Subject: Failure by Spain to enforce the directive on pig welfare

Council Directive 2008/120/EC stipulates that sows and gilts must have permanent access to manipulable material at least complying with the relevant requirements of Annex I to the directive. It also prohibits routine tail-docking.

In 2008 Compassion in World Farming visited eleven pig farms in Spain. None of the farms provided enrichment materials and a significant number of tail-docked pigs were found in all eleven farms. These findings were passed on to the Spanish authorities and the Commission. In 2013 Compassion in World Farming returned to Spain and visited nine pig farms. None of these farms provided enrichment materials and all the pigs seen in all nine farms had had their tails docked. There has been no improvement in the level of compliance in Spanish pig farms since the investigation in 2008. These new findings have once again been passed on to the Spanish authorities and the Commission.

Has the Commission written to the Spanish authorities and impressed on them the need to improve compliance with these provisions?

Answer given by Mr Borg on behalf of the Commission
(12 December 2013)

The Commission would refer the Honourable Member to its answer to Written Question E-011216/2013 ⁽¹⁾.

The Commission has specifically contacted Spain in 2010 with regard to the findings of Compassion in World Farming. However, the Commission is developing guidelines on the provision of manipulable material in close collaboration with the Member States and this will ensure that due attention is given to the aforementioned topic.

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

(Version française)

**Question avec demande de réponse écrite E-012162/13
à la Commission (Vice-présidente/Haute Représentante)**

Marc Tarabella (S&D)

(24 octobre 2013)

Objet: VP/HR — Pendu deux fois

Les juristes iraniens s'affrontent dans les médias sur le cas d'un condamné à mort ayant survécu à son exécution et qui devrait, selon certains juges, être de nouveau exécuté.

Le condamné, âgé de 37 ans, a été pendu à la prison de Bojnourd la semaine dernière après avoir été reconnu coupable de trafic de drogue, selon le quotidien «Iran».

Après avoir passé 12 minutes au bout de la corde, il a été déclaré mort par le médecin de la prison, et son corps a été conduit à la morgue. Mais le lendemain, un employé a remarqué que l'homme, enveloppé dans une housse mortuaire, respirait encore.

Transféré à l'hôpital, il reste toutefois sous la menace d'une nouvelle exécution car certains juges estiment que la sentence n'a pas été entièrement appliquée. D'autres, en revanche, affirment qu'une nouvelle exécution serait illégale au regard de la loi.

Plusieurs juges et avocats ont réclamé au chef de l'autorité judiciaire, l'ayatollah Sadegh Larijani, que l'homme soit épargné. «Notre loi ne prévoit pas le cas d'une personne qui survit à la pendaison après 24 heures. Puisque la sentence a été appliquée, il n'y a pas lieu de recommencer», affirme l'un d'eux.

Pourriez-vous intercéder en sa faveur, partant du principe que nous sommes contre la peine de mort et *a fortiori* contre une double peine de mort?

Réponse donnée par M^{me} Ashton, Vice-présidente/Haute Représentante au nom de la Commission

(19 décembre 2013)

La Vice-présidente/Haute Représentante a régulièrement fait part aux autorités iraniennes de ses préoccupations sur l'application de la peine de mort, conformément à la position de principe de l'UE sur cette question. En ce qui concerne le cas particulier d'«Alireza M.» soulevé par l'Honorable Parlementaire, la haute représentante/vice-présidente était prête à intervenir auprès des autorités iraniennes afin d'obtenir qu'elles s'abstiennent de procéder à une seconde exécution.

La Vice-présidente/Haute Représentante a toutefois été informée que face à l'indignation internationale, le ministre iranien de la justice avait annoncé que la peine de mort prononcée à l'encontre d'Alireza M. avait été commuée en une peine d'emprisonnement à vie.

La Vice-présidente/Haute Représentante continuera toutefois de suivre l'affaire de près et interviendra à nouveau si les circonstances l'exigent.

(English version)

**Question for written answer E-012162/13
to the Commission (Vice-President/High Representative)**

Marc Tarabella (S&D)

(24 October 2013)

Subject: VP/HR — Hanged twice

Jurists in Iran are in conflict with one another in the media over the case of a man who was sentenced to death, survived his execution and should be executed again in the opinion of some judges.

The 37-year-old condemned man was hanged in Bojnourd prison last week after being found guilty of drug trafficking, according to the newspaper *Iran*.

After 12 minutes at the end of the rope he was pronounced dead by the prison doctor and his body was taken to the morgue. The next day, however, an employee noticed that the man, wrapped in a body bag, was still breathing.

He was taken to hospital but still remains under the threat of a new execution because some judges consider that the sentence was not carried out in full. Conversely, others are of the opinion that a new execution would be unlawful.

Several judges and lawyers have petitioned the head of the judicial system, Ayatollah Sadegh Larijani, for the man to be spared. 'Our law does not provide for cases of a man surviving hanging for 24 hours. As the sentence has been applied, there is no case for starting again', said one of them.

Could you intercede on his behalf, based on the principle that we are opposed to the death penalty and all the more opposed to a double death penalty?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission

(19 December 2013)

The HR/VP has regularly raised with the Iranian authorities its concerns on the application of death penalty, in line with the EU principled position on this subject. On the specific case of 'Alireza M.' mentioned by the Honourable Parliamentarian, the HR/VP was ready to make a demarche with the Iranian authorities to intercede and ask the Iranians to refrain from repeating the execution.

The HR/VP, however, has been informed that the Iranian Minister of Justice — faced with international outrage — has announced that the death sentence against 'Alireza M.' has been commuted into lifelong imprisonment.

The HR/VP, however, will continue to follow the case, and will reactivate the demarche, should conditions so require.

(Version française)

Question avec demande de réponse écrite E-012163/13

à la Commission

Marc Tarabella (S&D)

(24 octobre 2013)

Objet: Scientologie

La Cour de cassation de Paris vient de rejeter le pourvoi de la branche française de l'Église de Scientologie contre sa condamnation pour escroquerie en bande organisée, l'an dernier, sur plainte d'ex-adeptes estimant avoir été abusés. La secte est donc à présent considérée comme définitivement condamnée.

1. La Commission a-t-elle connaissance de ce jugement et est-ce qu'elle suit les évolutions autour de la Scientologie dans les États membres?
2. Y a-t-il une coordination des États membres au sein d'Europol concernant les escroqueries de la Scientologie?

Réponse donnée par M^{me} Malmström au nom de la Commission

(24 janvier 2014)

1. La Commission n'a pas connaissance de cet arrêt qui porte sur des questions ne relevant pas de la compétence de l'Union européenne.
2. La fraude constitue une forme grave de criminalité qui relève de la compétence d'Europol conformément à l'article 4, paragraphe 1, de la décision du Conseil relative à Europol (2009/371/JAI) ⁽¹⁾.

Europol a donc créé des fichiers spéciaux d'analyse criminelle afin de combattre en particulier la fraude relative aux accises et la fraude intracommunautaire dite «à l'opérateur défaillant» [ou missing trader intra-Community (MTIC) fraud]. Europol n'examine toutefois actuellement aucune affaire de fraude concernant la Scientologie.

⁽¹⁾ Décision du Conseil du 6 avril 2009 portant création de l'Office européen de police (Europol); JO L 121 du 15.5.2009, p. 37.

(English version)

**Question for written answer E-012163/13
to the Commission**

Marc Tarabella (S&D)

(24 October 2013)

Subject: Scientology

The Court of Cassation in Paris has rejected the appeal of the French branch of the Church of Scientology against its conviction for organised fraud last year, when former members claimed that they had been abused. The sect's conviction is therefore now considered final.

1. Is the Commission aware of this judgment and is it following the developments surrounding Scientology in the Member States?
2. Is there any coordination of Member States within Europol regarding Scientology fraud?

Answer given by Ms Malmström on behalf of the Commission

(24 January 2014)

1. The Commission is not aware of this judgment which touches upon questions falling outside the competence of the European Union.
2. Fraud is a form of serious crime which Europol is competent to deal in accordance with Article 4 (1) of the Europol Council Decision ⁽¹⁾ (2009/371/JHA).

Europol has accordingly set up dedicated criminal analysis file to tackle in particular excise frauds and Missing Trader Intra Community fraud (MTIC) fraud. However, Europol is currently not dealing with any fraud case regarding Scientology.

⁽¹⁾ Council Decision of 6 April 2009 establishing the European Police Office (Europol); OJ L 121, 15.5.2009.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012194/13

aan de Commissie

Kathleen Van Brempt (S&D)

(24 oktober 2013)

Betreft: Overheidssteun aan Britse kerncentrale

Voor de bouw van een nieuwe kerncentrale „Hinkley Point C” in Somerset (UK), heeft het Franse bedrijf EDF, eigenaar en verantwoordelijk voor de bouw en uitbating, wel een uitzonderlijk genereuze deal kunnen afdwingen met de Britse regering. Gedurende 35 jaar werd haar een vaste prijs verzekerd van 109 euro per megawattuur. Bijna drie maal de huidige marktprijs van 40 euro. Dit zou volgens berekeningen leiden tot een verzekerde omzet van 94 miljard euro voor EDF.

Bovendien bevat de deal een bijzondere clausule dat elke Britse regering verplicht om het EDF consortium te vergoeden voor de gemaakte investeringen (die geraamd worden op 19 miljard euro) indien, om andere redenen dan veiligheid en beveiliging, beslist wordt om af te stappen van het Hinkley project. EDF toonde wel al bereid om de gegarandeerde prijs te laten „zakken” tot 105 euro, als het in ruil de toelating zou krijgen om een tweede centrale te mogen bouwen in Sizewell, in Oost-Engeland.

Het project heeft echter nog toestemming van de EU nodig.

— Zal de Commissie deze deal goedkeuren?

— Is de Commissie van mening dat deze deal als een verstoring van de markt kan beschouwd worden; gezien een groot deel van de Britse elektriciteitsmarkt in handen komt van één speler, die bovendien een zeer gunstige en exclusieve deal, vergezeld van bijzondere clausules, gegarandeerd door de staat, heeft afgedwongen?

— Is de staatssteun aan een nieuwe nucleaire centrale, en zeker met zulke hoge prijsafspraken, in lijn met de doelstellingen van de EU voor de bevordering van hernieuwbare energie en 20 % hernieuwbare energie tegen 2020?

— Indien de marktprijs lager is dan 109 euro, zal de Britse staat, en dus de belastingbetaler het verschil moeten bijpassen. De laatste vijf jaar is de energierekening van een Brits gezin met 45 % gestegen en officieel leven reeds 5,3 miljoen Britten in energie-armoede. Het doorrekenen van de gigantische kosten voor de gegarandeerde prijs voor EDF zal desastreuze gevolgen hebben voor de Britse bevolking die reeds onder druk staat. Wat zal de Commissie doen om de toenemende energie-armoede een halt toe te roepen?

Antwoord van de heer Almunia namens de Commissie

(16 januari 2014)

Het VK heeft een zaak betreffende potentiële staatssteun voor kernenergie, met name in verband met een in Hinkley Point C te bouwen kerncentrale, op 22 oktober 2013 aangemeld. Op 18 december 2013 heeft de Commissie een diepgaand onderzoek betreffende de maatregel ingeleid. ⁽¹⁾ Zodra het besluit tot inleiding van de procedure is gepubliceerd, hebben derden één maand om hun opmerkingen in te dienen.

Terwijl het behandelen van energiearmoede volgens het EU-recht (namelijk de richtlijnen van het derde energiepakket ⁽²⁾) een verantwoordelijkheid van de lidstaten is, streeft de Commissie ernaar hen bij te staan om aan hun verplichtingen te voldoen middels de werkzaamheden van het Citizens' Energy Forum en met name de werkgroep Vulnerable Consumer ervan. De groep heeft de aanjagers van kwetsbaarheid geanalyseerd en voorbeelden in de lidstaten van gangbare instrumenten en praktijken voor het behandelen van energiearmoede die elders kunnen worden gerepliceerd, beschreven. De groep heeft een verslag opgesteld dat is gepresenteerd tijdens de jaarlijkse plenaire vergadering van het Citizens' Energy Forum op 16 december 2013.

⁽¹⁾ http://europa.eu/rapid/press-release_IP-13-1277_nl.htm

⁽²⁾ Voor elektriciteitsrichtlijn 2009/72/EG en gasrichtlijn 2009/73/EG, zie http://ec.europa.eu/energy/gas_electricity/legislation/legislation_en.htm

(English version)

**Question for written answer E-012194/13
to the Commission**

Kathleen Van Brempt (S&D)

(24 October 2013)

Subject: State aid to British nuclear power station

The French company EDF has managed to wring an extraordinarily generous deal out of the British Government to build the new Hinkley Point C nuclear power station in the English county of Somerset, of which it is the owner with responsibility for construction and operation. The company has been guaranteed a fixed price of EUR 109 per megawatt-hour for 35 years. That is nearly three times the current market price of EUR 40. It has been calculated that this will produce a guaranteed revenue of EUR 94 billion for EDF.

Moreover, the deal includes a special clause whereby every British Government is obliged to compensate the EDF consortium for investments made (which are estimated at EUR 19 billion) if a decision is made to abandon the Hinkley project for reasons other than safety or security. EDF did, however, indicate that it was willing to let the guaranteed price 'drop' to EUR 105 if, in return, it were allowed to build a second power station at Sizewell, in the East of England.

The project needs EU consent, however.

— Does the Commission intend to approve this deal?

— Does the Commission believe that this deal can be regarded as a distortion of the market, given that a large percentage of the British electricity market will be in the hands of a single player, which, moreover has secured a very favourable and exclusive deal accompanied by special State-guaranteed clauses?

— Is this state aid to a new nuclear power station in line with the EU's targets for the promotion of renewable energy and 20% renewable energy by 2020, especially with such high agreed prices?

— Where the market price is below EUR 109, the British State, and thus the taxpayer, will have to cover the difference. Over the last five years, British families have seen their energy bills rise by 45%, while 5.3 million Britons already officially live in energy poverty. The passing on of the enormous costs of EDF's guaranteed price will have disastrous consequences for the British people, who are already under pressure. What is the Commission going to do in order to call a halt to growing energy poverty?

Answer given by Mr Almunia on behalf of the Commission

(16 January 2014)

The UK notified a case on potential state aid to nuclear energy, in particular in relation to a nuclear plant to be built at Hinkley point C, on 22 October 2013. On 18 December 2013, the Commission opened an in-depth investigation on the measure ⁽¹⁾. Once the opening decision is published third parties have one month to submit their observations.

While addressing energy poverty is a responsibility of Member States under EC law (namely the directives of the Third Energy Package ⁽²⁾), the Commission strives to assist them to meet their obligations through the work of the Citizens' Energy Forum and notably its Vulnerable Consumer Working Group. The Group has analysed the drivers of vulnerability and set out Member State examples of instruments and practices in place for dealing with energy poverty that can be replicated elsewhere. The Group has prepared a report which has been presented at the annual plenary meeting of the Citizens' Energy Forum on 16 December 2013.

⁽¹⁾ http://europa.eu/rapid/press-release_IP-13-1277_en.htm

⁽²⁾ The Electricity Directive 2009/72/EC and Gas Directive 2009/73/EC, see http://ec.europa.eu/energy/gas_electricity/legislation/legislation_en.htm

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012195/13
a la Comisión**

Antolín Sánchez Presedo (S&D)

(24 de octubre de 2013)

Asunto: Búsqueda de alternativas al caladero de Mauritania

El Protocolo de pesca entre la UE y Mauritania es el principal acuerdo pesquero de la UE con un tercer Estado. Con la ratificación de este Protocolo por el Parlamento Europeo, las posibilidades de pesca para la UE en el caladero mauritano se han visto reducidas, con particular perjuicio para la flota cefalopodera, expulsada de las aguas mauritanas.

Esta situación hace necesaria la búsqueda de nuevos caladeros en los que la flota europea pueda faenar y, en este sentido, hemos tenido conocimiento de la solicitud del Presidente de la Comisión Europea a la Comisaria de Pesca para que proceda a la conclusión de nuevos acuerdos de pesca con terceros Estados.

¿Qué alternativas está desarrollando la Comisión para la flota afectada? ¿Qué nuevos caladeros de pesca tiene como objetivo? ¿Cuál es el calendario de trabajo y cuáles son los terceros Estados?

Respuesta de la Sra. Damanaki en nombre de la Comisión

(3 de enero de 2014)

Durante la negociación del Protocolo de pesca vigente, Mauritania dejó claro que prefiere que la pesquería de cefalópodos quede reservada a su flota nacional. Sin embargo, en la reunión del Comité Mixto de los días 17 y 18 de septiembre de 2013, la UE y Mauritania acordaron seguir trabajando a nivel científico y poner a prueba un nuevo modelo de gestión a través de una campaña experimental sobre la base de trabajos científicos llevados a cabo por el Instituto Español de Oceanografía (IEO), a fin de obtener información actualizada sobre la situación de las poblaciones de cefalópodos.

Actualmente, las flotas españolas se están beneficiando del Protocolo del Acuerdo de asociación en el sector pesquero entre la UE y Mauritania en relación con otras categorías de pesca (demersales, atunes y camarones).

A nivel regional, la Comisión no se opone a explorar nuevos caladeros con Estados ribereños con los que no existan actualmente acuerdos o protocolos, siempre que estos dispongan de recursos pesqueros y se produzca un excedente.

Con respecto a los cefalópodos, las evaluaciones científicas llevadas a cabo por el Comité de Pesca para el Atlántico Centro-Oriental indican que las diferentes poblaciones de cefalópodos están sobreexplotadas en esta zona ⁽¹⁾. Según la información de que dispone la Comisión, los Estados ribereños afectados prefieren que estas pesquerías de cefalópodos queden en manos de sus flotas nacionales.

⁽¹⁾ Comité de Pesca para el Atlántico Centro-Oriental (CPACO) — Informe de la sexta reunión del Subcomité Científico (Accra, Ghana, del 7 al 9 de septiembre de 2011).

(English version)

**Question for written answer E-012195/13
to the Commission**

Antolín Sánchez Presedo (S&D)

(24 October 2013)

Subject: Search for alternatives to the Mauritanian fishing ground

The Fisheries Protocol between the EU and Mauritania is the EU's main fisheries agreement with a third State. Now that Parliament has ratified this Protocol, fishing opportunities for the EU in the Mauritanian fishing grounds have been reduced, which is particularly damaging for the cephalopod fleet, which has been banned from Mauritanian waters.

As a result of this situation, we need to look for new fishing grounds in which the European fleet can fish and, in this regard, we have been informed of the request from the President of the European Commission to the Commissioner for Maritime Affairs and Fisheries that new fisheries agreements should be concluded with third States.

What alternatives is the Commission developing for the fleet in question? What new fishing grounds is the Commission considering? What is the timetable and what third States are involved?

Answer given by Ms Damanaki on behalf of the Commission

(3 January 2014)

During the negotiation on the current Fisheries Protocol, Mauritania made it clear that it prefers to keep the cephalopods fishery for its national fleet. However, at the Joint Committee meeting of 17-18 September 2013, the EU agreed with Mauritania to continue working at a scientific level and to test a new management model through an experimental campaign based on scientific works carried by the IEO (Spanish scientific institute) in order to obtain updated information on the status of the cephalopods stocks.

Spanish fleets are currently benefitting from the EU-Mauritania Fisheries Partnership Agreement Protocol for several other fishing categories (demersals, tunas and shrimps).

At the regional level, the Commission is not opposed to explore new fishing grounds with Coastal States with which there are currently no agreement or protocols, on condition that fishing resources are available and that a surplus exists.

Regarding cephalopods, scientific assessments carried out by the Fishery Committee for the Eastern Central Atlantic indicate that the different stocks of cephalopods are overexploited in this area ⁽¹⁾. According to the information available to the Commission, the concerned coastal States prefer to keep these cephalopods fisheries for their national fleets.

⁽¹⁾ Fishery Committee for the Eastern and Central Atlantic (CECAF) — Report of the Sixth session of the Scientific Sub-Committee (Accra, Ghana, 7-9 September 2011).

(Version française)

**Question avec demande de réponse écrite E-012202/13
à la Commission (Vice-présidente/Haute Représentante)**

Marc Tarabella (S&D)

(24 octobre 2013)

Objet: VP/HR — Qatar: 15 ans de prison pour un poème

Mohammed Rashid al Ajami, aussi connu sous le nom de Mohamed Ibn al Dheeb, a été arrêté en novembre 2011 et inculqué pour incitation au renversement du régime et outrage à l'émir du Qatar.

1. Les autorités européennes estiment-elles que condamner quelqu'un à une lourde peine d'emprisonnement en raison du contenu d'un poème que les autorités perçoivent comme une critique, mais qui ne prône aucunement la violence, constitue une violation flagrante du droit à la liberté d'expression?
2. Un prisonnier d'opinion, détenu uniquement pour avoir exercé pacifiquement son droit à la liberté d'expression, doit-il être emprisonné 15 ans?
3. Que comptent faire les autorités européennes pour intercéder en sa faveur?

Réponse donnée par M^{me} Ashton, Vice-présidente/Haute Représentante au nom de la Commission

(23 décembre 2013)

La Vice-présidente/Haute Représentante est parfaitement informée du cas de M. Al-Ajami.

La Vice-présidente/Haute Représentante et la délégation de l'UE à Riyad (accréditée auprès du Qatar) ont suivi de près les procédures judiciaires relatives aux charges retenues contre M. Al-Ajami, en étroite concertation avec les États membres de l'UE présents à Doha.

Le respect de la liberté d'expression est au cœur des valeurs de l'Union européenne et demeure un élément central de nos relations avec les pays tiers, notamment les pays du Golfe. La peine de 15 ans de réclusion infligée à M. Al-Ajami préoccupe l'Union européenne et des éclaircissements ont été demandés aux autorités qatariennes à propos de cette affaire.

(English version)

**Question for written answer E-012202/13
to the Commission (Vice-President/High Representative)**

Marc Tarabella (S&D)

(24 October 2013)

Subject: VP/HR — Qatar: 15 years' imprisonment for a poem

Mohammed Rashid al Ajami, also known as Mohammed Ibn al Dheeb, was arrested in November 2011, charged with incitement to overthrow the regime and insulting the Emir of Qatar.

1. Do the EU authorities think that handing someone a lengthy prison sentence because of the content of a poem that the authorities deem to be critical, but which does not advocate violence at all, is a blatant violation of the freedom of expression?
2. Should a prisoner of conscience, held purely for having peacefully exercised his right to freedom of expression, be imprisoned for 15 years?
3. What action are the EU authorities planning to take on his behalf?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission

(23 December 2013)

The HR/VP is well aware of the case of Mr Al-Ajami.

The HR/VP and the EU Delegation in Riyadh (accredited to Qatar) have closely followed judicial proceedings related to charges brought against him, in close coordination with EU Member States present in Doha.

The respect for freedom of expression is at the core of EU values and remains a central element in our relations with third partners, including in Gulf countries. The 15-year sentence handed down to Mr Al-Ajami is of concern to the EU, and clarifications have been requested from the Qatari authorities on Mr Al-Ajami's case.

(Version française)

**Question avec demande de réponse écrite E-012203/13
à la Commission (Vice-présidente/Haute Représentante)**

Marc Tarabella (S&D)

(24 octobre 2013)

Objet: VP/HR — Épuration sociale

En Colombie, la sécurité de manifestants indigènes fait l'objet de graves préoccupations alors qu'ils sont la cible de violences croissantes de la part des forces de sécurité et que leurs meneurs ont été menacés de mort par un groupe paramilitaire de droite.

Des dizaines de manifestants indigènes, dont de nombreux enfants, ont déjà été blessés lorsque les forces de sécurité colombiennes ont eu recours à une force excessive contre les manifestations, qui ont débuté le 12 octobre et se poursuivent dans plusieurs régions du pays.

Les craintes de voir survenir de nouvelles violences ont été renforcées la semaine du 14 octobre lorsque le groupe paramilitaire Rastrojos a appelé à une «épuration sociale» des responsables et des groupes indigènes participant aux manifestations.

1. Quelle est la réaction officielle des autorités européennes?
2. Des contacts vont-ils pris avec les autorités nationales sur ce dossier?

Réponse donnée par M^{me} Ashton, Vice-présidente/Haute Représentante au nom de la Commission

(13 décembre 2013)

La Vice-présidente/Haute Représentante a été informée du cas visé par l'honorable membre. Ses services suivent de près la situation des Droits de l'homme en Colombie, en particulier celle des communautés autochtones. La problématique des Droits de l'homme fait l'objet du dialogue en cours entre l'UE et la Colombie, dont la dernière réunion a eu lieu à Bruxelles le 17 juin 2013. Les droits des populations autochtones font régulièrement l'objet de discussions dans ce cadre. En outre, la délégation de l'UE en Colombie ainsi que les ambassades des États membres soulèvent régulièrement les questions des Droits de l'homme dont elles sont informées, notamment la situation de leurs défenseurs, dans leurs contacts avec les autorités colombiennes, dans le cadre desquels elles les encouragent à prendre les mesures appropriées pour s'attaquer aux questions qui posent problème. Ces interventions ont donné lieu à une série d'améliorations, telles que l'adoption de mesures de protection des défenseurs des Droits de l'homme qui ont reçu des menaces. L'honorable membre peut également être assuré que les Droits de l'homme resteront l'une des priorités majeures de la politique de l'UE à l'égard de la Colombie et de la sa coopération avec ce pays.

(English version)

**Question for written answer E-012203/13
to the Commission (Vice-President/High Representative)**

Marc Tarabella (S&D)

(24 October 2013)

Subject: VP/HR — Social cleansing

There are serious concerns for the safety of indigenous protesters in Columbia amid escalating violence against them by the security forces and after their leaders received death threats from a right-wing paramilitary group.

Dozens of indigenous protesters, including many children, have already been injured when the Colombian security forces used excessive force against the demonstrations, which started on 12 October 2013 and are still going on in several parts of the country.

Fears of further violence were compounded during the week of 14 October, after the Rastrojos paramilitary group called for 'social cleansing' of indigenous leaders and groups taking part in the protests.

1. What is the official reaction of the EU authorities?
2. Do they intend to make any contact with the national authorities over this issue?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission

(13 December 2013)

The HR/VP has been informed about the case to which the Honourable Member is referring. Her services are closely following the human rights situation in Colombia, with particular reference to the situation of indigenous communities. Human rights issues are the subject of an ongoing dialogue between the EU and Colombia and whose last meeting took place in Brussels on 17 June 2013. The rights of indigenous people regularly feature in discussions in that framework. In addition, the Delegation of the EU to Colombia and Member States' Embassies regularly raise human rights issues they are made aware of, including the situation of individual defenders, in their contacts with the Colombian authorities, encouraging them to take appropriate measures to address issues of concern. These interventions have led to a number of concrete improvements, for example the provision of protection measures to defenders having received threats. The Honourable Member can also rest assured that human rights will remain one of the key priorities of the EU's policy towards Colombia and of its cooperation with the country.

(Version française)

**Question avec demande de réponse écrite E-012205/13
à la Commission (Vice-présidente/Haute Représentante)**

Marc Tarabella (S&D)

(24 octobre 2013)

Objet: VP/HR — Répressions au Sri Lanka

Le Sri Lanka présente un bilan inquiétant s'agissant de la répression exercée contre les militants de la société civile. À l'occasion de précédents événements internationaux, ses représentants ont intimidé, menacé, voire agressé, des défenseurs des droits humains. Nous sommes extrêmement préoccupés par la sécurité de ces militants à l'approche du sommet du Commonwealth qui se tiendra à Colombo en novembre.

Au mois d'août, au terme d'une mission au Sri Lanka, la Haut-commissaire des Nations unies aux Droits de l'homme, Navi Pillay, a noté que le pays montrait des signes «qui pointent de plus en plus vers l'autoritarisme». Elle a souligné que la surveillance et le harcèlement des défenseurs des droits humains, des journalistes et de nombreux citoyens ordinaires semblaient s'aggraver. Les forces de sécurité ont intimidé certaines personnes qu'elle avait rencontrées ou devait rencontrer, et interrogé des défenseurs des droits humains.

1. Quelle est la réaction officielle des autorités européennes?
2. Des contacts vont-ils être pris avec les autorités nationales sur ce dossier?
3. Les autorités européennes pensent-elles que, étant donné la persistance des violations des droits humains au Sri Lanka, il serait convenable de récompenser le pays par le fauteuil de président du Commonwealth?

Réponse donnée par M^{me} Ashton, Vice-présidente/Haute Représentante au nom de la Commission

(16 décembre 2013)

L'Union européenne reste préoccupée par la situation des Droits de l'homme et de l'État de droit au Sri Lanka, à l'instar de M^{me} Pillay, haut commissaire des Nations unies aux Droits de l'homme, qui a également fait part de ses inquiétudes lors de sa visite dans ce pays. La Vice-présidente/Haute Représentante a fait plusieurs déclarations, dans lesquelles elle presse le Sri Lanka de mettre en œuvre les recommandations constructives de sa propre «commission sur les leçons tirées du conflit et sur la réconciliation».

Nombre de ces préoccupations, qui concernent notamment les délits restés impunis, l'indépendance du pouvoir judiciaire et les interventions autoritaires des services secrets, ont également été mentionnées par nos États membres lors de l'examen périodique universel en novembre 2012. Par ailleurs, vous n'ignorez sans doute pas que les États membres de l'UE ont soutenu, avec d'autres, les résolutions critiques vis-à-vis du Sri Lanka adoptées en 2012 et 2013 par le Conseil des Droits de l'homme.

Nous comptons aborder à nouveau les questions liées aux Droits de l'homme avec les autorités sri-lankaises lors de la prochaine réunion de la commission conjointe du 3 décembre.

Parallèlement, l'UE continue de soutenir les organisations de la société civile, et notamment les défenseurs des Droits de l'homme, pour leur permettre d'accomplir leur mission importante, qui consiste à assurer un contrôle démocratique et à garantir l'obligation de rendre des comptes dans le contexte de la paix et de la réconciliation.

Il n'appartient pas à l'UE d'intervenir dans des questions sur l'action à mener qui relèvent du Commonwealth.

(English version)

Question for written answer E-012205/13
to the Commission (Vice-President/High Representative)
Marc Tarabella (S&D)
(24 October 2013)

Subject: VP/HR — Repression in Sri Lanka

Sri Lanka has a disturbing record of cracking down on civil society activists. During previous international events its officials have intimidated, threatened and even attacked human rights defenders. We are extremely worried about the safety of such activists in the run-up to the Commonwealth summit to be held in Colombo in November.

In August after a visit to Sri Lanka, UN High Commissioner for Human Rights Navi Pillay noted the country's worrying 'authoritarian turn'. She pointed out that surveillance and harassment of human rights defenders, journalists and many ordinary citizens appeared to be getting worse. Security forces intimidated some of those she met or intended to meet, and interrogated human rights defenders.

1. What is the official reaction of the European authorities?
2. Will any contact be made with the national authorities over this matter?
3. Do the European authorities consider it appropriate to reward Sri Lanka with the chairmanship of the Commonwealth, given the persistence of human rights violations there?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(16 December 2013)

The EU remains concerned about human rights and the rule of law situation in Sri Lanka, as also highlighted during UNHCHR Pillay's visit to the country. The HR/VP has issued several statements urging Sri Lanka to implement the constructive recommendations of its own Lessons Learned and Reconciliation Commission.

Many of these concerns, including questions such as impunity for past crimes, the independence of the judiciary, and authoritarian actions by the security services, have also been raised by our Member States during the Universal Periodic Review in November 2012. You may also know that the EU Member States have co-sponsored critical resolutions on Sri Lanka in 2012 and 2013 at the Human Rights Council.

We expect to raise human rights issues with the Sri Lankan authorities again at the upcoming Joint Commission meeting on 3 December.

Meanwhile the EU continues supporting civil society organisations, including human rights defenders, in their important task to ensure democratic oversight and accountability in the context of peace and reconciliation.

It is not for the EU to involve itself in policy questions affecting the Commonwealth.

(Version française)

**Question avec demande de réponse écrite E-012209/13
à la Commission (Vice-présidente/Haute Représentante)**

Marc Tarabella (S&D)

(24 octobre 2013)

Objet: VP/HR — Condamné à mort japonais

La décision de la Cour suprême du Japon de refuser de faire droit à la requête d'un condamné à mort de 87 ans, reconnu coupable de meurtre sur la base d'aveux obtenus sous la contrainte, est pour le moins choquante.

Okunishi Masaru, qui a passé plus de 40 ans à attendre son exécution et compte parmi les plus anciens condamnés à mort du monde, a vu sa septième requête pour la tenue d'un nouveau procès rejetée le 16 octobre. Cela signifie qu'il risque de mourir en prison malgré les doutes quant à l'équité de sa condamnation.

L'octogénaire se trouve dans le couloir de la mort depuis 1969, lorsqu'il a été reconnu coupable du meurtre de cinq femmes. Il a «avoué» ces crimes après de très longues sessions d'interrogatoires menées par la police, pendant cinq jours, en l'absence d'un avocat. Au cours de son premier procès, il est revenu sur ses «aveux» et a été acquitté en raison du manque de preuves. Une Cour d'appel a ensuite infirmé ce jugement et l'a condamné à la peine capitale. Sa dernière demande de révision a été rejetée en partie parce que la Cour suprême a estimé que les «aveux» qu'il avait faits initialement étaient toujours valables, même s'il s'était rétracté.

1. Quelle est la réaction officielle des autorités européennes?
2. Des contacts vont-ils être pris avec les autorités nationales sur ce dossier?
3. Les autorités pourraient-elles intercéder en la faveur de ce citoyen japonais?

Réponse donnée par M^{me} Ashton, Vice-présidente/Haute Représentante au nom de la Commission

(9 décembre 2013)

L'UE exhorte régulièrement le Japon à abolir la peine de mort, ne serait-ce que parce que telle est la tendance dans le monde aujourd'hui, ou à tout le moins, à titre de première mesure, à introduire un moratoire sur l'application de la peine de mort. Récemment, l'UE et les États membres ont renforcé leurs activités sur place en matière de Droits de l'homme et de peine de mort en particulier.

L'UE est préoccupée par les conditions de détention des prisonniers condamnés à mort et par la qualité de la protection juridique dont bénéficient ceux qui sont en détention provisoire. L'UE soulève régulièrement la question du respect des normes minimales pour tous les condamnés à mort (y compris la longueur de leur détention) et soulève aussi les questions de transparence et de conditions de détention dans le système de la peine de mort au Japon. La Commission des Droits de l'homme des Nations unies ayant observé qu'un séjour prolongé dans le couloir de la mort peut être assimilé à un traitement cruel, inhumain et dégradant, l'UE se préoccupe naturellement du sort de tout prisonnier qui a passé une période prolongée en prison en attendant son exécution, comme Okunishi Masaru. La délégation de l'UE à Tokyo suit de près le cas précité.

(English version)

**Question for written answer E-012209/13
to the Commission (Vice-President/High Representative)**

Marc Tarabella (S&D)

(24 October 2013)

Subject: VP/HR — Japanese death row inmate

The Japanese Supreme Court has taken the shocking decision to deny an appeal by an 87 year old death row prisoner found guilty of murder based on a forced 'confession'.

Okunishi Masaru, who has spent over 40 years waiting for his execution and is one of the oldest death row inmates in the world, had his seventh request for a retrial turned down on 16 October. This decision means that he is likely to die in prison despite doubts over the soundness of his conviction.

The octogenarian has been on death row since 1969, when he was found guilty of the murders of five women. He 'confessed' to these crimes following protracted interrogations by the police lasting five days and in the absence of a lawyer. During his first trial he retracted his 'confession' and was acquitted due to lack of evidence. An appeal court then reversed this verdict and sentenced him to death. His latest retrial request was denied partly because the Supreme Court ruled that his initial 'confession' still stood, even though he had later retracted it.

1. What is the official reaction of the European authorities?
2. Will any contact be made with the national authorities over this case?
3. Could the authorities intervene on behalf of this Japanese citizen?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission

(9 December 2013)

The EU consistently urges Japan to abolish the death penalty not least in light of the international trend towards abolition or to at least introduce a moratorium on the application of the death penalty as a first step. The EU and MS have reinforced their local activities on human rights matters and the death penalty issue in particular recently.

The EU is concerned about the conditions of detention of death row prisoners, and the quality of legal protections for those held in pre-trial custody. The EU regularly raises the issue of respect of minimum standards for all death row inmates (including length of detention in death row cells) and also raises issues of transparency and detention conditions in the death penalty system in Japan. Given that the UN Human Rights Committee has noted that prolonged detention on death row can amount to cruel, inhuman and degrading treatment, the EU is naturally concerned about any prisoner who has spent a prolonged period under sentence of death awaiting execution, including Okunishi Masaru. The EU Delegation in Tokyo follows the mentioned case closely.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-012219/13
til Kommissionen
Ole Christensen (S&D)
(24. oktober 2013)

Om: Forordning forordning (EF) Nr. 1907/2006 og sikkerhedsdatablade

I Danmark anmeldes der hvert år 2 000 tilfælde af arbejdsbetinget eksem. Eksemet kan følge af arbejdet med allergifremkaldende stoffer som eksempelvis konserveringsmidlet methylisothiazolinone, der blandt andet bruges i maling og kosmetiske produkter. Eksemet kan ligeledes være irritativt og som sådan stamme fra hyppig brug af eksempelvis skæreolier.

I mange tilfælde er de medarbejdere, som arbejder med de kemiske stoffer eller kemiske produkter, der blandt andet kan give anledning til eksem, ikke ordentligt informeret herom.

Med ikrafttrædelsen af REACH forordningen (EF) Nr. 1907/2006 stilles der i medfør af forordning (EF) Nr. 1907/2006, afsnit IV, en række krav til, hvilke kemiske stoffer og kemiske produkter der skal udarbejdes sikkerhedsdatablade for.

Vil Kommissionen svare på, om det er i overensstemmelse med forordning (EF) Nr. 1907/2006, når leverandøren af et stof eller et kemisk produkt ikke forsyner det relevante stof eller produkt med et sikkerhedsdatablad, selvom det systematisk giver anledning til arbejdsbetinget eksem, men på samme tid ikke falder ind under bestemmelserne i forordning (EF) Nr. 1907/2006 artikel 31 stk. 1 til 4?

Vil Kommissionen svare på, om hensigten med relevant EU-lovgivning, der har til formål at beskytte arbejdstagere mod sundhedsrisici, er, at kemiske stoffer eller kemiske produkter, der udsætter medarbejdere for betydelig sundhedsrisiko, f.eks i form af risiko for af astma, eksem og allergi, skal forsynes med et sikkerhedsdatablad eller ledsages af anden relevant information, der uanset koncentrationen af det kemiske stof eller produkt, beskriver denne risiko?

Svar afgivet på Kommissionens vegne af Janez Potočnik
(6. januar 2014)

I henhold til artikel 31, stk. 1, i REACH-forordningen ⁽¹⁾ skal en leverandør forsyne modtageren med et sikkerhedsdatablad ved levering af:

- et stof, der er klassificeret som farligt i henhold til CLP-forordningen ⁽²⁾
- en blanding, der er klassificeret som farlig i henhold til direktivet om farlige præparater ⁽³⁾ indtil den 1. juni 2015 eller klassificeret som farlig i henhold til CLP-forordningen fra den 1. juni 2015
- et stof, der er persistent, bioakkumulerende og giftigt (PBT) eller meget persistent og meget bioakkumulerende (vPvB) som defineret i REACH-forordningen (bilag XIII)
- et stof, der er optaget på kandidatlisten over særligt problematiske stoffer i overensstemmelse med REACH-forordningen.

Med hensyn til metylisothiazolinon skal der ikke forelægges et sikkerhedsdatablad, eftersom ingen af ovenstående betingelser er opfyldt, og det samme gælder for betingelserne i REACH-forordningens artikel 31, stk. 3, som kun vedrører blandinger.

Bestemmelserne i lovgivningen om beskyttelse af arbejdstagere finder anvendelse, herunder navnlig direktivet om kemiske agenser ⁽⁴⁾, hvorved arbejdsgiveren forpligtes til at fastslå, om der findes nogen farlige kemiske agenser på arbejdspladsen, vurdere enhver risiko for arbejdstagernes sikkerhed og sundhed, der skyldes deres tilstedeværelse, og træffe de nødvendige forebyggende foranstaltninger, helst ved at erstatte de pågældende agenser.

⁽¹⁾ Europa-Parlamentets og Rådets forordning (EF) nr. 1907/2006 af 18. december 2006 om registrering, vurdering og godkendelse af samt begrænsninger for kemikalier (REACH), om oprettelse af et europæisk kemikalieagentur og om ændring af direktiv 1999/45/EF og ophævelse af Rådets forordning (EØF) nr. 793/93 og Kommissionens forordning (EF) nr. 1488/94 samt Rådets direktiv 76/769/EØF og Kommissionens direktiv 91/155/EØF, 93/67/EØF, 93/105/EF og 2000/21/EF.

⁽²⁾ Europa-Parlamentets og Rådets forordning (EF) nr. 1272/2008 af 16. december 2008 om klassificering, mærkning og emballering af stoffer og blandinger.

⁽³⁾ Europa-Parlamentets og Rådets direktiv 1999/45/EF af 31. maj 1999.

⁽⁴⁾ Rådets direktiv 98/24/EF af 7. april 1998 om beskyttelse af arbejdstagernes sikkerhed og sundhed under arbejdet mod risici i forbindelse med kemiske agenser.

(English version)

**Question for written answer E-012219/13
to the Commission**

Ole Christensen (S&D)

(24 October 2013)

Subject: Regulation (EC) No 1907/2006 and safety data sheets

In Denmark, 2 000 cases of work-related eczema are reported each year. The eczema may be a result of work with allergenic substances, such as the preservative methylisothiazolinone, which is used in various products, including paints and cosmetic products. The eczema may also be irritative and as such be caused by the frequent use of machining oils, for example.

In many cases, the workers who work with chemical substances or chemical preparations that can cause eczema, among other things, are not properly informed of this fact.

With the entry into force of the REACH Regulation (EC) No 1907/2006, a number of requirements are laid down, pursuant to Title IV of said Regulation, concerning the chemical substances and chemical preparations for which safety data sheets are to be produced.

Can the Commission say whether it is in accordance with Regulation (EC) No 1907/2006 for the supplier of a substance or chemical preparation not to provide the substance or preparation in question with a safety data sheet, even though it consistently gives rise to work-related eczema, but at the same time does not fall under the provisions of Article 31(1) to (4) of Regulation No 1907/2006?

Can it say whether it is the intention of the relevant EU legislation, which aims to protect workers against risks to their health, for chemical substances or chemical preparations which expose workers to a significant health risk, e.g. in the form of the risk of asthma, eczema or allergies, to be provided with a safety data sheet or accompanied by other relevant information which describes this risk, irrespective of the concentration of the chemical substance or preparation?

Answer given by Mr Potočník on behalf of the Commission

(6 January 2014)

Pursuant to Article 31(1) to REACH ⁽¹⁾, a supplier needs to provide a safety data sheet if he supplies:

- a substance classified as hazardous according to CLP ⁽²⁾,
- a mixture classified as dangerous according to the Dangerous Preparations Directive ⁽³⁾ until 1 June 2015 or classified as hazardous according to CLP as from 1 June 2015,
- a substance that is persistent, bioaccumulative and toxic (PBT) or very persistent and very bioaccumulative (vPvB), as defined in REACH (Annex XIII), or
- a substance which is included in the candidate list of substances of very high concern (SVHC) under REACH.

When it comes to methylisothiazolinone specifically, a safety data sheet does not need to be supplied as none of the above conditions are fulfilled, nor do the conditions described in Article 31(3) to REACH which only concerns mixtures.

The provisions of the workers protection legislation apply, and in particular those of the Chemical Agents Directive ⁽⁴⁾ which put the obligation on the employer to determine whether any hazardous chemical agents are present at the workplace, assess any risk to safety and health arising from their presence and take the necessary preventive measures to eliminate or reduce the risk to a minimum, preferably by substitution.

⁽¹⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC.

⁽²⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures.

⁽³⁾ Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999.

⁽⁴⁾ Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012227/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(25 de octubre de 2013)

Asunto: Peso de las rentas del trabajo en relación con el PIB

A nivel mundial, en los últimos 35 años, el peso del factor trabajo en relación con el PIB ha disminuido aproximadamente unos 5 puntos. En el Estado español —y según el Instituto Nacional de Estadística— el factor trabajo ha perdido un 3,2 % de peso en relación con el PIB entre 2009 y 2012.

Esta pérdida de peso se debe, en parte, al avance tecnológico que reemplaza trabajo por capital mediante la inversión en maquinaria más barata y eficiente. Pero también se puede deber a otros factores, como los apuntados en el artículo «La irresistible caída de la participación del trabajo en la renta» ⁽¹⁾.

En cualquier caso, la continua pérdida de peso del factor trabajo en relación con el PIB tiene efectos sobre la distribución de la renta, y por lo tanto, sobre los ingresos derivados de la pirámide impositiva, así como sobre la capacidad de gasto de los individuos y las familias.

A la luz de lo anterior, ¿cree la Comisión que la disminución relativa del factor trabajo en relación con el PIB continuará en el futuro?

¿Tiene en cuenta la Comisión estos datos cuando hace recomendaciones a los Estados sobre su fiscalidad?

Si las rentas del trabajo disminuyen, ¿cree la Comisión que los impuestos sobre estas rentas deberían también disminuir?

Respuesta del Sr. Andor en nombre de la Comisión

(17 de diciembre de 2013)

El estudio empírico del peso de las rentas del trabajo ha determinado que su tendencia a la baja está causada por diversos factores, principalmente el progreso tecnológico, el creciente comercio mundial de bienes y servicios y la evolución de las instituciones del mercado laboral (por ejemplo, la disminución del poder de negociación de los trabajadores).

Sin embargo, la «globalización financiera» también ha influido notablemente en la pérdida de peso de las rentas del trabajo en los últimos años, como señala la Organización Internacional del Trabajo en su Global wage report 2012/13 (Informe mundial sobre los salarios 2012/13).

Es probable que algunas de estas causas subyacentes persistan en el futuro (especialmente el progreso tecnológico y el comercio), pero sería posible abordar los aspectos negativos de dicha globalización mejorando la regulación, la supervisión y la fiscalidad.

Las tendencias mencionadas afectan especialmente al empleo y a los ingresos de los trabajadores menos cualificados, por lo que resulta fundamental poner en práctica políticas que ofrezcan buenas oportunidades de educación, formación y empleo a los trabajadores vulnerables, tal y como establece la Estrategia Europa 2020. Además, tal y como se reiteró en el Estudio Prospectivo Anual sobre el Crecimiento de 2013, también es muy importante reducir la fiscalidad laboral de forma selectiva, en concreto en el caso de los trabajadores jóvenes o con un salario bajo.

⁽¹⁾ <http://www.fedeablogs.net/economia/?p=33282>

(English version)

**Question for written answer E-012227/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(25 October 2013)

Subject: The ratio of earned income to GDP

In the last 35 years, the ratio of earned income to GDP has fallen by approximately 5% around the world. According to the National Institute of Statistics, the ratio of earned income to GDP fell by 3.2% in Spain between 2009 and 2012.

This fall is partly due to technological advances that see labour replaced with capital through investment in cheaper and more efficient machinery. However, other factors are also responsible, such as those set down in the article 'The irresistible fall in the share of labour in income' ⁽¹⁾.

The continuous fall in the ratio of earned income to GDP affects the distribution of income and therefore the revenue obtained from the tax pyramid as well as the spending power of individuals and families.

In view of the above, does the Commission believe that the relative decline in the ratio of earned income to GDP will continue in the future?

Does the Commission consider these facts when it advises Member States on taxation?

If earned income is falling, does the Commission believe that income tax should also fall?

Answer given by Mr Andor on behalf of the Commission

(17 December 2013)

Empirical research has identified several drivers that are responsible for the downward trend in the labour income share, the main drivers being technological progress, increasing global trade in goods and services, and changing labour market institutions (such as the weakening of workers' bargaining position).

However, in recent years 'financial globalisation' has also played a major role in this declining labour income share, as shown by the International Labour Organisation in their Global Wage Report 2012/13.

Some of these underlying drivers (especially technological progress and trade) are likely to persist in the future, while negative aspects of financial globalisation can be tackled through better regulation, supervision and taxation.

As the described trends affect in particular employment and incomes of the lower skilled, it is crucial to put in place policies that provide vulnerable workers with good education, training, and employment opportunities — as set out in the Europe 2020 strategy. Furthermore, as reiterated in the 2013 Annual Growth Survey, targeted labour tax reduction for low paid and young workers are very important.

⁽¹⁾ <http://www.fedeablogs.net/economia/?p=33282>

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012230/13
a la Comisión**

Joseph Daul (PPE), Rainer Wieland (PPE), Alejo Vidal-Quadras (PPE), Othmar Karas (PPE), Richard Seeber (PPE), Peter Liese (PPE), Martin Kastler (PPE), Pilar del Castillo Vera (PPE) y Anna Záborská (PPE)
(25 de octubre de 2013)

Asunto: Enseñanza religiosa en las Escuelas Europeas

El Consejo Superior de las Escuelas Europeas ha anunciado medidas de reducción de costes en virtud de las cuales la enseñanza religiosa en las Escuelas Europeas se reduciría o incluso se suprimiría. Esta cuestión se retiró de la agenda del Consejo Superior a principios de 2013 a petición del Parlamento Europeo. Se anunció que unos grupos de trabajo, conjuntamente con las Iglesias, desarrollarían un nuevo marco para la enseñanza religiosa antes de diciembre de 2013.

Parecería, sin embargo, que las Iglesias y los afectados por el nuevo marco (o sea, los estudiantes y sus padres) han quedado excluidos del proceso, o al menos no se los ha incluido suficientemente ni se los ha mantenido adecuadamente informados.

¿Cuál es la posición de la Comisión en los grupos de trabajo y en el Consejo Superior en relación con el recorte de la enseñanza religiosa en las Escuelas Europeas? ¿Cómo cree la Comisión que podrán las Escuelas Europeas transmitir unos valores de forma concreta y diferenciada si se recorta la enseñanza religiosa? ¿Se ofrecerá la enseñanza religiosa en la lengua materna de los estudiantes? ¿Cuáles son las siguientes medidas previstas? ¿Existe un calendario concreto para las decisiones que han de adoptarse?

Respuesta del Sr. Šefčovič en nombre de la Comisión
(10 de enero de 2014)

Es importante destacar que la Comisión Europea no es el autor de la propuesta, que consiste en reorganizar el ciclo de educación secundaria en las Escuelas Europeas y que ha sido elaborada por un grupo de trabajo compuesto por todas las principales partes interesadas (incluidos los padres y alumnos) ⁽¹⁾.

La reunión del Consejo Superior se celebró los días 3 a 5 de diciembre de 2013, y la propuesta para reformar los tres primeros años de educación secundaria fue aprobada con 21 votos a favor, tres en contra y cuatro abstenciones, incluida la Comisión ⁽²⁾. En cuanto a la clase de religión/ética, la propuesta implica que en el tercer año del ciclo de secundaria esta materia se impartirá en la segunda lengua, como ya sucede en el ámbito de las humanidades.

Con todo, se decidió presentar la parte restante de la propuesta, en relación con los años cuarto a séptimo de secundaria, a una entidad externa para su evaluación. Esta propuesta sugiere que se debe reducir en una hora el número de clases de religión/ética en los años cuarto y quinto, y que estas deben impartirse en la segunda lengua, al igual que en el tercer año. En cuanto a los años sexto y séptimo, la propuesta consiste en crear un nuevo curso aconfesional ofrecido en la segunda lengua. Este curso abarcaría el razonamiento y el cuestionamiento filosóficos, así como el origen y la historia de las religiones y la ética.

Los cambios pedagógicos de esta naturaleza deben dejarse a los expertos con la experiencia pertinente en este ámbito; con todo, en su calidad de miembro del Consejo Superior, la Comisión ha insistido en que la evaluación externa de las propuestas para los años cuarto a séptimo deberá incluir a todas las partes interesadas que resulten pertinentes, en particular a los padres. Por otra parte, la Comisión ha insistido en que se debe entablar un debate abierto e integrador en lo que se refiere a la reorganización del ciclo de educación secundaria, a fin de garantizar que las inquietudes de todas las partes interesadas puedan plantearse y debatirse en el seno del mismo.

⁽¹⁾ Un subgrupo también se reunió con los representantes de las autoridades ortodoxas, católico-romanas, protestantes, judías y musulmanas en agosto, lo que dio lugar a una propuesta acordada por todos ellos.

⁽²⁾ Se necesita esta mayoría de 20 votos a favor, de conformidad con la convención ES.

(Deutsche Fassung)

**Anfrage zur schriftlichen Beantwortung E-012230/13
an die Kommission**

Joseph Daul (PPE), Rainer Wieland (PPE), Alejo Vidal-Quadras (PPE), Othmar Karas (PPE), Richard Seeber (PPE), Peter Liese (PPE), Martin Kastler (PPE), Pilar del Castillo Vera (PPE) und Anna Záborská (PPE)
(25. Oktober 2013)

Betrifft: Religionsunterricht an Europäischen Schulen

Der Oberste Rat der Europäischen Schulen hat Sparmaßnahmen angekündigt, durch die der Religionsunterricht an den Europäischen Schulen gekürzt bzw. komplett gestrichen wird. Diese Angelegenheit wurde zu Beginn des Jahres 2013 vom Obersten Rat auf Veranlassung des Europäischen Parlaments von der Tagesordnung genommen. Es wurde angekündigt, dass Arbeitsgruppen gemeinsam mit den Kirchen bis Dezember 2013 eine neue Regelung für den Religionsunterricht ausarbeiten würden.

Es scheint jedoch so, als ob die Kirchen und jene, die von der neuen Regelung betroffen sind, nämlich die Schüler und ihre Eltern, entweder aus diesem Prozess ausgeschlossen oder unzureichend miteinbezogen wurden, und daher nicht angemessen darüber informiert sind.

Welche Position wird die Kommission in den Arbeitsgruppen und im Obersten Rat in Bezug auf die Streichung des Religionsunterrichts in den Europäischen Schulen vertreten? Wie können nach Ansicht der Kommission auf konkrete und differenzierte Weise in den Europäischen Schulen Werte vermittelt werden, wenn der Religionsunterricht gestrichen wird? Wird der Religionsunterricht in der Muttersprache der Schüler angeboten werden? Welche weiteren Schritte sind geplant? Gibt es bereits einen klaren Zeitrahmen für die zu fassenden Beschlüsse?

Antwort von Herrn Šefčovič im Namen der Kommission

(10. Januar 2014)

Es muss hervorgehoben werden, dass nicht die Europäische Kommission für diesen Vorschlag zur Umgestaltung der Sekundarstufe der Europäischen Schulen verantwortlich ist. Dieser wurde vielmehr von einer aus den wichtigsten Beteiligten (einschließlich Eltern und Schüler) bestehenden Arbeitsgruppe ausgearbeitet ⁽¹⁾.

Die Sitzung des Obersten Rates fand vom 3. bis 5. Dezember 2013 statt, und der Vorschlag, die erste bis dritte Klasse der Sekundarstufe zu reformieren, wurde — einschließlich der Stimme der Kommission — mit 21 Jastimmen, drei Neinstimmen und vier Enthaltungen angenommen ⁽²⁾. Das bedeutet, dass der Religions- bzw. Ethikunterricht in der dritten Klasse der Sekundarstufe, wie bisher schon bei den Geisteswissenschaften, in der zweiten Sprache gegeben wird.

Allerdings wurde beschlossen, den übrigen Teil des Vorschlags betreffend die Klassen 4 bis 7 der Sekundarstufe einer externen Evaluierung zu unterziehen. Nach dem Vorschlag soll der Religions- bzw. Ethikunterricht in den Klassen 4 und 5 um eine Stunde gekürzt werden und wie in der dritten Klasse in der zweiten Sprache erfolgen. Für die Klassen 6 und 7 soll ein neuer nichtkonfessioneller Kurs in der zweiten Sprache angeboten werden. Gegenstand dieses Kurses wären philosophisches Denken sowie Ursprung und Geschichte von Religion und Ethik.

Solche pädagogischen Änderungen sollten Sachverständigen mit der notwendigen Erfahrung in diesem Bereich überlassen werden. Als Mitglied des Obersten Rates hat die Kommission dennoch darauf bestanden, dass bei der Evaluierung der Vorschläge für die Klassen 4 bis 7 sämtliche Beteiligten, insbesondere die Eltern, hinzugezogen werden. Außerdem ist die Kommission dafür eingetreten, eine offene und integrative Diskussion über die Umgestaltung der Sekundarstufe zu führen, damit sichergestellt ist, dass die Belange aller Beteiligten zur Sprache gebracht werden können.

⁽¹⁾ Eine Untergruppe traf im August auch mit Vertretern der orthodoxen, römisch-katholischen, protestantischen, jüdischen und moslemischen Gemeinschaften zusammen und erzielte eine Einigung.

⁽²⁾ Die nach der Vereinbarung über die Europäischen Schulen notwendige Mehrheit liegt bei 20 Jastimmen.

(Version française)

**Question avec demande de réponse écrite E-012230/13
à la Commission**

Joseph Daul (PPE), Rainer Wieland (PPE), Alejo Vidal-Quadras (PPE), Othmar Karas (PPE), Richard Seeber (PPE), Peter Liese (PPE), Martin Kastler (PPE), Pilar del Castillo Vera (PPE) et Anna Záborská (PPE)
(25 octobre 2013)

Objet: L'éducation religieuse dans les écoles européennes

Le conseil supérieur des écoles européennes a annoncé une série de mesures de réduction des coûts, qui prévoient de réduire, voire de supprimer l'éducation religieuse dans les écoles européennes. Début 2013, à la demande expresse du Parlement européen, le conseil supérieur a retiré cette question de son ordre du jour. Le conseil supérieur a également annoncé que des groupes de travail, en partenariat avec les Églises, définiraient un nouveau cadre pour l'éducation religieuse d'ici décembre 2013.

Toutefois, il semble que les Églises, ainsi que les personnes concernées par ce nouveau cadre, à savoir les étudiants et leurs parents, n'ont pas du tout ou pas assez été incluses dans ce processus et n'ont pas été assez informées.

Quelle position la Commission recommande-t-elle aux groupes de travail et au conseil supérieur en ce qui concerne la suppression de l'éducation religieuse dans les écoles européennes? Selon la Commission, comment continuer à transmettre des valeurs de façon concrète et différenciée dans les écoles européennes si l'éducation religieuse y est supprimée? L'éducation religieuse sera-t-elle proposée dans la langue maternelle des étudiants? Quelles autres mesures sont prévues? Des délais pour certaines décisions ont-ils déjà été fixés?

Réponse donnée par M. Šefčovič au nom de la Commission
(10 janvier 2014)

Il est important de souligner que la Commission européenne n'est pas à l'origine de cette proposition visant à réorganiser le cycle secondaire dans les écoles européennes, qui a été élaborée par un groupe de travail composé de toutes les principales parties prenantes (y compris les parents et les élèves) ⁽¹⁾.

Le conseil supérieur s'est réuni du 3 au 5 décembre 2013 et la proposition de réforme des trois premières années de l'enseignement secondaire a été approuvée par 21 voix pour, 3 voix contre et 4 abstentions (dont la Commission) ⁽²⁾. En ce qui concerne le cours de religion/morale, cela signifie qu'au cours de la troisième année du cycle secondaire, le cours sera dispensé dans la langue 2, comme c'est déjà le cas pour les sciences humaines.

Toutefois, il a été décidé de soumettre le reste de la proposition, concernant la quatrième à la septième année de l'enseignement secondaire, à une évaluation externe. La proposition suggère de réduire d'une heure le nombre de cours de religion/morale en quatrième et cinquième années de l'enseignement secondaire, et de dispenser ces cours dans la langue 2, comme c'est le cas en troisième année. Pour les sixième et septième années de l'enseignement secondaire, la proposition vise à créer un nouveau cours non confessionnel, dispensé dans la langue 2. Ce cours aborderait notamment le raisonnement et le questionnement philosophiques, ainsi que l'origine et l'histoire des religions et de la morale.

Les changements pédagogiques de cette nature devraient être laissés aux experts dotés de l'expérience nécessaire dans ce domaine; toutefois dans son rôle de membre du conseil supérieur, la Commission a insisté pour que toutes les parties prenantes concernées, en particulier les parents, puissent participer à l'évaluation externe des propositions concernant la quatrième à la septième année de l'enseignement secondaire. Par ailleurs, la Commission a insisté sur la nécessité d'un débat ouvert et approfondi sur la réorganisation du cycle secondaire afin de veiller à ce que toutes les préoccupations des parties prenantes puissent être s'exprimer et faire l'objet de discussions.

⁽¹⁾ En août, un sous-groupe a également rencontré les représentants des autorités orthodoxes, catholiques-romaines, protestantes, juives et musulmanes, et cette rencontre a abouti à une proposition acceptée par tous.

⁽²⁾ Une majorité de 20 voix est nécessaire conformément à la convention des EE.

(Slovenské znenie)

Otázka na písomné zodpovedanie E-012230/13

Komisií

Joseph Daul (PPE), Rainer Wieland (PPE), Alejo Vidal-Quadras (PPE), Othmar Karas (PPE), Richard Seeber (PPE), Peter Liese (PPE), Martin Kastler (PPE), Pilar del Castillo Vera (PPE) a Anna Záborská (PPE)

(25. októbra 2013)

Vec: Náboženská výchova v európskych školách

Rada guvernérov európskych škôl oznámila úsporné opatrenia, v rámci ktorých sa obmedzí alebo celkom zruší náboženská výchova v európskych školách. Táto otázka bola na začiatku roka 2013 na naliehanie Európskeho parlamentu vyčiarknutá z programu rady guvernérov. Bolo oznámené, že pracovné skupiny v spolupráci s cirkvami do decembra 2013 vypracujú nový rámec pre náboženskú výchovu.

Zdá sa však, že cirkvi a tí, ktorých sa nový rámec týka, konkrétne študenti a ich rodičia, boli z tohto procesu vylúčení alebo začlenení nedostatočne a neboli primerane informovaní.

Akú pozíciu hájila Komisia v pracovných skupinách a rade guvernérov, pokiaľ ide o obmedzovanie náboženskej výchovy v európskych školách? Ako je možné podľa Komisie konkrétnym a diferencovaným spôsobom odovzdávať hodnoty v európskych školách, keď sa obmedzuje náboženská výchova? Bude možná náboženská výchova v materinskom jazyku študenta? Aké ďalšie opatrenia sa plánujú? Existuje už konkrétny časový rámec na prijatie rozhodnutí?

Odpoveď pána Šefčoviča v mene Komisie

(10. januára 2014)

Je nevyhnutné zdôrazniť, že Európska komisia nie je zodpovedná za tento návrh reorganizácie druhého stupňa európskych škôl, ktorý pripravila pracovná skupina zložená zo všetkých hlavných zainteresovaných strán (vrátane rodičov a žiakov) ⁽¹⁾.

Zasadnutie Správnej rady európskych škôl sa uskutočnilo v dňoch 3. – 5. decembra 2013 a návrh na reformu prvých, druhých a tretích ročníkov druhého stupňa bol schválený 21 hlasmi za, 3 hlasmi proti a 4 členovia, vrátane Komisie, sa zdržali hlasovania ⁽²⁾. Znamená to, že vyučovacie hodiny náboženstva/etiky budú v treťom ročníku druhého stupňa prebiehať v druhom jazyku tak, ako je to už v prípade humanitných vied.

Zároveň bolo prijaté rozhodnutie predložiť zvyšnú časť návrhu, ktorá sa týka ročníkov štyri až sedem druhého stupňa, na externé posúdenie. V návrhu sa odporúča znížiť počet vyučovacích hodín náboženstva/etiky v štvrtom a piatom ročníku o jednu hodinu, pričom ich výuka by mala prebiehať v druhom jazyku tak, ako je to v prípade tretieho ročníka. V prípade ročníkov 6 a 7 sa navrhuje vytvoriť nový nekonfesijný kurz v druhom jazyku. Súčasťou kurzu by boli aj filozofické zdôvodnenia a otázky, ako aj pôvod a história náboženstiev a etiky.

Zmeny vyučovacieho procesu tohto druhu by sa mali ponechať na odborníkov so skúsenosťami v tejto oblasti, ale Komisia vo svojej pozícii člena správnej rady trvala na tom, aby externé posúdenie návrhov týkajúcich sa ročníkov 4 až 7 zahŕňalo všetky príslušné zainteresované strany, a predovšetkým rodičov. Komisia trvala aj na tom, aby sa o reorganizácii druhého stupňa viedol otvorený a všestranný dialóg, ktorý zaručí, že budú nastolené a prediskutované problémy všetkých zúčastnených strán.

⁽¹⁾ Časť tejto skupiny sa v auguste stretla aj s predstaviteľmi pravoslávnych, rímskokatolíckych, protestantských, židovských a islamských cirkví, pričom výsledkom tohto stretnutia bol návrh, s ktorým všetci súhlasili.

⁽²⁾ Táto väčšina, ktorá sa vyžaduje v zmysle dohovoru ES, pozostáva z 20 hlasov za.

(English version)

**Question for written answer E-012230/13
to the Commission**

Joseph Daul (PPE), Rainer Wieland (PPE), Alejo Vidal-Quadras (PPE), Othmar Karas (PPE), Richard Seeber (PPE), Peter Liese (PPE), Martin Kastler (PPE), Pilar del Castillo Vera (PPE) and Anna Záborská (PPE)
(25 October 2013)

Subject: Religious education at the European Schools

The Board of Governors of the European Schools has announced cost-cutting measures under which religious education at the European Schools is to be reduced or entirely cut. This issue was taken off the agenda of the Board of Governors at the beginning of 2013 at the urging of the European Parliament. It was announced that working groups, together with the Churches, would develop a new framework for religious education by December 2013.

It seems, however, that the Churches and those affected by the new framework, namely the students and their parents, have been either excluded from this process or insufficiently included, and have not been kept adequately informed.

What position does the Commission advocate in the working groups and the Board of Governors regarding the cutting of religious education in the European Schools? How, in the view of the Commission, can values be conveyed in a concrete and differentiated way in the European Schools if religious education is cut? Will religious education be offered in the student's mother tongue? What further steps are planned? Is there already a specific timeframe for the decisions to be taken?

Answer given by Mr Šefčovič on behalf of the Commission
(10 January 2014)

It is important to stress that the European Commission is not responsible for this proposal, for reorganisation of the secondary cycle in the European Schools, which was prepared by a working group consisting of all the main stakeholders (including parents and pupils) ⁽¹⁾.

The meeting of the Board of Governors took place on 3-5 December 2013 and the proposal for reforming secondary years one to three was approved by vote with 21 in favour, 3 against and 4 abstentions, including the Commission ⁽²⁾. For the religion/ethics class this implies that in the third year of the secondary cycle the class will be taught in language 2, as is already the case for the human sciences.

However, it was decided to submit the remaining part of the proposal, concerning secondary years four to seven, to an external evaluation. The proposal suggests reducing the number of religion/ethics classes in years 4 and 5 by one hour, and that these classes should be taught in language 2, as is the case for year three. For years 6 and 7, the proposal is to create a new non-confessional course offered in language 2. This course would include philosophical reasoning and questioning as well as the origin and history of the religions and ethics.

Pedagogical changes of this nature should be left to the experts with the relevant experience in this area, but in its role as a member of the Board of Governors, the Commission has insisted that the external evaluation of the proposals for years 4-7 must include all relevant stakeholders, especially parents. Furthermore, the Commission has insisted that there be an open and inclusive debate on the reorganisation of the secondary cycle to ensure that all stakeholders' concerns can be raised and discussed.

⁽¹⁾ A sub-group also met with the representatives of the Orthodox, Roman-Catholic, Protestant, Jewish and Muslim Authorities in August which resulted in a proposal they agreed upon.

⁽²⁾ This majority required pursuant to the ES convention being 20 votes in favour.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012232/13
a la Comisión**

Raül Romeva i Rueda (Verts/ALE), Iñaki Irazabalbeitia Fernández (Verts/ALE), Ramon Tremosa i Balcells (ALDE), Maria Badia i Cutchet (S&D), Raimon Obiols (S&D), Willy Meyer (GUE/NGL) y Izaskun Bilbao Barandica (ALDE)
(25 de octubre de 2013)

Asunto: Posible incumplimiento de la Cláusula Cuarta de la Directiva 1999/70/CE del Consejo y de los Derechos Fundamentales de la Unión Europea por parte del Estado Español

En el Estado Español coexisten dos tipos de jueces: «titulares» y «sustitutos» (artículo 298.2, Ley Orgánica del Poder Judicial (LOPJ) ⁽¹⁾ y artículo 91, Reglamento de la Carrera Judicial (RCJ) ⁽²⁾). Los sustitutos o interinos son nombrados anualmente mediante concurso por el Consejo General del Poder Judicial, incluidos en una lista de funcionarios interinos ⁽³⁾. Ambos ejercen idénticas funciones jurisdiccionales, con las mismas incompatibilidades y prohibiciones (artículos 201.4, 389 a 397 LOPJ y 101 RC) y STS de 8 de noviembre de 2012) ⁽⁴⁾. Los titulares son retribuidos mensualmente con cotización continua a la Seguridad Social, en cualquier caso, inclusive los de adscripción territorial y en expectativa de destino; pero, los sustitutos, sólo perciben salario y cotizan a la Seguridad Social cuando son llamados. En caso contrario, no perciben salario alguno, no cotizan a la Seguridad Social, carecen de cobertura médica y no pueden desarrollar otro trabajo o profesión —salvo la docencia— por las incompatibilidades que les exigen disponibilidad y dedicación absolutas, vulnerando con ello el derecho fundamental a la libertad profesional y al trabajo reconocidos en el artículo 15 de la Carta de los Derechos Fundamentales de la U.E. y los artículos 6 del TUE y 67 del TFUE. Dicha situación se agrava pues la partida presupuestaria del Ministerio de Justicia se redujo drásticamente de 25 millones de euros en 2012 ⁽⁵⁾, a 8 millones de euros en 2013 ⁽⁶⁾, convirtiéndose las listas de sustitutos en listas del hambre, sin posibilidades reales de trabajar y con una desprotección social absoluta. Todo ello, tras más de 25 años de labor continua, fraudulentamente interina.

— ¿Considera la Comisión que se está cumpliendo correcta y efectivamente la Cláusula Cuarta sobre la igualdad de trato y no discriminación de la Directiva 1999/70/CE del Consejo, de 28 de junio de 1999, relativa al acuerdo marco de la CES, la UNICE y el CEEP sobre el trabajo de duración determinada?

— ¿Cree que se están respetando plenamente el derecho fundamental a la libertad profesional y el derecho al trabajo de los sustitutos?

Respuesta del Sr. Andor en nombre de la Comisión
(9 de diciembre de 2013)

La Comisión Europea remite a Su Señoría a su respuesta a la pregunta E-010480/2013 ⁽⁷⁾.

Por lo que se refiere más concretamente a la cuestión de los Derechos Fundamentales planteada por Sus Señorías, la Comisión recuerda que, de conformidad con el artículo 51, apartado 1, de la Carta de Derechos Fundamentales, las disposiciones de la misma están dirigidas a los Estados miembros únicamente cuando apliquen el Derecho de la Unión. En el caso que mencionan Sus Señorías, por tanto, corresponde exclusivamente a los Estados miembros garantizar el respeto de sus obligaciones en relación con los derechos fundamentales, que se derivan de los acuerdos internacionales y de su legislación interna. Por esas razones, la Comisión no está en condiciones de hacer más comentarios sobre la pregunta formulada por Sus Señorías.

⁽¹⁾ <http://www.boe.es/buscar/pdf/1985/BOE-A-1985-12666-consolidado.pdf>

⁽²⁾ <http://www.boe.es/boe/dias/2011/05/09/pdfs/BOE-A-2011-8049.pdf>

⁽³⁾ <http://www.boe.es/buscar/doc.php?id=BOE-A-2012-11230>

⁽⁴⁾ <http://www.boe.es/buscar/doc.php?id=BOE-A-2012-15022>

⁽⁵⁾ Presupuestos 2012 http://www.mjusticia.gob.es/cs/Satellite/1292354512239?blobheader=application%2Fpdf&blobheadername1=Content-Disposition&blobheadervalue1=attachment%3B+filename%3DPresupuestos_2012.PDF (Doc: Presupuestos 2012) — página 11 — partida 112 A — 125 25 668,08 M€.

⁽⁶⁾ http://www.mjusticia.gob.es/cs/Satellite/1292365864317?blobheader=application%2Fpdf&blobheadername1=Content-Disposition&blobheadervalue1=attachment%3B+filename%3DPresupuestos_Generales_del_Estado_-_Secci%C3%B3n_13_ (Doc: Presupuestos 2013) — página 10 partida 112 A 125. 8.540,39 M€.

⁽⁷⁾ <http://www.europarl.europa.eu/plenary/es/parliamentary-questions.html>

(English version)

**Question for written answer E-012232/13
to the Commission**

Raül Romeva i Rueda (Verts/ALE), Iñaki Irazabalbeitia Fernández (Verts/ALE), Ramon Tremosa i Balcells (ALDE), Maria Badia i Cutchet (S&D), Raimon Obiols (S&D), Willy Meyer (GUE/NGL) and Izaskun Bilbao Barandica (ALDE)
(25 October 2013)

Subject: Possible contravention by the Spanish state of Clause 4 of Council Directive 1999/70/EC and of the Fundamental Rights of the European Union

In Spain there are two types of judge: ‘incumbent’ judges and ‘replacement’ judges (Article 298.2, Framework Law on the Judiciary (LOJ) ⁽¹⁾ and Article 91, Judicial Career Regulations (RCJ) ⁽²⁾). Replacement or acting judges are appointed every year by means of a competition organised by the General Council of the Judiciary and are placed on a list of acting officials ⁽³⁾. Both types of judge carry out identical judicial duties with the same incompatibilities and prohibitions (Articles 201.4, 389 to 397 of the LOJ and 101 of the RC and the Supreme Court Judgment of 8 November 2012) ⁽⁴⁾. Incumbent judges, including those who have been regionally appointed and are awaiting assignment to a post, are paid every month and make continuous contributions to social security. Replacement judges draw a salary and contribute to social security only when they are called. In contrast to incumbent judges, they receive no regular salary, make no contribution to social security, have no healthcare cover and cannot undertake any other job or profession except for teaching due to the incompatibility rules that demand total availability and dedication, thereby contravening their fundamental right to choose an occupation and engage in work enshrined in Article 15 of the Charter of Fundamental Rights of the European Union and Articles 6 of the TEU and 67 of the TFEU. This situation has worsened since the budget, for the Ministry of Justice was drastically reduced from EUR 25 million in 2012 ⁽⁵⁾ to EUR 8 million in 2013 ⁽⁶⁾, turning replacement judges into impoverished citizens who have no real chance of working and no social protection whatsoever after 25 years of continuous work on a fraudulently temporary basis.

— Does the Commission believe that Spain is correctly and effectively enforcing the regulations on equal treatment and non-discrimination set down in Clause 4 of Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP?

— Does it believe that the fundamental right of replacement judges to choose an occupation and engage in work is being fully respected?

Answer given by Mr Andor on behalf of the Commission
(9 December 2013)

The European Commission would like to refer the Honourable Members to its reply to Question E-010480/2013 ⁽⁷⁾.

Regarding more particularly the fundamental rights issue raised by the Honourable Members, the Commission recalls that, according to Article 51 (1) of the Charter of Fundamental Rights, the provisions of the Charter are addressed to the Member States only when they are implementing Union law. In the matter referred to by the Honourable Member, it is thus for Member States alone to ensure that their obligations regarding fundamental rights — as resulting from international agreements and from their internal legislation — are respected. For those reasons, the Commission is not in a position to comment further on the question asked by the Honourable Member.

⁽¹⁾ <http://www.boe.es/buscar/pdf/1985/BOE-A-1985-12666-consolidado.pdf>

⁽²⁾ <http://www.boe.es/boe/dias/2011/05/09/pdfs/BOE-A-2011-8049.pdf>

⁽³⁾ <http://www.boe.es/buscar/doc.php?id=BOE-A-2012-11230>

⁽⁴⁾ <http://www.boe.es/buscar/doc.php?id=BOE-A-2012-15022>

⁽⁵⁾ Presupuestos 2012 http://www.mjusticia.gob.es/cs/Satellite/1292354512239?blobheader=application%2Fpdf&blobheadername1=Content-Disposition&blobheadervalue1=attachment%3B+filename%3DPresupuestos_2012.PDF (Doc: Presupuestos 2012) — pagina 11- partida 112 A -125 25.668,08 MEUR.

⁽⁶⁾ http://www.mjusticia.gob.es/cs/Satellite/1292365864317?blobheader=application%2Fpdf&blobheadername1=Content-Disposition&blobheadervalue1=attachment%3B+filename%3DPresupuestos_Generales_del_Estado_-_Secci%C3%B3n_13_ (Doc: Presupuestos 2013) — pagina 10 partida 112* 125. 8.540,39 MEUR.

⁽⁷⁾ <http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html>

(Leagan Gaeilge)

Ceist i gcomhair freagra scríofa E-012254/13
chuig an gCoimisiún
Liam Aylward (ALDE)
(28 Deireadh Fómhair 2013)

Ábhar: Oidhreacht chultúrtha na hEorpa a chaomhnú

Tá Bliain Eorpach na Saoránach á ceiliúradh i mbliana agus ní mór mar sin aitheantas a thabhairt don mhórluach a bhaineann le hoidhreacht chultúrtha shaibhir ilghnéitheach a bheith ann in AE. Tá sé ráite i gconarthaí AE go mba cheart an oidhreacht chultúrtha sin a chaomhnú agus a spreagadh. Chuige sin, an bhféadfadh an Coimisiún cur síos a dhéanamh ar a mbeidh á dhéanamh ó thaobh maoinithe Eorpaigh agus beart Eorpach ón mbliain seo chugainn ar aghaidh ar mhaithe le hoidhreacht chultúrtha na Eorpa a chaomhnú agus a spreagadh?

Céard atá déanta go dtí seo, nó céard a bheidh á dhéanamh amach anseo, ag an gCoimisiún chun cabhrú le muintir an AE teacht ar oidhreacht chultúrtha na bpobal Eorpach? Céard iad na bearta atá i bhfeidhm ag an gCoimisiún chun eolas mhuintir an AE i dtaca le hoidhreacht chultúrtha na hEorpa a spreagadh agus a fheabhsú?

D'fhéadfadh go mbeadh ardhiúntas ó thaobh oidhreacht chultúrtha na hEorpa a chaomhnú agus a spreagadh de ag baint le breis comhoibrithe a spreagadh agus a chur i bhfeidhm idir na Ballstáit sa mhéid agus a bhaineann sé le músaeim agus cartlanna seandálaíochta náisiúnta. An bhféadfadh an Coimisiún breis eolais a thabhairt maidir lena bhfuil á dhéanamh aige chun an comhoibriú idir na Ballstáit i gcúrsaí oidhreachta chultúrtha a spreagadh agus maidir leis an méid atá ar fáil ó thaobh deiseanna maoinithe don chineál comhoibrithe sin de agus leis na deiseanna maoinithe a d'fhéadfadh a bheith ann amach anseo faoin gCreat Airgeadais Ilbhliantúil don tréimhse 2014-2020?

Freagra ón gCoimisinéir Vassiliou thar ceann an Choimisiúin
(9 Eanáir 2014)

Sa tréimhse 2014-2020, beidh cuid mhaith deiseanna maoinithe ón AE don oidhreacht chultúrtha, ina measc:

- clár na hEorpa Cruthaithí, a bhfuil snáithe cultúir do thionscadail chomhair thrasnáisiúnta, líonraí, ardáin Eorpacha, agus gníomhaíochtaí speisialta ina bhuiséad EUR 1.46 bhilliún.
- Ciste Forbraíochta Réigiúnaí na hEorpa (CFRE), a bhfuil sé chuspóir théamacha a bhféadfadh infheistíochtaí i gcultúr agus oidhreacht rannchuidiú leo ina bhuiséad EUR 325 bhilliún: taighde, TFC, iomaíochas FBManna, comhshaol, fostaíocht, agus cuimsiú sóisialta.
- Fís 2020, a bhfuil trí shnáithe ar a laghad ar dócha cultúr agus oidhreacht a incháilithe dóibh ina bhuiséad EUR 70.2 billiún: gníomhaíocht ar son na haeráide, sochaithe nuálacha, sochaithe machnamhacha.

D'fhéadfadh oidhreacht chultúrtha a bheith incháilithe do mhaoiniú faoi chlár eile de chuid an AE freisin ⁽¹⁾.

Maidir le cabhrú le daoine san AE nascadh leis an oidhreacht chultúrtha, agus í a thuiscint níos fearr, spreag an Coimisiún gníomhaíochtaí comhair faoin gClár Cultúir reatha: tacú le breis is 130 tionscadal i dtaobh na hoidhreachta le EUR 40 milliún idir 2007-13. Sa tréimhse chéanna d'infheistigh an CFRE EUR 5.6 bhilliún in oidhreacht, seirbhísí agus bonneagar cultúrtha. I measc na dtionscnamh ábhartha eile ón AE tá an Lipéad Oidhreachta Eorpach nua, Laethanta Oidhreachta bliantúla na hEorpa, agus Duais an AE don oidhreacht chultúrtha/dámhachtain Europa Nostra.

Tríd an Modh Oscailte Comhordaithe, spreagadh na Ballstáit freisin lena bheith ag obair le chéile ar mhúsaeim agus cartlanna, lena n-áirítear trí mheitheal ar an oidhreacht chultúrtha agus soghluaisteacht na mbailiúchán.

⁽¹⁾ ina measc CETRT (oidhreacht na tuaithe), EMMF (oidhreacht mhuirí/cois cósta), Eoraip do Shaoránaigh (Comhchuimhneachán Eorpach), Marie Skłodowska-Curie (soghluaisteacht taighdeoirí), Erasmus+ (foghlaim agus scileanna), agus Nascadh na hEorpa (digitíú).

(English version)

Question for written answer E-012254/13
to the Commission
Liam Aylward (ALDE)
(28 October 2013)

Subject: Preserving Europe's cultural heritage

Considering that the European Year of Citizens is being celebrated this year we should acknowledge the considerable value of the EU's rich and diverse cultural heritage. The Treaties seek to ensure that Europe's cultural heritage is safeguarded and enhanced. Could the Commission state what financial support is being given and what measures are being taken from next year onwards in order to safeguard and enhance Europe's cultural heritage?

What has the Commission done to date, or what does it plan to do in the future to help people in the EU to connect with the cultural heritage of the peoples of Europe? What measures does the Commission have in place to safeguard and improve people's understanding of Europe's cultural heritage?

It might prove extremely beneficial for the preservation and safeguarding of Europe's cultural heritage if more Member States were encouraged to work together on matters relating to museums and national archaeological archives. Could the Commission give details on what it is doing to encourage cooperation between Member States in matters relating to cultural heritage and what funding is available for projects involving cooperation? Could it also give details on any possible funding that might be made available under the Multiannual Financial Framework for the period 2014-2020?

Answer given by Ms Vassiliou on behalf of the Commission
(9 January 2014)

In the period 2014-2020, there will be several EU funding opportunities for cultural heritage, including:

- The Creative Europe programme, whose EUR 1.46 billion budget includes a culture strand for transnational cooperation projects, networks, European platforms, and special actions.
- The European Regional Development Fund (ERDF), whose EUR 325 billion budget includes six thematic objectives to which culture and heritage investments could potentially contribute: research, ICT, SME competitiveness, environment, employment, and social inclusion.
- Horizon 2020, whose proposed EUR 70.2 billion budget includes at least three strands in which culture and heritage are likely to be eligible: climate action, innovative societies, reflective societies.

Cultural heritage may also be eligible for funding under other EU programmes ⁽¹⁾.

In terms of helping people in the EU to connect with, and better understand, cultural heritage, the Commission has encouraged cooperation activities under the current Culture Programme: supporting over 130 projects on heritage with EUR 40 million in 2007-2013. Over the same period the ERDF invested EUR 5.6 billion in cultural heritage, services and infrastructures. Other relevant EU initiatives include the new European Heritage Label, the annual European Heritage Days, and the EU Prize for cultural heritage/Europa Nostra award.

Through the Open Method of Coordination, Member States have also been encouraged to work together on museums and archives, including through a working group on cultural heritage and mobility of collections.

⁽¹⁾ Including EAGGF (rural heritage), EMMF (maritime/coastal heritage), Europe for Citizens (common European remembrance), Marie Skłodowska Curie (mobility of researchers), Erasmus+ (learning and skills), and Connecting Europe (digitization).

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-012256/13
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(28 Οκτωβρίου 2013)

Θέμα: Σύριοι ελεύθεροι σκοπευτές βάλουν κατά εγκύων γυναικών

Σύμφωνα με το δελτίο ειδήσεων του CNN, Σύριοι ελεύθεροι σκοπευτές στοχεύουν κατά εγκύων γυναικών και πυροβολούν κατά των αγέννητων τέκνων τους. Ένας εθελοντής ιατρός κατηγορήσε τους εν λόγω ελεύθερους σκοπευτές ότι επιδίδονται σε ένα «παιχνίδι στόχων». Οι έγκυες γυναίκες περιλαμβάνονται στον κατάλογο των στόχων. Όλα τα τραύματα που φέρουν είναι παρόμοια. Αντικείμενο στόχου αποτελεί ένα συγκεκριμένο μέρος του σώματός τους.

Ως εκ τούτου, ζητείται από την Επιτροπή να απαντήσει στα εξής:

1. Είναι ενημερωμένη για την άσκηση τόσο επιθετικής βίας εις βάρος εγκύων γυναικών στη Συρία;
2. Τι είδους δράσεις σκοπεύει να αναλάβει άμεσα, προκειμένου να προστατεύσει τις έγκυες γυναίκες και τα αγέννητα τέκνα τους;

Απάντηση της Υπατης Εκπροσώπου/Αντιπροέδρου Ashton εξ ονόματος της Επιτροπής
(12 Φεβρουαρίου 2014)

Η ΥΕ/ΑΕ είναι ενήμερη για τα δημοσιεύματα στα μέσα μαζικής ενημέρωσης σχετικά με τη στόχευση εγκύων γυναικών από ελεύθερους σκοπευτές στη Συρία.

Είναι απαράδεκτη κάθε μορφή βίας εις βάρος αμάχων και ιδίως εις βάρος γυναικών και παιδιών. Η ΥΕ/ΑΕ καταδικάζει κατηγορηματικά το γεγονός ότι μεγάλο μέρος των θυμάτων της συριακής σύγκρουσης αποτελούν γυναίκες και παιδιά. Έχει δηλώσει ρητά και κατ' επανάληψη ότι οι δολοφονίες πρέπει να σταματήσουν άμεσα. Η ΕΕ έχει επανειλημμένα δηλώσει ότι πρέπει να διενεργηθούν έρευνες για τις παραβιάσεις των ανθρωπίνων δικαιωμάτων και τις βιαιότητες που διαπράττονται στη Συρία, ενώ οι δράστες πρέπει να λογοδοτήσουν.

Η ΕΕ προσεγγίζει σφαιρικά τη σύγκρουση στη Συρία λαμβάνοντας υπόψη την τεράστια πολυπλοκότητά της και καταβάλλει προσπάθειες για την αντιμετώπιση των πολυάριθμων περιστατικών καταπάτησης των ανθρωπίνων δικαιωμάτων που προκαλούν δεινά σε εκατομμύρια Σύριους πολίτες, ενώ συγχρόνως αναζητά πολιτική λύση για την τρέχουσα κρίση.

Όσον αφορά την ανθρωπιστική βοήθεια, η ΕΕ στηρίζει προγράμματα πολλών διεθνών μη κυβερνητικών οργανώσεων και εταιρών των Ηνωμένων Εθνών, τα οποία ασχολούνται κυρίως με γυναίκες στη Συρία, καθώς και στις γειτονικές χώρες που δέχονται μεγάλο αριθμό προσφύγων από τη Συρία. Τα προγράμματα αυτά περιλαμβάνουν δραστηριότητες που αφορούν ειδικά τις εγκύους και παρέχουν, για παράδειγμα, υπηρεσίες αναπαραγωγικής υγείας, καθώς και πρόληψη και αντιμετώπιση της βίας λόγω φύλου.

Για την αντιμετώπιση της συριακής κρίσης, η ΕΕ έχει συγκεντρώσει από το 2011 χρηματοδοτική στήριξη συνολικού ύψους 2,6 δισεκατ. ευρώ, συμπεριλαμβανομένων των πρόσφατων δεσμεύσεων που ανακοινώθηκαν στο Κουβέιτ στις 15 Ιανουαρίου 2014.

(English version)

Question for written answer E-012256/13
to the Commission
Antigoni Papadopoulou (S&D)
(28 October 2013)

Subject: Syrian snipers target pregnant women

According to CNN news, Syrian snipers are targeting pregnant women, and shooting their unborn babies. A volunteer doctor has accused these snipers of playing a 'targeting game'. Pregnant women are on the hit list. Their wounds are all similar. They are targeted in one particular area of the body.

The Commission is therefore asked to answer the following:

1. Is it aware of such aggressive violence against pregnant women in Syria?
2. What actions does it intend to take immediately so as to protect pregnant women and their unborn babies?

Answer given by High-Representative/Vice-President Ashton on behalf of the Commission
(12 February 2014)

The HR/VP has noted the media reports on the targeting of pregnant women by snipers in Syria.

Any violence against civilians in general, and against women and children in particular, is unacceptable. Women and children are a large part of the victims of the Syrian conflict, which the HR/VP condemns in the strongest terms. She has repeatedly made clear that the killing must stop without delay. The EU has on numerous occasions stated that human rights abuses and atrocities in Syria must be investigated and perpetrators must be held accountable.

The EU addresses the Syrian conflict in its entirety and vast complexity by means of a comprehensive approach, which includes efforts to address the widespread violations of human rights, causing suffering to millions of Syrian people, and seeking a political solution to the ongoing crisis.

With regard to humanitarian aid, the EU supports programmes of several international non-governmental organisations and UN partners that focus on women inside Syria as well as in the neighbouring countries hosting large numbers of refugees from Syria. These programmes include activities specifically focusing on pregnant women by e.g. providing reproductive health services as well as prevention and response to gender-based violence.

In response to the Syrian crisis since 2011 the EU has mobilised EUR 2.6 billion of total support, including the recent pledges announced in Kuwait on 15 January 2014.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-012266/13
adresată Comisiei (Vicepreședintelui/Înaltului Reprezentant)
Monica Luisa Macovei (PPE)
(28 octombrie 2013)

Subiect: VP/HR — Uniunea Africană solicită amânarea procesului judecat la Curtea Penală Internațională

La 12 octombrie 2013, Uniunea Africană a anunțat că va solicita Consiliului de Securitate amânarea procesului intentat președintelui kenyan, Uhuru Kenyatta, la Curtea Penală Internațională, prevăzut să înceapă la 12 noiembrie 2013.

Președintele Uniunii Africane a declarat, de asemenea, că șefii de state prezenți la summit au declarat nu poate fi nici intentat, nici continuat un proces într-o instanță internațională unui șef de stat sau de guvern în oficiu sau unei persoane cu un mandat similar, pe durata exercitării respectivului mandat. Acest lucru le-ar oferi șefilor de stat și de guvern imunitate pentru crimele comise împotriva umanității, atât timp cât sunt în oficiu.

Ca reacție la decizia Uniunii Africane, laureatul Premiului Nobel pentru pace, arhiepiscopul Desmond Tutu a afirmat că conducătorii politici care doresc să ocolească curtea vor să-și asigure imunitatea pentru a putea ucide, schilodi și oprima propriul popor fără a suporta consecințele.

În septembrie 2013, parlamentul kenyan a votat retragerea din cadrul Curții Penale Internaționale, mai multe țări exprimându-se în sprijinul intenției. Există îngrijorări că numeroase țări africane se vor retrage, de asemenea, din CPI.

1. Intenționează Vicepreședintele/Înaltul Reprezentant să adreseze această situație și să condamne declarațiile Uniunii Africane?
2. Ce intenționează să facă Vicepreședintele/Înaltul Reprezentant pentru a opri statele africane să părăsească CPI?

Răspuns dat de Înaltul Reprezentant/doamna vicepreședinte Ashton în numele Comisiei
(22 ianuarie 2014)

Lupta împotriva impunității, drepturile omului și democrația și statul de drept sunt valori comune ale parteneriatului Africa-UE.

Dacă UE a ascultat cu atenție îngrijorările exprimate de țările africane privind CPI, multe dintre acestea fiind în continuare pe deplin angajate în activitatea CPI, cazurile din Kenya constituie o chestiune bilaterală între Kenya și CPI și nu trebuie considerate a fi o problemă a parteneriatului Africa-UE.

Promovarea universalității Statutului de la Roma și menținerea integrității acestuia rămân principalele priorități ale UE în ceea ce privește sprijinul acordat CPI. CPI este o instituție judiciară independentă și imparțială, cauzele judecate de aceasta fiind procese juridice cărora ar trebui să li se permită să-și urmeze cursul. Este esențial ca îngrijorările cu privire la Curte și procedurile sale să fie prezentate în cadrul Statutului de la Roma.

UE și Africa sunt hotărâte să ofere propriilor cetățeni acces la justiție și să prevină cele mai grave crime. Nimeni nu ar trebui să fie scutit de pedeapsă pentru comiterea lor. Eliminarea tuturor imunităților, inclusiv ale șefilor de stat sau de guvern în cauzele judecate la CPI reprezintă o realizare esențială a justiției penale internaționale și nu ar trebui să fie pusă sub semnul întrebării.

(English version)

Question for written answer E-012266/13
to the Commission (Vice-President/High Representative)
Monica Luisa Macovei (PPE)
(28 October 2013)

Subject: VP/HR — African Union demands deferral of ICC trial

On 12 October 2013 the African Union announced that it would request that the Security Council delay the trial of Kenya's president Uhuru Kenyatta at the International Criminal Court before it is due to start on 12 November 2013.

The Chair of the African Union also declared that the heads of state present at the summit agreed that 'no charge shall be commenced, or continued, before any international court or tribunal against any serving head of state or government or anybody acting or entitled to act in such a capacity...during his or her term in office'. This would give heads of state or government immunity for crimes against humanity while they are in power.

In response to this decision by the African Union, Nobel Peace Prize Laureate Archbishop Desmond Tutu said 'Those leaders seeking to skirt the court are effectively looking for a licence to kill, maim and oppress their own people without consequence'.

In September 2013 Kenya's Parliament voted to withdraw from the ICC, and other countries have declared their support of the decision. There are concerns that a large number of African countries might also withdraw from the ICC.

1. Does the Vice-President/High Representative intend to address this situation and condemn the declarations of the African Union?
2. What will the Vice-President/High Representative do to stop African countries from leaving the ICC?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(22 January 2014)

The fight against impunity, human rights and democracy and the rule of law are shared values of the Africa-EU partnership.

While the EU has listened carefully to the concerns of African countries on the ICC, many of which remain fully committed to the work of the ICC, the Kenyan cases are a bilateral matter between Kenya and the ICC and should not be considered an Africa-EU issue.

Promoting the universality of the Rome Statute and preserving its integrity remain key priorities of the EU in its support of the ICC. The ICC is an independent and impartial judicial institution whose trials are legal processes that should be allowed to run their course. It is essential that concerns about the Court and its proceedings are presented within the framework of the Rome Statute.

Both the EU and Africa are committed to providing their people with access to justice and to preventing the most serious crimes. No one should be excluded from punishment for committing them. The abolition of all immunities, including that of heads of State or Government in trials before the ICC, has been an essential achievement in international criminal justice and should not be questioned.

(Versiunea în limba română)

Întrebarea cu solicitare de răspuns scris E-012270/13
adresată Comisiei
Monica Luisa Macovei (PPE)
(28 octombrie 2013)

Subiect: Modificarea Directivei privind publicitatea înșelătoare și comparativă

În Comunicarea Comisiei nr. 702/2012 privind „Protejarea întreprinderilor împotriva practicilor de comercializare înșelătoare și asigurarea unei respectări efective a normelor”, se arată că este necesară o acțiune legislativă asupra Directivei nr. 2006/114/CE privind „Publicitatea înșelătoare și comparativă”, întrucât actualul cadru legislativ are mai multe deficiențe, în special în ceea ce privește normele de drept material și normele procedurale.

Comisia susține că intenționează să prezinte o propunere pentru a întări protecția întreprinderilor împotriva practicilor de comercializare înșelătoare desfășurate transfrontalier și cooperarea dintre autoritățile competente din statele membre.

Totodată, este menționat faptul că această propunere va fi completată și printr-o inițiativă ulterioară privind practicile comerciale neloiale între întreprinderi în domeniul comerțului cu amănuntul.

1. Când va prezenta Comisia propunerea de modificare a Directivei privind publicitatea înșelătoare și comparativă?
2. De asemenea, când va prezenta Comisia propunerea privind practicile comerciale neloiale între întreprinderi în domeniul comerțului cu amănuntul?

Răspuns dat de dna Reding în numele Comisiei
(29 ianuarie 2014)

Comisia se angajează să ofere o soluție globală pentru întreprinderile europene și alte entități afectate de practicile comerciale înșelătoare. În acest context, Comisia ia în considerare adoptarea unor măsuri legislative pentru a clarifica anumite dispoziții, a consolida acțiunile împotriva celor mai dăunătoare probleme și a asigura o cooperare eficientă între statele membre.

În ceea ce privește practicile comerciale neloiale din sectorul alimentar, Comisia nu a luat încă nicio decizie cu privire la o eventuală propunere care să abordeze practicile comerciale neloiale între întreprinderile din sectorul comerțului cu amănuntul. Personalul Comisiei lucrează în prezent la o analiză de impact întreprinsă în urma Cărții verzi privind practicile comerciale neloiale din cadrul lanțului de aprovizionare între întreprinderi cu produse alimentare și nealimentare în Europa.

(English version)

**Question for written answer E-012270/13
to the Commission**

Monica Luisa Macovei (PPE)

(28 October 2013)

Subject: Amendment of Misleading and Comparative Advertising Directive

Commission Communication No 702/2012 'Protecting businesses against misleading marketing practices and ensuring effective enforcement' states that legislative action is required on Directive No 2006/114/EC concerning 'Misleading and comparative advertising' as the current legislative framework has several deficiencies, particularly as regards substantive and procedural rules.

The Commission states that it intends to table a proposal to strengthen the protection of businesses against cross-border misleading marketing practices and cooperation between the Member States' relevant authorities.

It is mentioned at the same time that this proposal will be complemented by a further initiative addressing unfair trading practices between businesses in the retail sector.

1. When will the Commission table its proposal for amending the Misleading and Comparative Advertising Directive?
2. In addition, when will the Commission table its proposal addressing unfair trading practices between businesses in the retail sector?

Answer given by Mrs Reding on behalf of the Commission

(29 January 2014)

The Commission is committed to providing a comprehensive solution for European businesses and other entities affected by misleading marketing practices. In this context, the Commission is considering legislative action in order to clarify certain provisions, strengthen the enforcement against the most harmful questions and ensure effective cooperation between Member States.

With regard to unfair trading practices in the food sector, the Commission has taken no decision yet on any proposal addressing unfair trading practices between businesses in the retail sector. The Commission staff is working on an impact analysis following up on the Green Paper on unfair trading practices in the business-to-business food and non-food supply chain in Europe.

(Version française)

Question avec demande de réponse écrite E-012279/13

à la Commission

Marc Tarabella (S&D)

(28 octobre 2013)

Objet: Le dumping social allemand détruit l'emploi et le tissu socio-économique européen

Le ministre belge de l'économie, Johan Vande Lanotte, et la ministre de l'emploi, Monica De Coninck, ont décidé de porter plainte devant la Commission européenne contre les autorités allemandes afin de faire cesser le dumping social dans ce pays. Ceux-ci dénoncent des pratiques indignes. Certains travailleurs sont en effet payés trois ou quatre euros de l'heure pour un travail de nuit. Cette concurrence déloyale conduit les entreprises belges, françaises et néerlandaises vers la faillite. Plusieurs de ces entreprises ont commencé à restructurer ou à délocaliser vers l'Allemagne, car elles ne parviennent plus à faire face à cette concurrence. L'une d'entre elles ne découpe plus la viande en Belgique, mais coupe les carcasses en quatre et les envoie vers l'Allemagne. Là, des travailleurs à très bas salaires s'occupent de la découpe et c'est beaucoup plus rentable. Puisqu'il n'y a pas de salaire minimum en Allemagne, tout est permis. On n'enfreint aucune loi, puisqu'il n'y en a pas!

Désormais, tout est fait pour mettre les salariés sous pression. Les allocations de chômage sont limitées dans le temps, les «mini-jobs» à temps partiel et rémunérés autour de 450 euros par mois sont légion, et ils n'ouvrent que des droits restreints en matière d'assurance maladie et de pension. Avec pour conséquence que certains employeurs considèrent ces emplois atypiques comme un moyen de disposer d'une main-d'œuvre bon marché et évitent de créer de vrais emplois, ce qui affaiblit considérablement la sécurité sociale. Le «modèle allemand» se base finalement sur l'explosion du travail à temps partiel et l'émergence de salariés pauvres. Un ensemble de réformes socio-économiques qui a coûté 355 milliards d'euros à l'État allemand, mis 26 % de la population en emploi précaire et créé près de cinq millions de jobs à un euro de l'heure!

La Commission, dans sa réponse précédente E-003157/2013 ⁽¹⁾, nous expliquait qu'elle menait l'enquête; qu'en est-il?

Réponse donnée par M. Andor au nom de la Commission

(17 janvier 2014)

En juillet 2013, la Commission a écrit aux autorités allemandes pour leur demander des informations supplémentaires sur les conditions de travail du personnel de l'industrie allemande de transformation de la viande et sur la mesure dans laquelle les autorités compétentes ont réalisé les inspections nécessaires. Les autorités allemandes ont aussi été priées de fournir des informations supplémentaires sur les problèmes associés en remplissant un questionnaire détaillé. Les autorités allemandes ont répondu fin octobre 2013 et la Commission analyse actuellement les informations reçues afin de vérifier la compatibilité des pratiques appliquées en Allemagne avec la législation de l'UE.

La Commission a aussi demandé à la délégation allemande au sein de la commission administrative pour la coordination des systèmes de sécurité sociale des informations spécifiques sur la manière dont l'Allemagne vérifie et contrôle que la condition établie à l'article 12, paragraphe 1, du règlement (CE) n° 883/2004 ⁽²⁾ est respectée. Les autorités allemandes ont répondu, entre autres, que les contrôles sont effectués en étroite coopération avec les autorités douanières, l'assurance pension allemande et la *Berufsgenossenschaft Nahrungsmittel und Gastgewerbe* ⁽³⁾, qui gère l'assurance accident obligatoire.

La Commission est déterminée à procéder à un examen approfondi de la situation dans l'industrie allemande de transformation de la viande et à prendre des mesures si des cas de non-respect de la législation européenne sont détectés.

La Commission a aussi appris que certaines des plus grandes entreprises allemandes de cette industrie ont entamé des négociations avec les syndicats concernés au sujet d'un salaire minimum à l'échelle de tout le secteur. Elle continuera de surveiller attentivement toutes les évolutions.

⁽¹⁾ <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2013-003157&language=FR>

⁽²⁾ Règlement (CE) n° 883/2004 du Parlement européen et du Conseil du 29 avril 2004 portant sur la coordination des systèmes de sécurité sociale (JO L 166 du 30.4.2004, p. 1).

⁽³⁾ BGN, caisse de prévoyance allemande de l'industrie alimentaire et de la restauration.

(English version)

**Question for written answer E-012279/13
to the Commission**

Marc Tarabella (S&D)

(28 October 2013)

Subject: German social dumping is destroying jobs and the European socioeconomic fabric

Johan Vande Lanotte, Belgian Minister for Economic Affairs, and Monica De Coninck, Minister for Employment, have decided to lodge a complaint before the Commission against the German authorities in order to put an end to social dumping in Germany. They are protesting against shameful practices. Indeed, some workers are paid EUR 3 or 4 per hour for night work. This unfair competition is driving Belgian, French and Dutch businesses to bankruptcy. Several companies have started restructuring or relocating to Germany, because they are no longer able to compete. One company no longer cuts meat in Belgium but instead cuts the carcasses into four and sends them to Germany. There, workers on very low wages do the cutting and it is much more profitable. Since there is no minimum wage in Germany, anything goes. No law is breached because there is no law!

These days, everything is done to pile the pressure on employees. Unemployment benefits are time-limited and part-time 'mini-jobs' paying around EUR 450 per month are commonplace, offering only limited rights to health insurance and pensions. As a result, some employers view these atypical jobs as a way of getting cheap labour and avoid creating real jobs, which significantly weakens social security. In the end, the 'German model' is based on booming part-time work and the emergence of poor employees. A series of socioeconomic reforms that cost the German State EUR 355 billion, put 26% of the population in unstable employment and created close to five million jobs paying EUR 1 per hour!

In its previous response E-003157/2013 ⁽¹⁾, the Commission explained that it was investigating the matter; what is the outcome of these investigations?

Answer given by Mr Andor on behalf of the Commission

(17 January 2014)

In July 2013 the Commission wrote to the German authorities requesting additional information on the circumstances under which staff in the German meat-processing industry works and asking to what extent the competent authorities had carried out the requisite inspections. The German authorities were also asked to provide further information on related issues by completing a detailed questionnaire. The German authorities replied in late October 2013 and the Commission is currently analysing the information received with a view to ascertaining the compatibility of current practice in Germany with EC law.

The Commission also asked the German delegation within the Administrative Commission for the Coordination of Social Security Systems for information in particular on how Germany monitors and checks that the condition laid down in Article 12(1) of Regulation (EC) No 883/2004 ⁽²⁾ is met. The German authorities replied *inter alia* that checks are carried out in close collaboration with the customs authorities, the German pension insurance scheme and the *Berufsgenossenschaft Nahrungsmittel und Gastgewerbe* ⁽³⁾, which manages statutory accident insurance.

The Commission is determined to conduct a thorough examination of the situation in the German meat-processing industry and to take action where non-compliance with EC law is identified.

The Commission has also learned that some of the largest undertakings in the sector in Germany have started negotiations with the relevant trade union on a sector-wide minimum wage. It will continue to monitor any developments.

⁽¹⁾ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2013-003157+0+DOC+XML+V0//EN>

⁽²⁾ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, OJ L 166, 30.4.2004.

⁽³⁾ BGN, the German accident insurance association for the food and catering industry.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012290/13

aan de Raad

Sophia in 't Veld (ALDE)

(28 oktober 2013)

Betreft: Gegevensuitwisseling EU-Rusland, controle van de Olympische Spelen in Sotsji en SORM

Onder verwijzing naar parlementaire vraag E-011601/2013 van 9 oktober 2013 over totale controle van de Olympische Spelen door de Russische geheime dienst FSB en de inzet van het FSB-controlesysteem SORM ⁽¹⁾, wordt de Raad gevraagd antwoord te geven op de onderstaande vragen.

Is de Raad ervan op de hoogte dat deze maatregelen zich onder andere richten op hackers en personen van wie wordt verwacht dat zij willen gaan demonstreren tegen het beleid van de Russische regering?

Is de Raad ervan op de hoogte dat de Russische regering potentiële demonstranten wil identificeren voordat zij naar Rusland komen? Is dit in de ogen van de Raad in overeenstemming met de EU-wetgeving en -normen, en meer in het bijzonder met de regelgeving van de Raad van Europa?

Kan de Raad meedelen of Europol of IntCen bij de hierboven vermelde activiteiten met Rusland samenwerken en of informatie wordt verstrekt in het kader van de overeenkomst tussen Europol en Rusland betreffende de uitwisseling van persoonsgegevens?

Kan de Raad meedelen of hij het mogelijk acht dat EU-instellingen het bedoelde controlesysteem ondersteuning geven met het oog op het voorkomen van vreedzame demonstraties die de EU-wetgeving in acht nemen?

Kan de Raad uitleggen op welke wijze EU-burgers die voor de Olympische Spelen in Sotsji naar Rusland reizen, beschermd zullen worden tegen grootschalige controle door de Russische geheime diensten?

Antwoord

(3 februari 2014)

De Raad wenst het geachte Parlementslid ervan op de hoogte te brengen dat hij deze specifieke kwestie niet heeft besproken.

⁽¹⁾ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2013-011601+0+DOC+XML+V0//EN&language=en>.

(English version)

Question for written answer E-012290/13
to the Council
Sophia in 't Veld (ALDE)
(28 October 2013)

Subject: EU-Russia data sharing, surveillance of Olympic Games in Sochi and SORM

With reference to Parliamentary Question E-011601-13, dated 9 October 2013, on total surveillance of the Olympic Games by the Russian secret service, FSB, and the operations of the FSB's surveillance programme, SORM ⁽¹⁾, the Council is asked to answer the following.

Is the Council aware that these measures target, among others, hackers and persons expected to demonstrate against Russian Government policies?

Is the Council aware that the Russian Government wants to identify potential demonstrators before they travel to Russia? Does the Council consider this in line with EC laws and standards, and more specifically with the rules laid down by the Council of Europe?

Can the Council state whether Europol or IntCen are cooperating with Russia on these issues, and whether any information is being provided through the Europol-Russia agreement on the sharing of personal data?

Can the Council state whether it would consider it possible for EU institutions to give their support to the said surveillance programme for the purpose of preventing peaceful demonstrations, which are in keeping with EC law?

Can the Council explain how EU citizens travelling to Russia for the Olympics in Sochi will be protected from mass surveillance by the Russian secret services?

Reply
(3 February 2014)

The Council wishes to inform the Honourable Member that it has not discussed this specific issue.

⁽¹⁾ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2013-011601+0+DOC+XML+V0//EN&language=en>

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012293/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(28 de octubre de 2013)

Asunto: Transparencia documentos oficiales de los siglos XV a XX

El Estado español, mediante acuerdo de su Consejo de Ministros del 10 de octubre de 2010, considera que casi todos los documentos del archivo diplomático del Ministerio de Exteriores desde el siglo XV son de carácter secreto y no pueden ser publicados. Este régimen también se aplica a 10 000 documentos de Defensa entre los años 1936 y 1968. Trescientos investigadores lo han denunciado en un manifiesto ⁽¹⁾.

En la Directiva 2003/98/CE sobre la reutilización de la información del sector público, se sostiene, en su artículo 1, apartado 2, letra c), que la información relacionada con la seguridad del Estado y la defensa pueden ser objeto de un veto para su publicación. Aun así, difícilmente se puede etiquetar de tal modo un conjunto de documentos que abarca desde el siglo XV hasta la actualidad, o los citados documentos de Defensa provenientes de la dictadura franquista. En el artículo 4 del Reglamento (CE) n° 1049/2001 se plantea una objeción parecida, aplicada a los documentos que las instituciones europeas pueden decidir no publicar.

— ¿Cree la Comisión que documentos datados en los siglos XV, XVI, XVII, XVIII y XIX pueden ser tratados como vitales para la «protección de la seguridad del Estado»?

— ¿No cree la Comisión que el artículo 1, apartado 2, letra c) de la Directiva 2003/98/CE no puede aplicarse a dichos documentos?

— ¿Considera la Comisión que documentos de Defensa datados hace más de 55 años y pertenecientes a una época dictatorial pueden ser considerados como vitales para la «protección de la seguridad del Estado»?

— ¿Cree la Comisión que las prácticas del Gobierno español son coherentes con las mejores prácticas enunciadas en la Directiva 2003/98/CE y el Reglamento (CE) n° 1049/2001?

Respuesta de la Sra. Kroes en nombre de la Comisión

(13 de diciembre de 2013)

La Directiva 2003/98/CE regula la reutilización de la información del sector público. No obstante, no se ocupa del acceso a dicha información, ya que la reglamentación a este respecto corresponde a los Estados miembros. De conformidad con su considerando 9, la citada Directiva se basa en los actuales regímenes jurídicos de los Estados miembros en lo relativo al acceso a los documentos y no pretende modificarlos. El artículo 1, apartado 2, así lo confirma e indica que los documentos a los que no se puede acceder en virtud de las leyes nacionales de acceso quedan excluidos del ámbito de aplicación de la Directiva. Por tanto, si bien la Comisión fomenta la máxima disponibilidad de los documentos que obran en poder de los organismos públicos para su reutilización, esta no puede determinar a qué materiales se puede acceder en virtud de los regímenes nacionales de acceso y a cuáles no.

El Reglamento (CE) n° 1049/2001 solo crea obligaciones para las instituciones de la UE que se mencionan en su artículo 1, letra a). No se puede extraer conclusión alguna de este Reglamento en relación con la legislación de los Estados miembros en materia de acceso a los documentos.

⁽¹⁾ http://www.ara.cat/cultura/Comunicat_ARAFIL20130710_0002.pdf

(English version)

**Question for written answer E-012293/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(28 October 2013)

Subject: Access to official documents dating from the 15th to the 20th centuries

An agreement issued by Spain's Council of Ministers on 10 October 2010 ruled that almost all of the documents held in the diplomatic archives of the Foreign Ministry since the 15th century were classified and could not be published. This ruling also applies to 10 000 Ministry of Defence documents dating from between 1936 and 1968. Three hundred researchers have criticised this ruling in a statement ⁽¹⁾.

Article 1(2)(c) of Directive 2003/98/EC on the re-use of public sector information states that State security and defence information can be excluded from access. However, this label can hardly be applied to a set of documents dating from the 15th century to the present day or to the aforementioned Ministry of Defence documents dating from the Franco era. Article 4 of Regulation (EC) No 1049/2001 makes a similar point in relation to documents that the European institutions may decide not to publish.

— Does the Commission believe that documents dating from the 15th, 16th, 17th, 18th and 19th centuries can be considered essential to the 'protection of state security'.

— Does the Commission believe that Article 1(2)(c) of Directive 2003/98/EC can be applied to such documents?

— Does the Commission believe that Ministry of Defence documents dating from the Franco era that are over 55 years old can be considered essential to the 'protection of state security'?

— Does the Commission believe that the Spanish Government is complying with the best practices laid down in Directive 2003/98/EC and Regulation (EC) No 1049/2001?

Answer given by Ms Kroes on behalf of the Commission

(13 December 2013)

Directive 2003/98/EC regulates reuse of public sector information. It does not deal with access to such information, the regulation of which is left to the Member States. According to its Recital 9 the directive builds on the existing legal regimes in the Member States on access to documents and does not intend to change them. Article 1(2) confirms this, specifying that documents that are not accessible under national access to documents laws are excluded from the scope of application of the directive. So even while promoting the widest availability of documents held by government bodies for re-use purposes, the Commission cannot determine what material is accessible under the national access regimes or not,

Regulation 1049/2001 only creates obligations for the EU institution mentioned in its Article 1(a). No conclusions in relation to Member State legislation on access to documents can be inferred from this regulation.

⁽¹⁾ http://www.ara.cat/cultura/Comunicat_ARAFIL20130710_0002.pdf

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012294/13
a la Comisión**

**Antonio Masip Hidalgo (S&D), María Muñiz De Urquiza (S&D), Salvador Garriga Polledo (PPE), Willy Meyer (GUE/NGL)
y Francisco Sosa Wagner (NI)**
(28 de octubre de 2013)

Asunto: Deslocalización de la empresa Tenneco fuera de la UE

El 5 de septiembre de 2013, los representantes legales de la empresa norteamericana de amortiguadores Tenneco comunicaron a los trabajadores de su planta de Gijón la necesidad de cerrar la planta de producción de Tenneco Automotive Iberica S.A. por razones estratégicas. Sin embargo, la empresa, en carta de 29 de julio, informó sobre unos resultados récord en el correspondiente trimestre con un EBIT de 141 millones de dólares y un efectivo de 133 millones de dólares. Además, la planta de Gijón ha conseguido siempre buenos resultados, mejorando en concreto en 2013 las propias previsiones de la empresa, y ha hecho gala de una gran flexibilidad con reducción de salarios de hasta el 8 %, pero la producción de dicha planta se va a trasladar fuera de la Unión Europea, directamente a Rusia o, después de un primer traslado, a Polonia.

¿Cómo entiende la Comisión esta decisión de una empresa norteamericana que ha disfrutado de ayudas comunitarias para sus plantas europeas de deslocalizar su ejemplar planta de producción de Gijón a Rusia?

¿Qué medidas piensa aplicar la Comisión Europea para favorecer la industria y el empleo locales en este caso concreto?

¿Cómo pueden afectar decisiones como ésta a las negociaciones del acuerdo comercial entre la Unión Europea y EE. UU. que pretende favorecer las industrias rentables de ambos lados del Atlántico?

¿Tiene la intención la Comisión de presentar alguna propuesta legislativa en este lacerante asunto de las deslocalizaciones fuera del territorio de la Unión Europea?

Respuesta del Sr. Tajani en nombre de la Comisión
(27 de enero de 2014)

El cierre de la planta se produce en un momento muy desafortunado, cuando observamos signos de recuperación para el sector de la automoción, y va a afectar negativamente a la región española de la que se trata.

El plan de acción CARS 2020 ofrece un marco que establece objetivos a largo plazo, como mantener la base de producción en Europa y garantizar la competitividad y la sostenibilidad del sector. Se ha organizado una reunión para examinar la situación a la luz de la decisión adoptada por Tenneco, aunque la empresa no ha cooperado, haciendo caso omiso de los principios acordados en el marco de CARS 2020. La Comisión estudiará la posibilidad de crear un grupo de trabajo con vistas a atenuar el impacto social del cierre y a preparar la reestructuración de la región en función de la resolución de un contencioso iniciado por los trabajadores de Gijón ante un tribunal nacional.

Las actuales negociaciones transatlánticas no interferirán en las decisiones privadas de empresas concretas que cumplan la normativa aplicable. Sin embargo, las negociaciones tienen por objeto facilitar los flujos comerciales entre la UE y los EE.UU. y, desde el momento en que se produzca un acuerdo, ello facilitará que las empresas inviertan y tengan acceso a los mercados de la otra parte, incluido el sector de la automoción.

Por lo que se refiere a la política de ayudas a las empresas establecidas en la EU, las normas aplicables sobre ayudas estatales exigen que toda ayuda a los operadores económicos sea compatible con el mercado interior. Determinadas disposiciones en materia de apoyo directo e indirecto de la UE y de ayuda nacional ya ofrecen los instrumentos necesarios para garantizar que, en caso de abandono injustificado de la actividad económica, los operadores económicos restituyen la contribución.

(English version)

**Question for written answer E-012294/13
to the Commission**

**Antonio Masip Hidalgo (S&D), María Muñoz De Urquiza (S&D), Salvador Garriga Polledo (PPE), Willy Meyer (GUE/NGL)
and Francisco Sosa Wagner (NI)**
(28 October 2013)

Subject: Relocation of Tenneco outside of the EU

On 5 September 2013, legal representatives of the American shock-absorber manufacturer Tenneco told workers at its Gijón factory that the production plant owned by Tenneco Automotive Iberica S.A. had to close for strategic reasons. However, in a report dated 29 July, the company posted record results for the corresponding quarter, with an EBIT of USD 141 million and cash holdings of USD 133 million. Although the Gijón plant has always performed well, surpassing the company's own forecasts in 2013 and demonstrating great flexibility by implementing wage cuts of up to 8%, the plant is to be moved outside of the EU to Russia or, after an initial transfer, to Poland.

Given that this American company's European plants have benefitted from EU aid, what is the Commission's view of its decision to move its production plant from Gijón to Russia?

What steps will the Commission take to boost local industry and employment in this particular case?

What effect might decisions such as this have on negotiations surrounding the trade agreement between the EU and the United States, which is intended to foster profitable industries on both sides of the Atlantic?

Does the Commission intend to make any legislative proposals in relation to the damaging issue of companies relocating outside of the EU?

Answer given by Mr Tajani on behalf of the Commission
(27 January 2014)

Factory closure arrives at a very unfortunate time when we are seeing signs of recovery for the automotive sector. It will adversely affect the concerned Spanish region.

The CARS 2020 Action Plan provides a framework setting out long-term goals of keeping the production base in Europe, ensuring competitiveness and sustainability in the sector. Meeting has been organised to examine the situation in the light of the decision taken by Tenneco, however the company failed to cooperate ignoring the principles agreed under CARS 2020. The Commission will consider the prospect of setting up of the Task Force with a view to mitigate the social impact of the closure and prepare the restructuring of the region depending on the outcome of a litigation launched by the workers of Gijon in a national court.

The ongoing transatlantic negotiations will not interfere with private decisions of specific companies that comply with the applicable legal framework. Still, the negotiations aim at facilitating trade flows between the EU and US and, once an agreement is found, this will make it easier for companies to invest and access each other's markets, including in the automotive sector.

As regards the policy of aid to enterprises established in the EU the applicable state aid rules require that any aid to economic operators is compatible with the internal market. Certain provisions of direct and indirect EU support and national aid already provide the necessary instruments in order to ensure the recovery of the contribution from the economic operators in case of unjustified cessation of economic activity.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012295/13
a la Comisión**

Francisco Sosa Wagner (NI)

(29 de octubre de 2013)

Asunto: Copia privada

La Directiva 2001/29/CE, de 22 de mayo, aprobada con el fin de armonizar determinados aspectos de los derechos de autor, admitió que los Estados miembros pudieran establecer una excepción para las copias privadas a condición de que los titulares recibieran una compensación equitativa. En las recomendaciones presentadas en enero de este año en la Comisión por el responsable de mercado interior y servicios se subrayó la necesidad de abordar los problemas generados en el mercado común por la existencia de distintas tarifas y productos sujetos a esos «cánones». Por su parte, el Tribunal de Justicia de la Unión Europea invalidó algunos.

Con anterioridad he trasladado a esa Institución mi preocupación por la falta de armonización en la atención a los derechos de autor y los perjuicios que genera esta situación (E-011424/2012). En su momento se me indicó que se seguía «de cerca los cambios que se han introducido recientemente en la legislación española» y que, además, «la Comisión ha iniciado un diálogo con las autoridades españolas a fin de detectar las disposiciones del ordenamiento español que podrían oponerse al Derecho de la Unión Europea». Por todo ello, pregunto:

1. ¿Después de varios meses de diálogo, existe ya alguna propuesta concreta que permita garantizar a los autores y creadores una compensación «equitativa», como establece el Derecho de la Unión Europea?
2. ¿No considera la Comisión que, en aras de una mínima eficacia y en su función de garante de los Tratados, es preferible que presente propuestas para armonizar el Derecho de la Unión en lugar de multiplicar los diálogos bilaterales con representantes de los Estados miembros?

Respuesta del Sr. Barnier en nombre de la Comisión

(8 de enero de 2014)

1. La Comisión mantiene un diálogo estructurado con las autoridades españolas y, a este respecto, se han celebrado tres rondas de conversaciones. La Comisión debe recopilar todos los datos necesarios para una correcta evaluación de la legislación española. Los resultados de este diálogo serán importantes de cara a la decisión sobre la posible incoación de un procedimiento de infracción.

Los resultados del amplio proceso actual de reforma de la normativa española en materia de derechos de autor que pueden tener consecuencias en la cuestión de las copias para uso privado también pueden ser pertinentes, en función del momento de su finalización.

2. La cuestión de los cánones por copia privada y reprografía forma parte integrante de la revisión en curso del sistema de derechos de autor de la UE iniciada por la Comisión el 18 de diciembre de 2012 mediante la adopción de la Comunicación sobre el contenido en el mercado único digital. La necesidad, la naturaleza y el ámbito potencial de cualquier actuación en el campo de la copia privada se estudiarán en ese contexto.

(English version)

**Question for written answer E-012295/13
to the Commission**

Francisco Sosa Wagner (NI)

(29 October 2013)

Subject: Private copying

Directive 2001/29/EC of 22 May 2001, which was adopted in order to harmonise certain aspects of copyright, allowed Member States to make an exception for private copying provided that rightholders received fair compensation. The recommendations made to the Commission in January 2013 by the Commissioner responsible for the internal market and services stressed the need to tackle the problems caused in the common market by the existence of different tariffs and products subject to these 'levies'. For its part, the Court of Justice of the European Union ruled that some of these levies were invalid.

In a previous question to the Commission, I expressed my concern over the lack of harmonisation of copyright and the harm caused by this situation (E-011424/2012). I was told that the Commission 'follows closely the changes which have been recently introduced to the Spanish law' and that 'the Commission has started a dialogue with the Spanish authorities in order to identify provisions of Spanish law that could be in a potential conflict with EC law'.

1. After several months of dialogue, has any specific proposal been made that will ensure that authors and creators receive the 'fair' compensation to which they are entitled under European law?
2. In the interests of efficiency, and in its role as guardian of the Treaties, does the Commission not agree that it would be more fruitful to propose ways of harmonising EC law than to hold multiple, bilateral dialogues with representatives of the Member States?

Answer given by Mr Barnier on behalf of the Commission

(8 January 2014)

1. The Commission continues the structured dialogue with the Spanish authorities and in that context three series of exchanges were held. The Commission is gathering all the elements necessary for the proper assessment of the Spanish law. The outcome of this dialogue will be important for the decision on the possible opening of infringement proceedings.

The outcome of the ongoing, wider process of reform of Spanish copyright framework which may have an impact on the issue of private copying may also be of relevance, depending on the timing of its completion.

2. The issue of private copying and reprography levies forms an integral part of the ongoing review of the EU copyright system as initiated by the Commission on 18 December 2012 with the adoption of the communication on Content in the Digital Single Market. The necessity, the nature and the potential scope of any action in the field of private copying will be looked at in that context.
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(Versión española)

**Pregunta con solicitud de respuesta escrita E-012296/13
a la Comisión**

Francisco Sosa Wagner (NI)

(29 de octubre de 2013)

Asunto: Contratos públicos

Hace tiempo que denuncié ante la Comisión casos de incumplimiento de la normativa de la Unión Europea sobre contratación pública (E-009021/2012, E-011105/2012 y E-001045/2013). En la última respuesta que recibí, se me anunciaba el propósito de «iniciar una investigación con el fin de hacer una evaluación fáctica y jurídica de la práctica administrativa a que se refiere Su Señoría» y que, además, «si fuera preciso, la Comisión Europea adoptará las medidas necesarias para lograr que las prácticas administrativas de los poderes adjudicadores se adecuen a la normativa de la UE sobre contratación pública».

Transcurridos muchos meses desde esta respuesta, ¿me podría informar la Comisión del resultado de esa investigación y de si se ha adoptado alguna medida concreta para evitar la discriminación y garantizar el correcto cumplimiento del Derecho europeo?

Respuesta del Sr. Barnier en nombre de la Comisión

(7 de enero de 2014)

La Comisión se mantiene en contacto con las autoridades españolas para aclarar la situación de hecho y de Derecho en relación con la supuesta práctica de la Diputación Foral de Guipúzcoa de excluir de los procedimientos de licitación de obras y servicios públicos a las empresas que no sean capaces de demostrar que sus empleados o su personal directivo tienen un excelente dominio de la lengua vasca. La investigación de los servicios de la Comisión sigue en curso. A principios de 2014 se informará a Su Señoría de las novedades al respecto.

(English version)

**Question for written answer E-012296/13
to the Commission**

Francisco Sosa Wagner (NI)

(29 October 2013)

Subject: Public contracts

Some time ago, I informed the Commission of cases in which European law on public procurement was being breached (E-009021/2012, E-011105/2012 and E-001045/2013). In the last answer that I received, the Commission stated that it intended 'to launch an investigation to make a factual and legal assessment of the administrative practice brought to its attention by the Honourable Members' and added that 'if necessary, the European Commission will take the steps necessary to bring the administrative practice of the contracting authorities in conformity with EU public procurement law'.

Since many months have now passed since I received this reply, could the Commission say what the results of this investigation were and whether any concrete steps have been taken to prevent discrimination and ensure compliance with European law?

Answer given by Mr Barnier on behalf of the Commission

(7 January 2014)

The Commission is currently in contact with the Spanish authorities to clarify the factual and legal situation related to the alleged practice of the Diputación Foral de Guipúzcoa to exclude from tendering procedures for public works and services companies when they would be unable to provide evidence that their employees and/or their management staff have an excellent command of the Basque language. At this stage the investigation by the Commission services is still ongoing. The Honourable Member will be provided with an update of the latest developments early in 2014.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012298/13
aan de Commissie
Sophia in 't Veld (ALDE)
(29 oktober 2013)

Betreft: Transparantie bij de onderhandelingen over Verdrag nr. 108 van de Raad van Europa inzake de bescherming van persoonsgegevens

Verwijzend naar mijn verzoek aan zowel de Commissie als de Raad om toegang te verkrijgen tot documenten met betrekking tot het onderhandelingsmandaat van de Commissie betreffende de herziening door de Raad van Europa van Verdrag nr. 108 inzake de bescherming van persoonsgegevens, d.d. 28 oktober 2013, worden de volgende vragen gesteld aan de Commissie:

In welke hoedanigheid onderhandelt de Commissie met de Raad van Europa?

Worden de onderhandelingen beschouwd als een deel van het wetgevingsproces of als een onderdeel van internationale overeenkomsten?

Waarom is het Parlement niet volledig en tijdig op de hoogte gehouden?

Op basis van welke specifieke rechtsgrond en/of op basis van welke regels benadrukt de Commissie dat de nabesprekingen in het Parlement moeten plaatsvinden achter gesloten deuren?

Hoe rechtvaardigt de Commissie, gelet op het belang van Verdrag nr. 108 voor de lopende werkzaamheden met betrekking tot het gegevensbeschermingspakket, dat ze het Parlement en de Europese burgers in het ongewisse laat over de onderhandelingen over dit Verdrag?

Antwoord van mevrouw Reding namens de Commissie
(20 januari 2014)

Overeenkomsten tussen de Europese Unie en derde landen of internationale organisaties worden gesloten volgens de procedure van artikel 218 van het Verdrag betreffende de werking van de Europese Unie. In juni 2013 heeft de Raad overeenkomstig die procedure en op basis van een voorstel van de Commissie een besluit vastgesteld tot machtiging van de Commissie om namens de Europese Unie te onderhandelen over de modernisering van het Verdrag tot bescherming van personen met betrekking tot de geautomatiseerde verwerking van persoonsgegevens (hierna „Verdrag 108” genoemd), alsook over de toetreding van de Europese Unie tot het gemoderniseerde Verdrag.

De Commissie zal het Europees Parlement in alle fasen volledig op de hoogte houden van de voortgang van de onderhandelingen. De Commissie heeft het Europees Parlement ook voor het begin van de onderhandelingen geïnformeerd. Het is de bedoeling dat de Commissie het Europees Parlement in januari informeert over de eerste onderhandelingsronde, die van 12-14 november 2013 is gehouden. De Commissie heeft gevraagd om dit achter gesloten deuren te doen, omdat sommige onderwerpen, met name de raakvlakken tussen het ontwerp van het gemoderniseerde Verdrag 108 en de lopende werkzaamheden op het gebied van het gegevensbeschermingspakket, vertrouwelijk zijn en uitsluitend mogen worden besproken binnen de EU-instellingen; het gaat hier immers om de onderhandelingsstrategie van de Unie. De regels voor het verstrekken van vertrouwelijke mondelinge en schriftelijke informatie aan het Europees Parlement worden uiteengezet in het Kaderakkoord over de betrekkingen tussen het Europees Parlement en de Commissie ⁽¹⁾, met name in bijlage II. De Commissie vindt deze regelmatige contacten bijzonder nuttig.

⁽¹⁾ PB L 304 van 20.11.2010, blz. 47.

(English version)

Question for written answer E-012298/13
to the Commission
Sophia in 't Veld (ALDE)
(29 October 2013)

Subject: Transparency of negotiations on Council of Europe Convention 108 on the protection of personal data

With reference to my access-to-documents request to both the Commission and the Council relating to the Commission's negotiating mandate concerning the Council of Europe's revision of Convention 108 on the protection of personal data, dated 28 October 2013, the Commission is asked to answer the following:

In what capacity is the Commission negotiating with the Council of Europe?

Are the negotiations considered part of the legislative process or part of international agreements?

Why has Parliament not been kept informed fully and in a timely manner?

On what specific legal ground and/or on the basis of what rules is the Commission insisting that the debriefings in Parliament have to take place behind closed doors?

Given the importance of Convention 108 for the ongoing work on the Data Protection Package, how does the Commission justify keeping Parliament and European citizens uninformed about the negotiations concerning Convention 108?

Answer given by Mrs Reding on behalf of the Commission
(20 January 2014)

Agreements between the European Union and third countries or international organisations are negotiated and concluded in accordance with a specific procedure set out in Article 218 Treaty on the Functioning of the EU. In June 2013, in accordance with such procedure and on the basis of a proposal by the Commission, the Council adopted a decision authorising the Commission to negotiate, on behalf of the European Union, the modernisation of the Convention for the Protection of Individuals with regard to Processing of Personal Data ('Convention 108'), as well as the accession of the European Union to the modernised Convention.

The Commission will keep the European Parliament fully informed about the progress of all stages of the negotiation. The Commission already debriefed the European Parliament before the beginning of the negotiations. It is foreseen that the Commission will debrief the European Parliament in January on the first round of the negotiations that took place on 12-14 November 2013. The Commission has requested for the debriefing to take place behind closed doors since some of the issues, in particular the ones relating to the articulation of the draft modernised Convention 108 with the ongoing work on the Data Protection Package, are sensitive and to be discussed exclusively within the EU institutions as it concerns the negotiation strategy of the Union. The mechanisms for providing sensitive oral and written information to the European Parliament are specified in the framework Agreement on relations between the European Parliament and the Commission ⁽¹⁾, in particular Annex II. These regular exchanges are very useful for the Commission.

⁽¹⁾ OJ L 304, 20.11.2010, p. 47.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012299/13

aan de Raad

Marietje Schaake (ALDE)

(29 oktober 2013)

Betreft: Mogelijke VN-actie na de onthullingen over de NSA en instandhouding van het open mondiale internet

Volgens berichten ⁽¹⁾ zouden Brazilië en Duitsland het initiatief nemen voor een resolutie van de Algemene Vergadering van de Verenigde Naties, waarin zou worden opgeroepen om het Internationaal Verdrag inzake burgerrechten en politieke rechten (ICCPR), inclusief het recht op privacy, uit te breiden tot de onlinewereld. Dit initiatief volgt op de recente revelaties over massale surveillanceactiviteiten van de Amerikaanse veiligheidsdienst NSA in derde landen, waarbij onder meer persoonlijke communicaties van verschillende wereldleiders werden onderschept, waaronder de president van Brazilië en de Duitse bondskanselier.

Hoewel de onwettige praktijken van de NSA moeten worden veroordeeld en aangepakt, leert de ervaring dat er reden is voor bezorgdheid over de digitale vrijheden wanneer de Verenigde Naties zich op het pad van de internetgovernance begeven. Het Parlement en de Commissie hebben hun standpunt hierover ⁽²⁾ ⁽³⁾ zeer duidelijk gemaakt, met name in de aanloop naar het VN-Forum voor internetbeheer van vorig jaar in Bakoe.

Het Parlement heeft een resolutie ⁽⁴⁾ aangenomen waarin het pleit voor een open internet zonder formeel openbaar toezicht en zijn steun uitspreekt voor een model waarin voor verschillende belanghebbenden een rol is weggelegd. De Commissie en de Raad hebben bij de lidstaten en op internationaal niveau geijverd voor verzet tegen de pogingen van bepaalde landen om de VN een formele regelgevende rol te verlenen met betrekking tot het internet. In het licht van de „Strategie voor digitale vrijheid in het buitenlandbeleid van de EU” ⁽⁵⁾ van het EP, de Europese cyberveiligheidsstrategie ⁽⁶⁾ en een vorige resolutie van de Algemene Vergadering van de VN over internetvrijheid ⁽⁷⁾, moeten de volgende vragen worden gesteld:

Is de Raad op enige wijze betrokken bij het bovengenoemde initiatief in de Algemene Vergadering van de VN met betrekking tot het ICCPR?

Wat is het standpunt van de Raad ten aanzien van dit initiatief, gezien zijn uitgesproken steun voor een open mondiaal internet, met name in de context van berichten over „een Duits internet” ⁽⁸⁾?

Wil de Raad het initiatief nemen om de EU-lidstaten te herinneren aan hun engagement voor een open mondiaal internet en de eerbiediging van het huidige multistakeholders-beheersmodel?

Hoe wil de Raad de beginselen van de Europese cyberveiligheidsstrategie in de Algemene Vergadering van de VN in de praktijk brengen, met name wat betreft het verzet tegen de uitbreiding van het toezicht op het internet door regeringen (of de VN)?

Wat is het standpunt van de Raad ten aanzien van de export van grootschalige surveillancetechnologieën (of digitale wapens) uit de EU, die worden gebruikt voor dezelfde praktijken die de EU-regeringen recent hebben veroordeeld, en ten aanzien van het gebrek aan exportcontrole? Wat wil de Raad ondernemen om deze problemen zo spoedig mogelijk aan te pakken?

Hoe wil de Raad de eerbiediging van de rechtsstaat en de mensenrechten online in de EU beschermen en verzekeren?

Antwoord

(17 februari 2014)

De Raad heeft de besprekingen over de resolutie van de Algemene Vergadering van de VN (AVVN) over „*Het recht op privacy in het digitale tijdperk*”, die op 19 december 2013 met eenparigheid van stemmen is aangenomen in de plenaire vergadering van de AVVN, nauwlettend gevolgd. De instandhouding van een open, vrij en veilig internet is een mondiale uitdaging, waarvoor de EU tezamen met de betrokken internationale partners en organisaties, de particuliere sector en het maatschappelijk middenveld een oplossing moet vinden.

⁽¹⁾ http://thecable.foreignpolicy.com/posts/2013/10/24/exclusive_germany_brazil_turn_to_un_to_restrain_american_spies.

⁽²⁾ <http://www.bbc.co.uk/news/technology-20445637>.

⁽³⁾ <http://www.zdnet.com/no-need-for-un-to-take-over-internet-says-eu-digital-chief-kroes-7000003145/>.

⁽⁴⁾ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2012-0451&language=NL&ring=P7-RC-2012-0498>.

⁽⁵⁾ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2012-0470&language=NL&ring=A7-2012-0374>.

⁽⁶⁾ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/nl/jha/137602.pdf

⁽⁷⁾ http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A_HRC.20.L13_en.doc

⁽⁸⁾ <http://www.reuters.com/article/2013/10/25/us-usa-spying-germany-idUSBRE99O09S20131025>.

De EU-delegatie in New York volgt de ontwikkelingen in de Algemene Vergadering met betrekking tot de resolutie over „*Het recht op privacy in het digitale tijdperk*” en de AVVN-omnibusresolutie betreffende cybercriminaliteit op de voet. Er zijn verschillende coördinatievergaderingen belegd om aan beide initiatieven een passende follow-up te geven.

De Raad is zich ervan bewust dat er bezorgdheid bestaat omtrent de export van ICT die kan worden aangewend in verband met mensenrechtenschendingen en voor het ondermijnen van de veiligheid van de EU, en volgt nauwlettend de consultaties die de Commissie en de nationale exportcontrole-instanties verrichten om te onderzoeken hoe dit probleem, in voorkomend geval, kan worden opgelost in het kader van de herziening van het exportcontrolebeleid van de EU.

Momenteel wordt er in het kader van de follow-up van het strategisch kader voor de mensenrechten van de EU gewerkt aan richtsnoeren betreffende de vrijheid van meningsuiting. Deze richtsnoeren moeten ongerechtvaardigde beperkingen van de vrijheid van meningsuiting verhelpen. Overleg met het maatschappelijk middenveld over een betere inzet voor en bescherming van journalisten en bloggers zal in de richtsnoeren een centrale plaats innemen.

(English version)

**Question for written answer E-012299/13
to the Council**

Marietje Schaake (ALDE)

(29 October 2013)

Subject: Possible UN action following revelations about the NSA and preserving the open global Internet

It has been reported ⁽¹⁾ that Brazil and Germany are heading an initiative to seek a United Nations General Assembly (UNGA) Resolution that would call for the expansion of the International Covenant on Civil and Political Rights (ICCPR) to the online world, including the right to privacy. The initiative follows recent revelations about mass surveillance activities in third countries by the US National Security Agency (NSA), extending to the personal communications of several world leaders, including the President of Brazil and the German Chancellor.

Whilst there is a need to condemn and tackle the unlawful NSA practices, past experience has shown worrying trends for digital freedoms when the United Nations tries Internet governance. Parliament and the Commission have been outspoken ⁽²⁾ ⁽³⁾ about this, particularly in the run-up to last year's UN Internet Governance Forum in Baku.

Parliament adopted a resolution ⁽⁴⁾ in support of an open Internet without formal public control and supporting the so-called multi-stakeholder model. The Commission and the Council have actively campaigned among Member States and internationally to counter efforts by countries seeking a formal UN governing role for the Internet. Given the EP's 'Digital Freedom Strategy in EU Foreign Policy' ⁽⁵⁾, the European Cyber Security Strategy ⁽⁶⁾ and a previous UN General Assembly Resolution on Internet freedom ⁽⁷⁾, the following questions arise:

Is the Council in any way involved in the abovementioned UNGA ICCPR initiative?

What is the Council's assessment of the initiative in the context of its vocal support for an open global Internet, and especially in the context of reports about 'a German Internet' ⁽⁸⁾?

Will the Council pro-actively seek to remind EU Member States of their commitment to an open global Internet and respect for the current multi-stakeholder governance model?

How will the Council defend the principles contained in the EU's cyber security strategy in the UNGA and especially resistance to increased governmental (or UN) control over the Internet?

How does the Council assess the export of mass surveillance technologies (or digital arms) from the EU, which are used for the very practices that EU governments have lately condemned, and the lack of export controls? What will the Council do to tackle this issue as soon as possible?

How does the Council seek to defend/uphold the rule of law and human rights online in the EU?

Reply

(17 February 2014)

The Council has closely followed the discussions on the UNGA resolution 'The right to privacy in the digital age' which was adopted on 19 December 2013 in the plenary of the UNGA by consensus. Preserving an open, free and secure Internet is a global challenge which the EU must address together with the relevant international partners and organisations, the private sector and civil society.

The EU Delegation in New York is closely following developments in UNGA regarding the resolution on 'The right to privacy in the digital age' and the Cybercrime — UNGA Omnibus resolution. Several coordination meetings have taken place in order to give the proper follow-up to both initiatives.

⁽¹⁾ http://thecable.foreignpolicy.com/posts/2013/10/24/exclusive_germany_brazil_turn_to_un_to_restrain_american_spies

⁽²⁾ <http://www.bbc.co.uk/news/technology-20445637>

⁽³⁾ <http://www.zdnet.com/no-need-for-un-to-take-over-Internet-says-eu-digital-chief-kroes-7000003145/>

⁽⁴⁾ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2012-0451&language=EN&ring=P7-RC-2012-0498>

⁽⁵⁾ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2012-0470&language=EN&ring=A7-2012-0374>

⁽⁶⁾ http://www.consilium.europa.eu/juedocs/cms_data/docs/pressdata/en/jha/137602.pdf

⁽⁷⁾ http://www.ohchr.org/Documents/HRCouncil/RegularSession/Session20/A.HRC.20.L.13_en.doc

⁽⁸⁾ <http://www.reuters.com/article/2013/10/25/us-usa-spying-germany-idUSBRE99O09S20131025>

The Council is aware of concerns regarding the export of certain ICT that can be used in connection with human rights violations as well as to undermine the EU's security and is closely following technical consultations by the Commission and the national export control authorities to explore options to address, where appropriate, this issue in the context of the review of EU export control policy.

Guidelines on freedom of expression in the follow-up to EU Strategic Framework for Human Rights are currently under preparation. The aim of those guidelines is to address unjustified restrictions on freedom of expression. Consultation with civil society on how to better engage and protect journalists and bloggers will be central to the guidelines.

(English version)

**Question for written answer E-012305/13
to the Commission**

Jim Higgins (PPE)

(29 October 2013)

Subject: Defibrillator prices in the European Union

Is the Commission aware of varying VAT rates on the sale of defibrillators across the European Union, some of which are prohibitively high and make the acquisition of these life-saving devices more difficult?

In light of their importance, would the Commission consider proposals to reduce VAT on such crucial devices?

Answer given by Mr Šemeta on behalf of the Commission

(5 December 2013)

Under EU VAT rules ⁽¹⁾ agreed by the unanimity of Member States, a reduced VAT rate can only be applied to an exhaustive list of goods and services. Member States are allowed to apply a reduced VAT rate for medical equipment and other appliances if they meet two conditions. They have to be intended to alleviate or treat disability and they have to be for the exclusive personal use of the disabled.

According to the Court of Justice ⁽²⁾, the aim of applying reduced rates of VAT is, in particular, to lower the cost of certain essential goods for final consumers. This does not cover the cost of devices, appliances, material and medical equipment that would rarely be borne directly by final consumers, since these products are primarily used by healthcare professionals to provide services which themselves may be exempt from VAT.

For additional information regarding the basic structure of the VAT rate rules and the diversity of VAT rates across the European Union, the Commission would refer the Honourable Member to its answers to written questions E-011543/12 by Mr Liam Aylward and E-003766/2013 by Ms Marian Harkin ⁽³⁾.

The VAT Directive establishes only the minimum levels of the standard and reduced VAT rates which Member States are obliged to respect when they decide on the level of the VAT rates applicable within their territories. The Commission does not intend to change this basic principle in the context of the review of the scope of the VAT reduced rates set out in the communication on the future of VAT ⁽⁴⁾.

⁽¹⁾ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (the VAT Directive) — OJ L 347, 11.12.2006, p. 1.

⁽²⁾ Judgment of the Court of 17 January 2013 in Case C360/11, European Commission v Kingdom of Spain.

⁽³⁾ <http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html>

⁽⁴⁾ COM(2011) 851 final.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-012307/13
an die Kommission
Herbert Dorfmann (PPE)
(29. Oktober 2013)

Betrifft: Öko-Label für LED-Lampen

Die Verordnung (EG) Nr. 245/2009 der Kommission zur Durchführung der Richtlinie 2005/32/EG legt die Öko-Anforderungen an Leuchtstofflampen, Hochdruckladungslampen und Vorschaltgeräte fest. Weiters werden die Anforderungen an Produktinformationen von Lampen und Vorschaltgeräten definiert.

Durch die Festlegung dieser neuen Anforderungen wird der Stromverbrauch gesenkt und die Umweltverträglichkeit von Leuchtstofflampen verbessert. Infolge der Einführung haben die Hersteller begonnen, ihre Produkte an die Energieeffizienzkriterien und die Vorgaben zur Lichtverschmutzung anzupassen, um den Kunden eine neue Palette an Produkten anzubieten.

Allerdings ist es für den Konsumenten aufgrund der verschiedenen technischen Standards oft schwierig, den Energieeffizienzgrad und die Einhaltung der Vorgaben zur Lichtverschmutzung eines Produktes zu erkennen. Er ist deshalb nicht in der Lage, eine bewusst umweltverträgliche Kaufentscheidung zu treffen.

Um die richtige Kaufentscheidung bei LED-Lampen zu unterstützen, wäre die Einführung eines Öko-Labels, wie es bereits bei Elektrogeräten existiert, von Vorteil.

Ist sich die Kommission dieser Möglichkeit bewusst?

Wird die Kommission ein Öko-Label einführen, um den Verbrauchern eine bewusste Kaufentscheidung zu ermöglichen?

Antwort von Herrn Potočník im Namen der Kommission
(28. Januar 2014)

Die Möglichkeit der Einführung eines EU-Öko-Labels für Leuchtstofflampen wird zurzeit in Konsultation mit Interessenträgern (darunter auch Vertreter der Mitgliedstaaten, der Industrie, aus Nichtregierungsorganisationen sowie Sachverständige) geprüft.

(English version)

**Question for written answer E-012307/13
to the Commission**

Herbert Dorfmann (PPE)

(29 October 2013)

Subject: Ecolabel for LED lights

Commission Regulation (EC) No 245/2009 implementing Directive 2005/32/EC defines the ecodesign requirements for fluorescent lamps, high intensity discharge lamps and ballasts. The product information requirements for lamps and ballasts are also defined.

These new requirements will reduce electricity consumption and improve the environmental compatibility of fluorescent lamps. Following the introduction of these requirements, manufacturers have begun to adapt their products to the energy efficiency criteria and the stipulations relating to light pollution in order to offer their customers a new range of products.

On account of the different technical standards, however, it is often difficult for consumers to ascertain the energy efficiency of a product and its compliance with the light pollution requirements. They are therefore not able to make an environmentally conscious purchase decision.

In order to support the right purchase decision when it comes to LED lights, the introduction of an ecolabel like that already in place for electrical appliances would be beneficial.

Does the Commission know whether this is possible?

Will it introduce an ecolabel in order to enable consumers to make an informed purchase decision?

Answer given by Mr Potočník on behalf of the Commission

(28 January 2014)

The possibility of introducing an EU Ecolabel for lighting sources is being studied in consultation with stakeholders, including Member States representatives, industry, NGOs and experts.

(English version)

Question for written answer P-012308/13
to the Commission
Liam Aylward (ALDE)
(29 October 2013)

Subject: Skills development for young people with intellectual and developmental disabilities

Across the EU, education for young people with intellectual and developmental disabilities frequently ends at the secondary level. Many such individuals would benefit from further education and from training in useful practical skills. This would lead to greater social inclusion of young people with such disabilities, to the full utilisation of their potential and to the possibility of employment for many of them.

In this connection, could the Commission:

- outline what action it has taken to support skills development for young people with intellectual and developmental disabilities?
- provide details regarding the current EU funding opportunities available for both publicly and privately run organisations which provide skills training for young people with such disabilities?
- identify the skills development opportunities available in Ireland for young people with intellectual or developmental disabilities, or recommend relevant sources of information or funding?
- provide details of future funding opportunities under the Multiannual Financial Framework 2014-2020 for programmes which support and encourage the social inclusion of young people with intellectual and developmental disabilities?

Answer given by Ms Vassiliou on behalf of the Commission
(29 November 2013)

Under the EU Treaty, national governments are responsible for the content and organisation of education systems, including provision for learners with disabilities and special needs. In this field the Commission supports financially and works closely with the EADSNE ⁽¹⁾. In 2012 the Agency completed the project 'European Patterns of Successful Practice in Vocational Education and Training — participation of learners with special educational needs/disabilities in VET' covering 26 countries. The Agency and the Irish Department of Education and Skills ⁽²⁾ can provide information on skills development opportunities in Ireland for young people with disabilities.

In 2012 the Commission published the report 'Education and disability/special needs — policies and practices in education, training and employment for students with disabilities and special educational needs in the EU' ⁽³⁾. The Commission Communications 'Rethinking Education' ⁽⁴⁾ and 'Opening up Education' ⁽⁵⁾ call for new approaches to teaching and learning to better serve the skills needs of all young citizens, including those with disabilities.

The new Erasmus+ programme will provide increased opportunities to support work on developing more inclusive education systems.

Member States can also mobilise resources from the new European Structural and Investment (ESI) Funds 2014-2020, and in particular the European Social Fund, to support education, training and skills development of people, including of people with disabilities. Promoting equal opportunities and non-discrimination, including discrimination on grounds of disability, is a horizontal principle of the ESI Funds, thus funding opportunities in support of young people with disabilities are envisaged.

⁽¹⁾ European Agency for Development in Special Needs Education: <http://www.european-agency.org/>

⁽²⁾ <http://www.education.ie/en/>

⁽³⁾ http://ec.europa.eu/education/news/20120710_en.htm

⁽⁴⁾ http://ec.europa.eu/education/news/rethinking_en.htm

⁽⁵⁾ http://ec.europa.eu/education/news/doc/openingcom_en.pdf

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-012331/13
lill-Kummissjoni
Claudette Abela Baldacchino (S&D)
(29 ta' Ottubru 2013)

Suġġett: Dokumenti tal-identità għal persuni transgender

L-Artikolu 14 tal-Konvenzjoni għall-Protezzjoni tad-Drittijiet tal-Bniedem u tal-Libertajiet Fundamentali (KEDB) jiggarrantixxi l-prinċipju ta' nondiskriminazzjoni fir-rigward tas-sett ta' drittijiet stabbiliti taht din il-Konvenzjoni.

Madankollu, fil-biċċa l-kbira tal-Istati Membri tal-UE, l-individwi transgender għadhom jintalbu jagħtu provi li għaddew minn proċess mediku kkontrollat ta' bidla fis-sess sabiex jinbidlu d-dokumenti tal-identità tagħhom. Dawn l-individwi huma obbligati li juru wkoll li saru infertili b'mod irriversibbli permezz tal-kirurġija (sterilizzazzjoni), u/jew li għaddew minn proċeduri mediċi oħrajn, bħal trattamenti ormonali.

Dawn ir-rekwiżiti jmorru kontra l-prinċipju tar-rispett tal-integrità fiżika tal-persuna.

Il-liġi tal-UE attwalment tipprojbixxi d-diskriminazzjoni bbażata fuq is-sess (Artikolu 21 tal-Karta tad-Drittijiet Fundamentali tal-UE), iżda jidher li din il-miżura protettiva ma tapplikax għal persuni transgender.

Fid-dawl ta' dan;

1. Il-Kummissjoni tista' tispjega sa liema punt tista' tohloq leġislazzjoni rigward (id-diskriminazzjoni kontra) il-persuni transgender fl-UE?
2. Jeżistu xi programmi fis-seħh bhalissa li għandhom l-għan li jagħtu appoġġ lill-persuni transgender?
3. Il-Kummissjoni, fl-isfera ta' kompetenza tagħha, tikkunsidra tiegħu aktar azzjoni biex tiġġieled kontra d-diskriminazzjoni tal-persuni transgender?

Tweġiba mogħtija mis-Sinjura Reding fisem il-Kummissjoni
(10 ta' Frar 2014)

L-Artikolu 19 tat-Trattat dwar il-Funzjonament tal-UE ma fihx referenza għal identità sesswali bħala bażi separata għad-diskriminazzjoni. Madankollu, skont il-ġurisprudenza tal-Qorti tal-Ġustizzja ⁽¹⁾ il-prinċipju ta' ebda diskriminazzjoni fuq bażi ta' sess fl-impjiegi u l-kwistjonijiet ta' sigurtà soċjali integrati fil-leġislazzjoni tal-UE dwar l-ugwaljanza tas-sessi tapplika bl-istess mod għal diskriminazzjoni kontra persuni transesswali fuq bażi ta' bidla fis-sess tagħhom.

Għalhekk, l-acquis attwali għandu jiġi interpretat fid-dawl ta' din il-ġurisprudenza, li hija rikonoxxuta fost l-oħrajn fil-Premessa 3 tad-Direttiva 2006/54/KE. Il-Kummissjoni tinkludi d-diskriminazzjoni kontra persuni transesswali fuq bażi ta' bidla fis-sess tagħhom fil-valutazzjoni tagħha tal-liġi rilevanti tal-UE, b'mod partikolari fil-kuntest tal-monitoraġġ fuq l-Istati Membri tal-implimentazzjoni tad-Direttiva 2004/113/KE dwar l-aċċess għal oġġetti u servizzi u d-Direttiva 2006/54/KE.

Il-Kummissjoni attwalment tappoġġa proġetti u organizzazzjonijiet li jitrattaw kwistjonijiet LGBT permezz tal-programm PROGRESS. Għall-perjodu 2014-2020, il-promozzjoni ta' ebda diskriminazzjoni u l-ugwaljanza bejn is-sessi huma fost l-objettivi tal-Programm tad-Drittijiet, l-Ugwaljanza, u ċ-Ċittadinanza, l-Istrument Ewropew għad-Demokrazija u d-Drittijiet tal-Bniedem u r-Regolament il-ġdid tal-Fond Soċjali Ewropew, li lkoll mistennija jidhru fis-seħh fl-2014.

Il-Kummissjoni għandha politika attiva biex tiġġieled d-diskriminazzjoni kontra persuni transġeneru, fosthom għajnuna finanzjarja lill-Istati Membri u s-soċjetà ċivili, l-integrazzjoni, il-ġbir ta' dejta, il-pubblikazzjonijiet u seminars regolari fuq il-politiki pubbliċi dwar l-iskambju ta' prattiki tajba għall-ġlieda kontra d-diskriminazzjoni LGBT ⁽²⁾.

⁽¹⁾ Il-Każ C-13/94 P V s u Cornwall County Council [1996] Ġabra I-2143; Il-Każ C-423/04 Richards vs Secretary of State for Work and Pensions, 2006; Il-Każ C-117/01 KB V l-NHS Trust Pension Agency 2004.

⁽²⁾ http://ec.europa.eu/justice/discrimination/orientation/eu-action/index_en.htm

(English version)

Question for written answer E-012331/13
to the Commission
Claudette Abela Baldacchino (S&D)
(29 October 2013)

Subject: Transgender identity papers

Article 14 of the Convention on Human Rights for the Protection of Human Rights and Fundamental Freedoms (ECHR) guarantees the principle of non-discrimination with regard to the set of rights that are established under the Convention.

In most EU Member States, however, transgender individuals are still required to demonstrate that they have followed a medically supervised process of gender reassignment in order to obtain a change in their identity papers. These individuals are also obliged to show that they have been rendered surgically irreversibly infertile (sterilisation), and/or that they have undergone other medical procedures, such as hormonal treatment.

Such conditions run counter to the principle of respect for the physical integrity of the person.

EC law currently prohibits discrimination on the grounds of sex (Article 21 of the Charter of the Fundamental Rights of the EU), but it appears that this protective measure does not apply to transgender people.

In light of this:

1. Can the Commission explain to what extent it is able to legislate regarding (discrimination against) transgender people in the EU?
2. Are there any programmes currently in place which aim to support transgender people?
3. Would the Commission, within its competence, consider taking more action to fight discrimination against transgender people?

Answer given by Mrs Reding on behalf of the Commission
(10 February 2014)

Article 19 of the Treaty on the Functioning of the EU does not contain a reference to gender identity as a separate ground of discrimination. However, according to the Court of Justice jurisprudence ⁽¹⁾ the principle of non-discrimination on grounds of sex in employment and social security matters embedded in EU gender equality legislation applies equally to discrimination against transsexual people on grounds of their gender reassignment.

Therefore, the current *acquis* should be interpreted in light of this jurisprudence, which is recognised amongst others in Recital 3 of Directive 2006/54/EC. The Commission is including discrimination against transsexual people on grounds of their gender reassignment in its assessment of relevant EC law, in particular in the context of the monitoring of the Member States' implementation of Directive 2004/113/EC on access to goods and services and Directive 2006/54/EC.

The Commission currently supports projects and organisations dealing with LGBT issues through the PROGRESS program. As for the period 2014-2020, the promotion of non-discrimination and gender equality is amongst the objectives of the Rights, Equality, and Citizenship Program, the European Instrument for Democracy and Human Rights and the new regulation of the European Social Fund, all expected to enter into force in 2014.

The Commission has an active policy to fight discrimination against transgender people, including financial assistance to Member States and civil society, mainstreaming, data collection, publications and regular good practice exchange seminars on public policies combatting LGBT discrimination ⁽²⁾.

⁽¹⁾ Case C-13/94 P v S and Cornwall County Council [1996] ECR I-2143; Case C-423/04 Richards v Secretary of State for Work and Pensions 2006; Case C-117/01 KB v the NHS Trust Pension Agency 2004.

⁽²⁾ http://ec.europa.eu/justice/discrimination/orientation/eu-action/index_en.htm

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-012335/13

alla Commissione

Oreste Rossi (PPE)

(30 ottobre 2013)

Oggetto: Respingimento di migranti con visto italiano da parte della Germania

È stato recentemente segnalato un grave problema di applicazione dell'Accordo di Schengen alle frontiere aeree. È infatti stato accertato che i cittadini extracomunitari con regolare permesso di soggiorno italiano e figli minori a carico che vogliono rientrare in Italia facendo scalo in Germania vengano respinti in quanto le autorità tedesche non riconoscono più l'«allegato minori», cioè il documento emesso dalle autorità italiane per i figli di età inferiore ai 14 anni di cittadini stranieri regolarmente soggiornanti in Italia da allegare ai passaporti dei genitori.

Benché le autorità tedesche affermino, tramite il Consolato, che il problema sia di origine italiana e di natura burocratica, negli altri Paesi dell'area Schengen, in effetti, al momento non viene riscontrata alcuna limitazione.

Stante che gli accordi di Schengen stabiliscono che un cittadino di un paese terzo in possesso di un visto di un paese comunitario possa muoversi liberamente all'interno dei paesi aderenti per la durata del visto stesso, può la Commissione riferire se:

1. intende intervenire al più presto nel caso questa irregolarità non venga risolta autonomamente,
2. intende esprimersi in materia di armonizzazione dei documenti burocratici inerenti al caso rilasciati dagli Stati membri?

Risposta di Cecilia Malmström a nome della Commissione

(22 gennaio 2014)

La Commissione è a conoscenza della situazione descritta dall'onorevole deputato.

Lo Stato membro in questione è stato contattato e procederà a un riesame della decisione relativa al non riconoscimento dell'«allegato minori», un documento nazionale contenente la foto e i dati personali del minore, utilizzato quando il minore viaggia con un genitore titolare di permesso di soggiorno valido contenente il nome del minore e il numero dell'«allegato minori» che mette in collegamento i due documenti.

Inoltre, le autorità italiane hanno riferito che dal dicembre 2013 avrebbero iniziato a rilasciare ai minori permessi di soggiorno individuali, il che consentirà di risolvere il problema per il futuro.

(English version)

Question for written answer E-012335/13
to the Commission
Oreste Rossi (PPE)
(30 October 2013)

Subject: Migrants with Italian visas refused entry by Germany

There have been reports recently of a serious breach of the Schengen Agreement at airport border controls. Non-EU citizens with Italian residence permits and travelling with minors who stop over in Germany on their way back to Italy are being refused entry because the German authorities no longer recognise the 'Child Attachment'. This is the document issued by the Italian authorities for children of foreign citizens aged under 14, where those citizens have leave to remain in Italy. It is attached to the parent's passport.

The German authorities have stated through their consulate that the problem lies with Italy's administrative system; however no such restrictions are encountered in other Schengen Area countries.

According to the Schengen Agreement, citizens from a non-EU country who hold a visa for an EU country may move freely between Schengen Area countries for the duration of the visa itself.

1. Will the Commission intervene as quickly as possible if this violation is not remedied by the parties themselves?
2. Will the Commission be making a statement on harmonisation between the documents issued by Member States in these situations?

Answer given by Ms Malmström on behalf of the Commission
(22 January 2014)

The Commission is aware of the situation as described by the Honourable Member of Parliament.

The Member State concerned has been contacted and will review the decision on the non-recognition of the 'allegato minori', which is a national document containing a photo and the personal data of the minor, used when the child is travelling together with the parent holding a valid residence permit, including the name of the child and the number of the 'allegato minori' establishing the link between the two documents.

In addition, the Italian authorities have reported that they will start issuing individual residence permits for children from December 2013, which will solve the problem in the future.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012347/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(30 de octubre de 2013)

Asunto: Espionaje a ciudadanos europeos

El caso de espionaje por interceptación de comunicaciones electrónicas de los ciudadanos europeos realizado por los EE.UU. ha tenido una derivada. Según informaciones periodísticas, el responsable de NSA, Keith Alexander, ha declarado en una comparecencia ante la Comisión de Inteligencia de la Cámara de Representantes lo siguiente: «Se trata de información que nosotros y nuestros aliados de la OTAN hemos recopilado para defender nuestros países y apoyar las operaciones militares».

Las palabras de Keith Alexander coinciden con la información publicada poco antes de su comparecencia por The Wall Street Journal ⁽¹⁾.

Según el periódico, fueron los servicios secretos franceses y españoles los que recogieron los datos sobre las decenas de millones de llamadas telefónicas y, más tarde, entregaron esos datos a la NSA.

— ¿Tiene conocimiento la Comisión de estos hechos?

— ¿Qué opinión le merecen?

— ¿Qué pasos piensa dar la Comisión para defender la privacidad de los ciudadanos de la Unión y para evitar que países miembros de la Unión puedan espiar impunemente e ilegalmente a sus ciudadanos y entregar la información a terceros?

Respuesta de la Sra. Reding en nombre de la Comisión

(22 de enero de 2014)

La Comisión es la guardiana de los Tratados, y, en el marco de esta función, es consciente de la información difundida por los medios de comunicación en relación con las supuestas prácticas, y está tomando las medidas adecuadas. Si bien la UE puede tomar medidas en sus ámbitos de competencia, en particular para salvaguardar la aplicación del Derecho de la UE, la seguridad nacional es responsabilidad exclusiva de cada Estado miembro.

Además, corresponde a las autoridades nacionales, incluidas las autoridades responsables del control de la protección de datos, garantizar la correcta aplicación y la ejecución de la legislación de protección de datos de la UE frente a los organismos públicos y privados en la Unión Europea.

La Comisión remite asimismo a Su Señoría a su respuesta a la pregunta escrita E-011733/2013.

⁽¹⁾ http://online.wsj.com/news/articles/SB10001424052702304200804579165653105860502?mod=WSJEurope_hpp_LEFTTopStories

(English version)

**Question for written answer E-012347/13
to the Commission
Iñaki Irazabalbeitia Fernández (Verts/ALE)
(30 October 2013)**

Subject: Mass spying on European citizens

There has been a new twist in the scandal surrounding US intelligence spying on European citizens by intercepting electronic communications. According to press reports, the head of the NSA, Keith Alexander, made the following statement when he appeared before the Intelligence Committee of the House of Representatives: 'It represents information that we and our NATO allies have collected in defence of our countries and in support of military operations'.

Similar revelations were made in an article published shortly beforehand in The Wall Street Journal ⁽¹⁾.

According to the newspaper, the French and Spanish secret services had listened to tens of millions of phone calls and later supplied the information they had collected to the NSA.

— Is the Commission aware of the above facts?

— What is its view on the matter?

— What action does the Commission intend to take in order to protect the privacy of European citizens and prevent Member States from spying on citizens illegally and with impunity and passing on information to third parties?

**Answer given by Mrs Reding on behalf of the Commission
(22 January 2014)**

The Commission is guardian of the Treaties, and, in view of this role, the Commission is aware of the media reports in relation to the alleged practices and is taking the appropriate steps. Whilst the EU can take action in areas of EU competence in particular to safeguard the application of EC law, national security remains the sole responsibility of each Member State.

In addition, it is for national authorities, including data protection supervisory authorities, to ensure the correct implementation and enforcement of EU data protection legislation vis-à-vis public and private bodies in the European Union.

The Commission would also refer the Honourable Member to its answer to Written Question E-011733/2013.

⁽¹⁾ http://online.wsj.com/news/articles/SB10001424052702304200804579165653105860502?mod=WSJEurope_hpp_LEFTTopStories

(English version)

**Question for written answer E-012350/13
to the Commission**

Daniel Hannan (ECR)

(30 October 2013)

Subject: Cyprus title deeds bank extortion

In response to my previous question regarding Cypriot property title deeds (E-006305/2013), Commissioner Rehn stated that 'The MoU [memorandum of understanding] therefore envisages a specific deadline for the elimination of the observed backlog. The swift clearing of encumbrances on title deed transfers constitutes an important element of this agreement'.

Is the Commission aware that receivers acting for banks are currently threatening buyers with selling their homes unless the buyers pay off the developers' defaulted mortgages, their taxes and other creditors?

In the case of the now defunct Liasides developer, involving 230 properties, Alpha Bank's receivers are informing the buyers that unless they pay off the developers' mortgages and taxes on their homes, the properties will be sold. Due to the level of debt there will be no surplus funds to compensate the buyers, who will then be homeless. Mortgages, which go back to 2002 in some cases, have not been serviced during this period, yet Alpha Bank has taken no remedial action and these now stand at several times the initial mortgage advanced. Receivers' fees at 11% of the purchase price are also payable by the buyers.

Most of these properties are illegal due to the lack of building permits or completion certificates, yet it is envisaged that the individual title deeds should be transferred to buyers through the courts. Moreover, the deeds will still be encumbered by the many other claims against the developer as a result of creditor court judgments.

Could the Commission please confirm that this extortion by the banks and their receivers is in direct conflict with the terms of the MoU?

Answer given by Mr Rehn on behalf of the Commission

(12 February 2014)

The Commission is well aware of the unresolved issue of pending title deeds in Cyprus and it attaches priority to resolving it in the interest of the Cypriot economy, the European taxpayer, and the EU citizens affected by the problem. To this end, Article 5.4 of the memorandum of understanding includes several policy actions such as (a) guaranteed timeframes for the issuance of title deeds, (b) decrease of the title deed backlog and (c) acceleration of the swift clearing of encumbrances on title deeds to be transferred ⁽¹⁾. The leading competent authority is the Department of Lands and Surveys (Ministry of Interior). As the issue of the title deeds and the encumbrances attached to them is a complex one, the cooperation among a number of Cyprus' public administration units is also required.

The Commission would also like to inform the Honourable Member that the Cypriot authorities have already created a specific framework for dealing with troubled borrowers. Concerns about such dealings should be addressed to the appropriate national authorities, including the Central Bank of Cyprus and the Financial Ombudsman.

⁽¹⁾ http://ec.europa.eu/economy_finance/publications/occasional_paper/2013/pdf/ocp169_en.pdf

(Leagan Gaeilge)

Ceist i gcomhair freagra scríofa E-012363/13

chuig an gCoimisiún

Liam Aylward (ALDE)

(31 Deireadh Fómhair 2013)

Ábhar: Ag dul i ngleic le meiningíteas san Eoraip

Is galar millteach millteanach é an meiningíteas a bhuaileann óg agus aosta. Bíonn sé deacair go minic fáthmheas a fháil ar mheiningíteas agus is féidir leis an galar duine a mharú laistigh de thréimhse 24 uair a chloig. Dóibh siúd a thagann as, is minic a bhíonn míchumas ar feadh an tsaoil in ann dóibh, mar shampla lot inchinne, caillteanas éisteachta agus máchailiú. Is iad páistí óga is mó a bhíonn i mbaoil; is é an meiningíteas príomhchúis an bháis do leanaí faoi aois a cúig in Éirinn.

An bhféadfadh an Coimisiún Eorpach staitisticí a chur ar fáil a bhaineann le rátaí meiningítis san AE? An bhféadfadh an Coimisiún freisin sonraí a thabhairt maidir leis na cláir taighde Eorpacha atá ann a bhaineann leis an meiningíteas, maidir le cláir chosúla atá á maoiniú ag an AE, agus maidir lena bhfuil foghlamtha aige agus faoi na cláir sin?

Céard atá déanta go dtí seo ag an gCoimisiún chun dul i ngleic le forleithne an mheiningítis san AE? An bhféadfadh an AE breis eolais a thabhairt maidir leis an maoiniú a bhíonn ar fáil ón AE chun dul i ngleic le meiningíteas san Eoraip agus an maoiniú a bhíonn ar fáil freisin dóibh siúd a thagann beo ón ngalar ach a bhíonn fágtha faoi mhíchumas?

Freagra ón gCoimisinéir Borg thar ceann an Choimisiúin

(13 Nollaig 2013)

Sa bhliain 2011, dearbhaíodh sa tsaotharlann 4754 cás de mheiningíteas san Aontas Eorpach in aghaidh na bliana, agus 405 chás báis san áireamh. Ba é 8.5 % ráta foriomlán na mbásanna i dtíortha de chuid an AE/LEE agus b'airde é i measc daoine a raibh 65 bhliain slán acu.

Sa bhliain 2011, ba é an séireaghrúpa B ba chúis le 73.6 % de na cásanna meiningítis mheiningeacocúil agus ba mhó é i measc naíonán (10 gcás sa 100 000) agus i measc paistí idir 1-4 bliana (3.3 chás sa 100 000). Idir 2008 agus 2011 tháinig méadú ar sheireaghrúpa Y, cé go bhfuil líon na gcásanna nua fós íseal (8.2 % de na cásanna uile).

Tá tacaíocht á tabhairt ag an Lárionad Eorpach um Ghalair a Chosc agus a Rialú don Aontas faireachas a dhéanamh ar ionfhabhtuithe baictéara ionracha, meiningíteas baictéarach san áireamh. Faoin gclár dar teideal 'Gníomhaíochtaí a Chomhordú le haghaidh Faireachais Saotharlainne ar Ghalair Bhaictéara Ionracha', bailíonn an Lárionad Eorpach um Ghalair a Chosc agus a Rialú sonraí ó na Ballstáit san AE agus ó thíortha de chuid an LEE/CSTE maidir le meiningíteas baictéarach arb iad *Neisseria meningitidis*, cineál B de *Haemophilus influenzae* agus *Streptococcus pneumoniae* is cúis leis.

Tá maoiniú á thabhairt do ghréasán ilionad Eorpach amháin (NEOMERO) faoin 7ú Creatchlár um Thaighde agus um Nuálaíocht de chuid an AE (2007-13) chun meastóireacht a dhéanamh ar chógaschinéitic, sábháilteacht agus éifeachtúlacht Meropenem maidir le seipseas nua-naíoch agus meiningíteas. Féadfar tionscadail taighde amach anseo ar mheiningíteas a mhaoiniú i gcomhthéacs an chlár Fis 2020.

Maidir le cóir leighis ar mheiningíteas, is iad údaráis sláinte na mBallstát atá freagrach as.

(English version)

**Question for written answer E-012363/13
to the Commission**

Liam Aylward (ALDE)

(31 October 2013)

Subject: Combating meningitis in Europe

Meningitis is a devastating disease that strikes young and old. It is often difficult to diagnose and the disease can kill within 24 hours. Meningitis survivors often face permanent disabilities such as brain damage, hearing loss and impairment. Young children are most at risk. Meningitis is the leading cause of death among children in Ireland under five years of age.

Could the Commission provide statistics on meningitis rates in the EU? Could the Commission provide data on the European research programmes on meningitis and on similar programmes being funded by the EU and on what has been learned to date by these programmes?

What has the Commission done to date to tackle the spread of meningitis in the EU? Could the Commission provide information on the funding that is available from the EU to tackle meningitis in Europe and on the funding that is available for survivors of meningitis who have been left disabled?

Answer given by Mr Borg on behalf of the Commission

(13 December 2013)

In 2011, the total number of laboratory confirmed meningitis in the European Union was 4 754 cases per year, including 405 fatal cases. The overall case fatality rate in EU/EEA countries was 8.5% and was highest in people aged 65 years or older.

In 2011 73.6% of meningococcal meningitis were caused by serogroup B and was most prominent in infants (10 cases per 100 000) and children aged 1-4 year (3.3 per 100 000). From 2008-2011 there was an increasing trend in serogroup Y, although the number of new cases remains low (8.2% of all cases).

The European Centre for Disease Prevention and Control is supporting the Union surveillance of invasive bacterial infections including bacterial meningitis. Through the programme 'Coordination of Activities for Laboratory Surveillance of Invasive Bacterial Diseases' the European Centre for Disease Prevention and Control collects data from EU Member States and EEA/EFTA countries related to bacterial meningitis caused by *Neisseria meningitidis*, *Haemophilus influenzae* type B and *Streptococcus pneumoniae*.

One European multicentre network (NEOMERO) has been funded under the 7th EU Framework Programme for Research (2007-2013) to evaluate the pharmacokinetics, safety and efficacy of Meropenem in neonatal sepsis and meningitis. Future research projects on meningitis may be funded within the context of Horizon 2020.

As regards the treatment of meningitis, this falls under the responsibility of Member States' health authorities.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-012370/13
til Kommissionen
Jens Rohde (ALDE)
(31. oktober 2013)

Om: Godkendelse af støtteordning til solceller

Det danske Folketing vedtog ved lov nr. 900 af 4. juli 2013 en række ændringer i reglerne vedrørende statsstøtte til solceller. For at kunne træde i kraft skal de nye regler godkendes af Kommissionen i henhold til EU's statsstøtteregler.

Kan Kommissionen oplyse, hvornår den forventer at have færdigbehandlet ansøgningen fra de danske myndigheder om godkendelse af de nye danske regler for statsstøtte til solceller?

Forespørgsel til skriftlig besvarelse E-012371/13
til Kommissionen
Jens Rohde (ALDE)
(31. oktober 2013)

Om: Godkendelse af støtteordning til biogas

Kan Kommissionen i forlængelse af sit svar på forespørgsel E-003324/2013 oplyse, hvornår den forventer at have færdigbehandlet ansøgningen fra de danske myndigheder vedrørende de nye regler for statsstøtte til biogasproduktion?

Samlet svar afgivet på Kommissionens vegne af Joaquín Almunia
(6. januar 2014)

Kommissionen har modtaget en anmeldelse fra Danmark vedrørende støtte til forskellige anvendelser af biogas. Med hensyn til støtten til elproduktion og opgraderet biogas blev støtteordningen godkendt af Kommissionen den 14. november 2013 (sag SA.35485 2012/N).

De øvrige dele af biogasstøtteordningen (sag SA.36659 2013/N vedrørende brugen af biogas i transport og industri), hvoraf enkelte er nye sammenlignet med den hidtidige ordning, undersøges stadig.

Kommission modtog også en anmeldelse om en støtteordning for solenergi (sag SA.36204 2013/N), som de danske myndigheder efterfølgende har ændret, og som stadig undersøges.

(English version)

Question for written answer E-012370/13
to the Commission
Jens Rohde (ALDE)
(31 October 2013)

Subject: Approval of aid for photovoltaic cells

Act No 900 of 4 July 2013, adopted by the Danish Parliament, makes a number of amendments to the rules on state aid for photovoltaic cells. Under EU state aid rules, the new rules must be approved by the Commission in order to enter into force.

Can the Commission say by when it expects to have taken a decision on the Danish authorities' request for approval of Denmark's new rules on state aid for photovoltaic cells?

Question for written answer E-012371/13
to the Commission
Jens Rohde (ALDE)
(31 October 2013)

Subject: Approval of the aid scheme for biogas

Further to its answer to Written Question E-003324/2013, can the Commission say when it expects to have completed the processing of the application from the Danish authorities on the new rules on state aid for biogas production?

Joint answer given by Mr Almunia on behalf of the Commission
(6 January 2014)

The Commission has received a notification from Denmark concerning the support of different uses of biogas. As far as the support for electricity generation and the upgrading of biogas are concerned, the support scheme was approved by the Commission on 14 November 2013 (case SA.35485 2012/N).

The other elements of the biogas support scheme (case SA.36659 2013/N, relating to the use of biogas in transport and in industrial processes), some of which are novel as compared to the previous scheme in place, are still being investigated.

The Commission also received a notification for a support scheme for solar power (SA.36204 2013/N), which the Danish authorities subsequently modified and which is still under investigation.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012374/13
aan de Commissie
Bart Staes (Verts/ALE)
(31 oktober 2013)

Betreft: Onderzoek OLAF naar Japan Tobacco International

Op 5 december 2011 startte OLAF een onderzoek naar de vermeende smokkel van sigaretten door Japan Tobacco International. Op 22 november 2012 verzocht OLAF de Commissie Cyprus om aanvullende informatie te vragen.

1. Kan de Commissie aangeven of de directeur-generaal van OLAF een team van onderzoekers heeft aangewezen en hen heeft opgedragen rechtstreeks aan hem verslag uit te brengen?
2. Kan de Commissie uitleggen waarom in deze zaak de Cypriotische autoriteiten pas zo laat om aanvullende informatie is gevraagd?
3. Het onderzoek is twee jaar geleden begonnen. Wanneer mogen we de uitkomsten van dit onderzoek verwachten?

Antwoord van de heer Šemeta namens de Commissie
(20 januari 2014)

Het komt de directeur-generaal van OLAF toe te beslissen over de samenstelling van het team van onderzoekers dat een bepaalde zaak behandelt, zoals reeds gezegd in het antwoord op schriftelijke vraag E-7681/13, en over de reikwijdte van zijn eigen betrokkenheid. Wat de Cypriotische autoriteiten betreft, zij erop gewezen dat de douane van dat land sinds november 2011 kennis had van de aantijgingen en dus vanaf de inleiding van het onderzoek erbij betrokken was.

Omdat het onderzoek nog aan de gang is, heeft OLAF de Commissie meegedeeld dat het helaas niet kan aangeven wanneer het zal worden afgerond.

(English version)

**Question for written answer E-012374/13
to the Commission**

Bart Staes (Verts/ALE)

(31 October 2013)

Subject: OLAF investigation on Japan Tobacco International

OLAF started investigating allegations of cigarette smuggling by Japan Tobacco International on 5 December 2011. On 22 November 2012 it asked the Commission to obtain more information from Cyprus.

1. Can the Commission state whether the Director-General of OLAF appointed a team of investigators to run the investigation which would report directly to him?
2. Can the Commission provide an explanation for the late request to obtain information from the Cypriot authorities in this case?
3. The investigation started two years ago. When we can expect to see the outcome of the investigation?

Answer given by Mr Šemeta on behalf of the Commission

(20 January 2014)

The Director-General of OLAF is empowered to decide on the composition of the team of investigators for any specific case and, as already indicated in the reply to Written Question E-7681/13, on the extent of his own involvement. As for the Cypriot authorities, it should be noted that the Cypriot custom authorities had been aware of the allegations since November 2011 and thus involved since the investigation was opened.

Given that the investigation is still ongoing, OLAF has informed the Commission that, at this stage, it is unfortunately not able yet to give an indication on when its work will be completed.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012375/13
aan de Commissie
Bart Staes (Verts/ALE)
(31 oktober 2013)

Betreft: Inbeslagname van sigaretten in de EU

In 2009 liet Ian Walton, voormalig directeur van OLAF, aan de hand van een PowerPoint-presentatie zien hoeveel sigaretten in de Europese Unie in de periode 2004-2008 in beslag waren genomen. Ook liet hij uitgesplitst per merk zien hoeveel sigaretten van de twaalf meest in beslag genomen merken in 2008 in beslag werden genomen („master cases”).

Kan de Commissie meedelen hoeveel sigaretten in de Europese Unie in de periode 2009-2012 in totaal in beslag zijn genomen en uitgesplitst per merk aangeven hoeveel sigaretten in de jaren 2009, 2010, 2011 en 2012 in beslag zijn genomen?

Antwoord van de heer Šemeta namens de Commissie
(17 januari 2014)

De Commissie kan het geachte Parlementslid de hierna volgende cijfers betreffende het aantal in beslag genomen sigaretten in de periode 2009-2012 meedelen. Deze zijn gebaseerd op gegevens die door de lidstaten zijn verstrekt.

	Aantal in beslag genomen sigaretten
2009	4 696 330 000
2010	4 731 150 000
2011	4 398 659 767
2012	3 797 102 256

Wegens de manier waarop de lidstaten deze gegevens verstrekken, is de Commissie niet bij machte om nauwkeurige cijfers van in beslag genomen hoeveelheden per merk te geven.

(English version)

Question for written answer E-012375/13
to the Commission
Bart Staes (Verts/ALE)
(31 October 2013)

Subject: Cigarette seizures in the EU

A 2009 PowerPoint presentation by the former OLAF Director, Ian Walton, showed data on the number of seized cigarettes notified in the European Union in the period 2004-2008. It also showed cigarette seizures by brand for the 12 most seized cigarette brands during 2008 (number of master cases seized).

Can the Commission state the number of seized cigarettes that were notified in the European Union in the period 2009-2012, and give the figures for cigarette seizures by brand on a yearly basis for 2009, 2010, 2011 and 2012?

Answer given by Mr Šemeta on behalf of the Commission
(17 January 2014)

Based on the data transmitted by the Member States, the Commission can provide the Honourable Member with the statistics on the number of seized cigarettes in the period 2009-2012.

	Number of seized cigarettes
2009	4 696 330 000
2010	4 731 150 000
2011	4 398 659 767
2012	3 797 102 256

Due to the way the cigarette seizures are reported by the Member States, the Commission cannot provide accurate figures for cigarette seizures by brand.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012376/13
aan de Commissie
Bart Staes (Verts/ALE)
(31 oktober 2013)

Betreft: Cargolux en sigarettensmokkel

Volgens artikelen in de Luxemburgse pers wordt Cargolux, Luxemburg's nationale vrachtmaatschappij, beschuldigd van het op gecoördineerde wijze smokkelen van sigaretten naar Iran in de periode 2006-2008.

1. Is de Commissie op de hoogte van deze beschuldigingen?
2. Is OLAF gevraagd onderzoek naar deze beschuldigingen te doen? Is de Commissie van plan OLAF te vragen onderzoek naar deze beschuldigingen te doen en zo niet, waarom niet, en zo ja, op welke gronden?

Antwoord van de heer Šemeta namens de Commissie
(23 januari 2014)

De Commissie is niet op de hoogte van de beschuldigingen waarop de vraag van het geachte Parlements lid betrekking heeft.

De Commissie benadrukt dat gevallen van tabakssmokkel vanuit een lidstaat naar een derde land niet onder de bevoegdheid van OLAF vallen omdat die geen gevolgen voor de EU-begroting hebben. Btw en accijnzen zijn verschuldigd in het land van verbruik, niet in het land van productie.

(English version)

Question for written answer E-012376/13
to the Commission
Bart Staes (Verts/ALE)
(31 October 2013)

Subject: Cargolux and cigarette smuggling

According to articles published in the Luxembourg press, Cargolux, Luxembourg's national cargo airline, has been accused of running a coordinated smuggling operation transporting cigarettes to Iran between 2006 and 2008.

1. Is the Commission aware of these allegations?
2. Has OLAF been asked to investigate these allegations? Does the Commission intend to ask OLAF to investigate the allegations? If not, why not? If so, on what grounds?

Answer given by Mr Šemeta on behalf of the Commission
(23 January 2014)

The Commission was not aware of the allegations mentioned by the Honourable Member.

The Commission would like to underline that the cases in which tobacco was smuggled out of a Member State to a third country do not lie in the area of competence of OLAF as they have no impact on the EU budget. VAT and excise duties are due in the country of consumption and not in the country of production.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-012377/13

alla Commissione

Sergio Berlato (PPE)

(31 ottobre 2013)

Oggetto: Presenza di basi delle forze armate degli Stati Uniti d'America in Europa e attività di spionaggio dei servizi di sicurezza americani a danno dei cittadini europei

Le notizie riportate recentemente dalla stampa internazionale hanno messo in evidenza la volontà degli Stati Uniti d'America di controllare nei minimi dettagli l'azione politica dei principali Stati membri dell'Unione europea. Per perseguire i propri obiettivi di natura strategico-militare gli americani possono avvalersi di una formidabile capacità tecnologica nonché di un'estesa rete di strutture militari presenti sul territorio europeo. Si tratta di strutture militari destinate a un uso esclusivo da parte dell'esercito statunitense, seppur formalmente sotto il comando dello Stato ospitante, nate in seguito ad accordi internazionali siglati al termine della Seconda guerra mondiale, sulla base dell'amicizia reciproca e del reciproco interesse di carattere militare. L'Italia, ad esempio, ospita sei basi delle forze armate americane, tra le quali le sole due strutture presenti nella città di Vicenza contano circa 5.000 soldati. Tale presenza delle forze armate statunitensi sul continente europeo, vista l'attività di spionaggio portata avanti dalle agenzie governative americane, pone seri interrogativi sulla possibile minaccia all'effettiva libertà dei popoli europei e alla reale sovranità dei loro governi.

Premesso ciò, si interroga la Commissione europea per sapere se:

- è a conoscenza di attività illegali di raccolta dati effettuate da personale militare ospitato nelle basi dell'esercito americano presenti in Europa;
- ritiene che la presenza in Europa delle basi delle forze armate americane, alla luce dello scandalo «Datagate», possa rappresentare un pericolo per la piena espressione dell'autodeterminazione dei cittadini dell'Unione europea, così come sancito dal Trattato di Lisbona;
- è intenzionata a proporre agli Stati membri interessati di rivedere i trattati internazionali che definiscono la presenza delle basi militari americane in Europa, al fine di tutelare l'esercizio della loro piena sovranità;
- nel quadro della Politica estera e di sicurezza comune, ritiene utile l'installazione di contingenti militari europei in territorio americano come frutto della reciprocità in campo militare nei rapporti bilaterali USA-UE.

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione

(4 febbraio 2014)

La Commissione europea ha espresso preoccupazione e richiesto chiarimenti al governo statunitense in merito ai programmi di sorveglianza riportati dalla stampa, alla loro base giuridica e al loro controllo. Tali aspetti sono stati discussi nell'ambito di un gruppo di lavoro ad-hoc UE-USA sulla protezione dei dati. La Commissione invita gli onorevoli deputati a fare riferimento alla relazione dei copresidenti dell'UE in merito alle conclusioni di tale gruppo di lavoro e alla sua comunicazione «Ripristinare un clima di fiducia negli scambi di dati fra l'UE e gli USA(...)» (COM(2013) 846), pubblicata il 27 novembre 2013.

Il 17 gennaio il presidente Obama ha adottato una nuova direttiva presidenziale che, tra l'altro, limita le finalità di raccolta dei dati in massa da parte delle agenzie di intelligence statunitensi. In un discorso pronunciato lo stesso giorno, il presidente Obama ha incaricato il procuratore generale e il direttore dell'intelligence nazionale di estendere alcune clausole di protezione dei cittadini statunitensi anche agli stranieri.

Tuttavia, ai sensi dell'articolo 4, paragrafo 2, del trattato sull'Unione europea, l'UE rispetta «le funzioni essenziali dello Stato, in particolare le funzioni di salvaguardia dell'integrità territoriale (...)». Di conseguenza, gli accordi bilaterali che regolano la presenza delle basi militari statunitensi in Europa rientrano nella competenza degli Stati membri.

L'Alta Rappresentante/Vicepresidente Ashton non è a conoscenza di alcuna proposta di installazione di contingenti militari europei in territorio americano e non intende presentare proposte in tal senso.

La Commissione continuerà a collaborare con gli Stati Uniti relativamente alle questioni sollevate dalle divulgazioni NSA che rientrano nella competenza dell'Unione europea.

(English version)

Question for written answer E-012377/13
to the Commission
Sergio Berlato (PPE)
(31 October 2013)

Subject: Presence of US military bases in Europe and espionage against EU citizens by the US security services

The recent news in the international press has highlighted the will of the United States to monitor every tiny detail of the policies of the main EU Member States. To achieve their strategic and military objectives the Americans are able to take advantage of formidable technological capabilities as well as an extensive network of military facilities throughout Europe. These are military structures that are designed for the sole use of the US Army, even though they are formally under the command of the host state. They were established as a result of international agreements signed at the end of the Second World War, based on mutual friendship and mutual military interests. Italy, for example, has six US military bases. Of these, the two bases in the city of Vicenza alone accommodate around 5 000 soldiers. This presence of the US armed forces on the European continent, given the espionage activities carried out by US government agencies, raises serious questions as to the possible threat to the true freedom of the peoples of Europe and the real sovereignty of their governments.

That said, can the Commission answer the following questions:

- Is it aware of any illegal data collection activity carried out by military personnel housed in US army bases in Europe?
- Does it believe that the presence in Europe of US military bases, in the light of the 'Datagate' scandal, could be a danger for the full expression of the self-determination of EU citizens, as enshrined in the Treaty of Lisbon?
- Will it propose, to the Member States concerned, a review of the international treaties governing the presence of US military bases in Europe, in order to protect the exercise of the full sovereignty of those Member States?
- In the context of the common foreign and security policy, does it not agree that it might be useful to install European military contingents on US soil, on grounds of reciprocity in US-EU bilateral relations as regards military affairs?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(4 February 2014)

The European Commission has expressed concerns and requested clarifications from the US Government regarding the surveillance programmes reported in the press, their legal base and oversight. These issues were discussed in the framework of an ad-hoc EU-US working group on data protection. The Commission would refer the Honourable Members to the report of the EU co-chairs on the findings of this working group and to its communication on 'Rebuilding trust in EU-US data flows' (COM(2013)846) that were published on 27 November 2013.

On 17 January, President Obama adopted a new Presidential Policy Directive which, *inter alia*, sets limitations to the purposes for which data can be collected in bulk by US signals intelligence agencies. In a speech delivered on the same day, President Obama tasked the Attorney General and the Director of National Intelligence to extend a number of safeguards for Americans also to non-US persons.

Nevertheless, pursuant to Article 4(2) of the Treaty on the European Union, the EU shall respect the 'essential State functions, including ensuring the territorial integrity of the State'. Accordingly, the bilateral agreements governing the presence of US military bases in Europe are a matter of Member State competence.

HR/VP Ashton is not aware of any proposal to install European military contingents on US soil and does not intend to make such proposal.

The Commission will continue to work with the US on the issues raised by the NSA disclosures that fall under the competence of the European Union.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012378/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(31 de octubre de 2013)

Asunto: Prórroga del certificado de aeronavegabilidad en el caso del vuelo JK5022

El 21 de julio de 2008, la Dirección General de Aviación Civil (DGAC), dependiente del Ministerio de Fomento del Reino de España, emitió la «Prórroga» del Certificado de Aeronavegabilidad y Licencia de Estación de la aeronave siniestrada correspondiente al vuelo JK5022 hasta el día 22 de agosto del mismo año.

El 22 de agosto de 2008, cuando el vuelo JK5022 despegaba del Aeropuerto de Barajas con destino a Gran Canaria, sufrió un accidente en el que murieron 150 personas.

¿Considera la Comisión conveniente pedir al Reino de España explicaciones respecto al concepto de «Prórroga», cuando dicho concepto no se encuentra en la normativa europea aplicable y, a todas luces, no casa con el principio general de seguridad aérea?

Respuesta del Sr. Kallas en nombre de la Comisión

(16 de diciembre de 2013)

La Comisión remite a Su Señoría a las respuestas dadas a las preguntas escritas E-010772/2013 y E-010773/2013 ⁽¹⁾.

⁽¹⁾ Disponibles en <http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html>

(English version)

**Question for written answer E-012378/13
to the Commission**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(31 October 2013)

Subject: Extension of the airworthiness certificate in the case of flight JK5022

On 21 July 2008, the Directorate General of Civil Aviation (DGAC), which reports to Spain's Ministry of Public Works, issued an 'extension' until 22 August of that year to the Certificate of Airworthiness and Aircraft Radio Licence for the aircraft involved in the JK5022 flight accident.

On 22 August 2008, flight JK5022 crashed as it was taking off from Barajas Airport (Madrid) on its way to Gran Canaria, killing 150 people.

Does the Commission consider that Spain should be asked to explain what it means by an 'extension', as this concept does not exist in the applicable European law, nor does it appear to be in line with the general principle of air safety?

Answer given by Mr Kallas on behalf of the Commission

(16 December 2013)

The Commission would refer the Honourable Member to the answers given to previous written questions E-010772/2013 and E-010773/2013 ⁽¹⁾.

⁽¹⁾ Available at <http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html>

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012379/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(31 de octubre de 2013)

Asunto: Directiva relativa a los derechos de los pacientes transfronterizos

El 25 de octubre de 2013, el Comisario de Salud, Toni Borg, con motivo de la entrada en vigor de la Directiva relativa a la aplicación de los derechos de los pacientes en la asistencia sanitaria transfronteriza, declaró «es una fecha importante para los ciudadanos europeos porque pueden desplazarse a otro Estado miembro para recibir tratamiento y que el coste sea reembolsado. Desde hoy, todos los Estados miembros tendrían que haber incorporado en su ordenamiento jurídico la Directiva relativa a la aplicación de los derechos de los pacientes en la asistencia sanitaria transfronteriza que se adoptó hace treinta meses ⁽¹⁾».

¿Puede indicar la Comisión si todos los Estados miembros han transpuesto la Directiva antes de la fecha límite del 25 de octubre de 2013?

En caso negativo, ¿qué medidas tiene previsto tomar la Comisión para que todos los Estados miembros incorporen esta Directiva?

Respuesta del Sr. Borg en nombre de la Comisión

(17 de diciembre de 2013)

El plazo para la transposición de la Directiva 2011/24/UE, relativa a la aplicación de los derechos de los pacientes en la asistencia sanitaria transfronteriza ⁽²⁾, al ordenamiento jurídico nacional expiró el 25 de octubre de 2013. La Comisión no recibió dentro del plazo las notificaciones de transposición de los veintiocho Estados miembros.

Con respecto a aquellos Estados miembros que aún no han notificado los actos legislativos de transposición, la Comisión aplicará los procedimientos establecidos en el Tratado de Funcionamiento de la Unión Europea para los casos en que no se transpone la legislación de la UE.

⁽¹⁾ http://ec.europa.eu/spain/barcelona/actualitat-i-premsa/notes-de-premsa/131025_ca.htm

⁽²⁾ DO L 88 de 4.4.2011.

(English version)

**Question for written answer E-012379/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(31 October 2013)

Subject: Directive on the rights of cross-border patients

On 25 October 2013, Health Commissioner Tonio Borg made a statement on the entry into force of the directive on patients' rights in cross-border healthcare, which he said marked 'an important day for patients across the European Union. As of today, EC law in force enshrines citizens' right to go to another EU country for treatment and get reimbursed for it. From today, all EU countries should have transposed the directive on patients' rights in cross-border healthcare, adopted 30 months ago, into their national law' ⁽¹⁾.

Can the Commission say whether the directive was transposed by all Member States before the 25 October 2013 deadline?

If not, what measures does the Commission plan to take to ensure that all Member States incorporate this directive into their national law?

Answer given by Mr Borg on behalf of the Commission

(17 December 2013)

Directive 2011/24/EU ⁽²⁾ on the application of patients' rights in cross-border healthcare was due to be transposed into national law by 25 October 2013. The Commission did not receive transposition notifications from all 28 Member States by the deadline.

With regard to those Member States who have not yet notified the transposition legislation, the Commission will use the procedures laid down in the Treaty on the Functioning of the European Union with regard to the failure to transpose EU legislation.

⁽¹⁾ http://europa.eu/rapid/press-release_MEMO-13-932_en.htm

⁽²⁾ OJ L 88, 04.04.2011.

(English version)

Question for written answer E-012393/13
to the Commission
Diane Dodds (NI)
(31 October 2013)

Subject: Tackling the rise in cyber crime

Earlier this month, in the UK, the new National Cyber Crime Unit became operational as part of the new National Crime Agency, the aim of which is to clamp down on organised crime. It has been estimated that cyber crime costs UK organisations around GBP 3 million a year on average.

In this context, can the Commission please outline what steps are being taken at EU level to effectively combat organised crime between, and within, Member State borders? In addition, what provisions have been put in place to tackle the rise of cyber crime, and in turn to protect Europe's young people from the associated risks of exploitation?

Answer given by Ms Malmström on behalf of the Commission
(3 February 2014)

At EU level, a number of steps have been taken together in order better to fight organised crime, including legislation, providing training to national authorities, funding projects and enhancing coherence and cooperation between the Member States. The EU Policy Cycle ensures effective cooperation to target the most pressing criminal threats facing the EU. Eleven priority areas were chosen for the 2014-2017 cycle, from irregular migration to cybercrime.

Other examples include:

- The launch of the European Cybercrime Centre (EC³) within Europol in January 2013, to support Member States' investigations, provides analysis and expertise;
- The adoption of a communication on a European Cybersecurity Strategy ⁽¹⁾ in February 2013, which includes a drastic reduction in cybercrime among its five priorities and sets out a series of specific actions. Some of these actions aim at raising the awareness of the end users, including youth, of online threats. In parallel, the Commission presented a proposal for a directive ⁽²⁾ on network and information security aimed at enhancing preparedness and cooperation, also to better prevent and deter cybercrime.
- In August 2013, the directive on Attacks against Information Systems ⁽³⁾ was adopted, which harmonises penalties for cybercrime offences, including the creation and use of 'botnets'.
- Concerning children and young persons, a directive on combating sexual exploitation of children ⁽⁴⁾ was adopted in 2011. Furthermore, the Commission initiated a Global Alliance against Child Sexual Abuse Online in 2012, together with the US. Finally, the Commission adopted in May 2012 a 'European Strategy for a Better Internet for Children' which aims at better protecting minors when using the Internet.

⁽¹⁾ JOIN(2013) 1 final.

⁽²⁾ COM(2013) 48 final.

⁽³⁾ Directive 2013/40, L 2018/8 of 14.8.2013, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:218:0008:0014:EN:PDF>

⁽⁴⁾ Directive 2011/93, L 335/1 of 17.12.2011, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:335:0001:0014:EN:PDF>

(Version française)

Question avec demande de réponse écrite P-012398/13

à la Commission

Louis Michel (ALDE)

(31 octobre 2013)

Objet: La situation sécuritaire au Sinaï

Depuis plusieurs mois, la situation sécuritaire au Sinaï se dégrade. On y observe une hausse alarmante de la présence de trafiquants, de criminels ainsi que de groupes extrémistes liés à des filiales terroristes.

Les causes de cette déstabilisation sont multiples. Tout d'abord, la porosité des frontières entre le Soudan et le Sinaï facilite le trafic de toute sorte. Ensuite, l'accord de Camp David, signé le 17 septembre 1978, contraint l'armée égyptienne d'être présente de manière restreinte dans cette zone démilitarisée. Les forces de police locales ne disposent ni de l'équipement, ni de l'entraînement adaptés afin d'assurer la sécurité dans une région où le paysage désertique et montagneux rend toute opération extrêmement difficile. L'absence d'autorités étatiques et l'établissement d'un véritable vide sécuritaire au Sinaï se sont largement renforcés en raison du printemps arabe et de la chute du Président Mohamed Morsi. Enfin, l'arrivée d'armes lourdes libyennes dans la péninsule renforce considérablement le caractère menaçant du Sinaï, ayant pour conséquence de déstabiliser l'entièreté de la République égyptienne.

Par ailleurs, la discrimination et l'isolement de certaines communautés locales bédouines au sein de la péninsule incitent certains sous-groupes à recourir à la violence, voire même à s'affilier à des groupes djihadistes.

La question de la sécurité au Sinaï est une question qui dépasse la région, en raison de la présence du Canal de Suez, du rôle décisif que joue le Sinaï dans le conflit israélo-palestinien et au-delà pour la stabilisation de l'ensemble la région.

Quels sont les moyens d'action de l'UE pour aider à faciliter la stabilisation de cette région? L'envoi d'une mission européenne de police spécialisée pour la région du Sinaï est-elle envisageable dans ce cas-ci?

Réponse donnée par M^{me} Ashton, Vice-présidente/Haute Représentante au nom de la Commission

(27 janvier 2014)

L'UE suit de près la situation en matière de sécurité et de traite des êtres humains au Sinaï. Elle entretient des contacts réguliers avec les ministères égyptiens des affaires étrangères et de l'intérieur, ainsi qu'avec les bureaux régionaux du HCR et l'OIM. De vives inquiétudes ont été plusieurs fois rapportées aux autorités compétentes.

L'UE condamne toutes les formes d'intolérance, de discrimination et de violence, et n'aura de cesse d'exhorter les autorités égyptiennes à prendre les mesures appropriées afin de veiller à ce que les droits des migrants et des réfugiés soient pleinement respectés. L'UE a demandé aux autorités égyptiennes de faire en sorte que le principe du non-refoulement soit respecté pour tous les migrants en quête de protection internationale, et les a invitées à autoriser le HCR à mettre en œuvre son mandat sur l'ensemble du territoire égyptien, y compris dans la région du Sinaï, dans le respect des engagements internationaux pris par le pays.

Toutefois, sans une réforme en profondeur du secteur de la sécurité et sans mesures complémentaires pour lutter contre la traite des êtres humains et la criminalité organisée, il est peu probable que la situation s'améliore. L'UE est disposée à aider les autorités égyptiennes à lutter contre les passeurs et à contrôler les frontières de manière plus efficace, tout en respectant leurs engagements internationaux relatifs aux Droits de l'homme. À ce jour, les autorités égyptiennes n'ont pas répondu à l'offre de coopération en matière de réformes du secteur de la sécurité.

La délégation de l'UE au Caire suit de près la situation au Sinaï, en particulier à la lumière des événements récents survenus dans le pays, et fait part de ses préoccupations aux autorités égyptiennes. La Vice-présidente/Haute Représentante noue le dialogue avec l'ensemble des parties concernées dans la région afin de prendre les mesures nécessaires et appropriées.

(English version)

**Question for written answer P-012398/13
to the Commission
Louis Michel (ALDE)
(31 October 2013)**

Subject: Security situation in the Sinai

The security situation in the Sinai has been worsening for several months now. The area has seen an alarming rise in traffickers, criminals and extremist groups with connections to terrorist networks.

The reasons for this destabilisation are many and varied. Firstly, the ease of passage across the borders between Sudan and the Sinai is propitious to all types of trafficking. Secondly, under the Camp David Agreement signed on 17 September 1978, the Egyptian army can only deploy in limited fashion in this demilitarised zone. The local police forces have neither the right equipment nor the right training to guarantee security in a region whose desert and mountain terrain makes any operation extremely difficult. The absence of state authorities and the development of a real security vacuum in the Sinai has been exacerbated by the Arab Spring and the fall of President Mohammed Morsi. Lastly, the arrival in the peninsula of heavy weapons from Libya has significantly worsened the threat the Sinai poses, and this has led to a destabilisation of the whole Egyptian peninsula.

Furthermore, discrimination against local Bedouin communities on the peninsula has incited some groups to resort to violence, and even to align themselves with jihadist groups.

The issue of security in the Sinai is one which goes beyond its borders, owing to its proximity to the Suez Canal and the determining role that the Sinai plays in the Israel-Palestine conflict and, beyond that, in the stability of the region as a whole.

What action can the EU take to help stabilise this region? Could the Commission consider sending a specialist European police mission to the Sinai?

**Answer given by High-Representative/Vice-President Ashton on behalf of the Commission
(27 January 2014)**

The EU follows closely the security- and the human trafficking situation in Sinai. The EU keeps regular contacts with the Egypt Ministry of Foreign Affairs and the Ministry of Interior and with the regional offices of UNHCR and IOM. Deep concerns have been expressed at numerous occasions to the competent authorities.

The EU condemns all forms of intolerance, discrimination and violence, and we will continue to urge the Egypt authorities to take the appropriate measures to ensure that the human rights of migrants and refugees are fully respected. The EU asked the Egypt authorities to ensure that the principle of non-refoulement is observed for all migrants in need of international protection, and has called on them to allow UNHCR to implement its mandate on the entire territory of Egypt, including the Sinai region in compliance with Egypt's international commitments.

However, without a thorough reform of the security sector as well as complementary measures to fight trafficking and organised crime, it is unlikely that the situation will improve. The EU stands ready to support the Egypt authorities' fight against traffickers and to control the borders in a more efficient manner while fulfilling their international human rights commitments. The Egypt authorities, to date, have not been forthcoming on the offer for cooperation on Security Sector Reforms.

The EU delegation in Cairo is closely following the situation in the Sinai, especially in light of the recent developments in the country, and underlines the concern in its contacts with Egyptian authorities. The HR/VP is engaging with all the relevant stakeholders in the region in order to take the necessary and appropriate measures.

(Nederlandse versie)

**Vraag met verzoek om schriftelijk antwoord E-012401/13
aan de Raad (Voorzitter Europese Raad)**

Peter van Dalen (ECR)

(31 oktober 2013)

Betreft: PCE/PEC — Huisvesting Europese Raad en Raad

Deze week verschenen berichten in de Europese media dat de kosten voor de verbouwing van de huisvesting van de Europese Raad en de Raad in Brussel, het overeengekomen budget ruimschoots overschrijden ⁽¹⁾. De kosten gaan namelijk richting de 350 miljoen euro. En dat terwijl op de website van de Europese Raad nog steeds te lezen is dat de verbouwing niet meer dan 240 miljoen euro gaat kosten.

1. Heeft de Voorzitter van de Europese Raad kennis genomen van berichten in de Europese media dat de verbouwingkosten van de huisvesting van de Europese Raad en de Raad het budget ruimschoots overschrijden? Betreurt de Voorzitter van de Europese Raad deze berichtgeving?
2. Klopt het dat de kosten voor de nieuwe huisvesting nu al 350 miljoen euro bedragen en daarmee het overeengekomen budget overschrijden? Zo nee, waarom niet?
3. Op welke wijze wil de Voorzitter van de Europese Raad de eventuele overschrijding van het budget van de nieuwe huisvesting financieren? Welke gevolgen heeft dit voor de EU begroting?
4. Wat is volgens de Voorzitter van de Europese Raad het effect van deze overschrijding op het imago van de Europese instellingen?

Antwoord

(13 januari 2014)

In maart 2004 heeft de Europese Raad zijn goedkeuring gehecht aan het voorstel van de Belgische regering om blok A van het Residence Palace (thans Europa-gebouw genoemd) na renovatie te gebruiken voor zijn bijeenkomsten. De Europese Raad heeft de Raad verzocht nauw toe te zien op de ontwikkeling en verwezenlijking van het project. De huidige voorzitter van de Europese Raad is aangetreden in december 2009.

De maximale kostprijs voor dit project was, in waarden van januari 2004, vastgesteld op 240 miljoen EUR.

De maximale kostprijs van het gebouw in prijzen van juli 2013 wordt geschat op 328 miljoen EUR.

Het verschil tussen de waarde van januari 2004 en die van juli 2013 is het gevolg van de indexering van de prijzen. In de overeenkomst tussen de Belgische regering en de Raad is bepaald dat de kosten van het gebouw zijn gekoppeld aan de ontwikkeling van de indexcijfers voor lonen en bouwmaterialen.

Er worden geen budgetoverschrijdingen voor het optrekken van het nieuwe gebouw verwacht: de kosten liggen nog steeds onder het vastgestelde maximum.

⁽¹⁾ <http://deutsche-wirtschafts-nachrichten.de/2013/10/28/kosten-explosion-350-millionen-euro-fuer-eu-palast-in-bruessel/>.

(English version)

**Question for written answer E-012401/13
to the Council (President of the European Council)**

Peter van Dalen (ECR)

(31 October 2013)

Subject: PCE/PEC — Building for the European Council and the Council

There were reports in the European media this week that the costs for redeveloping the building for the European Council and the Council in Brussels are exceeding the agreed budget significantly ⁽¹⁾. In fact, the costs are said to be heading towards EUR 350 million. The European Council's website, meanwhile, still states that the renovation will cost no more than EUR 240 million.

1. Has the President of the European Council taken note of the reports in the European media that the redevelopment costs for the building for the European Council and the Council are exceeding the agreed budget significantly? Does the President of the European Council find these reports regrettable?
2. Is it true that the costs for the new building have already reached EUR 350 million and thus exceed the agreed budget? If not, why not?
3. How is the President of the European Council going to pay for any budget overruns for the new building? What impact will it have on the EU budget?
4. What, in the view of the President of the European Council, will be the impact of this budget overrun on the public image of the European institutions?

Reply

(13 January 2014)

In March 2004, the European Council agreed to the proposal by the Belgian Government to use block A of the Residence Palace building (now called the Europa Building) for its meetings, after refurbishment. The European Council asked the Council to monitor closely the development of the project and its implementation. The current President of the European Council took office in December 2009.

The cost ceiling for this project was set at EUR 240 million, value as of January 2004.

The cost ceiling for the building, at July 2013 prices, is estimated at EUR 328 million.

The difference between the January 2004 and July 2013 values is due to the indexation of prices. The agreement between the Belgian Government and the Council stipulates that building costs must track movements in the indexes for wages and materials in the building sector.

No budget overruns are anticipated for the construction of the new building: the costs are still within the ceiling set.

⁽¹⁾ <http://deutsche-wirtschafts-nachrichten.de/2013/10/28/kosten-explosion-350-millionen-euro-fuer-eu-palast-in-bruessel/>

(Hrvatska verzija)

Pitanje za pisani odgovor E-012402/13
upućeno Komisiji
Nikola Vuljanić (GUE/NGL)
(31. listopada 2013.)

Predmet: Odlučivanje o ustavnim pravima manjina putem referendumu

U Hrvatskoj će se 1. prosinca održati državni referendum o tome da se u Ustavu brak definira kao isključivo zajednica muškarca i žene. Referendum je potpisima dovoljnog broja građana inicirala građanska inicijativa „U ime obitelji”.

Koji je stav Komisije oko odlučivanja putem referendumu o ljudskim, rodnim i manjinskim pravima?

Je li u skladu s temeljnim europskim vrijednostima da većina referendumom donosi odluke koje se tiču ustavnih promjena, a koje zadiru u položaj i prava manjina, bilo nacionalnih, religijskih ili seksualnih?

Ne misli li Komisija da pri takvom načinu odlučivanja o temama koje se tiču osnovnih ljudskih prava postoji realna opasnost da manjina dođe u nepovoljniji položaj od dosadašnjeg, odnosno da dođe do diskriminacije neprihvatljive civiliziranim društvima?

Odgovor gđe Reding u ime Komisije
(16. siječnja 2014.)

Komisija je upoznata s održavanjem tog državnog referendumu 1. prosinca 2013. Komisija ne želi komentirati njegovu organizaciju i vodi računa o tome da ga je potvrdio Ustavni sud Hrvatske.

Komisija općenito nema ovlasti kod država članica intervenirati u području temeljnih prava. To može činiti samo u slučajevima povezanim s pravom Europske unije. U skladu s člankom 51. stavkom 1. Povelja se primjenjuje na države članice samo kada one primjenjuju zakonodavstvo Europske unije.

Obiteljsko pravo i definicija braka u području su nadležnosti država članica.

(English version)

Question for written answer E-012402/13
to the Commission
Nikola Vuljanić (GUE/NGL)
(31 October 2013)

Subject: Deciding on minorities' constitutional rights by referendum

On 1 December 2013, a national referendum will be held in Croatia on whether marriage should be defined in the Constitution as a union existing solely between a man and a woman. The referendum will be held after the '*U ime obitelji*' ('In the Name of the Family') citizens' initiative gathered enough signatures from Croatian citizens.

What is the Commission's view on taking decisions on human, gender and minority rights by referendum?

Is it in keeping with fundamental European values for a majority to be able, through referenda, to take decisions to change the Constitution which strike at the position and rights of minorities, be they ethnic, religious or sexual?

Does the Commission not agree that taking decisions on issues of basic human rights in such a manner threatens to put minorities in a less favourable position than they currently enjoy, subjecting them to discrimination that is unacceptable in civilised societies?

Answer given by Mrs Reding on behalf of the Commission
(16 January 2014)

The Commission is aware of this national referendum which has taken place on 1 December 2013. The Commission has no comments to make as to the organisation of this process and takes note that it has been validated by the Constitutional Court of Croatia.

The Commission has no general powers to intervene with the Member States in the area of fundamental rights. It can only do so if an issue of European Union law is involved. According to its Article 51(1), the Charter applies to Member States only when they are implementing European Union law.

Family law and the definition of marriage fall within the competence of the Member States.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-012407/13
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(31 Οκτωβρίου 2013)

Θέμα: Αμβλώσεις

Ο αριθμός των αμβλώσεων έχει αυξηθεί κατά 100 000 ετησίως κατά τη διάρκεια των τελευταίων 10 χρόνων, αναδεικνύοντας την Ελλάδα ως πρώτη χώρα στον τομέα, σε ολόκληρη την Ευρώπη. Η συνεχιζόμενη οικονομική κρίση στη χώρα έχει σοβαρές επιπτώσεις στον οικογενειακό προγραμματισμό.

Ερωτάται η Ευρωπαϊκή Επιτροπή:

1. Είναι ενήμερη για το θέμα;
2. Διαθέτει συγκριτικά στοιχεία που να καταδεικνύουν αυξητικές τάσεις αμβλώσεων στις χώρες μέλη της ΕΕ λόγω της οικονομικής κρίσης;
3. Σε συνέχεια της ανακοίνωσής της «Προς κοινωνικές επενδύσεις για ανάπτυξη και κοινωνική συνοχή», ποιες πολιτικές προωθεί η Επιτροπή για να στηρίξει ανθρώπους που επιθυμούν να τεκνοποιήσουν;
4. Πώς αντιμετωπίζει το φαινόμενο της ανασφάλειας στον οικογενειακό προγραμματισμό σε μια εποχή που η Ευρώπη γερνά και μαστίζεται από υπογεννητικότητα;

Απάντηση του κ. Borg εξ ονόματος της Επιτροπής
(12 Φεβρουαρίου 2014)

Σύμφωνα με τη Συνθήκη η οργάνωση και παροχή υπηρεσιών περίθαλψης της υγείας και ιατρικής φροντίδας αποτελούν αρμοδιότητα των κρατών μελών. Η ΕΕ δεν διαθέτει αρμοδιότητα όσον αφορά την πολιτική για τις αμβλώσεις σε εθνικό επίπεδο ούτε και στατιστικά στοιχεία στον τομέα αυτό.

Στη δέσημη κοινωνικών επενδύσεων ⁽¹⁾ η δημογραφική αλλαγή εντοπίζεται ως σημαντική κινητήρια δύναμη για την καλύτερη αξιοποίηση των κοινωνικών δαπανών. Η έκθεση σχετικά με τους στόχους της Βαρκελώνης ⁽²⁾ επισημαίνει ότι η διαθεσιμότητα υποδομών παιδικής φροντίδας ενθαρρύνει τους πολίτες να προγραμματίσουν την οικογένειά τους και ότι τα κράτη μέλη με τους υψηλότερους δείκτες γεννητικότητας είναι αυτά που έχουν συνεισφέρει περισσότερο στη συμφίλιωση της οικογενειακής και της επαγγελματικής ζωής των γονέων. Οι χώρες αυτές διαθέτουν επίσης υψηλό ποσοστό απασχόλησης των γυναικών.

Παρά το ότι η Ευρωπαϊκή Επιτροπή δεν διαθέτει κανένα ειδικό πρόγραμμα για την αντιμετώπιση της χαμηλής γεννητικότητας, ορισμένα άλλα προγράμματα ασχολούνται με θέματα που αφορούν τη συμφίλιωση της επαγγελματικής και της οικογενειακής ζωής καθώς και τη γεννητικότητα. Πρώτον, οι σχετικές πολιτικές αποτελούν σημαντικό τομέα στο πρόγραμμα-πλαίσιο για την έρευνα (π.χ. προγράμματα REPRO ⁽³⁾ και Family Platform ⁽⁴⁾). Επιπλέον, τα χρηματοδοτικά μέσα της ΕΕ, όπως είναι το Progress και τα προγράμματα που χρηματοδοτούνται από το ΕΚΤ καθώς και πιλοτικά έργα, υποστηρίζουν την οικογένεια, τον ρόλο των γονέων και τη συμφίλιωση του επαγγελματικού και του οικογενειακού βίου στην ΕΕ. Η Ευρωπαϊκή Πλατφόρμα για τις Επενδύσεις στα Παιδιά (EPIC) ⁽⁵⁾ βοηθάει στη μετάδοση εμπειρίας και εμπειρογνομosύνης σε διάφορους τομείς όσον αφορά την πολιτική για τα παιδιά και την οικογένεια και εντοπίζει και αξιολογεί ορθές πρακτικές.

⁽¹⁾ Βλ. COM(2013)083.

⁽²⁾ Βλ. COM(2013)322.

⁽³⁾ Βλ. http://ec.europa.eu/research/social-sciences/projects/429_en.html

⁽⁴⁾ Βλ. <http://eldorado.tu-dortmund.de:8080/bitstream/2003/27726/1/Family%20Platform%20Brochure%201.pdf>

⁽⁵⁾ Βλ. <http://europa.eu/epic/>

(English version)

Question for written answer E-012407/13
to the Commission
Antigoni Papadopoulou (S&D)
(31 October 2013)

Subject: Abortions

The number of abortions has increased by 100 000 a year over the last 10 years and now Greece leads the whole of Europe in this sector. The continuing economic crisis in Greece is having serious repercussions on family planning.

In view of the above, will the Commission say:

1. Is it aware of this issue?
2. Does it have comparative statistics illustrating rising trends in the number of abortions in Member States of the EU due to the economic crisis?
3. Following its communication 'Towards Social Investment for Growth and Cohesion', what policies is the Commission promoting to support people wishing to have children?
4. How is it addressing the problem of insecurity in family planning at a time when Europe is ageing and is plagued by low birth rates?

Answer given by Mr Borg on behalf of the Commission
(12 February 2014)

According to the Treaty, the organisation and delivery of health services and medical care are the competence of the Member States. The EU has no competence on abortion policy at national level and no statistics in this area.

The Social Investment Package ⁽¹⁾ identifies demographic change as a major driver for making social spending more effective. The report on the Barcelona objectives ⁽²⁾ highlights that the availability of childcare facilities encourages people to plan a family and that the Member States which currently have the highest birth rates are those which have done the most to facilitate work-life balance for parents. These countries also have a high rate of women employment.

While the European Commission does not have any specific programme to address low fertility, several other programmes address issues related to work-life balance and fertility. Firstly, fertility and family policy is an important area in the Research Framework programme (e.g. REPRO ⁽³⁾ and Family Platform ⁽⁴⁾ projects). Moreover, EU financial instruments such as PROGRESS and the ESF funded programmes and experimental projects that support family, parenthood and reconciliation between work and private life in the EU; the European Platform on Investing in Children (EPIC) ⁽⁵⁾ helps to share experience and expertise on different areas related to child and family policy, and identifies and evaluates good practices.

⁽¹⁾ See COM(2013) 083.

⁽²⁾ See COM(2013) 322.

⁽³⁾ See http://ec.europa.eu/research/social-sciences/projects/429_en.html

⁽⁴⁾ See <http://eldorado.tu-dortmund.de:8080/bitstream/2003/27726/1/Family%20Platform%20Brochure%20I.pdf>

⁽⁵⁾ See <http://europa.eu/epic/>

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012411/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(31 de octubre de 2013)

Asunto: Economía informal en el Estado español

Expertos en las interioridades de la economía informal y el dinero negro afirman en un estudio que cada año Hacienda pierde 80 000 millones de euros debido a estas actividades. También afirman en su informe que la economía informal es equivalente al 28 % del PIB del Estado español ⁽¹⁾. Según sus estimaciones, por cada punto que aumenta la economía sumergida, los ingresos fiscales se reducen aproximadamente en 0,35 puntos porcentuales. Cabe recordar que la deuda pública española se ha triplicado en los últimos seis años y que ya alcanza el billón de euros.

Parece que entre las causas que explican este aumento se encuentra la menor utilización de medios electrónicos de pago. Muchas empresas han eliminado el cobro para no pagar comisiones y en otros casos se ha elevado el techo a partir del cual se puede pagar por medios electrónicos.

Además, los expertos consideran que una medida efectiva puede ser eliminar las unidades monetarias de mayor valor en circulación, los billetes de 200 y 500 euros, que al empezar la crisis sumaban por sí solos el 71,2 % del total circulado en España. Actualmente el peso relativo de los billetes de 200 y 500 euros ha subido al 76,72 %, mientras que apenas alcanzan la mitad en la media de la eurozona y, además, bajaron en el mismo periodo.

A la luz de todo lo anterior,

¿Tendrá en cuenta la Comisión estos datos cuando proponga sus recomendaciones específicas de país en el marco del semestre europeo?

¿Incluirá la Comisión alguna recomendación política para luchar contra la economía informal en su opinión sobre el presupuesto del Gobierno español?

Vistos los datos, ¿cree la Comisión que las medidas que el Gobierno español ha puesto en marcha son suficientes?

Respuesta del Sr. Rehn en nombre de la Comisión

(13 de diciembre de 2013)

1. Sí.
2. El dictamen de la Comisión se publicó el 15 de noviembre.
3. Como se señala en el documento de trabajo de los servicios de la Comisión que evalúa su programa nacional de reforma y su programa de estabilidad [http://ec.europa.eu/europe2020/pdf/nd/swd2013_spain_es.pdf], España ha adoptado medidas para combatir la evasión fiscal y mejorar la recaudación tributaria. No obstante, la Comisión consideró que había margen para nuevas medidas a fin de garantizar que los impuestos se recaudasen íntegramente, en consonancia con la legislación fiscal. La Comisión supervisará en qué medida las disposiciones adoptadas por España se traducen en una disminución real de los indicadores que miden el nivel del trabajo no declarado y en un aumento de la recaudación tributaria.

⁽¹⁾ http://www.elconfidencial.com/economia/2013-10-29/el-dinero-negro-le-cuesta-cada-ano-a-hacienda-hasta-80-000-millones-de-euros_47415/

(English version)

**Question for written answer E-012411/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(31 October 2013)

Subject: The informal economy in Spain

Experts in the ins and outs of the informal economy and dirty money have stated in a study that the Spanish Treasury has lost EUR 80 billion as a result of these activities. It also states in its report that the informal economy is equivalent to 28% of Spain's GDP ⁽¹⁾. According to their estimations, for every point that the informal economy rises, tax receipts fall by approximately 0.35 percentage points. It should be recalled that Spanish public debt has tripled over the last six years and is already approaching EUR 1 billion.

One of the causes behind this increase appears to be the reduction in the use of electronic means of payment. Many companies have done away with collecting money in this way so as not to pay fees and in other cases have raised the threshold above which electronic payment can be made.

In addition, experts believe that an effective measure may be to remove the higher value monetary units from circulation, these being the EUR 200 and EUR 500 bills, which at the beginning of the crisis accounted for 71.2% of the total amount of bills circulating in Spain. The relative weight of the EUR 200 and EUR 500 bills has currently risen to 76.72%, whilst the average in the euro area barely reaches half of this figure and, furthermore, decreased over the same period.

In light of the above:

Will the Commission take this data into account when making its country-specific recommendations as part of the European Semester?

Will the Commission include any policy recommendation to combat the informal economy in its opinion on the Spanish Government budget?

In view of the data, does the Commission believe the measures that Spanish Government has implemented to be sufficient?

Answer given by Mr Rehn on behalf of the Commission

(13 December 2013)

1. Yes.
2. The Commission opinion was published on 15 November.
3. As outlined in the Commission Staff Working Document assessing its national reform programme and stability programme (http://ec.europa.eu/europe2020/pdf/nd/swd2013_spain_en.pdf), Spain has introduced measures to combat tax evasion and improve revenue collection. Nevertheless, the Commission considered that there was room for further action to ensure that taxes are fully collected in line with the tax law. The Commission will monitor to what extent the measures taken by Spain will lead to an effective reduction in indicators measuring the level of undeclared work and to an increases in tax collection.

⁽¹⁾ http://www.elconfidencial.com/economia/2013-10-29/el-dinero-negro-le-cuesta-cada-ano-a-hacienda-hasta-80-000-millones-de-euros_47415/

(Tekstas lietuvių kalba)

Klausimas, į kurį atsakoma raštu, Nr. E-012414/13

Komisijai

Justas Vincas Paleckis (S&D)

(2013 m. lapkričio 4 d.)

Tema: Gruzijos teritorijos integralumas

Didžiausias sunkumas, su kuriuo šiuo metu susiduria Gruzija, siekdama integracijos į ES, susijęs su Rusijos užimtomis Gruzijos teritorijomis. Pastaraisiais metais naujoji Gruzijos vyriausybė siekė pagerinti santykius su Maskva. Ji paskyrė specialų atstovą ryšiams su Rusija, be to, nuspręsta neboikotuoti Sočio olimpinių žaidynių ir Rusijos piliečiams nebereikia vizų keliaujant į Gruziją. Rusija, savo ruožtu, panaikino kai kurioms įvežamoms gruziniškoms prekėms taikytus apribojimus. Tačiau ji ir toliau nevykdo paliaubų susitarimo nuostatos išvesti savo pajėgas iš užimtų teritorijų ir ties riba su jomis tebestatomi įtvirtinimai. Šiuo metu Gruzijoje veikia vienintelė tarptautinė ES monitoringo misija, kuri į okupuotąsias teritorijas neleidžiama. Naujojo Gruzijos prezidento, kuris nėra linkęs konfrontuoti, išrinkimas suteikia naujų vilčių, kad bus pasiektas geresnis savitarpio supratimas užimtų teritorijų klausimu.

Kokių veiksmų ketina imtis Europos Komisija ir Išorės veiksmų tarnyba, pasinaudodamos Gruzijos aukščiausios valdžios pokyčiais, kad paspartintų procesą suartinant pozicijas dėl užimtų teritorijų?

Europos Sąjungos vyriausiosios įgaliotinės ir Komisijos pirmininko pavaduotojos Catherine Ashton atsakymas Komisijos vardu

(2014 m. vasario 10 d.)

ES remia Gruzijos teritorinį vientisumą, atsižvelgdama į tarptautiniu mastu pripažintas jos sienas. ES siekia, kad konfliktas Gruzijoje būtų išspręstas, ir ji tai daro pasitelkusi ES specialųją įgaliotinę Pietų Kaukaze ir krizės Gruzijoje klausimais, kuris kartu pirmininkauja Ženevos tarptautinėms diskusijoms, taip pat per ES stebėsenos misiją Gruzijoje ir drauge su Gruzija siekdama politinės asociacijos ir ekonominės integracijos. ES Rusijos Federacijai reguliariai kėlė klausimą dėl barjerų ir kliūčių sudarymo prie administracinės sienos, o spalio 1 d. Vyriausioji įgaliotinė šiuo klausimu padarė pareiškimą.

Nuo pat 2010 m. pradžios ES atsiskyrusių regionų atžvilgiu laikėsi nepripažinimo ir santykių palaikymo politikos. Mes vykdome veiksmingo santykių palaikymo su atsiskyrusiais Abchazijos ir Pietų Osetijos regionais politiką, siekdami bendro tikslo – palengvinti susitaikymo procesą, kad konfliktas būtų išspręstas taikiai ir ilgam. Palankiai vertiname pastarųjų metų Gruzijos vyriausybės lankstų požiūrį į santykių su atsiskyrusiais regionais palaikymą.

(English version)

Question for written answer E-012414/13
to the Commission
Justas Vincas Paleckis (S&D)
(4 November 2013)

Subject: Georgia's territorial integrity

The greatest difficulty currently facing Georgia as it seeks EU integration concerns Russian occupied Georgian territories. Recently the new Georgian Government has sought to improve relations with Moscow. It has appointed a special representative for relations with Russia. Furthermore, it has decided not to boycott the Sochi Olympic Games and Russian citizens no longer require visas in order to travel to Georgia. Russia, in turn, has abolished certain restrictions that it had introduced and applied to Georgian goods. However, it has yet to implement the terms of the armistice concerning the withdrawal of its forces from the occupied territories, and emplacements are still being constructed along the border with these territories. The only international EU Monitoring Mission is currently operating in Georgia and is being denied access to the occupied territories. The election of the new Georgian President who is inclined to avoid confrontation offers new hope for better mutual understanding on the issue of the occupied territories.

What actions does the Commission and the External Action Service intend to take in order to take advantage of the changes in Georgia's leadership and to speed up the process, bridging the gap regarding the occupied territories?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(10 February 2014)

The EU supports Georgia's territorial integrity within its internationally recognised borders. The EU is committed to conflict resolution in Georgia, which it pursues through the EU Special Representative for the South Caucasus and the crisis in Georgia and his role as co-chair of the Geneva International Discussions, through the deployment of the EU Monitoring Mission in Georgia, and through its efforts with Georgia to pursue political association and economic integration. With respect to the placement of barriers and obstacles along the Administrative Boundary Line, the EU has raised this regularly with the Russian Federation and the High Representative issued a statement on this matter on 1 October.

The non-recognition and engagement policy of the EU has been the context for the EU's activities vis-a-vis the breakaway regions since early 2010. We pursue a policy of effective engagement with the breakaway regions of Abkhazia and South Ossetia with the overall objective to facilitate a reconciliation process for a peaceful and lasting conflict resolution. The Georgian government's flexible approach towards engagement with the breakaway regions over the course of the last year is to be welcomed.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012415/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(4 de noviembre de 2013)

Asunto: Seguridad en la red de cercanías de Barcelona

El domingo 27 de octubre, un tren de cercanías descarriló en la estación de Sant Andreu del Arenal, resultando tres personas heridas leves por el accidente ⁽¹⁾.

De conformidad con la Directiva 2004/49/CE (Directiva de seguridad ferroviaria), es obligación de los Estados miembros garantizar la seguridad de sus redes ferroviarias, en particular mediante una autoridad nacional responsable en materia de seguridad. En España, la Dirección General de Ferrocarriles es quien concede a ADIF la autorización de seguridad (Real Decreto 810/2007). Cabe remarcar que solo se ha ejecutado en Cataluña un 6 % de las inversiones incluidas en el Plan de Cercanías 2008-2015.

La Ministra de Fomento, Ana Pastor, reconoció en febrero de 2012 que el Gobierno español debía 5 700 millones a Cataluña en materia de infraestructuras ⁽²⁾. Además, la línea Barcelona-Puigcerdà —de la que formaba parte el tren descarrilado— ha sido históricamente olvidada por el Gobierno central en sus inversiones.

El nuevo presupuesto para el ejercicio 2014 ya ha sido presentado por el Gobierno español en fecha reciente.

A la luz de todo lo anterior, ¿pedirá la Comisión que el presupuesto del Estado para 2014 tenga los recursos necesarios para asegurar la conformidad con la Directiva 2004/49/CE?

¿Monitoreará la Comisión mediante los informes del Consejo Fiscal Independiente de España que las inversiones previstas en este campo por el Gobierno español se cumplen efectivamente?

Respuesta del Sr. Rehn en nombre de la Comisión

(23 de diciembre de 2013)

El Pacto de Estabilidad y Crecimiento (PEC) tiene por objeto que los Estados miembros mantengan políticas presupuestarias saneadas, lo que constituye un requisito para lograr la estabilidad monetaria. Por lo tanto, la Comisión controla permanentemente si los presupuestos de los Estados miembros y su ejecución garantizan el cumplimiento de la normativa del Pacto de Estabilidad y Crecimiento.

En particular, se persigue prevenir los déficits excesivos y alcanzar un objetivo a medio plazo que garantice la sostenibilidad de las finanzas públicas o, al menos, registrar progresos suficientes en este sentido, al tiempo que se deja un margen de maniobra presupuestario.

La vigilancia presupuestaria que lleva a cabo la Comisión en el marco del Pacto de Estabilidad y Crecimiento no suele incluir un seguimiento detallado de la asignación de recursos por parte de los Estados miembros. A este respecto, la garantía de la seguridad ferroviaria no entra en el ámbito de aplicación de los procedimientos de vigilancia presupuestaria de la UE.

⁽¹⁾ http://www.ara.cat/societat/Descarrila-Rodalies-Sant-Andreu-Arenal_0_1018698383.html

⁽²⁾ <http://www.vilaweb.cat/noticia/3983802/20120213/espanya-deu-5700-milions-infraestructures-catalunya.html>

(English version)

**Question for written answer E-012415/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(4 November 2013)

Subject: Safety of the commuter train network in Barcelona

On Sunday 27 October, a commuter train derailed at Sant Andreu del Arenal station, resulting in three people being slightly injured in the accident. ⁽¹⁾

In accordance with Directive 2004/49/EC (Railway Safety Directive), it is the duty of Member States to ensure the safety of their rail networks, in particular through a national authority responsible for safety. In Spain, the Directorate-General for Railways is the authority which grants safety authorisation to ADIF [state-owned rail infrastructure manager] (Royal Decree 810/2007). It should be pointed out that in Catalonia only 6% of the investment provided for in the Local Transport Plan (*Plan de Cercanías*) 2008-2015 has been made.

In February 2012, the Minister of Public Works, Ana Pastor, recognised that the Spanish Government owed Catalonia EUR 5.7 billion as regards infrastructure ⁽²⁾. Furthermore, the Barcelona-Puigcerdà line, on which the derailed train was running, has historically been overlooked by central Government in its investments.

The new budget for the financial year 2014 has already recently been presented by the Spanish Government.

In light of the above, will the Commission ask whether Spain's budget for 2014 has the necessary resources to ensure compliance with Directive 2004/49/EC?

Will the Commission monitor, by means of reports from Spain's independent fiscal council, that the investments planned for this area by the Spanish Government are effectively implemented?

Answer given by Mr Rehn on behalf of the Commission

(23 December 2013)

The Stability and Growth Pact (SGP) is intended to ensure that Member States maintain sound budgetary policies, which is a necessary requirement for monetary stability. The Commission therefore continuously monitors whether Member States' budgets and their implementation ensure compliance with the framework of the SGP.

In particular, this involves avoiding the creation of excessive deficits and the achievement of (or sufficient progress towards) a medium term objective that ensures sustainable public finances, while allowing room for budgetary manoeuvre.

Budgetary surveillance conducted by the Commission in the context of the SGP generally does not include monitoring of the detailed allocation of resources by Member States. In that sense, ensuring railway safety falls outside the scope of EU budgetary surveillance procedures.

⁽¹⁾ http://www.ara.cat/societat/Descarrila-Rodalies-Sant-Andreu-Arenal_0_1018698383.html

⁽²⁾ <http://www.vilaweb.cat/noticia/3983802/20120213/espanya-deu-5700-milions-infraestructures-catalunya.html>

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012416/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(4 de noviembre de 2013)

Asunto: Créditos fiscales

Según la prensa ⁽¹⁾, Rajoy permitirá que 28 000 millones en créditos fiscales (DTA en inglés) sean considerados como capital cuando entre en vigor Basilea III. Estos créditos fiscales, serían avalados por el Estado y por lo tanto, en el caso de que un banco con créditos fiscales quebrara, el Estado debería poner el capital que representaran esos activos.

Por otro lado, Novagalicia tiene 3 500 millones en créditos fiscales, y este hecho podría influir tanto en el momento de la subasta como en el posible comprador.

¿Cree la Comisión que dicho trato como capital de los créditos fiscales y su aval por el Estado debería ser considerado como ayudas de Estado?

¿Cree que el proceso sobre el trato a los créditos fiscales debería influir en el momento en que los bancos rescatados como Novagalicia salgan a la venta?

Respuesta del Sr. Almunia en nombre de la Comisión

(9 de enero de 2014)

En relación con la fiscalidad, existe ayuda estatal únicamente cuando una medida otorga, de hecho o de derecho, una ventaja selectiva a determinadas empresas o a la producción de ciertos bienes. Las medidas fiscales que se aplican legítimamente de forma generalizada no constituyen ayudas estatales. La Comisión no ha recibido ninguna notificación sobre la nueva normativa española.

En este caso concreto, la Comisión entiende que la nueva normativa se ha adoptado y publicado con tiempo suficiente para que los compradores potenciales puedan integrarla en su evaluación del banco.

Los planes de reestructuración aprobados por la Comisión en lo que respecta a los bancos que recibieron ayuda estatal (entre ellos Novagalicia Banco) contienen compromisos acerca de su calendario de venta. El calendario exacto indicado en las decisiones constituye un secreto comercial, por lo que no puede publicarse. Ha sido pensado para ofrecer a las autoridades españolas tiempo suficiente a fin de elegir el mejor momento para el proceso de venta. Dentro de los plazos acordados, corresponde a las autoridades españolas decidir cuál es el mejor momento para proceder a la venta, siempre que se cumplan las normas sobre ayudas estatales.

⁽¹⁾ http://economia.elpais.com/economia/2013/10/29/actualidad/1383079176_883387.html

(English version)

**Question for written answer E-012416/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(4 November 2013)

Subject: Deferred tax assets

According to the press ⁽¹⁾, Spanish Prime Minister Mariano Rajoy is going to permit EUR 28 billion in deferred tax assets (DTAs) to be considered as capital when Basel III comes into force. These DTAs would be guaranteed by the State and therefore, in the event of a bank with DTAs going bankrupt, the State should put up the capital that these assets represent.

Moreover, Novagalicia has EUR 3.5 billion worth of DTAs, and this fact could influence both the timing of the tendering procedure and the potential buyer.

Does the Commission believe that the abovementioned treatment of DTAs as capital and their backing by the State should be considered state aid?

Does it consider the process regarding the treatment of DTAs should influence the timing of when rescued banks such as Novagalicia go up for sale?

Answer given by Mr Almunia on behalf of the Commission

(9 January 2014)

In taxation cases, there is state aid only where a measure grants, de jure or de facto, a selective advantage to certain undertakings or the production of certain goods. Taxation measures which genuinely apply across the board do not constitute state aid. The Commission has not received a notification on the new legislation in Spain.

In this specific case, it is the Commission's understanding that the new legislation was adopted and made public in good time for the bidders to be able to factor it in their evaluation of the bank.

The restructuring plans approved by Commission for the banks that received state aid (among which Novagalicia Banco) include commitments regarding the timing of their sale. The exact timing indicated in the decisions constitutes business secrets and cannot be made public. It has been designed as to grant the Spanish authorities sufficient time to choose the best moment for the sale process. Within the agreed time limits, it is up to the Spanish authorities to decide when it is best to proceed with the sale, as long as state aid rules are complied with.

⁽¹⁾ http://economia.elpais.com/economia/2013/10/29/actualidad/1383079176_883387.html

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012417/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(4 de noviembre de 2013)

Asunto: Valores catastrales

En el Estado español, los valores de mercado de los inmuebles han sufrido una fuerte caída desde el inicio de la crisis. Esta caída ha repercutido, por lo tanto, sobre el valor del patrimonio de millones de ciudadanos del Estado.

Los valores catastrales de los inmuebles se calcularon en 2007, año en el que la burbuja inmobiliaria se encontraba cerca de su pico máximo. Esto quiere decir que, como consecuencia de un valor catastral desproporcionado, las cantidades que los ciudadanos tienen que pagar en realidad en diversos impuestos (como el impuesto sobre la renta, el IVA, el impuesto sobre el patrimonio o el impuesto sobre el aumento del valor en los terrenos de naturaleza urbana) son superiores a las que deberían abonar si el catastro estuviera actualizado con datos de 2012 ó 2013.

En sus recomendaciones específicas para España, la Comisión propone una revisión sistemática del sistema impositivo antes de marzo de 2014.

¿Considera la Comisión que deberían actualizarse los datos del catastro de modo que los cálculos en el pago de los impuestos se correspondieran con exactitud a la riqueza real de los ciudadanos, lo que contribuiría a reducir las imposiciones directas?

Respuesta del Sr. Rehn en nombre de la Comisión

(6 de febrero de 2014)

La Comisión considera que, como principio general, los valores catastrales que reflejan adecuadamente el valor real de las propiedades en un momento determinado proporcionan una mejor base para una imposición eficiente y equitativa que los valores catastrales que ya no reflejan correctamente tales valores reales. No obstante, el hecho de que la actualización de los valores catastrales dé lugar a unos impuestos sobre la vivienda más altos o más bajos depende no solo de la base imponible, sino también del nivel de los tipos impositivos aplicables a la base.

(English version)

**Question for written answer E-012417/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(4 November 2013)

Subject: Cadastral values

Since the beginning of the crisis, the market value of property has dropped sharply in Spain. This drop has affected the value of the property of millions of Spanish citizens.

The cadastral values of property were calculated in 2007, the year in which the housing bubble was approaching its peak. This disproportionately high cadastral value means that the amounts that citizens actually have to pay in various taxes (such as income tax, VAT, property tax and the tax on the increase in urban land value) are higher than they would be if the cadastre were to be updated with data from 2012 or 2013.

In its specific recommendations for Spain, the Commission proposed a systematic review of the tax system by March 2014.

Does the Commission take the view that the cadastre data should be updated so that the calculated tax payments correspond exactly with the actual wealth of citizens, which would help to reduce direct taxes?

Answer given by Mr Rehn on behalf of the Commission

(6 February 2014)

The Commission considers that, as a general principle, cadastral values that adequately reflect the real value of properties at any point in time provide a better basis for efficient and fair taxation than cadastral values that do not properly reflect such actual values anymore. However, whether an update of cadastral values leads to higher or lower taxation on housing depends not only on the taxable base but also on the level of the tax rates applicable to the base.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-012418/13

an die Kommission

Franz Obermayr (NI)

(4. November 2013)

Betrifft: Verunreinigtes Wasser durch Chemikalien und Hormone

Medienberichten zufolge (<http://www.analytik-news.de/Presse/2013/588.html>) ergaben aktuelle Wasseruntersuchungen, dass bis 2050 mehr als zwei Milliarden Menschen mit akuter Wasserknappheit leben müssen. Trotzdem wird kostbares Trinkwasser regelmäßig durch Antibiotika, Hormone, Medikamente und anderen Chemikalien verunreinigt. Selbst gut ausgebaute Kläranlagen filtern längst nicht alle Rückstände, die auf diesem Wege in den menschlichen Körper gelangen. Am Beispiel von Fischen zeigen sich zudem besonders deutlich Hormonrückstände (die etwa durch die Einnahme der Pille über den Urin in das Wasser gelangen) in Flüssen: Fische nehmen Hormone über Rezeptoren in ihr Gewebe auf und können dadurch unfruchtbar werden; denn männliche Fische produzieren durch die Aufnahme der Hormone Vitellogenin — eine Vorstufe von Eidotter.

1. Ist der Kommission dieses Problem bekannt? Hat die Kommission eigene diesbezügliche europaweite Studien durchgeführt/in Auftrag gegeben? Wenn ja, mit welchem Ergebnis? Wenn nein, gedenkt die Kommission dies zu tun?
2. Wie können EU-Bürger in Zukunft vor verunreinigtem Trinkwasser geschützt werden?
3. Wie kann speziell das Problem von Hormonrückständen in Flüssen bekämpft werden?
4. Welche Forschungen gibt es in diesem Bereich auf EU-Ebene?

Antwort von Herrn Potočník im Namen der Kommission

(24. Januar 2014)

Der Kommission sind Chemikalieneinträge (z. B. Hormone) in Wasserläufe und Daten über das Vorhandensein geringfügiger Mengen derartiger Stoffe in bestimmten Trinkwässern bekannt, und sie hat Untersuchungen über das Vorhandensein von pharmazeutischen Stoffen in Gewässern⁽¹⁾⁽²⁾ sowie eine Überprüfung der von pharmazeutischen Stoffen in der Umwelt ausgehenden Risiken⁽³⁾ finanziert. Sie hat auch Projekte über Emissionsreduktionsmaßnahmen⁽⁴⁾ finanziert und trägt weiterhin die Kosten anderer relevanter Forschungsprojekte⁽⁵⁾. Im Rahmen der Europäischen Innovationspartnerschaft für Wasser⁽⁶⁾ befasst sich die Gemeinsame Forschungsstelle⁽⁷⁾ derzeit mit der Wasserbewirtschaftung in Städten.

Nach der Trinkwasserrichtlinie 98/83/EG⁽⁸⁾ sind die Mitgliedstaaten verpflichtet, zum Schutz der europäischen Bürgerinnen und Bürger für bestimmte aufgeführte Stoffe Grenzwerte festzulegen, auch für Zusatzstoffe, wenn der Schutz der menschlichen Gesundheit dies erfordert. Die Richtlinie wird in Bezug auf die Wasserkörper, aus denen Trinkwasser entnommen werden, von der Wasserrahmenrichtlinie⁽⁹⁾ untermauert, die auch Umweltschutznormen enthält. Zwei Hormone, die ursprünglich für Umweltschutznormen vorgeschlagen wurden, werden stattdessen auf der ersten Beobachtungsliste („watch list“) stehen, damit Überwachungsdaten generiert werden können, die die Entscheidung über angemessene Maßnahmen zur Bekämpfung des von diesen Stoffen ausgehenden Risikos erleichtern sollen. Andere Hormone können ebenfalls in die erste oder in künftige Listen aufgenommen werden.

Die Kommission wird die vorgenannten Forschungsprojekte berücksichtigen, wenn sie eine Strategie zur Bekämpfung der Gewässerverunreinigung durch pharmazeutische Stoffe entwickelt. Hormonbedingte Risiken sind bereits Gegenstand einer Gemeinschaftsstrategie gegen endokrine Disruptoren.

⁽¹⁾ KNAPE: http://environmentalhealthcollaborative.org/images/KNAPE_REPORT_FINAL.pdf

PHARMAS: <http://www.pharmas-eu.org/home>

CYOTHTREAT: <http://www.cyothreat.eu/>

⁽²⁾ JRC-Überwachungsberichte: <http://publications.jrc.ec.europa.eu/repository/>

⁽³⁾ Untersuchung gemäß Artikel 8c der Richtlinie 2008/105/EG in der Fassung der Richtlinie 2013/39/EU, in Auftrag gegeben zur weiteren Berücksichtigung von Erwägungsgrund 3 der Verordnung (EU) Nr. 1235/2010 über Pharmakovigilanz.

⁽⁴⁾ PILLS-Projekt: <http://www.pills-project.eu/index.php?id=126> und das No-PILLS-Projekt: <http://www.no-pills.eu/>

⁽⁵⁾ SOLUTIONS-Projekt (EU-Beitrag von ungefähr 12 Mio. EUR), das sich mit der Überwachung der „Exposition gegenüber Giftstoffen wie endokrinen Disruptoren, Arzneimitteln und Immunmodulatoren“ und von „biologischen Gemeinschaften beeinträchtigenden östrogenen Verbindungen“ in großen europäischen Einzugsgebieten befasst, sowie Horizont 2020 — etwaige relevante Projekte nach der ersten Ausschreibung im Januar 2014.

⁽⁶⁾ <http://ec.europa.eu/environment/water/innovationpartnership/>

⁽⁷⁾ <http://ec.europa.eu/dgs/jrc/index.cfm?id=1390>

⁽⁸⁾ ABl. L 330 vom 5.12.98.

⁽⁹⁾ ABl. L 327 vom 22.12.2000.

(English version)

**Question for written answer E-012418/13
to the Commission**

Franz Obermayr (NI)

(4 November 2013)

Subject: Water contaminated by chemicals and hormones

According to media reports (<http://www.analytik-news.de/Presse/2013/588.html>), current water studies have indicated that, by 2050, more than two billion people will have to live with acute water shortages. In spite of this, precious drinking water is regularly contaminated by antibiotics, hormones, medicines and other chemicals. Even state-of-the-art sewage treatment plants do not filter out anywhere near all of the residues that end up in the human body in this way. Taking fish as an example, hormone residues (which end up in the water via the urine of women who have taken the contraceptive pill) are also clearly evident in rivers: fish take up hormones into their tissues via receptors, and this can make them infertile, for, as a result of taking up the hormones, male fish produce vitellogenin, an egg yolk precursor.

1. Is the Commission aware of this problem? Has it carried out or commissioned its own Europe-wide studies in this regard? If so, what results were obtained? If not, does it intend to do so?
2. How can EU citizens be protected against contaminated drinking water in future?
3. How can the problem of hormone residues in rivers in particular be addressed?
4. What research is being carried out in this area at EU level?

Answer given by Mr Potočník on behalf of the Commission

(24 January 2014)

The Commission is aware of the problem of chemicals such as hormones in water courses, and of data showing very low levels of such substances in some drinking water supplies. It has funded research on the presence of pharmaceutical substances in water ⁽¹⁾, ⁽²⁾, and a review of the risks posed by pharmaceuticals in the environment ⁽³⁾. It has also funded projects on measures to reduce emissions ⁽⁴⁾, and continues to fund other relevant research ⁽⁵⁾. In the context of the European Innovation Partnership on Water ⁽⁶⁾, the Joint Research Centre ⁽⁷⁾ is addressing water management in the urban environment.

The Drinking Water Directive 98/83/EC ⁽⁸⁾ requires Member States to set limit values for several named substances to protect EU citizens. Limit values must also be set for additional substances if the protection of human health so requires. The directive is supported by requirements in the Water Framework Directive (WFD) ⁽⁹⁾ regarding the water bodies from which drinking water is abstracted, and the WFD also sets standards to protect the environment. Two hormones originally proposed for such standards will instead be in the first 'watch list', to gather monitoring data to facilitate the determination of appropriate measures to address the risk posed by those substances. Other hormones may also be included in the first or future lists.

The Commission will take into account the above research in developing a strategic approach to the pollution of water by pharmaceuticals. It is also addressing the risks from hormones through the Community Strategy on Endocrine Disruptors.

⁽¹⁾ For example KNAPPE http://environmentalhealthcollaborative.org/images/KNAPPE_REPORT_FINAL.pdf, PHARMAS <http://www.pharmas-eu.org/home>, CYTOTREAT <http://www.cytotreat.eu/>

⁽²⁾ JRC monitoring surveys, e.g. <http://publications.jrc.ec.europa.eu/repository/bitstream/11111111/26927/1/lb-na-25563-en.pdf>

⁽³⁾ Study referred to in Article 8c of Directive 2008/105/EC as amended by Directive 2013/39/EU, and commissioned to follow up Recital 3 of Regulation (EU) No 1235/2010 on pharmacovigilance.

⁽⁴⁾ For example PILLS <http://www.pills-project.eu/index.php?id=126> and No-PILLS <http://www.no-pills.eu/>

⁽⁵⁾ For example SOLUTIONS (EC contribution about 12 million Euros) includes monitoring 'exposure to toxicants such as endocrine disruptors, pharmaceuticals, and immunomodulators' as well as 'estrogenic compounds affecting biological communities' in large European river basins; and Horizon 2020 — possible relevant projects following first call in January 2014.

⁽⁶⁾ <http://ec.europa.eu/environment/water/innovationpartnership/>

⁽⁷⁾ <http://ec.europa.eu/dgs/jrc/index.cfm?id=1390>

⁽⁸⁾ OJ L 330, 5.12.98.

⁽⁹⁾ OJ L 327, 22.12.2000.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-012421/13
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(4 Νοεμβρίου 2013)

Θέμα: Θύματα κατασκοπίας

Το κλίμα στις σχέσεις των Ηνωμένων Πολιτειών με την ΕΕ είναι εύλογα τεταμένο, μετά τις πρόσφατες αποκαλύψεις ότι οι Ευρωπαίοι ηγέτες, συμπεριλαμβανομένης της Καγκελαρίου της Γερμανίας Άγκελα Μέρκελ, είχαν πέσει θύματα κατασκοπίας από τις αμερικανικές υπηρεσίες πληροφοριών.

Ωστόσο, η κατάσταση φαίνεται να επιδεινώνεται περισσότερο αφού, σύμφωνα με καταθέσεις των στελεχών των αμερικανικών υπηρεσιών και δημοσιεύματα της Wall Street Journal και του CNN, οι ευρωπαίοι σύμμαχοι των ΗΠΑ συνέλεξαν τηλεφωνικά αρχεία από πολεμικές ζώνες και περιοχές εκτός συνόρων και τα μοιράζονταν με την Εθνική Υπηρεσία Ασφαλείας (NSA) σε μια προσπάθεια «να προστατευτούν τα αμερικανικά και συμμαχικά στρατεύματα και οι πολίτες».

Ερωτάται λοιπόν η Ευρωπαϊκή Επιτροπή:

1. Θεωρεί νόμιμη και συνήθη πρακτική τη συγκέντρωση τηλεφωνικών ή άλλων στοιχείων και προσωπικών δεδομένων στα πλαίσια μιας «κατασκοπευτικής» δήθεν «δράσης» για καταπολέμηση της τρομοκρατίας;
2. Δεν είναι πολύ «χονδροειδής» μια τέτοια παραβίαση των διεθνών κανονισμών;
3. Υπάρχουν κόκκινες γραμμές για την ΕΕ όσον αφορά τη δράση και τα δήθεν «θεμελιώδη δικαιώματα» και «όρους ένταξης» των μυστικών υπηρεσιών;
4. Πού ξεκινά και πού τερματίζεται η ανοχή της ΕΕ σε τέτοιου είδους κατασκοπευτικά θρίλερ;

Απάντηση της κ. Reding εξ ονόματος της Επιτροπής
(30 Ιανουαρίου 2014)

Οι δραστηριότητες των υπηρεσιών πληροφοριών εμπίπτουν στην αρμοδιότητα των κρατών μελών. Ωστόσο, η Επιτροπή ανησυχεί για τις επιπτώσεις προγραμμάτων μεγάλης κλίμακας για τη συλλογή πληροφοριών σχετικά με τα θεμελιώδη δικαιώματα. Μετά τις αποκαλύψεις σχετικά με προγράμματα μεγάλης κλίμακας των ΗΠΑ για τη συλλογή πληροφοριών, η Επιτροπή, σε συνεργασία με την προεδρία του Συμβουλίου, συνέστησε ad hoc ομάδα εργασίας ΕΕ-ΗΠΑ ⁽¹⁾ για να διαπιστώσει τα πραγματικά περιστατικά σχετικά με τα προγραμμάτων παρακολούθησης των ΗΠΑ και τις επιπτώσεις τους στα προσωπικά δεδομένα των πολιτών της ΕΕ.

Η ομάδα έχει ολοκληρώσει τις εργασίες της και η Επιτροπή προσδιόρισε τα μέτρα που πρέπει να ληφθούν ως απάντηση στις ανησυχίες των πολιτών, μεταξύ άλλων και σε ανακοίνωση για την «Αποκατάσταση της εμπιστοσύνης στις ροές δεδομένων μεταξύ της Ευρωπαϊκής Ένωσης και των Ηνωμένων Πολιτειών της Αμερικής» ⁽²⁾.

Συγκεκριμένα, η μεταρρύθμιση της προστασίας δεδομένων της ΕΕ θα παράσχει την αναγκαία νομική σταθερότητα. Σκοπός της είναι να διασφαλιστεί ότι οι επιχειρήσεις τρίτων χωρών, όταν προσφέρουν υπηρεσίες σε καταναλωτές της ΕΕ, τηρούν το δικαίο της ΕΕ για την προστασία των δεδομένων, με αποτρεπτικές κυρώσεις. Η Επιτροπή απηύθυνε συστάσεις για τη βελτίωση της λειτουργίας του συστήματος «ασφαλούς λιμένα» και ζήτησε από τις αρχές των ΗΠΑ να εντοπίσουν μέσα έννομης προστασίας μέχρι το καλοκαίρι του 2014. Στη συνέχεια, η Επιτροπή θα αποφασίσει το τρόπο αναθεώρησης του «ασφαλούς λιμένα», λαμβάνοντας υπόψη την εφαρμογή αυτών των συστάσεων. Η Επιτροπή θα συνεχίσει τις διαπραγματεύσεις με τις ΗΠΑ σχετικά με τη συμφωνία πλαίσιο για την προστασία των δεδομένων στον τομέα της αστυνομικής και δικαστικής συνεργασίας. Στόχος της Επιτροπής είναι να εξασφαλίσει υψηλό επίπεδο προστασίας των πολιτών της ΕΕ κατά την επεξεργασία των δεδομένων τους από τις αρχές των ΗΠΑ και την εφαρμογή παρεκκλίσεων για την εθνική ασφάλεια, σύμφωνα με τις αρχές της αναγκαιότητας και της αναλογικότητας. Οι πολίτες της ΕΕ θα πρέπει να τυγχάνουν ίσης μεταχείρισης με τους πολίτες των ΗΠΑ όσον αφορά τη δυνατότητα επιβολής των δικαιωμάτων τους, συμπεριλαμβανομένων δικαστικών προσφυγών.

⁽¹⁾ Βλέπε απάντηση στην προηγούμενη ερώτηση 9773/13.

⁽²⁾ Ανακοίνωση της Επιτροπής με τίτλο «Αποκατάσταση της εμπιστοσύνης στις ροές δεδομένων μεταξύ της Ευρωπαϊκής Ένωσης και των Ηνωμένων Πολιτειών της Αμερικής», COM(2013)846.

(English version)

Question for written answer E-012421/13
to the Commission
Antigoni Papadopoulou (S&D)
(4 November 2013)

Subject: Victims of espionage

Relations between the United States and the EU are obviously strained following recent revelations that European leaders, including German Chancellor Angela Merkel, have been spied on by the US secret services.

However, the situation appears to be getting even worse; according to statements given by US officials and reports in the Wall Street Journal and on CNN, European US allies have been collecting phone records from war zones and areas outside their borders and sharing them with the National Security Agency (NSA) in a bid to 'protect American and allied troops and civilians'.

In view of this, will the Commission say:

1. Does it consider that collecting phone or other records and personal data within the framework of so-called 'espionage action' to combat terrorism is legal and standard practice?
2. Does it not consider that this is an extremely 'gross' violation of international norms?
3. Does the EU have red lines for action by and the alleged 'fundamental rights' and 'rules of engagement' of the secret services?
4. Where does EU tolerance of this sort of spy thriller begin and end?

Answer given by Mrs Reding on behalf of the Commission
(30 January 2014)

The activities of intelligence services fall within the competence of Member States. The Commission is nonetheless concerned about the impact of large-scale intelligence collection programmes on fundamental rights. Following revelations regarding large-scale US intelligence collection programmes, the Commission, together with the Council Presidency, set up an ad hoc EU-US working group ⁽¹⁾ to establish the facts about US surveillance programmes and their impact on personal data of EU citizens.

The group has completed its work and the Commission has set out the steps to be taken to address the concerns of citizens, including in a communication on 'Rebuilding Trust in Transatlantic Data Flows'. ⁽²⁾

In particular, the EU data protection reform will provide the necessary legal stability. It aims at ensuring that non-EU companies, when offering services to EU consumers, respect EU data protection law, with dissuasive sanctions. The Commission has made recommendations to improve the functioning of the Safe Harbour scheme and asked US authorities to identify remedies by summer 2014. The Commission will then decide how to review Safe Harbour taking account of the implementation of those recommendations. The Commission will continue negotiations with the US on the framework agreement on data protection in the field of police and judicial cooperation. The Commission aims to ensure a high level of data protection for EU citizens when their data is processed by US authorities and that derogations for national security are implemented in accordance with the principles of necessity and proportionality. EU citizens should also have equal treatment with US citizens regarding the enforceability of their rights, including judicial redress.

⁽¹⁾ Please see reply to previous question 9773/13.

⁽²⁾ Commission Communication 'Rebuilding Trust in EU-US data flows', COM(2013) 846.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-012423/13
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(4 Νοεμβρίου 2013)

Θέμα: Ανήλικα κορίτσια γίνονται μητέρες

Ο Zahidul Huque, ο Τούρκος εκπρόσωπος του Ταμείου των Ηνωμένων Εθνών για τον πληθυσμό (UNFPA), δήλωσε ότι έως και 91 000 κορίτσια κάτω των 18 ετών γίνονται μητέρες ετησίως στην Τουρκία. Σε σύγκριση με το μέσο ποσοστό των 4 στις 1 000, το οποίο αποτελεί τη συνήθη αναλογία γεννήσεων στην εφηβεία στη δυτική Ευρώπη, το ποσοστό γεννήσεων στην εφηβεία στην Τουρκία είναι 29 στις 1 000. Ο κ. Huque υπογραμμίζει ότι το ποσοστό αυτό συνδέεται στενά με τον αριθμό των πρόωρων γάμων και τονίζει ότι πρέπει όχι μόνο να αυξηθεί η ευαισθητοποίηση σχετικά με την ισότητα των φύλων, αλλά και να εφαρμοστεί και να διατηρηθεί ανοικτή πρόσβαση στην ενημέρωση για τη σεξουαλική και αναπαραγωγική υγεία. Ισχυρίζεται ότι οι ενήλικες ευθύνονται για τις εγκυμοσύνες στην εφηβεία, διότι δεν παρέχουν τις απαραίτητες πληροφορίες, υπηρεσίες υγείας και συμβουλευτικές υπηρεσίες σε αυτούς τους έφηβους και τους νέους. Η συγκράτηση των εφήβων στο σχολείο, ιδιαίτερα των κοριτσιών, είναι επίσης σημαντική για να μειωθούν τα νούμερα αυτά.

Το UNFPA αναφέρει ότι περίπου 7,3 εκατομμύρια κορίτσια στην εφηβεία γίνονται μητέρες κάθε χρόνο στις αναπτυσσόμενες χώρες, και 2 εκατομμύρια εξ αυτών είναι κάτω των 14 ετών. Το UNFPA τονίζει ότι οι βαθύτερες αιτίες των προβλημάτων αυτών είναι η φτώχεια, η έλλειψη σωστής εκπαίδευσης, η άγνοια των σεξουαλικών δικαιωμάτων και της αυτοπροστασίας.

Ερωτάται, επομένως, η Επιτροπή:

1. Γνωρίζει αυτά τα γεγονότα και αυτά τα πραγματικά στοιχεία;
2. Τι είδους μέτρα σκοπεύει να λάβει για να εξαλείψει το φαινόμενο και να αποτρέψει τα κορίτσια στην εφηβεία να γίνονται μητέρες όχι μόνο στην Τουρκία αλλά και στη Δυτική Ευρώπη;
3. Τι είδους μέτρα σκοπεύει να λάβει για να υλοποιήσει έναν από τους βασικούς πυλώνες της ΕΕ 2020, ο οποίος συνίσταται στη μείωση κάτω του 10% του ποσοστού των παιδιών που εγκαταλείπουν το σχολείο εντός των κρατών μελών, και για να πείσει σχετικά τις υποψήφιες χώρες για προσχώρηση στην ΕΕ;

Απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(31 Ιανουαρίου 2014)

Η Επιτροπή γνωρίζει ότι η εφηβική εγκυμοσύνη εξακολουθεί να είναι σύννηδες φαινόμενο σε πολλά μέρη του κόσμου και ιδίως σε αναπτυσσόμενες χώρες, όπου επικρατούν φτώχεια, ανισότητα μεταξύ των φύλων και συνήθεις πρακτικές όπως ο γάμος σε πολύ νεαρή ηλικία. Η προαγωγή της ισότητας των φύλων, η εκπαίδευση των κοριτσιών και η βελτίωση της πρόσβασης σε ποιοτικές υπηρεσίες ιατροφαρμακευτικής περίθαλψης αποτελούν εξαιρετικά μέσα για την αντιμετώπιση του φαινομένου, τα οποία η Επιτροπή λαμβάνει υπόψη κατά προτεραιότητα για τη δράση που αναπτύσσει στον τομέα της αναπτυξιακής συνεργασίας.

Εντός της ΕΕ, η εφηβική εγκυμοσύνη δεν αποτελεί σημαντικό παράγοντα που συμβάλλει στην πρόωρη εγκατάλειψη του σχολείου (ΠΕΣ), ωστόσο, η ΕΕ λαμβάνει το φαινόμενο πολύ σοβαρά υπόψη. Βάσει σύστασης του Συμβουλίου του 2011, τα κράτη μέλη καλούνται να υιοθετήσουν ολοκληρωμένες στρατηγικές για την καταπολέμηση της ΠΕΣ, ενώ η Επιτροπή κοινοποιεί σχετικά στοιχεία μέσω της ετήσιας επισκόπησης της ανάπτυξης και των εκδόσεων για την εκπαίδευση και την κατάρτιση 2020. Τα κράτη μέλη μπορούν επίσης να επωφεληθούν από διάφορα κονδύλια της ΕΕ, όπως το νέο πρόγραμμα ERASMUS+. Η παροχή καθοδήγησης προς τους αρμοδίους χάραξης πολιτικής αναμένεται να συνεχιστεί μέσω νέας ομάδας εργασίας για τα σχολεία στο πλαίσιο του προγράμματος για την εκπαίδευση και την κατάρτιση 2020. Όσον αφορά την περίπτωση της Τουρκίας, η χώρα ήδη συμμετέχει και θα συνεχίσει να συμμετέχει στο έργο αυτό. Επιπλέον, η στρατηγική για τη Νοτιοανατολική Ευρώπη 2020, την οποία ενέκριναν οι υπουργοί οικονομικών των έξι χωρών των Δυτικών Βαλκανίων και της Κροατίας στις 21.11.2013, προβλέπει μέτρα για την αντιμετώπιση της ΠΕΣ.

Η Επιτροπή επισημαίνει ότι η προαγωγή των δικαιωμάτων των γυναικών και της ισότητας των φύλων αποτελεί σημαντικό ζήτημα για την ενταξιακή πορεία της Τουρκίας⁽¹⁾ το οποίο θέτει στις τουρκικές αρχές και τους εμπλεκόμενους φορείς με κάθε κατάλληλη ευκαιρία.

(1) Έκδοση προόδου για την Τουρκία του 2013 που διατίθεται στη διεύθυνση http://ec.europa.eu/enlargement/countries/strategy-and-progress-report/index_en.htm

(English version)

Question for written answer E-012423/13
to the Commission
Antigoni Papadopoulou (S&D)
(4 November 2013)

Subject: Under-age girls giving birth

Zahidul Huque, Turkish representative on the UN Population Fund (UNFPA), has stated that every year up to 91 000 girls under the age of 18 give birth in Turkey. Compared to the average rate of 4 per 1 000 in Western Europe, Turkey has a teenage birth rate of 29 per 1 000. Huque emphasises that this rate is closely related to the number of child brides and asserts that it is essential not only to raise awareness of gender equality but also to introduce and maintain open access to information on sexual and reproductive health. He claims that adults are to blame for teenage pregnancies as they do not provide the necessary information, health services and counselling to these teenagers and young people. Keeping teenagers, especially young girls, in school is also necessary in order to reduce these numbers.

The UNFPA reports that around 7.3 million teenage girls give birth each year in developing countries, 2 million of them under the age of 14. The UNFPA points out that the root causes of these problems are poverty, lack of proper education, and an unawareness of sexual rights and self-protection.

1. Is the Commission aware of these facts and realities?
2. What measures does it intend to take to prevent teenage pregnancies not only in Turkey but also in Western Europe?
3. What measures is it taking in order to achieve one of its EU 2020 headline targets, which is to reduce the proportion of early school leavers to below 10% within the EU Member States and to convince candidate countries for EU accession to do the same?

Answer given by Mr Füle on behalf of the Commission
(31 January 2014)

The Commission is aware that adolescent pregnancy is still common in many places especially in developing countries where poverty, gender inequality and customary practices such as early marriage prevail. Promotion of gender equality, girls' education and improving access to quality healthcare are excellent tools for coping with such a phenomenon, and the Commission considers them as a priority for its action in the field of development cooperation.

Within the EU, teenage pregnancy is not a major contributing factor in early school leaving (ESL), but is a phenomenon which the EU takes very seriously. A 2011 Council Recommendation asks MS to adopt comprehensive strategies to combat ESL and the Commission reports through the Annual Growth Survey and Education and Training 2020 reports. Member States can also make use of several EU funds, including the new ERASMUS+ programme. Work on guidance for policy-makers will continue within a new Education and Training 2020 Working Group on Schools. Concerning the specific case of Turkey, this country has taken part, and will continue to take part, in this work. Also the South East Europe 2020 strategy adopted by the Ministers of Economy of the 6 Western Balkan countries and Croatia on 21.11.2013 includes measures to address ESL.

With regard to women's rights and gender equality, the Commission recalls that their promotion is an important issue in Turkey's accession process ⁽¹⁾, and has been raised with Turkish authorities and stakeholders on all appropriate occasions.

⁽¹⁾ Turkey Progress report 2013 under http://ec.europa.eu/enlargement/countries/strategy-and-progress-report/index_en.htm

(Versione italiana)

**Interrogazione con richiesta di risposta scritta E-012688/13
alla Commissione (Vicepresidente/Alto Rappresentante)**

Lorenzo Fontana (EFD)

(8 novembre 2013)

Oggetto: VP/HR — Recenti episodi di intolleranza nei confronti della comunità cristiano-copta in Egitto

Secondo alcune fonti giornalistiche, lo scorso venerdì si sono verificati episodi di violenza contro la chiesa della Vergine Maria a Zaytoun, nella parte orientale del Cairo, Egitto.

I responsabili dell'attacco sembrano essere studenti vicini ai Fratelli Musulmani, i quali si sarebbero scontrati con alcuni giovani cristiani, avrebbero poi strappato uno striscione e imbrattato la facciata con frasi offensive contro il patriarca, la comunità copta e le Forze armate.

Secondo alcune fonti locali, gli episodi d'intolleranza nei confronti dei cristiani avvengono con frequenza ogni venerdì dopo la preghiera del mezzogiorno, costringendo i cristiani a sbarrare le porte della chiesa per evitare tensioni.

Il 20 ottobre scorso sono morte 5 persone in un attacco contro la chiesa della Vergine Maria di Al-Warraaq.

Alla luce di quanto precede, può la Commissione rispondere ai seguenti quesiti:

- Il VP/HR è al corrente degli episodi di discriminazione e denigrazione verso la minoranza cristiana del Paese?
- In merito alle ultime vicende, intende fare chiarezza intercedendo presso le autorità locali per contrastare il reiterarsi di episodi simili?

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

(29 gennaio 2014)

L'UE è a conoscenza delle costrizioni subite da diverse minoranze religiose nel mondo, esprime profonda preoccupazione al riguardo e condanna ogni forma di intolleranza, discriminazione e violenza nei confronti delle persone per motivi di religione o di credo, ovunque queste abbiano luogo e indipendentemente dalla religione. Nel caso dell'Egitto, l'AR/VP ha ripetutamente invitato le autorità egiziane perché garantiscano la libertà di religione o di credo nel paese.

La delegazione dell'UE al Cairo segue da vicino i casi di violenza settaria e nei suoi contatti con le autorità egiziane insiste sull'importanza di evitare discriminazioni per motivi religiosi. Per contribuire ad aumentare il rispetto della libertà di religione e di credo in Egitto, l'AR/VP è pronta a impegnarsi con tutte le parti interessate nel paese e con le organizzazioni regionali e internazionali che condividono i valori e gli obiettivi dell'UE su questo tema.

L'UE ritiene che la cooperazione e il dialogo politico costituiscano i canali più appropriati per incoraggiare e fare pressione sui governi in modo che essi intraprendano azioni concrete per difendere la libertà di religione e di credo.

(English version)

Question for written answer E-012436/13
to the Commission
Diane Dodds (NI)
 (4 November 2013)

Subject: Persecution of Christians in Egypt

Earlier this month, it was confirmed that five people, including an eight-year-old girl, were shot dead at a Christian wedding in Giza, Egypt. This atrocity comes as part of an escalation in persecution of Christians in the country. In August, following the removal from power of the Muslim Brotherhood, seven Christians were murdered and hundreds more injured as pro-Morsi factions vented anger towards those of a Christian faith.

1. What steps are being taken at EU level to protect Christians against persecution in Egypt, where political instability continues to render this section of the community particularly vulnerable to the actions of militant factions?
2. What action has the Commission taken to address the escalation in violence and discrimination against Christians across Europe, and indeed the world?

Question for written answer E-012688/13
to the Commission (Vice-President/High Representative)
Lorenzo Fontana (EFD)
 (8 November 2013)

Subject: VP/HR — Recent episodes of intolerance towards the Coptic Christian community in Egypt

According to some press sources, last Friday saw outbreaks of violence against the Church of the Virgin Mary in Zaytoun, in the eastern part of the Egyptian capital Cairo.

The perpetrators appear to have been students with links to the Muslim Brotherhood, who reportedly clashed with some young Christians, tore down a banner and smeared the facade with offensive slogans against the Patriarch, the Coptic community and the armed forces.

According to some local sources, episodes of intolerance against Christians are a regular occurrence on Fridays after midday prayers, when Christian worshippers are forced to barricade the church doors to avoid tensions.

On 20 October, five people were killed in an attack against the Church of the Virgin Mary in Al-Warraq.

- Is the VP/HR aware of these episodes of discrimination and vilification directed at Egypt's Christian minority?
- With regard to recent events, does she intend to shed light on what happened and approach the local authorities to prevent similar episodes occurring in future?

Joint answer given by High-Representative/Vice-President Ashton on behalf of the Commission
 (29 January 2014)

The EU is aware and concerned about the constraints that different religious minorities face in the world and condemns all forms of intolerance, discrimination and violence against persons because of their religion or belief, wherever it takes place and regardless of the religion. In the case of Egypt, the HR/VP has repeatedly called on the Egyptian authorities to ensure freedom of religion or belief in the country.

The EU Delegation in Cairo is closely following cases of sectarian violence and emphasises the importance of avoiding discrimination on religious grounds in its contacts with Egyptian authorities. In order to support the improvement of freedom of religion or belief in Egypt, the HR/VP is engaging with the relevant stakeholders in the country as well as with the regional and international organisations sharing EU's values and objectives in this respect.

The EU considers that cooperation and political dialogue are the most appropriate channels to encourage and put pressure on governments so that it will undertake concrete actions in order to protect the freedom of religion and belief.

(Ελληνική έκδοση)

**Ερώτηση με αίτημα γραπτής απάντησης E-012445/13
προς την Επιτροπή (Αντιπρόεδρος/Υπατη Εκπρόσωπος)
Antigoni Papadopoulou (S&D)
(4 Νοεμβρίου 2013)**

Θέμα: VP/HR — Ισότητα φύλων στην ειρηνευτική διαδικασία

Με αφορμή την επέτειο της υιοθέτησης από το Συμβούλιο Ασφαλείας πριν από 13 χρόνια του ψηφίσματος 1325 που αφορά τις γυναίκες, την ειρήνη και την ασφάλεια, ερωτάται η αρμόδια Επίτροπος Εξωτερικών Υποθέσεων της Ευρωπαϊκής Επιτροπής κα Άστον:

1. Έχει σημειωθεί οποιαδήποτε πρόοδος στην εφαρμογή και προώθηση της συμμετοχής γυναικών σε ειρηνευτικές διαδικασίες χωρών, με τις οποίες η ΕΕ διατηρεί διακρατικές συμφωνίες και στις οποίες παρέχει ανθρωπιστική ή άλλη βοήθεια;
2. Ποια προβλήματα αντιμετωπίζονται στην εφαρμογή του ψηφίσματος;
3. Ποια μέτρα λαμβάνει η ΕΕ για την προώθηση και εφαρμογή του;

**Απάντηση της Υπάτης Εκπροσώπου / Αντιπροέδρου Ashton εξ ονόματος της Επιτροπής
(3 Φεβρουαρίου 2014)**

Η ΕΕ έχει δεσμευτεί να εξασφαλίζει την προώθηση του προγράμματος σχετικά με τις γυναίκες, την ειρήνη και την ασφάλεια, τόσο στο εσωτερικό της όσο και στις σχέσεις της με τρίτες χώρες. Η υλοποίηση των στόχων του ψηφίσματος 1325 του ΣΑΗΕ και των συνακόλουθων ψηφισμάτων του αποτελεί μακροπρόθεσμο εγχείρημα το οποίο απαιτεί συντονισμένες προσπάθειες από πλευράς των θεσμικών οργάνων της ΕΕ και των κρατών μελών της. Οι εργασίες για τη δεύτερη έκδοση σχετικά με τους δείκτες της ΕΕ για μια ολοκληρωμένη προσέγγιση όσον αφορά την εφαρμογή εκ μέρους της ΕΕ των ψηφισμάτων 1325 και 1820 του Συμβουλίου Ασφαλείας των Ηνωμένων Εθνών αναμένεται να εγκριθούν προσεχώς από το Συμβούλιο.

Πολλές ενθαρρυντικές εξελίξεις προκύπτουν από την έκθεση, παραδείγματος χάριν: αυξημένος αριθμός εθνικών σχεδίων δράσης που εγκρίθηκαν και εφαρμόστηκαν από τα κράτη μέλη· πάνω από τις μισές αποστολές και επιχειρήσεις που πραγματοποιούνται επί του παρόντος στο πλαίσιο της κοινής πολιτικής ασφάλειας και άμυνας (ΚΠΑΑ) διαδίδουν συμβούλους σε θέματα φύλων. Γίνεται πιο κατανοητός ο τρόπος με τον οποίο η ΕΕ ήδη στηρίζει ειρηνευτικές διαδικασίες, καθώς και ο τρόπος με τον οποίο αυτό μπορεί να βελτιωθεί.

Υπάρχουν ορισμένες προκλήσεις. Μια πιο συστηματική συλλογή δεδομένων σχετικά με τη συμμετοχή των γυναικών είναι αναγκαία προκειμένου να καταστεί δυνατή η παρακολούθηση της προόδου (και της οπισθοδρόμησης) όσον αφορά την ένταξη των γυναικών. Τα θέματα σχετικά με το φύλο και τις γυναίκες, την ειρήνη και την ασφάλεια πρέπει να περιλαμβάνονται συστηματικά στις εντολές και σε άλλα στρατηγικά έγγραφα των αποστολών και επιχειρήσεων της ΚΠΑΑ της ΕΕ.

Οι αντιπροσωπείες της ΕΕ και τα κράτη μέλη υποστηρίζουν δραστηριότητες για την προώθηση της συμμετοχής των γυναικών σε επίσημες και άτυπες ειρηνευτικές διαδικασίες ως διαμεσολαβητών και διαπραγματευτών στην Ακτή Ελεφαντοστού, το Αφγανιστάν, τη Γουατεμάλα, τη Γουινέα Μπισάου, την Κιργιζία, τη Μαδαγασκάρη, τις Μαλδίβες, το Νεπάλ, το Νότιο Σουδάν και το Σουδάν. Η ΕΕ έχει χρησιμοποιήσει αρκετά χρηματοδοτικά μέσα και προγράμματα για τη στήριξη οργανώσεων δικαιωμάτων του ανθρώπου και των γυναικών, για την προώθηση της ισότητας των φύλων και για την εφαρμογή του ψηφίσματος 1325 του ΣΑΗΕ στις εξωτερικές δράσεις της ⁽¹⁾.

⁽¹⁾ Τα θέματα που αφορούν τις γυναίκες, την ασφάλεια και την ειρήνη έχουν επίσης ενισχυθεί μέσω του σχεδίου δράσης για θέματα φύλου το οποίο αποσκοπεί στην παροχή υποστήριξης στις χώρες εταίρους για την πλήρη εφαρμογή των ψηφισμάτων 1325, 1820, 1888 και 1889 του ΣΑΗΕ, μεταξύ άλλων και μέσω της κατάρτισης εθνικών σχεδίων δράσης και πολιτικών σχετικά με τις γυναίκες, την ειρήνη και την ασφάλεια.

(English version)

Question for written answer E-012445/13
to the Commission (Vice-President/High Representative)
Antigoni Papadopoulou (S&D)
(4 November 2013)

Subject: VP/HR — Gender equality in the peace process

On the anniversary of the adoption by the Security Council, 13 years ago, of Resolution 1325 on women, peace and security, I would like to ask Catherine Ashton, High Representative of the Union for Foreign Affairs:

1. Has any progress been made in the implementation and promotion of the participation of women in peace processes in countries with which the EU has agreements between States and to which it provides humanitarian or other aid?
2. What problems are encountered in implementing the resolution?
3. What measures is the EU taking to promote and implement it?

Answer given by High-Representative/Vice-President Ashton on behalf of the Commission
(3 February 2014)

The EU is committed to ensuring the promotion of the Women, Peace and Security agenda, internally and in its relations with third countries. Implementing the objectives of the UNSCR 1325 and its follow-up resolutions is a long-term undertaking, which requires the concerted efforts of EU institutions and EU Member States alike. Work on the second Report on the EU-indicators for the Comprehensive Approach to the EU Implementation of the UN Security Council Resolutions 1325 & 1820 is expected to be adopted by the Council shortly.

Many encouraging developments emerge from the report, for example: increased number of National Action Plans adopted and implemented by EU Member States; more than half of Common Security and Defense Policy (CSDP) Missions and Operations currently deployed have a gender adviser. There is a better understanding of how the EU already supports peace processes, and the way this can be improved.

There are a number of challenges. There is a need for more systematic data collection on women's participation, to enable the tracking of progress (and regress) on women's inclusion. Gender and women, peace and security aspects should be included systematically in the mandates and other strategic documents of the EU CSDP missions and operations.

EU delegations and Member States support activities to promote women's involvement in formal and informal peace processes as mediators and negotiators in Afghanistan, Cote d'Ivoire, Guatemala, Guinea Bissau, Kyrgyzstan, Nepal, Madagascar, Maldives, South Sudan and Sudan. The EU has been making use of several of its financial instruments and programmes to support human rights and women's rights organisations, to promote gender equality and to implement UNSCR 1325 in its external actions. ⁽¹⁾

⁽¹⁾ Women, Peace and Security has been also fostered through the Gender Action Plan which aims to support partner countries in fully implementing UNSCR 1325, 1820, 1888, and 1889, including through the development of national action plans and policies on women, peace and security.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012452/13
aan de Commissie
Bart Staes (Verts/ALE)
(4 november 2013)

Betreft: Illegale sigaretten in Europa

KPMG heeft in 2010, 2011 en 2012 drie verslagen gepubliceerd over illegale sigaretten in Europa. Volgens een persbericht van Philip Morris International „wordt het onderzoek jaarlijks verricht door KPMG in opdracht van Philip Morris International Inc. (PMI), de Europese Commissie en alle 27 EU-lidstaten.”

Het verslag over 2012 bevat twee belangrijke hoofdstukken over mentholsigaretten en slanke sigaretten.

1. Kan de Commissie bevestigen dat het KPMG-onderzoek namens haar wordt uitgevoerd?
2. Kan de Commissie bevestigen dat OLAF instemt met de in het KPMG-verslag gehanteerde methodologie die neigt naar overschatting van de illegale handel?
3. Kan de Commissie zich vinden in de algemene resultaten van het onderzoek en de hoofdstukken in het KPMG-verslag die worden aangehaald om de regulering van mentholsigaretten en slanke sigaretten tegen te gaan?
4. Is de Commissie op voorhand geraadpleegd over de publicatie van de resultaten van het KPMG-verslag over 2012?

Antwoord van de heer Šemeta namens de Commissie
(17 januari 2014)

Het KPMG-onderzoek wordt gefinancierd door Phillip Morris International (PMI) en uitgevoerd in het kader van de overeenkomst van 2004 tussen de EU, de lidstaten en PMI. Dit jaarlijks onderzoek wordt uitgevoerd namens PMI. De daarbij gehanteerde methodologie is goedgekeurd door alle partijen bij de overeenkomst.

In de praktijk is het zo dat de inhoud van dit Project Star Report vóór de publicatie altijd ter instemming is voorgelegd aan het Europees Bureau voor fraudebestrijding (OLAF) en de lidstaten. De overeenkomst bevat echter geen enkele formele verplichting om dit te doen. Het rapport over 2012 is openbaar gemaakt zonder dat OLAF of de lidstaten op voorhand werden geraadpleegd. OLAF heeft verzocht om voor het rapport over 2013, dat in 2014 zal worden uitgebracht, de vroegere praktijk in ere te herstellen.

(English version)

Question for written answer E-012452/13
to the Commission
Bart Staes (Verts/ALE)
(4 November 2013)

Subject: Illicit cigarettes in Europe

KPMG published three reports on illicit cigarettes in Europe in 2010, 2011 and 2012. According to a press release by Philip Morris International, 'The study [...] is conducted annually by KPMG for Philip Morris International Inc. (PMI) (NYSE/Euronext Paris: PM), the European Commission and all 27 EU Member States.'

The 2012 report contains two important sections on menthol and slim cigarettes.

1. Can the Commission confirm that the KPMG study is conducted on its behalf?
2. Can the Commission confirm that OLAF agrees with the methodology used in the KPMG report which tends to overestimate illicit trade?
3. Has the Commission approved the overall results and the sections in the KPMG report which are used to argue against the regulation of menthol and slim cigarettes?
4. Was the Commission consulted before the results of the 2012 KPMG report were released?

Answer given by Mr Šemeta on behalf of the Commission
(17 January 2014)

The KPMG study is financed by Phillip Morris International (PMI) and conducted in the framework of the 2004 Agreement between the EU, Member States and PMI. This annual study is completed on behalf of PMI. The methodology used in the study has been agreed by all parties to the Agreement.

As a matter of practice, the content of the Project Star Report has always been agreed with the European Anti-Fraud Office (OLAF) and the Member States in advance of publication. However, there is no formal obligation in the Agreement to agree on the content of the KPMG study with the EU and the Member States. The 2012 Report was made public without the contents having been agreed in advance with OLAF or the Member States. OLAF has asked for the previous practice to be used again as of the 2013 Report to be submitted in 2014.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012454/13

aan de Commissie

Bart Staes (Verts/ALE)

(4 november 2013)

Betreft: Boeteclausules in beslag genomen sigaretten

Boeteclausules voor in beslag genomen sigaretten gelden voor vier internationale tabaksfirma's die wettelijk bindende overeenkomsten hebben gesloten met de Europese Unie over die sigaretten die in beslag worden genomen in de EU en die eigendom zijn van die tabaksfirma's (hetgeen namaaksigaretten uitsluit).

1. Kan de Commissie medelen hoeveel inbeslagnemingen van meer dan 50 000 sigaretten er hebben plaatsgevonden sinds de inwerkingtreding van die overeenkomsten?
2. Wat was de totale hoeveelheid sigaretten die in beslag is genomen bij de inbeslagneming van meer dan 50 000 sigaretten sinds de inwerkingtreding van die overeenkomsten?
3. Bij hoeveel van die inbeslagnemingen ging het om namaaksigaretten en bij hoeveel om merksigaretten?
4. Bij hoeveel inbeslagnemingen werd door een onafhankelijk laboratorium vastgesteld dat het bij de sigaretten van de inbeslagneming om namaaksigaretten ging?
5. Heeft OLAF de drempel voor het instellen van een onderzoek na een inbeslagneming verlaagd of veranderd, zoals de heer Kessler, directeur-generaal van OLAF, had aangegeven in de commissie-CONT?

Antwoord van de heer Šemeta namens de Commissie

(28 januari 2014)

1. Tot 31 oktober 2013 waren er in totaal 6 261 meldingen van inbeslagnemingen (van meer dan 50 000 sigaretten) door de lidstaten uit hoofde van de overeenkomsten met de tabaksfirma's.
 2. Het totale aantal in beslag genomen sigaretten bedroeg 4 124 790 795 stuks.
 3. Daarvan waren 3 233 042 315 namaaksigaretten en 891 748 480 merksigaretten.
 4. De Commissie noch de lidstaten hebben tot dusver gebruikgemaakt van de mogelijkheid waarin de overeenkomsten met de tabaksfirma's voorzien om de inbeslaggenomen producten te laten analyseren door een onafhankelijk laboratorium.
 5. De hoogte van de EU-middelen die risico lopen is in het verleden gebruikt als één van de indicatoren om de ernst van de fraude te bepalen. In de nieuwe prioriteiten voor het onderzoeksbeleid van OLAF wordt deze financiële indicator evenwel niet meer gebruikt, overeenkomstig de discussies in de commissie Begrotingscontrole.
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(English version)

Question for written answer E-012454/13
to the Commission
Bart Staes (Verts/ALE)
(4 November 2013)

Subject: Cigarette seizure payments

Cigarette seizure payments apply to four international tobacco companies, which have signed legally binding agreements with the European Union, for those cigarettes seized in the EU belonging to those companies (excluding counterfeit cigarettes).

1. Can the Commission provide information about the number of seizures of more than 50 000 cigarettes since the implementation of those agreements?
2. What is the total number of cigarettes seized in seizures of more than 50 000 cigarettes since the implementation of those agreements?
3. In many of those seizures were the cigarettes found to be counterfeit or genuine?
4. In how many seizures was it an independent laboratory that declared the cigarettes to be counterfeit?
5. Did OLAF lower or change the threshold for when to start or not start an investigation after a seizure, as OLAF's Giovanni Kessler indicated in the Committee on Budgetary Control?

Answer given by Mr Šemeta on behalf of the Commission
(28 January 2014)

1. Until 31 October 2013 there was a total of 6 261 seizure notices (seizures of more than 50 000 cigarettes) submitted by the Member States in respect of the Agreements with the tobacco manufactures.
 2. Total number of cigarettes seized at 30 September 2013 was 4 124 790 795 cigarettes.
 3. Out of the total number of seized cigarettes, 3 233 042 315 were counterfeit cigarettes, and 891 748 480 were genuine cigarettes.
 4. Neither the Commission nor the Member States have so far made recourse to the possibility to have the seized product analysed by an independent laboratory, as foreseen in the Agreements with the four international tobacco manufacturers.
 5. The level of EU resources at risk, in the past, has been used as one indicator to determine the seriousness of fraud. However, in OLAF's new Investigation Policy Priorities this financial indicator has been removed, as an outcome of the discussions in the Budgetary Control Committee.
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(Versión española)

**Pregunta con solicitud de respuesta escrita E-012455/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(5 de noviembre de 2013)

Asunto: Privatización de Aena

El Gobierno español ha decidido privatizar Aena, la empresa pública gestora de la red aeroportuaria. Entre el 20 y el 30 % de las acciones se venderán a un grupo de tres a cinco inversores, y el resto hasta el 60 % mediante una oferta pública de acciones.

Este plan tiene la característica de que, de ser los tres a cinco inversores afines al gobierno, sería posible para este tener más influencia sobre más del 50 % de la compañía. Los inversores serán elegidos mediante un concurso restringido en función de si acreditan capacidad y solvencia ⁽¹⁾.

Por otro lado, el modo en que está diseñada la privatización no permitirá la competencia entre los distintos aeropuertos de la red.

A la luz de lo anterior,

1. ¿Cumple este plan de privatización las provisiones contenidas en la Directiva 2004/18/CE sobre contratación pública?
2. ¿No cree la Comisión que esta privatización no conseguirá aumentar la competencia en el sector aeroportuario español?

Respuesta del Sr. Barnier en nombre de la Comisión

(10 de enero de 2014)

Las normas de contratación pública de la UE se aplican a la adquisición de bienes, servicios y obras por las autoridades adjudicadoras, y no son aplicables, en principio, a la venta de sus activos públicos, como es el caso de la privatización de empresas públicas. Esas normas podrían entrar en juego solo en el caso de que la empresa privatizada realizara concesiones o contratos públicos adjudicados directamente, con base en el estatus «interno» de la empresa.

La Comisión no tiene conocimiento de la situación a la que se refiere su Señoría. Por tanto, la Comisión no puede expresar su opinión de forma pertinente en lo que se refiere a la existencia de un posible elemento de contratación pública en la privatización de Aena Aeropuertos ni en lo relativo a la compatibilidad de esta privatización con la legislación en materia de competencia de la UE.

⁽¹⁾ <http://www.ecestaticos.com/file/51c0529fd44d6c2c012069ba59a41855/1383080298.pdf>

(English version)

**Question for written answer E-012455/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(5 November 2013)

Subject: Privatisation of Aena

The Spanish Government has decided to privatise Aena, the state-owned airport operator. Between 20 and 30% of shares will be sold to a group of three to five investors, and the remainder of up to 60% sold through a public offering.

One aspect of this plan is that, were the three to five investors to be aligned with the government, the government would be able to have greater control over more than 50% of the company. The investors will be selected by means of a closed competition based on whether they can prove they are competent and solvent. ⁽¹⁾

Moreover, the way in which the privatisation has been devised will not allow for any competition between the network's various airports.

1. Does this privatisation plan comply with the provisions of Directive 2004/18/EC on public procurement?
2. Does the Commission agree that this privatisation will not increase competition in the Spanish airport sector?

Answer given by Mr Barnier on behalf of the Commission

(10 January 2014)

The EU public procurement rules apply to the purchase of goods, services and works by the contracting authorities and not, in principle, to the sale of their public assets, which is the case of privatisation of public companies. Those rules might be at stake only if the privatised company performs public contracts or concessions awarded directly, on the basis of the 'in-house' status of the company.

The situation referred to by the Honourable Member has not been brought to the attention of the Commission. The Commission is therefore not in a position to pertinently express itself on the existence of a potential public procurement aspect in the privatisation of Aena Aeropuertos and on the compliance of this privatisation with EU competition legislation.

⁽¹⁾ <http://www.ecestaticos.com/file/51c0529fd44d6c2c012069ba59a41855/1383080298.pdf>

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-012464/13
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(5 Νοεμβρίου 2013)

Θέμα: Αύξηση του δημόσιου χρέους στην Κύπρο

Αύξηση του δημόσιου χρέους στην Κύπρο το 2012 καταγράφουν τα αναθεωρημένα τελικά στοιχεία που δημοσιοποίησε η Eurostat. Σύμφωνα με τα κοινοτικά στοιχεία, το δημόσιο χρέος της Κύπρου ανήλθε το 2012 στα 15,350 δις ευρώ ή 86,6% του ΑΕΠ, σε σύγκριση με το αντίστοιχο του 2011 που ήταν 12,778 δις ευρώ ή 71,5% του ΑΕΠ. Πρόκειται για τη δεύτερη μεγαλύτερη ετήσια αύξηση του χρέους στην Ευρωζώνη, μετά από εκείνη της Ισπανίας.

Ερωτάται η Επιτροπή:

1. Ποιες είναι οι εκτιμήσεις της για το 2013, 2014, με δεδομένο πως εφαρμόζεται μνημονιακή πολιτική για περιορισμό του δημόσιου χρέους;
2. Πώς διαμορφώθηκε το δημόσιο χρέος σε άλλες χώρες του μνημονίου (π.χ. Ελλάδα, Πορτογαλία, Ιρλανδία) πριν και κατά την περίοδο εφαρμογής μνημονίων;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(27 Ιανουαρίου 2014)

Τα δεδομένα που δημοσίευσε η Eurostat δείχνουν αύξηση του εθνικού χρέους της Κύπρου το 2012. Σύμφωνα με τα δεδομένα αυτά, το 2012 το δημόσιο χρέος της Κύπρου ανήλθε σε 15,350 δισεκατ. ευρώ, ήτοι στο 86,6% του ΑΕΠ, έναντι 12,778 δισεκατ. ευρώ (71,5% του ΑΕΠ) το 2011. Πρόκειται για την τρίτη μεγαλύτερη ετήσια αύξηση του δείκτη δημόσιου χρέους/ΑΕΠ στη ζώνη του ευρώ, μετά από την Πορτογαλία και την Ισπανία.

Βάσει των επικαιροποιημένων μακροοικονομικών και δημοσιονομικών προβλέψεων που συμφωνήθηκαν κατά τη διάρκεια της 2ης αποστολής ελέγχου, οι προβλέψεις της Επιτροπής για το δημόσιο χρέος παραμένουν απολύτως σύμφωνες με τον στόχο του προγράμματος για επιστροφή των δημόσιων οικονομικών σε διατηρήσιμη πορεία. Οι ακριβείς υπολογισμοί δημοσιεύονται στην έκθεση συμμόρφωσης που εξέδωσε η Επιτροπή σχετικά με τη 2η αποστολή ελέγχου ⁽¹⁾. Η δυναμική του χρέους αντικατοπτρίζει την ανακεφαλαιοποίηση των πιστωτικών ιδρυμάτων και τα υψηλά δημόσια ελλείμματα. Ο δείκτης του χρέους προς το ΑΕΠ προβλέπεται να κορυφωθεί το 2015 και να μειωθεί σταδιακά μέχρι το 2020, λόγω της οικονομικής ανάκαμψης και των δημοσιονομικών-διαρθρωτικών μεταρρυθμίσεων που θα οδηγήσουν σε πρωτογενή πλεονάσματα.

⁽¹⁾ http://europa.eu/rapid/press-release_MEMO-13-963_en.htm

(English version)

**Question for written answer E-012464/13
to the Commission
Antigoni Papadopoulou (S&D)
(5 November 2013)**

Subject: Increase in national debt in Cyprus

The revised final data published by Eurostat show an increase in national debt in Cyprus in 2012. According to EU data, Cyprus's national debt in 2012 amounted to EUR 15 350 billion, or 86.6% of GDP, as compared with the figure for 2011, which was EUR 12 778 billion, or 71.5% of GDP. This is the second largest annual increase in debt in the euro area, after Spain's.

1. What are the Commission's forecasts for 2013 and 2014, given that the Memorandum policy is being implemented to reduce the national debt?
2. How has the national debt evolved in other countries subject to the Memoranda (e.g. Greece, Portugal and Ireland) both before and during the application of Memoranda?

**Answer given by Mr Rehn on behalf of the Commission
(27 January 2014)**

The data published by Eurostat show an increase in national debt in Cyprus in 2012. According to these data, Cyprus's government debt in 2012 amounted to EUR 15 350 billion, or 86.6% of GDP, as compared with the figure for 2011, which was EUR 12 778 billion, or 71.5% of GDP. This is the third largest annual increase in the government debt ratio in the euro area, after those of Portugal and Spain.

Based on the updated macro- and fiscal projections agreed during the 2nd review mission, the Commission's public debt projections remain fully in line with the programme's objective of putting public finances on a sustainable path. The exact calculations are presented in the Commission's Compliance Report of the 2nd review⁽¹⁾. Debt dynamics reflect the recapitalisation of credit institutions and high government deficits. The debt-to-GDP ratio is projected to peak in 2015 and to gradually decline until 2020, due to the economic recovery and fiscal-structural reforms leading to primary surpluses.

⁽¹⁾ http://europa.eu/rapid/press-release_MEMO-13-963_en.htm

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-012465/13
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(5 Νοεμβρίου 2013)

Θέμα: ΕΕ και Κυπριακό

Ο τρόπος αντιμετώπισης της Κυπριακής Δημοκρατίας και των Κυπρίων Ευρωπαίων πολιτών από τους ευρωπαίους εταίρους, σε όλα τα επίπεδα, είναι εντελώς άδικος. Τρανή απόδειξη οι πρόσφατες δηλώσεις του αρμόδιου Επιτρόπου διεύρυνσης κ. Στέφαν Φούλε, ότι, δηλαδή, η επιστροφή της Αμμοχώστου είναι μέρος των διαπραγματεύσεων μιας συνολικής λύσης, προσέγγιση εντελώς διαφορετική από αυτήν της Λευκωσίας, που προτάσσει το θέμα της Αμμοχώστου ως ΜΟΕ που πρέπει να υιοθετήσει η Τουρκία.

Ερωτάται λοιπόν η Επιτροπή:

1. Με τέτοιες δηλώσεις προάγεται η ευρωπαϊκή αλληλεγγύη προς μια χώρα μέλος της ΕΕ;
2. Πώς εμπλέκεται πιο δραστήρια η ΕΕ στις προσπάθειες λύσης και, ειδικά, αυτήν την περίοδο που τροχοδορείται επανέναξη των διαπραγματεύσεων;
3. Είναι ικανοποιητική η στάση της ΕΕ, να αποφεύγει επιμελώς κάθε έμπρακτη ανάμειξη σε συντελούμενες τουρκικές προσπάθειες περαιτέρω τουρκοποίησης των κατεχομένων και δημιουργίας νέων τετελεσμένων, παρακολουθώντας παθητικά;
4. Γιατί ο κ. Φούλε επιμένει να επαναλαμβάνει φορτικά τις απαντήσεις του, στα εύλογα ερωτήματα μου, πως «όλα θα λυθούν όταν βρεθεί λύση στο Κυπριακό»;
5. Πώς θα αναστραφούν τετελεσμένα που παγιώνονται από την Τουρκία, όταν η ΕΕ δεν δρα δραστήρια και προκαταβολικά για να τερματίσει παράνομες τουρκικές ενέργειες και άφησε την κατοχική Τουρκία να αποδρασυνθεί και να αποενοχοποιηθεί;
6. Προτίθεται να αλλάξει στάση η ΕΕ έναντι της Κύπρου και να εμπλακεί πιο δραστήρια στις επικείμενες διαπραγματεύσεις;

Ερώτηση με αίτημα γραπτής απάντησης E-012622/13
προς την Επιτροπή
Sophocles Sophocleous (S&D)
(7 Νοεμβρίου 2013)

Θέμα: Επιστροφή Αμμοχώστου

Σε μια προοπτική λύσης του Κυπριακού, ενός προβλήματος εισβολής και κατοχής, προτεραιότητα έχει η επιστροφή της πόλης των Βαρωσίων στους νόμιμους κατοίκους της. Σύμφωνα με το ψήφισμα 550 του Οργανισμού Ηνωμένων Εθνών (11 Μαΐου 1984) «οποιαδήποτε απόπειρα για εποίκισμό οποιουδήποτε τμήματος των Βαρωσίων από άτομα άλλα εκτός των κατοίκων τους θεωρείται απαράδεκτη», ενώ παράλληλα ζητείται η «μεταβίβαση της περιοχής αυτής υπό τη διοίκηση των Ηνωμένων Εθνών».

Πρόσφατα, η κυπριακή κυβέρνηση, σε μια προσπάθεια επανέναξης των συνομιλιών για επίλυση του Κυπριακού προβλήματος και σε μια προσπάθεια ώθησης των ενταξιακών διαπραγματεύσεων της Τουρκίας, πρότεινε την επιστροφή της περικλειστής πόλης των Βαρωσίων, όπως καταγράφεται στο ψήφισμα 550 των Ηνωμένων Εθνών, με ανταλλάγματα το απευθείας εμπόριο από το λιμάνι της Αμμοχώστου (χωρίς βέβαια να παρακάμπτεται η Κυπριακή Δημοκρατία και χωρίς να τίθεται θέμα αναγνώρισης του ψευδοκράτους) και το άνοιγμα ενταξιακών κεφαλαίων. Ωστόσο η Ευρωπαϊκή Επιτροπή φαίνεται να βάζει φρένο στην πρόταση της Κυπριακής Δημοκρατίας και να υιοθετεί πλήρως τις τουρκικές θέσεις που θέτουν την επιστροφή της Αμμοχώστου ως μέρος μιας συνολικής λύσης και όχι ως μέρος Μέτρων Οικοδόμησης Εμπιστοσύνης.

Ερωτάται η Επιτροπή:

Πώς τοποθετείται ο κύριος Επίτροπος σε σχέση με το ανωτέρω ψήφισμα του Συμβουλίου Ασφαλείας;

Πώς σχολιάζεται το γεγονός ότι παραβλέπεται εδώ και 29 χρόνια η μη εφαρμογή ψηφίσματος των Ηνωμένων Εθνών, τόσο από την ίδια την ΕΕ όσο και από ένα υποψήφιο κράτος μέλος;

Πώς σχολιάζεται η στάση της Ευρωπαϊκής Επιτροπής αναφορικά με τη πρόσφατη πρόταση της Κυπριακής Δημοκρατίας για επιστροφή της πόλης των Βαρωσίων με ανταλλάγματα;

Κοινή απάντηση του κ. Füle εξ ονόματος της Επιτροπής
(21 Φεβρουαρίου 2014)

Η επιστροφή της κλειστής περιοχής των Βαρωσίων της Αμμοχώστου στους νόμιμους ιδιοκτήτες της αναμένεται ότι θα είναι ένα από τα βασικά στοιχεία των διαπραγματεύσεων για τη συνολική διευθέτηση του Κυπριακού μεταξύ των δύο κοινοτήτων υπό την αιγίδα του ΟΗΕ. Μια συνολική διευθέτηση, η οποία θα συμφωνηθεί μεταξύ των ηγετών των δύο κοινοτήτων, αποτελεί τον ταχύτερο και πλέον άμεσο τρόπο για τη διευθέτηση των προβλημάτων που σχετίζονται με το ζήτημα της Κύπρου, συμπεριλαμβανομένης της επιστροφής των Βαρωσίων στους νόμιμους ιδιοκτήτες τους.

Η Επιτροπή χαιρετίζει τη συμφωνία της 11ης Φεβρουαρίου 2013 μεταξύ των Ελληνοκυπρίων και των Τουρκοκυπρίων ηγετών σχετικά με κοινή δήλωση και την επανάληψη των πλήρων διαπραγματεύσεων για συνολική διευθέτηση με στόχο να επιτευχθεί διευθέτηση το συντομότερο δυνατό.

Όπως αναφέρεται στη δήλωση της Ευρωπαϊκής Ένωσης με την οποία χαιρετίζει την κοινή δήλωση ⁽¹⁾, η Ευρωπαϊκή Ένωση υποστηρίζει, στο πλαίσιο αυτό, τις προσπάθειες για την επίτευξη συμφωνίας μεταξύ των δύο μερών για μια δέσμη μέτρων οικοδόμησης εμπιστοσύνης, τα οποία μπορούν να βοηθήσουν ώστε να δημιουργηθεί μια δυναμική για την επίτευξη διευθέτησης προς όφελος του κυπριακού λαού. Η Ευρωπαϊκή Ένωση είναι πρόθυμη να εξετάσει δημιουργικά τον τρόπο με τον οποίο μπορεί να συμβάλει στην επίτευξη αυτού του στόχου με την προοπτική μιας οριστικής διευθέτησης.

Όσον αφορά τη συμβολή της Τουρκίας σε μια συνολική λύση του κυπριακού ζητήματος, η Επιτροπή παραπέμπει την κα βουλευτή στην έκθεση προόδου του 2013 για την Τουρκία.

⁽¹⁾ http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/ec/140986.pdf (γλώσσα πρωτοτύπου — EN).

(English version)

**Question for written answer E-012465/13
to the Commission**

Antigoni Papadopoulou (S&D)

(5 November 2013)

Subject: EU and the Cyprus issue

The way in which our European partners are dealing with the Republic of Cyprus and European Cypriot citizens, at all levels, is totally unjust. A prime example of this is the recent statements by Štefan Füle, Commissioner for Enlargement, to the effect that the return of Famagusta is part of negotiations for a comprehensive solution. This approach is utterly at odds with that of Nicosia, which proposes the subject of Famagusta as a confidence-building measure which Turkey must adopt.

1. Does the Commission believe that such statements promote European solidarity towards an EU Member State?
2. How can the EU be more actively involved in efforts to find a solution and, specifically, during this period when we are slowly approaching the re-opening of negotiations?
3. Is the EU's position satisfactory, in carefully avoiding any real involvement in Turkish efforts that are taking place to make the occupied territories more Turkish and to create a new *fait accompli*, but just passively watching?
4. Why does Mr Füle persist in insistently repeating his answers, to my reasonable questions, saying 'everything will be resolved when a solution to the Cyprus issue is found'?
5. How will it be possible to alter the situation being set in stone by Turkey, when the EU is not acting vigorously and in advance to put an end to illegal Turkish acts, and has allowed occupying Turkey to become bolder and more implicated in wrong-doing?
6. Does the EU intend to change its stance towards Cyprus and to become more actively involved in the negotiations at issue?

**Question for written answer E-012622/13
to the Commission**

Sophocles Sophocleous (S&D)

(7 November 2013)

Subject: Return of Famagusta

If the Cyprus problem, which is a problem of invasion and occupation, is to be resolved, priority must be given to returning the town of Varosha to its legal inhabitants. UN Resolution 550 adopted on 11 May 1984 'considers attempts to settle any part of Varosha by people other than its inhabitants as inadmissible' and 'calls for the transfer of this area to the administration of the United Nations'.

In a bid to restart talks on the Cyprus question and in a bid to give impetus to Turkey's accession negotiations, the Cypriot government recently proposed that the enclaved town of Varosha should be returned, as stated in UN Resolution 550, in return for direct trade from the port of Famagusta (without, of course, circumventing the Republic of Cyprus and without raising the question of recognition of the pseudo-state) and that accession chapters should be opened. However, the European Commission appears to be reticent to follow the proposal by the Republic of Cyprus and to fully endorse the Turkish position, which sees the return of Famagusta as part of a global solution rather than as a confidence building measure.

In view of the above, will the Commission say:

What is the Commissioner's position on the above Security Council resolution?

What are his comments on the fact that both the EU and a candidate Member State have ignored a UN resolution for the past 29 years?

What are his comments on the European Commission's position on the recent proposal by the Republic of Cyprus that the town of Varosha should be returned on a *quid pro quo* basis?

Joint answer given by Mr Füle on behalf of the Commission
(21 February 2014)

The return of the sealed-off Varosha area of Famagusta to its lawful owners is expected to be one of the key elements of the negotiations on a comprehensive Cyprus settlement between both communities under UN auspices. A comprehensive settlement agreed between the leaders of the two communities constitutes the quickest and most direct way to solving the problems related to the Cyprus issue, including on the return of Varosha to its lawful owners.

The Commission welcomes the agreement of 11 February 2013 between the Greek Cypriot and Turkish Cypriot leaders on a joint declaration and on the resumption of fully-fledged negotiations on a comprehensive settlement with the aim to reach a settlement as soon as possible.

As indicated in the statement of the European Union welcoming the joint declaration ⁽¹⁾, the European Union supports, within this context, the efforts to reach an agreement between the two parties on a package of Confidence-Building Measures which can help to create momentum towards a settlement to the benefit of the Cypriot people. The European Union stands ready to look creatively at how to contribute to this objective in the prospects of a final settlement.

As concerns Turkey's contribution to an overall solution of the Cyprus issue, the Commission refers the Honourable Member to the 2013 Progress Report on Turkey.

⁽¹⁾ http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/ec/140986.pdf (original version — EN).

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-012486/13
προς την Επιτροπή
Georgios Papanikolaou (PPE)
(5 Νοεμβρίου 2013)

Θέμα: Ρευστότητα σε ελληνικές μικρομεσαίες επιχειρήσεις

Στο πλαίσιο της παρουσίασης της 5ης έκδοσης της Ομάδας Δράσης, ο Ευρωπαίος Επίτροπος Οικονομικών και Νομισματικών υποθέσεων κ. Όλι Ρεν αναφέρθηκε στην «περιορισμένη ρευστότητα» που παρέχεται στις ελληνικές μικρομεσαίες επιχειρήσεις από τις τράπεζες, οι οποίες, παρότι έχουν ανακεφαλαιοποιηθεί, υπόκεινται ακόμη σε σημαντικούς περιορισμούς.

Ερωτάται η Επιτροπή:

1. Ποιοι είναι οι σημαντικότεροι περιορισμοί που διαπιστώνει η Επιτροπή;
2. Με ποιον τρόπο μπορεί να συμβάλει στην αντιμετώπισή τους;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής
(23 Ιανουαρίου 2014)

Το υψηλό ποσοστό μη εξυπηρετούμενων δανείων περιορίζει τον τραπεζικό δανεισμό και τις ιδιωτικές επενδύσεις ⁽¹⁾.

Τα προγράμματα δημόσιας στήριξης για τις ΜΜΕ (επιχορηγήσεις, δάνεια) επικεντρώθηκαν στις επενδύσεις, αλλά η βασική ανάγκη των ΜΜΕ είναι χρηματοδότηση με κεφάλαια κίνησης.

Από τότε που άρχισε η κρίση στην Ελλάδα, έχει ολοκληρωθεί επιτυχώς η αναδιάρθρωση και η ανακεφαλαιοποίηση του ελληνικού τραπεζικού τομέα, με την τεχνική υποστήριξη της Ευρωπαϊκής Επιτροπής, της Ευρωπαϊκής Κεντρικής Τράπεζας και του Διεθνούς Νομισματικού Ταμείου.

Το 2011 τροποποιήθηκαν οι κανονισμοί των Διαρθρωτικών Ταμείων της ΕΕ, ώστε να είναι δυνατή η συγχρηματοδότηση των δανείων για κεφάλαια κίνησης ⁽²⁾. Τα χρηματοδοτικά μέσα του ομίλου της ΕΤΕπ εμφάνισαν σημαντική επιτάχυνση της απορρόφησης. Οι κανονισμοί των Ευρωπαϊκών Διαρθρωτικών και Επενδυτικών Ταμείων (ταμεία ESI) ⁽³⁾ για την περίοδο 2014-2020 ακολουθούν επίσης την ίδια προσέγγιση.

Η Ομάδα Δράσης για την Ελλάδα ⁽⁴⁾ έχει συνδράμει τις ελληνικές αρχές αντλώντας τεχνογνωσία για τις βέλτιστες πρακτικές από τα κράτη μέλη της ΕΕ στον τομέα της στήριξης των ΜΜΕ, μεταξύ άλλων και όσον αφορά τη δόμηση των Ταμείων ESI ή τη διαχείριση των κινδύνων. Η Ευρωπαϊκή Επιτροπή δίνει συνεχιζόμενη υποστήριξη για την προετοιμασία της επόμενης περιόδου των ταμείων ESI.

Η ελληνική κυβέρνηση έχει ανακοινώσει την ίδρυση ενός Ιδρύματος για την Ανάπτυξη (IyA). Το IyA θα παρέχει χρηματοδότηση για δάνεια σε ΜΜΕ, ίδια κεφάλαια των ΜΜΕ και μικρά έργα υποδομής. Έως σήμερα, έχουν αναληφθεί δεσμεύσεις ύψους 480 εκατομμυρίων ευρώ από την Ελλάδα (πόροι του προϋπολογισμού και ταμεία ESI) και άλλους δημόσιους και ιδιώτες επενδυτές από την Ελλάδα και το εξωτερικό. Το IyA προβλέπεται να αρχίσει να λειτουργεί το 2014.

⁽¹⁾ http://ec.europa.eu/economy_finance/publications/occasional_paper/2013/pdf/ocp159_en.pdf

⁽²⁾ Εκτελεστικός κανονισμός (ΕΕ) αριθ. 1236/2011 της Επιτροπής, της 29ης Νοεμβρίου 2011.

⁽³⁾ PE-CONS No/ΥΥ — 2011/0276(COD).

⁽⁴⁾ Ομάδα Δράσης της ΕΕ για την Ελλάδα.

(English version)

Question for written answer E-012486/13
to the Commission
Georgios Papanikolaou (PPE)
(5 November 2013)

Subject: Liquidity in Greek SMEs

On the occasion of the presentation of the Fifth Activity Report of the Task Force, the Commissioner for Economic and Monetary Affairs, Olli Rehn, referred to the limited liquidity provided to Greek SMEs by banks which, despite having recapitalised, were still subject to significant restrictions.

In view of the above, will the Commission say:

1. What are the main restrictions identified by the Commission?
2. How can it help address them?

Answer given by Mr Rehn on behalf of the Commission
(23 January 2014)

The high rate of non-performing loans are holding back bank lending and private investment ⁽¹⁾.

Public support schemes for SMEs (grants, loan schemes) were focused on investments but the main need of SMEs is working capital financing.

Since the beginning of the Greek crisis the restructuring and recapitalisation of the Greek banking sector has been successfully carried out with the technical support of the European Commission, the European Central Bank and the International Monetary Fund.

In 2011 the EU Structural Fund regulations were modified so that co-financing of working capital loans is possible ⁽²⁾. Financial instruments from EIB group showed significant acceleration in absorption. The regulations for the 2014 — 2020 European Structural Investment Funds (ESI Funds) ⁽³⁾, also follow this approach.

The TFGR ⁽⁴⁾ has assisted the Greek authorities by channeling best practice know how from EU Member States in the field of SME support including the structuring the ESI Funds or Risk Management. The EU Commission is giving ongoing support for the preparation of the next ESI Funds period.

The Greek Government has launched the Institution for Growth (IfG). The IfG will provide financing in the fields of SME loans, SME equity and small infrastructure projects. Up to now 480 million EUR were committed from Greece (budgetary sources and ESI Funds) and other public and private investors from Greece and abroad. The IfG is planned to start in 2014.

⁽¹⁾ http://ec.europa.eu/economy_finance/publications/occasional_paper/2013/pdf/ocp159_en.pdf

⁽²⁾ Commission Implementing Regulation (EU) No 1236/2011 of 29 November 2011.

⁽³⁾ PE-CONS No/YY — 2011/0276(COD).

⁽⁴⁾ EU Task Force for Greece.

(English version)

**Question for written answer E-012494/13
to the Commission
Nicole Sinclaire (NI)
(5 November 2013)**

Subject: Percentage of UK laws that derive from EU membership

Could the Commission advise me of the percentage of new laws enacted in the UK that derive from EU membership (annually, averaged over the last five years)?

**Question for written answer E-012495/13
to the Commission
Nicole Sinclaire (NI)
(5 November 2013)**

Subject: Compliance with EU legislation

Could the Commission advise me of the number of laws enacted in the UK to ensure compliance with EU legislation (annually, averaged over the last five years)?

**Joint answer given by Mr Barroso on behalf of the Commission
(22 January 2014)**

The Commission does not have the figures requested by the Honourable Member, not for the United Kingdom, nor for any other Member State.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-012497/13

lill-Kummissjoni

Marlene Mizzi (S&D)

(5 ta' Novembru 2013)

Suġġett: Ryanair: penali eċċessivi

Ryanair qed tagħti multi ta' EUR 70 lill-passiġġieri jekk ma jnizzlax u jipprintjaw il-biljett tal-imbarkazzjoni biex jipprezentawh maċ-check-in. Dan ir-rekwiżit huwa inkluz fit-Termini u Kundizzjonijiet. Madankollu:

1. Il-Kummissjoni tikkunsidra din il-kundizzjoni u l-penali bhala legali, meta jitqies li fil-hin li jithallas biljett tal-ajru, il-biljett jintitola lill-passiġġier għal post fuq l-ajruplan u għaldaqstant għal biljett ta' imbarkazzjoni?
2. Il-Kummissjoni tikkunsidra li hu legali li passiġġier jintalab pagament addizzjonali għal dritt li diġà hallas għalih, meta l-provvista ta' biljett ta' imbarkazzjoni lill-passiġġier ma tinvolvi ebda xogħol jew spiża żejda għall-kumpanija tal-ajru?
3. Il-Kummissjoni tikkunsidra din ir-rikjesta obbligatorja min-naha ta' Ryanair bhala diskriminatorja fil-konfront ta' passiġġieri li mhumiex fil-pussess jew ma għandhomx aċċess għal kompjuter jew printer?
4. Jekk il-Kummissjoni twieġeb fin-negattiv għal dan ta' hawn fuq, x'se tagħmel biex tevita l-isfruttar ta' passiġġieri li b'mod mhux ġustifikat qed jingieghlu jhallsu multa għolja mir-Ryanair għal biljett ta' imbarkazzjoni?

Tweġiba mogħtija mis-Sur Kallas fisem il-Kummissjoni

(29 ta' Jannar 2014)

L-Artikolu 22 tar-Regolament (KE) Nru 1008/2008 dwar is-servizzi tal-ajru ⁽¹⁾ jgħid li t-trasportatur tal-ajru tal-Komunità għandu jstabbilixxi nollijiet tal-ajru u rati tal-ajru b'mod hieles għal servizzi tal-ajru intrakomunitarji. L-Artikolu 23(1) tal-istess regolament jimponi obbligu għat-trasportaturi tal-ajru biex jinkludu l-kundizzjonijiet applikabbli u kull taxxa, imposta, soprataxxa u tariffa addizzjonali applikabbli li ma jkunux jistgħu jiġu evitati u li jkunu prevedibbli fil-hin tal-pubblikazzjoni meta offriti jew ippublikati f'kull forma disponibbli għall-pubbliku ġenerali.

Fir-rigward tal-leġiżlazzjoni tal-konsumatur, il-kundizzjonijiet kuntrattwali li jikkawżaw żbilanċ sinifikanti bejn il-partijiet għad-detriment tal-konsumatur għandhom jitqiesu bhala ingusti u mhux vinkolanti skont id-Direttiva dwar it-termini kuntrattwali ingusti ⁽²⁾.

Filwaqt li l-awtoritajiet nazzjonali u l-qrati huma kompetenti li jimplimentaw il-leġiżlazzjoni tal-UE, l-esperjenza wriet htieġa dejjem ikbar għal azzjoni ta' infurzar koordinata fost l-Istati Membri. Sabiex jiġu esplorati l-għażliet differenti, reċentement tnediet konsultazzjoni pubblika dwar ir-revizjoni ir-Regolament tal-Kooperazzjoni għall-Protezzjoni tal-Konsumatur (CPC) (KE) Nru 2006/2004 mill-Kummissjoni. It-tweġibiet jintlaqgħu sa Jannar 2014.

⁽¹⁾ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:293:0003:0020:mt:PDF>

⁽²⁾ Id-Direttiva 93/13/KEE.

(English version)

Question for written answer E-012497/13
to the Commission
Marlene Mizzi (S&D)
(5 November 2013)

Subject: Ryanair: excessive penalties

Ryanair is fining passengers EUR 70 if they do not download and print a boarding pass to present at the check-in desk. This requirement is included in the Terms and Conditions. Nevertheless:

1. does the Commission consider this condition and penalty to be legal, considering that when an air ticket is paid for, the ticket entitles the passenger to a seat on the aircraft and, therefore, a boarding pass?
2. does the Commission consider it to be legal for a passenger to be asked for further payment for a right already purchased, when providing the passenger with a boarding pass involves no extra work or cost for the airline?
3. does the Commission consider this mandatory request by Ryanair to be discriminatory against passengers who do not own or have access to a computer or printer?
4. if the Commission answers in the negative to the above, what will it do to prevent the exploitation of passengers who are unjustifiably being made to pay a hefty fine by Ryanair for a boarding pass?

Answer given by Mr Kallas on behalf of the Commission
(29 January 2014)

Article 22 of the Air Services Regulation ⁽¹⁾ (EC) 1008/2008 says that Community air carrier shall freely set air fares and air rates for intra-community air services. Article 23(1) of the same Regulation imposes the obligation on air carriers to include the applicable conditions and all applicable taxes, charges, surcharges and fees that are unavoidable and foreseeable at the time of publication when offered or published in any form available to general public.

In relation to consumer legislation, contract terms causing a significant imbalance between the parties to the detriment of the consumer should be regarded as unfair and not binding under the Unfair Contract Terms Directive ⁽²⁾.

While national authorities and courts have the competency to implement EU legislation, experience has shown an increasing need for coordinated enforcement action among Member States. In order to explore the different reform options, a public consultation on the review of the Consumer Protection Cooperation (CPC) Regulation (EC) 2006/2004 has been recently launched by the Commission. Replies are welcome till January 2014.

⁽¹⁾ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:293:0003:0020:en:PDF>

⁽²⁾ Directive 93/13/EEC.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012510/13
a la Comisión**

Francisco Sosa Wagner (NI)

(5 de noviembre de 2013)

Asunto: Reciclado de residuos eléctricos y electrónicos

Recientes estudios de asociaciones de consumidores europeas han resaltado que subsisten diferencias en la aplicación de la Directiva sobre residuos (núm. 98, de 19 de noviembre de 2008) y, lo que es más preocupante, que no se reciclan de manera adecuada los productos desechados sino que, incluso, acaban fuera de los circuitos correctos causando esos residuos grave daño al entorno. Con anterioridad ya he alertado a la Comisión de los problemas del reciclaje en España (pregunta nº E-9625/2011) y, sabiendo que el cumplimiento de la normativa europea es responsabilidad de las autoridades nacionales, insisto en preguntar lo siguiente:

1. ¿Ha realizado la Comisión algún estudio con los datos e informes que le remiten los Estados miembros en cumplimiento de la citada Directiva?
2. ¿No considera que debería establecerse un sistema independiente de trazabilidad de los residuos para advertir mejor su eficacia, detectar los puntos negros de fuga de residuos e identificar a los responsables?
3. ¿No considera la Comisión que sería un mecanismo de control adecuado del cumplimiento y eficacia del sistema facilitar toda la información sobre las tasas concretas que cobran los fabricantes, sus ingresos y los pagos a las empresas gestoras de los residuos?

Respuesta del Sr. Potočnik en nombre de la Comisión

(23 de diciembre de 2013)

La Comisión está siguiendo de cerca la aplicación de la legislación de residuos de la UE sobre la base de los datos estadísticos recogidos por Eurostat y los informes trienales nacionales de aplicación presentados por los Estados miembros ⁽¹⁾. El último informe de la Comisión ⁽²⁾ se publicó el 17 de enero de 2013. De conformidad con el artículo 37, apartado 4, de la Directiva 2008/98/CE ⁽³⁾, relativa a los residuos, el primer informe de aplicación en virtud de dicha Directiva debe presentarse antes del 12 de diciembre de 2014.

La Comisión es consciente de que en algunos Estados miembros existen registros centralizados que recaban datos sobre gestión de residuos de diferentes operadores de un modo más fiable y simplificado, basándose, entre otras cosas, en datos del E-PRTR ⁽⁴⁾. La Comisión tiene la intención de estudiar esta y otras opciones a fin de mejorar la aplicación en el marco de la actual revisión de la política de residuos ⁽⁵⁾.

La revisión de la política de residuos también incluirá una evaluación de la eficacia de los regímenes de responsabilidad ampliada del productor, tales como el mencionado por Su Señoría. La aplicación de estos regímenes es responsabilidad de los Estados miembros.

⁽¹⁾ <http://epp.eurostat.ec.europa.eu/portal/page/portal/waste/introduction/> (La calidad de estos informes está controlada por Eurostat).

⁽²⁾ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2013:0006:FIN:ES:PDF>

⁽³⁾ DO L 312 de 22.11.2008.

⁽⁴⁾ El Registro europeo de emisiones y transferencias de contaminantes (véase: <http://prtr.ec.europa.eu/>)

⁽⁵⁾ http://ec.europa.eu/environment/waste/target_review.htm

(English version)

**Question for written answer E-012510/13
to the Commission**

Francisco Sosa Wagner (NI)

(5 November 2013)

Subject: Recycling of electrical and electronic waste

According to recent studies by European consumer associations, there are still disparities in the implementation of Directive 2008/98/EC of 19 November 2008 on waste and, more worryingly, not only are discarded products not being recycled satisfactorily but such waste even ends up outside the appropriate channels, causing serious damage to the environment. I have previously drawn the Commission's attention to recycling problems in Spain (Question E-009625/2011) and given that responsibility for compliance with European legislation lies with national authorities:

1. Has the Commission carried out any studies into the data and reports submitted by Member States in compliance with the aforementioned Directive?
2. Does it not think that an independent waste traceability system should be set up to better show how effective the system is, pinpoint waste 'leakage' black spots and identify those responsible.
3. Does the Commission not believe that providing comprehensive information on the specific fees charged by manufacturers, their revenue and payments to waste management companies would be a suitable mechanism for monitoring compliance with and the effectiveness of the system.

Answer given by Mr Potočník on behalf of the Commission

(23 December 2013)

The Commission is monitoring the implementation of EU waste legislation on the basis of statistical data collected by Eurostat and the tri-annual national implementation reports submitted by Member States ⁽¹⁾. The last Commission report ⁽²⁾ was published on 17 January 2013. Pursuant to Article 37 (4) of Directive 2008/98/EC ⁽³⁾ on waste the first implementation report under this directive is due by 12 December 2014.

The Commission is aware of centralised registries in some Member States that gather waste management data from various operators in a more reliable and simplified way, building, *inter alia*, on E-PRTR ⁽⁴⁾ data. The Commission envisages looking into this and other options to improve implementation within the context of the ongoing Waste Policy Review ⁽⁵⁾.

The Waste Policy Review will also include an assessment of the effectiveness of Extended Producer Responsibility schemes such as the once mentioned by the Honourable Member. The implementation of such schemes is a responsibility of the Member States.

⁽¹⁾ <http://epp.eurostat.ec.europa.eu/portal/page/portal/waste/introduction/> (The quality of these reports is checked by Eurostat).

⁽²⁾ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2013:0006:FIN:EN:PDF>

⁽³⁾ OJ L 312 of 22.11.2008.

⁽⁴⁾ The European Pollutant Release and Transfer Register — <http://prtr.ec.europa.eu/>

⁽⁵⁾ http://ec.europa.eu/environment/waste/target_review.htm

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012511/13
a la Comisión**

Francisco Sosa Wagner (NI)

(5 de noviembre de 2013)

Asunto: Contaminación en el Lago de Sanabria (Zamora)

Varios informes de expertos biólogos coinciden en la preocupación por la contaminación de las aguas del Lago de Sanabria que, debido a su singular ecosistema y belleza paisajística, ha sido objeto de varias declaraciones de protección ambiental. Además de la declaración de Parque Natural, sus alrededores son Lugar de Interés Comunitario y Zona de Especial Protección para las Aves. Entre las posibles causas de la contaminación se señalan los fallos de las instalaciones depuradoras de aguas residuales construidas hace años gracias a Fondos europeos de cohesión.

En otra ocasión he trasladado a la Comisión mi preocupación por los defectos en la ejecución de las obras de depuración o la falta de su adecuado mantenimiento (pregunta E-05334/2010). Resulta innecesario recordar que el Derecho de la Unión establece un marco de actuación en la protección de la calidad de las aguas; sin embargo, insisto en preguntar:

1. ¿Tiene información la Comisión sobre la contaminación de las aguas de esa zona protegida?
2. ¿Remitieron las autoridades españolas los informes preceptivos establecidos en los reglamentos que regulan los Fondos de cohesión sobre el correcto funcionamiento de esas específicas obras de depuración realizadas?

Respuesta del Sr. Hahn en nombre de la Comisión

(10 de enero de 2014)

Las autoridades españolas no han remitido a la Comisión información alguna sobre la posible contaminación de las aguas de la zona mencionada por Su Señoría.

De conformidad con el artículo 37 del Reglamento (CE) n° 1260/1999 del Consejo, de 21 de junio de 1999, por el que se establecen disposiciones generales sobre los Fondos Estructurales ⁽¹⁾, la autoridad de gestión facilita anualmente a la Comisión un informe en el que debe consignar, entre otros, los problemas de importancia que haya observado en la ejecución del programa operativo en cuestión. En dichos informes no se ha hecho mención alguna al posible mal funcionamiento de los trabajos realizados.

Cuando se dio por finalizado el programa operativo de Castilla y León ejecutado entre 2000 y 2006, la Comisión solicitó al Estado miembro que retirara todos aquellos proyectos que no estuvieran operativos cuando se enviaron los documentos de cierre. Entre dichos proyectos no se encontraba ninguna depuradora en la provincia de Zamora.

Su Señoría no ha especificado en su pregunta la depuradora a la que se refiere; en caso de que posea información acerca de posibles irregularidades en un proyecto concreto, se le ruega que la ponga en conocimiento de los servicios de la Comisión.

⁽¹⁾ DO L 161 de 26.6.1999, p. 1.

(English version)

**Question for written answer E-012511/13
to the Commission**

Francisco Sosa Wagner (NI)

(5 November 2013)

Subject: Pollution in Sanabria Lake (Zamora)

A number of reports by biologists raise the same concerns over pollution of the waters of Sanabria Lake which, on account of its unique ecosystem and beautiful landscape, has been the subject of several environmental protection orders. In addition to being declared a Natural Park, its surroundings are a site of Community importance and a special protection area for birds. Possible causes of the pollution include faults in the waste water treatment plants built many years ago with European cohesion funds.

I have already raised my concerns with the Commission about shortcomings in the water treatment plant building works and the lack of satisfactory maintenance (Question E-05334/2010). I do not need to remind you that EC law sets out a framework for action to protect water quality.

1. Does the Commission have any information on water pollution in this protected area?
2. Have the Spanish authorities submitted the statutory reports on the proper functioning of these specific water treatment plants, as specified by the regulations governing the cohesion funds?

(Version française)

Réponse donnée par M. Hahn au nom de la Commission

(10 janvier 2014)

La Commission n'a pas reçu de la part des autorités espagnoles des informations sur des contaminations possibles des eaux dans la zone évoquée par l'Honorable Parlementaire.

Conformément à l'article 37 du Règlement du Conseil 1260/1999 du 21 juin 1999 ⁽¹⁾ qui établit des dispositions générales sur les Fonds Structurels, l'autorité de gestion transmet à la Commission un rapport annuel où elle doit informer entre autres des problèmes importants éventuellement rencontrés dans la mise en œuvre du programme opérationnel concerné. Rien concernant un éventuel mauvais fonctionnement des travaux réalisés n'a été signalé dans ces rapports.

Lors de la clôture du programme opérationnel de Castilla y León 2000-2006, la Commission a demandé à l'État membre de retirer tous les projets qui n'étaient pas opérationnels au moment de l'envoi des documents de clôture. Parmi ces projets, ne se trouvait aucune station d'épuration dans la province de Zamora.

Si l'Honorable Parlementaire qui ne cite aucune station d'épuration spécifique dans sa question a des informations sur d'éventuelles irrégularités d'un projet en particulier, il est prié de les communiquer aux services de la Commission.

⁽¹⁾ JO CE L161-1 du 26/06/1999.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012512/13
a la Comisión**

Francisco Sosa Wagner (NI)

(5 de noviembre de 2013)

Asunto: Preocupante recorte de la financiación de las becas Erasmus en España

El pasado día 29 de octubre apareció en el Boletín Oficial del Estado una orden del Ministerio de Educación del Reino de España en la que se establece una nueva regulación de la aportación complementaria que se realizará a los centros europeos de educación superior y que facilita el programa Erasmus. En resumen, esta reforma supone que solo se beneficiarán de la aportación que realiza el Gobierno de España aquellos estudiantes que ya cuenten con una beca general.

En muchas ocasiones, los diputados hemos manifestado nuestra preocupación por los recortes en la cuantía de las ayudas que se están produciendo en diversos Estados miembros, así como por los retrasos en los pagos que ha de realizar la Comisión Europea (por ejemplo, mi anterior pregunta P-8945/2012). Por ello, me permito insistir:

1. ¿Cuenta la Comisión con un análisis de las diferentes aportaciones que realizan los Estados miembros a este programa que constituye una de las mejores argamisas para construir Europa?
2. ¿Considera la Comisión que es conveniente avanzar en la obtención de más recursos propios por parte de la Unión Europea para dotar de una cobertura más amplia y estable al programa Erasmus, para garantizar una mínima igualdad entre todos los estudiantes europeos?
3. ¿Qué posibilidades considera esa Comisión que existen para utilizar alguna cuantía de los Fondos estructurales y de cohesión para incrementar la ayuda que reciben algunos estudiantes, de conformidad con la regulación de estos Fondos?

**Pregunta con solicitud de respuesta escrita E-012513/13
a la Comisión**

Willy Meyer (GUE/NGL)

(5 de noviembre de 2013)

Asunto: Eliminación de parte del programa Erasmus en España

El Ministerio de Educación, Cultura y Deporte del Gobierno español aprobó, a través de su publicación en el Boletín Oficial del Estado el pasado 24 de octubre, una orden (ECD/1997/2013) mediante la cual deja a miles de beneficiarios de la beca Erasmus sin ayuda alguna para el presente curso 2013/2014.

Este anuncio se ha realizado tras múltiples declaraciones del Ministro que aseguraba que no iba a tocar dicho programa de becas, y en base a ello miles de estudiantes han tomado la decisión de solicitar dichas becas. Con el curso ya comenzado, con contratos de alquiler firmados en otros países, apenas llegados a sus países de destino, estos estudiantes reciben la noticia del recorte en sus becas. La orden publicada supone una reducción presupuestaria a la mitad, que se concreta en el nuevo requisito de exigir haber sido beneficiarios de la beca general durante el pasado curso 2012/2013, requisito que no existía en las condiciones iniciales cuando los estudiantes solicitaron dicha beca.

En un comunicado elaborado por la «comunidad de estudiantes españoles, beneficiarios de la beca “Erasmus” para el curso 2013/2014» y difundido a través de internet, los estudiantes beneficiarios de dichas becas solicitan la rectificación del Gobierno para que «podamos realizar nuestro año académico y así contemos con “casi” las mismas oportunidades y recursos que nuestros vecinos europeos». Los estudiantes beneficiarios de las becas Erasmus han comenzado ya sus respectivos cursos universitarios y, por lo tanto, muchos de ellos deberán dejarlos tras haber cambiado de país y preparado sus respectivas estancias en el extranjero.

Considerando lo que antecede:

1. ¿Conoce la Comisión la citada orden ministerial?
2. ¿Considera que los estudiantes españoles beneficiarios tienen adecuadamente garantizado, en términos de igualdad con respecto al resto de estudiantes europeos, su derecho a la participación en el programa Erasmus?
3. ¿Considera apropiado y ajustado al correcto funcionamiento del programa Erasmus el cambio de los requisitos para recibir dicha beca una vez ya ha comenzado el curso académico?

4. ¿No considera que el recorte presupuestario impuesto por esta orden pone en peligro los mismos objetivos del citado programa en España?

Pregunta con solicitud de respuesta escrita E-012528/13

a la Comisión

Eider Gardiazábal Rubial (S&D), Sergio Gutiérrez Prieto (S&D) y Emilio Menéndez del Valle (S&D)

(5 de noviembre de 2013)

Asunto: Cambios por parte del Ministerio de Educación en las condiciones de becas Erasmus en España

El pasado 29 de octubre, el Ministerio de Educación, Cultura y Deporte de España, a través del Boletín Oficial del Estado, cambió las condiciones para recibir una beca Erasmus y, a partir de ahora, la cuantía de la ayuda del ministerio (hasta este año, unos 150 euros de media al mes) solo podrá ser percibida por los alumnos que reciban una «beca general» (que son las destinadas a los alumnos con bajos recursos económicos) en el curso anterior a su estancia.

Esto es consecuencia directa de los drásticos recortes ya realizados en las becas Erasmus en España, cuyo importe ha pasado de 67,2 millones en 2011 a 18 millones de euros en 2014. Además existe el agravante de que esto va a afectar actualmente a miles de estudiantes erasmus que ya empezaron el curso escolar en septiembre en sus destinos y finalmente no van a recibir una ayuda con la que contaban.

A su vez, la pasada semana el Parlamento Europeo, a través de su informe «Un nuevo concepto de educación», respaldado por una amplia mayoría parlamentaria, condenaba los recortes presupuestarios en educación por parte de algunos Estados miembros. Asimismo, solicitaba a los Estados miembros que den prioridad al gasto público y a las inversiones en educación, en línea con la Comunicación de la Comisión Europea «Un nuevo concepto de educación», de noviembre de 2012. Por último, la propia Comisaria Androulla Vassiliou ha afirmado recientemente que «en una época de penuria económica y de elevado desempleo juvenil, Erasmus es más importante que nunca».

Ante estos hechos y teniendo en cuenta que España es de los países que más estudiantes envían:

1. ¿Considera la Comisión que con estos recortes España está yendo contra todas las recomendaciones y decisiones tomadas en el seno de la UE en educación, especialmente para conseguir los objetivos de la Estrategia Europa 2020, el programa Juventud en Movimiento y el nuevo programa Erasmus Plus?
2. ¿Qué medidas piensa adoptar la Comisión para defender la importancia del programa Erasmus y defender los derechos de los estudiantes erasmus y obligar al Gobierno español a que cumpla el compromiso adquirido en los contratos de subvención con estos estudiantes y abone el dinero que se les había prometido a los miles de alumnos que ya están en el extranjero y contaban con esa ayuda?

Pregunta con solicitud de respuesta escrita E-012566/13

a la Comisión

Izaskun Bilbao Barandica (ALDE)

(6 de noviembre de 2013)

Asunto: Programa Erasmus

El programa Erasmus, «Plan de Acción de la Comunidad Europea para la Movilidad de Estudiantes Universitarios», creado en 1987 por iniciativa de una asociación estudiantil, ha tenido un éxito de tal magnitud que la Comisión ha propuesto para el período 2014-2020 dos nuevos programas: Europa Creativa y Erasmus+ que, una vez aprobados por el Parlamento Europeo entrarán en vigor el 1 de enero de 2014.

Miles de estudiantes españoles que participan en el Programa Erasmus de la Unión Europea ven peligrar la continuidad de su estancia en otros países de la UE. Los estudiantes españoles que tenían una beca Erasmus del curso 2013/2014 (ya comenzado) han recibido una noticia que los deja en la más absoluta indefensión. La cuantía de las becas Erasmus que proviene del Ministerio de Educación español queda restringida y solo podrá ser percibida por los alumnos que hubieran recibido beca general en el curso anterior a su estancia. Se pone a los estudiantes que forman parte de este importante programa europeo contra la pared y se les aplica con retroactividad unas disposiciones inexistentes cuando entraron a formar parte del mismo.

En efecto, la beca general del Ministerio español, cuyos requisitos no tienen nada que ver con la Beca Erasmus, estaba basada en otros motivos, exigencias (aumentadas también) y disposiciones.

El acuerdo fue publicado en el BOE del pasado 29 de octubre.

Según denuncian los colectivos afectados, esta medida afecta también a los universitarios que realizan su movilidad durante el curso que ya ha empezado, jóvenes que en muchos casos llevan ya dos meses en su destino y contaban con ese dinero para cubrir los gastos de estudiar en el extranjero.

A última hora parece que el Gobierno español ha dado una pequeña marcha atrás y anuncia que mantendrá, para este ejercicio, la ayuda concedida, pero insiste en su puesta en marcha el año próximo.

Ante esta grave situación, me gustaría saber si:

1. ¿Conoce la Comisión esta disposición del Gobierno español que cambia las reglas de juego de un programa europeo a mitad de camino?
2. ¿Va a realizar la Comisión alguna investigación sobre esta cuestión para los próximos ejercicios?
3. ¿Puede estudiar la Comisión una alternativa para los miles de afectados por esta medida?

**Pregunta con solicitud de respuesta escrita E-012822/13
a la Comisión**

Willy Meyer (GUE/NGL)
(12 de noviembre de 2013)

Asunto: Declaraciones sobre los cambios en el programa Erasmus+

El ministro de Educación, Cultura y Deporte del Gobierno de España ha anunciado que en el futuro programa Erasmus+ se modificarán los criterios de financiación de dicha beca de forma que habrá que reducir, a partir del año que viene, el número de beneficiarios españoles del actual programa Erasmus a la mitad.

Dichas declaraciones se inscriben en un momento en el que dicho ministerio ha intentado, sin éxito, gracias a la movilización de los estudiantes afectados, eliminar la contribución de los fondos del Gobierno de España a dicho programa. El Gobierno anunció que el método de cálculo de las personas elegibles para ser beneficiarios de la beca Erasmus cambiará para el nuevo programa. Afirmó que pasará de calcularse en base al número de estudiantes universitarios del país a calcularse en función de la población total que forme parte de cada Estado miembro. Dicho cambio perjudicaría especialmente a España, que tiene un elevado número de estudiantes universitarios debido al alto desempleo juvenil del país, golpeando a uno de los sectores que más está sufriendo las consecuencias de la crisis.

Tras la orden ministerial del pasado 24 de octubre que afectaba a la financiación de la parte española de miles de becas Erasmus en curso, se ha producido el fin de la seguridad jurídica para los estudiantes de dicho programa. Esta falta de seguridad jurídica que ha producido el ministerio entre los posibles beneficiarios de dicha beca se aleja del cumplimiento de los objetivos del programa, y este nuevo anuncio, de ser cierto, supondrá alejar a España aún más de cumplir los objetivos de Erasmus+.

¿Son ciertas las declaraciones del ministro sobre la reducción efectiva del número de estudiantes universitarios beneficiarios de la beca Erasmus el próximo ejercicio?

¿Cuáles son las estimaciones que maneja la Comisión sobre el impacto de dichos cambios en el número de becarios Erasmus en España para el ejercicio 2014?

¿Considera que este cambio en la distribución de los fondos del programa ayudará a cumplir sus objetivos en España?

Respuesta conjunta de la Sra. Vassiliou en nombre de la Comisión
(7 de enero de 2014)

La Comisión se ha puesto en contacto con el Gobierno español para debatir sobre la aplicación del programa Erasmus+, a fin de intentar mantener, en la medida de lo posible, los niveles de movilidad existentes.

Los estudiantes de Erasmus reciben una subvención con cargo al presupuesto de la UE para ir al extranjero a estudiar o formarse en el marco del programa Erasmus. Además, los Estados miembros pueden complementar la subvención de la UE con su propio presupuesto nacional o regional. En los Estados miembros, la cofinanciación es aportada por los gobiernos nacionales y regionales, las instituciones de enseñanza superior y fuentes privadas. En la actualidad, aproximadamente el 20 % de los países proporcionan cofinanciación nacional. La cofinanciación nacional y regional que tradicionalmente ha existido en España ha permitido obtener una alta participación en la movilidad fuera de España.

La Comisión acoge con satisfacción el acuerdo del Parlamento Europeo y el Consejo sobre el programa Erasmus+ y, en particular, el incremento del presupuesto en un 40 %. En ese contexto, el presupuesto para los intercambios de Erasmus+ en el ámbito de la educación superior en España se incrementará en un 4,3 % en 2014, hasta 53,4 millones de euros. Para 2020, la Comisión espera que el presupuesto sea un 60 % superior al gasto de 2013. La financiación estructural y de cohesión no puede utilizarse para incrementar el apoyo del programa Erasmus +, aunque, en el nuevo período de programación, el Fondo Social Europeo ofrecerá a los Estados miembros la oportunidad de movilizar fondos para apoyar también más activamente la movilidad de la mano de obra.

(English version)

**Question for written answer E-012512/13
to the Commission**

Francisco Sosa Wagner (NI)

(5 November 2013)

Subject: Worrying cut to funding for Erasmus grants in Spain

On 29 October 2013, an order by the Spanish Ministry of Education was published in the Spanish Official Gazette, making a new adjustment to the additional contribution to be made to European higher education institutions, thus facilitating the Erasmus programme. In short, the consequence of this reform is that only students already in receipt of a general grant will receive the contribution from the Spanish Government.

Members of Parliament have repeatedly expressed concern over cuts to the amount of aid in several Member States, and over delays in the payments that the Commission is to make (for example, my previous Question P-008945/2012).

1. Does the Commission have an analysis of the various contributions made by the Member States to this programme, which is one of the best building blocks in the construction of Europe?
2. Does the Commission think it should work towards obtaining more own resources on the part of the European Union to provide more comprehensive and stable funding for the Erasmus programme, and guarantee a minimum level of equality among all European students?
3. What opportunities does this Commission think there are to use some funding from the Structural and Cohesion Funds to increase the aid received by some students, in accordance with the provisions of those funds?

**Question for written answer E-012513/13
to the Commission**

Willy Meyer (GUE/NGL)

(5 November 2013)

Subject: Abolition of part of the Erasmus programme in Spain

The Spanish Ministry of Education, Culture and Sport has adopted an order (ECD/1997/2013), published in the Spanish Official Gazette on 24 October 2013, which leaves thousands of beneficiaries of Erasmus grants without any aid for the current academic year 2013/2014.

This announcement came after a series of statements by the Minister, who promised that he was not going to touch this grant programme and, on that basis, thousands of students decided to apply for the aforementioned grants. Now that the academic year has already started and rental agreements have been signed in other countries, these students, who have only just arrived in their destination countries, are receiving the news that their grants have been cut. The published order involves a 50% budget cut, and includes a new requirement whereby students must have received a general grant in the previous academic year 2012/2013, a requirement that was not one of the initial conditions when the students applied for the aforementioned grant.

In a press release prepared by 'the community of Spanish students in receipt of an Erasmus grant for the academic year 2013/2014' circulated over the Internet, students who are beneficiaries of the aforementioned grants are calling on the government to reverse this decision so that they can complete their academic year and have 'almost' the same opportunities and resources as their European neighbours. Students who are beneficiaries of Erasmus grants have already started their university studies and, consequently, many of them will have to abandon them after having moved country and prepared for their periods of residence abroad.

1. Is the Commission aware of the aforementioned ministerial order?
2. Does it believe that the right of Spanish students benefiting from these grants to participate in the Erasmus programme is being suitably guaranteed, on an equal footing with other European students?
3. Does it think that changing the requirements for receiving the aforementioned grant after the academic year has already started is appropriate and in keeping with the proper functioning of the Erasmus programme?
4. Does it not think that the budget cut imposed by this order jeopardises the very objectives of the aforementioned programme in Spain?

**Question for written answer E-012528/13
to the Commission**

Eider Gardiazábal Rubial (S&D), Sergio Gutiérrez Prieto (S&D) and Emilio Menéndez del Valle (S&D)
(5 November 2013)

Subject: Changes by the Ministry of Education to the conditions for Erasmus grants in Spain

On 29 October 2013, the Spanish Ministry of Education, Culture and Sport, in the Spanish Official Gazette, changed the conditions for receiving an Erasmus grant and, from now on, the amount of aid from the Ministry (until this year, around EUR 150 on average per month) can only be received by students in receipt of a 'general grant' (grants for students from low-income families) in the academic year prior to their stay.

This is a direct consequence of the drastic cuts made to Erasmus grants in Spain, the funding for which has been cut from EUR 67.2 million in 2011 to EUR 18 million in 2014. Furthermore, there is the aggravating factor that this will currently affect thousands of Erasmus students who already started the academic year at their destinations in September and who will ultimately not receive the aid on which they were relying.

Last week Parliament, in its report entitled 'Rethinking Education', supported by a broad parliamentary majority, condemned education budget cuts by some Member States. Furthermore, it called on Member States to prioritise public expenditure and investment in education, in line with the Commission's Communication 'Rethinking Education' of November 2012. Finally, Commissioner Androulla Vassiliou recently declared that 'Erasmus is more important than ever in times of economic hardship and high youth unemployment'.

Considering that Spain is one of the countries that sends the most students:

1. Does the Commission think that these cuts mean that Spain is going against all the recommendations and decisions taken within the EU as regards education, especially to achieve the objectives of the Europe 2020 strategy, the Youth on the Move programme and the new Erasmus Plus programme?
2. What measures does the Commission plan to take to defend the importance of the Erasmus programme, defend the rights of Erasmus students and force the Spanish Government to fulfil its obligations in the grant agreements with these students and pay the money that it had promised to the thousands of students who are already abroad and who were relying on this aid?

**Question for written answer E-012566/13
to the Commission**

Izaskun Bilbao Barandica (ALDE)
(6 November 2013)

Subject: The Erasmus programme

The Erasmus programme, or 'European Community Action Scheme for the Mobility of University Students', which was set up in 1987 on the initiative of a student association, has been so successful that the Commission has proposed two new programmes for the years 2014-2020: Creative Europe and Erasmus+, which, once they have been approved by Parliament, will enter into force on 1 January 2014.

Thousands of Spanish students participating in the European Union's Erasmus programme feel that their future periods of residence in other EU countries are in jeopardy. Spanish students who received an Erasmus grant during the academic year 2013/2014 (which has already begun) have received news that leaves them completely defenceless. The amount of the Erasmus grants provided by the Spanish Ministry of Education has been cut and the grants are only available to students who have received a general grant in the academic year prior to their stay. Students participating in this important European programme have been backed into a corner and provisions which did not exist when they entered the scheme have been applied to them retrospectively.

Effectively, the Spanish Ministry's general grant, the general requirements for which are unrelated to the Erasmus grant, was based on other grounds, requirements (also stepped up) and provisions.

This decision was published in the Official Gazette of 29 October 2013.

According to claims by the groups affected, this measure also affects university students whose mobility takes place during the academic year that has already started and, in many cases, these students have already spent two months at their destination and were relying on this money to cover the expenses of studying abroad.

It appears that, at the last minute, the Spanish Government has backpedalled slightly and will maintain the aid granted for this financial year, but insists that the measure will be implemented next year.

1. Is the Commission aware of this measure by the Spanish Government, which changes the rules of a European programme midstream?
2. Will the Commission conduct any investigation into this matter for forthcoming financial years?
3. Can the Commission look into an alternative for the thousands of people affected by this measure?

Question for written answer E-012822/13
to the Commission
Willy Meyer (GUE/NGL)
(12 November 2013)

Subject: Statements about changes to the Erasmus+ programme

The Minister of Education, Culture and Sports of the Spanish Government has announced that funding criteria for scholarships in the future Erasmus+ programme will be changed, starting next year, so that the number of Spanish recipients will be reduced to half that of the current Erasmus programme.

Such statements are made at a time when the Ministry has attempted — unsuccessfully, thanks to protests by the affected students — to eliminate the contribution made to this programme from Spanish Government funds. The Government announced that the method for calculating who is eligible for Erasmus scholarships will change in the new programme. It stated that the calculation, instead of being based on the number of university students in each country, will be based on the total population of each Member State. Such a change would be especially hard on Spain as it has large numbers of university students due to its high youth unemployment, and would thus hit one of the sectors most suffering the consequences of the crisis.

The ministerial order of 24 October, affecting Spanish financing of the thousands of Erasmus scholarships in progress, has ended legal certainty for students in the programme. This lack of legal certainty for potential recipients of the scholarship, caused by the Ministry, is a move away from fulfilling the programme's objectives, and this new announcement, if it proves to be true, will further distance Spain from meeting the objectives of Erasmus+.

Are the statements made by the Minister, regarding the effective reduction in the number of university students to receive the Erasmus scholarship next financial year, certain?

What estimates does the Commission have of the impact of such changes on the number of Erasmus students in Spain for the 2014 financial year?

Does it believe that this change in the distribution of the programme's funds will help its objectives to be met in Spain?

Joint answer given by Ms Vassiliou on behalf of the Commission
(7 January 2014)

The Commission has been in contact with the Spanish Government to discuss the implementation of the Erasmus+ programme in an attempt to maintain existing levels of mobility as far as possible.

Erasmus students receive a grant from the EU budget to go abroad to study or train with the Erasmus programme. In addition, Member States can complement the EU grant with their own national or regional budget. Co-funding is provided in Member States by national and regional governments, higher education institutions, and private sources. Currently about 20% of countries provide national co-funding. The national and regional co-funding that existed traditionally in Spain allowed for a high participation in outgoing mobility.

The Commission welcomes the agreement of the European Parliament and the Council on the Erasmus+ programme and in particular the 40% budget increase. In that context, the budget for Erasmus+ higher education exchanges in Spain will increase by 4.3% in 2014 to EUR53.4 million. By 2020, the Commission expects that the budget will rise by 60% over spending in 2013. Structural and cohesion funding cannot be used to increase the support of the Erasmus+ programme although, under the new programming period, the European Social Fund will offer the opportunity for Member States to deploy funds to support also more actively labour mobility.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012516/13
aan de Commissie (Vicevoorzitter / Hoge Vertegenwoordiger)
Marietje Schaake (ALDE) en Ana Gomes (S&D)
(5 november 2013)

Betreft: VP/HR — Gebeurtenissen van 10 oktober 2013 op het EUBAM-hoofdkwartier in Libië

Op zondag 3 november 2013 werd in het Nederlandse radioprogramma „VPRO Bureau Buitenland” onthuld dat op 10 oktober 2013 een gewapende groep is ingebroken in het EUBAM-hoofdkwartier in het Corinthia Hotel in Tripoli ⁽¹⁾. Blijkbaar is premier Zeidan door de groep ontvoerd. Volgens de bronnen van het programma zijn diverse voorwerpen uit het hoofdkwartier gestolen, met name computers, vuurwapens en kogelvrije vesten.

1. Kan de VV/HV meer details verstrekken over wat op 10 oktober 2013 in het Corinthia Hotel is gebeurd? Zo nee, waarom niet?
2. Klopt het dat gewapende mannen in het EUBAM-hoofdkwartier zijn ingebroken? Zo ja, waarom is dit niet vermeld tijdens de briefing over EUBAM aan het Parlement van 14 oktober?
3. Klopt het dat apparatuur uit het EUBAM-hoofdkwartier is meegenomen? Zo ja, om welke apparatuur gaat het en wat kunnen de gevolgen van deze diefstal zijn?
4. Hoe beoordeelt de VV/HV de veiligheidssituatie voor het in Tripoli werkende personeel van de EU?
5. Klopt het dat is overwogen het EUBAM-hoofdkwartier te verhuizen naar Malta? Zo ja, waarom is deze optie verworpen?

Antwoord van hoge vertegenwoordiger/vicevoorzitter Ashton namens de Commissie
(16 januari 2014)

1. Tijdens het incident van 10 oktober zijn vijf gewapende mannen de controlekamer van het veiligheidsorgaan van de EUBAM binnengedrongen. Zij zijn niet in de vertrekken van EUBAM zelf in het hotel geweest. De gewapende mannen bedreigden de bewaker van het particuliere beveiligingsbedrijf van EUBAM. Zij vroegen hem naar de verblijfplaats van de premier en of er wapens in de controlekamer waren. Hij antwoordde dat er geen wapens waren en dat hij niet wist waar de premier zich bevond. Inmiddels was de internationale veiligheidsmanager van het particuliere bedrijf gewaarschuwd. Deze kon de gewapende mannen overtuigen te vertrekken.
2. Er is ingebroken in de controlekamer van het beveiligingsbedrijf. Er is niet ingebroken in de kamers die door de missie worden gebruikt en de missieleden zijn de gewapende mannen niet tegengekomen.
3. Er zijn kogelvrije vesten en autosleutels onttrokken uit de controlekamer van het beveiligingsbedrijf. De voertuigen zijn later onklaar gemaakt zodat zij niet konden worden gestolen.
4. De eerste prioriteit van de EEAS is de veiligheid van zijn personeel. Daarom beoordelen de missie en de EEAS de veiligheidssituatie op permanente basis en nemen zij de passende vereiste risicobeperkende maatregelen.
5. Er is nooit overwogen om het EUBAM-hoofdkwartier naar Malta te verhuizen. Op 16 november werd echter besloten een deel van het ondersteunende personeel tijdelijk op Malta onder te brengen. Deze tijdelijke onderbrenging zal geen invloed hebben op de tenuitvoerlegging van het mandaat van de missie.

⁽¹⁾ <http://www.vpro.nl/grenzeloos/nieuws/2013/11/libie.html>

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-012516/13
à Comissão (Vice-Presidente/Alta Representante)
Marietje Schaake (ALDE) e Ana Gomes (S&D)
(5 de novembro de 2013)

Assunto: VP/HR — Incidentes de 10 de outubro de 2013, na sede da MAF UE na Líbia

No domingo, 3 de novembro de 2013, o programa de rádio neerlandês «VPRO Bureau Buitenland» noticiou que, em 10 de outubro de 2013, um grupo de homens armados, aparentemente o mesmo que terá raptado o Primeiro-Ministro Zeidan, invadiu a sede da MAF UE no Hotel Corinthia de Trípoli ⁽¹⁾. Segundo as fontes do programa, vários objetos foram roubados da sede, nomeadamente computadores, armas de fogo e coletes à prova de bala.

1. Poderá a VP/AR fornecer informações mais pormenorizadas sobre o que aconteceu em 10 de outubro de 2013 no Hotel Corinthia? Caso a resposta seja negativa, por que razão?
2. É verdade que um grupo de homens armados se introduziu na sede da MAF UE? Em caso afirmativo, por que não foi esse incidente exposto ao Parlamento na sessão de informação sobre a MAF UE, em 14 de outubro?
3. É verdade que foi subtraído equipamento da sede da MAF UE? Em caso afirmativo, que tipo de equipamento e quais poderão ser as implicações do roubo?
4. Como avalia a VP/AR a situação de segurança dos funcionários da UE que desempenham funções em Trípoli?
5. É verdade que a opção de transferir a sede da MAF UE para Malta foi considerada? Em caso afirmativo, qual o motivo da sua rejeição?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão
(16 de janeiro de 2014)

1. Durante o incidente de 10 de outubro, cinco homens armados penetraram na central operacional da empresa que garante a segurança da MAF da UE. Não entraram nas instalações da MAF da UE propriamente ditas, situadas no hotel. Os homens armados ameaçaram o vigia empregado pela empresa de segurança privada da MAF da UE e interrogaram-no sobre o paradeiro do Primeiro-Ministro e sobre se havia armas na central operacional. O vigia negou a existência de armas e afirmou desconhecer onde se encontrava o Primeiro-Ministro. Entretanto, o gestor de segurança internacional da empresa privada foi alertado, tendo conseguido convencer os homens armados a abandonar o local.
2. Entraram na central operacional da empresa de segurança, mas não entraram em nenhuma das salas utilizadas pela Missão, e os seus membros não se defrontaram com os homens armados.
3. Da central operacional da empresa de segurança foram roubados coletes à prova de bala e chaves de veículos automóveis. Mais tarde, os veículos foram desativados para impedir que fossem roubados.
4. A primeira prioridade do SEAE é a segurança do seu pessoal. Por conseguinte, a Missão e o SEAE avaliam a situação da segurança de forma permanente e tomam medidas de atenuação adequadas conforme necessário.
5. A mudança da sede da MAF da UE para Malta nunca foi contemplada. No entanto, em 16 de novembro decidiu-se que algum pessoal de apoio seria transferido temporariamente para Malta. Esta transferência temporária não afetará a execução do mandato da Missão.

⁽¹⁾ <http://www.vpro.nl/grenzeloos/nieuws/2013/11/libie.html>

(English version)

Question for written answer E-012516/13
to the Commission (Vice-President/High Representative)
Marietje Schaake (ALDE) and Ana Gomes (S&D)
(5 November 2013)

Subject: VP/HR — Events of 10 October 2013 at EUBAM headquarters, Libya

On Sunday 3 November 2013, the Dutch radio programme 'VPRO Bureau Buitenland' revealed that on 10 October 2013, an armed group broke into the EUBAM headquarters in the Corinthia Hotel in Tripoli ⁽¹⁾. It appears that Prime Minister Zeidan was abducted by the group. According to the programme's sources, various items were stolen from the headquarters including computers, firearms and bulletproof vests.

1. Can the VP/HR give more details about what happened on 10 October 2013 in the Corinthia Hotel? If not, why not?
2. Is it true that armed men broke into the EUBAM headquarters? If so, why was this not mentioned at the briefing to Parliament on EUBAM on 14 October?
3. Is it true that equipment was taken from the EUBAM headquarters? If so, what equipment was taken and what could be the implications of this theft?
4. How does the VP/HR assess the security situation for EU personnel working in Tripoli?
5. Is it true that the option of moving the EUBAM headquarters to Malta was considered? If so, why was it rejected?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(16 January 2014)

1. During the course of the incident on 10 October, five gunmen entered the Operations Room of EUBAM's security provider. They did not enter EUBAM's own premises in the hotel. The gunmen threatened the watch keeper employed by EUBAM's private security company. He was questioned on the whereabouts of the Prime Minister and whether there were weapons in the Operations Room. He denied the presence of weapons and having knowledge on the location of the PM. The private company's international security manager had in the meantime been alerted; he was able to convince the gunmen to leave.
2. The security provider's operations room was entered. None of the rooms being used by the Mission were breached nor did Mission members encounter the gunmen.
3. Flack jackets and car keys were taken from the security provider's operations room. The vehicles were later disabled so they could not be stolen.
4. The EEAS first priority is the safety of our personnel. The Mission and EEAS therefore assess the security situation on a continuous basis and takes appropriate mitigating measures as required.
5. Moving the EUBAM HQ to Malta has never been considered. On 16 November it was however decided to temporarily relocate some support staff to Malta. This temporary relocation will not affect the implementation of the mission's mandate.

⁽¹⁾ <http://www.vpro.nl/grenzeloos/nieuws/2013/11/libie.html>

(Versión española)

**Pregunta con solicitud de respuesta escrita P-012518/13
a la Comisión**

Raül Romeva i Rueda (Verts/ALE)

(5 de noviembre de 2013)

Asunto: Empleo de fondos europeos para la rehabilitación de una plaza de toros

El municipio de Ondara, en la Comunitat Valenciana, ha anunciado la obtención de unos 600 000 euros de fondos comunitarios ⁽¹⁾ que empleará para rehabilitar una plaza de toros, modificando su estética y reformando todos los elementos necesarios para volver a organizar esta actividad de forma regular.

Este ejemplo supone un nuevo paso en la subvención, por parte de la Unión Europea, de equipamientos y medios necesarios para impulsar las corridas de toros en algunos de los Estados miembros, unos espectáculos de crueldad que —ya sea directa o indirectamente— están gozando de ayudas por parte del conjunto de la ciudadanía europea.

¿Tiene conocimiento la Comisión del caso descrito?

¿Piensa la Comisión impulsar alguna iniciativa para impedir que equipamientos y medios de carácter taurino puedan recibir subvenciones?

Respuesta del Sr. Hahn en nombre de la Comisión

(11 de diciembre de 2013)

La Comisión no ha cofinanciado la renovación de la plaza de toros de Ondara con dinero del Fondo Europeo de Desarrollo Regional (FEDER).

En el marco de la gestión compartida, los Estados miembros son los únicos responsables de la selección, gestión y ejecución de los proyectos encuadrados en los programas, en pleno cumplimiento de la legislación nacional y de la UE aplicables. Con arreglo al artículo 5, apartado 2, del Reglamento del FEDER, la ayuda de este Fondo puede contribuir al fomento del patrimonio cultural en apoyo del desarrollo socioeconómico y como instrumento para el desarrollo del turismo sostenible. El principio de subsidiariedad subrayado en el Tratado no otorga autoridad a la Comisión para determinar qué entra en la definición de patrimonio cultural, ya que esto es competencia de los Estados miembros.

⁽¹⁾ <http://lamarinaplaza.com/2013/11/04/ondara-dedicara-600-000-e-de-fondos-europeos-a-rehabilitar-la-plaza-de-toros/>

(English version)

**Question for written answer P-012518/13
to the Commission**

Raül Romeva i Rueda (Verts/ALE)

(5 November 2013)

Subject: EU funds used to renovate a bullring

The town council of Ondara in the Autonomous Community of Valencia has announced that it will renovate a bullring using the approximately EUR 600 000 it has obtained from EU funds ⁽¹⁾. The building's appearance will be altered and all the changes needed before bullfights can be held once again on a regular basis will be carried out.

This represents a new step in the European Union's subsidy of equipment and resources to promote bullfights — a cruel form of entertainment benefiting directly or indirectly from aid from EU citizens as a whole — in some Member States.

Is the Commission aware of the aforementioned case?

Is the Commission considering promoting measures to stop bullfighting equipment and resources receiving subsidies?

Answer given by Mr Hahn on behalf of the Commission

(11 December 2013)

The Commission did not co-finance the renovation of the Ondara bullring with European Regional Development Fund monies.

Within the framework of shared management, the responsibility for the selection, management and implementation of projects within programmes lies solely with the Member States, in full compliance with applicable EU and national legislation. Under Article 5(2) of the European Regional Development Fund (ERDF) regulation, ERDF support may contribute to cultural heritage in support of socioeconomic development and as potential for the development of sustainable tourism. The subsidiarity principle underlined in the Treaty does not give the Commission the authority to appraise what falls under the scope of cultural heritage, as this lies with the Member States.

⁽¹⁾ <http://lamarinaplaza.com/2013/11/04/ondara-dedicara-600-000-e-de-fondos-europeos-a-rehabilitar-la-plaza-de-toros/>

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012529/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(5 de noviembre de 2013)

Asunto: Provisión de alimentos en el marco de la antigua política agrícola común y nuevas remesas del Fondo Social Europeo

La Unión Europea ha mantenido un Fondo de Cobertura de los bancos de alimentos en el marco de la política agrícola común del que se beneficiaban, entre otras, entidades como la Cruz Roja. Tanto la Cruz Roja como el Banco de Alimentos eran beneficiarios de dicho fondo en Catalunya.

A partir de 2014, este fondo desaparece y se crea el Fondo de Ayuda Europea a los Más Necesitados en el marco de la política social de la UE. Este cambio supondrá una nueva reglamentación a nivel europeo y estatal. El sector terciario en Catalunya ha expresado su preocupación por los efectos que la duración del período de tiempo pudiera tener en el caso del Banco de Alimentos y de la Cruz Roja con motivo de la entrada en vigor del nuevo fondo social. Según algunos cálculos, la llegada de los fondos será efectiva durante el otoño de 2014, ya que debe adoptarse la reglamentación a nivel estatal y establecerse nuevas fases y componentes en el protocolo de distribución de alimentos. Este diferencial de tiempo se valora en 15 y 18 millones de euros solo en Catalunya, mientras que el Estado español ha destinado una partida de 40 millones de euros para cubrir esta eventualidad.

¿Qué medidas tiene intención de adoptar la Comisión para cubrir el período entre la provisión de alimentos financiados con cargo a la antigua política agrícola común y la entrada en vigor a nivel del Estado del nuevo Fondo Social Europeo?

Respuesta del Sr. Andor en nombre de la Comisión

(6 de enero de 2014)

La Comisión trata de facilitar el trabajo de ambos legisladores con vistas a que se adopte lo antes posible el Reglamento sobre el Fondo de Ayuda a los más desfavorecidos.

Por otra parte, habida cuenta de que la fecha del inicio de la subvencionabilidad de los gastos puede ser retroactiva, con arreglo a lo dispuesto en la propuesta de la Comisión, los Estados miembros estarían en condiciones de iniciar gastos a partir del 1 de diciembre de 2013, con independencia de que el Reglamento haya entrado o no en vigor en esa fecha.

Además, la Comisión acaba de ampliar el período de aplicación del Programa europeo de ayuda alimentaria a las personas más necesitadas del 31 de diciembre de 2013 al 28 de febrero de 2014, lo cual debería facilitar la transición entre ambos programas.

Al mismo tiempo, la Comisión anima a los Estados miembros a que preparen sus programas operativos para la aplicación del FEAD, a fin de que puedan ser presentados a la Comisión tan pronto como entre en vigor el Reglamento, facilitando así el camino para el pago de los anticipos previstos en dicho Reglamento.

(English version)

**Question for written answer E-012529/13
to the Commission**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(5 November 2013)

Subject: Food supply under the former common agricultural policy and new payments under the European Social Fund

The European Union has maintained a food bank umbrella fund under the common agricultural policy, which has benefited bodies like the Red Cross, among others. Both the Red Cross and the Food Bank benefited from the aforementioned fund in Catalonia.

This fund will disappear in 2014 and the Fund for European Aid to the Most Deprived will take its place within the framework of EU social policy. This change will involve new regulations at European and national levels. The tertiary sector in Catalonia has expressed concern about the consequences this period of time in relation to the entry into force of the new social fund may have for the Food Bank and the Red Cross. According to some calculations, funds will arrive in autumn 2014, as the regulations must be adopted at state level and new stages and components need to be added to the food distribution protocol. It is estimated that this time gap will cost between EUR 15 and 18 million in Catalonia alone, while the Spanish State has allocated a tranche of EUR 40 million to cover this eventuality.

What measures does the Commission intend to take to cover the period between the supply of food funded under the former common agricultural policy and the entry into force, at state level, of the new European Social Fund?

(Version française)

Réponse donnée par M. Andor au nom de la Commission

(6 janvier 2014)

La Commission s'efforce de faciliter le travail des deux co-législateurs afin de parvenir à une adoption du Règlement sur le Fonds d'Aide aux plus démunis dans les meilleurs délais.

Par ailleurs, la date de début d'éligibilité des dépenses pouvant être rétroactive, aux termes de la proposition de la Commission, les États membres seraient en mesure d'engager des dépenses dès le 1^{er} décembre 2013, que le Règlement soit ou non entré en vigueur à cette date.

En outre, la Commission vient d'étendre la période de mise en œuvre du Programme Européen d'Aide aux Plus Démunis du 31 Décembre 2013 au 28 Février 2014, ce qui devrait faciliter la transition entre les deux programmes.

Parallèlement, la Commission encourage les États membres à préparer leurs Programmes opérationnels pour la mise en œuvre du FEAD de façon à ce qu'ils puissent être soumis pour adoption par la Commission dès l'entrée en vigueur du règlement et ouvrant ainsi la voie au versement des avances prévues dans ce règlement.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012530/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(5 de noviembre de 2013)

Asunto: El Sáhara Occidental y la Minurso

En 1991, por medio de la Resolución 690 del Consejo de Seguridad de las Naciones Unidas, se creó la Misión de las Naciones Unidas para el Referéndum del Sáhara Occidental (Minurso) para poner fin al enfrentamiento entre Marruecos y el Frente Polisario y dar una salida al conflicto sobre las bases pacíficas, democráticas y del derecho de autodeterminación. Pero cuando se cumplen 38 años de la ocupación del Sáhara Occidental, la salida al contencioso, por vía de un referéndum de autodeterminación, no tiene visos de solucionarse a corto plazo.

Una de las necesidades de la Minurso, continuamente señalada, es la carencia de mecanismos para la supervisión de los derechos humanos, un hecho extraño en este tipo de misiones. En cada renovación de la Misión, los numerosos intentos de incluir atribuciones para vigilar los derechos humanos en los territorios saharauis han sido baldíos.

En estos últimos años, según es público y notorio, la situación de los derechos humanos está empeorando y es cada vez más preocupante. Numerosos informes, tanto de la Unión Europea, como de las Naciones Unidas o de diferentes organizaciones, así lo confirman. Concretamente, entre otras, se citan casos de torturas, desapariciones, detenciones arbitrarias y muertes producidas por las fuerzas militares y policiales marroquíes.

¿Tiene prevista la Comisión alguna estrategia común de cara a que todos los Estados miembros de la Unión defiendan que, en la próxima renovación del mandato de la Minurso, se dote a esta de instrumentos de supervisión de los derechos humanos en el Sáhara Occidental?

Hasta que dicha estrategia sea posible, y teniendo en cuenta las buenas relaciones de la Unión tanto con el Reino de Marruecos como con el Frente Polisario, ¿ha contemplado la Comisión la posibilidad de ofrecerse para nombrar, temporalmente, a un experto en materia de derechos humanos y de crear una oficina técnica que se ocupe de supervisar los derechos humanos en el Sáhara Occidental y realizar un informe anual que sea remitido a las autoridades marroquíes, las autoridades saharauis, la Unión Europea y las Naciones Unidas? ¿Estaría dispuesta la Comisión a impulsarlo? ¿Contempla la Comisión alguna otra medida para supervisar las violaciones de los derechos humanos en el Sáhara Occidental?

Respuesta de la Alta Representante y Vicepresidenta Ashton en nombre de la Comisión

(12 de diciembre de 2013)

La UE ha expresado en repetidas ocasiones y de forma constante su preocupación por la larga duración del conflicto del Sáhara Occidental y por las consecuencias que este comporta para la seguridad, el respeto de los derechos humanos y la cooperación en esa región. La UE aborda estas cuestiones esenciales en las reuniones de los órganos conjuntos establecidas en virtud del Acuerdo de asociación UE/Marruecos, y continúa instando a todas las partes a evitar la violencia y a respetar los derechos humanos. A título de ejemplo, el 16 de enero de 2013 en Rabat se expresó preocupación por la situación de los 24 activistas saharauis que cumplen condena de prisión en Salé, acusados de llevar a cabo unos hechos acaecidos en los alrededores de El Aaiún los días 8 y 9 de noviembre de 2010, cuando once policías marroquíes y dos ciudadanos saharauis fueron asesinados. La Delegación de la UE siguió de cerca, junto con los Estados miembros de la UE, el juicio, que finalizó en febrero de 2013 con la imposición de largas condenas.

En términos más generales, la UE presta su apoyo a las acciones emprendidas por la ONU, incluida la Resolución 2099 del Consejo de Seguridad (2013), que «hace hincapié en la importancia de mejorar la situación de los derechos humanos en el Sáhara Occidental y los campamentos de Tinduf» y «acoge favorablemente el fortalecimiento del Consejo Nacional de Comisiones de Derechos Humanos que operan en Dajla y El Aaiún».

(English version)

**Question for written answer E-012530/13
to the Commission**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(5 November 2013)

Subject: Western Sahara and the United Nations Mission for the Referendum in Western Sahara (MINURSO)

In 1991, Resolution 690 of the United Nations Security Council established the United Nations Mission for the Referendum in Western Sahara (MINURSO) to put an end to the clash between Morocco and the Polisario Front, and provide a peaceful and democratic way out of the conflict with the right to self-determination. However, on the 38th anniversary of the occupation of Western Sahara, resolution of the dispute, through a referendum on self-determination, seems unlikely to happen in the near future.

What MINURSO needs, as is constantly pointed out, are mechanisms to monitor human rights. This is unusual in this type of mission. Each time the Mission's mandate is extended, the numerous attempts to include the power to monitor human rights in the Sahara have proved fruitless.

In recent years, it has become common knowledge that the human rights situation has been deteriorating and is increasingly cause for concern. A number of reports, by the European Union, the United Nations and other organisations, confirm this to be the case. Specifically, among other issues, there are cases of torture, disappearances, arbitrary detention and murder by the Moroccan armed forces and police.

Is the Commission planning any joint strategy so that all the Member States of the Union, when MINURSO's mandate is next extended, are able to advocate providing this body with tools to monitor human rights in Western Sahara?

Until such a strategy is possible, and bearing in mind the Union's good relations, both with the Kingdom of Morocco and with the Polisario Front, has the Commission considered the possibility of offering to appoint, on a temporary basis, a human rights expert and to set up a technical office to monitor human rights in Western Sahara and produce an annual report to be submitted to the Moroccan authorities, the Sahrawi authorities, the European Union and the United Nations? Is the Commission prepared to promote this? Does the Commission envisage any other measure to monitor human rights violations in Western Sahara?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission

(12 December 2013)

The EU has repeatedly and constantly expressed concern about the long duration of the Western Sahara conflict and the implications for the security, respect of human rights and cooperation in the region. The EU addresses these critical issues in the meetings of the joint bodies established under the EU/Morocco Association Agreement and continues to call on all parties to restrain from violence and to respect human rights. For example, on 16 January 2013, concern was expressed in Rabat about the situation of the 24 Saharawi activists in prison in Salé, accused in relation to events occurred around Laayoune on 8-9 November 2010 when 11 Moroccan policemen and 2 Saharawi civilians were killed. The EU Delegation followed closely with EU Member States the trial that was concluded on February 2013 with heavy sentences.

More broadly, the EU supports the action of the UN, including the Security Council Resolution 2099 (2013) which is 'stressing the importance of improving human rights situation in Western Sahara and the Tindouf camps' and 'welcoming the strengthening of the National Council on Human Rights Commissions operating in Dakhla and Laayoune'.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012532/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(5 de noviembre de 2013)

Asunto: CO₂ y cambio climático

En la respuesta a mi pregunta E-008833/2013, la Sra. Hedegaard me contesta lo siguiente:

«En el paquete de medidas sobre clima y energía se contemplaba el establecimiento de aranceles como una posible medida indirecta. Diversos análisis demuestran que es un instrumento insuficiente. La UE se esfuerza por garantizar un acuerdo mundial jurídicamente vinculante para luchar contra el cambio climático en 2015 en el marco de la CMNUCC y aumentar el nivel de ambición antes de 2020 como medio más eficaz para reducir las emisiones y generar beneficios a escala mundial.»

¿Me podría informar la Comisión sobre dónde podría consultar esos análisis que demuestran que el establecimiento de aranceles es una medida insuficiente?

¿Cree realmente la Comisión que es razonable esperar un acuerdo mundial jurídicamente vinculante para luchar contra el cambio climático en 2015?

¿Cree la Comisión que el hipotético acuerdo vinculante de 2015 y el posible esfuerzo por aumentar el nivel de ambición antes de 2020 es realmente una política efectiva y realista?

Además de ese esfuerzo señalado por la Comisaria, ¿no se podría acompañar de otras medidas, como el establecimiento de aranceles o el impulso eficiente de las energías renovables?

Respuesta de la Sra. Hedegaard en nombre de la Comisión

(8 de enero de 2014)

1. La Comisión analizó la cuestión de los ajustes de carbono en frontera de forma bastante detallada en una evaluación de impacto ⁽¹⁾ en 2010. Considera que los ajustes de carbono en frontera siguen constituyendo una posible herramienta, pero que no deberían aplicarse en este momento. Todavía no se han hallado pruebas de fugas de carbono, y el actual sistema de asignación gratuita, complementado por la normativa sobre fugas de carbono, se considera adecuado. Asimismo, la conveniencia de los ajustes de carbono en frontera con carácter general, así como su compatibilidad con la normativa de la OMC, ha sido analizada en numerosos estudios ⁽²⁾.

2. y 3. La UE ha adoptado objetivos climáticos vinculantes para 2020 y se compromete a contribuir al proceso de negociación de la CMNUCC con vistas a alcanzar un nuevo acuerdo sobre el clima, aplicable a todos, de aquí a 2015. La última Conferencia de las Partes celebrada en Varsovia demostró ser otro paso importante en esta dirección, y en ella se acordó también que todas las Partes deben intensificar ahora los preparativos a nivel nacional de sus «contribuciones previstas». La Comisión está actualmente trabajando en la elaboración de propuestas de políticas de la UE sobre clima y energía en relación con el marco de 2030. Con independencia del proceso de la CMNUCC, la UE está avanzando con una serie de políticas y medidas tales como las normas para automóviles y furgonetas, gases fluorados, combustibles, etc.

4. La UE se ha fijado el objetivo de obtener el 20 % de su energía a partir de fuentes renovables en 2020. Además, han existido muchos sistemas de apoyo y fomento efectivo de las energías renovables en toda Europa. La Comisión está siguiendo muy de cerca la evolución de este mercado a fin de garantizar la consecución de los objetivos en materia de energías renovables y, además, se está esforzando para que estos objetivos se alcancen de una manera rentable.

⁽¹⁾ Véase la sección 6.4 de http://ec.europa.eu/clima/policies/package/docs/sec_2010_650_part2_en.pdf

⁽²⁾ Véase, por ejemplo, Condon, M. y A. Ignaciuk (2013), «Border Carbon Adjustment and International Trade: A Literature Review», OECD Trade and Environment Working Papers, 2013/06, OECD Publishing. <http://dx.doi.org/10.1787/5k3xn25b386c-en>

(English version)

**Question for written answer E-012532/13
to the Commission**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(5 November 2013)

Subject: CO₂ and climate change

In answer to my Question E-008833/2013, Ms Hedegaard stated as follows:

'The climate and energy package indicated border taxes as one possible side measure. Analysis has demonstrated this instrument is sub-optimal. The EU works to secure a legally-binding global agreement to tackle climate change in 2015 under the UNFCCC and to enhance ambition before 2020 as this is the most effective way to cut emissions and deliver benefits worldwide.'

Could the Commission tell me where I might consult these analyses which show that border taxes are a sub-optimal measure?

Does the Commission really believe that it is reasonable to wait for a legally binding global agreement to tackle climate change in 2015?

Does the Commission believe that the hypothetical binding agreement in 2015 and the potential effort to enhance ambition before 2020 is really an effective and realistic policy?

In addition to this effort mentioned by the Commission, could there not also be other measures, such as the introduction of tariffs or effective promotion of renewable energies?

Answer given by Ms Hedegaard on behalf of the Commission

(8 January 2014)

1. The Commission analysed the issue of border carbon adjustments in some detail in an impact assessment ⁽¹⁾ in 2010. The Commission considers that border carbon adjustments remain a possible tool, but that they should not be implemented at this stage. There has been no evidence of carbon leakage so far, and the existing system of free allocation, complemented by the rules on carbon leakage, is deemed appropriate. Furthermore, the appropriateness of border carbon adjustments in general as well as their compatibility with WTO law has been analysed in many studies ⁽²⁾.

2-3. The EU has binding climate targets for 2020, and is committed to contribute to the UNFCCC negotiating process with a view to agree on a new climate agreement, applicable to all, by 2015. The last Conference of the Parties in Warsaw proved to be yet another important step in that direction, agreeing also that all Parties now have to intensify domestic preparations on their 'intended contributions'. Work on proposals for EU policies on climate and energy for the 2030 framework is currently ongoing within the Commission. Independently of the UNFCCC process, the EU is moving forward with a range of policies and measures such as standards for cars and vans, fluorinated gases, fuels, etc.

4. The EU has a target of 20% of its energy from renewable sources by 2020. There have been many schemes to support and effectively promote renewable energies throughout Europe. The Commission is closely following the development of this market to ensure that the goals for renewable energy will be reached, and endeavours that they will be reached in a cost efficient manner.

⁽¹⁾ See Section 6.4 in http://ec.europa.eu/clima/policies/package/docs/sec_2010_650_part2_en.pdf

⁽²⁾ See e.g. Condon, M. and A. Ignaciuk (2013), 'Border Carbon Adjustment and International Trade: A Literature Review', OECD Trade and Environment Working Papers, 2013/06, OECD Publishing. <http://dx.doi.org/10.1787/5k3xn25b386c-en>

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012533/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(5 de noviembre de 2013)

Asunto: Control de la eficiencia energética en España

El pasado 1 de junio entró en vigor en el Reino de España el Real Decreto 235/2013, que viene a transponer la Directiva 2010/31/UE relativa a la eficiencia energética de los edificios.

El Real Decreto establece la obligatoriedad de lograr el certificado de eficiencia energética en todas las operaciones de compraventa o alquiler de viviendas, tal como indica dicha Directiva.

Pero, según parece, la aplicación del Real Decreto no es muy efectiva. En las operaciones de compraventa, la obligatoriedad de la obtención del certificado se cumple en general. En cambio, en las operaciones de alquiler, el número de operaciones en las que el certificado se obtiene es menor. Eso aparece reflejado, por ejemplo, en las webs o anuncios de alquiler de viviendas, donde un número significativo de la oferta no da cuenta del certificado de la vivienda a alquilar.

¿Tiene la Comisión conocimiento de la situación?

¿Qué pasos dará la Comisión para garantizar el correcto cumplimiento de la Directiva 2010/31/UE en el Reino de España?

Respuesta del Sr. Oettinger en nombre de la Comisión

(8 de enero de 2014)

Tras haber recibido la notificación formal del Real Decreto 235/2013 como parte de la transposición de la Directiva 2010/31/UE, relativa a la eficiencia energética de los edificios, la Comisión está evaluando el contenido de las medidas nacionales notificadas para asegurarse de su conformidad con las disposiciones que establecen los artículos 11, 12 y 13 de esa Directiva en materia de certificados de eficiencia energética.

Su Señoría llama la atención de la Comisión sobre la aplicación que se hace hoy en España de algunos aspectos del artículo 12 de la citada Directiva. La Comisión examinará en su evaluación de la conformidad cómo se han incorporado a la legislación nacional esa y otras disposiciones de la Directiva en materia de certificados de eficiencia energética y adoptará las medidas necesarias en caso de que considere que las normas nacionales no transponen correctamente esas disposiciones. En una fase posterior, la Comisión analizará también si la aplicación de la legislación nacional se ajusta a los requisitos de la Directiva.

(English version)

**Question for written answer E-012533/13
to the Commission**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(5 November 2013)

Subject: Monitoring energy performance in Spain

On 1 June 2013, Royal Decree No 235/2013 entered into force in the Spain, transposing Directive 2010/31/EU on the energy performance of buildings.

The Royal Decree makes it compulsory to obtain an energy performance certificate in all housing sales and rentals, as laid down by the aforementioned Directive.

However, implementation of the Royal Decree does not appear to be very effective. There is general compliance in sales transactions with the compulsory requirement to obtain the certificate. However, in rental transactions the certificate is obtained in fewer transactions. This is apparent, for example, on rental websites and advertisements, where a significant proportion of property available for let provides no evidence of the rental property's certificate.

Is the Commission aware of this situation?

What steps does the Commission intend to take to ensure proper compliance with Directive 2010/31/EU in Spain?

Answer given by Mr Oettinger on behalf of the Commission

(8 January 2014)

The Commission has received the formal notification of Royal Decree No 235/2013 as part of the transposition of Directive 2010/31/EU on the energy performance of buildings (EPBD). The Commission is assessing the content of the notified national measures for conformity with the provisions on energy performance certificates of Articles 11, 12 and 13 of the aforementioned Directive.

The Honourable Member draws the attention of the Commission to the actual implementation in Spain of some aspects of Article 12 of the EPBD. The Commission, through its conformity assessment, will examine how these and other EPBD provisions on energy performance certificates have been incorporated into national law, and will take any necessary measures if it finds the national law does not properly transpose the directive. In a further step, the Commission will examine whether the implementation of the national legislation is in conformity with the EPBD requirements.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012534/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(5 de noviembre de 2013)

Asunto: Espionaje a partidos políticos

Según informaciones periodísticas surgidas a raíz del caso Snowden, el CNI —los servicios de inteligencia del Reino de España— está espionando de una manera continua a dirigentes de organizaciones políticas legales. Esas informaciones no indican los dirigentes ni las organizaciones en concreto, sino que los engloban dentro de un genérico «izquierda abertzale», es decir, izquierda nacionalista vasca. Eso puede indicar que, entre las personas espiadas, pueden estar miembros de mi propia organización y el autor de la pregunta. Si lo revelado por los medios de comunicación es cierto, los derechos fundamentales de asociación, libertad de expresión y confidencialidad de las comunicaciones privadas se están vulnerando en el Reino de España.

Esos hechos señalan, entre otros, un problema muy serio que se refiere a la confidencialidad de las comunicaciones privadas y a la protección de las bases de datos de carácter personal. Además, pone de relieve la impotencia de la Unión para proteger las bases de datos a carácter personal de sus ciudadanos. Lo hemos visto de manera muy clara con los asuntos SWIFT y PRISM.

Ahora bien, la Directiva 95/46/CE afirma claramente que «los Estados miembros garantizarán [...] la protección [...] del derecho a la intimidad, en lo que respecta al tratamiento de los datos personales». Añade que los datos personales son: «toda información sobre una persona física identificada o identificable [...] en particular mediante un número de identificación o uno o varios elementos específicos, característicos de su identidad física, fisiológica, psíquica, económica, cultural o social».

Por lo tanto, como la Unión tiene competencia en dicha materia, se aplica la Carta de los Derechos Fundamentales de la Unión Europea, según el artículo 51 de esta misma. El artículo 8 de la Carta garantiza precisamente la protección de las bases de datos de carácter personal y además, está incluido en el Tratado de Lisboa.

¿Conoce la Vicepresidenta los hechos?

¿Considera la Comisión que el Estado español actúa respetando la Directiva 95/46/CE y la protección de las bases de datos de carácter personal?

¿Piensa la Comisión tomar algún tipo de iniciativa?

Respuesta de la Sra. Reding en nombre de la Comisión

(31 de enero de 2014)

En principio corresponde a las autoridades nacionales, entre las que se incluyen las autoridades de control de la protección de datos, velar por la correcta aplicación y ejecución de la normativa de protección de datos de la UE con relación a las entidades públicas y privadas en la Unión Europea.

Asimismo, la Comisión recuerda a Su Señoría su propuesta de reforma de la normativa sobre protección de datos en la EU ⁽¹⁾. El marco legislativo propuesto por la Comisión refuerza y mejora las normas de protección de datos existentes y establece reglas globales para la protección de los datos personales tratados en el ámbito de la ejecución de la ley, incluso cuando los datos de los europeos se transfieran fuera de la UE.

⁽¹⁾ http://ec.europa.eu/justice/newsroom/data-protection/news/120125_en.htm

(English version)

**Question for written answer E-012534/13
to the Commission**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(5 November 2013)

Subject: Spying on political parties

According to press reports in the wake of the Snowden affair, the Spanish National Intelligence Service is spying constantly on leaders of legally recognised political organisations. The reports do not name any leaders or organisations specifically, but group them together under the general heading of 'izquierda abertzale', that is the Basque nationalist left. This may mean that members of my own organisation and I myself are among those being spied upon. If these media revelations are true, the fundamental rights of association, freedom of expression and confidentiality of private communications are being violated in Spain.

This issue raises, *inter alia*, very serious concerns about the confidentiality of private communications and personal data protection. It also demonstrates the Union's inability to protect its citizens' personal data, as clearly evidenced by the SWIFT and PRISM scandals.

Directive 95/46/EC states clearly that 'Member States shall protect [natural persons'] right to privacy with respect to the processing of personal data'. It also defines personal data as 'any information relating to an identified or identifiable natural person [...] in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity'.

Given that the Union has competences in this area, the EU Charter of Fundamental Rights applies, in accordance with Article 51 thereof. Article 8 of the charter guarantees specifically the protection of personal data, a provision which is also included in the Lisbon Treaty.

Is the Commission aware of these facts?

Does it believe that Spain is acting in compliance with Directive 95/46/EC and its obligation to protect personal data?

Does the Commission intend to take any kind of action?

Answer given by Mrs Reding on behalf of the Commission

(31 January 2014)

In principle it is for the national authorities, including data protection supervisory authorities, to ensure the correct implementation and enforcement of EU data protection legislation vis-à-vis public and private bodies in the European Union.

The Commission would also like to draw the Honourable Member's attention to its proposed reform of the EU data protection legislation ⁽¹⁾. The legislative framework proposed by the Commission strengthens and enhances existing data protection rules and establishes comprehensive rules for the protection of personal processed in the law enforcement sector, including when data of Europeans is transferred outside the EU.

⁽¹⁾ http://ec.europa.eu/justice/newsroom/data-protection/news/120125_en.htm

(Versión española)

Pregunta con solicitud de respuesta escrita E-012537/13

a la Comisión

Willy Meyer (GUE/NGL)

(6 de noviembre de 2013)

Asunto: Colocación alambrada de cuchillas en la verja de Melilla

El pasado 29 de octubre el Gobierno de España anunció la instalación de una malla «antitrepa» y una alambrada de cuchillas en la verja que rodea la ciudad autónoma de Melilla. Esta alambrada ya fue instalada en 2007 por el Gobierno anterior y posteriormente retirada ante las graves lesiones que provocaba a los inmigrantes.

El Gobierno alega la necesidad de estos sistemas de defensa de la frontera debido al incremento de intentos por parte de grupos de personas inmigrantes de saltar la valla. El Gobierno de España insiste en su intención de que dicho equipamiento tenga un efecto disuasorio en los inmigrantes para evitar futuros asaltos. La instalación de esta alambrada de cuchillas es una verdadera amenaza para la salud de las personas migrantes, personas que no son «enemigas» del país y que gozan del estatuto jurídico que los Derechos Humanos otorgan a cualquier persona. Es por esto que dicha alambrada supone una violación de los Derechos Humanos al ser considerada lesiva para personas inocentes que tratan de saltar la valla.

Los Estados miembros deben garantizar el cumplimiento de los Derechos Humanos en la aplicación de sus leyes y el ejercicio de su gobierno. En un contexto migratorio complejo y muy peligroso para las personas migrantes el «efecto disuasorio» debe ser puesto en cuestión, debido a que estas personas realizan largos y peligrosos viajes durante meses. Estas personas se encuentran en un callejón sin salida y sus alternativas pueden suponer la muerte, como la reciente tragedia de Lampedusa o la muerte de noventa inmigrantes en el desierto de Níger. Por esto se debe poner en duda un «efecto disuasorio» y tan solo quedan las graves lesiones que provocará este tipo de instalación a los inmigrantes que traten de cruzar de nuevo la frontera.

¿Conoce la Comisión la instalación de las citadas alambradas en la ciudad autónoma de Melilla?

¿Considera que España protege correctamente los derechos fundamentales de los inmigrantes ante las lesiones que pueda causar dicho alambre de cuchillas?

¿Está tomando medidas la Comisión para garantizar la protección de los derechos fundamentales de las personas migrantes lesionadas por dicho alambre de cuchillas?

Pregunta con solicitud de respuesta escrita E-012538/13

a la Comisión

María Muñoz De Urquiza (S&D), Raimon Obiols (S&D), Sergio Gutiérrez Prieto (S&D) y Juan Fernando López Aguilar (S&D)

(6 de noviembre de 2013)

Asunto: Violación de los derechos humanos en territorio europeo: trato cruel y degradante a inmigrantes irregulares en la frontera entre España y Marruecos

El Gobierno de España ha instalado cuchillas en la valla fronteriza entre España y Marruecos, en Melilla, para disuadir por este método la inmigración irregular. Estas cuchillas, llamadas técnicamente «concertinas», provocan heridas a las personas que tratan de acceder a territorio europeo a través de esta frontera.

Se trata de un elemento de la instalación fronteriza que fue retirado por el anterior Gobierno de España en 2007.

Las fuerzas españolas de seguridad responsables del control de fronteras han alertado de que estas concertinas no son efectivas como elemento disuasorio para la entrada a territorio europeo y que, sin embargo, sí son altamente lesivas para las personas que intenten cruzar la frontera.

Son muchas las asociaciones ciudadanas y formaciones políticas que han exigido la retirada inmediata de estas cuchillas por constituir un trato cruel y degradante, que atenta contra la integridad de las personas y que causa un daño evitable e innecesario.

— ¿Considera la Comisión que es admisible que en territorio europeo se utilicen estas prácticas?

— ¿Está dispuesta la Comisión a exigir al Gobierno de España la retirada inmediata de las concertinas?

— ¿Está previsto en la política europea de lucha contra la inmigración irregular y refuerzo de las fronteras la utilización de este tipo de material?

— ¿Ha sido advertida la Comisión previamente de que las concertinas iban a ser instaladas?

— ¿Cree la Comisión que la instalación de estas concertinas es un método admisible de lucha contra la inmigración irregular en Europa?

— ¿No considera la Comisión que su instalación contradice la política de la UE en materia de promoción y protección de los derechos humanos?

**Pregunta con solicitud de respuesta escrita E-012929/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(14 de noviembre de 2013)

Asunto: Concertina barbada

El Ministerio del Interior del Reino de España ha decidido reinstalar un alambre con cuchillas, conocido como concertina barbada, en la valla de separación instalada entre Melilla y Marruecos. Este tipo de alambre con cuchillas fue retirado en 2007, ya que produjo cientos de heridos, algunos de carácter muy grave.

El mismo Defensor del Pueblo denunció en 2005 que la concertina barbada «ponía en serio riesgo la vida y la integridad de las personas» ya que su principal efecto práctico sería causar «daños corporales a aquellas personas que intentaran traspasar las vallas».

Numerosas asociaciones de defensa de los derechos humanos han denunciado que, independientemente de su rechazo a la existencia de dicha valla, es inadmisibles que, mientras esta exista, se coloquen dispositivos tan peligrosos y más aún, sabiendo que estos no frenarán los intentos de huir de la miseria y el hambre de cientos de personas desesperadas, como ya se vio en el pasado.

¿Tiene la Comisión conocimiento de los hechos?

¿Considera la Comisión que el uso de elementos disuasorios del tipo de la concertina barbada para impedir el paso de personas es acorde con los valores éticos y de defensa de los derechos humanos que forman la base de la Unión Europea?

¿Tiene previsto la Comisión pedir información al Gobierno del Reino de España sobre el uso de la concertina barbada y sus consecuencias para las personas?

¿Tiene conocimiento la Comisión de si la concertina barbada es utilizada en algún otro Estado de la Unión como medio disuasorio para impedir el paso de personas migrantes?

Respuesta conjunta de la Sra. Malmström en nombre de la Comisión

(13 de enero de 2014)

Los Estados miembros tienen la responsabilidad de la gestión de sus fronteras exteriores. La vigilancia de las fronteras se lleva a cabo utilizando unidades estacionarias o móviles y se puede realizar utilizando medios técnicos. Mientras que el Código de Fronteras Schengen ⁽¹⁾ establece que la vigilancia se ha de efectuar de tal manera que impida que las personas se sustraigan a las inspecciones en los pasos fronterizos y las disuada de hacerlo, las medidas concretas en las fronteras exteriores las adoptan los Estados miembros.

Aunque la Comisión reconoce que el empleo de una valla reforzada por cuchillas u otros complementos no está prohibido por el Derecho de la UE como medida de vigilancia, la Comisión no fomenta tal uso, sino que incita a los Estados miembros a utilizar medidas alternativas de vigilancia fronteriza basadas en el análisis de riesgos, la cooperación y el intercambio de información, ejemplificadas por el sistema europeo de vigilancia de fronteras.

Toda medida de vigilancia fronteriza ha de ser proporcional a los objetivos perseguidos y debe respetar los derechos fundamentales y el principio de no devolución. La Comisión es consciente de la situación concreta de Ceuta y Melilla y de la presión que ejerce la inmigración irregular en estas fronteras exteriores. En ese contexto, toma nota de la opción elegida por las autoridades españolas de optar por una valla equipada de cuchillas para disuadir el cruce de fronteras irregular.

España no notificó a la Comisión la reinstalación de alambradas de cuchillas en la valla de Melilla. Los Estados miembros no tienen obligación de notificar a la Comisión la infraestructura en sus fronteras exteriores. Por esta razón, la Comisión no puede confirmar ni excluir el uso de alambradas de cuchillas por parte de otros Estados miembros en sus fronteras exteriores.

⁽¹⁾ Reglamento (CE) n° 562/2006 del Parlamento Europeo y del Consejo, de 15 de marzo de 2006, por el que se establece un Código comunitario de normas para el cruce de personas por las fronteras (Código de fronteras Schengen), DO L 105 de 13.4.2006.

(English version)

Question for written answer E-012537/13
to the Commission
Willy Meyer (GUE/NGL)
(6 November 2013)

Subject: Installation of razor wire on the fence at Melilla

On 29 October, the Government of Spain announced the installation of an 'anti-climbing' mesh and razor wire on the fence surrounding the autonomous city of Melilla. This barbed wire had already been installed in 2007 by the previous government and later withdrawn in view of the serious injuries it caused to immigrants.

The government argues that these border defence systems are necessary on account of the increasing number of attempts by groups of immigrants to scale the border fence. The Spanish Government stresses that it intends the aforementioned equipment to have a deterrent effect on immigrants and prevent future attempts to scale the fence. The installation of this razor wire constitutes a genuine threat to the health of migrants, individuals who are not 'enemies' of the country and who enjoy the same legal status as anyone else under human rights laws. That is why this razor wire constitutes a breach of human rights, as it is considered harmful to innocent people who try to scale the fence.

Member States must ensure compliance with human rights when enforcing their laws and exercising their governance. In a context of migration that is complex and extremely dangerous for migrants, the 'deterrent effect' should be called into question, given that these individuals travel on long dangerous journeys for months. These individuals have their backs against the wall and alternatives open to them may mean death, as in the recent Lampedusa tragedy and the death of 90 immigrants in the Niger desert. Therefore, any 'deterrent effect' should be called into question and all that remains are the serious injuries caused by this type of installation to immigrants who again try to cross the border.

Is the Commission aware of the installation of the aforementioned barbed wire in the autonomous city of Melilla?

Does it believe that Spain appropriately protects the fundamental rights of immigrants, given the injuries that the aforementioned razor wire can cause?

Is the Commission taking measures to ensure the protection of the fundamental rights of the migrants injured by the aforementioned razor wire?

Question for written answer E-012538/13
to the Commission

María Muñoz De Urquiza (S&D), Raimon Obiols (S&D), Sergio Gutiérrez Prieto (S&D) and Juan Fernando López Aguilar (S&D)
(6 November 2013)

Subject: Breach of human rights in Europe: cruel and degrading treatment of illegal immigrants at the border between Spain and Morocco

The Government of Spain has installed razor wire on the border fence between Spain and Morocco at Melilla to prevent illegal immigration. This razor wire, technically referred to as 'concertina wire', causes injuries to individuals who try to reach Europe through this border.

This element of the border installation was withdrawn by the previous Spanish Government in 2007.

The Spanish security forces responsible for border control have warned that this concertina wire is ineffective as a deterrent to entry into Europe but that it is, however, extremely harmful to individuals who try to cross the border.

Many citizens' associations and political groupings have called for the immediate withdrawal of this razor wire on the grounds that it constitutes cruel and degrading treatment, harms the safety of individuals and causes avoidable and unnecessary injury.

— Does the Commission believe that it is acceptable for these practices to be used in Europe?

— Is the Commission prepared to require the Government of Spain to withdraw the concertina wire immediately?

— Does EU policy to combat illegal immigration and strengthen borders provide for the use of this type of material?

— Had the Commission already been warned that concertina wire was going to be installed?

— Does the Commission believe that the installation of this concertina wire is an unacceptable method to combat illegal immigration into Europe?

— Does the Commission not believe that its installation runs counter to EU policy on promoting and protecting human rights?

**Question for written answer E-012929/13
to the Commission**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(14 November 2013)

Subject: Concertina wire

The Spanish Ministry of the Interior has decided to install razor wire, also known as concertina wire, in the fence between Melilla and Morocco. This type of razor wire was removed in 2007 as it caused hundreds of injuries, some of which were very serious.

In 2005, the Ombudsman stated that concertina wire ‘was a serious risk to people’s lives and personal safety’ since its main practical effect is to cause ‘serious bodily injury to people who attempt to breach fences’.

Irrespective of their opposition to the existence of this fence, numerous human rights organisations have denounced the practice of placing such dangerous devices on it, particularly when it is known that they will not stop hundreds of desperate people from trying to escape from poverty and hunger, as they have done in the past.

Is the Commission aware of these facts?

Does the Commission believe that the use of devices such as concertina wire to prevent passage by humans is in accordance with the ethical values and the concern for human rights on which the EU is based?

Does the Commission intend to ask the Spanish Government for information on the use of concertina wire and its effects on people?

Is the Commission aware of concertina wire being used in any other Member State as a deterrent to prevent the passage of human migrants?

Joint answer given by Ms Malmström on behalf of the Commission

(13 January 2014)

Member States have a responsibility to manage their external borders. Border surveillance is carried out using stationary or mobile units and it may be carried out using technical means. While the Schengen Borders Code ⁽¹⁾ provides that surveillance must be carried out in a way which prevents and discourages persons from circumventing the checks at border crossing points, the specific measures at the external borders are adopted by Member States.

While recognising that the use of a fence, reinforced by barbed wire or other installations, as a border surveillance measure is not prohibited by EC law, the Commission does not promote such use; the Commission encourages Member States to use alternative measures for border surveillance based on risk analysis, cooperation and information exchange, as exemplified by the European Border Surveillance System.

Any border surveillance measure must be proportionate to the objectives pursued and it must respect fundamental rights and the principle of *non-refoulement*. The Commission is aware of the particular situation in Melilla and Ceuta, and the pressure of irregular migration at these external borders. In this context, it takes note of the choice made by Spanish authorities to opt for a fence equipped with barbed wire to discourage unauthorised border crossings.

The Commission was not notified by Spain about the re-installation of barbed wire on the fence at Melilla; Member States have no obligation to notify the Commission of the infrastructure at their external borders. For this reason the Commission cannot neither confirm nor exclude the use of barbed wire by other Member States at their external borders.

⁽¹⁾ Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code); OJ L 105, 13.4.2006

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012539/13
a la Comisión**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(6 de noviembre de 2013)

Asunto: Caso del accidente del vuelo JK5022

La Comisión de Investigación de Accidentes e Incidentes de Aviación Civil, dependiente del Ministerio de Fomento, en su Informe Oficial sobre el Accidente de la aeronave siniestrada correspondiente al vuelo JK5022, en su página 18, dice textualmente: «La aeronave disponía del certificado de aeronavegabilidad número 4516, emitido el 4 de febrero de 2005, cuya validez expira el 22 de julio de 2008. La solicitud de renovación del certificado fue presentada con poca antelación a su fecha de vencimiento. Como, de acuerdo a los procedimientos de la DGAC, ese año correspondía hacer una renovación completa del certificado (documental, física y en vuelo) no fue posible llevar a cabo la inspección antes de que finalizara la validez del certificado, estando prevista su realización para el 22 de agosto de 2008, motivo por el cual el certificado fue prorrogado hasta dicha fecha, aplicándose la Instrucción circular 1119-B».

El 22 de agosto de 2008, el vuelo despegaba del aeropuerto de Barajas con destino Gran Canaria y sufrió un accidente en el que murieron 150 personas.

1. ¿Qué medidas piensa adoptar la Comisión en relación al incumplimiento por parte de las autoridades españolas de lo preceptuado en el Reglamento (CE) n° 1702/2003 de la Comisión, de 24 de septiembre de 2004, aplicable en aquel momento en España, respecto a la no llevanza por parte de dichas autoridades (Dirección General de Aviación Civil) de: «suficientes actividades de investigación sobre cada solicitante o titular de un certificado de aeronavegabilidad como para justificar la concesión, renovación, modificación, suspensión o revocación del certificado o autorización»?
2. ¿Qué medidas piensa la Comisión que puede adoptar respecto al incumplimiento por parte de la autoridad española respecto a la no suspensión o revocación del certificado conforme al Punto 21B.330 del mismo Reglamento (CE) n° 1702/2003 de la Comisión, de 24 de septiembre de 2003, sobre la suspensión y revocación de certificados de aeronavegabilidad: «a) Cuando haya pruebas de que no se ha cumplido alguna de las condiciones especificadas en el apartado 21A.181 a), la autoridad competente del Estado miembro de matrícula deberá suspender o revocar el certificado de aeronavegabilidad.»?

Respuesta del Sr. Kallas en nombre de la Comisión

(12 de diciembre de 2013)

A la Comisión le complace remitir a Su Señoría a sus respuestas a las preguntas escritas E-010772/2013 y 010774/2013 ⁽¹⁾.

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

(English version)

**Question for written answer E-012539/13
to the Commission**

Iñaki Irazabalbeitia Fernández (Verts/ALE)

(6 November 2013)

Subject: Case of flight JK5022 accident

The Commission for Investigation of Civil Aviation Accidents and Incidents (CIAIAC), which reports to the Ministry of Public Works, in its official report on the accident to the aircraft involved in the flight JK5022 accident, stated: 'The aircraft held Airworthiness Certificate Number 4516, issued on 4 February 2005 and expiring on 22 July 2008. The application to renew the certificate was submitted very shortly before its expiry date. In accordance with Directorate General of Civil Aviation (DGAC) procedures, a complete (documentary, physical and in-flight) renewal of the certificate was due that year, so it was not possible to carry out the inspection before the certificate expired. As this inspection was planned for 22 August 2008, the certificate was extended to this date, in application of Circular Instruction 1119-B'.

On 22 August 2008, the flight took off from Barajas Airport for Gran Canaria and suffered an accident in which 150 persons died.

1. What measures does the Commission intend to adopt regarding the failure of the Spanish authorities to comply with the stipulations of Commission Regulation (EC) No 1702/2003 of 24 September 2004, applicable at that time in Spain, in relation to the failure on the part of the aforementioned authorities (DGAC) to carry out: 'sufficient investigation into each applicant for, or holder of, an airworthiness certificate to justify the issue, renewal, amendment, suspension or revocation of the certificate or authorisation'?
2. What measures does the Commission intend to adopt regarding the failure of the Spanish authorities to comply with the non-suspension or revocation of the certificate in accordance with Point 21B.330 of aforementioned Commission Regulation (EC) No 1702/2003 of 24 September 2003 on the suspension and revocation of certificates of airworthiness: '(a) Upon evidence that any of the conditions specified in 21A.181(a) is not met, the competent authority of the Member State of registry shall suspend or revoke an airworthiness certificate.'?

Answer given by Mr Kallas on behalf of the Commission

(12 December 2013)

The Commission would like to refer the Honourable Member to its answers to the written questions E-010772/2013 and 010774/2013 ⁽¹⁾.

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

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-012540/13

an die Kommission

Hermann Winkler (PPE)

(6. November 2013)

Betrifft: Vorschläge der Kommission zur Einschränkung der Verwendung leichter Plastiktüten

Am 4. November hat Kommissionsmitglied Janez Potočnik Vorschläge der Kommission zur Überarbeitung der Richtlinie 94/62/EG über Verpackungen und Verpackungsabfälle vorgelegt. Ziel der geplanten Novellierung ist es, die Mitgliedstaaten zur Ausarbeitung von Instrumenten zur Verminderung der Verwendung leichter Plastiktüten zu verpflichten. Das vorgeschlagene Maßnahmenspektrum reicht unter anderem von ökonomischen Maßnahmen wie Pfandsystemen oder Strafsteuern bis hin zum Verbot dieser Tüten.

1. Kommissionspräsident Barroso hat in seiner Rede zur Lage der Union am 11. September 2013 vor dem Europäischen Parlament gefordert, die EU müsse „groß bei großen Fragen und klein bei kleinen Fragen“ sein. Spiegelt der oben genannte Vorschlag einer EU-weiten Regelung der Verwendung von Plastiktüten die Herangehensweise der Kommission bei der Umsetzung dieser Forderung wider?
2. Ist die Kommission der Auffassung, dass eine EU-weit einheitliche Regelung der Verwendung von Plastiktüten aktuell höchste Priorität genießt?
3. Welchen Beitrag leistet dieser Vorschlag zur Bewältigung der bislang größten und nach wie vor ungelösten Krise der Europäischen Union seit ihrer Gründung?
4. Inwiefern ist dieser Vorschlag geeignet, das Vertrauen der Bürgerinnen und Bürger in die Realitätsnähe und Sinnhaftigkeit von Regelungen auf EU-Ebene zu erhöhen?
5. Wie wurde der Vorschlag innerhalb der Kommission diskutiert, und gab es Gegenstimmen aus den Reihen der Kommissionsmitglieder? Wenn ja, welche waren dies?

Antwort von Herrn Potočnik im Namen der Kommission

(30. Januar 2014)

1. Der Herr Abgeordnete wird gebeten, die Folgenabschätzung zum Vorschlag der Kommission für Tüten aus leichtem Kunststoff ⁽¹⁾ zu lesen. Darin wird eindeutig nachgewiesen, dass es bei Kunststofftüten in Bezug auf Umweltauswirkungen und wirtschaftliche Effizienz durchaus um eine „große Frage“ geht. Jedes Jahr werden in der EU etwa 100 Mrd. Kunststofftüten verwendet, und dies in der Regel nur jeweils einmal und für wenige Minuten. Dies ist eine Verschwendung von Ressourcen und schädlich für die Umwelt, wo Kunststoffpartikel Hunderte Jahre überdauern. Gelangen die Tüten in die Meeresumwelt, besteht die Gefahr, dass toxische Kunststoff-Mikropartikel von Meeresorganismen aufgenommen werden und Eingang in die Nahrungskette finden. In der EU werden jährlich mehr als 8 Mrd. Plastiktüten weggeworfen.
2. Der Vorschlag enthält keine gemeinsamen EU-weit gültigen Vorschriften für die Verwendung von Plastiktüten.
3. Der Vorschlag ist Teil einer Reihe von Maßnahmen zur Verbesserung der Ressourceneffizienz der europäischen Wirtschaft. Zusammen haben sie das Potenzial, die totale Faktorproduktivität zu verbessern, die Wettbewerbsfähigkeit zu steigern und die Abhängigkeit von der Einfuhr von Primärrohstoffen zu senken.
4. Die Reaktion der Öffentlichkeit auf den Vorschlag und die etwa 15 000 im Laufe der öffentlichen Konsultation eingegangenen Beiträge, von denen 78 % eine Zustimmung zu der Maßnahme enthielten, haben gezeigt, dass diese Initiative zu den Vorschlägen der jetzigen Kommission im Umweltbereich zählt, die am meisten begrüßt wurden. Wurden in den Mitgliedstaaten ähnliche Vorschläge eingeführt, so waren sie sehr erfolgreich und fanden große öffentliche Unterstützung.
5. Der Vorschlag wurde von der Kommission als Ganzes nach umfassenden Vorbereitungsarbeiten und Diskussionen zwischen allen zuständigen Stellen angenommen.

⁽¹⁾ KOM(2013)761.

(English version)

**Question for written answer E-012540/13
to the Commission**

Hermann Winkler (PPE)

(6 November 2013)

Subject: Commission proposals for limiting the use of lightweight plastic bags

On 4 November, Commissioner Janez Potočnik put forward Commission proposals for the revision of Directive 94/62/EC on packaging and packaging waste. The aim of the planned amendment is to require Member States to develop instruments to reduce the use of lightweight plastic bags. The proposed spectrum of measures ranges from financial measures such as deposit systems or penalty taxes to the prohibition of these bags.

1. In his speech to Parliament on the state of the Union on 11 September 2013, Commission President Barroso insisted that the EU needs to be 'big on big things and smaller on smaller things'. Does the above proposal for a Europe-wide regulation of the use of plastic bags reflect the Commission's approach to implementing this challenge?
2. Does the Commission believe that common rules throughout the EU for the use of plastic bags are our top priority right now?
3. How will this proposal help us to manage the largest crisis that the European Union has faced since it was founded and that is still unresolved?
4. To what extent is this proposal capable of increasing people's confidence in the rationality of regulations at European level and their relation to reality?
5. How was the proposal discussed within the Commission and did any of the Commissioners reject it? If so, which?

Answer given by Mr Potočnik on behalf of the Commission

(30 January 2014)

1. The Honourable Member is invited to consult the impact assessment accompanying the Commission proposal ⁽¹⁾ on lightweight plastic bags. This provides clear evidence that in terms of environmental impact and economic efficiency, plastic bags are a 'big thing'. About 100 billion plastic bags are used every year in the EU; usually they are used only once and for a few minutes. This is wasteful of resources, and damaging to the environment, where fragments of plastic last hundreds of years. When entering the marine environment, this leads to the risk of toxic micro-plastics entering marine life and ending up in the food chain. Over 8 billion plastic bags a year are littered in the EU.
2. The proposal does not put forward common rules for the use of plastic bags throughout the EU.
3. The proposal is part of a series of measures related to improving the resource efficiency of the European economy. Taken together, these have the potential to boost total factor productivity, increase competitiveness and reduce import dependency for primary resources.
4. From the public reaction to the proposal and the 15.000 contributions received during the public consultation, 78% of which supported EU action, this proposal has been one of the most-welcomed in the field of environment during the current Commission. Where similar measures have been introduced in Member States they have been highly effective, and received strong public support.
5. The proposal was adopted by the Commission as a whole after extensive preparatory work and discussion between all services concerned.

⁽¹⁾ COM(2013) 761.

(Slovenska različica)

**Vprašanje za pisni odgovor E-012562/13
za Komisijo**

Romana Jordan (PPE)

(6. november 2013)

Zadeva: Črpanje sredstev prek Evropske investicijske banke

V Evropski uniji je v sedanjih okoliščinah gospodarske krize še posebej pomembno pridobivanje finančnih sredstev iz različnih programov in instrumentov v obliki posojil oziroma nepovratne pomoči. Podjetja in drugi deležniki pri najemanju kreditov za svoje projekte sodelujejo z Evropsko investicijsko banko (EIB), ki deluje kot finančni posrednik med njimi in slovenskimi bankami.

Evropski parlament, Evropska komisija in Svet EU oblikujejo politične kriterije za delovanje finančnih instrumentov in bank. Zato poslanci potrebujemo podatke, v kolikšni meri se črpajo finančna sredstva v obliki posojil in pomoči, pa tudi informacijo, za katera področja so bila ta sredstva porabljena.

Ko sem skušala pridobiti več informacij o projektih, ki so jih slovenske banke sofinancirale skupaj s pomočjo EIB, sem naletela na težave, saj so se bančni akterji sklicevali na tajnost bančnih podatkov. V tem kontekstu je razumljivo, da so banke iz poslovnih razlogov upravičene do določene stopnje tajnosti bančnih podatkov, kljub temu pa bi morali poslanci v Evropskem parlamentu kot zakonodajalci imeti pravico do vpogleda v tiste podatke, ki se nanašajo na naše delo in nam omogočajo preverjanje namenske rabe denarja.

Zato Komisijo sprašujem:

1. Kako je mogoče, da so krediti podjetjem in drugim deležnikom iz javnega denarja prek Evropske investicijske banke in nacionalnih bank tajnost?
2. Kako naj poslanci preverjamo namensko rabo denarja pri politikah, ki smo jih oblikovali?

Odgovor komisarja Ollija Rehna v imenu Komisije

(6. februar 2014)

Evropska investicijska banka (v nadaljnjem besedilu: EIB) preko posredovanih posojil podpira financiranje zlasti malih in srednjih podjetij, da bi jim olajšala dostop do financiranja pod privlačnimi pogoji; nastopa namreč kot grosist, saj za zbiranje sredstev na kapitalskih trgih izkorišča svojo bonitetno oceno „AAA“, nato pa s temi sredstvi nadalje kreditira banke in finančne institucije, ki nadalje kreditirajo upravičene projekte.

Ustrezne informacije o posojilnih dejavnostih EIB in o tem, za kakšne namene so ta sredstva uporabljena, je mogoče najti na spletni strani EIB (www.eib.org) in letnem poročilu EIB, ki obsega finančno poročilo, statistično poročilo in poročilo o dejavnostih – vsa so objavljena tudi na spletni strani EIB.

Kot je razloženo v javno dostopnem dokumentu o politiki preglednosti EIB, se informacije, ki jih ima EIB, lahko na zahtevo razkrijejo, razen če obstajajo obvezujoči razlogi proti razkritju, npr. ker se je banka ob podpisu sporazuma s finančnim posrednikom zavezala k spoštovanju trgovinskih klavzul in bančne tajnosti, določenih v nacionalni zakonodaji.

(English version)

**Question for written answer E-012562/13
to the Commission**

Romana Jordan (PPE)

(6 November 2013)

Subject: Funds accessed via the European Investment Bank

In the European Union, in the current economic crisis, the acquisition of funds through various programmes and instruments in the form of loans or grants is particularly important. In order to access credit for their projects, companies and other stakeholders cooperate with the European Investment Bank (EIB), which acts as a financial intermediary between them and Slovenian banks.

Parliament, the Commission and the Council lay down political criteria for the operation of financial instruments and banks. Consequently, MEPs need information about the amount of funds accessed in the form of loans and grants, and also about which areas the funds have been used for.

When I tried to obtain more information about projects co-financed by Slovenian banks together with EIB assistance I encountered difficulties because the banks invoked banking secrecy. It is understandable in this context that, for business reasons, banks are entitled to maintain a certain degree of banking secrecy. However, Members of the European Parliament, as legislators, should have the right to access information which relates to our work and which allows us to check that the money has been used for the intended purpose.

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

1. How can credit provided to businesses and other stakeholders from public money through the European Investment Bank and national banks be a secret?
2. How are MEPs supposed to check whether the money has been used as intended for the policies which we formulated?

Answer given by Mr Rehn on behalf of the Commission

(6 February 2014)

Through its intermediated loans, the EIB supports funding of in particular SMEs to access financing at attractive conditions and acts as a wholesaler, i.e. it collects funds on the capital markets, with the help of its 'AAA' credit rating, and on-lends these funds to banks and financial institutions, who on-lend them to eligible projects.

Relevant information on the EIB's lending activity, and the purposes for which these funds are used, is found on the EIB's website www.eib.org and in the EIB Annual Report, which comprises a Financial Report, a Statistical Report and an Activity Report, all of which are also published on the EIB website.

As set out in the EIB's publicly available Transparency Policy, information held by the EIB is subject to disclosure upon request, unless there are compelling reasons for non-disclosure, e.g. where the Bank is required to respect commercial clauses and bank secrecy enshrined in national law when signing an agreement with a financial intermediary.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012563/13
a la Comisión**

Rosa Estaràs Ferragut (PPE)

(6 de noviembre de 2013)

Asunto: Cálculo de las pensiones de viudedad

Actualmente, en algunos Estados miembros de la Unión Europea, como por ejemplo España, el cálculo de las pensiones de viudedad es diferente en el caso de que se trate de hombres o de mujeres. A un hombre y a una mujer que hayan cotizado durante su vida laboral el mismo tiempo y con el mismo salario bruto se les aplica un cálculo final distinto para la obtención de la pensión de viudedad en caso de fallecimiento de su cónyuge.

Aun teniendo en cuenta la tardía incorporación de las mujeres al mercado laboral con respecto a la de los hombres, que tiene como consecuencia un número menor de años cotizados,

¿No considera la Comisión que deben darse pasos hacia un marco común para el cálculo de las pensiones en los países miembros que ponga fin a esta situación desventajosa que sufren millones de mujeres en la EU?

¿Hay alguna normativa europea en vigor que actúe en este ámbito?

Respuesta de la Sra. Reding en nombre de la Comisión

(22 de enero de 2014)

De conformidad con el artículo 153, apartado 4, del TFUE, las competencias de la UE en el ámbito de la política social «no afectarán a la facultad reconocida de los Estados miembros de definir los principios fundamentales de su sistema de seguridad social, ni deberán afectar de modo sensible al equilibrio financiero de éste». El establecimiento de un marco común para el cálculo de las pensiones en los Estados miembros representa una importante interferencia en el diseño de los regímenes de seguridad social y sería contrario al Tratado. Las normas de la UE, por lo tanto, solo se refieren a aspectos muy concretos de la seguridad social.

La Directiva 79/7 se aplica el principio de igualdad de trato entre hombres y mujeres en materia de seguridad social y, en particular, se refiere a los regímenes obligatorios de pensiones. No obstante, contiene algunas excepciones al principio de igualdad de trato, en particular en lo que respecta a la determinación de la edad de jubilación. Por tanto, según la legislación de la UE en el ámbito de la seguridad social, los Estados miembros están aún autorizados a mantener edades diferentes de jubilación para hombres y mujeres. La Directiva no se aplica a las disposiciones relativas a las prestaciones de supervivencia.

La Directiva 2006/54 se aplica a los planes de pensiones profesionales y, en particular, a los que establecen las prestaciones de supervivencia, en caso de que constituyan gratificaciones pagadas por el empresario al trabajador en razón del empleo de éste último. En virtud de dicha Directiva no está permitido establecer condiciones diferentes para los hombres y las mujeres en lo que respecta al acceso al derecho de una persona a un plan de jubilación profesional. La Directiva se aplica también a los regímenes de pensión para los funcionarios públicos, si las prestaciones se abonan al trabajador en razón de su relación laboral con el empleador público. La Directiva permite el establecimiento de diferentes niveles de beneficios en la medida en que puede ser necesario tener en cuenta factores actuariales diferentes según el sexo del trabajador.

(English version)

**Question for written answer E-012563/13
to the Commission**

Rosa Estaràs Ferragut (PPE)

(6 November 2013)

Subject: Calculation of widow's and widower's pensions

Currently in some EU Member States, Spain for instance, the pension paid to a widower is calculated differently from the pension paid to a widow. A different final calculation is used to determine the widower/widow's pension respectively for a man and a woman who during their working life received the same gross salary and paid contributions for the same length of time, and whose spouse has now died.

Even taking into account the fact that women may have entered the labour market later than men and have not therefore paid contributions for as many years:

Would the Commission not agree that steps should be taken to have a common framework in calculating pensions in the Member States which would put an end to this unfavourable situation which affects millions of women in the EU?

Is there any EU legislation in force in this field?

Answer given by Mrs Reding on behalf of the Commission

(22 January 2014)

According to Article 153(4) of the TFEU, the powers of the EU in the area of social policy 'shall not affect the right of Member States to define the fundamental principles of their social security systems and must not significantly affect the financial equilibrium thereof'. The establishment of a common framework for calculating pensions in the Member States would represent a major interference in the design of social security schemes and would be contrary to the Treaty. EU rules therefore only deal with very specific aspects of social security.

Directive 79/7 implements the principle of equal treatment between men and women in matters of social security and notably covers statutory pensions. It however contains some exceptions to the principle of equal treatment, in particular regarding the determination of pensionable age. Therefore, according to EC law, in the field of social security Member States are still allowed to maintain different retirement ages for men and women. This directive does not apply to the provisions concerning survivors' benefits.

Directive 2006/54 covers occupational pension schemes and in particular those which provide for survivors' benefits, if they constitute a consideration paid by the employer to the worker by reason of the latter's employment. Under this directive it is not allowed to set different conditions for men and women in order to entitle a person to an occupational pension. This directive also applies to pension schemes for public servants, if the benefits are paid by reason of the employment relationship with the public employer. This directive allows the setting of different levels of benefits in so far as it may be necessary to take account of actuarial factors which differ according to the sex of the worker.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012564/13
a la Comisión**

Rosa Estaràs Ferragut (PPE)

(6 de noviembre de 2013)

Asunto: Ámbito de aplicación territorial de los convenios de separación y divorcio matrimoniales

El número de matrimonios entre ciudadanos nacionales de distintos Estados miembros de la Unión Europea no ha hecho sino ir en aumento en los últimos años y la tendencia parece que será ir a más en las próximas décadas. De forma proporcional, el número de separaciones y divorcios también está aumentando, con las dificultades que supone para el cónyuge separado o divorciado trasladar los términos y efectos reguladores del convenio a otro país de residencia distinto de aquel en el que se redactó. En consecuencia, lo establecido respecto a los pagos económicos, régimen de visitas de hijos, etc., corre peligro cada vez que se produce un cambio de residencia y país.

¿No considera la Comisión que sería conveniente dotar de seguridad jurídica a estas situaciones, evitando así que tanto los padres como los hijos sufran los efectos que el cambio de residencia ocasiona en lo pactado previamente en el convenio regulador correspondiente?

¿Hay alguna normativa europea en vigor que actúe en este ámbito?

Respuesta de la Sra. Reding en nombre de la Comisión

(9 de enero de 2014)

Dada la creciente movilidad de los ciudadanos de la UE y el número cada vez mayor de matrimonios entre nacionales de Estados miembros diferentes, la Comisión procura continuamente simplificar los procedimientos transfronterizos y la libre circulación de resoluciones judiciales y acuerdos celebrados en la Unión Europea.

En el ámbito del Derecho de familia, el Reglamento (CE) n° 2201/2003 ⁽¹⁾ («el Reglamento Bruselas II bis») establece normas uniformes sobre el reconocimiento y la ejecución de los documentos públicos con fuerza ejecutiva y de los acuerdos en materia matrimonial y de responsabilidad parental, tales como los acuerdos relativos a los derechos de visita. Desde la adopción del Reglamento (CE) n° 4/2009 del Consejo, relativo a la competencia, la ley aplicable, el reconocimiento y la ejecución de las resoluciones y la cooperación en materia de obligaciones de alimentos ⁽²⁾, los mecanismos para el cobro de alimentos en otro Estado miembro se han mejorado considerablemente. En particular, este Reglamento dispone la ejecución sin exequátur de los documentos públicos con fuerza ejecutiva en materia de alimentos celebrados ante las autoridades administrativas.

⁽¹⁾ DO L 338 de 23.12.2003, p. 1.

⁽²⁾ DO L 7 de 10.1.2009, p.1.

(English version)

**Question for written answer E-012564/13
to the Commission**

Rosa Estaràs Ferragut (PPE)

(6 November 2013)

Subject: Territorial scope of separation and divorce agreements

The number of marriages between nationals of different Member States of the European Union has steadily increased over recent years and would appear still to be on an upward trend for decades to come. The number of separations and divorces is also increasing proportionally, with the difficulties that this creates for the separated or divorced spouse in transferring the regulatory terms and effects of the agreement to a country of residence other than the one in which it was drafted. Consequently, arrangements regarding financial payments, the regime for visiting children, etc. are at risk every time there is a change of residence and country.

Does the Commission not believe that it would be appropriate to provide legal certainty in such situations, thereby avoiding both parents and children suffering the effects caused by the change of residence on what had previously been agreed in the relevant agreement?

Is there any European legislation in place which is applicable in this field?

Answer given by Mrs Reding on behalf of the Commission

(9 January 2014)

Given the growing mobility of EU citizens and the increasing number of marriages between nationals of different Member States, the Commission constantly strives to simplify cross-border proceedings and the free circulation of judgments and agreements in the European Union.

In the area of family law Regulation (EC) No 2201/2003 ⁽¹⁾ ('the Brussels IIa regulation') provides for uniform rules on the recognition and enforcement of authentic instruments and agreements in matrimonial matters and matters of parental responsibility such as agreements relating to access rights. Since the adoption of Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations ⁽²⁾, the mechanisms for the recovery of maintenance in another Member State have been greatly improved. In particular, this regulation provides for enforcement without exequatur of maintenance authentic instruments including arrangements concluded with administrative authorities.

⁽¹⁾ OJ L 338, 23.12.2003, p. 1.

⁽²⁾ OJ L 7, 10.01.2009, p.1.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012565/13
a la Comisión**

Rosa Estaràs Ferragut (PPE)

(6 de noviembre de 2013)

Asunto: Prospecciones petrolíferas en la costa de Ibiza

Antes de que finalice el presente año está previsto que a 35 millas de la costa de Ibiza comiencen actividades de prospección submarina con el objetivo de encontrar petróleo.

Este proyecto y las prospecciones que van a llevarse a cabo suponen un elevado riesgo ambiental y provocarán, según los estudios ya existentes, un impacto negativo significativo sobre el medio ambiente y sobre los valores socioeconómicos de la isla, cuya principal industria es el turismo.

En las islas de Ibiza y Formentera existe una gran preocupación ciudadana ante los efectos que las prospecciones van a provocar, y sus representantes políticos y de la sociedad civil ven en la Comisión Europea un garante de vital importancia para la sostenibilidad y conservación medioambientales.

¿Ha preguntado la Comisión a las autoridades españolas qué medidas se han tomado o se prevé tomar para garantizar que la evaluación de impacto ambiental de las prospecciones petrolíferas se realice de forma global y no por fases?

Vistos los motivos y razones que concurren en este supuesto, ¿cree la Comisión que llegado el caso debe barajarse la posibilidad de tomar la «alternativa cero», es decir, paralizar las prospecciones?

Respuesta del Sr. Potočnik en nombre de la Comisión

(6 de enero de 2014)

En respuesta a las preguntas escritas P-000551/2013 y E-000616/2013 planteadas a principios de este año por Su Señoría D. Raül Romeva i Rueda en relación con este proyecto ⁽¹⁾, la Comisión pidió a las autoridades españolas que proporcionaran información sobre el modo en que prevén garantizar el cumplimiento de toda la legislación pertinente de la UE en materia de medio ambiente.

Las autoridades españolas indicaron que se encontraba en curso un procedimiento de evaluación de impacto ambiental (EIA). Esta evaluación debe analizar los efectos directos e indirectos sobre el medio ambiente del proyecto en su totalidad, incluidos los efectos acumulativos de las distintas etapas de su puesta en práctica. La Comisión ha solicitado recibir una copia de la EIA una vez esta haya concluido, así como ser informada de cualquier decisión de autorización que se tome posteriormente. Solo entonces podrá determinar si los efectos del proyecto se han evaluado de conformidad con la legislación pertinente de la UE en materia de medio ambiente.

Asimismo, la Directiva 2011/92/UE ⁽²⁾ exige que el promotor facilite una exposición de las principales alternativas estudiadas en la evaluación, así como una indicación de las principales razones de su elección, teniendo en cuenta las repercusiones ambientales. No requiere necesariamente que la «alternativa cero» sea considerada. No obstante, según informó el Ministerio de Medio Ambiente español a la Comisión, este recomienda que se tenga debidamente en cuenta tal opción en toda EIA.

En general, las decisiones de autorización de tales proyectos siguen siendo competencia de las autoridades nacionales. El papel de la Comisión es garantizar que dichas decisiones se ajusten a la legislación de la UE.

⁽¹⁾ <http://www.europarl.europa.eu/plenary/es/parliamentary-questions.html>

⁽²⁾ Directiva 2011/92/UE del Parlamento Europeo y del Consejo, de 13 de diciembre de 2011, relativa a la evaluación de las repercusiones de determinados proyectos públicos y privados sobre el medio ambiente (DO L 26 de 28.1.2012).

(English version)

**Question for written answer E-012565/13
to the Commission**

Rosa Estaràs Ferragut (PPE)

(6 November 2013)

Subject: Oil exploration off the coast of Ibiza

Before the end of this year, underwater explorations for oil are set to begin 35 miles off the coast of Ibiza.

This project and the explorations which will take place pose a significant environmental threat and will have, according to existing studies, a significant negative impact on the environment and on the socioeconomic values of the island, whose main industry is tourism.

There is great concern amongst the residents of the islands of Ibiza and Formentera over the future impact of these explorations, and their political and civil society representatives view the Commission as a vitally important guardian of environmental sustainability and conservation.

Has the Commission asked the Spanish Government what measures have been taken or are to be taken to ensure that the environmental impact assessment of the oil explorations is carried out for the project as a whole and not in stages?

In light of the grounds and reasons behind this case, does the Commission believe that, if necessary, it should consider the possibility of adopting the 'zero alternative', and halting the explorations?

Answer given by Mr Potočník on behalf of the Commission

(6 January 2014)

In response to written questions P-000551/2013 and E-000616/2013 raised earlier this year by the Honourable Member Raül Romeva i Rueda in relation to this project ⁽¹⁾, the Commission asked the Spanish authorities to provide information on how they intend to ensure compliance with all relevant EU environmental legislation.

The Spanish authorities indicated that an environmental impact assessment (EIA) procedure was underway. This assessment should analyse the direct and indirect effects of the project as a whole on the environment, including the cumulative effects of the various stages of its implementation. The Commission has asked to receive a copy of the EIA once completed, and to be informed of any authorisation decisions taken subsequently. Only then can the Commission determine whether the effects of the project have been assessed in accordance with relevant EU environmental legislation.

Furthermore, Directive 2011/92/EU ⁽²⁾ requires the developer to provide an outline of the main alternatives studied in the assessment and an indication of the main reasons for the choice, taking into account environmental impacts. It does not necessarily require that the 'zero alternative' be considered. Nevertheless, the Spanish environment ministry informed the Commission that it recommends that due consideration be given to such an option in any EIA.

In general, authorisation decisions for such projects remain the responsibility of national authorities. The Commission's role is to ensure such decisions comply with EU legislation.

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

⁽²⁾ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012).

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012573/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(6 de noviembre de 2013)

Asunto: Impuesto de sociedades en el Estado español

El Estado español es uno de los que tiene el impuesto de sociedades más elevado de la UE, con el tipo nominal del 30 %, mientras que la media europea es del 23,2 % y la media de la OCDE es del 17,7 % ⁽¹⁾. Los beneficios fiscales permiten que una multinacional pueda tributar a tipos reales inferiores al que puede aplicar una pyme, cuyo gravamen nominal se sitúa en el 25 %.

¿Cree la Comisión que las empresas españolas pueden competir en igualdad de condiciones con empresas de Irlanda, Polonia o Suecia?

¿Qué opinión tiene la Comisión de que las pymes españolas paguen más impuestos, proporcionalmente, que las multinacionales?

¿Tiene previsto la Comisión hacer una serie de recomendaciones a los Estados miembros para que no haya esta diferencia fiscal entre las empresas europeas?

Respuesta del Sr. Šemeta en nombre de la Comisión

(13 de enero de 2014)

La imposición directa recae principalmente en las competencias de los Estados miembros de la UE. La Comisión solo puede hacer propuestas de legislación de la UE a partir de las necesidades del funcionamiento del mercado interior cuando el Tratado de Funcionamiento de la UE le haya atribuido facultades para ello. Pero las propuestas se convertirán en Derecho de la Unión únicamente si los Estados miembros de la UE las acuerdan por unanimidad. Así, los Estados miembros pueden diseñar sus regímenes impositivos directos con toda libertad en la medida en que sus normas no sean contrarias a los Tratados. Hasta ahora, no se ha detectado que las diferencias en los tipos del derecho de sociedades sean un obstáculo que impida el correcto funcionamiento del mercado interior.

Los distintos niveles del impuesto de sociedades entre los Estados miembros son solo parte del conjunto de los regímenes impositivos nacionales. Los bienes y servicios públicos proporcionados por los distintos niveles de Gobierno han de tenerse también en cuenta, ya que influyen en la competitividad de las entidades sujetas al impuesto de sociedades.

Con respecto al distinto nivel de imposición de las PYME y las multinacionales, es importante definir las razones que lo justifican. Si existen tipos de impuestos especialmente bajos que suponen una competencia fiscal perniciosa, la UE reacciona a través del Grupo «Código de Conducta» (Fiscalidad de las Empresas) del Consejo, cuya labor consiste en velar porque la legislación fiscal nacional cumpla los principios establecidos en el Código. Dicho Código hace referencia a medidas que contemplan un nivel impositivo efectivo significativamente inferior que el nivel general del país en cuestión, incluida la fiscalidad cero.

En los casos en los que las diferencias en los niveles impositivos se deben a la planificación fiscal abusiva, incluidos los precios de transferencia o la evasión fiscal, la Comisión adoptó un Plan de Acción en 2012 que estableció más de 30 medidas. En él se incluyen pasos concretos para contribuir a la protección de los ingresos fiscales de los Estados miembros contra la planificación fiscal abusiva y los paraísos fiscales.

⁽¹⁾ http://cincodias.com/cincodias/2013/10/22/economia/1382465693_596954.html

(English version)

**Question for written answer E-012573/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(6 November 2013)

Subject: Corporation tax in Spain

The Spanish State has one of the highest corporation taxes in the EU, with a nominal tax rate of 30%, while the European average is 23.2% and the Organisation for Economic Cooperation and Development (OECD) average is 17.7% ⁽¹⁾. Tax benefits mean that a multinational company may have a real tax liability that is lower than that of an SME, whose nominal tax rate stands at 25%.

Does the Commission believe that Spanish companies can compete on a level playing field with companies in Ireland, Poland or Sweden?

What is the Commission's view of the fact that Spanish SMEs pay more taxes, proportionally, than multinational companies?

Does the Commission intend to make a series of recommendations to Member States so that there is no such tax difference between EU companies?

Answer given by Mr Šemeta on behalf of the Commission

(13 January 2014)

Direct taxation mainly falls under the competence of the EU Member States. The Commission can only make proposals for EU legislation based on the needs of the functioning of the internal market where powers have been attributed to it by the Treaty on the Functioning of the EU. But the proposals will only become law if EU Member States unanimously agree to them. Thus, Member States are free to design their direct tax systems as long as their rules are not contrary to the Treaties. So far, differences in corporate tax rates have not been identified as an obstacle impeding the smooth functioning of the internal market.

The different levels of corporate taxation between the Member States are only a part of the whole national tax systems. The public goods and services provided by the different levels of Government should also be taken into account as they have an influence on competitiveness for corporate taxpayers.

Concerning the different level of taxation between SMEs and multinationals, it is important to identify the reasons for it. Where special low rates of tax represent harmful tax competition, the EU reacts through the Code of Conduct group for business taxation of the Council, which works to ensure that national tax legislation respects the principles set out in the Code. This Code refers to measures providing for a significantly lower effective level of taxation than the general level in the country concerned, including zero taxation.

For cases where differential levels of tax are due to aggressive tax planning, including transfer pricing or avoidance, the Commission adopted an Action Plan in 2012 setting out over 30 measures. It includes concrete steps to help protect Member States' tax revenues against aggressive tax planning and tax havens.

⁽¹⁾ http://cincodias.com/cincodias/2013/10/22/economia/1382465693_596954.html

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012574/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(6 de noviembre de 2013)

Asunto: «Two-pack» en el Estado español

El paquete normativo con el que la Unión Europea controlará las cuentas de los Estados, conocido como «two-pack», exige que, a más tardar el 31 de octubre de 2013, todos los Estados miembros deberán haber creado sus organismos fiscales independientes, lo que la Comisión ha confirmado en su respuesta E-007627/2013 ⁽¹⁾. En el Estado español, el organismo fiscal independiente se pondrá en funcionamiento con retraso y la ley que regula el nuevo organismo no entrará en vigor en la fecha establecida. En la actualidad, dicha ley se encuentra en el Senado y, hasta que no culmine el trámite parlamentario, Hacienda no podrá realizar los nombramientos para que dicho nuevo organismo entre en funcionamiento. Con todo ello será difícil que esté en pleno funcionamiento antes de fin de año, dos meses más tarde de lo que exige Bruselas ⁽²⁾.

Una de las claves es su independencia, ya que será designado a propuesta de los presidentes del Congreso y del Senado. En el Estado español, el encargado de designar a su presidente será el Consejo de Ministros, a propuesta del Ministerio de Hacienda. Este nombramiento tendrá que ser posteriormente ratificado por el Parlamento.

¿Qué medidas tiene previsto adoptar la Comisión contra aquellos Estados miembros que no cumplan con los plazos de aplicación del «two-pack»?

¿Cree la Comisión que queda garantizada la independencia del presidente del organismo fiscal independiente si es nombrado por el Consejo de Ministros y no a propuesta del Congreso y del Senado?

Respuesta del Sr. Rehn en nombre de la Comisión

(13 de diciembre de 2013)

1. La Comisión controla el cumplimiento del «two pack» por parte de los Estados miembros. Aunque España no estableció el organismo independiente previsto en el artículo 5 del Reglamento (UE) n° 473/2013 dentro del plazo de 31 de octubre de 2013, la Comisión ha constatado que una ley orgánica por la que se crea un organismo independiente en España se publicó en el Boletín Oficial del Estado el 15 de noviembre de 2013 y que el Consejo de Ministros debería adoptar el decreto por el que se establecen sus estatutos para el 31 de diciembre de 2013.

2. El Reglamento (UE) n° 473/2013 define en su artículo 2, apartado 1, letra a), los criterios que acreditan la independencia o la autonomía funcional de los organismos correspondientes, entre los que se cuentan «iv) procedimientos de nombramiento de sus miembros sobre la base de su experiencia y competencia». En función de parámetros administrativos y políticos nacionales y dentro de las limitaciones del Reglamento, los Estados miembros disponen de cierto margen para adoptar medidas conformes al efecto de crear esos organismos con las suficientes garantías de independencia. En el caso de España, la Comisión todavía no ha evaluado la compatibilidad con el Reglamento de las medidas adoptadas.

⁽¹⁾ <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2013-007627&language=ES>

⁽²⁾ <http://www.invertia.com/noticias/espana-salta-leyes-europeas-autoridad-fiscal-no-lista-2917467.htm>

(English version)

**Question for written answer E-012574/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(6 November 2013)

Subject: The 'two pack' in Spain

The legislation package which the EU has implemented to enhance fiscal surveillance of the Member States, known as the 'two pack', requires all Member States to create independent fiscal bodies by 31 October 2013 at the latest. This was confirmed by the Commission in its answer E-007627/2013 ⁽¹⁾. In Spain, the setting-up of the independent fiscal council has been delayed, and the legal provisions which regulate it will not enter into force on the agreed date. This law is currently being reviewed by the Senate, and the Finance Ministry will have to wait until this parliamentary process has been completed before appointing members of the new council. It is therefore unlikely to be fully operational before the end of the year, two months after the date set by Brussels ⁽²⁾.

In the case of the corresponding US body, which the Spanish Government claims to be using as a model, independence is a key feature since the members are designated on a proposal from the Congress and the Senate. In Spain, on the other hand, the Council of Ministers will be responsible for designating the president of this fiscal body, on a proposal from the Finance Ministry. This appointment will then have to be ratified in Parliament.

What action does the Commission intend to take against Member States which do not meet the implementation deadlines for the 'two pack'?

Does the Commission consider it possible to guarantee that the president of an autonomous fiscal body will be an independent figure if appointed by the Council of Ministers and not on a proposal from the two houses of parliament?

Answer given by Mr Rehn on behalf of the Commission

(13 December 2013)

1. The Commission is monitoring Member States' compliance with the Two Pack. Whereas Spain did not put in place the independent body provided for in Art. 5 of Regulation (EU) No 473/2013 by the deadline of 31 October 2013, the Commission has taken note that an organic law establishing an independent body in Spain was published in the Spanish Official Journal on 15 November 2013 and that the decree establishing its statutes should be adopted by the Council of Ministers by 31 December 2013.

2. Regulation (EU) No 473/2013 in its Article 2.1.(a) defines the set of criteria underpinning the independence or functional autonomy of the bodies in question, including '(iv) procedures for nominating members on the basis of their experience and competence'. Depending on national political and administrative settings and within the constraints of the regulation, Member States have some leeway to adopt compliant measures to establish such bodies with sufficient guarantees of independence. In the case of Spain, the Commission has not yet assessed the compatibility with the regulation of the measures adopted.

⁽¹⁾ <http://www.europarl.europa.eu/sides/getDoc.do?type=WQ&reference=E-2013-007627&language=EN>

⁽²⁾ <http://www.invertia.com/noticias/espana-salta-leyes-europeas-autoridad-fiscal-no-lista-2917467.htm>

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-012577/13

προς την Επιτροπή
Nikolaos Salavrakos (EFD)
(6 Νοεμβρίου 2013)

Θέμα: Φόρος στο πετρέλαιο θέρμανσης και στην βενζίνη

Τελείως στρεβλή είναι η επιβάρυνση των καυσίμων στην Ελλάδα, καθώς η βενζίνη είναι από τις ακριβότερες στην Ευρώπη ενώ το πετρέλαιο θέρμανσης πλησιάζει το 1,3 ευρώ το λίτρο και, παράλληλα, τα κρατικά έσοδα από αυτή την συγκεκριμένη πηγή πέφτουν για 2ο συνεχή χρόνο καθώς ελάχιστοι μπορούν να το προμηθευθούν σε αυτή την υψηλή τιμή.

Ερωτάται η Επιτροπή:

1. Πότε συζήτησε η ελληνική κυβέρνηση με την Επιτροπή σχετικά με την μείωση του φόρου στο πετρέλαιο θέρμανσης;
2. Γιατί η Επιτροπή δεν παίρνει πρωτοβουλία ώστε να μειωθεί η φορολογική επιβάρυνση της βενζίνης στην Ελλάδα, η οποία είναι η βαρύτερη στην ΕΕ;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής

(3 Φεβρουαρίου 2014)

1. Στο πλαίσιο της εν εξελίξει τέταρτης επανεξέτασης του δεύτερου προγράμματος οικονομικής προσαρμογής για την Ελλάδα, το προσωπικό των ΕΕ/ΕΚΤ/ΔΝΤ συζήτησε με την ελληνική κυβέρνηση πρόταση με στόχο τη μείωση του ειδικού φόρου κατανάλωσης του πετρελαίου θέρμανσης. Στη συνέχεια, η κυβέρνηση αποφάσισε να αυξήσει το υπάρχον επίδομα πετρελαίου θέρμανσης και να διευρύνει τα εισοδηματικά κριτήρια για τη λήψη του.
2. Η οδηγία 2003/96/ΕΚ ⁽¹⁾ καθορίζει τα ελάχιστα επίπεδα φορολογίας των ενεργειακών προϊόντων και της ηλεκτρικής ενέργειας. Άνω των εν λόγω κατώτατων ορίων, τα κράτη μέλη δύνανται να καθορίζουν τα επίπεδα φορολογίας που θεωρούν ενδεδειγμένα, συνεκτιμώντας τα χαρακτηριστικά της εθνικής πολιτικής τους. Όσον αφορά την ενεργειακή πολιτική γενικώς, η Επιτροπή πιστεύει ότι πρέπει να αναζητηθούν εναλλακτικές και πιο φιλικές προς το περιβάλλον πηγές ενέργειας και, από πλευράς ζήτησης, μέτρα προκειμένου να ενθαρρύνεται η αποδοτικότητα και η εξοικονόμηση της ενέργειας, όπως αντικατοπτρίζεται στην οδηγία της ΕΕ σχετικά με την ενεργειακή απόδοση (την οποία η Ελλάδα μετέφερε στο εθνικό δίκαιο τον Φεβρουάριο του 2013). Επιπλέον, στις 13 Απριλίου 2011 η Επιτροπή υπέβαλε πρόταση αναθεώρησης της οδηγίας 2003/96/ΕΚ ⁽²⁾, η οποία διασφαλίζει την ορθή λειτουργία της εσωτερικής αγοράς στο πλαίσιο των στόχων και των δεσμεύσεων για τη μετάβαση σε μια οικονομία χαμηλών εκπομπών διοξειδίου του άνθρακα και υψηλής ενεργειακής αποδοτικότητας.

Κάθε απόφαση όσον αφορά τη μείωση του ειδικού φόρου κατανάλωσης της βενζίνης στην Ελλάδα, για να είναι φορολογικώς ουδέτερη, θα πρέπει να συνοδεύεται από απόφαση σχετικά με τον τρόπο χρηματοδότησης της μείωσης αυτής. Τα δύο ζητήματα συνδέονται στενά και η υποκείμενη απόφαση ανακατανομής εμπίπτει στην αρμοδιότητα της ελληνικής κυβέρνησης, λαμβανομένων υπόψη των υποχρεώσεων που απορρέουν από τις οδηγίες για την ενέργεια και την κλιματική αλλαγή.

⁽¹⁾ ΕΕ L 283 της 31.10.2003.

⁽²⁾ COM(2011)169 τελικό.

(English version)

**Question for written answer E-012577/13
to the Commission**

Nikolaos Salavrakos (EFD)

(6 November 2013)

Subject: Tax on heating oil and petrol

The excise charged on fuel in Greece is completely distorted: petrol is more expensive than anywhere else in Europe and heating fuel costs just under EUR 1.3 a litre. At the same time, government revenue from this particular source has fallen for the second consecutive year, because few people can afford to pay such high prices.

In view of the above, will the Commission say:

1. When did the Greek Government discuss a reduction in excise on heating oil with the Commission?
2. Why does the Commission not take the initiative of reducing excise on petrol in Greece, which is the highest in the EU?

Answer given by Mr Rehn on behalf of the Commission

(3 February 2014)

1. In the context of the ongoing fourth review of the second economic adjustment programme for Greece, the EC/ECB/IMF staff discussed with the Greek Government a proposal aimed at reducing the excise tax on heating oil. The Government subsequently decided to increase the existing heating oil allowance and to broaden the income criteria for receiving it.
2. Directive 2003/96/EC ⁽¹⁾ sets out minimum levels of taxation applicable to energy products and electricity. Above these minima, Member States can fix levels of taxation as they see fit, taking into account their national policy considerations. As regards energy policy in general, the Commission believes that consideration should be given to alternative and more environmental-friendly sources of energy and, on demand-side, to measures encouraging energy efficiency and conservation, as reflected in the EU's European Directive on Energy Efficiency (transposed by Greece in February 2013). Furthermore, the Commission presented on 13 April 2011 a proposal for a revision of Directive 2003/96/EC ⁽²⁾ ensuring the proper functioning of the internal market within the context of objectives and commitments to progress to a low-carbon and energy-efficient economy.

Any decision to reduce excise on petrol in Greece, to be fiscally neutral, should be accompanied by a decision on how to finance this reduction. The two issues are strictly linked and the underlying re-allocative decision falls within the responsibility of the Greek Government, taking into account the obligations of the energy and climate change directives.

⁽¹⁾ OJ L 283, 31.10.2003.

⁽²⁾ COM(2011) 169 final.

(Versione italiana)

**Interrogazione con richiesta di risposta scritta E-012580/13
alla Commissione**

Roger Helmer (EFD) e Magdi Cristiano Allam (EFD)

(6 novembre 2013)

Oggetto: Territori occupati

La Commissione usa frequentemente il termine «territori occupati» per descrivere le zone della Cisgiordania di Giudea e Samaria, che sono parzialmente amministrate dall'Autorità palestinese. Agli interroganti risulta che, nel diritto, il termine «territorio occupato» si applichi a un'area che è parte di uno Stato ma che è controllata e amministrata con la forza da un altro.

Lo status giuridico della Cisgiordania è oggetto di contestazione e non è assolutamente definito, dal momento che storicamente la Palestina non è mai stata uno Stato indipendente. Tuttavia, non costituisce certamente, parzialmente o interamente, una nazione sovrana internazionalmente riconosciuta. Può pertanto la Commissione spiegare perché usa il termine «territori occupati»? Non ritiene che sarebbe più appropriato l'uso del termine «territori contestati»?

L'Alto Rappresentante Catherine Ashton ha dichiarato che l'UE è tenuta a imporre sanzioni (che attualmente includono o dovrebbero includere controlli sulle importazioni dei prodotti fabbricati in Cisgiordania nonché il divieto dell'UE di finanziare progetti con operazioni in Cisgiordania), dal momento che le norme dell'UE le impongono di agire in questo senso. In tal caso, può la Commissione spiegare come giustifica la sua assistenza nel Sahara occidentale, occupato dal Marocco, o nella parte settentrionale di Cipro, occupata dalla Turchia?

Risposta dell'Alta Rappresentante/Vicepresidente Catherine Ashton a nome della Commissione

(21 gennaio 2014)

L'Unione europea considera i territori palestinesi (la Cisgiordania, Gerusalemme Est inclusa, e la striscia di Gaza) e le alture del Golan territori occupati da Israele. In numerose conclusioni del Consiglio (la più recente adottata il 10 dicembre 2012), l'UE ha dichiarato che, anche per quanto riguarda Gerusalemme, riconoscerà le modifiche ai confini precedenti al 1967 soltanto qualora siano concordate tra le parti. Dello stesso parere è anche la comunità internazionale, comprese le Nazioni Unite, come risulta dalle risoluzioni del Consiglio di sicurezza delle Nazioni Unite 242 e 338 e dal parere consultivo del 2004 della Corte internazionale di giustizia.

Per quanto riguarda la seconda domanda dell'onorevole parlamentare, si prega di consultare gli «Orientamenti sull'ammissibilità delle entità israeliane e relative attività nei territori occupati da Israele da giugno 1967 alle sovvenzioni, ai premi e agli strumenti finanziari dell'UE a partire dal 2014» pubblicata nella Gazzetta ufficiale dell'Unione europea il 19 luglio 2013.

La Commissione non ha mai adottato decisioni che prevedono il sanzionamento delle importazioni di prodotti provenienti dalla Cisgiordania o la proposta di istituire controlli su tali importazioni.

(English version)

Question for written answer E-012580/13
to the Commission
Roger Helmer (EFD) and Magdi Cristiano Allam (EFD)
(6 November 2013)

Subject: Occupied Territories

The Commission frequently uses the term 'Occupied Territories' to describe the West Bank areas of Judea and Samaria, which are partly under the administration of the Palestinian Authority. We understand that in law, the term 'Occupied Territory' applies to an area which forms part of one state but is forcibly controlled and administered by another.

The legal status of the West Bank is disputed and is by no means clear, as historically Palestine has never been an independent state. However, it certainly does not form all or part of any internationally recognised sovereign nation. Why, therefore, does the Commission use the term 'Occupied Territories'? Would 'Disputed Territories' not be more appropriate?

We understand that High Representative Catherine Ashton has said that the EU is obliged to apply sanctions (which currently include or are proposed to include import controls on products made in the West Bank and denial of EU funding to projects with operations in the West Bank), as EU rules require her to do so. If this is the case, could the Commission explain how it justifies its assistance in the Western Sahara, occupied by Morocco, or in Northern Cyprus, occupied by Turkey?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(21 January 2014)

The EU considers the Palestinian territory (West Bank including East Jerusalem and the Gaza Strip) as well as the Golan Heights as territories occupied by Israel. In numerous Council Conclusions (the latest agreed on 10 December 2012) the EU has stated that that it will not recognise any changes to the pre-1967 borders, including with regard to Jerusalem, other than those agreed by the parties. This view is also held by the wider international community including the UN, as outlined in the UN Security Council Resolutions 242 and 338, as well as the 2004 International Court of Justice advisory opinion.

Concerning the Honourable Member's second question, please refer to the 'Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards' published in the Official Journal of the European Union on 19 July 2013.

The Commission has never adopted a decision to sanction or to propose import controls on products emanating from the West Bank.

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012583/13

aan de Commissie

Auke Zijlstra (NI)

(6 november 2013)

Betreft: Bescherming van de rechten en vrijheden van kinderen (follow-up)

Zoals commissaris Reding in haar antwoord op schriftelijke vraag nr. E-009764/2013 onderstreepte vormen de fundamentele vrijheden een onderdeel van de belangrijkste pijlers van onze democratische samenlevingen. Bovendien bevestigde zij duidelijk dat uit derde landen geadopteerde kinderen dezelfde rechten genieten als kinderen die door geboorte EU-burgers zijn en dat de toepasselijkheid van de meeste grondrechten in het EU-Handvest van de grondrechten niet afhankelijk is van de nationaliteit van de betrokken persoon.

1. Maakt de Commissie als hoedster van de Verdragen gebruik van de haar door artikel 7 VUE verleende bevoegdheid om de eerbiediging van de godsdienstvrijheid van kinderen te waarborgen, aangezien kinderen een van de kwetsbaarste groepen van de samenleving vormen?
2. Is zich de Commissie bewust van specifieke gevallen van inbreuken op de grondrechten waarin zij geen stappen heeft ondernomen, zelfs bij ernstige schendingen van een van de vrijheden van burgers, vooral van kinderen? Indien ja, kan de Commissie dan specificeren op welk moment zij in dergelijke individuele gevallen intervenueert?
3. Op grond van welke informatiebronnen intervenueert de Commissie, wanneer er sprake is van schendingen van de Verdragen?
4. Houdt de Commissie rekening met aanwijzingen van inbreuken op de mensenrechten en de fundamentele vrijheden die van leden van het Europees Parlement afkomstig zijn?
5. Kan de Commissie specificeren welke stappen zij neemt, wanneer een lidstaat van de Europese Unie een intergouvernementeel verdrag sluit dat een ernstige schending inhoudt van het Europees Verdrag tot bescherming van de rechten van de mens en bijgevolg ook van de rechten en vrijheden van EU-burgers?

Antwoord van mevrouw Reding namens de Commissie

(31 januari 2014)

1. De Europese Commissie hecht veel belang aan de vrijheid van godsdienst van alle burgers, inclusief kinderen. De Commissie wil zich inzetten om de vrijheid van godsdienst te eerbiedigen met alle middelen die zijn geoorloofd krachtens de Verdragen waarop de Europese Unie is gegrondvest ⁽¹⁾.
2. Overeenkomstig de verdragen waarop de Europese Unie is gegrondvest, is de Europese Commissie niet bevoegd om jegens de lidstaten op te treden op het gebied van de grondrechten. Zij kan dit alleen doen als het gaat om een zaak van het recht van de Europese Unie. Het Handvest van de grondrechten van de Europese Unie is evenwel niet van toepassing op elke vermeende schending van de grondrechten. Overeenkomstig artikel 51, lid 1, is het Handvest alleen van toepassing op lidstaten voor zover het gaat om de uitvoering van het recht van de Unie. Bovendien is in artikel 6, lid 1, van het Verdrag betreffende de Europese Unie vastgelegd dat „de bepalingen van het Handvest geenszins een verruiming inhouden van de bevoegdheden van de Unie zoals bepaald bij de Verdragen.”
- 3-5. Wanneer een lidstaat het recht van de Unie ten uitvoer brengt, is een schending van de grondrechten die gewaarborgd zijn op het niveau van de Unie, een schending van het recht van de Unie. De Commissie maakt gebruik van alle beschikbare informatie om te beoordelen of een lidstaat een inbreuk pleegt op het recht van de Unie. In beginsel is het afsluiten van een internationaal akkoord door een lidstaat waarin verplichtingen worden opgelegd aan die lidstaat die strijdig zijn met zijn verplichtingen uit hoofde van het recht van de Unie, een schending van het laatstgenoemde.

⁽¹⁾ Het Verdrag betreffende de Europese Unie en het Verdrag betreffende de werking van de Europese Unie.

(English version)

Question for written answer E-012583/13
to the Commission
Auke Zijlstra (NI)
(6 November 2013)

Subject: Protection of children's rights and freedoms (follow-up)

As Commissioner Reding emphasised in her answer, No E-009746/2013, to a question for written answer, fundamental freedoms constitute part of the essential foundations of our democratic societies. Furthermore, she gave a clear confirmation that children adopted from third countries enjoy the same rights as children who are EU citizens by birth and that the applicability of most of the fundamental rights contained in the EU Charter of Fundamental Rights does not depend on the nationality of the person concerned.

1. Does the Commission, as the guardian of the Treaties, use its power granted by Article 7 TEU to ensure the respect of children's freedom of religion, given that they constitute one of the most vulnerable groups of citizens?
2. Is the Commission aware of specific cases of breaches of fundamental rights where it did not intervene, even though these were in serious violation of one of the freedoms of citizens, especially children? If so, could the Commission specify the point at which it intervenes in such individual cases?
3. What are the Commission's sources of information according to which it intervenes when it comes to violation of the Treaties?
4. Does the Commission take into consideration indications of breaches of human rights and freedoms received from Members of the European Parliament?
5. Can the Commission specify the steps it takes if a Member State of the European Union enters into an intergovernmental treaty which seriously infringes the European Convention on Human Rights, and thus also the rights and freedoms of EU citizens?

Answer given by Mrs Reding on behalf of the Commission
(31 January 2014)

1. The European Commission attaches great importance to the freedom of religion of all citizens, children included. The Commission is committed to ensuring the respect of freedom of religion by all means available under the Treaties on which the European Union is founded ⁽¹⁾.
2. Under the Treaties on which the European Union is founded, the Commission has no general powers to intervene with the Member States in the area of fundamental rights. It can only do so if an issue of European Union law is involved. However, the Charter of Fundamental Rights of the European Union does not apply to every situation of an alleged violation of fundamental rights. According to its Article 51(1), the Charter applies to Member States only when they are implementing European Union law. Moreover, Article 6(1) of the Treaty of the European Union states that, '*[t]he provisions of the Charter shall not extend in any way the competences of the Union as defined in the Treaties.*'
- 3-5. Where a Member State is implementing Union law, a violation of the fundamental rights guaranteed at Union level constitutes a violation of Union law. The Commission uses any information available to assess whether a Member State violates Union law. As a matter of principle the conclusion by a Member State of an international agreement which imposes on that Member State obligations that are incompatible with its obligations under Union law constitutes a violation of the latter.

⁽¹⁾ Treaty on European Union and Treaty on the functioning of the European Union.

(Version française)

Question avec demande de réponse écrite E-012584/13
à la Commission (Vice-Présidente/Haute Représentante)
Jean-Luc Mélenchon (GUE/NGL)
(6 novembre 2013)

Objet: VP/HR — War Game européen

En juin dernier, s'est déroulé le 1^{er} *War Game* (simulation de stratégie de guerre) consacré à l'avenir des capacités militaires de l'Union européenne. L'objectif annoncé est de définir les capacités militaires nécessaires à la sécurité commune et aux opérations de la politique de défense à moyen et à long terme.

Ces opérations sont menées par l'Agence européenne de défense (AED), placée sous la présidence de Catherine Ashton. Cette Agence, créée en 2004 comme une «entreprise de recherche», décide seule des scénarios de conflit et des stratégies à mettre en œuvre pour y faire face. Il s'agit donc d'un transfert de souveraineté sous forme de transfert de compétences. Pourtant, la défense est un domaine relevant encore de la souveraineté des États. Même les traités européens en vigueur garantissent ce principe.

Comment la Commission explique-t-elle ce nouveau déni de souveraineté?

Les scénarios testés envisagent dans deux cas sur quatre des conflits internes provoqués par la gestion financière de la crise. Il s'agit de prévoir des opérations militaires si des États ne peuvent «plus répondre aux défis de la mondialisation, de la concurrence sur les ressources et du changement climatique».

Comment l'Union peut-elle se préparer à intervenir militairement dans ce type de situation?

Les résultats devaient être présentés aux États membres à l'automne 2013. Qu'en est-il? Quand les parlementaires auront-ils accès à ces résultats?

Réponse donnée par M^{me} Ashton, Vice-présidente/Haute Représentante au nom de la Commission
(16 janvier 2014)

Du 4 au 6 juin 2013, l'agence européenne de défense (AED) a organisé un exercice de stratégie militaire au niveau européen, intitulé *European Capabilities Assessment Game* (ECAPAG), qui a réuni des experts militaires et civils issus des États membres et des organes de l'UE.

Cet exercice reposait sur quatre scénarios hypothétiques (classique, multipolarité offensive, États en déliquescence et conflits non conventionnels). La présentation de l'exercice précisait explicitement que ces scénarios ne visent ni à prédire l'avenir le plus probable ni à engager une discussion sur l'évolution de la situation politique. L'objectif de l'exercice était de déterminer les tendances en matière de capacités et d'informer les États membres du développement des capacités de défense nécessaire pour répondre aux besoins de demain.

Étant donné que l'Agence européenne de défense a pour mission de piloter les projets de coopération en matière de défense, déjà approuvés par les États membres, ses activités, y compris ce type d'exercices, ne portent pas atteinte à la souveraineté des États membres ni à leur capacité de prendre des décisions dans le domaine de la défense.

Comme stipulé dans l'action commune 2004/551/PESC du Conseil du 12 juillet 2004, l'une des quatre fonctions de l'AED est de développer les capacités de défense de l'UE. Par conséquent, l'AED est axée sur les capacités et ses programmes, projets et autres activités doivent contribuer à l'amélioration des capacités militaires requises par les futures opérations dans le domaine de la politique de sécurité et de défense commune.

Les résultats de l'ECAPAG sont actuellement analysés par l'AED et par les États membres. Ils seront intégrés dans le plan révisé de développement des capacités, dont la version finale sera établie à l'automne prochain. Quant à sa communicabilité, le PDC est «réservé à l'administration» et certaines parties sont classifiées (mention «restreint» ou «confidentiel»).

(English version)

Question for written answer E-012584/13
to the Commission (Vice-President/High Representative)
Jean-Luc Mélenchon (GUE/NGL)
(6 November 2013)

Subject: VP/HR — EU War Game

The first War Game (a war strategy simulation) about the future of the European Union's military capacities was conducted in June 2013. The game's stated objective is to define the military capacities needed to ensure common security, as well as for medium- and long-term defence policy operations.

These operations are overseen by the European Defence Agency (EDA), chaired by Catherine Ashton. This agency was set up in 2004 as a 'research institute' and is the only body to decide on conflict scenarios and which strategies to put in place to resolve them. It therefore represents a transfer of sovereignty in the form of a transfer of powers. However, defence is an area that still falls under the sovereignty of Member States. Even the EU Treaties currently in force guarantee this principle.

What explanation can the Commission offer for this new denial of sovereignty?

The scenarios that were tested predict internal conflicts caused by the financial management of the crisis in two out of four cases. They anticipate military operations in the event that Member States can 'no longer respond to the challenges of globalisation, competition over resources and climate change'.

How can the Union prepare for military intervention in this kind of situation?

The results should have been presented to Member States in autumn 2013. What is the current situation regarding these results? When will Members of Parliament have access to them?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(16 January 2014)

The European Defence Agency (EDA) organised a European Capability Assessment Game (ECAPAG) on 4-6 June, with the participation of military and civil experts from Member States (MS) and EU bodies.

It was built on four hypothetical scenarios (classic, aggressive multi-polarism, failing states and unconventional conflicts) which have been specifically referred to in the description of the exercise as 'not aimed at predicting the most probable future, nor to engage in a discussion about political developments'. The objective was to derive conclusions on capability trends and inform Member States' development of defence capabilities to be able to meet the needs of the future.

EDA's activities, including such exercises, do not affect MS sovereignty and their ability to adopt decisions in the area of defence, as EDA's mission is to steer cooperative defence projects, already approved by MS.

One of the four functions of EDA, as set out in the Council Joint Action 2004/551/CFSP of 12 July 2004, is to cover the development of defence capabilities. Therefore, EDA is capability-driven and its programmes, projects and other activities have to contribute to improving the military capabilities needed for Common Security and Defence Policy operations in the future.

The outcome of the ECAPAG is currently being staffed by the EDA and Member States. They will be integrated into the Revised Capability Development Plan, which will be finalised next autumn. In terms of releasability, the CDP is for 'Government Use Only' and parts of it are classified (restricted or confidential).

(Version française)

Question avec demande de réponse écrite E-012585/13

à la Commission

Gaston Franco (PPE)

(6 novembre 2013)

Objet: Immigration clandestine en Méditerranée

Le 3 octobre dernier, plus de 300 migrants clandestins ont trouvé la mort après avoir fait naufrage au large de l'île italienne de Lampedusa dans la Méditerranée. Huit jours après cette tragédie, une trentaine de migrants sont morts dans un naufrage au sud de Malte et de Lampedusa.

Face à la répétition de ces drames humains, la réponse européenne se fait attendre. En même temps, les instruments de protection des frontières de l'Union européenne, comme l'agence Frontex, voient leur portée se heurter à des restrictions budgétaires et à l'absence de volonté politique de la part des États membres de les mettre en œuvre pleinement.

1. De quelle manière la Commission envisage-t-elle d'encourager les États membres de l'Union européenne à mettre en place une véritable politique migratoire européenne commune, solidaire et cohérente en Méditerranée pour lutter contre la criminalité organisée et la traite des êtres humains, ainsi que pour améliorer la réglementation de l'Union en matière d'asile?

Au cours du Forum économique de la Méditerranée occidentale du 23 octobre 2013, le président du gouvernement espagnol, Mariano Rajoy, a souligné le caractère primordial du soutien et de la coopération avec les pays d'origine et de transit pour lutter contre l'immigration illégale.

2. Quelle lecture la Commission fait-elle de ces déclarations et que compte-t-elle proposer de nouveau en matière de codéveloppement pour les pays de la rive sud de la Méditerranée? A-t-elle évalué l'incidence socio-économique des projets estampillés «Union pour la Méditerranée» dans ces pays?

3. La Commission pourrait-elle indiquer si elle compte renforcer la coopération avec les pays tiers méditerranéens dans le domaine de la sécurité aux frontières?

Réponse donnée par M^{me} Malmström au nom de la Commission

(10 février 2014)

La Commission se déclare profondément préoccupée par les événements survenus au large de l'île de Lampedusa, comme l'a prouvé la visite sur place du président Barroso et de la commissaire Malmström. À cette occasion, la Commission a réitéré son soutien aux États membres qui doivent mener des opérations de recherche et de sauvetage et accueillir un grand nombre de migrants, annonçant notamment le versement d'un total de 30 millions d'euros destinés au renforcement des patrouilles et du système d'asile en Italie.

La Commission a mis en place une task-force spécialisée, qu'elle préside, pour garantir qu'une réponse globale soit apportée à la tragédie de Lampedusa. Le 4 décembre 2013, elle a adopté une communication ⁽¹⁾ présentant les résultats des travaux de cette task-force, dans laquelle elle envisage l'adoption de mesures globales couvrant cinq domaines d'action: la coopération avec les pays tiers, l'amélioration des voies d'entrée légale en Europe, la lutte contre le trafic des migrants et la traite des êtres humains, la surveillance des frontières et l'assistance aux États membres qui font face à de fortes pressions migratoires.

Au titre du premier volet, on notera que la Commission a déjà lancé, par l'intermédiaire du ministère de l'intérieur italien, le projet Sahara-Méditerranée visant à améliorer les moyens dont dispose la Libye pour lutter contre la migration illégale, tandis que, par le biais de l'OIM, elle met en œuvre le projet START en Libye, en Égypte et en Tunisie dans le but de renforcer la gestion des migrations. Pour sa part, la mission PSDC civile en matière de sécurité des frontières en Libye facilite la mise en place d'un système intégré de gestion des frontières, et la garde civile espagnole met en œuvre un projet visant à établir le réseau méditerranéen Seahorse, pour augmenter la capacité des autorités d'Afrique du Nord à coopérer avec l'Union européenne dans le cadre de la lutte contre l'immigration illégale et la traite des êtres humains, tout en renforçant les moyens de recherche et de sauvetage. Ces mesures sont complétées par des initiatives à plus long terme au titre de la politique extérieure et de coopération au développement de l'UE.

⁽¹⁾ COM(2013) 869 final.

(English version)

Question for written answer E-012585/13
to the Commission
Gaston Franco (PPE)
(6 November 2013)

Subject: Illegal immigration in the Mediterranean

On 3 October 2013, more than 300 illegal immigrants died after the boat in which they were travelling sank off the Italian island of Lampedusa in the Mediterranean Sea. A week after that tragedy, approximately 30 migrants died when their ship sank south of Malta and Lampedusa.

We are still awaiting the EU's response to these regular human tragedies. At the same time, the bodies that protect the European Union's borders, such as Frontex, are finding themselves up against budgetary restrictions and a lack of political will on the part of Member States to implement them fully.

1. How does the Commission intend to encourage EU Member States to put in place a common EU immigration policy for the Mediterranean that is coherent and shared by all in order to combat organised crime and human trafficking, as well as to improve EU asylum regulations?

At the Economic Forum of the Western Mediterranean on 23 October 2013, the Spanish Prime Minister, Mariano Rajoy, highlighted the importance of supporting and cooperating with countries of origin and transit in the fight against illegal immigration.

2. What view does the Commission take of these statements and what new co-development measures does it intend to propose for southern Mediterranean countries? Has it assessed the socioeconomic impact of the plans proposed by the Union for the Mediterranean in these countries?

3. Could the Commission say whether it plans to strengthen cooperation with Mediterranean third countries with regard to border security?

Answer given by Ms Malmström on behalf of the Commission
(10 February 2014)

The Commission is deeply concerned by the events off the coast of Lampedusa, as demonstrated by the visit President Barroso and Commissioner Malmström paid to the island. On that occasion, the Commission reiterated its support to Member States having to undertake search and rescue operations and receiving a large number of migrants, including by pledging a total of EUR 30 million for the reinforcement of patrolling and the strengthening of the asylum system in Italy.

The Commission set up a dedicated Task Force under its presidency that would guarantee a comprehensive response to the Lampedusa tragedy. A Communication on the results of the Task Force ⁽¹⁾ was adopted on 4 December, envisaging holistic measures across five areas: cooperation with third countries; reinforced legal avenues to Europe; fight against smuggling and trafficking; border surveillance and support to Member States under pressure.

Under the first area of action: through the Italian Ministry of Interior the Commission is already implementing the Sahara Mediterranean Project to improve the capacities of Libya to address irregular migration. Through IOM the Commission is implementing the START project in Libya, Egypt and Tunisia to enhance migration management. The civilian CSDP border mission in Libya assists with introducing integrated border management. The Spanish Civil Guard implements a project aimed at establishing the Seahorse Mediterranean Network, to increase the capacity of the authorities in North Africa to cooperate with the EU in tackling irregular migration and trafficking, while enhancing search and rescue capacities. These measures are complemented by more long-term initiatives under the EU external and development cooperation.

⁽¹⁾ COM(2013) 869 final.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012588/13
a la Comisión**

Antolín Sánchez Presedo (S&D)

(7 de noviembre de 2013)

Asunto: Dique flotante de Navantia, en la ría de Ferrol

En su respuesta parlamentaria del pasado 21 de octubre, el Gobierno de España declara que, con fecha de 10 de julio se registró la salida y la entrada en el registro de la Dirección General de Competencia de la Comisión Europea del documento de consulta formal y de los anexos relativos a la construcción de un dique flotante en Ferrol por Navantia.

Como continuación a mi pregunta P-001060/2013, en cuya respuesta del 18 de marzo se hacía referencia a la ausencia de una notificación formal del proyecto a la Comisión, ¿puede ahora confirmar la Comisión si le ha sido presentado o notificado algún proyecto relativo a la construcción de un dique flotante en la ría de Ferrol destinado a la reparación de grandes buques por parte de Navantia?

En caso afirmativo, ¿en qué situación se encuentra el expediente y cuál es el calendario previsto para la tramitación del mismo? ¿Cumple todos los requisitos formales necesarios para su toma en consideración por la Comisión?

Respuesta del Sr. Almunia en nombre de la Comisión

(10 de enero de 2014)

La Comisión confirma que, mediante carta de fecha de 10 de julio de 2013, las autoridades españolas remitieron una consulta informal en relación con el proyecto de construcción por Navantia de un dique flotante en Ferrol. La carta se refiere a la posible construcción del dique flotante en relación con los compromisos contraídos por el Reino de España hasta el 31 de diciembre de 2014, a tenor de lo contemplado en la Decisión de la Comisión de 1 de junio de 2005 sobre la ayuda estatal concedida a los astilleros IZAR —ahora Navantia.

La carta de las autoridades españolas no es una notificación de un proyecto de concesión de una ayuda estatal con arreglo al artículo 108, apartado 3, del Tratado de Funcionamiento de la Unión Europea. Si se concluye que las actividades previstas son susceptibles de recibir una ayuda estatal, se pedirá a las autoridades españolas que notifiquen las medidas de conformidad con el Tratado. La Comisión también desea recordar que, en virtud del artículo 108, apartado 3, del Tratado, las medidas de ayuda propuestas no podrán aplicarse hasta que se haya adoptado una Decisión final.

La Comisión está evaluando este caso y ha solicitado más información sobre varios aspectos complejos, que aún no ha recibido. Por lo tanto, la Comisión no puede facilitar ningún calendario exacto, pero tiene intención de dar una respuesta dentro de plazo a las autoridades españolas.

(English version)

**Question for written answer E-012588/13
to the Commission**

Antolín Sánchez Presedo (S&D)

(7 November 2013)

Subject: Navantia floating dock in the Ferrol estuary

In its parliamentary answer of 21 October, the Government of Spain stated that the entry and the exit of the formal consultation document and the annexes relating to Navantia's construction of a floating dock in Ferrol were recorded in the register of the European Commission's Directorate General for Competition on 10 July.

Further to my Question P-001060/2013, the answer of 18 March to which referred to the absence of formal notification of the project to the Commission, can the Commission now confirm if there has been any submission or notification of any project concerning Navantia's construction of a floating dock in the Ferrol estuary for the repair of large ships?

If there has, what stage is the dossier at and what is the timetable for dealing with it? Does it comply with such formal requirements as are necessary for the Commission to take it into consideration?

Answer given by Mr Almunia on behalf of the Commission

(10 January 2014)

The Commission confirms that, by letter of 10 July 2013, the Spanish authorities sent an informal consultation in relation to the planned construction by Navantia of a floating dock in Ferrol. The letter concerns the possible construction of the floating dock in relation to the undertakings provided by the Kingdom of Spain until 31 December 2014, as recorded in the Commission decision of 1 June 2005 regarding state aid granted to IZAR Shipyards — now Navantia.

The letter of the Spanish authorities is not a notification of a plan to grant state aid pursuant to Article 108(3) of the Treaty on the Functioning of the European Union. If it is concluded that the planned activities are likely to involve state aid, the Spanish authorities will be invited to notify the measures in accordance with the Treaty. The Commission would also recall that under Article 108(3) of the Treaty, proposed aid measures cannot be put into effect until it has taken a final decision.

The Commission is assessing this matter and has requested more information on various complex issues, which has not yet been received. The Commission therefore cannot provide any precise timetable but aims to give a timely reply to the Spanish authorities.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012596/13
a la Comisión**

Willy Meyer (GUE/NGL)

(7 de noviembre de 2013)

Asunto: Los presupuestos de 2014 y el derecho a la salud para los españoles en el extranjero

En una enmienda presentada por el Partido Popular español a los Presupuestos Generales del Estado para el año 2014, el partido en el Gobierno propone que a partir del 1 de enero de 2014 los ciudadanos españoles desempleados que hayan perdido la prestación y que estén más de 90 días en el extranjero pierdan su condición de asegurado en la seguridad social española.

Con esta enmienda a los presupuestos, el Gobierno de España deja en la completa indefensión a miles de ciudadanos que emigran en búsqueda de trabajo. Muchos jóvenes se encuentran en otros países de la Unión Europea, adonde llegan tras largos periodos en desempleo y sin prestación alguna. Su búsqueda de trabajo en nuevos países les lleva a situaciones en las que se aceptan contratos en negro, sin cotizaciones sociales, etc. Estos jóvenes atrapados en empleos precarios, sin cotización o con niveles muy bajos para alcanzar a garantizar sus prestaciones, pueden encontrarse en situación de absoluto abandono sanitario frente a cualquier eventualidad que pudiere deteriorar su estado de salud.

Los Estados miembros tienen la obligación de velar por la salud de sus ciudadanos, tanto dentro como fuera de sus fronteras. Para asegurar que dicho derecho sea garantizado en todos los países de la Unión Europea, se elaboró la Directiva 2011/24/UE del Parlamento Europeo y del Consejo, de 9 de marzo de 2011, relativa a la aplicación de los derechos de los pacientes en la asistencia sanitaria transfronteriza.

¿Conoce la Comisión la enmienda presentada por el Partido Popular a los presupuestos Generales de España en 2014?

¿Cómo valora la Comisión la citada enmienda y su efecto para garantizar el derecho a la salud de los ciudadanos españoles residentes en otros países de la Unión Europea?

¿Considera la Comisión que dicha enmienda a los presupuestos de España trata de ajustar la legislación española a lo establecido en la Directiva 2011/24/UE y en el resto del Derecho europeo en lo relativo al cuidado de la salud de los ciudadanos europeos?

Respuesta del Sr. Borg en nombre de la Comisión

(3 de enero de 2014)

La Comisión es consciente de que el proyecto de Ley de Presupuestos Generales del Estado para el año 2014 en España incluye una disposición final que modifica la legislación en materia de seguridad social a la hora de definir lo que se entiende por «residencia en territorio español» a efectos de prestaciones de la seguridad social, incluido el requisito para el reconocimiento del derecho a estar asegurado ⁽¹⁾.

La Comisión también es consciente de que, en la actual fase de procedimiento legislativo para la aprobación de esta Ley, dos grupos parlamentarios han presentado enmiendas para modificar esta disposición ⁽²⁾ ⁽³⁾.

La Comisión no está en condiciones de evaluar la repercusión de esta modificación sobre el derecho a estar asegurado para disfrutar de las prestaciones de asistencia sanitaria de la seguridad social en España, ya que este no es un ámbito de competencia de la UE. No obstante, cualquier decisión relacionada con el mantenimiento del derecho a las prestaciones de asistencia sanitaria cuando se desplazan al extranjero dentro de la Unión Europea debe inscribirse en el marco y en la aplicación del Reglamento (CE) n° 883/2004.

De conformidad con este Reglamento, las personas inactivas siguen estando sometidas a la legislación de seguridad social del Estado miembro en la medida en que residan habitualmente en dicho Estado, es decir, siempre que cumplan las condiciones de la prueba de residencia habitual. Esto significa que, de conformidad con el Reglamento, una persona asimismo puede ausentarse temporalmente durante un periodo superior a noventa días y seguir manteniendo su residencia habitual en ese Estado. Esto depende de una evaluación global de la situación personal del interesado, teniendo en cuenta distintos factores que determinan su centro de interés real.

⁽¹⁾ http://www.congreso.es/docu/pge2014/PGE-ROM/doc/L_14_A_1.PDF

⁽²⁾ «Grupo Parlamentario Socialista» y «Grupo Parlamentario de IU, ICV-EUiA, CHA: La izquierda Plural».

⁽³⁾ http://www.congreso.es/public_oficiales/L10/CONG/BOCG/A/BOCG-10-A-63-7.PDF

(English version)

**Question for written answer E-012596/13
to the Commission**

Willy Meyer (GUE/NGL)

(7 November 2013)

Subject: 2014 budget and right to healthcare for Spanish people living abroad

The Spanish People's Party has presented an amendment to the 2014 General State Budget, proposing that from 1 January 2014, unemployed Spanish citizens who no longer receive unemployment benefits and who spend more than 90 days abroad should no longer be covered by the Spanish security system.

With this budget amendment, the Spanish Government will put thousands of Spanish citizens who emigrate in search of work in a precarious situation. Many young people have moved to other EU countries after enduring long periods of unemployment without receiving benefits. In their new countries of residence they often have no choice but to accept illegal work contracts, without social security contributions, etc. These young people, trapped in unstable employment without social security coverage or with contributions which are too low to guarantee insurance cover, could find themselves with nowhere to go should they face health problems.

Each Member State is responsible for its citizens' healthcare, wherever these citizens happen to be living. Directive 2011/24/EU of the European Parliament and of the Council, of 9 March 2011, on the application of patients' rights in cross-border healthcare was drawn up to guarantee this right in all EU countries.

Is the Commission aware of the amendment to Spain's 2014 General Budget presented by the People's Party?

What is the Commission's assessment of this amendment and its implications for health guarantees for Spanish citizens living in other EU countries?

Does the Commission think that this Spanish budget amendment will ensure that Spanish law is in line with Directive 2011/24/EU and with other European laws regarding healthcare of EU citizens?

Answer given by Mr Borg on behalf of the Commission

(3 January 2014)

The Commission is aware that the draft law on state budget for 2014 in Spain includes a final provision that modifies the social security law to define what is meant by 'residence in Spanish territory' for the purposes of social security benefits including such requirement for the recognition of the right to be insured. ⁽¹⁾

The Commission is also aware that, in the current legislative procedure to pass this law, two parliamentary groups ⁽²⁾ have submitted amendments to modify this provision. ⁽³⁾

The Commission is not in a position to assess the implication of this amendment on the right to be insured for social security healthcare benefits in Spain, since this is not an area of EU competence. However, any decision related to the maintenance of the entitlement to healthcare benefits when travelling abroad within the European Union should be done within the framework and in application of Regulation (EC) No 883/2004.

In accordance with this regulation, an inactive person continues to be subject to the social security legislation of the Member State as long as he/she habitually resides in this State, i.e. as long as he/she fulfils the condition of the habitual residence test. This means that under the regulation, a person may also be temporarily absent for a period exceeding 90 days and still maintain his/her habitual residence in that State. This depends on an overall assessment of the person's situation, taking into account various factors which determine his/her real centre of interest.

⁽¹⁾ http://www.congreso.es/docu/pge2014/PGE-ROM/doc/L_14_A_1.PDF

⁽²⁾ 'Grupo Parlamentario Socialista' and 'Grupo Parlamentario de IU, ICV-EUiA, CHA: La Izquierda Plural'.

⁽³⁾ http://www.congreso.es/public_oficiales/L10/CONG/BOCG/A/BOCG-10-A-63-7.PDF

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-012601/13

lill-Kummissjoni

Claudette Abela Baldacchino (S&D)

(7 ta' Novembru 2013)

Suġġett: Appoġġ għall-Viċinat tan-Nofsinhar tal-Ewropa

Il-Viċinat tan-Nofsinhar tal-Ewropa għadda minn taqlib politiku u soċjali tremend dawn l-aħhar ftit snin. L-impatt huwa enormi, mhux biss għall-pajjiżi kkonċernati, imma wkoll għall-UE, b'rizultat ta' influżż oghla ta' migranti u relazzjonijiet politiċi u ekonomiċi li qed jinbidlu. Huwa ferm mehtieg li dawn il-pajjiżi ġirien jinghataw appoġġ sabiex jistabbilizzaw is-soċjetajiet tagħhom. Madankollu, fil-proposti baġitarji reċenti tagħha, il-Kummissjoni ma tantx uriet sens ta' urġenza għall-hteġa li jsir investiment f'dawn il-pajjiżi.

Pereżempju, wahda mill-aħhar proposti tikkonċerna l-garanzija tal-UE lill-Bank Ewropew tal-Investment kontra telf minn operazzjonijiet ta' finanzjament li jappoġġjaw l-investment, li b'mod partikolari jistgħu jghinu biex jagħtu spinta lit-tkabbir u lill-iżvilupp fil-pajjiżi ġirien tal-Ewropa u oħrajn. Madankollu, għall-mandat mill-2014 sal-2020, il-Kummissjoni qed tippromponi li tbaxxi l-limiti massimi ta' din il-garanzija b'EUR 300 miljun (minn EUR 8.7 għal EUR 8.4 biljun) għall-operazzjonijiet fil-Viċinat tan-Nofsinhar, fi żmien meta aktar investimenti huma mehtieġa.

Fid-dawl ta' dan kollu:

1. Il-Kummissjoni taqbel li aktar investimenti huma mehtieġa fil-pajjiżi tal-Viċinat tan-Nofsinhar tal-Ewropa biex jiġu stabbiliti s-soċjetajiet tagħhom u biex ikun appoġġjat it-tkabbir ekonomiku?
2. Il-Kummissjoni kif beħsiebha tiżgura li, kemm fuq perjodu twil kif ukoll fuq perjodu qasir, il-Viċinat tan-Nofsinhar tal-Ewropa jkun megħjun fl-isforzi tiegħu biex jikseb din l-istabbilizzazzjoni?

Tweġiba mogħtija mis-Sur Füle fisem il-Kummissjoni

(28 ta' Jannar 2014)

1. Il-pajjiżi tal-Viċinat tan-Nofsinhar tal-Ewropa jehtieġu aktar investiment biex jistabbilizzaw is-soċjetajiet tagħhom u jappoġġaw it-tkabbir ekonomiku. L-investment għandu jiġi b'mod partikolari mis-settur privat. Dan ifisser li l-pajjiżi tar-regjun għandhom johlqu l-kundizzjonijiet it-tajba biex jiġbdu l-investituri u biex iżommu jew jerġghu jiksibu l-fiduċja tal-investituri, inklużi l-istabbiltà makroekonomika, politiki settorjali rilevanti u qafas regolatorju trasparenti u prevedibbli.
2. L-UE hija impenjata bis-shiħ sabiex issostni l-proċess ta' trasformazzjoni fil-viċinat tan-Nofsinhar billi tibbaża l-azzjoni tagħha fuq il-Komunikazzjoni Kongunta tal-2011 "Shubija għad-Demokrazija u l-Prosperità Kondiviża" ⁽¹⁾. Hija mmobilizzat riżorsi sinifikanti, żiedet l-involviment tagħha mas-soċjetà ċivili u offriet żieda fl-opportunitajiet tal-kummerċ u tas-suq u fis-shubbijiet ta' mobiltà. F'dan il-kuntest, wahda mill-prijoritajiet ewlenin tal-Kummissjoni hija li tagħti spinta lill-iżvilupp tas-settur privat permezz ta' numru ta' programmi bilaterali u reġjonali. Minbarra dan, il-Faċilità ta' Investment tal-Viċinat tippromwovi investimenti pubbliċi u privati addizzjonali f'pajjiżi shab. Il-possibiltajiet ta' self tal-BEI fir-regjun żdiedu wkoll wara li ntlahaq ftehim fost il-koleġiżlaturi fi tmiem l-2013. Il-mandat għall-Viċinat tan-Nofsinhar ġie stabbilit għal EUR 9.6 biljun, li jammonta għal aktar minn 35 % tat-total tal-mandat estern tal-BEI.

⁽¹⁾ COM(2011)200 finali.

(English version)

**Question for written answer E-012601/13
to the Commission**

Claudette Abela Baldacchino (S&D)

(7 November 2013)

Subject: Support for Europe's Southern Neighbourhood

Europe's Southern Neighbourhood has experienced tremendous political and social turmoil over the past few years. The impact is enormous, not only for the countries concerned, but also for the EU, as a result of an increased influx of migrants and changing political and economic relations. Support for these neighbouring countries is much needed to stabilise their societies. However, in its recent budget proposals, the Commission has not shown much sense of urgency for the need to invest in these countries.

As an example, one of the latest proposals concerns the EU guarantee to the European Investment Bank against losses under financing operations supporting investment, which in particular can help to boost growth and development in Europe's neighbouring and other countries. However, for the mandate of 2014 to 2020, the Commission proposes to lower the ceiling of even this guarantee by EUR 300 million (from EUR 8.7 to 8.4 billion) for operations in the Southern Neighbourhood, at a time when increased investments are necessary.

In the light of this:

1. Does the Commission agree that increased investments are needed in the countries of Europe's Southern Neighbourhood to stabilise their societies and support economic growth?
2. How does the Commission intend to ensure that, in both the short and long term, Europe's Southern Neighbourhood is helped in its efforts to achieve this stabilisation?

Answer given by Mr Füle on behalf of the Commission

(28 January 2014)

1. The countries of Europe's Southern Neighbourhood need increased investment to stabilise their societies and support economic growth. Investment must come in particular from the private sector. This means that the countries of the region must put in place the right conditions to attract investors and maintain or restore investors' confidence, including macroeconomic stability, relevant sector policies and a transparent and predictable regulatory framework.

2. The EU is fully committed to supporting the transformation process in the Southern Neighbourhood, basing its action on the 2011 Joint Communication 'A Partnership for Democracy and Shared prosperity' ⁽¹⁾. It has mobilised significant resources, stepped up its engagement with civil society and offered increased trade and market opportunities and mobility partnerships. In this context, one of the Commission's key priority is to boost private sector development through a number of bilateral and regional programmes. In addition, the Neighbourhood Investment Facility leverages additional public and private investments in partner countries. The lending possibilities of the EIB in the region have also been increased after agreement was reached among the co-legislators at the end of 2013. The mandate for the Southern Neighbourhood has been set at EUR 9.6 billion, accounting for more than 35% of the total external EIB mandate.

⁽¹⁾ COM(2011)200 final.

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-012610/13

alla Commissione

Mara Bizzotto (EFD)

(7 novembre 2013)

Oggetto: Politiche europee per la tutela dei distretti industriali

Il distretto industriale, identificato sommariamente come un semplice raggruppamento territoriale di piccole e medie imprese, costituisce, di fatto, per molte aree soprattutto del Nord-Est Italia, un incubatore di occupazione e uno stabilizzatore sociale. Da sempre, all'interno dei distretti si tramandano know-how e capacità innovative con ricadute positive per tutti gli stakeholder.

Con la Legge regionale 4 aprile 2003, n. 8 «Disciplina delle Aggregazioni di Filiera, dei Distretti Produttivi e interventi di sviluppo industriale e produttivo locale», la Regione Veneto ha definito una disciplina organica degli interventi a sostegno dei distretti produttivi fornendo i criteri per l'individuazione e le procedure di riconoscimento.

Nel 2010, in risposta alla mia interrogazione E-007026/2010, la Commissione ha sottolineato che lo sviluppo dei cluster rappresenta un aspetto strategico dell'attuazione della più ampia strategia Europa 2020.

Preso atto che la crisi economica e sociale impone ai legislatori di adottare tutte le misure possibili per sostenere l'occupazione; considerato che in base all'articolo 166 del trattato «l'Unione attua una politica di formazione professionale che sostiene e completa le azioni degli Stati membri ...»; preso atto che la concorrenza sleale dei produttori asiatici minaccia la sopravvivenza del distretto e dei suoi prodotti;

Può la Commissione rispondere ai seguenti quesiti:

1. Ha intenzione di porre i distretti industriali al centro di specifiche politiche di sostegno e sviluppo?
2. Quali azioni sono state intraprese dal 2010 a oggi per potenziare la competitività dei distretti industriali europei?
3. Intende sostenere la creazione di scuole professionali distrettuali che permettano alla formazione e al mondo del lavoro di sviluppare sinergie positive in termini di sostegno all'occupazione, oggi ai minimi storici?

Risposta di Antonio Tajani a nome della Commissione

(4 febbraio 2014)

1. I cluster sono citati in diversi documenti ufficiali dell'UE relativi alla politica regionale, industriale, dell'innovazione e delle PMI. I programmi Orizzonte 2020, COSME e i Fondi europei strutturali e d'investimento continueranno a sostenere nel prossimo periodo le attività dei cluster. I cluster sono usati oggi da diversi governi per progettare e implementare le strategie regionali in tema di specializzazione intelligente.

2. La comunicazione «Verso cluster competitivi di livello mondiale nell'Unione europea: Attuazione di un'ampia strategia dell'innovazione»⁽¹⁾ ha contribuito a sviluppare un'ampia strategia unionale a sostegno dello sviluppo di un maggior numero di cluster di livello mondiale in grado di competere su scala globale. Essa ha proposto diverse nuove azioni a valere sul programma competitività e innovazione oltre a quelle implementate nell'ambito del FP7 e del FESR⁽²⁾, lungo i tre obiettivi principali:

- conoscere e calibrare al meglio lo sviluppo dei cluster nell'UE, quale realizzato dall'European Cluster Observatory⁽³⁾
- promuovere l'eccellenza della gestione dei cluster in modo da far sì che le organizzazioni dei cluster possano fornire servizi professionali alle imprese, quale implementata dall'iniziativa European Cluster Excellence⁽⁴⁾; più di 500 cluster hanno ottenuto finora l'etichetta di bronzo e 22 quella d'oro;
- rafforzare la cooperazione tra i cluster nell'UE e promuovere l'internazionalizzazione dei cluster, come agevolato dalla piattaforma europea per la collaborazione tra i cluster⁽⁵⁾, l'organizzazione di missioni di abbinamento e diversi memoranda d'intesa sottoscritti con paesi terzi.

⁽¹⁾ COM(2008) 652 definitivo/2, adottato il 5/11/2008.

⁽²⁾ Fondo europeo di sviluppo regionale.

⁽³⁾ www.clusterobservatory.eu

⁽⁴⁾ <http://www.cluster-excellence.eu/>

⁽⁵⁾ www.clustercollaboration.eu/

3. La attività di formazione professionale possono essere promosse attraverso le organizzazioni dei cluster nell'ambito della loro attività di fornitura di servizi professionali alle PMI. Un finanziamento può essere erogato a valere sul Fondo sociale europeo. Inoltre, l'articolo 5 del FESR prevede, nell'ambito dell'obiettivo tematico 3, la possibilità di sostenere progetti che promuovono la competitività delle PMI.

(English version)

Question for written answer E-012610/13
to the Commission
Mara Bizzotto (EFD)
(7 November 2013)

Subject: EU policies for the protection of industrial districts

Industrial districts, which can be summarised as a simple regional grouping of small and medium-sized enterprises, are a source of jobs and a social mainstay for many areas, especially in the north-east of Italy. It has always been the case that new skills and know-how are passed on within these districts, benefiting everyone involved.

Under Italian Regional Law No 8 of 4 April 2003 'Regulations on clusters, production districts and local industrial policy measures', the Veneto Region laid down a system of rules governing aid for production districts, providing identification criteria and recognition procedures.

In 2010 the Commission stressed, in its answer to my written question E-007026/2010, that the development of clusters is a strategic factor in the implementation of the broader Europe 2020 strategy.

Given that the economic and social crisis requires legislators to take all possible measures to support employment; that Article 166 of the Treaty stipulates that 'The Union shall implement a vocational training policy which shall support and supplement the action of the Member States [...]'; and that unfair competition on the part of Asian producers is threatening the survival of the district and its products, can the Commission reply to the following questions:

1. Does it intend to put industrial districts at the heart of specific support and development policies?
2. What action has been taken from 2010 until now to improve the competitiveness of Europe's industrial districts?
3. Does it intend to support the establishment of district technical colleges that will enable the training and employment sectors to develop positive synergies in terms of support for employment, which is today at a record low?

Answer given by Mr Tajani on behalf of the Commission
(4 February 2014)

1. Clusters are referred in many EU official documents related to regional, industrial, innovation and SME policy. The Horizon 2020, COSME and European Structural and Investment Funds programmes will continue supporting cluster activities in the next period. Clusters are used today by many governments for designing and implementing regional smart specialisation strategies.

2. The communication 'Towards world-class clusters in the European Union: Implementing the broad-based innovation strategy' ⁽¹⁾ was instrumental for developing a comprehensive EU strategy to support the development of more world-class clusters which are able to compete at global level. It proposed a number of new CIP actions besides those implemented under FP7 and the ERDF ⁽²⁾, along the three main objectives:

- Better understand and benchmark cluster development in the EU, as implemented by the European Cluster Observatory ⁽³⁾
- Promote cluster management excellence so that cluster organisations can provide professional services to firms, as implemented by the European Cluster Excellence Initiative ⁽⁴⁾; more than 500 acquired the bronze label and 22 the gold label so far
- Strengthen cluster cooperation within the EU and promote cluster internationalisation, as facilitated by the European Cluster Collaboration Platform ⁽⁵⁾, the organisation of matchmaking missions and a number of MoUs [Memorandum of Understanding] signed with non-EU countries.

3. Vocational training activities can be promoted through cluster organisations as part of their work to provide professional services to SMEs. Funding support can be provided under the European Social Fund. Furthermore, Article 5 of ERDF provides under thematic objective 3 the possibility to support projects enhancing SME competitiveness.

⁽¹⁾ COM(2008) 652 final/2, adopted on 5/11/2008.

⁽²⁾ European Regional Development Fund.

⁽³⁾ www.clusterobservatory.eu

⁽⁴⁾ <http://www.cluster-excellence.eu/>

⁽⁵⁾ www.clustercollaboration.eu/

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012626/13
a la Comisión**

Juan Fernando López Aguilar (S&D)

(7 de noviembre de 2013)

Asunto: Compatibilidad con el Derecho de la Unión de la situación de los jueces sustitutos y magistrados suplentes en España

El colectivo de jueces sustitutos y magistrados suplentes con que cuenta la Administración de Justicia española es un colectivo que en estos momentos está conformado por más de 1 500 profesionales con dedicación exclusiva a la función jurisdiccional que, en muchos casos, y aún de manera interina, han venido prestando servicios durante más de 25 años en los juzgados y tribunales españoles de la jurisdicción ordinaria.

Las últimas reformas legislativas impulsadas por el Gobierno de España, a iniciativa del Ministerio de Justicia, establecen un tratamiento en la normativa nacional respecto a las condiciones de trabajo de dicho colectivo que podría vulnerar la Directiva 1999/70/CE del Consejo, de 28 de junio de 1999, relativa al Acuerdo marco de la CES, la UNICE y el CEEP sobre el trabajo de duración determinada, en la que se establecen las reglas básicas de trabajo de duración determinada o contratación temporal y que, según reiterada jurisprudencia del Tribunal de Justicia de la Unión, son también aplicables a los empleados públicos como lo son los jueces sustitutos y los magistrados suplentes.

1. ¿Conoce la Comisión las condiciones de trabajo de este colectivo cuya labor profesional es fundamental para el buen funcionamiento de la Administración de Justicia en España?
2. ¿Considera que esas condiciones son compatibles con la normativa anteriormente invocada?
3. ¿Tiene pensado iniciar algún procedimiento al respecto?

Respuesta del Sr. Andor en nombre de la Comisión

(7 de enero de 2014)

La Comisión Europea remite a Su Señoría a la respuesta dada a la pregunta E-010480/2013 ⁽¹⁾.

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

(English version)

**Question for written answer E-012626/13
to the Commission**

Juan Fernando López Aguilar (S&D)

(7 November 2013)

Subject: Compatibility of the situation of substitute and alternate judges in Spain with EC law

There are currently more than 1 500 substitute and alternate judges in the Spanish Judiciary devoted exclusively to judicial duties. In many cases they still operate on an interim basis and have been serving in ordinary Spanish courts and tribunals for more than 25 years.

Recent legislative reforms promoted by the Spanish Government, on the initiative of the Ministry of Justice, establish national rules for the working conditions of the aforementioned group that may be in breach of Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by the ETUC, UNICE and CEEP, which sets the basic rules for fixed-time work and temporary contracts and which, as the Court of Justice of the European Union has consistently held, are also applicable to public employees, and therefore to substitute and alternate judges.

1. Is the Commission aware of the working conditions of this group, whose professional work is crucial to the proper functioning of the Judiciary in Spain?
2. Does it believe that these conditions are compatible with the aforementioned legislation?
3. Does it intend to initiate any proceedings in this regard?

Answer given by Mr Andor on behalf of the Commission

(7 January 2014)

The European Commission would refer the Honourable Member to its answer to question E-010480/2013 ⁽¹⁾.

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

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012627/13
a la Comisión**

Santiago Fisas Ayxela (PPE)

(7 de noviembre de 2013)

Asunto: Investigación en curso de la DG COMP sobre ayudas estatales en el fútbol

Los beneficios de la propiedad asociativa y la participación de los socios en los clubes de fútbol han sido reconocidos por las distintas instituciones europeas en los últimos años. También lo ha sido, en particular, la labor de *Supporters Direct Europe* y sus socios en el proyecto de acción preparatoria en el ámbito del deporte «Mejora de la Gobernanza del Fútbol a través de la Participación de las Aficiones y la Propiedad Comunitaria».

En el contexto de ciudadanía activa y la necesidad de crear una cultura de participación, la Comisaria Vassiliou declaró recientemente: «La labor de *Supporters Direct Europe* muestra como los aficionados pueden ayudar a desarrollar estructuras incluyentes y sostenibles tanto en el nivel de base como en el profesional, dando vida de esta manera al concepto de ciudadanía activa y demostrando como las aficiones pueden contribuir a una mejor gobernanza y a la sostenibilidad a largo plazo del deporte».

¿Puede la Comisión responder a las siguientes preguntas?

1. ¿En qué estado se encuentra la investigación sobre ayudas estatales ilegales en el fútbol?
2. ¿Es cierto que, tal como se ha publicado, existe una investigación distinta a la anterior sobre el estatus de club asociativo de los clubes de fútbol, estatus muy común en varios países de la Unión Europea?
3. ¿Comparte la Comisión la opinión de que la propiedad de los clubes por sus socios es un instrumento importante para crear una cultura de ciudadanía activa y participación?

Respuesta del Sr. Almunia en nombre de la Comisión

(10 de enero de 2014)

El 6 de marzo de 2013 la Comisión incoó un procedimiento de investigación formal en relación con varios clubes de fútbol profesional en los Países Bajos que aún no ha concluido. El 18 de diciembre de 2013 la Comisión incoó otros tres procedimientos de investigación formal diferentes en relación con varios clubes de fútbol profesional en España. Por otro lado, se está procediendo al examen preliminar de denuncias relativas a presuntas ayudas estatales a otros clubes de fútbol profesional.

La Comisión no está investigando el estatus de club asociativo de algunos clubes de fútbol. Tal y como declaró la Comisión recientemente en el documento de consulta sobre la posible inclusión del deporte en el Reglamento General de Exención por Categorías en el ámbito de las Ayudas Estatales, varias de las medidas adoptadas por Estados miembros en el ámbito del deporte aficionado no constituyen ayudas estatales dado que los beneficiarios no llevan a cabo actividades económicas (http://ec.europa.eu/competition/consultations/2013_second_gber/index_en.html).

Cuando la Comisión recibe una denuncia, no siempre está claro hasta qué punto afecta a una actividad económica, en cuyo caso se comprueba con el Estado miembro.

La Comisión comparte la opinión de que la propiedad compartida de los clubes deportivos es una de las vías de expresión de la ciudadanía activa y de la participación democrática en el ámbito del deporte.

(English version)

**Question for written answer E-012627/13
to the Commission
Santiago Fisas Ayxela (PPE)
(7 November 2013)**

Subject: DG COMP investigation into state aid to football

The benefits of supporter ownership and member involvement in football clubs have been recognised by the different European institutions in recent years. There has also been recognition, in particular, of the work of Supporters Direct Europe and its members in the preparatory sports-related action project entitled 'Improving Football Governance through Supporter Involvement and Community Ownership'.

In the context of active citizenship and the need to create a participation culture, Commissioner Vassiliou recently declared: 'The work of Supporters Direct Europe shows how supporters can help to develop inclusive, sustainable structures, both at grassroots and professional level, developing the concept of active citizenship and showing how hobbies can contribute to better governance and long-term sustainability in sport'.

Can the Commission answer the following questions?

1. What is the current state of the investigation into illegal state aid in football?
2. Is it true that, as has been published, there is a separate investigation from the previous one on the amateur status of football clubs, which is very common in several countries of the European Union?
3. Does the Commission share the opinion that ownership of the clubs by their members is an important instrument in creating a culture of active citizenship and participation?

**Answer given by Mr Almunia on behalf of the Commission
(10 January 2014)**

On 6 March 2013 the Commission initiated a formal investigation regarding various professional football clubs in the Netherlands, which has not yet been concluded. On 18 December 2013 the Commission also initiated three different formal investigations regarding various professional football clubs in Spain. Complaints concerning alleged state aid to other professional football clubs are in a preliminary phase of assessment.

The Commission is not investigating the amateur status of certain football clubs. As the Commission stated most recently in the consultation document on a possible inclusion of sport in the General Block Exemption Regulation on state aid measures, a number of measures taken by Member States in the area of amateur sport may not constitute state aid because the beneficiary does not carry out an economic activity (http://ec.europa.eu/competition/consultations/2013_second_gber/index_en.html).

When a complaint is received by the Commission, it is not always evident to what extent it concerns economic activities, in which case this is verified with the Member State in question.

The Commission recognises that joint ownership of sport clubs by supporters is one of the ways in which participatory democracy and active citizenship can be expressed in the field of sport.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012628/13
a la Comisión**

Andrés Perelló Rodríguez (S&D)

(7 de noviembre de 2013)

Asunto: Compatibilidad del proyecto Eurovegas con la legislación comunitaria y la lucha contra la ludopatía

La compañía Las Vegas Sand pretende instalar un macrocomplejo turístico y de ocio en Alcorcón (Comunidad de Madrid), que recibiría el nombre de Eurovegas y cuya principal oferta de ocio serían los juegos de azar.

La Comisión maneja diversos estudios sobre las consecuencias de la ludopatía para la población de la UE. En el caso de España, y según la Asociación Española de Psicología Privada, hasta un 5 % de los españoles podría tener algún problema de ludopatía. Los colectivos más vulnerables a este trastorno son los menores, los jóvenes y aquellas personas que sufren una complicada situación social, económica y personal.

El Parlamento Europeo se ha pronunciado en los últimos años respecto a la ludopatía en dos ocasiones:

- Aprobación en la Comisión de Peticiones (2009) de la creación de tres grupos de trabajo en distintas comisiones parlamentarias para estudiar el impacto de la ludopatía en Europa y su posible consideración como enfermedad social;
- Aprobación del Informe Ashley Fox (2013) acerca del juego online, donde se solicitaba a la Comisión y a los Estados miembros la adopción de medidas para la protección de los consumidores más vulnerables, medidas contra el blanqueo de capitales (Directiva) y una mayor homologación de la legislación en esta materia.

Según el último informe emitido por la promotora Las Vegas Sand, las condiciones para la instalación de su macrocomplejo de ocio y juego pasan por que las autoridades españolas acepten una serie de condiciones que van desde el permiso para la entrada de menores a zonas dedicadas a juegos de azar hasta una mayor flexibilización en las medidas de control de los juegos de azar, pasando por una excepción a la Ley nacional del tabaco, que permitiría fumar en todas las instalaciones. Para ello, la Comunidad Autónoma de Madrid está planeando importantes modificaciones de su legislación que podrían entrar en contradicción con la normativa comunitaria.

1. ¿Qué seguimiento ha realizado la Comisión acerca del compromiso adquirido por el Parlamento de estudiar la ludopatía como enfermedad social?
2. ¿Está en los planes de la Comisión llevar a cabo una iniciativa que regule los juegos de azar en general en la EU?
3. ¿Considera la Comisión que los cambios legales que planean las autoridades españolas para adaptarse al proyecto de Las Vegas Sand van en la dirección de las políticas de salud (tabaco), medio ambiente y protección del consumidor de la UE?
4. ¿Han consultado las autoridades españolas a la Comisión sobre el proyecto?

Respuesta del Sr. Barnier en nombre de la Comisión

(9 de enero de 2014)

1. y 2. Tal y como la Comisión ha manifestado ya anteriormente ⁽¹⁾, la investigación sobre los juegos de azar es necesaria para conocer mejor las actitudes comportamentales en ese ámbito, así como sus causas y los factores que inciden en ellas. El proyecto ALICE-RAP estudia actualmente el fenómeno de la adicción en Europa, incluido en lo referente a los juegos de azar ⁽²⁾. La Comisión prepara también dos recomendaciones cuya finalidad es proporcionar al consumidor de servicios de juegos de azar un nivel de protección común y elevado, y garantizar que la publicidad de los juegos de azar sea siempre socialmente responsable ⁽³⁾. Aunque estas actuaciones se focalizan en el juego en línea, pueden ser también pertinentes para otros servicios de juegos de azar, como los prestados en locales de juego.

En su plan de acción ⁽⁴⁾, la Comisión ha propuesto una serie de iniciativas que abarcan variados aspectos, con la pretensión de acentuar la claridad jurídica y elaborar políticas basadas en hechos constatados. El plan de acción no propone legislación sectorial específica de la UE para los juegos de azar.

⁽¹⁾ E-000989/2013.

⁽²⁾ ALICE-RAP (Addiction and lifestyles in contemporary Europe — reframing addictions project) es un proyecto transitorio e interdisciplinar, de cinco años de duración, financiado a través del séptimo programa marco y cuyo objetivo es contribuir al debate sobre las normas vigentes y las futuras implicaciones de las adicciones y los estilos de vida en Europa en los próximos 20 años.

⁽³⁾ Tal y como se indica en la Comunicación sobre los juegos de azar en línea, COM(2012) 596 final.

⁽⁴⁾ COM(2012) 596 final.

La Comisión desea recordar que los Estados miembros gozan de margen discrecional para decidir la organización de la oferta de juegos de azar, mientras no exista legislación específica de la UE, dentro de los límites marcados por el TJUE. No obstante, las autoridades públicas tienen el deber de cumplir las normas fundamentales de los Tratados (transparencia, igualdad de trato) en los procedimientos de autorización, incluido en lo relativo a las licencias de las empresas de juego.

3. y 4. La Comisión conoce la intención de Las Vegas Sands de crear un gran parque de ocio en Alcorcón. Toma nota de la información que facilita Su Señoría. Sin embargo, la Comisión no puede determinar si la legislación de la UE se ha aplicado o no correctamente por lo que atañe a un posible futuro proyecto, pues desconoce cuál será la decisión final de las autoridades españolas en este tema.

(English version)

**Question for written answer E-012628/13
to the Commission**

Andrés Perelló Rodríguez (S&D)

(7 November 2013)

Subject: Compatibility of the Eurovegas project with community legislation and the fight against gambling addiction

The company Las Vegas Sands intends to establish a mega tourist and leisure complex in Alcorcón (province of Madrid), to be called Eurovegas, the main leisure activity of which will be gambling.

The European Commission is undertaking several studies on the consequences of gambling addiction for the people of the EU. In the case of Spain, according to the Spanish Private Psychology Association, up to 5% of Spaniards might suffer from some form of gambling addiction. Children, young people and people in complex social, economic and personal situations are most at risk from this disorder.

In recent years, the European Parliament has commented on gambling addiction on two occasions:

- Approval given by the Committee on Petitions (2009) for the creation of three working groups in different parliamentary committees to look at the impact of gambling addiction in Europe and the potential for it to be defined as a social disease;
- Approval of the Ashley Fox Report (2013) on online gambling, which called on the Commission and the Member States to adopt measures to protect the most vulnerable consumers, combat money laundering (Directive) and ensure greater convergence of legislation in this area.

According to the most recent report by the sponsoring company, Las Vegas Sands, the creation of its mega leisure and gambling resort depends on the Spanish authorities accepting a series of conditions ranging from allowing children to enter gambling areas to ensuring the greater flexibility of measures taken to monitor gambling, as well as allowing an exception to national tobacco legislation, which would allow smoking throughout the facilities. To this end, the Province of Madrid is considering significant amendments to its legislation which could conflict with Community law.

1. How has the Commission followed up on Parliament's undertaking to consider defining gambling addiction as a social disease?
2. Does the Commission plan to take action to regulate gambling across the EU?
3. Does the Commission consider that the legal changes considered by the Spanish authorities to adapt to the Las Vegas Sands project are in line with the EU's health (smoking), environmental and consumer protection policies?
4. Has the Commission consulted the Spanish authorities about the project?

Answer given by Mr Barnier on behalf of the Commission

(9 January 2014)

1-2. As the Commission has previously informed ⁽¹⁾, research in the area of gambling is required for a better understanding of the behavioural attitudes and the factors and causes linked to this. 'ALICE-RAP' is studying the phenomenon of addiction in Europe, including gambling ⁽²⁾. The Commission is also preparing two recommendations with the aim of providing a high level of common protection of consumers of gambling services and ensuring that gambling advertising remains socially responsible ⁽³⁾. Whilst the focus of these actions is on online gambling, they may also be pertinent to offline gambling services such as gambling resorts.

With its action plan ⁽⁴⁾, the Commission has proposed a series of initiatives covering a range of issues, seeking to enhance legal clarity and establish policies based on available evidence. The action plan does not propose sector specific EU legislation on gambling.

The Commission recalls that Member States enjoy a margin of discretion in determining the organisation of the gambling offer as long as there is no EU specific legislation, within the limits established by the CJEU. However, public authorities have a duty to comply with the fundamental rules of the Treaties (transparency, equal treatment) as regards authorisation procedures, including permits for gambling establishments.

⁽¹⁾ E-000989/2013.

⁽²⁾ ALICE-RAP (Addiction and lifestyles in contemporary Europe — reframing addictions project) is a 5-year transitional and interdisciplinary project funded through the 7th Framework Programme aimed at contributing to the debate on current norms and future implications of addiction and lifestyles in Europe over the next 20 years.

⁽³⁾ As announced in the communication on online gambling, COM(2012) 596 final.

⁽⁴⁾ COM(2012) 596 final.

3-4. The Commission is aware of the intentions of Las Vegas Sands for the creation of a main leisure park at Alcorcón. It takes note of the information provided by the Honourable Member. However, the Commission cannot determine whether or not EU legislation has been correctly applied in relation with a possible future project, not knowing what the final decision of the Spanish authorities will be on the matter.

(Hrvatska verzija)

Pitanje za pisani odgovor E-012635/13

upućeno Komisiji

Andrej Plenković (PPE)

(7. studenog 2013.)

Predmet: Tehnička prilagodba Privremenog sporazuma/Sporazuma o stabilizaciji i pridruživanju s Bosnom i Hercegovinom

Slijedom članstva Hrvatske u Europskoj uniji započet je uobičajeni proces prilagodbe postojećeg Privremenog (Interim) sporazuma odnosno Sporazuma o stabilizaciji i pridruživanju između Bosne i Hercegovine i članica Europske unije a s ciljem uzimanja u obzir tradicionalne trgovinske razmjene između Hrvatske i Bosne i Hercegovine.

Riječ je o pitanju za čije učinkovito rješavanje brojni hrvatski gospodarski subjekti imaju vrlo jasno izražen interes.

Europska komisija je u svom godišnjem Izvješću o napretku Bosne i Hercegovine objavljenom sredinom listopada 2013. konstatirala da postoji problem u dinamici postizanja dogovora.

U vezi s tim, zanima me koje mjere Komisija namjerava poduzeti kako bi došlo do sklapanja odgovarajućeg protokola na postojeći Privremeni (Interim) sporazum/Sporazum o stabilizaciji i pridruživanju s Bosnom i Hercegovinom, a u vezi s proširenjem Europske unije na Hrvatsku?

Odgovor g. Fülea u ime Komisije

(14. siječnja 2014.)

Od početka 2013. održana su tri kruga bezuspješnih pregovora s Bosnom i Hercegovinom (BiH) o prilagodbi SSP-a/Privremenog sporazuma između Europske unije i Bosne i Hercegovine kako bi se uzelo u obzir pristupanje Republike Hrvatske Europskoj uniji. Bosna i Hercegovina odbija nastavak pregovora o prilagodbi u cilju zadržavanja barem tradicionalne trgovinske razmjene između Bosne i Hercegovine i Hrvatske te traži detaljniju reviziju SSP-a/Privremenog sporazuma u ovom okviru.

Bosna i Hercegovina je potvrdila svoje stajalište na izvanrednom sastanku Privremenog odbora održanom 27. studenoga 2013. Stoga je Komisija, kao prvi korak prema zaštiti interesa EU-a, objavila svoju namjeru pokretanja zakonodavnog postupka za uklanjanje Bosne i Hercegovine s popisa zemalja korisnica *Autonomnih trgovinskih mjera* (ATM). U okviru ATM-a zemljama zapadnog Balkana odobrava se izuzeće od ulaznih cijena na tržište pri uvozu njihova voća i povrća u EU. Ako se pravovremeno ne pronade rješenje, Komisija vjeruje u punu podršku svih država članica EU-a i Europskog parlamenta njezinu zakonodavnom prijedlogu. Održavanje sljedećeg sastanka Privremenog odbora predviđeno je za siječanj 2014., podložno potvrdi iz Bosne i Hercegovine.

(English version)

Question for written answer E-012635/13
to the Commission
Andrej Plenković (PPE)
(7 November 2013)

Subject: Technical adaptation of the Interim Agreement/Stabilisation and Association Agreement with Bosnia and Herzegovina

Following Croatia's accession to the EU, the usual process of adapting the existing Interim Agreement — namely the Stabilisation and Association Agreement between Bosnia and Herzegovina and the EU Member States — began. Its objective is to take account of traditional trade ties between Croatia and Bosnia and Herzegovina.

This is an issue which many Croatian businesses have a very strong interest in seeing resolved.

In its 2013 Progress Report on Bosnia and Herzegovina, which was published in mid-October 2013, the Commission reported problems in reaching an agreement.

In this connection, and given that Croatia is now an EU Member State, what steps does the Commission intend to take to conclude an appropriate protocol to the existing Interim Agreement/Stabilisation and Association Agreement with Bosnia and Herzegovina?

Answer given by Mr Füle on behalf of the Commission
(14 January 2014)

There were three rounds of unsuccessful negotiations with Bosnia and Herzegovina (BaH) since the beginning of 2013 on the adaptation of the EU-BaH SAA/Interim Agreements to take account of the Republic of Croatia's accession to the European Union. BaH has been refusing to resume negotiations on the adaptation with a view to at least maintaining traditional trade between BaH and Croatia and has been requesting a broader review of SAA/Interim Agreement in this framework.

At an extraordinary Interim Committee meeting on 27 November 2013, BaH confirmed its position. Hence, the Commission announced its intention to launch the legislative procedure to remove BaH from the list of countries that benefit from the *Autonomous Trade Measures* (ATMs) as a first step to safeguard the interests of the EU. The ATMs grant the Western Balkan countries a waiver from the market entry prices for the import of their fruits and vegetables into the EU. The Commission relies on full support of its legislative proposal by all EU Member States and the European Parliament, should a solution not be found in due time. The next meeting of the Interim committee is planned to take place in January 2014 subject to confirmation from BaH.

(Hrvatska verzija)

Pitanje za pisani odgovor E-012636/13
upućeno Komisiji
Andrej Plenković (PPE)
(7. studenog 2013.)

Predmet: Članstvo Republike Hrvatske u Europskom ekonomskom prostoru

Nakon završenih pregovora o pristupanju Europskoj uniji, Hrvatska je podnijela zahtjev za članstvo u Europskom ekonomskom prostoru.

S obzirom na trgovinsku razmjenu između Hrvatske i članica Europskog ekonomskog prostora (Norveške, Islanda i Lihtenštajna), zanima me u kojoj su fazi pregovori koje vodi Europska komisija a s ciljem da Hrvatska postane članica Europskog ekonomskog prostora?

Kojeg datuma se očekuje članstvo Hrvatske u EEA-u?

Odgovor visoke predstavnice/potpredsjednice Ashton u ime Komisije
(27. siječnja 2014.)

Pregovori s EGP-om i EFTA-om o pristupanju Hrvatske Sporazumu o EGP-u zaključeni su 20. studenoga 2013. na razini glavnih pregovarača, a s nacrtom Sporazuma započelo se 20. prosinca 2013.

U tijeku su pripreme za potpisivanje Sporazuma o proširenju EGP-a, a privremena primjena Sporazuma predviđena je nakon potpisivanja.

(English version)

Question for written answer E-012636/13
to the Commission
Andrej Plenković (PPE)
(7 November 2013)

Subject: Croatia's membership of the European Economic Area

Following the concluded negotiations on EU accession, Croatia submitted an application for membership of the European Economic Area (EEA).

Given Croatia's trade ties with EEA Member States (e.g. Norway, Iceland and Lichtenstein), what stage has been reached in the Commission-led negotiations on Croatian EEA membership?

On what date is it anticipated that Croatia will become a member of the EEA?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(27 January 2014)

Negotiations with the EEA EFTA side on Croatia's accession to the EEA Agreement were concluded on 20 November 2013 at chief negotiators' level and the draft agreement has been initialled on 20 December 2013.

Preparations for the signature of the EEA Enlargement Agreement are ongoing and provisional application of the Agreement is foreseen upon signature.

(Hrvatska verzija)

Pitanje za pisani odgovor E-012637/13

upućeno Vijeću

Andrej Plenković (PPE)

(7. studenog 2013.)

Predmet: Zapošljavanje hrvatskih državljana u službe Vijeća Europske unije

Tijekom proteklih mjeseci raspisano je nekoliko natječaja za prijem hrvatskih državljana u institucije Europske unije. Ovaj proces odvija se u okviru šireg konteksta proračunskih ograničenja na razini EU-a i tendencije postupnog smanjivanja broja zaposlenika.

Istodobno dinamika zapošljavanja hrvatskih državljana važna je za zainteresirane građane Republike Hrvatske i ima refleksije na ukupnu sliku i percepciju o Europskoj uniji u hrvatskoj javnosti.

U vezi s tim, zanima me koliko je do sada ukupno primljeno hrvatskih državljana u službe Vijeća Europske unije u različitim kategorijama natječaja?

Koliki broj hrvatskih državljana Vijeće planira zaposliti tijekom 2014. godine?

Kakva je dinamika zapošljavanja hrvatskih državljana na upravljačkim razinama Vijeća i koliko je točno takvih radnih mjesta predviđeno za Hrvatsku?

Odgovor

(20. siječnja 2014.)

Glavno tajništvo Vijeća ne primjenjuje sustav kvota prema nacionalnosti niti bilo koje druge posebne mjere za zapošljavanje državljana novih država članica. Stoga ne postoje radna mjesta rezervirana za hrvatske državljane.

Odabir i zapošljavanje temelje se na zaslugama i interesu službe. U slučaju da neko radno mjesto ne popuni interni kandidat, mogu se koristiti popisi uspješnih kandidata EPSO-a. U skladu s time, uspješni hrvatski kandidati koji se nalaze na odgovarajućim popisima uspješnih kandidata EPSO-a mogu se natjecati s državljanima drugih država članica za radna mjesta u službama Glavnog tajništva Vijeća za koja je moguće vanjsko zapošljavanje.

Iako radna mjesta u Glavnom tajništvu Vijeća nisu rezervirana niti za jednu određenu nacionalnost, relevantni prevoditeljski odjel i odjel pravnika lingvista moraju zapošljivati izvorne govornike hrvatskog jezika.

U Glavnom tajništvu Vijeća trenutno je zaposleno 33 hrvatskih djelatnika u prevoditeljskom odjelu i u odjelu pravnika lingvista. Taj broj uključuje 20 privremenih djelatnika, 3 ugovorna djelatnika i 10 stalno zaposlenih dužnosnika.

Kao i u slučaju nerukovodećih radnih mjesta, za rukovodeća radna mjesta u Glavnom tajništvu Vijeća ne koristi se sustav kvota prema nacionalnosti. Međutim, hrvatski državljani koji se nalaze na važećim popisima uspješnih kandidata EPSO-a mogu se prijaviti na objavljene vanjske natječaje za rukovodeća radna mjesta te se tako mogu natjecati s državljanima drugih država članica.

(English version)

**Question for written answer E-012637/13
to the Council**

Andrej Plenković (PPE)

(7 November 2013)

Subject: Recruitment of Croatian citizens to the Council of the European Union

Over the past few months, a number of competitions have been announced to recruit Croatian citizens to positions in the EU institutions. This process is taking place against the wider backdrop of EU budget cuts and a trend for the gradual reduction of staffing levels.

At the same time, the recruitment of Croatian citizens is important for those Croatian citizens who are interested, and it reflects on the overall image and perception of the European Union among the Croatian public.

In this connection, could the Council say how many Croatian citizens in total have been recruited by the Council of the European Union as officials through the various categories of competition?

How many Croatian citizens does the Council plan to recruit in 2014?

What is the state of play as regards the recruitment of Croatian citizens to management positions in the Council, and precisely how many such positions are foreseen for Croatia?

Reply

(20 January 2014)

The GSC does not use a system of quotas per nationality or any specific measures to recruit citizens from new Member States. Therefore no posts are reserved for Croatian citizens.

Selection and recruitment is based on merit and the interest of the service. If a post is not filled by an internal candidate, recourse can be made to EPSO reserve lists. Consequently, successful Croatian candidates from relevant EPSO reserve lists can compete with other Member State nationals for posts in the GSC which are open to external recruitment.

While no posts in the GSC are reserved for any particular nationality in the GSC, the relevant translation unit and lawyer-linguist unit need to recruit Croatian native speakers.

Currently, the GSC employs 33 Croatian staff in the translation unit and lawyer-linguist unit. This number includes 20 temporary agents, 3 contract agents and 10 permanent officials.

As with non-management posts, no system of quotas per nationality is used in the GSC for management posts. However, Croatian citizens on valid EPSO lists can apply for management posts published externally and can thus compete with other Member State nationals.

(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-012641/13
til Kommissionen
Christel Schaldemose (S&D)
(7. november 2013)

Om: Produktion af sojabønner til dyrefoder

En dansk rapport fra Nationalt Center for Fødevarer og Jordbrug på Aarhus Universitet afdækker, at produktionen af sojabønner til dyrefoder har store negative konsekvenser for lokalbefolkningen i de lande, hvor sojaen produceres (bl.a. Brasilien, Argentina, Malaysia og Indonesien). Der er langt flere kræfttilfælde, forekomst af svulster, spontane aborter m.m. hos de lokale. Hertil kommer store negative miljøkonsekvenser.

Mit spørgsmål til Kommissionen er derfor:

Er Kommissionen bekendt med disse forhold? Har EU ikke et fælles ansvar for at sikre bæredygtighed i hele vores forsyningskæde? Vil Kommissionen tage initiativ til at sikre større bæredygtighed i forbindelse med produktionen af dyrefoder, der importeres til EU?

Svar afgivet på Kommissionens vegne af Tonio Borg
(20. januar 2014)

Kommissionen er bekendt med, at nogle rapporter forbinder visse typer landbrugspraksis ved sojabønneproduktion i tredjelande med sundhedsproblemer hos den lokale befolkning og skader på miljøet.

Imidlertid fastsætter folkeretten og især WTO-reglerne strenge betingelser for de typer tiltag, EU kan træffe for at påvirke den måde, hvorpå varer, der importeres til EU, produceres i eksportlandene, medmindre der internationalt er vedtaget relevante politikker eller standarder på bilateralt eller multilateralt niveau.

Hvis der ikke findes særlige internationale aftaler, kan ikkestatslige initiativer til at fastsætte standarder og oprette certificeringsordninger bidrage til at gøre den globale sojaproduktion mere bæredygtig. I denne forbindelse følger Kommissionen nøje Round Table on Responsible Soy Association (RTRS). RTRS er et initiativ med flere interessenter, der har til formål at fremme en global dialog om sojaproduktion, der er økonomisk rentabel, socialt retfærdig og miljømæssigt forsvarlig. Det giver interessenter og berørte parter — producenter, sociale organisationer og erhvervslivet — mulighed for i fællesskab at udvikle globale løsninger, der fører til en ansvarlig sojaproduktion. Som følge af et fælles ønske fra producenter, erhvervslivet samt aktører på handels- og finansområdet og aktører fra civilsamfundet, der indgår i sojaværdikæden, er der udarbejdet en RTRS-standard for ansvarlig sojaproduktion (RTRS Standard for Responsible Soy Production Version 2.0).

Kommissionen søger i sine bilaterale forhandlinger med EU's handelspartnere at fremme handelen med varer, der bidrager til miljømæssigt forsvarlig praksis, herunder varer, der er omfattet af frivillige garantiordninger for bæredygtighed og certificeringsordninger, som f.eks. fairtradeordninger og etiske handelsordninger og miljømærkning.

(English version)

**Question for written answer E-012641/13
to the Commission**

Christel Schaldemose (S&D)

(7 November 2013)

Subject: Production of soya beans for animal feed

A Danish report from the Danish Centre for Food and Agriculture at Aarhus University reveals that the production of soya beans for animal feed has serious adverse effects on the local population in the countries in which the soya is produced (Brazil, Argentina, Malaysia and Indonesia, for example). There are far more cases of cancer, occurrences of tumours, spontaneous abortions, etc. among the local people. It also has a major adverse environmental impact.

Is the Commission aware of these circumstances? Does the EU not have a shared responsibility for ensuring sustainability along our entire supply chain? Will the Commission take the initiative to ensure greater sustainability in connection with the production of animal feed imported into the EU?

Answer given by Mr Borg on behalf of the Commission

(20 January 2014)

The Commission is aware of reports linking certain soybean farming practices in third countries to the occurrence of health problems in the local population and damages to the environment.

However, international law and in particular WTO law impose rather strict conditions on the types of action which the EU could take to influence the way in which EU-imported commodities are produced in exporting countries, unless relevant policies or standards have been agreed internationally, at bilateral or multilateral level.

In the absence of specific international agreements, non-governmental initiatives to set standards and establish certification schemes can help increase the sustainability of the global soya production. In this context, the Commission is carefully observing the Round Table on Responsible Soy Association (RTRS). This multi-stakeholder initiative aims to facilitate a global dialogue on soy production that is economically viable, socially equitable and environmentally sound. It provides stakeholders and interested parties — producers, social organisations and business and industry — with the opportunity to jointly develop global solutions leading to responsible soy production. As a result of consensus between producers, industry, trade & finance and civil society actors involved in the soy value chain, the RTRS Standard for Responsible Soy Production Version was developed.

In its bilateral negotiations with EU trading partners the Commission seeks to promote trade in goods that contribute to environmentally sound practices, including goods that are the subject of voluntary sustainability assurance and certification schemes such as fair and ethical trade schemes and eco-labels.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-012645/13
an die Kommission
Andreas Mölzer (NI)
(7. November 2013)

Betrifft: Facebook — Werberegeln

Facebook will sich hinsichtlich der sogenannten „sponsored posts“ künftig die automatische Erlaubnis zusichern, Profilbilder der Nutzer in Werbeeinträgen zu verwenden. Dabei werden also jene Werbeeinträge, bei deren Facebook-Auftritt jemand auf „Gefällt mir“ geklickt hat, mit Bild und Namen dieser Person versehen bei seinen Facebook „Freunden“ angesprochen. Immerhin bezahlen Firmen Facebook dafür, solche Updates zu platzieren.

Mit neuen Nutzungsbedingungen soll also jeder automatisch die Erlaubnis zur Nutzung seines Namens, Profilbilds, seiner Inhalte und Informationen im Zusammenhang mit gewerblichen, gesponserten oder verwandten Inhalten geben. Außerdem schreibt Facebook, dass Werbung nicht immer als solche gekennzeichnet werden soll. Für Facebook-Mitglieder in Deutschland gibt es eine Sonderregelung, wonach deutsche Mitglieder diese Funktion ausschalten können.

1. Ist die Nichtkennzeichnung von Werbung als Werbung überhaupt mit EU-Recht vereinbar?
2. Wird sich die Kommission dafür einsetzen, dass die deutschen Sonderregelungen für den ganzen EU-Raum gelten?
3. Inwieweit ist diese Änderung der Facebook-Nutzungsbedingungen für Werbung mit europäischen Datenschutzbestimmungen vereinbar?

Antwort von Frau Reding im Namen der Kommission
(28. Januar 2014)

Die Kommission stellt fest, dass Facebook seine Datenschutzregeln in den vergangenen Monaten mehrmals aktualisiert hat, damit Profilbilder von Facebook-Nutzern und Informationen über Facebook-Mitglieder, einschließlich Minderjährige, weiterhin bei sogenannten Sponsored Stories für Werbezwecke verwendet werden dürfen. Auf die Website gestellt wird dieses Format offensichtlich nur, wenn Dritte, z. B. Handelsunternehmen, für die Werbung bezahlen. Die Nutzung personenbezogener Daten für Direktwerbung muss in Einklang mit den Anforderungen der Richtlinie 95/46 erfolgen, die auch ein Widerspruchsrecht vorsieht (Artikel 14 der Richtlinie 95/46/EG) ⁽¹⁾.

Die Kommission verfolgt sowohl die laufenden Diskussionen in den Mitgliedstaaten als auch die Maßnahmen, die Facebook getroffen hat, um der Richtlinie 95/46/EG und den Vorgaben der nationalen Aufsichtsbehörden nachzukommen.

Nach den Vorschlägen der Kommission zur Reform der EU-Datenschutzbestimmungen vom Januar 2012 ⁽²⁾ sollte die betroffene Person ausdrücklich in einer verständlichen und von anderen Informationen klar abgegrenzten Form auf ihr Recht auf Widerspruch gegen die Verwendung personenbezogener Daten zum Zwecke der Direktwerbung hingewiesen werden.

Wird der kommerzielle Zweck einer Geschäftspraxis nicht kenntlich gemacht, kann dies als irreführende Unterlassung gelten und steht somit Artikel 7 Absatz 2 der Richtlinie 2005/29/EG über unlautere Geschäftspraktiken entgegen. Allerdings ist es Sache der nationalen Behörden und Gerichte, im Einzelfall zu klären, ob eine bestimmte Praxis nach Maßgabe der nationalen Vorschriften zur Umsetzung der Richtlinie als unlauter angesehen werden sollte.

⁽¹⁾ Richtlinie 95/46/EG, ABl. L 281 vom 23.11.95, S. 31.

⁽²⁾ Siehe insbesondere KOM(2012)11 endg.

(English version)

Question for written answer E-012645/13
to the Commission
Andreas Mölzer (NI)
(7 November 2013)

Subject: Facebook — advertising rules

With regard to its 'sponsored posts', Facebook wants in future to secure automatic permission to use the profile pictures of users in advertising posts. This means therefore that any advertising posts on which someone has clicked 'Like' on his or her Facebook page will be promoted along with the picture and name of this person on the Facebook pages of his or her friends. After all, companies pay Facebook to include such updates.

With new conditions of use, therefore, all users will automatically give their permission for their names, profile pictures, content and information to be used in connection with commercial, sponsored or related content. Facebook also states that advertising will not always be identified as such. There is a special arrangement for Facebook members in Germany, allowing German members to switch off this function.

1. Is the failure to identify advertising as advertising actually compatible with EC law?
2. Will the Commission endeavour to get the special arrangement for Germany to apply for the whole of the EU?
3. To what extent is this change to the Facebook conditions of use for advertising compatible with European data protection provisions?

Answer given by Mrs Reding on behalf of the Commission
(28 January 2014)

The Commission notes that Facebook updated its privacy policies several times in the last months allowing it to continue using the profile picture of Facebook users and information about its members, including minors, in so-called 'sponsored stories' (ads) for advertising. This feature seems to be only put on the website due to payments by third parties like commercial companies for marketing purposes. The use of personal data for direct marketing has to take place in accordance with the requirements of Directive 95/46 including the right to object (Article 14 of Directive 95/46/EC) ⁽¹⁾.

The Commission is following the ongoing discussions in the Member States and the steps taken by Facebook to comply with Directive 95/46/EC including the guidance by the supervisory authorities of the Member States.

The EU data protection reform proposals proposed by the Commission in January 2012 ⁽²⁾ provide that the right to object to data processing for direct marketing purposes should be explicitly offered to the data subject in an intelligible manner, and it should be clearly distinguishable from other information.

Failing to identify the commercial intent of a commercial practice may be considered as a misleading omission and thus contrary to Article 7 paragraph 2 of the Unfair Commercial Practices Directive (2005/29/EC). It is however for the national authorities and courts to determine in each individual case whether a specific practice should be deemed unfair in accordance with the national law transposing the directive.

⁽¹⁾ Directive 95/46/EC, OJ L 281/31, 23.11.95.

⁽²⁾ See in particular COM(2012) 11 final.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012651/13
a la Comisión**

**Paweł Zalewski (PPE), María Auxiliadora Correa Zamora (PPE), Silvana Koch-Mehrin (ALDE), Robert Sturdy (ECR) y
Pablo Zalba Bidegain (PPE)**
(7 de noviembre de 2013)

Asunto: Política de inversión

Desde la entrada en vigor del Tratado de Lisboa, la Unión Europea ha comenzado el proceso de desarrollo de su política de inversión extranjera con el objetivo de asegurar un clima de inversión abierto y no discriminatorio que proporcione estabilidad y seguridad jurídica a los inversores. En julio de 2010, la Comisión declaró que la política de inversiones de la Unión debe asegurar que los inversores de la UE en el extranjero puedan competir con las mismas oportunidades y disfrutar de condiciones uniformes y óptimas para sus inversiones.

La creciente presencia de empresas europeas en terceros países y los problemas de la inseguridad jurídica observada recientemente en algunos países, junto con el desarrollo de una red más amplia de acuerdos europeos en materia de comercio e inversión, justifican el desarrollo y el establecimiento de nuevos instrumentos para complementar y reforzar la protección de las inversiones de la UE en terceros países.

¿Puede explicar la Comisión de manera pormenorizada su política consistente en celebrar nuevos acuerdos bilaterales de inversión con terceros países? ¿Cómo garantizará la Comisión un nivel adecuado de seguridad jurídica de las inversiones de la UE dentro de la misma?

¿Puede explicar la Comisión las ventajas y los inconvenientes de una resolución de conflictos entre Estados y una resolución entre inversores y el Estado, o el carácter complementario de ambos tipos de resoluciones, así como el criterio en el que se basa su decisión de negociar una resolución de conflictos entre inversores y el Estado dentro de algunos acuerdos de inversión y comercio con terceros países para garantizar a los inversores de la UE las mejores oportunidades en caso de litigio?

Respuesta del Sr. De Gucht en nombre de la Comisión
(17 de diciembre de 2013)

La Comisión está negociando actualmente disposiciones sobre liberalización de las inversiones y protección de las inversiones como partes esenciales de los acuerdos de libre comercio con India, Singapur, Canadá, Estados Unidos, Japón, Marruecos, Tailandia, Malasia y Vietnam.

Con algunos de sus socios comerciales con los que no tiene previstas negociaciones de acuerdos de libre comercio, la UE ha empezado a negociar un acuerdo de inversión independiente (en el caso de China) o está estudiando la posibilidad de hacerlo (con Myanmar/Birmania).

En consonancia con la práctica de los Estados miembros y de la mayoría de los socios comerciales de la UE, las normas clave sobre protección de las inversiones incluidas en los acuerdos de inversión de la UE contemplan la garantía de un trato justo, equitativo y no discriminatorio, la plena protección y la seguridad, así como una garantía de protección contra la expropiación ilegal y de libre transferencia de fondos. A fin de garantizar un cumplimiento efectivo, los acuerdos de inversión de la UE también incluyen un mecanismo de resolución de diferencias entre inversores y Estados que permite a los inversores presentar directamente reclamaciones contra un gobierno ante un organismo de arbitraje internacional vinculante.

La práctica ha demostrado que las disposiciones sobre protección de las inversiones son importantes para los flujos de inversión. La Comisión considera que los acuerdos comerciales con terceros países siempre deben incluir disposiciones de solución bilateral de diferencias entre Estados. Además, también es necesario un mecanismo adicional de solución de diferencias entre inversores y Estados para hacer cumplir las disposiciones específicas de protección de las inversiones y hacer frente a medidas específicas del país de acogida que afecten a un inversor concreto. Lo que es más importante, los mecanismos de solución de diferencias entre inversores y Estados también permiten que un inversor obtenga compensación si el Estado de acogida adopta una medida ilegal, como una expropiación sin indemnización.

(Deutsche Fassung)

**Anfrage zur schriftlichen Beantwortung E-012651/13
an die Kommission**

**Paweł Zalewski (PPE), María Auxiliadora Correa Zamora (PPE), Silvana Koch-Mehrin (ALDE), Robert Sturdy (ECR) und
Pablo Zalba Bidegain (PPE)**
(7. November 2013)

Betrifft: Investitionspolitik

Seit Inkrafttreten des Vertrags von Lissabon arbeitet die Europäische Union daran, ihre Politik im Bereich Auslandsinvestitionen dahin gehend weiterzuentwickeln, dass ein offenes, diskriminierungsfreies Umfeld für Investitionen entsteht, das Investoren Stabilität und Rechtssicherheit bietet. Im Juli 2010 erklärte die Kommission, dass im Rahmen der Investitionspolitik der EU dafür gesorgt werden sollte, dass für EU-Investoren im Ausland dieselben Wettbewerbsbedingungen gelten und für ihre Investitionen optimale, einheitliche Bedingungen herrschen.

Aufgrund der wachsenden Präsenz europäischer Unternehmen in Drittländern und der durch Rechtsunsicherheit bedingten Probleme, die unlängst in einigen Ländern aufgetreten sind, sowie angesichts der Entstehung eines engmaschigeren Netzes europäischer Handels- und Investitionsvereinbarungen ist es gerechtfertigt, zusätzliche Instrumente zu entwickeln und einzuführen, mit denen die Maßnahmen zum Schutz von EU-Investitionen in Drittländern ergänzt und verstärkt werden.

Könnte die Kommission sich zu ihrer Politik, weitere bilaterale Investitionsvereinbarungen mit Drittländern abzuschließen, äußern und diese genau erklären? Wie gedenkt sie im Rahmen dieser Politik die entsprechende Rechtssicherheit für EU-Investitionen sicherzustellen?

Kann die Kommission erläutern, welche Vor- und Nachteile eine zwischenstaatliche Streitbeilegung gegenüber der Streitbeilegung zwischen Investor und Staat bietet oder wie diese beiden Formen der Streitbeilegung sich ergänzen sollen und auf welchen Kriterien ihre Entscheidung beruht, im Rahmen einiger Handels- und Investitionsvereinbarungen mit Drittländern einen Streitbeilegungsmechanismus zwischen Investor und Staat auszuhandeln, mit dem sichergestellt werden soll, dass EU-Investoren im Streitfall die besten Chancen haben?

Antwort von Herrn De Gucht im Namen der Kommission
(17. Dezember 2013)

Die Kommission verhandelt derzeit über Bestimmungen zur Liberalisierung und zum Schutz von Investitionen, die als substantielle Bestandteile in Freihandelsabkommen mit Indien, Singapur, Kanada, den USA, Japan, Marokko, Thailand, Malaysia und Vietnam aufgenommen werden sollen.

Mit einigen ihrer Handelspartner, mit denen keine Verhandlungen über ein Freihandelsabkommen geplant sind, hat die EU Verhandlungen über ein eigenständiges Investitionsabkommen aufgenommen (China) oder zieht dies zumindest in Erwägung (Myanmar/Birma).

Im Einklang mit der Praxis sowohl der Mitgliedstaaten als auch der meisten Handelspartner der EU gehört es bei Investitionsabkommen, die die EU abschließt, zu den wichtigsten Investitionsschutzstandards, dass eine gerechte, billige und diskriminierungsfreie Behandlung, umfassende Sicherheit und der Schutz vor unrechtmäßiger Enteignung sowie ein ungehinderter Mitteltransfer garantiert sind. Damit eine wirksame Durchsetzung gewährleistet ist, sehen die Investitionsabkommen der EU auch die Beilegung von Streitigkeiten zwischen Investor und Staat vor; damit kann ein Investor bei Ansprüchen gegenüber einer Regierung direkt ein bindendes internationales Schiedsverfahren anstrengen.

In der Praxis hat sich gezeigt, dass Investitionsschutzbestimmungen wichtig für den Investitionsfluss sind. Die Kommission ist der Ansicht, dass in Handelsabkommen mit Drittländern stets Bestimmungen zur zwischenstaatlichen Streitbeilegung enthalten sein sollten. Zusätzlich ist ein Mechanismus zur Streitbeilegung zwischen Investor und Staat (ISDS) notwendig, damit die besonderen Investitionsschutzbestimmungen durchgesetzt werden können und damit gegen einzelne Maßnahmen eines Gastlandes, von denen ein bestimmter Investor betroffen ist, vorgegangen werden kann. Wichtig ist hierbei, dass ein ISDS auch eine Entschädigung des Investors ermöglicht, wenn ein Gastland unrechtmäßige Maßnahmen wie z. B. eine Enteignung ohne Entschädigung ergriffen hat.

(Wersja polska)

**Pytanie wymagające odpowiedzi pisemnej E-012651/13
do Komisji**

**Paweł Zalewski (PPE), María Auxiliadora Correa Zamora (PPE), Silvana Koch-Mehrin (ALDE), Robert Sturdy (ECR) oraz
Pablo Zalba Bidegain (PPE)**
(7 listopada 2013 r.)

Przedmiot: Polityka inwestycyjna

Odkąd traktat lizboński wszedł w życie, Unia Europejska zaczęła opracowywać swoją politykę inwestycji zagranicznych w celu zapewnienia przyjaznych i pozbawionych dyskryminacji warunków do inwestowania, które gwarantują inwestorom stabilność i pewność prawną. W lipcu 2010 r. Komisja oświadczyła, że polityka inwestycyjna Unii powinna umożliwić inwestorom z UE konkurowanie za granicą na równych zasadach oraz optymalnych i jednolitych warunkach w zakresie inwestowania.

Coraz większa obecność europejskich przedsiębiorstw w krajach trzecich oraz problemy dotyczące pewności prawa, jakie zaobserwowano niedawno w niektórych krajach, a także coraz większa liczba europejskich umów handlowych i inwestycyjnych uzasadniają opracowywanie i ustanawianie dodatkowych instrumentów mających na celu uzupełnienie i wzmocnienie ochrony inwestycji UE w krajach trzecich.

Czy Komisja może szczegółowo wyjaśnić swoją politykę polegającą na zawieraniu kolejnych dwustronnych umów inwestycyjnych z krajami trzecimi? Jak Komisja zamierza zagwarantować w nich odpowiednią pewność prawa w odniesieniu do inwestycji UE?

Czy Komisja może wyjaśnić zalety i wady lub komplementarność międzypaństwowego mechanizmu rozstrzygania sporów oraz mechanizmu rozstrzygania sporów między inwestorem a państwem, a także kryteria, na podstawie których podjęto decyzję o włączeniu mechanizmu rozstrzygania sporów między inwestorem a państwem do negocjacji w sprawie niektórych umów handlowych i inwestycyjnych z krajami trzecimi, aby zagwarantować inwestorom z UE jak największe szanse w przypadku sporów?

Odpowiedź udzielona przez komisarza Karela De Guchta w imieniu Komisji
(17 grudnia 2013 r.)

Komisja prowadzi obecnie negocjacje w sprawie przepisów z zakresu liberalizacji i ochrony inwestycji, co stanowi istotną część umów o wolnym handlu (FTA) z Indiami, Singapurem, Kanadą, Stanami Zjednoczonymi, Japonią, Marokiem, Tajlandią, Malezją i Wietnamem.

Z niektórymi partnerami handlowymi, z którymi nie przewiduje się negocjacji w sprawie FTA, UE albo rozpoczęła negocjacje w sprawie zawarcia odrębnej umowy inwestycyjnej (Chiny), albo to dopiero rozważa (Mjanma/Birma).

Zgodnie z praktyką państw członkowskich i większości partnerów handlowych UE kluczowe standardy ochrony inwestycji UE obejmują gwarancję sprawiedliwego, równego i niedyskryminacyjnego traktowania, pełnej ochrony i bezpieczeństwa, jak również ochrony przed bezprawnym wywłaszczeniem i swobodnego przepływu środków. W celu zapewnienia skutecznego egzekwowania postanowień, umowy inwestycyjne UE obejmują także system rozstrzygania sporów między inwestorami a państwem (ISDS), co pozwala inwestorowi na złożenie skargi przeciw organom rządowym bezpośrednio do wiążącego międzynarodowego sądu arbitrażu.

Dotychczasowa praktyka pokazała, że przepisy w zakresie ochrony inwestycji są ważne dla przepływów inwestycyjnych. Komisja uważa, że dwustronne rozstrzyganie sporów między państwami powinno być zawsze przewidziane w umowach handlowych z krajami trzecimi. Ponadto dodatkowy mechanizm rozstrzygania sporów między inwestorami a państwem umożliwia wdrożenie konkretnych przepisów w zakresie ochrony inwestycji dotyczących konkretnych działań, jakie podejmuje państwo przyjmujące i jakie mają wpływ na danego inwestora. Co ważne, ISDS pozwala także inwestorom na otrzymanie rekompensaty w przypadku bezprawnego działania podjętego przez państwo przyjmujące, jak na przykład wywłaszczenie bez odszkodowania.

(English version)

**Question for written answer E-012651/13
to the Commission**

**Paweł Zalewski (PPE), María Auxiliadora Correa Zamora (PPE), Silvana Koch-Mehrin (ALDE), Robert Sturdy (ECR) and
Pablo Zalba Bidegain (PPE)**
(7 November 2013)

Subject: Investment policy

Since the Treaty of Lisbon came into effect, the European Union has begun the process of developing its foreign investment policy with the aim of ensuring an open and non-discriminatory investment climate that provides stability and legal certainty for investors. In July 2010, the Commission stated that the Union's investment policy should ensure that EU investors abroad can compete on equal grounds and experience optimal and uniform conditions for their investments.

The increasing presence of European companies in third countries and the problems of legal uncertainty observed recently in certain countries, together with the development of a denser network of European trade and investment agreements, justify the development and establishment of additional instruments to complement and reinforce the protection of EU investments in third countries.

Could the Commission explain and provide details of its policy of concluding further bilateral investment agreements with third countries? How will it guarantee appropriate legal certainty of EU investments therein?

Can the Commission explain the pros and cons of, or complementarity between, a state-to-state dispute settlement and an investor-to-state dispute settlement, and the criteria underpinning its decision to negotiate an investor-to-state dispute settlement within some trade and investment agreements with third countries to guarantee EU investors the best opportunities in case of disputes?

Answer given by Mr De Gucht on behalf of the Commission
(17 December 2013)

The Commission is currently negotiating investment liberalisation and investment protection provisions as substantive parts of Free Trade Agreements (FTAs) with India, Singapore, Canada, the USA, Japan, Morocco, Thailand, Malaysia and Vietnam.

With some of its trading partners with whom no FTA negotiations are foreseen, the EU has either launched negotiations of a standalone investment agreement (China) or is considering doing so (Myanmar/Burma).

In line with Member States practice, and that of most of EU trading partners, the key standards of investment protection for EU investment agreements include the guarantee of fair, equitable and non-discriminatory treatment, full protection and security, as well as guarantee of protection against unlawful expropriation and free transfer of funds. In order to ensure effective enforcement, the EU investment agreements also feature investor-to-state dispute settlement, which permits an investor to take claim against a government directly to binding international arbitration.

The practice has shown that investment protection provisions are important for investment flows. The Commission considers that bilateral state-to-state dispute settlement provisions should always be provided for in trade agreements with third countries. In addition, an additional investor-state dispute settlement (ISDS) mechanism is also needed to enforce the specific investment protection provisions so as to address specific actions taken by the host country affecting a particular investor. Importantly, ISDS also allows an investor to be compensated in case an illegal action has been taken by the host state, such as an expropriation without compensation.

(Versión española)

Pregunta con solicitud de respuesta escrita E-012664/13
a la Comisión
Willy Meyer (GUE/NGL)
(8 de noviembre de 2013)

Asunto: Actividad de la empresa NaanDanJain Ibérica en territorios ocupados en Cisjordania

El Ministerio de Exteriores del Gobierno de Palestina está lanzando una nueva campaña política para hacer cumplir la legalidad internacional. Está señalando a las empresas extranjeras que participan en proyectos israelíes desarrollados en territorios ocupados. Se trata de colaboraciones ilegales que muchos Estados miembros están tolerando a sus empresas, pese a violar el Derecho internacional.

Dicho Ministerio ha enviado una carta a las autoridades españolas señalando expresamente la actividad desarrollada por la empresa NaanDanJain Ibérica, empresa de sistemas de riego que colabora en proyectos llevados a cabo en los territorios ocupados por Israel en Cisjordania. Según las autoridades palestinas, dicha empresa, filial de una compañía israelí, asesora a agricultores en colonias ilegales situadas en el Valle del Jordán, el Monte Hebrón y los Altos del Golán. Esta actividad, realizada en territorios ocupados, supone una violación de las resoluciones de las Naciones Unidas y, por tanto, del cuerpo completo del Derecho internacional que esta organización desarrolla.

La Organización para la Liberación de Palestina sostiene que este tipo de acusaciones a empresas que estén colaborando con la ocupación israelí de territorios palestinos persigue «mostrar a Israel que hay un precio por violar la legislación internacional». La autoridad palestina persigue que los Estados hagan aplicar sus propias normas, las cuales condenan las violaciones del Derecho internacional por parte de las empresas en territorio palestino ocupado.

¿Conoce la actividad que la empresa NaanDanJaín Ibérica desarrolla en territorios ocupados de Cisjordania?

¿Considera la Comisión que el Gobierno español debe garantizar que sus empresas respeten el Derecho internacional, en el caso de la ocupación israelí de Palestina?

¿Dispone de una lista de las empresas europeas que operan en los territorios ocupados de Palestina?

¿Piensa exigir a todos los Estados miembros con empresas operativas en territorios ocupados que terminen dichas actividades para que se cumpla el Derecho internacional?

Pregunta con solicitud de respuesta escrita E-012665/13
a la Comisión (Vicepresidenta/Alta Representante)
Willy Meyer (GUE/NGL)
(8 de noviembre de 2013)

Asunto: VP/HR — Actividad de la empresa NaanDanJain Ibérica en territorios ocupados en Cisjordania

El Ministerio de Exteriores del Gobierno de Palestina está lanzando una nueva campaña política para hacer cumplir la legalidad internacional. Está señalando a las empresas extranjeras que participan en proyectos israelíes desarrollados en territorios ocupados. Se trata de colaboraciones ilegales que muchos Estados miembros están tolerando a sus empresas, pese a violarse el Derecho internacional.

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¿Conoce la actividad que la empresa NaanDanJaín Ibérica desarrolla en los territorios ocupados de Cisjordania?

¿Considera la Vicepresidenta/Alta Representante que el Gobierno español debe garantizar que sus empresas respetan el Derecho internacional en el caso de la ocupación israelí de Palestina?

¿Dispone de una lista de las empresas europeas que operan en los territorios ocupados de Palestina?

¿Piensa exigir a todos los Estados miembros con empresas operando en los territorios ocupados que pongan término a dichas actividades para que se cumpla el Derecho internacional?

Respuesta conjunta de la alta representante y vicepresidenta Ashton en nombre de la Comisión

(22 de enero de 2014)

La Alta Representante y Vicepresidenta sabe que varias empresas de la Unión operan en los territorios ocupados por Israel desde 1967, como indica Su Señoría.

La UE ha adoptado una posición y una política claras en lo relativo a las actividades comerciales de las empresas europeas en los territorios ocupados por Israel desde 1967. Sin embargo, compete a los Estados miembros concienciar mejor a las empresas europeas sobre las cuestiones en juego y desalentar sus inversiones y actividades económicas en los asentamientos o relacionadas con los mismos.

Las medidas conexas introducidas por la UE incluyen unas directrices relacionadas con la admisibilidad de las entidades israelíes y sus actividades en los territorios ocupados por Israel desde junio de 1967 en el caso de las subvenciones, premios e instrumentos financieros financiados por la UE. Además, los servicios de la Comisión y el Servicio Europeo de Acción Exterior (SEAE) se han comprometido a cartografiar todo el Derecho de la UE pertinente en materia de etiquetado del origen de los productos de los asentamientos israelíes. Se ha informado a los Estados miembros de la UE de los resultados de este trabajo. En la medida en que la aplicación de esta legislación incumbe fundamentalmente a los Estados miembros y a sus autoridades competentes, se ha recabado la atención de los Estados miembros sobre la importancia de la aplicación plena y efectiva de esta legislación y sobre la necesidad de intensificar los esfuerzos por parte de sus autoridades competentes a tal efecto. La Alta Representante y Vicepresidenta ofrece su plena cooperación a las autoridades nacionales para alcanzar este objetivo.

(English version)

**Question for written answer E-012664/13
to the Commission**

Willy Meyer (GUE/NGL)

(8 November 2013)

Subject: Activity of the company NaanDanJain Ibérica in the occupied territories of the West Bank

The Palestinian Foreign Ministry is launching a new political campaign to enforce international law. It is singling out foreign companies participating in Israeli projects carried out in occupied territories. Many Member States are turning a blind eye to their companies' involvement in such illegal collaboration, despite being in breach of international law.

The Ministry has sent a letter to the Spanish authorities clearly singling out the activity of the company NaanDanJain Ibérica, which manufactures irrigation systems and works on projects in the Israeli-occupied territories of the West Bank. According to the Palestinian authorities, this company, a subsidiary of an Israeli company, advises farmers in illegal settlements in the Jordan Valley, Mount Hebron and the Golan Heights. Such activity in the occupied territories is in breach of United Nations resolutions and therefore the whole body of international law developed by the UN.

The Palestine Liberation Organisation claims that the aim of making allegations in this way against companies that are collaborating with the Israeli occupation of Palestinian territories is to show Israel that there is a price to pay for breaching international law. The Palestinian authority wants the Member States to enforce their own rules, which condemn international law violations by companies in the occupied Palestinian territory.

Is the Commission aware that the company NaanDanJain Ibérica is operating in the occupied territories of the West Bank?

Does the Commission think that the Spanish Government should ensure that Spanish companies comply with international law when it comes to the Israeli occupation of Palestine?

Does it have a list of European companies that are operating in the occupied Palestinian territories?

Does it plan to call on all Member States that have companies operating in the occupied territories to put an end to such activities in order to comply with international law?

**Question for written answer E-012665/13
to the Commission (Vice-President/High Representative)**

Willy Meyer (GUE/NGL)

(8 November 2013)

Subject: VP/HR — Activity of the company NaanDanJain Ibérica in the occupied territories of the West Bank

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Is the Vice-President aware that the company NaanDanJain Ibérica is operating in the occupied territories of the West Bank?

Does the Vice-President/High Representative think that the Spanish Government should ensure that Spanish companies comply with international law when it comes to the Israeli occupation of Palestine?

Does she have a list of European companies that are operating in the occupied Palestinian territories?

Does she plan to call on all Member States that have companies operating in the occupied territories to put an end to such activities in order to comply with international law?

Joint answer given by High Representative/Vice-President Ashton on behalf of the Commission

(22 January 2014)

The HR/VP is aware that a number of EU companies are active in territories occupied by Israel after 1967, as indicated by the Honourable Member.

The EU has adopted a clear position and policy regarding business activities of European companies in territories occupied by Israel after 1967. However, it is for Member States to raise the awareness of European companies on the issues at stake and discouraging them from investments and economic activities in or related to settlements.

Related measures introduced by the EU include a notice with regard to the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU. Additionally, Commission services and the European External Action Service (EEAS) have undertaken the mapping of all EU legislation relevant for labelling the origin of Israeli settlement products. EU Member States have been informed about the results of this work. Insofar as the enforcement of this legislation is primarily the responsibility of Member States and of their competent authorities, the attention of Member States has been drawn to the significance of the full and effective enforcement of this legislation and to the need for enhanced efforts on the part of their competent authorities to that end. The HR/VP stands ready to offer their full cooperation with national authorities for achieving this objective.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012666/13
a la Comisión**

Willy Meyer (GUE/NGL)

(8 de noviembre de 2013)

Asunto: Más inversión para el tramo ferroviario Algeciras-Bobadilla (España)

El Puerto de Algeciras es el puerto comercial más grande de España a nivel de tráfico de mercancías. Sin embargo, ello no ha impedido una marginación histórica de la comarca del Campo de Gibraltar en la inversión en el resto de conexiones e infraestructuras necesarias para el fomento de la actividad económica de la zona.

El Corredor Mediterráneo es un proyecto que ha sido incluido en la Red Transeuropea de Transporte que cruza la península ibérica desde la frontera francesa hasta el puerto de Algeciras. Sin embargo, pese a haber aprobado la Comisión dicha conexión, el Gobierno central ha reformulado el trazado del corredor mediterráneo para que termine en Murcia. Esto supone un trato discriminatorio hacia una zona con una especial falta de inversiones económicas y un gravísimo impacto del desempleo. La conexión terrestre del puerto de Algeciras podría suponer una mejora de su competitividad en términos de tiempo para las mercancías procedentes de los puertos asiáticos dirigidas a Europa, lo que proporcionaría un necesario impulso a la actividad económica en la comarca.

El Gobierno ha emprendido inversiones mucho más costosas que forman parte de la misma red y las ha realizado en zonas con una fuerte presencia de infraestructuras. La conexión del puerto de Algeciras y su zona industrial, debido a su situación estratégica, podría suponer un motor económico que generase un incremento del empleo para toda la provincia de Cádiz, una de las más deprimidas e impactadas por el desempleo de toda la Unión Europea. Todos los actores sociales de la Bahía de Algeciras han reclamado al Gobierno central la licitación de las obras y la finalización de la conexión ferroviaria. Sin embargo, el Gobierno responde con la movilización de 200 millones para obras del Corredor Mediterráneo autorizados por ADIF de los cuales ninguno irá dirigido al tramo Madrid-Algeciras (más del 50 % del recorrido). En los presupuestos generales del estado tan solo se han destinado 50 millones de euros al tramo Algeciras-Bobadilla.

¿Considera la Comisión justificado que el Gobierno español invierta tan solo 50 millones de euros en el tramo Algeciras-Bobadilla, siendo el punto de partida del Corredor Mediterráneo así como el mayor puerto de España? ¿Considera la Comisión prioritaria la conexión de dicho puerto, el mayor del país, con la red ferroviaria española y europea? ¿Piensa la Comisión solicitar información al Gobierno de España sobre cuándo piensa terminar la conexión del puerto de Algeciras con la red ferroviaria?

Respuesta del Sr. Kallas en nombre de la Comisión

(19 de diciembre de 2013)

El Reglamento sobre las orientaciones relativas a la red transeuropea de transporte (RTE-T) ⁽¹⁾, propuesto por la Comisión y aprobado el 19 de noviembre de 2013 por el Parlamento Europeo, incluye la conexión Algeciras-Bobadilla-Madrid tanto en el Corredor Atlántico como en el Mediterráneo y destaca, además, su valor añadido europeo.

Esta conexión está plenamente en consonancia con la política de la RTE-T, como pone de manifiesto la obligación de que todos los puertos principales estén conectados a la RTE-T al menos por ferrocarril y carretera, tal como prevé el Reglamento mencionado anteriormente.

En el marco de los planes para los corredores, se determinarán las prioridades y acciones específicas para la activación de los mismos.

Esta conexión se incluye reiteradamente en la lista preliminar de proyectos receptores de ayudas de la Unión que figura en el anexo I del Reglamento sobre el Mecanismo «Conectar Europa» ⁽²⁾.

⁽¹⁾ COM(2011) 650.

⁽²⁾ COM(2011) 665.

(English version)

Question for written answer E-012666/13
to the Commission
Willy Meyer (GUE/NGL)
(8 November 2013)

Subject: Greater investment in the Algeciras-Bobadilla (Spain) railway line

The Port of Algeciras is the largest commercial port in Spain for freight traffic. This has not, however, prevented the historic marginalisation of the Campo de Gibraltar district with regard to investment in the connections and infrastructure still needed to develop economic activity in this area.

The Mediterranean Corridor is a project included in the Trans-European Transport Network which crosses the Iberian Peninsula from the French border to the Port of Algeciras. However, despite the European Commission having approved the aforementioned connection, central government has redrawn the route of the Mediterranean corridor to make it end in Murcia. This constitutes discriminatory treatment of an area which suffers from a particular lack of economic investment and extremely high unemployment. A land connection to the Port of Algeciras could increase its competitiveness by shortening the time taken for freight from Asiatic ports to reach Europe, which would provide a necessary boost to economic activity in this district.

The Government has made much more costly investments in other parts of the same network and has made them in areas which have substantial infrastructure. Connecting the Port of Algeciras and its industrial area, due to its strategic position, could provide an economic driver to boost employment in the whole province of Cádiz, which is one of the most depressed and worst affected by unemployment in the entire European Union. All social actors in the Bay of Algeciras have called on central government to launch a tender for the works and complete the rail connection. Yet, the Government has responded by mobilising 200 million for works on the Mediterranean Corridor authorised by ADIF, none of which is destined for the Madrid-Algeciras rail link (more than 50% of the route). In the General State Budget, only EUR 50 million has been allocated to the Algeciras-Bobadilla section.

Does the Commission regard the Spanish Government's investment of a mere EUR 50 million in the Algeciras-Bobadilla section acceptable, given that it is the starting point of the Mediterranean Corridor and the largest port in Spain? Does the Commission consider it to be a priority to connect the aforementioned port, the largest in the country, with the Spanish and European rail network? Does the Commission plan to request information from the Spanish Government on when it intends to complete the connection of the Port of Algeciras to the rail network?

Answer given by Mr Kallas on behalf of the Commission
(19 December 2013)

The regulation on the Guidelines for the Trans-European Transport Network (TEN-T) ⁽¹⁾ proposed by the Commission and approved on 19th November 2013 by the European Parliament includes the connection Algeciras-Bobadilla-Madrid in both the Atlantic and the Mediterranean Corridor, highlighting its European added value.

This connection is fully in line with TEN-T Policy, as witnessed by the obligation for all core ports to be connected to TEN-T by at least rail and road, as foreseen by the abovementioned Regulation.

In the framework of the Corridor plans, specific actions and priorities for activating the corridors will be identified.

Consistently, Annex I of the regulation on the Connecting Europe Facility ⁽²⁾ includes this connection among the list of pre-identified projects earmarked for support by the Union.

⁽¹⁾ COM(2011) 650.

⁽²⁾ COM(2011) 665.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012674/13
a la Comisión**

Josefa Andrés Barea (S&D)

(8 de noviembre de 2013)

Asunto: Control sobre los fondos del Servef (Servicio Valenciano de Empleo y Formación)

Según un informe anual de la Sindicatura de Cuentas, órgano independiente de control de las finanzas de la Generalitat Valenciana, el Servicio Valenciano de Empleo y Formación (Servef) no había recibido, a 31 de diciembre de 2011, los 239,8 millones de euros que debía haberle ingresado la Generalitat Valenciana.

Estos fondos, parte de los cuales provienen del Fondo Social Europeo, fueron atribuidos por el Servicio Público de Empleo Estatal (de la Administración central) y se abonaron a la Generalitat Valenciana según la orden publicada en el BOE el 12 de abril de 2011. El paradero de estos fondos es desconocido.

Los beneficiarios de estas ayudas al empleo, en su mayoría autónomos, llevan meses sin recibir el dinero. Este hecho ha sido denunciado ante la Fiscalía del Tribunal de Cuentas.

1. ¿Ha tenido la Comisión algún contacto con la Sindicatura de Cuentas de Valencia para controlar el uso de estos fondos?
2. Puesto que se ha presentado una denuncia ante la Fiscalía del Tribunal de Cuentas, ¿qué medidas tiene previsto adoptar la Comisión para aclarar cómo han utilizado estos fondos europeos la Generalitat Valenciana y el Gobierno de España?
3. Si se prueba que se ha registrado un uso fraudulento, ¿qué medidas tiene previstas la Comisión?

Respuesta del Sr. Andor en nombre de la Comisión

(7 de enero de 2014)

1. La Comisión mantiene un contacto permanente con las autoridades que participan en la gestión del Fondo Social Europeo (FSE) en España, y recibe y evalúa la información y los informes relacionados con la utilización de los fondos del FSE procedentes de diversos organismos. Ahora bien, la información a que se refiere su Señoría no ha sido puesta en conocimiento de la Comisión.
 2. La Comisión no tiene constancia de que se haya producido ningún retraso en los pagos a los beneficiarios de las operaciones del FSE en esa Comunidad. En cualquier caso, la Comisión ha recordado en varias ocasiones a las autoridades españolas lo dispuesto en el artículo 80 del Reglamento (CE) n° 1083/2006, es decir, que «los Estados miembros se cerciorarán de que los organismos responsables de efectuar los pagos velen por que los beneficiarios reciban el importe total de la contribución pública cuanto antes y en su integridad».
 3. Cuando se detecta un uso fraudulento o deficiencias en los sistemas de gestión y control, o bien irregularidades, la Comisión aplica los procedimientos previstos en los Reglamentos a fin de proteger el presupuesto comunitario.
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(English version)

**Question for written answer E-012674/13
to the Commission
Josefa Andrés Barea (S&D)
(8 November 2013)**

Subject: Monitoring the funds of the Valencia Employment and Training Service (SERVEF)

According to an annual report by the Court of Auditors, an independent body of the Valencia Regional Government which monitors finances, as of 31 December 2011, the Valencia Employment and Training Service had not received the payment of EUR 239.8 million it was owed by the Valencia Regional Government.

These funds, some of which come from the European Social Fund, were allocated by the State Public Employment Service (of central Government), and were paid to the Valencia Regional Government, according to the order published in the Official Journal of the Spanish State (BOE) on 12 April 2011. It is not known what has happened to these funds.

The beneficiaries of this employment aid, mainly self-employed workers, have not received this money for months. A complaint about this has been made to the Prosecutor's Office of the Court of Auditors.

1. Has the Commission had any contact with the Valencia Court of Auditors to monitor the use of these funds?
2. Given that a complaint has been made to the Prosecutor's Office of the Court of Auditors, what measures does the Commission intend to take to clarify the use made of these European funds by the Valencia Regional Government and the Government of Spain?
3. If it is proved that there has been a case of misuse, what measures does the Commission envisage taking?

**Answer given by Mr Andor on behalf of the Commission
(7 January 2014)**

1. The Commission is in permanent contact with the authorities involved in the management of the European Social Fund (ESF) in Spain, and receives and assesses the information and reports related to the use of the ESF funds coming from different bodies. The information mentioned by the Honourable Member was not reported to the Commission.
 2. The Commission is not aware of any delay in payments to beneficiaries of ESF operations in the Region. In any case, the Commission in several occasions reminded the Spanish authorities that, as provided for in Article 80 of Regulation (EC) No 1083/2006, 'Member States shall satisfy themselves that the bodies responsible for making the payments ensure that the beneficiaries receive the total amount of the public contribution as quickly as possible and in full'.
 3. Whenever misuse or deficiencies in the management and control systems or irregularities have been detected, the Commission applies the procedures foreseen in the regulations in order to protect the community budget.
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(Dansk udgave)

Forespørgsel til skriftlig besvarelse E-012675/13
til Kommissionen
Christel Schaldemose (S&D)
(8. november 2013)

Om: Forbud mod nationale fødevaremærker

Der har været meldinger i den danske presse om, at Europa-Kommissionen planlægger at forbyde alle nationale fødevaremærker, herunder det danske meget kendte og meget populære økologiske Ø-mærke.

Mere end 80 % af danskerne kender mærket. Mærket er frivilligt, og økologer er ikke forpligtet til at bruge det, men gør de, skal de overholde de gældende kriterier. Mærkets kriterier er ikke 100 % identisk med EU's økologiske mærke.

Kan Europa-Kommissionen garantere, at det danske Ø-mærke fortsat kan få lov at eksistere, når lovgivningen revideres?

Forespørgsel til skriftlig besvarelse P-014427/13
til Kommissionen
Søren Bo Søndergaard (GUE/NGL)
(23. december 2013)

Om: Det danske røde økomærke

Kan landbrugskommissæren bekræfte, at det lovforslag, som er på vej om mærkning af fødevarer, ikke på nogen måde vil få konsekvenser for den fortsatte brug af det danske røde økomærke, og at Danmark kan fortsætte med at bruge dette fremover uden nogen ændringer?

Samlet svar afgivet på Kommissionens vegne
(17. januar 2014)

Europa-Kommissionens arbejdsprogram for 2014 omfatter en gennemgang af EU's politik om økologisk produktion og mærkning af økologiske produkter. Det har involveret omfattende undersøgelser og høringer for at indhente oplysninger om tidligere erfaringer og om mulighederne for fremtiden. Kommissionen er i gang med at færdiggøre en konsekvensanalyserapport, som undersøger flere forskellige muligheder og deres mulige miljømæssige og samfundsøkonomiske konsekvenser. Kommissionen vil senere på året, højst sandsynligt til marts, tage stilling til, hvordan den vil foretage gennemgangen, og det vil afspejle sig i dens forslag. Den vil i den forbindelse tage højde for, at logoer spiller en vigtig rolle med hensyn til forbrugernes bevidsthed. Erfaringerne har også vist, at EU's økomærke, som garanterer overholdelse af EU's regler for produktion af og kontrol med økologiske produkter, godt kan eksistere side om side med andre ikkemodstridende logoer oprettet på nationalt plan.

(English version)

Question for written answer E-012675/13
to the Commission
Christel Schaldemose (S&D)
(8 November 2013)

Subject: Prohibition of national food marks

There have been reports in the Danish press that the Commission is planning to prohibit all national food marks, including the well-known and very popular Danish Ø mark.

More than 80% of Danes are familiar with this mark. The mark is voluntary and organic producers are not obliged to use it, but if they do, they must comply with the relevant criteria. The criteria for the mark are not absolutely identical to those for the EU Ecolabel.

Can the Commission guarantee that the Danish Ø mark will continue to be allowed to exist when the legislation is revised?

Question for written answer P-014427/13
to the Commission
Søren Bo Søndergaard (GUE/NGL)
(23 December 2013)

Subject: The Danish red ecolabel

Can the Commissioner for Agriculture and Rural Development confirm that the forthcoming legislative proposal on food labelling will not in any way affect the continued use of the Danish red ecolabel, and that Denmark will be able to continue to use this label in future without any modification?

Joint answer given by Mr Ciolos on behalf of the Commission
(17 January 2014)

The European Commission's work programme for 2014 includes a review of the EU organic policy on organic production and labelling. This has involved a large fact finding and consultation exercise to gather information on past experience and on possible options for the future. The Commission is in the process of finalising an Impact Assessment report exploring several options and their possible environmental and socioeconomic impacts. It is foreseen that the Commission will decide later this year, most probably in March, on the approach for the review and this will be reflected in its proposal. In this context, it will take into account that logos play an important role with regard to consumer awareness. Also, experience has shown that there is room for coexistence between the organic farming logo of the European Union, which aims at guaranteeing the fulfilment of the Union's production and control rules in respect of organic products, and other non-conflicting logos created at national level.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012678/13
a la Comisión**

Andrés Perelló Rodríguez (S&D), Vicente Miguel Garcés Ramón (S&D) y Josefa Andrés Barea (S&D)

(8 de noviembre de 2013)

Asunto: Cierre de Radiotelevisión Valenciana (RTVV)

El pasado 5 de noviembre, el Gobierno de la Generalitat Valenciana anunció el cierre de su radiotelevisión autonómica (Radiotelevisión Valenciana, RTVV) a raíz de la sentencia del Tribunal Superior de Justicia de la Comunitat Valenciana que declaraba nulo un expediente de regulación de empleo aprobado en agosto de 2012 y que afectaba a un millar de trabajadores de dicha entidad.

El Gobierno valenciano adoptó la decisión unilateral de dismantelar la radiotelevisión pública sin aviso previo ni debate democrático en el seno del ejecutivo ni en el Parlamento regional y sin consultar previamente a los trabajadores afectados. En los últimos 24 años, Radiotelevisión Valenciana ha servido de instrumento normalizador de la lengua y cultura valencianas. Con este cierre, los ciudadanos valencianos quedarán privados de uno de los principales canales de difusión y fomento de esta lengua cooficial.

La Directiva 2002/14/CE, por la que se establece un marco general relativo a la información y a la consulta de los trabajadores, reconoce el derecho a la información de estos sobre la evolución reciente y la evolución probable de las actividades de la empresa o centro de trabajo y de su situación económica. También recoge el derecho a la información y a la consulta sobre la situación, la estructura y la evolución probable del empleo en la empresa, así como el derecho a la información y a la consulta sobre las decisiones que pudieran provocar cambios sustanciales en cuanto a la organización del trabajo y a los contratos de trabajo. Esta Directiva fue transpuesta en el ordenamiento jurídico español (Estatuto de los Trabajadores) mediante la Ley 38/2007 de modificación del artículo 64 del Real Decreto 1/1995. Este derecho a la información y a la consulta de los trabajadores al realizar despidos colectivos se recoge, también, en el artículo 2 de la Directiva 98/59/CE relativa a los despidos colectivos. El derecho a la información y a la consulta de los trabajadores está recogido, además, en el artículo 27 de la Carta de los Derechos Fundamentales de la Unión Europea.

A juicio de la Comisión, ¿supone la decisión unilateral y sin previo aviso del cierre de RTVV una vulneración del derecho a la información y a la consulta de los trabajadores recogido en los artículos 4 y siguientes de la Directiva 2002/14/CE y proclamado en el artículo 27 de la Carta de los Derechos Fundamentales de la Unión Europea? ¿Supone este cierre unilateral y sin previo aviso, que conlleva el despido de todos los trabajadores de RTVV, una vulneración del derecho a la información y a la consulta plasmado en el artículo 2 de la Directiva 98/59/CE?

Respuesta del Sr. Andor en nombre de la Comisión

(24 de enero de 2014)

La Comisión desea señalar que las Directivas 2002/14/CE ⁽¹⁾ y 98/59/CE ⁽²⁾ prevén la información y consulta de los trabajadores antes de que un empleador adopte decisiones relativas al cierre de una empresa o a despidos colectivos, y son aplicables a las empresas públicas que ejercen actividades económicas ⁽³⁾. Estos derechos están también consagrados en el artículo 27 de la Carta de Derechos Fundamentales de la UE.

La Comisión no está en posición de comentar si un empleador ha cumplido o no las disposiciones nacionales de aplicación de las Directivas de la UE antes mencionadas. Compete a las autoridades nacionales, incluidos los tribunales, garantizar la aplicación correcta y efectiva de la legislación nacional de transposición de dichas Directivas por parte del empleador de que se trate, teniendo en cuenta las circunstancias específicas del caso.

La Comisión no cuestiona la prerrogativa de un gobierno de adoptar decisiones relativas a su sistema público de radiodifusión, ni siquiera en los casos en que dichas decisiones repercuten en la información disponible en una lengua concreta. De hecho, conforme al Tratado de Funcionamiento de la Unión Europea, el uso de las lenguas mayoritarias o minoritarias en un Estado miembro pertenece a su jurisdicción y es responsabilidad exclusiva de este.

Por otra parte, la Comisión no tiene la intención de comentar las consecuencias de la decisión de cerrar un servicio público de radiodifusión, ya que el Tratado establece explícitamente que la gobernanza y las decisiones políticas sobre la radiodifusión pública competen a los Estados miembros.

⁽¹⁾ Directiva 2002/14/CE del Parlamento Europeo y del Consejo, de 11 de marzo de 2002, por la que se establece un marco general relativo a la información y a la consulta de los trabajadores en la Comunidad Europea, DO L 80 de 23.3.2002.

⁽²⁾ Directiva 98/59/CE del Consejo, de 20 de julio de 1988, relativa a la aproximación de las legislaciones de los Estados miembros que se refieren a los despidos colectivos, DO L 225 de 12.8.1998.

⁽³⁾ Véase el artículo 2, letra a), de la Directiva 2002/14/CE y el artículo 1, apartado 2, letra b), de la Directiva 98/59/CE.

(English version)

**Question for written answer E-012678/13
to the Commission**

Andrés Perelló Rodríguez (S&D), Vicente Miguel Garcés Ramón (S&D) and Josefa Andrés Barea (S&D)
(8 November 2013)

Subject: Closure of Radiotelevisió Valenciana

On 5 November 2013, the government of the Autonomous Community of Valencia announced the closure of its independent radio and television service Radiotelevisió Valenciana (RTVV), following the ruling by the High Court of Justice of the Valencian Community that a labour force adjustment plan approved in August 2012, laying off 1 000 workers at RTVV, was invalid.

The Valencian regional government took the unilateral decision to dismantle the public radio and television service without prior notice or any democratic debate within the executive or the regional parliament, and also without any prior consultation with the workers involved. For the last 24 years, RTVV has been a normalising agent of Valencian language and culture. Following this closure, Valencians will be deprived of one of the main channels broadcasting and promoting their language, which has joint official status.

Directive 2002/14/EEC establishing a general framework for informing and consulting employees in the European Community recognises citizens' right to information on the recent and probable development of the undertaking or establishment's activities and economic situation. It also lays down the right to information and consultation on the situation, structure and probable development of employment within the undertaking, and information and consultation on decisions likely to lead to substantial changes in work organisation or in contractual relations. This directive was transposed into Spanish law (the statute of workers rights) in the form of Law 38/2007, which amended Article 64 of Royal Decree 1/1995. Workers' right to information and consultation in the case of collective dismissals is also enshrined in Article 2 of Council Directive 98/59/EC on collective redundancies. The right of workers to information and consultation is also laid down by Article 27 of the Charter of Fundamental Rights of the European Union.

Does the Commission consider the unilateral decision, taken without forewarning, to shut down RTVV to violate the right of workers to information and consultation established in Articles 4 and after of Directive 2002/14/EC and Article 27 of the Charter of Fundamental Rights of the European Union? Does this unilateral and unannounced closure, involving the dismissal of all RTVV's workforce, constitute a violation of the right to information and consultation established by Article 2 of Directive 98/59/EC?

Answer given by Mr Andor on behalf of the Commission
(24 January 2014)

The Commission would point out that directives 2002/14/EC ⁽¹⁾ and 98/59/EC ⁽²⁾ provide for the employees to be informed and consulted before an employer takes decisions regarding the closure of an undertaking or collective redundancies, and apply to public undertakings which carry out economic activities ⁽³⁾. These rights are also enshrined in Article 27 of the EU Charter of Fundamental Rights.

The Commission is not in a position to comment on whether an employer has or has not complied with any national provisions which serve to implement the aforementioned EU Directives. It is for the competent national authorities, including the courts, to ensure that the national legislation transposing those Directives is correctly and effectively applied by the employer concerned, having regard to the specific circumstances of the case.

The Commission does not question a government's mandate to take decisions regarding their public service broadcasting system even in cases where this impacts on the available information in a specific language. In fact, under the Treaty on the Functioning of the European Union the use of majority or minority languages in the Member State remains within their jurisdiction and under their sole responsibility.

Furthermore, the Commission does not intend to comment on the effects of the decision to close down a public service broadcaster, as the Treaty makes it clear that the governance and strategic choices on public service broadcasting lie with the Member States.

⁽¹⁾ Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community, OJ L 80, 23.3.2002.

⁽²⁾ Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies, OJ L 225, 12.8.1998.

⁽³⁾ See Article 2(a) of Directive 2002/14/EC and Article 1(2)(b) of Directive 98/59/EC.

(Versión española)

Pregunta con solicitud de respuesta escrita E-012685/13
a la Comisión
Izaskun Bilbao Barandica (ALDE) y Iñaki Irazabalbeitia Fernández (Verts/ALE)
(8 de noviembre de 2013)

Asunto: Resolución definitiva sobre la denominación de origen «Queso del Roncal»

La Comisión Europea está tramitando desde el pasado 8 de mayo de 2013 la revisión de las modificaciones efectuadas en el reglamento de la denominación de origen «Queso del Roncal». Además de los escritos de oposición de la denominación francesa Ossau Iraty, la medida ha cosechado un amplio rechazo tanto entre los productores como entre las instituciones regionales y locales que incluyen en sus territorios la citada denominación.

De acuerdo con las noticias de que disponemos, el pasado 8 de mayo se admitieron a trámite los escritos de oposición llegados a la instancia competente de la Comisión. El expediente se encuentra ahora a la espera de que se reciban las observaciones a los escritos de oposición preparados por el Ministerio español de Agricultura. Los territorios y denominaciones implicados ocupan una zona transfronteriza entre España y Francia, y el ministerio de este último país ampara las posiciones de la denominación Ossau Iraty.

A la vista de la importancia que tiene la rápida resolución de este expediente para las zonas afectadas, quisiéramos saber:

1. ¿Cuándo espera la Comisión Europea resolver este expediente?
2. ¿Le constan a la Comisión Europea los posicionamientos reiterados y contrarios a la modificación emitidos por la mayoría de los productores de la denominación Roncal y el Parlamento de Navarra, que es la comunidad que incorpora en su territorio la denominación de origen?
3. ¿Ha llegado ya a la Comisión el posicionamiento del Ministerio español de Agricultura? ¿Constan en el mismo las circunstancias mencionadas en la pregunta anterior? ¿Se hace referencia en dicho documento a los resultados del diálogo emprendido entre España y Francia para resolver este problema?

Respuesta del Sr. Ciolos en nombre de la Comisión
(16 de diciembre de 2013)

El 29 de septiembre de 2012 se publicó ⁽¹⁾ —para que se transmitieran las declaraciones de oposición que, en su caso, pudiera haber — una solicitud presentada por las autoridades españolas con vistas a la modificación de la denominación de origen protegida «Roncal», registrada en el marco del Reglamento (UE) n° 1151/2012 del Parlamento Europeo y del Consejo, de 21 de noviembre de 2012, sobre los regímenes de calidad de los productos agrícolas y alimenticios ⁽²⁾.

Tras una declaración de oposición presentada por Francia, las autoridades españolas han mantenido consultas con sus homólogas francesas sin llegar, no obstante, a ningún acuerdo. Los servicios de la Comisión se encuentran analizando en estos momentos la información facilitada por las autoridades españolas y francesas, así como los puntos de vista expuestos por ellas. Tras ese análisis, la Comisión presentará un acto de ejecución que decida sobre la solicitud de modificación. En la fase actual, sin embargo, no es posible todavía indicar un calendario para ese proceso.

Los servicios de la Comisión tienen conocimiento del rechazo al que ha dado lugar la medida dentro de España. Tal rechazo, sin embargo, tendría que haber sido tratado por las autoridades competentes españolas en el marco del procedimiento nacional de oposición antes de que la solicitud de modificación se presentara a la Comisión.

⁽¹⁾ DO C 294 de 29.9.2012.

⁽²⁾ DO L 343 de 14.12.2012.

(English version)

Question for written answer E-012685/13
to the Commission
Izaskun Bilbao Barandica (ALDE) and Iñaki Irazabalbeitia Fernández (Verts/ALE)
(8 November 2013)

Subject: Final decision over the designation of origin 'Queso del Roncal'

Since 8 May 2013, the Commission has been reviewing the amendments to the rules governing the designation of origin 'Queso del Roncal' (Roncal cheese). In addition to the statements of objection by bodies representing the French Ossau-Iraty designation, the measure has been roundly rejected by producers and by regional and local institutions whose territories are covered by the aforementioned designation.

According to our information, the statements of objection received by the competent Commission department were declared admissible on 8 May 2013. The dossier is now awaiting comments on the statements of objection made by the Spanish Ministry of Agriculture. The territories and designations involved are in an area that straddles the border between Spain and France, and the French Ministry supports the views of bodies representing the Ossau-Iraty designation.

In view of the importance of resolving this issue quickly for the areas involved:

1. When does the Commission expect to resolve this issue?
2. Is the Commission aware of the objections to the amendment repeatedly made by most producers of cheese with the Roncal designation and the Parliament of Navarre, the community whose territory is covered by the designation of origin?
3. Has the Commission received a document stating the position of the Spanish Ministry of Agriculture yet? Does the document stating its position mention the circumstances referred to in the previous question? Does the document make any reference to the outcome of the dialogue between Spain and France to resolve this problem?

Answer given by Mr Ciolos on behalf of the Commission
(16 December 2013)

An amendment application for the protected designation of origin 'Roncal' registered in the framework of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs ⁽¹⁾, presented by the Spanish authorities, has been published for opposition on 29 September 2012 ⁽²⁾.

Following the opposition presented by the French authorities, the Spanish authorities have held appropriate consultations with them but no agreement has been reached. The Commission services are currently analysing the information and views provided by the French and Spanish authorities. The Commission must then present an implementing act deciding on the amendment application. At this stage, it is not possible to indicate a time frame for this.

The Commission services are aware of the oppositions raised within Spain. However, such oppositions had to be handled by the responsible Spanish authorities in the framework of the national opposition procedure preceding the submission of the amendment application to the Commission.

⁽¹⁾ OJ L 343, 14.12.2012.

⁽²⁾ OJ C 294, 29.9.2012.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012687/13
a la Comisión**

Willy Meyer (GUE/NGL)

(8 de noviembre de 2013)

Asunto: El BCE anuncia la reforma del euríbor: ¿consecuencia de la investigación y certificación del fraude cometido por bancos e intermediarios bursátiles en la elaboración del índice?

En mis preguntas E-009645/2012 —Investigación sobre el posible fraude en la formulación del euríbor— y E-000942/2013 —Estimación de las cantidades afectadas por los presuntos fraudes del líbor y euríbor—, de octubre de 2012 y enero de 2013 respectivamente, alerté de que existen «consistentes indicios de que, durante el periodo comprendido entre 1999 y 2008, las principales entidades bancarias europeas han estado actuando fraudulentamente en la elaboración del tipo de interés interbancario europeo (euríbor) y por tanto deberían devolver importantes sumas cobradas indebidamente a sus clientes».

A mediados del mes pasado, y justificándose en la necesidad de hacerlos más representativos y de recuperar la confianza perdida, el propio Banco Central Europeo anunció que iniciaba un proceso de reforma de los tipos de referencia utilizados en las tasas del euríbor —índice referencial para millones de hipotecas— pasando de las estimaciones actuales a las tasas utilizadas en operaciones reales.

Asimismo, el pasado 30 de octubre la entidad Rabobank aceptaba el pago de una multa de 774 millones de euros por la manipulación del líbor y del euríbor en un acuerdo con varias autoridades internacionales, entre las que se encuentran la FCA, la CFTC, el Departamento de Justicia de los EE.UU. o la Fiscalía neerlandesa.

Por lo tanto, cada vez parece más claro que se cometió una gran estafa al manipular deliberadamente estos índices, habiéndose así cobrado miles de millones de euros a millones de ciudadanos y ciudadanas europeos de manera fraudulenta.

Teniendo en cuenta el anuncio de reforma del BCE, la admisión de culpabilidad de la entidad Rabobank y los resultados, aún no publicados, de la investigación de «prioridad absoluta» que la Comisión Europea asegura haber iniciado en las respuestas a mis anteriores preguntas, ¿piensa la Comisión hacer pública esta investigación y participe al Parlamento Europeo a la hora de evaluar las medidas que han de aplicarse a la luz de los resultados de la investigación: sanciones y nueva regulación?

Además de posibles sanciones por infringir la legislación de la UE sobre competencia, ¿no considera necesario la Comisión recomendar formalmente a los Estados miembros y a las diferentes entidades de regulación competentes que, al igual que ya ha hecho la Fiscalía neerlandesa, inicien investigaciones judiciales para evitar la impunidad de los culpables de esta estafa y resarcir a los millones de ciudadanos europeos que han sido víctimas de la manipulación del euríbor?

Respuesta del Sr. Almunia en nombre de la Comisión

(28 de enero de 2014)

La Comisión Europea adoptó, el 4 de diciembre de 2013, dos decisiones por las que se imponía a ocho entidades financieras internacionales multas por un total de 1 712 468 000 EUR por su participación en cárteles ilegales activos en los mercados de derivados financieros del Espacio Económico Europeo (EEE). Cuatro de esas entidades ⁽¹⁾ participaban en un cártel relacionado con los derivados sobre tipos de interés denominados en euros ⁽²⁾. Seis de ellas participaban en uno o varios cárteles bilaterales relacionados con derivados sobre tipos de interés denominados en yenes japoneses. ⁽³⁾ Ambas decisiones se adoptaron mediante el procedimiento de transacción de la Comisión. En el caso de los derivados sobre tipos de interés en euros, tres bancos ⁽⁴⁾ decidieron no aceptar la transacción con la Comisión Europea. La Comisión proseguirá investigando a esas partes con arreglo al procedimiento estándar para los cárteles.

Para más información y detalles sobre estos dos casos, puede consultarse el comunicado de prensa de la Comisión IP13/1208 y el documento MEMO/13/1090, ambos disponibles en: http://europa.eu/rapid/press-release_IP-13-1208_en.htm

⁽¹⁾ Barclays, Deutsche Bank, Société Générale y The Royal Bank of Scotland.

⁽²⁾ AT 39914 — Derivados sobre tipos de interés en euros.

⁽³⁾ AT 39861 — Derivados sobre tipos de interés en yenes.

⁽⁴⁾ JPMorgan Chase & Co, Crédit Agricole y HSBC.

Además, en julio de 2012, la Comisión modificó las propuestas de Reglamento sobre las operaciones con información privilegiada y la manipulación del mercado ⁽⁵⁾ y de Directiva sobre sanciones penales aplicables en los casos de información privilegiada y manipulación del mercado ⁽⁶⁾. El propósito es clarificar que cualquier manipulación de los índices de referencia es clara e inequívocamente ilegal y está sujeta a sanciones administrativas o penales. Asimismo, en septiembre de 2013, la Comisión aprobó una propuesta de Reglamento sobre los índices utilizados como referencia en los instrumentos financieros y los contratos financieros ⁽⁷⁾. El objetivo es crear un marco de elaboración y uso de los índices de referencia, que asegure la solidez y fiabilidad de esos índices en la EU. Estas propuestas están siendo actualmente examinadas por el Parlamento Europeo y el Consejo.

⁽⁵⁾ Conocido como Reglamento sobre abuso de mercado (RAM), véase la propuesta de modificación en el documento COM(2012)421 final.

⁽⁶⁾ Directiva sobre las sanciones penales aplicables a las operaciones con información privilegiada y la manipulación del mercado, véase la propuesta modificada en el documento COM(2012)420 final.

⁽⁷⁾ COM(2013)641 final.

(English version)

Question for written answer E-012687/13
to the Commission
Willy Meyer (GUE/NGL)
(8 November 2013)

Subject: The ECB has announced the reform of Euribor: is this a result of the investigation and certification of the rigging of the rates by banks and brokers?

In my Questions E-009645/2012 — Investigation into the possible rigging of the Euribor rate — and — E-000942/2013 — Estimation of the sums of money involved in the alleged rigging of Libor and Euribor rates —, of October 2012 and January 2013, respectively, I warned that there is 'substantial evidence to suggest that the Euro Interbank Offered Rate (Euribor) was being rigged by major European banks in the period between 1999 and 2008 and that they would therefore have to repay substantial sums of money unduly charged to their clients'.

In the middle of last month, the European Central Bank itself announced that it was launching an overhaul of the reference rates used in the Euribor rate — the benchmark index for millions of mortgages — moving from the current estimates to the rates actually used in real transactions, on the grounds that it needed to make them more representative and regain confidence.

Furthermore, on 30 October, Rabobank agreed to pay a fine of EUR 774 million for manipulating Libor and Euribor in an agreement with several international authorities, including the FCA, the CFTC, the US Department of Justice and the Dutch Prosecutor.

Consequently, it is becoming increasingly apparent that a major fraud was carried out by deliberately manipulating these rates, thereby fraudulently charging thousands of millions of euros to millions of European citizens.

Bearing in mind the ECB's announcement of a reform, Rabobank's admission of guilt and the results, still to be published, of the 'top-priority' investigation that the Commission said that it has launched in the answers to my previous questions, does the Commission intend to publicise this investigation and involve Parliament when it comes to assessing the measures to be taken in light of the results of the investigation: penalties and new regulations?

In addition to possible penalties for contravening EU competition legislation, does the Commission not consider it necessary to make a formal recommendation to Member States and to the different competent regulatory bodies to launch judicial investigations, as the Dutch Prosecutor has already done, to avoid the culprits of this swindle being allowed to get away unpunished and to compensate the millions of European citizens who have fallen victim to the manipulation of Euribor?

Answer given by Mr Almunia on behalf of the Commission
(28 January 2014)

The European Commission adopted on 4 December 2013 two decisions fining eight international financial institutions a total of EUR 1 712 468 000 for participating in illegal cartels in markets for financial derivatives covering the European Economic Area (EEA). Four of the institutions ⁽¹⁾ participated in a cartel relating to the interest rate derivatives denominated in euro ⁽²⁾. Six participated in one or more bilateral cartels relating to interest rates denominated in Japanese yen ⁽³⁾. Both cases were adopted under the Commission's settlement procedure. In the EIRD case three banks ⁽⁴⁾ decided not to settle with the European Commission. The Commission will continue its investigations against those parties under the standard cartel procedure.

For further information and details concerning these two cases please see the Commission press release IP13/1208 and MEMO/13/1090, both available on this website: http://europa.eu/rapid/press-release_IP-13-1208_en.htm

The Commission also amended in July 2012 the existing proposals for a regulation on insider dealing and market manipulation ⁽⁵⁾ and a directive on criminal sanctions for insider dealing and market manipulation ⁽⁶⁾. The intention is to clarify that any manipulation of benchmarks is clearly and unequivocally illegal and subject to administrative or criminal sanctions. A proposal for a regulation on indices used as benchmarks in financial instruments and financial contracts was also adopted by the Commission in September 2013 ⁽⁷⁾. The objective is to create a framework for the provision of benchmarks and their use which ensures the robustness and reliability of benchmarks in the EU. These proposals are currently under consideration by the European Parliament and the Council.

⁽¹⁾ Barclays, Deutsche Bank, Société Générale and The Royal Bank of Scotland.

⁽²⁾ AT 39914 — Euro Interest Rate Derivatives (EIRD).

⁽³⁾ AT 39861 — Yen Interest Rate Derivatives (YIRD).

⁽⁴⁾ JPMorgan Chase & Co, Crédit Agricole and HSBC.

⁽⁵⁾ So-called market abuse Regulation (MAR), cf. amending proposal in COM(2012) 421 final.

⁽⁶⁾ So-called criminal sanctions for market abuse Directive (CSMAD), cf. amending proposal in COM(2012) 420 final.

⁽⁷⁾ COM(2013) 641 final.

(Verżjoni Maltija)

Mistoqsija għal tweġiba bil-miktub E-012723/13

lill-Kummissjoni

Claudette Abela Baldacchino (S&D)

(11 ta' Novembru 2013)

Suġġett: Stalking

F'dawn l-aħhar ghoxrin sena, il-kwistjoni tal-istalking saret problema akkademika u soċjali fl-Ewropa. Il-leġislażżjoni saret is-suġġett ta' dibattitu f'ċerti Stati Membri, u l-Brittanja kienet wahda mill-ewwel pajjiżi fl-UE biex tghaddi liġi kontra l-istalking. Stati Membri oħrajn (il-Belġju, il-Ġermanja, Malta, il-Pajjiżi l-Baxxi, l-Italja, l-Awstrija u l-Irlanda) segwew dan l-iżvilupp u introduċew il-leġislażżjoni kontra l-istalking.

1. Il-Kummissjoni tista' tipprovdi data dwar kemm irġiel u nisa ġew affettwati mill-istalkers fit-28 Stat Membru tal-UE?
2. Il-Kummissjoni tqis l-istalking fit-28 Stat Membru tal-UE bħala problema?
3. Il-Kummissjoni bi hsiebha tqis l-iżvilupp ta' proġetti fl-Istati Membri biex tqajjem kuxjenza dwar l-istalking?

Tweġiba mogħtija mis-Sra Reding f'isem il-Kummissjoni

(9 ta' Jannar 2014)

Kif jidher fil-Pjan ta' Azzjoni li jimplementa l-Programm ta' Stokkolma, il-Karta f'isem il-Mara u l-Istrateġija għall-Ugwaljanza bejn in-Nisa u l-Irġiel (2010-2015), li tiġġieled kontra l-forom kollha ta' vjolenza kontra n-nisa, inkluż l-insewiment malizzjuż li jaffettwa n-nisa b'mod sproporzjonat, hija prijorità tal-Kummissjoni ⁽¹⁾. Fl-ewwel kwart tal-2014 ir-riżultati tal-istħarriġ tal-Aġenzija tad-Drittijiet Fundamentali dwar l-esperjenzi ta' vjolenza tan-nisa ⁽²⁾ se jipprovdu dejta komparabbli fil-livell tal-UE dwar dan il-fenomeni.

Fir-rigward tal-leġislażżjoni dwar l-insewiment malizzjuż fl-UE u l-harsien li din toffri lill-vittmi, il-Kummissjoni tagħraf id-differenzi fis-sistemi ġuridici tal-Istati Membri u l-fatt li miżuri ta' protezzjoni nazzjonali huma differenti fil-qasam ta' applikazzjoni, it-tul u n-natura.

Il-qafas ġuridiku tal-UE fis-sehħ ma jarmonizzax miżuri ta' protezzjoni fl-Istati Membri. Huwa bbażat fuq il-prinċipju ta' rikonossiment reċiproku u dan se jiżgura li l-vittmi jkunu jistgħu jserrhu fuq ordnijiet ta' trażżin jew protezzjoni mahruġa kontra l-persuna li wettqet ir-reat f'pajjiżhom jekk dawn jivvjaġġaw jew jiċċaqilqu.

Ir-Regolament (UE) Nru 606/2013 dwar ir-rikonossiment reċiproku ta' miżuri ta' protezzjoni fi kwistjonijiet civili adottat f'Ġunju 2013 jissupplimenta d-Direttiva 2011/99/UE tat-13 ta' Diċembru 2011 dwar l-ordni Ewropea għall-protezzjoni, li tapplika għall-miżuri ta' protezzjoni addottati f'materji kriminali.

Id-Direttiva u r-Regolament flimkien jiżguraw li l-aktar tliet tipi ta' miżuri ta' protezzjoni magħrufa ⁽³⁾ jkunu koperti u rikonossuti fl-UE. L-iskadenza tat-traspożizzjoni taż-żewġ strumenti tiskadi fil-bidu tal-2015. Il-Kummissjoni se tassisti lill-Istati Membri permezz ta' dialogu reċiproku, il-hruġ ta' dokumenti ta' gwida u l-organizzazzjoni ta' laqgħat ta' esperti.

⁽¹⁾ Din is-sena l-Kummissjoni tappoġġa l-attivitajiet tal-Istati Membri biex titqajjem kuxjenza dwar il-vjolenza kontra n-nisa bl-ammont ta' EUR 3.7 miljun f'finanzjament. EUR 11.4 miljun addizzjonali se jingħataw lill-NGOs bil-programm Daphne III.

⁽²⁾ L-informazzjoni dwar l-istħarriġ FRA li għaddej bħalissa tista' tinsab fuq: <http://fra.europa.eu/en/project/2012/fra-survey-womens-well-being-and-safety-europe>

⁽³⁾ li jipprojbixxi jew li jirregola l-kuntatt mal-vittma, li jillimita l-avvicinament lejn il-vittma jew id-dhul fil-post fejn il-vittma ttrissjedi, taħdem jew tistudja.

(English version)

**Question for written answer E-012723/13
to the Commission**

Claudette Abela Baldacchino (S&D)

(11 November 2013)

Subject: Stalking

In the past two decades, the issue of stalking has become an academic and social concern in Europe. Legislation became the subject of debate in some Member States, and Britain was one of the first countries in the EU to pass an anti-stalking law. Other Member States (Belgium, Germany, Malta, the Netherlands, Italy, Austria and Ireland) followed the development and introduced legislation against stalking.

1. Can the Commission provide data on how many men and women have been affected by stalkers in the 28 EU Member States?
2. Does the Commission consider stalking to be a concern in the 28 EU Member States?
3. Would the Commission consider developing projects to raise awareness of stalking in the Member States?

Answer given by Mrs Reding on behalf of the Commission

(9 January 2014)

As shown in the action plan implementing the Stockholm Programme, the Women's Charter and the strategy for Equality between Women and Men (2010-2015), combating all forms of violence against women, including stalking which affects women disproportionately, is a priority of the Commission ⁽¹⁾. In the first quarter of 2014 the results of the Fundamental Rights Agency's survey on women's experiences of violence ⁽²⁾ will provide with comparable data at the EU level on the phenomenon.

As regards legislation on stalking in the EU and the protection it offers to victims, the Commission is aware of differences in legal systems of the Member States and of the fact that the national protection measures differ in scope, duration and nature.

The EU legal framework in place does not harmonise protection measures in the Member States. It is based on the principle of mutual recognition and it will ensure that victims can rely on restraint or protection orders issued against the perpetrator in their home country if they travel or move.

The regulation (EU) No 606/2013 on mutual recognition of protection measures in civil matters adopted in June 2013 supplements Directive 2011/99/EU of 13 December 2011 on the European protection order, which applies to protection measures adopted in criminal matters.

The directive and Regulation will, together, ensure that the three most known types of protection measures ⁽³⁾ are covered and recognised within the EU. The transposition deadline of both instruments expires at the beginning of 2015. The Commission will assist Member States by mutual dialogue, issuing guidance documents and organising experts' meetings.

⁽¹⁾ This year the Commission supports Member States' activities to raise awareness on violence against women for an amount of EUR 3.7 million in funding. A further EUR 11.4 million will be awarded for NGOs under the DAPHNE III program.

⁽²⁾ Information on the ongoing FRA survey can be found at: <http://fra.europa.eu/en/project/2012/fra-survey-womens-well-being-and-safety-europe>

⁽³⁾ Prohibiting or regulating contact with the victim, limiting approaching the victim or entering the place where the victim resides, works or studies.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-012730/13

προς την Επιτροπή

Antigoni Papadopoulou (S&D)

(11 Νοεμβρίου 2013)

Θέμα: Ανάγκη να αποκατασταθεί η εμπιστοσύνη στο κυπριακό τραπεζικό σύστημα

Στην έκθεση της Ανεξάρτητης Επιτροπής για το Μέλλον του Κυπριακού Τραπεζικού Τομέα ⁽¹⁾ αναφέρεται ότι:

«Αυτό που επείγει περισσότερο είναι να αποκατασταθεί η εμπιστοσύνη στο [κυπριακό] τραπεζικό σύστημα. Φοβόμαστε ότι το τρέχον πρόγραμμα, που κατά βάση αφορά την αναδιάρθρωση των μεγαλύτερων τραπεζών της χώρας, θα διαρκέσει πολύ, πιθανόν πολλά χρόνια, στη διάρκεια των οποίων θα είναι δύσκολο να αρθούν οι κεφαλαιακοί έλεγχοι, λόγω του κινδύνου μαζικής φυγής των καταθέσεων. Στο μεταξύ, η διάβρωση των καταθέσεων θα συνεχίζεται και οι οικονομικές προοπτικές θα παραμένουν ασθενικές.»

1. Συμφωνεί η Επιτροπή με την άποψη, που διατυπώνεται στην έκθεση, ότι το τρέχον πρόγραμμα αναδιάρθρωσης ενδέχεται να διαρκέσει πολλά χρόνια, στη διάρκεια των οποίων θα είναι δύσκολο να αρθούν οι κεφαλαιακοί έλεγχοι, και ότι η διάβρωση των καταθέσεων θα συνεχιστεί;
2. Με ποιον τρόπο μπορεί η Επιτροπή να βοηθήσει την Κύπρο να αποφύγει τους προαναφερθέντες κινδύνους και να επαναφέρει σε κανονικές συνθήκες το τραπεζικό σύστημα της χώρας;

Απάντηση του κ. Rehn εξ ονόματος της Επιτροπής

(23 Ιανουαρίου 2014)

Η Επιτροπή λαμβάνει υπόψη τη γνώμη που διατυπώνεται στην έκθεση της Ανεξάρτητης Επιτροπής. Οι κυπριακές αρχές έχουν σημειώσει σημαντική πρόοδο στην ανακεφαλαιοποίηση και την αναδιάρθρωση του χρηματοπιστωτικού τομέα. Η ανακεφαλαιοποίηση της Ελληνικής Τράπεζας ολοκληρώθηκε επιτυχώς αποκλειστικά με ιδιωτικά κεφάλαια, συμπεριλαμβανομένων κεφαλαίων ξένων επενδυτών.

Η αναδιάρθρωση της Τράπεζας Κύπρου (BoC) και του συνεταιριστικού πιστωτικού τομέα συνεχίζεται. Έχει εκλεγεί νέο διοικητικό συμβούλιο της BoC και της Συνεργατικής Κεντρικής Τράπεζας και έχουν εξασφαλιστεί κεφάλαια για την ανακεφαλαιοποίηση του συνεταιριστικού πιστωτικού τομέα χωρίς εμπλοκή των καταθετών. Η μείωση των εκρών καταθέσεων αποτελεί ένδειξη αποκατάστασης έως ένα βαθμό της εμπιστοσύνης των καταθετών, αλλά απαιτείται περαιτέρω βελτίωση των ισολογισμών των τραπεζών για την επαναφορά των πιστώσεων προς τον ιδιωτικό τομέα και τη στήριξη της οικονομικής ανάκαμψης. Η συνεπής εφαρμογή των σχεδίων αναδιάρθρωσης των τραπεζών είναι καθοριστικής σημασίας και περιλαμβάνει, αφενός τη διαχείριση του επιπέδου των μη εξυπηρετούμενων δανείων που παραμένει άγνωστο και την προστασία δανειοληπτών σε δυσχερή κατάσταση, και αφετέρου τον περιορισμό της στρατηγικής αθέτησης υποχρεώσεων.

Ο χάρτης πορείας με βάση ορόσημα που δημοσιεύθηκε παραμένει η κατευθυντήρια αρχή για τη σταδιακή άρση των περιορισμών και τη διασφάλιση της χρηματοπιστωτικής σταθερότητας. Το εποπτικό συμβούλιο που ιδρύθηκε από την Ευρωπαϊκή Επιτροπή και τις κυπριακές αρχές, με τη συμμετοχή της ΕΚΤ, του ΔΝΤ, του Ευρωσυστήματος και της ΕΑΤ ως παρατηρητών, παρακολουθεί στενά τις χρηματοοικονομικές ροές και αξιολογεί ενδελεχώς κατά πόσον οι συνθήκες ρευστότητας των τραπεζών επιτρέπουν περαιτέρω άρση των περιορισμών ⁽²⁾.

⁽¹⁾ http://www.centralbank.gov.cy/media/pdf_gr/ICFCBS_Final_Report_2.pdf

⁽²⁾ http://www.centralbank.gov.cy/media/pdf_gr/ICFCBS_Final_Report_2.pdf

(English version)

**Question for written answer E-012730/13
to the Commission**

Antigoni Papadopoulou (S&D)

(11 November 2013)

Subject: Need to rebuild confidence in the Cyprus banking system

The report of the Independent Commission on the Future of the Cyprus Banking Sector ⁽¹⁾ states that:

'The most urgent task is to rebuild confidence in the [Cyprus] banking system. Our concern is that the present programme, based on the restructuring of the country's major banks, will take a long time, possibly many years during which it will be difficult to lift capital controls because of the risk of deposit flight. Meanwhile, deposit erosion will continue and economic prospects will remain weak.'

1. Does the Commission agree with the report's verdict that the current restructuring programme may take many years, during which it will be difficult to lift capital controls, and that deposit erosion will continue?
2. What can the Commission do in order to help Cyprus overcome the aforementioned risks and restore normal conditions in the country's banking system?

Answer given by Mr Rehn on behalf of the Commission

(23 January 2014)

The Commission takes note of the opinion expressed by the report of the Independent Commission. The Cypriot authorities have made important strides with the recapitalisation and restructuring of the financial sector. Hellenic Bank has been successfully over-recapitalised, exclusively with private funds, including from foreign investors.

The restructuring of Bank of Cyprus (BoC) and Cooperative credit sector is advancing. New Board of Directors for BoC and the Cooperative Central Bank have been appointed and funds for the recapitalisation of the cooperative credit sector have been secured, without involving depositors. Deposit outflows abated pointing to some return of depositors' confidence, but further improvement of banks' balance sheets is needed to resume credit to the private sector and support economic recovery. Diligent implementation of banks restructuring plans will be critical, including tackling the still missing level of non-performing loans and making efforts to protect troubled borrowers, while discouraging strategic defaults.

The published milestone-based roadmap remains the guiding principle for gradual relaxation of payment restrictions while safeguarding financial stability. The Monitoring Board established by the EC and the Cypriot authorities, with the ECB, the IMF, ES and the EBA participating as observers, follows closely financial flows and thoroughly assesses whether bank liquidity conditions permit further relaxation ⁽²⁾.

⁽¹⁾ http://www.centralbank.gov.cy/media/pdf_gr/ICFCBS_Final_Report_2.pdf

⁽²⁾ http://www.centralbank.gov.cy/media/pdf_gr/ICFCBS_Final_Report_2.pdf

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-012733/13
alla Commissione
Oreste Rossi (PPE)
(11 novembre 2013)

Oggetto: Maggiori azioni per contrastare l'abuso dei minori online

Recentemente un'organizzazione non governativa olandese ha realizzato un'indagine sul fenomeno del turismo sessuale minorile tramite webcam. Creando il profilo di una bambina virtuale, in due mesi e mezzo i membri dell'organizzazione hanno ricevuto contatti da parte di oltre ventimila utenti da tutto il mondo che richiedevano prestazioni sessuali, di cui si sono potuti identificare oltre mille.

Quest'indagine mette in luce diverse problematiche, da un lato, evidenziando come sia facile rintracciare pedofili e sfruttatori online. Ciononostante, si segnala che nel 2011 l'operazione «Rescue» condotta da Europol ha permesso di identificare 779 sospetti in tutto il mondo, arrestando 250 persone, un numero esiguo se confrontato con i 1000 utenti rintracciati in poco più di due mesi dall'organizzazione menzionata con i suoi soli mezzi. Tale problema principale risiede però nel fatto che le autorità non si attivano se non a seguito di una denuncia da parte delle vittime. Tuttavia, i bambini sfruttati raramente si recano dalla polizia, essendo molto spesso spinti dalla loro stessa famiglia a «vendere» il proprio corpo.

Considerato che:

- esistono due direttive contro la tratta di esseri umani (2011/36/UE) e contro l'abuso, lo sfruttamento sessuale dei minori e la pornografia minorile (2011/92/UE) che armonizzano l'azione penale contro i perpetratori e rafforzano la protezione delle vittime e la prevenzione;
- come già detto, raramente i minori sporgono denunce dalle quali partono le indagini;
- secondo le statistiche odierne, ad ogni ora del giorno ci sono almeno 750 000 pedofili connessi online e si prevede che il numero di bambini sfruttati attraverso le webcam sia destinato a salire;

può la Commissione far sapere:

1. se è a conoscenza di tale inchiesta;
2. se ritiene che in questo campo gli sforzi e i risultati ottenibili possono essere notevolmente maggiori, soprattutto se confrontati con quelli ottenuti dall'organizzazione suddetta;
3. se ritiene opportuno che il Centro europeo per la criminalità organizzativa specializzato nella pedopornografia online si adoperi in investigazioni preventive, senza attendere le segnalazioni da parte delle vittime?

Risposta di Cecilia Malmström a nome della Commissione
(30 gennaio 2014)

La Commissione è a conoscenza dell'inchiesta, citata dall'onorevole parlamentare, svolta mediante finto adescamento da una ONG. Le autorità nazionali si trovano in posizione diversa e devono rispettare norme processuali penali molto rigorose e garantire la tutela dei diritti fondamentali in tutte le fasi delle indagini, compresi i diritti degli indagati e le norme in materia di ammissibilità delle prove.

La direttiva sullo sfruttamento sessuale dei minori ⁽¹⁾ faciliterà le indagini e l'azione penale nei confronti dei reati di abuso e sfruttamento sessuale dei minori. In particolare, essa rende punibili come reati la partecipazione intenzionale a esibizioni di carattere pornografico che coinvolgano minori e l'adescamento di minori per scopi sessuali. La direttiva prevede che le indagini non siano subordinate a denunce o accuse da parte della vittima e che la perseguibilità del reato sia mantenuta per un congruo periodo di tempo dopo che la vittima ha raggiunto la maggiore età. Gli Stati membri devono garantire che siano disponibili strumenti investigativi efficaci per indagare su tali reati. Tuttavia la direttiva non prevede che gli Stati membri siano obbligati ad autorizzare operazioni di infiltrazione, in particolare nei casi in cui vengono utilizzate le tecnologie TIC.

⁽¹⁾ Direttiva 2011/93/UE del Parlamento europeo e del Consiglio, del 13 dicembre 2011, relativa alla lotta contro l'abuso e lo sfruttamento sessuale dei minori e la pornografia minorile, e che sostituisce la decisione quadro del Consiglio 2004/68/GAI del Consiglio (GU L 335 del 17.12.2011).

La Commissione concorda sulla necessità di intensificare gli sforzi nazionali di lotta contro tali reati. Essa ha sostenuto la creazione di un Centro europeo per la lotta contro la criminalità informatica (EC3) all'interno di Europol e dell'Alleanza mondiale contro l'abuso sessuale di minori online, che impegna 52 paesi a intensificare i propri sforzi a indagare tali crimini e perseguirne gli autori. La Commissione finanzia anche lo sviluppo di strumenti informatici da parte di Interpol al fine di agevolare le indagini e identificare le vittime ⁽²⁾.

Europol (e quindi EC3) non può avviare indagini di propria iniziativa; può soltanto coordinare e sostenere le indagini svolte dalle autorità nazionali.

⁽²⁾ <http://www.interpol.int/Crime-areas/Crimes-against-children/Victim-identification>

(English version)

Question for written answer E-012733/13
to the Commission
Oreste Rossi (PPE)
(11 November 2013)

Subject: Stronger action to combat online child abuse

A Dutch voluntary organisation recently conducted an investigation into the problem of child sex tourism via webcam. The organisation's staff created a profile for a virtual girl and in two and a half months were contacted by over 20 000 users from around the world asking for sexual services. They were able to identify more than 1 000 of these users.

This investigation highlights several issues and shows how easy it is to trace online paedophiles and exploiters. In spite of this, it is worth noting that Europol's 'Rescue' operation of 2011 identified 779 suspects worldwide and arrested 250 people: this is a very small number compared with the 1 000 users traced in just over two months by the abovementioned organisation using only its own resources. However, the main problem lies in the fact that the authorities will only act once they receive a complaint from a victim. Exploited children rarely go to the police, as they are very often forced to 'sell' their bodies by their own families.

There are directives in place to combat human trafficking (Directive 2011/36/EU) and to combat sexual abuse and sexual exploitation of children and child pornography (Directive 2011/93/EU). These provide for a harmonised approach to prosecution of offenders and reinforce protection of victims and prevention.

As I have said, children rarely make complaints which lead to investigations.

According to current statistics, every hour of the day at least 750 000 paedophiles are online and the number of children exploited via webcam is expected to rise.

1. Can the Commission therefore say whether it is aware of the abovementioned investigation?
2. Does the Commission believe that much more can be done in this area and better results obtained, especially in the light of those obtained by the abovementioned organisation?
3. Does the Commission think that the European Cybercrime Centre, which has specialists in online child pornography, should concentrate on preventive investigations, without waiting for reports by victims?

Answer given by Ms Malmström on behalf of the Commission
(30 January 2014)

The Commission is aware of the covert investigation by an NGO mentioned by the Honourable Member. National authorities are in a different position and must respect very strict criminal procedural rules and ensure safeguard of fundamental rights all along the investigation, including the rights of the defendant and the rules on admissibility of evidence.

The directive on child sexual exploitation ⁽¹⁾ will facilitate investigation and prosecution of child sexual abuse offences. Notably, it criminalises knowingly attending pornographic performances involving children and solicitation of children for sexual purposes. It provides that investigations must not be dependent on reports or accusations by the victim, and that prosecution must be possible for a sufficient time after the victim has reached the age of majority. Member States must ensure that effective investigative tools are available for investigating these offences. The directive however does not contain an obligation for Member states to allow for the possibility of covert operations, in particular in those cases where the use of ICT technology is involved.

The Commission agrees on the need to step up national efforts to combat these crimes. It has supported the creation of the European Cybercrime Centre (EC3) within Europol, and the Global Alliance against child sexual abuse online, through which 52 countries have committed to enhance their efforts to investigate these crimes and prosecute offenders. The Commission also funds the development of IT tools by Interpol to facilitate investigations and identify victims ⁽²⁾.

Europol (and thus EC3) cannot launch investigations on its own initiative. It can only coordinate and support investigations by national authorities.

⁽¹⁾ DIRECTIVE 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA: OJ L 335, 17.12.2011.

⁽²⁾ <http://www.interpol.int/Crime-areas/Crimes-against-children/Victim-identification>

(Nederlandse versie)

Vraag met verzoek om schriftelijk antwoord E-012740/13

aan de Commissie

Ivo Belet (PPE)

(11 november 2013)

Betreft: Donatie zaadcellen

Naar aanleiding van het antwoord op schriftelijke vraag E-007415/2013 betreffende „Niet tijdig melden van gendefecten bij gedoneerde zaadcellen” heb ik nog de volgende vragen:

1. Heeft de Commissie zicht op de verschillende manieren waarop lidstaten aan weefselinstellingen vragen gegevens met betrekking tot de gedoneerde zaadcellen bij te houden, zowel met betrekking tot de donoren als tot ontvangers?
2. Denkt de Commissie dat gestandaardiseerde, Europese procedures van gegevensverwerking moeten worden ontwikkeld zodat in alle landen dezelfde gegevens op dezelfde manier worden verwerkt en bijgehouden door de weefselinstellingen, dit met het oog op een verder opgevoerde samenwerking tussen de registers van de nationale weefselinstellingen?
3. Is de Commissie bereid te onderzoeken of de lidstaten een centraal nationaal registratiesysteem moeten opzetten waar weefselinstellingen gegevens van donoren en ontvangers moeten opslaan?
4. Kan de Commissie aangeven wat de vorderingen zijn met de oprichting van een netwerk dat de registers van de nationale weefselinstellingen coördineert in het kader van het Eurocet-project, zoals zij aangeeft in haar antwoord op schriftelijke vraag E-007415/2013?
5. Wanneer zal de eerste evaluatie van de werking van het Rapid Alert System for Tissues and Cells (RATC) dat sinds 1 februari 2013 volledig operationeel werd, beschikbaar zijn? Welke initiatieven zal de Commissie desgevallend nemen indien blijkt dat de resultaten niet toereikend zijn?

Antwoord van de heer Borg namens de Commissie

(17 januari 2014)

Overeenkomstig de vereisten van artikel 26 van Richtlijn 2004/23/EG ⁽¹⁾ stelt de Commissie om de 3 jaar een verslag op over de uitvoering van de voorschriften van de richtlijn. In het kader hiervan heeft de Commissie een enquête uitgevoerd over de werkzaamheden in verband met de vereisten van bovengenoemde richtlijn. Een uitvoeringsverslag wordt naar verwachting medio 2014 gepresenteerd. Dit verslag moet onder andere gegevens bevatten over de manier waarop de lidstaten de vereisten met betrekking tot het registreren van gegevens uitvoeren. Na een analyse van de antwoorden kan de Commissie, met inachtneming van de behoeften van de lidstaten, actie ondernemen om de procedures voor gegevensverwerking te harmoniseren.

Met betrekking tot de verplichting om een netwerk van registers van nationale weefselinstellingen op te zetten, ontwikkelt de Commissie momenteel een compendium waarin alle bevoegde weefselinstellingen in de Europese Unie zijn opgenomen. De werkzaamheden zijn uitbesteed aan een consortium (EUROCET 128 ⁽²⁾) onder leiding van de Italiaanse bevoegde autoriteit, die tevens het Eurocetregister beheert ⁽³⁾. Het compendium dient in juni 2014 te zijn voltooid.

De eerste evaluatie van het nieuwe platform van het Rapid Alert system for Tissues and Cells is gepland voor februari 2014. Na een grondige analyse van de werking ervan zal de Commissie samen met de lidstaten passende verbeteringen in overweging nemen.

⁽¹⁾ PB L 102 van 7.4.2004 blz. 48.

⁽²⁾ www.eurocet128.eu/

⁽³⁾ www.iss.it/ecet/

(English version)

**Question for written answer E-012740/13
to the Commission
Ivo Belet (PPE)
(11 November 2013)**

Subject: Donation of sperm cells

Further to the answer to Written Question E-007415/2013 concerning 'genetic defects in donated sperm cells: lack of timely reporting', I have the following further questions:

1. Does the Commission have an overview of the various ways in which Member States ask tissue establishments to store records of donated sperm cells, with regard both to donors and recipients?
2. Does the Commission think that standardised European data-processing procedures should be drawn up so that tissue establishments process and store the same information in the same way in every country? The aim would be to further increase cooperation between the registers of national tissue establishments.
3. Will the Commission investigate whether Member States should set up central national registration systems where tissue establishments have to store particulars of donors and recipients?
4. Can the Commission indicate what progress has been made towards establishing a network to coordinate the registers of the national tissue establishments under the EUROCET project, as referred to in its answer to Written Question E-007415/2013?
5. When will the first evaluation of the functioning of the Rapid Alert System for Tissues and Cells (RATC), which has been fully operational since 1 February 2013, be available? What steps will the Commission take if the results are found to be inadequate?

**Answer given by Mr Borg on behalf of the Commission
(17 January 2014)**

In accordance with the requirements of Article 26 of Directive 2004/23/EC⁽¹⁾, every three years the Commission presents a report on the implementation of the requirements of the directive. In this context, the Commission launched a survey on the activities related to the provisions of the abovementioned Directive and an implementation report is due to be presented in mid-2014. This report should also provide data on how the Member States are implementing data recording requirements. Following the analysis of the replies, and taking into account the needs expressed by the Member States, the Commission may initiate activities for harmonising data-processing procedures.

Regarding the requirement to establish a network linking national tissue establishment registers, the Commission is currently developing a Compendium including all authorised tissue establishments in the European Union. The work has been contracted to a consortium (Eurocet128⁽²⁾) led by the Italian Competent Authority, who is also managing the Eurocet registry⁽³⁾. The Compendium should be finalised by June 2014.

The first evaluation of the new Rapid Alert System for Tissues and Cells platform is foreseen for February 2014. Appropriate adjustments will be considered by the Commission together with the Member States after a full analysis of its functionalities.

⁽¹⁾ OJ L 102 7.4.2004 p. 48.

⁽²⁾ www.eurocet128.eu/

⁽³⁾ www.iss.it/ecet/

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012743/13
a la Comisión**

Ramon Tremosa i Balcells (ALDE)

(11 de noviembre de 2013)

Asunto: Producción de energía solar en España: En la nueva Ley, los inspectores podrán entrar sin orden judicial en las viviendas que produzcan energía solar

La reforma energética establece un peaje tan alto por producir electricidad desde las viviendas que a pocos ciudadanos les será mínimamente rentable hacerlo.

Pero si a pesar de todo se atrevieran a ello, una enmienda escondida entre las 57 que ha presentado el PP a su Proyecto de Ley del Sector Eléctrico da la puntilla definitiva a ese fenómeno renovable que triunfa en Europa y que obliga a las compañías eléctricas a asumir la electricidad producida desde las viviendas y descontar después su valor del recibo mediante una liquidación ⁽¹⁾.

La enmienda número 475 habilitará al Ministerio de Industria y Energía para enviar a los domicilios privados a inspectores para que revisen que las instalaciones de autoconsumo (esencialmente paneles solares fotovoltaicos) están debidamente registradas y se adecuan a la normativa vigente.

Así reza en la redacción de la enmienda: «El personal habilitado a tal fin tendrá las siguientes facultades de inspección: a) Acceder a cualquier local, instalación, terreno y medio de transporte de las empresas, asociaciones de empresas y personas físicas que desempeñen alguna actividad de las previstas en esta ley, así como al domicilio particular de los empresarios, administradores y otros miembros del personal de las empresas».

¿Está la Comisión informada sobre estas medidas?

¿No considera la Comisión estas disposiciones contrarias a la directivas comunitarias?

¿Está de acuerdo la Comisión en que las medidas retroactivas y la inseguridad jurídica introducida por la nueva normativa española perjudican gravemente la confianza de los inversores españoles y comunitarios en proyectos de energías renovables?

Respuesta del Sr. Oettinger en nombre de la Comisión

(16 de enero de 2014)

La Comisión entiende que el Proyecto de Ley del Sector Eléctrico está todavía pendiente de aprobación por el Congreso español y evaluará la compatibilidad de la versión final con la legislación de la UE a su debido tiempo.

La Comisión comprende las inquietudes manifestadas por Su Señoría en cuanto al impacto de la reciente enmienda total del sistema español de apoyo a las fuentes de energía renovables y ha expresado pública y repetidamente su preocupación al respecto. En su reciente Comunicación titulada «Realizar el mercado interior de la electricidad y sacar el máximo partido de la intervención pública» ⁽²⁾, la Comisión ha advertido de las repercusiones negativas que pueden conllevar las medidas nacionales que modifican con carácter retroactivo las condiciones económicas de las inversiones en energías renovables ya existentes, a la vez que reconoce la necesidad de una reforma de los sistemas de apoyo por razones de rentabilidad y eficiencia.

⁽¹⁾ <http://vozpopuli.com/economia-y-finanzas/34233-los-inspectores-podran-entrar-sin-orden-judicial-en-las-viviendas-que-produzcan-energia-solar>

⁽²⁾ C(2013) 7243 final.

(English version)

**Question for written answer E-012743/13
to the Commission**

Ramon Tremosa i Balcells (ALDE)

(11 November 2013)

Subject: Solar energy production in Spain: no court order needed under new law for inspectors to enter homes generating solar energy

Under Spanish energy-sector reforms the levy charged on electricity generated by households is so high that generating one's own power will be economically viable only for a tiny minority of homeowners.

Even if people do decide to give it a try, an amendment hidden among the 57 tabled by the People's Party to its Electricity Sector Bill is likely to halt in its tracks in Spain the renewable energy phenomenon which is gaining so much ground elsewhere in Europe. The bill requires electricity companies to purchase the electricity generated by homeowners and then to deduct its value from their electricity bills ⁽¹⁾.

Amendment 475 will authorise the Ministry for Industry and Energy to send inspectors into private homes to check that installations used to generate electricity (mainly photovoltaic panels) are properly registered and comply with current rules.

The amendment states that 'persons authorised to carry out this task shall have the following inspection powers: (a) the right to access any premises, installation, land and means of transport used by undertakings, associations of undertakings and natural persons carrying out any of the activities provided for in this law, and the private homes of the owners, managers and other staff members of the undertakings.'

Is the Commission aware of these measures?

Does it not think that these provisions are inconsistent with EU directives?

Does it agree that these retroactive measures and the legal uncertainty created by these new rules will seriously undermine Spanish and European investors' confidence in renewable energy projects?

Answer given by Mr Oettinger on behalf of the Commission

(16 January 2014)

The Commission understands that the Electricity Sector Bill is still to be approved by the Spanish Congress and will assess the compatibility of the final version with EU legislation in due time.

The Commission understands the concerns expressed by the Honourable Member about the impacts of the recent complete modification of the Spanish support scheme for renewable energies. The Commission has publicly and repetitively voiced its concerns on this issue. In its recent Communication titled 'Delivering the internal electricity market and making the most of public intervention' ⁽²⁾, the Commission has warned against the negative effects of national measures that retroactively change the economic conditions of existing renewable energy investments while recognising the necessity for a reform of support schemes for cost-effectiveness reasons.

⁽¹⁾ <http://vozpopuli.com/economia-y-finanzas/34233-los-inspectores-podran-entrar-sin-orden-judicial-en-las-viviendas-que-produzcan-energia-solar>

⁽²⁾ C(2013) 7243 final.

(Deutsche Fassung)

Anfrage zur schriftlichen Beantwortung E-012744/13
an die Kommission
Jutta Steinruck (S&D)
(11. November 2013)

Betrifft: Gegen die Menschenrechte verstoßende Situation der Philippiner in Saudi Arabien

Nach dem Ablauf einer siebenmonatigen Frist zur Legalisierung des Aufenthalts von Gastarbeitern wurden philippinische Arbeiter bei einem Großeinsatz gegen Einwanderer aus Saudi-Arabien auf die Philippinen abgeschoben. Sie haben von Misshandlungen durch die Sicherheitskräfte des arabischen Königreichs berichtet. Gemeinsam mit anderen Arbeitsemigranten wurden sie z. B. in überbelegten Zellen festgehalten und an den Füßen angekettet.

Laut Migrant International will Saudi-Arabien nun auch andere Arbeiter ausweisen, die sich ohne reguläre Papiere im Land aufhalten. Nach Angaben der Organisation Migrant International, die sich für philippinische Gastarbeiter einsetzt, warten in Dschiddah derzeit 1 700 Philippiner auf Dokumente, die ihnen die Ausreise ermöglichen. Insgesamt 5 000 weitere Philippiner saßen demnach in der Hauptstadt Riad sowie in Al Chobar und Dammam fest. Jejomar Binay, stellvertretender Leiter der Organisation Migrant International, hatte vergangene Woche an die Regierung in Riad appelliert, die Amnestie für die Arbeitskräfte zu verlängern, um ihnen die Legalisierung ihres Aufenthaltsstatus zu ermöglichen.

1. Was weiß die Kommission über die gegen die Menschenrechte verstoßende Situation der Philippiner in Saudi-Arabien?
2. Was gedenkt die Kommission zur Verbesserung dieser Situation zu tun?
3. Hat die Kommission im Rahmen der diplomatischen Beziehungen zur Regierung Saudi-Arabiens bereits die Menschenrechtsverletzungen thematisiert?
4. Wird die Kommission die Forderung unterstützen, den Aufenthaltsstatus der illegalen Flüchtlinge in Saudi-Arabien zu legalisieren?

Antwort von Frau Ashton — Hohe Vertreterin/Vizepräsidentin im Namen der Kommission
(21. Januar 2014)

Die Hohe Vertreterin/Vizepräsidentin verfolgt die Situation in Saudi-Arabien aufmerksam, einschließlich der jüngsten Entwicklungen im Zusammenhang mit der Frist bis 4. November, die die saudi-arabischen Behörden zugewanderten ausländischen Arbeitnehmern gesetzt hatten, um ihren Aufenthalt in dem Königreich zu legalisieren.

Es wird davon ausgegangen, dass Saudi-Arabien seitdem mehr als 60 000 illegale ausländische Arbeitnehmer abgeschoben hat. Gleichzeitig nutzten fast eine Million Migranten, u.a. aus Bangladesch, Indien, Nepal, Pakistan, Jemen und von den Philippinen, die Amnestie bis 4. November, um das Land freiwillig zu verlassen. Weitere vier Millionen fanden Arbeitgeber, die für sie bürgten. Dies ist in Saudi-Arabien, wie in mehreren anderen Golfstaaten, gesetzlich vorgeschrieben. Berichte über Zusammenstöße, bei denen Anfang dieses Monats vier Menschen, darunter drei äthiopische Staatsangehörige, ums Leben kamen, sind besorgniserregend.

Die Hohe Vertreterin/Vizepräsidentin hat die Frage der Menschenrechte und Grundfreiheiten in ihren Kontakten mit saudi-arabischen Beamten auf bilateraler und multilateraler Ebene zur Sprache gebracht.

Der Rechtsrahmen für den Aufenthalt von Ausländern in Saudi-Arabien fällt unter die nationale Souveränität. Jedoch setzen die EU und ihre Mitgliedstaaten sich konsequent für eine Reform des Bürgerschaftssystems in Saudi-Arabien in seiner derzeitigen Form ein, zuletzt im Rahmen der allgemeinen regelmäßigen Überprüfung des Landes bei den Vereinten Nationen in Genf.

(English version)

**Question for written answer E-012744/13
to the Commission
Jutta Steinruck (S&D)
(11 November 2013)**

Subject: Violation of the human rights of Filipinos in Saudi Arabia

Following the expiry of a seven-month period in which foreign workers were required to legalise their residency status, Saudi Arabia has deported Filipino workers back to the Philippines as part of a large-scale operation against immigrants. The Filipinos have complained of ill-treatment by the Saudi security staff. They and other economic migrants were, for instance, held in overcrowded cells with their ankles chained.

Migrante International, which works to support Filipino migrant workers, reports that Saudi Arabia now wants to deport other workers too who are living in the country without the proper papers. According to Migrante International, 1 700 Filipinos are currently waiting in Jeddah for documents that would allow them to leave the country. A further 5 000 in all are said to be blocked in the capital Riyadh and in Al Khobar and Dammam. Jejomar Binay, deputy director of Migrante International, called last week on the government in Riyadh to extend the amnesty for workers to allow them to regularise their residency status.

1. What does the Commission know about this situation in Saudi Arabia in which the human rights of Filipinos are being contravened?
2. What is the Commission planning to do to improve this state of affairs?
3. Has the Commission already discussed human rights infringements in the course of its diplomatic relations with the Saudi Government?
4. Will the Commission support the call to regularise the status of illegally resident foreign workers in Saudi Arabia?

**Answer given by High Representative/Vice-President Ashton on behalf of the Commission
(21 January 2014)**

The HR/VP is closely following the situation in Saudi Arabia including latest developments related to the 4 November deadline set by the Saudi authorities for foreign migrant workers to regularize their immigration status in the Kingdom.

It is understood that Saudi Arabia has deported more than 60,000 illegal foreign workers since then, while nearly a million migrants — Bangladeshis, Filipinos, Indians, Nepalis, Pakistanis and Yemenis among them — took advantage of the amnesty prevailing before 4 November to leave voluntarily. Another four million were able to find employers to sponsor them, a legal requirement in Saudi Arabia as in several other Gulf states. Reports of clashes that killed four people earlier this month, including three Ethiopian nationals, are of concern.

The HR/VP has raised the issue of human rights and fundamental freedoms in their contacts with Saudi officials, at bilateral and multilateral level.

The legal framework regulating the stay of foreigners in Saudi Arabia is a matter of national sovereignty. However, the EU and its Members States have consistently advocated a reform of the sponsorship system in its current form in Saudi Arabia, most recently during the country's Universal Periodic Review at the UN in Geneva.

(English version)

Question for written answer E-012746/13
to the Commission
Nicole Sinclair (NI)
(11 November 2013)

Subject: Cooperation in policing

Could the Commission explain how cooperation in the area of policing differs among Member States, and between the EU and third countries?

Answer given by Ms Malmström on behalf of the Commission
(24 January 2014)

Police cooperation amongst Member States — being subject to both international and EU legal frameworks — differs following the national legal systems and subsequently the competences and responsibilities of the law enforcement authorities in Member States. These duties are essentially maintaining public order, preventing and fighting crime and providing assistance in emergency and crisis situations. However, a common multi-agency and comprehensive (prevention and repression) approach on policing has become common place.

The EU assists Member States in their policing duties based on Articles 72, 73, 87, 88 and 89 of the Treaty on the Functioning of the European Union (TFEU). Through its agencies, primarily Europol and Ceuol, the EU provides analyses and law enforcement and training expertise and assistance. Furthermore, the EU, based on legal decisions and policies, provides a legal and policy framework to establish joint cross-border operations and to exchange law enforcement information. This is undertaken, for example, through the Schengen *acquis*, Council Framework Decision 2006/960⁽¹⁾ and Council Decisions 2008/615/JHA⁽²⁾ and 2008/616/JHA⁽³⁾ as well as the EU policy cycle for organised and serious international crime.

The EU cooperates with third countries through mutual cooperation agreements between Europol and third countries, liaison networks of Member States with countries outside the EU such as in African countries, through the cooperation between EU agencies and Member States with Interpol, as well as through missions under the EU Common Security and Defence Policy.

⁽¹⁾ Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union; OJ L 386, 29.12.2006, p. 89-100

⁽²⁾ Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime; OJ L 210, 6.8.2008, p. 1-11.

⁽³⁾ Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime; OJ L 210, 6.8.2008, p. 12-72.

(Versão portuguesa)

**Pergunta com pedido de resposta escrita E-012749/13
à Comissão (Vice-Presidente/Alta Representante)**

Ana Gomes (S&D)

(11 de novembro de 2013)

Assunto: VP/HR — Detenção de jornalistas na Etiópia

Segundo jornalistas locais, a polícia etíope deteve, sem acusação formal, dois editores do principal semanário independente em língua amárica *Ethio-Mihdar*. Na segunda-feira, 4 de novembro de 2013, a polícia na cidade de Legetafo, situada a nordeste da capital Addis Abeba, deteve Getachew Worku em relação com um artigo publicado em outubro em que alegava haver corrupção na administração municipal, segundo Muluken Tesfaw, um jornalista deste jornal, que falou com Getachew Worku pouco depois da sua detenção. Este afirma que Getachew Worku não foi acusado formalmente. Muluken Tesfaw e jornalistas locais afirmam que, no sábado, 2 de novembro, a polícia deteve Million Degnew, o diretor-geral do jornal, e Muna Ahmedin, um assistente. Muluken Tesfaw afirma que Muna Ahmedin foi libertado ainda no mesmo dia, mas que Million Degnew continua sob custódia, sem acusação formal.

Na Resolução do Parlamento, de 8 de outubro de 2013, sobre a corrupção nos setores público e privado: o impacto nos direitos humanos em países terceiros ⁽¹⁾ reconhece-se que os defensores dos direitos humanos, os meios de comunicação social e as organizações da sociedade civil, os sindicatos e os jornalistas de investigação desempenham um papel essencial na luta contra a corrupção, pelo que apelaram à Comissão para que proponha um alargamento da definição de «defensores dos direitos humanos» nas orientações da UE em matéria de Defensores dos Direitos Humanos, a fim de a tornar extensiva aos ativistas anticorrupção, aos jornalistas de investigação e, sobretudo, aos autores de denúncias.

A detenção reiterada de jornalistas sem acusação formal constitui uma tática de intimidação utilizada frequentemente pelo governo etíope para silenciar a dissidência. A Etiópia é apenas suplantada pela Eritreia como pior detentor de jornalistas em África, segundo o Censo anual sobre detenções ⁽²⁾ do Comité para a Proteção dos Jornalistas (CPJ). A investigação do CPJ revela que, desde 1993, mais de 75 publicações foram obrigadas a encerrar sob a pressão do governo ⁽³⁾.

1. A Alta Representante/Vice-Presidente tenciona instar as autoridades a libertarem, de imediato, Million Degnew e Getachew Worku?
2. A Delegação da UE:
 - a) Visitou Million Degnew e Getachew Worku na prisão?
 - b) Certificaram-se de que dispõem de assistência jurídica adequada?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão

(30 de janeiro de 2014)

A UE continua preocupada com as restrições à liberdade de imprensa na Etiópia. Em especial, a delegação da UE segue de perto e de forma sistemática os julgamentos de jornalistas e membros da oposição, nomeadamente aqueles que são julgados no quadro da Proclamação Antiterrorismo.

Neste contexto, refira-se que Million Degnew e Getachew Worku se encontram em liberdade condicional desde 6 de novembro. São acusados de difamação pela universidade pública de Hawassa devido à publicação de um artigo sobre corrupção na administração da universidade. Os autores e os seus advogados aguardam o desenrolar do processo.

A UE continuará a acompanhar a situação dos direitos do Homem na Etiópia, incluindo a liberdade de imprensa e o direito a um processo equitativo e manifesta as suas preocupações junto do Governo etíope, nomeadamente no artigo 8.º do nosso diálogo político (a nível técnico e ministerial).

⁽¹⁾ Textos Aprovados, P7_TA(2013)0394.

⁽²⁾ <http://www.cpj.org/imprisoned/2012.php>

⁽³⁾ <http://www.cpj.org/africa/ethiopia/>

(English version)

**Question for written answer E-012749/13
to the Commission (Vice-President/High Representative)**

Ana Gomes (S&D)

(11 November 2013)

Subject: VP/HR — Detention of journalists in Ethiopia

According to local journalists, Ethiopian police have arrested without charge two editors of the leading independent Amharic weekly newspaper *Ethio-Mihdar*. On Monday 4 November 2013, police in the town of Legetafo, northeast of the capital Addis Ababa, arrested Getachew Worku in connection with a story published in October alleging corruption in the town administration, according to Muluken Tesfaw, a reporter with the paper who spoke to Worku shortly after his arrest. He said that Worku had not been charged. Tesfaw and local journalists said that on Saturday 2 November, police had arrested Million Degnew, the general manager of the newspaper, and Muna Ahmedin, a secretary. Tesfaw said that Ahmedin had been released the same day but that Degnew remains in custody without charge.

Parliament's resolution of 8 October 2013 on corruption in the public and private sectors: the impact on human rights in third countries ⁽¹⁾ acknowledged that human rights defenders, media, civil society organisations, trade unions and investigative journalists play a crucial role in the fight against corruption, and thus called upon the Commission to 'propose an extension of the definition of human rights defenders in the EU Guidelines on Human Rights Defenders to include anti-corruption activists, investigative journalists and, notably, whistleblowers'.

The repeated detention of journalists without charge is an intimidation tactic commonly used by the Ethiopian Government to silence dissent. Ethiopia is second only to Eritrea as Africa's worst gaoler of journalists, according to the Committee to Protect Journalists' (CPJ) annual prison census ⁽²⁾. CPJ research shows that more than 75 publications have been forced to close under government pressure since 1993. ⁽³⁾

1. Will the Vice-President/High Representative urge the authorities to release Million Degnew and Getachew Worku immediately?
2. Has the EU Delegation:
 - (a) visited Million Degnew and Getachew Worku in prison?
 - (b) ensured that they have proper legal assistance?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission

(30 January 2014)

The EU remains concerned about the restrictions on freedom of the press in Ethiopia. The EU Delegation in particular is systematically monitoring trials of journalists and opposition members, particularly those on trial under the Anti-Terrorism Proclamation.

In this context, please note that both Million Degnew and Getachew Worku were released on bail on the 6th of November. They are facing charges of civil defamation by the public University of Hawassa over an article alleging corruption in the university's administration. Both editors are attending court proceedings with their lawyers.

The EU will continue to follow the human rights situation in Ethiopia, including freedom of the press and due process, and raise its concerns with the Ethiopian Government, notably in our Article 8 political dialogue (at technical and Ministerial levels).

⁽¹⁾ Texts adopted, P7_TA(2013)0394.

⁽²⁾ <http://www.cpj.org/imprisoned/2012.php>

⁽³⁾ <http://www.cpj.org/africa/ethiopia/>

(Versão portuguesa)

**Pergunta com pedido de resposta escrita E-012754/13
à Comissão (Vice-Presidente/Alta Representante)**

Diogo Feio (PPE)

(11 de novembro de 2013)

Assunto: VP/HR — Moçambique: tensão entre governo e Renamo

Relatos de episódios de violência que vão chegando de Moçambique parecem confirmar um cenário de deterioração política e social e uma confrontação cada vez mais clara entre o governo e a Renamo, principal partido da oposição.

Assim, pergunto à Alta Representante:

1. Está ciente da tensão político-militar em Moçambique? Como a avalia?
2. Contactou as partes em conflito? Que respostas obteve?
3. Que reações obteve quanto à sua declaração de 22 de outubro de 2013?

Resposta dada pela Alta Representante/Vice-Presidente Catherine Ashton em nome da Comissão

(10 de fevereiro de 2014)

A Alta Representante/Vice-Presidente gostaria de garantir ao Senhor Deputado que está a acompanhar de perto a situação em Moçambique. As tensões mais recentes entre as autoridades moçambicanas e a Renamo exigem uma solução a nível local que tenha por base um entendimento comum que defenda que um sistema político democrático não deve tolerar movimentos políticos armados e que devem ser envidados esforços razoáveis, começando por um diálogo político dinâmico, para facilitar e promover uma confiança genuína nas instituições do país.

Os serviços da Alta Representante/Vice-Presidente mantêm-se em contacto regular com as autoridades moçambicanas, incluindo através de um diálogo político regular, tendo o último tido lugar em 27 de novembro de 2013. Além disso, foi igualmente realizada uma série de reuniões com outras partes interessadas, incluindo a Renamo. A este respeito, os interlocutores declararam estar empenhados na via do diálogo para fazer face aos desentendimentos que existem entre eles.

De um modo geral, a declaração do porta-voz da Alta Representante/Vice-Presidente de 22 de outubro foi bem recebida. Um diálogo construtivo deverá ter como ponto de partida o desenvolvimento de esforços genuínos para avançar e promover um compromisso realista.

(English version)

**Question for written answer E-012754/13
to the Commission (Vice-President/High Representative)**

Diogo Feio (PPE)

(11 November 2013)

Subject: VP/HR — Mozambique: tension between the Government and the Mozambican National Resistance (Renamo)

Reports of violence from Mozambique appear to confirm its social and political deterioration and an increasingly clear confrontation between the Government and the Mozambican National Resistance (Renamo), the main opposition party.

1. Is the Vice-President/High Representative aware of the political and military tension in Mozambique? What is her assessment of it?
2. Has she contacted the parties involved in the conflict? What answers has she received?
3. What reactions have there been to her declaration of 22 October 2013?

Answer given by High Representative/Vice-President Ashton on behalf of the Commission

(10 February 2014)

The HR/VP would like to reassure the Honourable Member that she is closely following the situation in Mozambique. The latest tensions between the Mozambican authorities and Renamo require a local solution based on a common understanding that a democratic political system should not tolerate political armed movements and that reasonable efforts should be undertaken, starting with a dynamic political dialogue, in order to promote and facilitate genuine confidence in the country institutions.

The HR/VP services are in regular contact with the Mozambique authorities, including through our regular political dialogue, the last one having taken place on 27 November 2013. Moreover, a series of meetings have also taken place with other concerned stakeholders including Renamo. In this regard, interlocutors have declared to be committed to dialogue as a way to address disagreements.

The statement of the HR/VP Spokesperson of 22 October was in general well received. A constructive dialogue should take as an initial basis, genuine efforts to move forward and promote realistic compromise.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012757/13
a la Comisión**

Raül Romeva i Rueda (Verts/ALE)

(11 de noviembre de 2013)

Asunto: Frenar la institucionalización del racismo en Europa

En Grecia, diputados neonazis fueron imputados por homicidio; en Francia, se sigue con la ofensiva de expulsión de las personas gitanas rumanas y búlgaras; en Hungría, se castiga con cárcel a las personas sin techo; y en Noruega el gobierno se ha coaligado con un partido xenófobo en el que militó el autor de la matanza de Oslo. El populismo de la extrema derecha está calando en Europa y en la UE. El racismo y la xenofobia se están institucionalizando. Un ilustrativo ejemplo de ello es el caso de Leonarda Dibrani, la niña de origen kosovar de 15 años que residía en Pontarlier (Francia), detenida cuando iba de camino a una excursión a Sochaux y expulsada del país junto a su familia.

Frente a este ataque a la libertad de circulación de las personas (artículo 3, apartado 2, del TUE) y el derecho a no ser discriminado por razón de raza u orígenes étnicos o sociales (artículo 21 de la Carta de los Derechos Fundamentales), se suma una condición que está siendo invisible, pero que no por ello es menos importante: la vulneración de los derechos del niño o niña (artículo 3, apartado 3, del TUE y artículo 24 de la Carta de los Derechos Fundamentales), tema sobre el que los Estados miembros se comprometieron de forma vinculante con la ratificación de la Convención de las Naciones Unidas sobre los Derechos del Niño. Asimismo, la Comisión comunicó, con fecha de 15 de febrero de 2011, once medidas concretas para avanzar hacia una estrategia de la Unión Europea sobre los Derechos de la Infancia que incluía la especial atención a los niños en el marco de las medidas que los Estados miembros adoptasen a favor de la integración de los gitanos (COM(2011)0060, p. 11).

Por todo ello, ¿piensa la Comisión que se ha vulnerado la Convención de Derechos del Niño y los tratados de la UE con la expulsión de Leonarda Dibrani? ¿Con qué medidas responderá la Comisión ante esta situación? ¿Qué estrategias de integración interestatal se están llevando a cabo para fomentar la inclusión de niños y niñas migrantes en los diferentes Estados miembros? ¿Impondrá la Comisión sanciones a Francia o intervendrá por casos como el de Leonarda, donde hay una clara vulneración de derechos del niño o niña relacionados con la libertad de movimiento de ciudadanos/as europeos/as? ¿Cómo piensa combatir la Comisión la institucionalización de acciones racistas y xenófobas?

Respuesta de la Sra. Malmström en nombre de la Comisión

(13 de enero de 2014)

La Agenda de la UE en pro de los Derechos del Niño reafirma el compromiso de la Comisión con la protección y la promoción de los derechos de la infancia en todas las acciones de la UE, de conformidad con las normas internacionales definidas por la Convención de las Naciones Unidas sobre los Derechos del Niño.

En este contexto, la Directiva de Retorno ⁽¹⁾ proporciona salvaguardias importantes previas al retorno de cualquier persona a un tercer país y su artículo 5 obliga expresamente a los Estados miembros a tener en cuenta los intereses más favorables a los niños al aplicar la Directiva, a tenor de lo dispuesto en la Convención sobre los Derechos del Niño y los Tratados de la UE. No obstante, ninguna de estas normas implica que la devolución de un menor en situación irregular a un tercer país sea por sí incompatible con el Derecho de la Unión y en ningún caso viola dicha decisión el derecho de libre circulación, ya que los inmigrantes irregulares no gozan de ese derecho. La evaluación del cumplimiento de todas las condiciones establecidas en la Directiva de Retorno compete hacerla caso por caso a las autoridades nacionales (a saber, los órganos jurisdiccionales nacionales).

Es fundamental para mejorar la integración de los inmigrantes contar con medidas de integración efectivas. La Comisión apoya las medidas de los Estados miembros que fomentan la integración de nacionales de terceros países y asimismo vigila los avances de los Estados miembros para mejorar la integración de los gitanos dentro del Marco Europeo de Estrategias Nacionales de Integración de los Gitanos. La Comisión está comprometida con la lucha contra toda forma de discriminación, racismo y xenofobia a través del acervo jurídico que garantiza los derechos de los inmigrantes, y previene la discriminación mediante un discurso más positivo sobre migración e integración y a través de la Decisión Marco del Consejo relativa a la lucha contra determinadas formas y manifestaciones de racismo y xenofobia ⁽²⁾.

⁽¹⁾ Directiva 2008/115/CE del Parlamento Europeo y del Consejo, de 16 de diciembre de 2008, relativa a normas y procedimientos comunes en los Estados miembros para el retorno de los nacionales de terceros países en situación irregular, DO L 348 de 24.12.2008.

⁽²⁾ Decisión Marco 2008/913/JAI del Consejo, de 28 de noviembre de 2008, relativa a la lucha contra determinadas formas y manifestaciones de racismo y xenofobia mediante el Derecho penal, DO L 328 de 6.12.2008.

(English version)

**Question for written answer E-012757/13
to the Commission**

Raül Romeva i Rueda (Verts/ALE)

(11 November 2013)

Subject: Halting the institutionalisation of racism in Europe

In Greece, neo-Nazi parliament members have been charged with murder; in France, the expulsion of Romanian and Bulgarian Roma continues; in Hungary, homeless people are punished with imprisonment; and in Norway, the Government has allied itself with a xenophobic party in which the perpetrator of the Oslo massacre was an activist. Extreme right-wing populism is taking root in Europe and the EU. Racism and xenophobia are becoming institutionalised. This is illustrated by the case of Leonarda Dibrani, the 15-year-old girl of Kosovar origin who lived in Pontarlier (France). She was detained while on a trip to Sochaux and was expelled from the country along with her family.

In addition to this attack on the freedom of movement of persons (Article 3(2) of the Treaty on European Union (TEU)), and on the right not to be discriminated against on grounds of race or ethnic or social origin (Article 21 of the Charter of Fundamental Rights), there is a situation that, although not visible, is no less important: the violation of the rights of the child (Article 3(3) of the TEU and Article 24 of the Charter of Fundamental Rights), an issue on which Member States made a binding commitment by ratifying the United Nations Convention on the Rights of the Child. Moreover, on 15 February 2011, the Commission announced 11 concrete steps to make progress towards a European Union strategy on the Rights of the Child, paying particular attention to children in the context of measures adopted by Member States in favour of Roma integration (COM(2011)0060, p. 11).

Does the Commission believe that the expulsion of Leonarda Dibrani violates the Convention on the Rights of the Child and the EU Treaties? How will the Commission respond to this situation? What interstate integration strategies are under way to promote the inclusion of migrant children in the various Member States? Will the Commission impose sanctions on France or intervene in cases like that of Leonarda, where there is a clear violation of child rights related to the freedom of movement of European citizens? How will the Commission combat the institutionalisation of racist and xenophobic actions?

Answer given by Ms Malmström on behalf of the Commission

(13 January 2014)

The EU Agenda for the Rights of the Child reaffirms the Commission's commitment to ensure the protection and promotion of children's rights in all actions of the EU in accordance with international standards as defined by the UN Convention on the Rights of the Child.

Against this background, the Return Directive ⁽¹⁾ provides important safeguards prior to the return of anyone to a third country and its Article 5 expressly obliges Member States to take account of the best interests of the child when implementing the directive, in line with the Convention on the Rights of the Child and the EU treaties. However, none of these rules imply that returning a minor in an irregular situation to a third country is per se incompatible with Union law and in any case such decision does not violate the right of free movement given that irregular migrants do not enjoy this right. The assessment of whether all the conditions set out in the Return Directive are fulfilled must be carried out on a case-by-case basis by national authorities (i.e. national courts).

Effective integration measures are vital to enhance migrants' inclusion. The Commission supports Member States' measures promoting the integration of third-country nationals. The Commission monitors Member States' progress to improve Roma integration within the EU Framework for National Roma Integration Strategies. The Commission is committed to combating all forms of discrimination, racism and xenophobia, through the legal *acquis* granting migrants rights and preventing discrimination, through a more positive discourse on migration and integration, and through the Council Framework Decision on combating certain forms and expressions of racism and xenophobia ⁽²⁾.

⁽¹⁾ Directive 2008/115/EC of Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, OJ L 348, 24.12.2008.

⁽²⁾ Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, OJ L 328, 6.12.2008.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012759/13
a la Comisión**

Raül Romeva i Rueda (Verts/ALE)

(11 de noviembre de 2013)

Asunto: Discriminación laboral por razón de género

El Tribunal Constitucional español ha dictado, con 5 votos particulares de 11, una polémica sentencia respecto de la discriminación por razón de género en un caso en que la demandante se encontraba embarazada en el momento de la rescisión del contrato. En dicha sentencia se aplica de forma restrictiva el artículo 55 del Estatuto de los Trabajadores en lo que se refiere a la protección reforzada que otorga a las embarazadas. La sentencia no contempla la aplicación de dicho artículo en los períodos de prueba, al entender la rescisión como un desistimiento empresarial por extinción del contrato en el período de prueba y no como un despido. Pese a ello, el Tribunal Constitucional afirma que el embarazo, aunque no sea conocido por la empresa, es causa objetiva de nulidad en caso de despido.

Las cifras del Índice de la Igualdad de Género de la UE muestran cómo el ámbito del trabajo aún presenta muchas desigualdades por solventar y genera una mayor dependencia económica en la mujer, vista la precariedad laboral, la segregación y su menor participación en el mercado laboral español. Los datos de contratación del Ministerio de Trabajo sobre los contratos de apoyo a emprendedores, que cuentan con un periodo de prueba de hasta un año desde la reforma laboral del Gobierno español, muestran que se han formalizado 131 677 contratos de apoyo a emprendedores para el fomento del empleo fijo en las PYME, entre ellos, 51 664 firmados por mujeres. El aumento de este período de prueba, que queda desprovisto de la cobertura del artículo 55, y las desigualdades ya existentes no hacen sino aumentar la indefensión y la vulnerabilidad de las mujeres en el mercado laboral. Además, no existe razón lógica para proteger más el despido mediante el desistimiento empresarial durante el período de prueba, ya que ambos suponen la extinción de una relación laboral. En ese sentido, la Sala Social del Tribunal Supremo estableció en 2011 que cualquier perjuicio laboral derivado del embarazo y la baja por maternidad constituye una discriminación directa por razón de sexo.

1. ¿Piensa la Comisión que España está retrocediendo en materia de derechos laborales de las mujeres con esta sentencia?
2. ¿Cómo valora la Comisión la aplicación en España de la Directiva 2006/54/CE, de 5 de julio de 2006, relativa a la aplicación del principio de igualdad de oportunidades e igualdad de trato entre hombres y mujeres en asuntos de empleo y ocupación?
3. ¿En qué medidas debería hacer España más hincapié para conseguir la igualdad?

Respuesta de la Sra. Reding en nombre de la Comisión

(17 de enero de 2014)

El artículo 10 de la Directiva 92/85/CEE ⁽¹⁾ prohíbe el despido de las mujeres embarazadas desde el comienzo de su embarazo y hasta el final del permiso de maternidad, «salvo en los casos excepcionales no inherentes a su estado admitidos por la legislación nacional».

El final de una relación laboral durante un período de prueba por razones vinculadas al rendimiento puede considerarse uno de estos casos excepcionales. En esta situación una trabajadora embarazada está protegida contra el despido por el artículo 2 de la Directiva 2006/54/CE ⁽²⁾ que prohíbe toda discriminación directa o indirecta basada en el sexo de una persona, incluido el trato menos favorable dispensado a una mujer en relación con su embarazo o su permiso de maternidad.

Ambas disposiciones de la legislación de la UE se han transpuesto correctamente en España, en particular, mediante el artículo 55, apartado 5, y el artículo 17, del Estatuto de los trabajadores ⁽³⁾. La sentencia del Tribunal Constitucional, de 22 de octubre de 2013, no pone en cuestión esta valoración, dado que el Tribunal sentenció que no había pruebas de la existencia de discriminación por razones de sexo.

⁽¹⁾ Directiva 92/85/CEE del Consejo, de 19 de octubre de 1992, relativa a la aplicación de medidas para promover la mejora de la seguridad y de la salud en el trabajo de la trabajadora embarazada, que haya dado a luz o en periodo de lactancia (décima Directiva específica con arreglo al artículo 16, apartado 1, de la Directiva 89/391/CEE), DO L 348/1 de 28.11. 1992).

⁽²⁾ Directiva 2006/54/CE del Parlamento Europeo y del Consejo, de 5 de julio de 2006, relativa a la aplicación del principio de igualdad de oportunidades e igualdad de trato entre hombres y mujeres en asuntos de empleo y ocupación (refundición), DO L 204/23 de 26.7.2006.

⁽³⁾ Estatuto de los Trabajadores, aprobado mediante Real Decreto Legislativo 1/1995, de 24 de marzo de 1995, en su versión modificada.

En 2013, en el marco del Semestre Europeo, el Consejo Europeo aprobó una recomendación específica por país (RSE) dirigida a España ⁽⁴⁾ propuestas por la Comisión para aumentar la eficiencia y la eficacia de los servicios de apoyo a la familia. En el informe ⁽⁵⁾ que acompaña a las mencionada recomendación, la Comisión identificaba como elementos específicos para España la baja tasa de empleo femenino (54,1 % en 2012), que se ve afectada por la escasez de guarderías y servicios de cuidados de larga duración; consideraciones de tipo fiscal para la segunda persona que contribuye a los ingresos familiares; el trabajo a tiempo parcial involuntario que impide a determinadas mujeres en concreto adquirir unos derechos de pensión adecuados; y la necesidad de reforzar las políticas del mercado laboral para mejorar las competencias de los desempleados, prestando una atención especial a algunos grupos como las mujeres.

⁽⁴⁾ COM(2013) 359 final.

⁽⁵⁾ SWD(2013) 359 final.

(English version)

**Question for written answer E-012759/13
to the Commission**

Raül Romeva i Rueda (Verts/ALE)

(11 November 2013)

Subject: Gender-based employment discrimination

The Spanish Constitutional Court has issued, by 11 votes to five, a controversial ruling concerning gender discrimination in a case where the plaintiff was pregnant when her employment contract was terminated. The court's judgment applies Article 55 of the Statute of Workers' Rights in a restrictive manner with regard to the increased protection given to pregnant women. The ruling does not provide for the application of that article during probationary periods as it interprets such terminations of contract as a decision by the employer taken during a probationary period, rather than a dismissal. The Constitutional Court nevertheless states that pregnancy, even though a company might not be aware of it, constitutes an objective ground for revocation of dismissal.

Figures from the EU Gender Equality Index show that the workplace still has numerous inequalities that need to be resolved and causes greater economic dependence for women, given their job insecurity, segregation and reduced participation in the Spanish labour market. Recruitment data from the Ministry of Labour concerning so-called business support contracts — in which, since the Spanish Government's labour reform, workers have a probationary period lasting up to one year — show that 131 677 such contracts have been drawn up with a view to promoting permanent employment in SMEs; these include 51 664 contracts signed by women. The increased duration of this probationary period, which is not covered by Article 55, and the already existing inequalities do nothing but increase the helplessness and vulnerability of women in the labour market. Moreover, there is no logical reason to grant further legal protection for employers who dismiss staff during probationary periods, since, in any case, it is an employment relationship which is about to come to an end. In this regard, in 2011 the Social Chamber of the Supreme Court ruled that any work-related loss resulting from pregnancy and maternity leave constituted direct gender-based discrimination.

1. Does the Commission think that Spain is moving backwards in terms of employment rights for women with this ruling?
2. How does the Commission view the implementation in Spain of Directive 2006/54/EC of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation?
3. What measures should Spain take to place more emphasis on achieving equality?

Answer given by Mrs Reding on behalf of the Commission

(17 January 2014)

Article 10 of Directive 92/85/EEC ⁽¹⁾ prohibits the dismissal of pregnant women from the beginning of their pregnancy to the end of maternity leave, 'save in exceptional cases not connected with their condition which are permitted under national legislation'.

The end of an employment relationship during a probationary period for performance-related reasons may be considered as one of these exceptional cases. In this situation a pregnant worker is protected against dismissal by Article 2 of Directive 2006/54/EC ⁽²⁾ which prohibits direct and indirect discrimination based on the sex of a person, including any less favourable treatment of a woman related to pregnancy or maternity leave.

Both provisions of EC law were correctly transposed in Spain notably by Article 55, paragraph 5 of the *Estatuto de los Trabajadores* ⁽³⁾ and by its Article 17, respectively. The judgment of the Constitutional Court of 22 October 2013 does not put this assessment into question, as the Court ruled that there was no evidence of sex based discrimination.

In 2013, in the framework of the European Semester, the European Council endorsed a Country Specific Recommendation (CSR) to Spain ⁽⁴⁾ proposed by the Commission to increase efficiency and effectiveness of family support services. In the report ⁽⁵⁾ accompanying the CSRs, the Commission identifies as specific issues for Spain the low female employment rate (54.1% in 2012) which is affected by the affordability of childcare and long-term care services; tax considerations for second earners; the involuntary part-time work preventing particularly women from building adequate pension rights; and the need to reinforce Labour Market Policies to upgrade skills of the unemployed, paying special attention to some groups like women.

⁽¹⁾ Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC), OJ L 348/1, of 28.11.1992.

⁽²⁾ Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) OJ L 204/23, of 26.7.2006.

⁽³⁾ Statute of Workers' Rights, adopted by the Real Decreto Legislativo 1.1995, of 24 March 1995, as later amended.

⁽⁴⁾ COM(2013) 359 final.

⁽⁵⁾ SWD(2013) 359 final.

(Ελληνική έκδοση)

Ερώτηση με αίτημα γραπτής απάντησης E-012762/13
προς την Επιτροπή
Antigoni Papadopoulou (S&D)
(11 Νοεμβρίου 2013)

Θέμα: Ηλεκτρονική διακίνηση παιδικής πορνογραφίας

Η ηλεκτρονική διακίνηση υλικού παιδικής πορνογραφίας βρίσκεται σε έξαρση σήμερα καθώς επίσης και η ύπαρξη σχετικών παράνομων ιστοτόπων.

Είναι σε θέση η Επιτροπή να προβεί σε συγκριτική αξιολόγηση ανάμεσα στα κράτη μέλη της ΕΕ και να με ενημερώσει σχετικά;

1. υπάρχει σ' όλα τα κράτη μέλη σχετική νομοθεσία για πάταξη της διακίνησης αυτού του υλικού;
2. υπάρχει ενιαίος ευρωπαϊκός φορέας παρακολούθησης, ανταλλαγής καλών πρακτικών και συντονισμού για την όσο το δυνατό καλύτερη εφαρμογή της νομοθεσίας για πρόληψη και καταστολή του φαινομένου;
3. υπάρχουν συγκεκριμένα ευρωπαϊκά προγράμματα για ανάπτυξη ειδικών φίλτρων που θα παρεμποδίζουν την πρόσβαση ανηλίκων χρηστών σε παράνομους ιστότοπους;
4. τι έχει κάνει στην πράξη ώστε οι πάροχοι υπηρεσιών διαδικτύου και άλλοι βασικοί φορείς του ιδιωτικού τομέα να συνεργάζονται για καταπολέμηση της παιδικής πορνογραφίας σ' όλους τους τομείς;

Απάντηση της κ. Malmström εξ ονόματος της Επιτροπής
(29 Ιανουαρίου 2014)

Η οδηγία για τη σεξουαλική εκμετάλλευση των παιδιών ⁽¹⁾ προβλέπει την προσέγγιση της νομοθεσίας των κρατών μελών για την πάταξη ιδίως των διαφορετικών κατηγοριών αδικημάτων. Ποινικοποιεί και ορίζει ελάχιστες ποινές για την απόκτηση, την κατοχή, την πρόσβαση, τη διανομή, τη διάδοση, τη διάθεση και την παραγωγή υλικού παιδικής πορνογραφίας. Τα κράτη μέλη υποχρεούνται να δημιουργούν ερευνητικές μονάδες για την ταυτοποίηση ανήλικων θυμάτων. Οφείλουν επίσης να διασφαλίζουν την κατάργηση ιστοτόπων που περιέχουν παιδική πορνογραφία και φιλοξενούνται στο έδαφός τους, και να προσπαθούν να εξασφαλίζουν την κατάργηση τέτοιου είδους σελίδων που φιλοξενούνται εκτός του εδάφους τους. Τα κράτη μέλη δύνανται επίσης να λαμβάνουν μέτρα για τη φραγή της πρόσβασης σε ιστοσελίδες που διαδίδουν παιδική πορνογραφία στους χρήστες του Διαδικτύου στην επικράτειά τους, υπό την προϋπόθεση ότι ακολουθούν διαφανείς διαδικασίες και παρέχουν επαρκείς εγγυήσεις.

Η καταπολέμηση της σεξουαλικής εκμετάλλευσης παιδιών στο Διαδίκτυο αποτελεί μια από τις προτεραιότητες του ευρωπαϊκού κέντρου για εγκλήματα στον κυβερνοχώρο της Ευρώπης, την οποία επιδιώκει αναπτύσσοντας επιχειρησιακή και αναλυτική ικανότητα για έρευνες και συνεργασία με διεθνείς εταιρίες.

Το πρόγραμμα «Ασφαλέστερο Διαδίκτυο» διαχειρίζεται κύκλους δοκιμών για την αξιολόγηση της αποτελεσματικότητας τεχνολογιών φίλτρου για ανηλίκους που διατίθενται στην αγορά ⁽²⁾.

Η συνεργασία δημόσιου και ιδιωτικού τομέα σε διεθνές επίπεδο είναι ζωτικής σημασίας για την πάταξη των εγκλημάτων αυτών. Το διεθνές δίκτυο ανοιχτών γραμμών επικοινωνίας INHOPE αποτελεί τον ακρογωνιαίο λίθο για την ανίχνευση και την αφαίρεση υλικού σεξουαλικής κακοποίησης παιδιών από το διαδίκτυο ⁽³⁾. Η Επιτροπή στήριξε την εγκαίνιαση της παγκόσμιας συμμαχίας κατά της σεξουαλικής εκμετάλλευσης παιδιών στο διαδίκτυο, στο πλαίσιο της οποίας 52 χώρες δεσμεύτηκαν να ενθαρρύνουν ιδίως τη συμμετοχή του ιδιωτικού τομέα στις προσπάθειες για τον εντοπισμό και την απομάκρυνση γνωστού υλικού παιδικής πορνογραφίας στο εκάστοτε κράτος, μέσω της μεγαλύτερης δυνατής αύξησης, μεταξύ άλλων, των ελέγχων των δεδομένων του συστήματος για τον εντοπισμό εικόνων παιδικής πορνογραφίας.

⁽¹⁾ Οδηγία 2011/93/ΕΕ του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου, της 13ης Δεκεμβρίου 2011, σχετικά με την καταπολέμηση της σεξουαλικής κακοποίησης και της σεξουαλικής εκμετάλλευσης παιδιών και της παιδικής πορνογραφίας και την αντικατάσταση της απόφασης-πλαίσιο 2004/68/ΔΕΥ του Συμβουλίου· ΕΕ L 335 της 17.12.2011, σ. 1-14.

⁽²⁾ Έργα αναφοράς SIP με την υποστήριξη του προγράμματος «Ασφαλέστερο Διαδίκτυο». Ο τρέχων τρίτος κύκλος έργων θα ολοκληρωθεί εντός του 2014.
<http://sipbench.eu/news.cfm/key.3451/aus.3>

⁽³⁾ <http://www.inhope.org>

(English version)

**Question for written answer E-012762/13
to the Commission
Antigoni Papadopoulou (S&D)
(11 November 2013)**

Subject: Electronic distribution of child pornography

The electronic distribution of child pornography is on the rise today, along with the number of related illegal websites.

Can the Commission carry out a comparative assessment between EU Member States and provide the following information:

1. Is there relevant legislation in all Member States for combating the distribution of this material?
2. Is there a single European body for monitoring, sharing good practices and coordinating for the best possible implementation of legislation on the prevention and suppression of this phenomenon?
3. Are there any specific European programmes for the development of special filters that would prevent underage users from accessing illegal websites?
4. What practical steps has it taken to ensure that the Internet service providers and other basic private sector bodies cooperate to combat child pornography in all sectors?

**Answer given by Ms Malmström on behalf of the Commission
(29 January 2014)**

The Child Sexual Exploitation Directive ⁽¹⁾ approximates national legislation to tackle, in particular, different forms of offences. It criminalises and sets minimum levels of penalties for acquisition, possession, access to, distribution and dissemination, making available and production of child pornography. Member States are also required to set up investigative units to identify child victims. They need to ensure prompt removal of webpages containing child pornography hosted in their territory, endeavour to obtain the removal of pages hosted outside, and may block access to webpages disseminating it toward their territory, subject to transparent procedures and adequate safeguards.

The European Cybercrime Centre at Europol has included the fight against online child sexual exploitation as one of its priorities, to be carried out through building operational and analytical capacity for investigations and cooperation with international partners.

The Safer Internet Programme is running test cycles which assess the efficiency of filter technologies for minors available on the market ⁽²⁾.

Public-private cooperation at international level is essential to tackle these crimes. The INHOPE global network of hotlines is a cornerstone for detecting and removing child abuse content from the Internet ⁽³⁾. The Commission has supported the launch of the Global Alliance against child sexual abuse online, whereby 52 countries have committed in particular to encourage participation by the private sector in identifying and removing known child pornography material located in the relevant state, including by increasing as much as possible the volume of system data examined for child pornography images.

⁽¹⁾ Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA; OJ L 335, 17.12.2011, p.1-14.

⁽²⁾ SIP Benchmark projects, supported by the Safer Internet Programme. The current 3rd project cycle will end in 2014. <http://sipbench.eu/news.cfm/key.3451/aus.3>

⁽³⁾ <http://www.inhope.org>

(Versione italiana)

Interrogazione con richiesta di risposta scritta E-012774/13

alla Commissione

Mario Borghezio (NI)

(12 novembre 2013)

Oggetto: Trattative UE — Turchia sui visti «per periodi limitati»

Si apprende che, contemporaneamente alla firma dell'accordo di riammissione fra UE e Turchia — il quale prevede che sia gli immigrati clandestini di cittadinanza turca sia quelli provenienti da paesi terzi ed entrati illegalmente nell'Unione attraverso la frontiera turca vengano riaccettati da Ankara nel suo territorio, qualora vengano espulsi dall'Unione —, l'Unione europea riprenderà il dialogo con la stessa Turchia sui visti, per concedere la possibilità di facilitare l'accesso dei cittadini turchi nell'area di Schengen per periodi limitati.

Può la Commissione specificare cosa si intende esattamente con l'espressione «per periodi limitati» e se tali periodi limitati potranno trasformarsi in periodi permanenti?

Può altresì indicare quali categorie di cittadini potranno usufruire di tali visti «per periodi limitati»?

Risposta di Cecilia Malmström a nome della Commissione

(3 febbraio 2014)

Il 16 dicembre 2013 la Commissione europea e la Turchia hanno firmato un accordo di riammissione UE-Turchia e, parallelamente, hanno avviato il dialogo sulla liberalizzazione dei visti.

In linea con le conclusioni del Consiglio del 21 giugno 2012 «sullo sviluppo della cooperazione con la Turchia nei settori della giustizia e degli affari interni», l'obiettivo finale di questo dialogo è l'abolizione, per tutti i cittadini turchi, dell'obbligo del visto per spostarsi nello spazio Schengen per soggiorni di breve durata (vale a dire per soggiorni non superiori a 90 giorni su un periodo di 180 giorni).

Questo risultato non sarà conseguito finché la Commissione non deciderà che, sulla base dei progressi che devono essere compiuti dalla Turchia rispetto a una serie di parametri di riferimento, è opportuno presentare una proposta per abolire l'obbligo del visto, e finché il Parlamento europeo e il Consiglio non avranno raggiunto un accordo su tale proposta.

(English version)

Question for written answer E-012774/13
to the Commission
Mario Borghezio (NI)
(12 November 2013)

Subject: EU-Turkey negotiations on visas 'for limited periods'

It has emerged that, at the same time as signing the EU-Turkey readmission agreement — under which illegal immigrants of Turkish nationality and third-country nationals who illegally enter the EU via the Turkish border will be readmitted by Ankara if they are expelled by the EU — the European Union is to reopen visa negotiations with Turkey in order to make it easier for Turkish citizens to enter the Schengen area for limited periods.

Can the Commission specify exactly what is meant by the expression 'for limited periods' and whether these limited periods may become permanent?

Can it also say what categories of citizens will be eligible to receive these visas 'for limited periods'?

Answer given by Ms Malmström on behalf of the Commission
(3 February 2014)

On 16 December 2013, the European Commission and Turkey signed the EU-Turkey readmission agreement and, in parallel, started the visa liberalisation dialogue.

In line with the conclusions of the Council of 21 June 2012 'on developing cooperation with Turkey in the areas of Justice and Home Affairs', the final objective of this dialogue is the lifting, for all Turkish citizens, of the obligation to obtain visas in order to be authorised to travel to the Schengen area for short stays (i.e. for stays of no more than 90 days in any 180 day period).

This result will not be achieved until the Commission decides that, on the basis of the progress to be made by Turkey against a number of benchmarks, it is appropriate to present a proposal to lift the visa obligation and the European Parliament and the Council have agreed on that proposal.

(Versão portuguesa)

Pergunta com pedido de resposta escrita E-012776/13

à Comissão

Ana Gomes (S&D)

(12 de novembro de 2013)

Assunto: Contrapartidas em contratos de defesa — o caso dos submarinos em Portugal

A Comissão Europeia, na comunicação de encerramento da denúncia 1712/11/MARK, informou que tem conhecimento dos projetos a concretizar no âmbito da renegociação do contrato das contrapartidas de 2012 associado à compra de dois submarinos por parte do Estado português ao consórcio alemão MAN/Ferrostaal — o investimento num resort de luxo e na companhia Koch Portugal. De acordo com a «Guidance Note — Offsets» publicada no sítio web da Comissão, a realização de contrapartidas associada à compra/venda de equipamento de defesa é, em princípio, proibida nos termos do direito europeu, só sendo admissível no âmbito do artigo 346.º do Tratado sobre o Funcionamento da União Europeia (TFUE), que impõe ao Estado-Membro uma justificação concreta para a celebração deste tipo de contratos com base num «interesse de segurança essencial», o qual deve ser interpretado restritivamente, com vista a assegurar a conformidade do novo contrato com o direito primário europeu e a legislação secundária, nomeadamente a Diretiva 2009/81/EC, transposta para o ordenamento interno português pelo DL 104/2011, de 6 de outubro.

1. Forneceu o Estado português essa justificação à Comissão?
2. Se não, considera a Comissão aceitável que o Estado português tenha renegociado o contrato de contrapartidas em 2012 sem ter, mais uma vez, acautelado as regras do mercado interno, que só admitem a conclusão destes contratos no âmbito excecional do artigo 346.º do TFUE?
3. Tendo em conta as informações fornecidas, considera a Comissão que investimentos em unidades hoteleiras de luxo e empresas de energias renováveis consubstanciam, na aceção do artigo 346.º do TFUE, um «interesse de segurança essencial»?
4. Considera a Comissão aceitável que o novo contrato das contrapartidas não tenha sido publicado, nem me tenha sido fornecido em resposta ao meu pedido escrito, sem que haja, por parte do governo português, qualquer justificação que legitime tal opacidade, numa questão de óbvio interesse público?

Resposta dada pelo Comissário Michel Barnier em nome da Comissão

(28 de janeiro de 2014)

A pergunta da Senhora Deputada faz referência a uma investigação levada a cabo pela Comissão com as autoridades portuguesas. A Comissão decidiu, em 7 de novembro de 2013, encerrar a presente investigação alegando, nomeadamente, que as autoridades portuguesas tinham corrigido as suas práticas através da transposição para o ordenamento jurídico interno a Diretiva n.º 2009/81/CE relativa à coordenação dos processos de adjudicação de determinados contratos de empreitada, contratos de fornecimento e contratos de serviços por autoridades ou entidades adjudicantes nos domínios da defesa e da segurança e através da revogação de qualquer ato legislativo que autorize a conclusão dos contratos de compensação (Decreto-Lei n.º 154/2006 de 7 de agosto).

A Comissão fornecerá à Senhora Deputada uma resposta circunstanciada à sua pergunta que constará da resposta à sua carta dirigida ao Presidente Barroso.

Sobre as decisões do governo português no que respeita aos pedidos que tenham sido apresentados pela Senhora Deputada, a Comissão considera que se trata de uma questão da competência exclusiva das autoridades nacionais competentes.

(English version)

Question for written answer E-012776/13
to the Commission
Ana Gomes (S&D)
(12 November 2013)

Subject: Offsets in defence contracts — the case of submarines in Portugal

The Commission, in the communication closing complaint 1712/11/MARK, stated that it was aware of the projects to be delivered under the scope of the 2012 renegotiation of the offsets contract associated with the purchase of two submarines by the Portuguese Government from the German consortium MAN/Ferrostaal — investment in a luxury resort and in the company Koch Portugal. According to the 'Guidance Note — Offsets' document published on the Commission website, establishing offsets associated with the purchase/sale of defence equipment is, in theory, prohibited under EC law, and is only admissible under article 346 of the Treaty on the Functioning of the European Union (TFEU), which gives Member States a specific justification to sign contracts of this type on the basis of an 'essential security interest', which must be closely interpreted, with the aim of ensuring the new contract complies with primary EC law and secondary legislation, specifically Directive 2009/81/EC, transposed into national Portuguese law through DL 104/2011, of 6 October.

1. Has the Portuguese Government given this justification to the Commission?
2. If not, does the Commission believe it is acceptable that the Portuguese Government renegotiated the offsets contract in 2012 without, once again, complying with national market rules, which only allow these contracts to be signed in the scope of the derogation under article 346 of the TFEU?
3. Given the information provided, does the Commission believe that investments in luxury hotel units and renewable energy companies constitute, an 'essential security interest' under article 346 of the TFUE?
4. Does the Commission find it acceptable that the new offsets contract has not been published, nor supplied to me in response to my written request, without the Portuguese Government providing any justification to legitimise such lack of transparency in a question of obvious public interest?

Answer given by Mr Barnier on behalf of the Commission
(28 January 2014)

The Honourable Member's questions refer to an investigation conducted by the Commission with the Portuguese authorities. The Commission decided, on 7 November 2013, to close this investigation on the grounds, *inter alia*, that the Portuguese authorities had corrected their practice by transposing into national law Directive 2009/81/EC on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security and by repealing the law which allowed for the conclusion of offset contracts (Decree-law n° 154/2006 of 7 August).

The Commission will provide the Honourable Member with a detailed reply to her questions in response to her letter addressed to President Barroso.

On the decisions of the Portuguese Government with regard to the requests which have been submitted by the Honourable Member the Commission considers that this is a matter solely for the national authorities concerned.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012778/13
a la Comisión**

Francisco Sosa Wagner (NI)

(12 de noviembre de 2013)

Asunto: El derecho a decidir: desigualdad ciudadana y fragmentación de Europa

La actualidad política española lleva tiempo marcada por el proyecto que el Gobierno catalán intenta poner en marcha: la materialización del llamado *derecho a decidir* en una consulta soberanista. Una consulta de este tipo haría posible que una parte del pueblo español, el catalán, decidiera sobre la organización territorial de España, concretamente sobre la secesión de una parte de su territorio, Cataluña.

El *derecho a decidir* es un concepto político «creado» para reclamar una consulta en la que solo un grupo de ciudadanos decidirá sobre la organización territorial de un país. Acceder a una pretensión como esta daría lugar a la diferenciación entre dos categorías ciudadanas y a situar un colectivo por encima del resto sin justificación alguna. El Tribunal Constitucional español se pronunció en contra de este tipo de consultas en 2008 con motivo de la aprobación de una ley sobre este tema por el Parlamento Vasco y, recientemente, al suspender cautelarmente la «Declaración de soberanía y del derecho a decidir del pueblo de Cataluña».

El artículo 2 del Tratado de la Unión Europea recoge una serie de valores comunes a todos los Estados miembros entre los que se encuentra el respeto al Estado de Derecho. El hecho de que el Tribunal Constitucional de uno de ellos se haya pronunciado en contra y de manera firme sobre la celebración de una consulta de este tipo y haya suspendido cautelarmente la planteada por Cataluña hace pensar que el Estado de Derecho en España puede sufrir alguna quiebra.

Por todo lo expuesto, pregunto a la Comisión:

1. En el marco de los contactos mantenidos recientemente con miembros del Gobierno catalán, ¿ha sido informada la Comisión sobre la intención de dicho Gobierno de llevar a cabo una consulta soberanista? ¿Le ha recordado la Comisión al Gobierno catalán que, si una parte del territorio de un Estado miembro dejase de ser parte de ese Estado para convertirse en uno nuevo e independiente, los Tratados dejarían de ser aplicables en ese territorio, el cual pasaría por tanto a ser considerado como un tercer país con respecto a la UE?
2. ¿Dispone la Unión Europea de algún tipo de mecanismo para constatar la existencia de un riesgo claro de violación del respeto del Estado de Derecho en España, en cuanto valor común a todos los Estados miembros?

Respuesta del Sr. Barroso en nombre de la Comisión

(17 de enero de 2014)

La Comisión remite a Su Señoría a sus respuestas a las preguntas parlamentarias E-008133/2012, P-009756/2012 y P-009862/2012.

(English version)

**Question for written answer E-012778/13
to the Commission**

Francisco Sosa Wagner (NI)

(12 November 2013)

Subject: The right to decide: inequality between citizens and the fragmentation of Europe

Politics in Spain has been marked for some time by the Catalanian Government's plan to use the 'right to decide' principle as the basis for launching a consultation on sovereignty. A consultation of this kind would make it possible for one section of the Spanish population, i.e. Catalans, to determine Spain's territorial organisation, specifically whether one part of the country's territory, Catalonia, secedes from the rest of Spain.

'Right to decide' is a political concept which was 'created' as the basis for securing consultations in which the organisation of a country's territory would be determined by one group of citizens. Allowing a consultation of this kind would lead to inequality between two categories of citizens and would place one group above the rest without any justification. Spain's Constitutional Court ruled against these types of consultations in 2008, in response to the Basque Parliament's adoption of a law on the subject, and recently provisionally suspended the 'Declaration of Sovereignty and the Right to Decide of the People of Catalonia'.

Article 2 of the Treaty on European Union lists a number of values, including respect for rule of law, which are shared by all the Member States. The fact that the Constitutional Court of a Member State has ruled resolutely against a consultation of the aforementioned type and has provisionally suspended the consultation envisaged by Catalonia indicates that rule of law in Spain may be under threat.

1. In its recent dialogue with members of the Catalanian Government, has the Commission been informed of the government's intention to carry out a consultation on the region's sovereignty? Has it reminded the Catalanian Government that, if part of the territory of a Member State ceases to remain part of that State and becomes a new, independent territory, the Treaties will cease to apply to that territory, which will then be considered a third country as far as its relations with the EU are concerned?
2. Does the Union have any means of determining whether rule of law, a value shared by all the Member States, is genuinely under threat in Spain?

Answer given by Mr Barroso on behalf of the Commission

(17 January 2014)

The Commission refers the Honourable Member to its replies to parliamentary questions E-008133/2012, P-009756/2012, and P-009862/2012.

(Versión española)

**Pregunta con solicitud de respuesta escrita E-012779/13
a la Comisión**

Francisco Sosa Wagner (NI)

(12 de noviembre de 2013)

Asunto: Soterramiento de la línea AVE en Murcia

Parte de las obras de la Línea de Alta Velocidad Madrid-Castilla la Mancha-Comunidad Valenciana-Región de Murcia, incluido el acceso ferroviario a la ciudad de Murcia, se encuentran cofinanciadas a través de los fondos FEDER. Para el caso de la Región de Murcia, esta financiación ha consistido en 28,5 millones de euros para las obras de la plataforma y la vía de acceso a la ciudad de Murcia y 67,6 millones de euros para la plataforma, suministro, montaje de la vía y las instalaciones. De forma paralela, se estableció un protocolo de colaboración entre las tres administraciones —nacional, regional y local— que sería publicado en el BORM el 21 de julio de 2006 y que desarrolla las actuaciones necesarias para la remodelación de la red arterial ferroviaria de la ciudad de Murcia.

El Protocolo 2006 establecía la integración urbana del ferrocarril en la ciudad de Murcia a través del soterramiento de sus vías, con la paralela construcción de una estación intermodal. El soterramiento conllevaría otra serie de acciones tales como la revitalización de los barrios del entorno catalogados como vulnerables, la creación de una estación intermodal que permitiría la llegada del tranvía al sur de la ciudad y la construcción de una nueva estación de autobuses. De este modo, se daría debido cumplimiento al Reglamento (CE) n° 1083/2006, de 11 de julio de 2006, por el que se establecen las disposiciones generales relativas al Fondo Europeo de Desarrollo Regional, al Fondo Social Europeo y al Fondo de Cohesión y que establece la importancia de un desarrollo urbano sostenible.

Todas estas cuestiones estuvieron presentes en la modificación del Plan General de Ordenación Urbana de la Estación del Carmen (PGOU) de 2009. Sin embargo, a pesar de lo regulado en el Reglamento FEDER y en el Protocolo de 2006 y de la oposición de vecinos, el 12 de julio de 2012 el Ministerio de Fomento decidió paralizar la obra.

Por todo ello, me permito preguntar a esta Comisión:

¿Qué acciones piensa tomar la Comisión para que el Corredor Mediterráneo y las Líneas de Alta Velocidad relacionadas no generen un problema urbanístico y social, dándose debido cumplimiento a las políticas de cohesión europeas?

Respuesta del Sr. Hahn en nombre de la Comisión

(8 de enero de 2014)

La línea de Alta Velocidad de Levante (Madrid-Castilla-La Mancha-Comunidad Valenciana-Región de Murcia) ha sido cofinanciada por el Fondo Europeo de Desarrollo Regional y el Fondo de Cohesión durante el período de programación actual y el período anterior. Hasta la fecha, las autoridades españolas no han solicitado formalmente ninguna cofinanciación para el acceso a la ciudad de Murcia de la mencionada línea de ferrocarril de alta velocidad.

Con arreglo al principio de subsidiariedad, la ejecución de las intervenciones de la política de cohesión se basa en la asociación entre los Estados miembros y la Comisión. En el marco de dicha asociación, el diseño de los proyectos de infraestructuras, como la construcción de una línea ferroviaria y las decisiones sobre su trayectoria precisa son responsabilidad de las autoridades nacionales competentes. Corresponde al Estado miembro garantizar que hay un adecuado equilibrio entre los aspectos económico, social y medioambiental de los proyectos y garantizar que se respeten los requisitos reglamentarios aplicables.

En particular, la Directiva 2011/92/UE (conocida como Directiva sobre la evaluación del impacto ambiental o Directiva EIA) obliga a la realización de una evaluación del impacto ambiental en determinados proyectos públicos y privados. Gracias al procedimiento de la EIA, pueden identificarse y evaluarse las repercusiones medioambientales de los proyectos antes de que la autoridad competente los autorice. En el marco de dicho procedimiento se aplican las obligaciones derivadas del Convenio de Aarhus relativo a la participación del público.

(English version)

**Question for written answer E-012779/13
to the Commission**

Francisco Sosa Wagner (NI)

(12 November 2013)

Subject: Construction of an underground stretch of the AVE high-speed rail line in Murcia

The works to construct the Madrid-Castile-La Mancha-Valencia Region-Murcia Region high-speed railway line, including its access to the city of Murcia, are partly co-financed by European Regional Development Fund (ERDF) funds. In the case of the Murcia Region, this financing consists of EUR 28.5 million for the track bed and tracks into the city of Murcia and EUR 67.6 million for the track bed, supplies, track installation and facilities. A protocol was drawn up on cooperation between the three levels of government — national, regional and local — and was published in the Official Gazette of the Murcia Region on 21 July 2006. It discusses the actions required to remodel the city of Murcia's railway network.

The 2006 protocol established that the railway would be integrated into the city of Murcia by works to place its tracks underground, along with works to construct an intermodal station. The underground works would be associated with a series of actions, such as revitalisation of surrounding neighbourhoods classified as vulnerable, creation of an intermodal station to enable the tramline to reach the south of the city and construction of a new bus station. All of the above would result in due compliance with Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and establishing the importance of sustainable urban development.

All these issues were included in the modification of the 2009 General Urban Development Plan for El Carmen Station (PGOU). However, despite the provisions of the ERDF Regulation and the 2006 protocol, and despite opposition from local residents, on 12 July 2012 the Ministry of Development decided to suspend the works.

What action will the Commission take to ensure that the Mediterranean Corridor and associated high-speed lines do not create urban planning and social problems, duly complying with European cohesion policy?

Answer given by Mr Hahn on behalf of the Commission

(8 January 2014)

The Levante high speed railway line (Madrid-Castile-La Mancha-Valencia Region -Murcia Region) has been co-financed by the European Regional Development Fund and the Cohesion Fund during the previous and current programming periods. So far, the Spanish authorities have not formally requested any co-financing for the access to the City of Murcia of the mentioned high-speed railway line.

In accordance with the subsidiarity principle, the implementation of cohesion policy interventions is based on the partnership between the Member States and the Commission. In the framework of this partnership, the design of infrastructure projects, such as the construction of a railway line and any decisions on its precise trajectory, are the responsibility of the competent national authorities. It is up to the Member State to ensure that an appropriate balance is found between the economic, societal and environmental aspects of projects, and to ensure that applicable regulatory requirements are respected.

In particular, the directive 2011/92/EU (known as the Environmental Impact Assessment or EIA Directive) makes provisions for the carrying out of an EIA for certain public and private projects. The EIA procedure ensures that environmental consequences of projects are identified and assessed before development consent is granted by the competent authority. The obligations pursuant to the Aarhus Convention regarding public participation are applied in the framework of the EIA procedure.

