

Questions to and answers from the European Commission/Council:

Updated to February 2017

A full list of questions can also be found on the European Parliament website:-

<http://www.europarl.europa.eu/meps/en/96897/seeall.html?type=QP>

Parliamentary questions
27th February 2017
Subject – Brexit payment – JP44

The Commission has steadfastly affirmed that there shall be no Brexit negotiations before the UK notifies its intention to leave the EU under Article 50; yet senior Commission staff together with others maintain that there will be a leaving charge and some have gone so far as to quantify the amount. Any settlement due either way because of Brexit will be subject to negotiation, so will the Commission agree to apply a moratorium to all similar predictions from personnel in the Commission and others who seek to break their own rules, in attempting to forestall post Article 50 negotiations.

AWAIT ANSWER

Parliamentary questions

17th February 2017

Subject – Sudanese court ruling – JP43

Three men tried to assist an injured Sudanese student by raising money for his medical costs; he having been burned quite badly in 2013, at a disturbance in a College facility. The Sudanese authorities then claimed that the three men were acting against the state and spying. They have since been convicted and sentenced to long prison terms with the possibility of death penalties being applied.

Will the Commission request that the High Representative of the Union for Foreign Affairs and Security Policy investigate the apparently excessive sentences handed down to Reverend Hassan Abduraheem, Mr Petr Jašek and Mr Abdulmonem Abdumawla, by the Sudanese court on 29 January 2017 and seek clemency? Will the Commission also request that the EU Special Representative for Human Rights addresses this issue with the appropriate Sudanese authorities using all available influence?

AWAIT ANSWER

Parliamentary questions

17th February 2017

Subject – Carrier-Grade Network Address Translation (CGN) – JP42

Europol recently held a meeting to discuss CGN technologies that have been used by ISPs for a number of years to delay the capex required to extend the current pool of IP addresses, (CGN technologies are used by ISPs to share one single IP address among multiple subscribers at the same time).

Does the Commission agree that to restrict continued use of CGN because Europol finds it inconvenient to monitor, is a retrograde step and an unacceptable interference with current commercial practice and freedom of technological choice.

AWAIT ANSWER

Parliamentary questions

18th January 2017

Subject – Migrant workers – JP41

There are many British subjects working in the other 27 EU countries and many EU Citizens from these 27 countries working in the United Kingdom. There is uncertainty among them because of the Brexit process yet to be implemented. On purely compassionate grounds would the Commission agree that it would not in any way infringe the spirit of the Article 50 rules to agree a 'status quo' now for these workers, so they can work stress free and continue to add value to their host countries?

AWAIT ANSWER

Parliamentary questions

6th January 2017

Subject – Currency control – JP40

There are several EU Countries that are struggling to maintain control of their economies, mainly because they are unable to devalue their currency. Ultimately it will be the other EU Countries that must fund any bail-outs etc., so would the Commission agree that it would be expedient to recommend a temporary suspension of their use of the Euro to allow them to adopt a floating currency so that control of their economies can be regained and thus avoid calamitous 'defaults' in the future?

AWAIT ANSWER

Parliamentary questions

6th January 2017

Subject – Common Market focus - JP39

An increasing number of nationalist movements in EU Member states are suggesting that the EU needs to be steered away from political union and further integration. These include the NETHERLANDS; FRANCE; ITALY; AUSTRIA; GERMANY; POLAND; DENMARK; FINLAND; SWEDEN and HUNGARY. Does the Commission accept, that to maintain stability in the EU as a trading block and to recover the concept of democracy amongst European countries, political union and the creation of an EU Republic must be halted and focus on a Common Market reinstated?

E-000048/2017

**Answer given by Vice-President Katainen
on behalf of the Commission
(27.2.2017)**

The Commission has no plans for 'the creation of an EU republic'.

The Commission has set a reform programme for the mandate 2014-2019 focused around ten political priorities that address the key challenges Europe is facing. The overarching aim is to boost jobs and growth while fostering a fair and democratically legitimate European Union.

More recently, and in a more short-term perspective, in September 2016 EU Heads of State or Government agreed on the Bratislava Roadmap. That Roadmap sets out the objectives for the coming months. Those objectives relate to (i) migration and external borders, (ii) internal and external security, and (iii) economic and social development and youth. That Roadmap continues to guide EU action.

The Commission will present its views on the future of the European Union in a White Paper in time for the 60th anniversary of the Treaties which will be celebrated with a Summit on 25 March 2017 in Rome. The Rome Summit will be an important milestone in the process started in Bratislava in September 2016 and continued in Malta in February 2017.

Parliamentary questions

25th November 2016

Subject – Funding of the EU’s Military Forces - JP38

Most EU Member countries, which are also members of NATO currently fall short of the 2% of GDP commitment to spend on their military forces. Does the Commission propose that member states can additionally fund the proposed new EU force by adding to their fiscal borrowing?

14 February 2017

E-008849/2016

Answer given by Vice-President Mogherini on behalf of the Commission

Member States have one single set of forces; they have the sole responsibility to finance these forces and offer them for multinational use according to their strategic objectives. As Council Conclusions of the European Council of 15 December 2016 underlined, Member States are determined to take more responsibility for the security and protection of their citizens. This requires sufficient resources for defence expenditures.

All military capabilities in the EU are and will remain Member States' capabilities. The EU will not develop parallel, distinct capabilities. We support developing capabilities that we deem necessary to serve our actions within our level of ambition set in the EU Global Strategy — capabilities that MS of course can make available in other contexts too, such as NATO or use nationally or as part of other multinational efforts.

Parliamentary questions

22nd November 2016

Subject – Structure of EU Military Force - JP37

A flexible and capable military force must include air and maritime support; will the Commission confirm that its intention to create an EU independent military force will be so structured? Also in view of the fact that the majority of existing frontline military hardware owned by member countries is committed to NATO support and training activities will the Commission explain where the new resource is to come from?

14 February 2017

E-008826/2016

Answer given by Vice-President Mogherini on behalf of the Commission

As manifested through the Conclusions of the European Council of 15 December 2016, Member States' aspiration is to move towards greater cooperation and coordination in security and defence matters. They are determined to take more responsibility for security and protection of their citizens.

This is in line with Article 42 (2) of the Treaty on the European Union according to which the progressive framing of a common Union defence policy will lead to a common defence, if and when the European Council so decides. That said we agree that NATO remains the foundation for the collective defence for those States which are members of it. The specific character of the security and defence policy of all EU Member States will also be fully respected.

Member States (MS) have one single set of forces which they can use in different frameworks; they offer these forces for multinational use according to their strategic priorities. All military capabilities in the EU are and will remain MS' capabilities. We support developing capabilities that are necessary to serve our actions within the EU Level of Ambition set by the Council on 14 November 2016 to implement the EU Global Strategy — capabilities that MS of course can make available in other contexts too, like the UN and NATO or use nationally or as part of other multinational efforts.

Parliamentary questions

22nd November 2016

Subject – the EU’s Military - JP36

In view of the burgeoning threat from Russia’s activities around the EU borders, and the Commission’s desire to create an EU army, will the Commission state what planning, decision making process and chain of command it proposes to use when committing this force, should a military response to such aggression become necessary?

1 February 2017

E-008825/2016

Answer given by Vice-President Mogherini on behalf of the Commission

As manifested through the Conclusions of the European Council of 15 December 2016, Member States’ aspiration is to move towards greater cooperation and coordination in security and defence matters. They are determined to take more responsibility for security and protection of their citizens. This is in line with Article 42 (2) of the Treaty on the European Union according to which the progressive framing of a common Union defence policy will lead to a common defence, if and when the European Council so decides.

Parliamentary questions

16th November 2016

Subject – Russia’s Satan 2 - JP35

In view of the continued posturing from Moscow and Russia’s increasing challenges along EU Countries’ borders will the Council agree that it is time for a united statement to be made, abhorring the implied threat from Russia’s newly developed RS-28 Sarmat missile, (NATO reference Satan 2, stealthy first strike weapon) and its avowed ability to destroy all of France or the UK?

Will the Council also make plain that a military threat to an EU country will be countered by a commitment to respond in kind should any country be so rash as to implement such a threat?

AWAIT ANSWER

Parliamentary questions

20th Sept 2016

Subject – Brexit negotiations - JP34

“In view of the statement by Slovak Prime Minister Robert Fico on behalf of the VISEGRAD group of member states, that they will veto any UK to EU Brexit negotiations that seek to restrict free passage of their people into the UK, will the Commission confirm that such decisions will be voted on by QMV and not by majority vote and that QMV will be used for this purpose until the UK leaves the EU. Will the Commission also caution member states against making such pre-emptive inflammatory statements on the issue of Brexit so that the tone of the impending Article 50 negotiation is not adversely affected?”

18 January 2017

E-006971/2016

Reply

Under Article 50(2) TEU, a Member State which decides to withdraw from the Union is to notify the European Council of its intention. The European Council will thereafter provide guidelines in the light of which the Union is to negotiate and conclude an agreement with the withdrawing State. Such an agreement will set out the arrangements for that State's withdrawal, taking account of the framework for its future relationship with the Union. In establishing its guidelines, the European Council will act by consensus.

That same provision clarifies that the withdrawal agreement is to be concluded ‘on behalf of the Union, by the Council, acting by a qualified majority, after obtaining the consent of the European Parliament’. Article 50(3) and (4) TEU further specify the rules applicable to the procedure.

Further agreements between the European Union and the UK on the future relationship between the UK and the EU will be concluded with the UK as a third country in accordance with the relevant provisions of the Treaties.

As to the Honourable Member's second question, it is not for the Council to comment on positions expressed by Member States.

Parliamentary questions

15th Sept 2016

Subject – Turkey, EU membership and refugee control - JP33

A further influx of migrants entering Southern Europe indicates that Turkey may not be fully compliant with the refugee control system previously agreed with the Commission and paid for handsomely by Member States. Will the Commission agree that it is now time to re-affirm the conditions already set for Turkey's EU membership

application with focus on human rights since the attempted coup and also link such conditions to ongoing refugee control for the foreseeable future?

19 January 2017

E-006947/2016

Answer given by Mr Hahn on behalf of the Commission

The sharp decrease in the number of irregular migrants and asylum-seekers crossing from Turkey into Greece is proof of the effectiveness of the EU-Turkey Statement of 18 March 2016 — and in particular, that the business model of smugglers can be broken. Most importantly, since its implementation, the number of lives lost in the Aegean Sea has come down markedly.

The Commission published its fourth report on the progress made in the implementation of the EU-Turkey Statement on 8 December 2016(1), which confirms the trend of a steady delivery of results, albeit in the face of many challenges.

The continued successful implementation of the Statement depends mainly on the political determination of all sides to take the necessary actions.

The Commission will continue to drive the work forward and will present its fifth report on the progress made in early March 2017.

In its conclusions of 18 July 2016(2), the Council underlined the need for Turkey, as a candidate country, to respect democracy, human rights and fundamental freedoms and the right of everyone to a fair trial in full compliance with the European Convention on Human Rights and Fundamental Freedoms(3). The European Commission will continue to follow these issues in particular with the highest level of scrutiny.

(1) COM (2016) 792 final

(2) <http://www.consilium.europa.eu/en/meetings/fac/2016/07/18/>

(3) <https://www.coe.int/en/web/conventions/full-list-/conventions/rms/0900001680063765>

Parliamentary questions

15th Sept 2016

Subject – Calais immigrants - JP32

The Dublin System, (comprising the Dublin and EURODAC Regulations), that places responsibility on refugees to register in the first member state in which they arrive is being ignored by thousands of migrants who have set up camp near the Port of Calais, in France. Many of them are causing disruption outside the Port and most have not complied with the asylum regulations and are involving themselves in illegal activities of various kinds. Does the Commission agree that the French authorities should arrest these people and deport them if they refuse to register in France to comply with their legal responsibilities as asylum seekers.

6 January 2017

E-006946/2016

Answer given by Mr Avramopoulos on behalf of the Commission

The Dublin system ensures all asylum-seekers have one and only one Member State responsible for the assessment of their asylum claim.

Regarding the situation of irregular migrants not applying for asylum, the EU acquis on return is applicable. In accordance with the Return Directive(1), Member States

shall issue a return decision to any third-country national staying illegally on their territory and shall take all necessary measures to enforce such a decision. Member States remain free to grant to irregular migrants a residence permit or other authorisation offering a right to stay.

(1) Directive 2008/115/EC of the European 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, p. 98.

Parliamentary questions

25th July 2016

Subject – Port Services Regulation - JP31

The Port Services Regulation, while possibly appropriate to state owned ports, is a potential burden and investment blocker for privately owned and managed ports as are common in the UK.

In view of Brexit does the Commission agree that to exempt the UK from this potentially damaging regulation would be the most sensible approach, considering

the two year implementation period for this regulation nearly coincides with the UK's exit from the EU?

E-006058/2016

**Answer given by President Juncker
on behalf of the Commission
(16.9.2016)**

Until the Treaties cease to apply to a Member State that has notified, in accordance with Article 50 TEU, the European Council of its intention to withdraw from the Union, that State remains a member of the Union with all rights and obligations of a Member State, including those related to port services.

In line with the Statement of 29 June 2016 of the Heads of State or Government of 27 Member States, as well as the Presidents of the European Council and the Commission, there can be no negotiations of any kind before a notification under Article 50 of the Treaty on European Union has taken place.

Parliamentary questions

12th July 2016

Subject – Democracy in action - JP30

The UK recently held a referendum on EU membership and a majority of the British voting public voted to leave the EU. Since then, it has been widely reported that

various EU leaders and bureaucrats have been threatening to make the UK's withdrawal as difficult and costly as possible.

If this is true I think it is folly. I firmly believe it is in the interests of the other EU Member States, as well as of the UK, for this to be a mutually cooperative change in status leading to a continuing working relationship.

What measures has the Commission identified and implemented to ensure a continuing and smooth working relationship with UK?

Parliamentary questions

16 September 2016

E-005941/2016

Answer given by President Juncker on behalf of the Commission

In a free and democratic process, the British people have expressed their desire to leave the European Union. The Commission regrets this decision but respects it. It is now for the United Kingdom to give effect to the outcome of the referendum vote.

In line with the Statement of 29 June 2016 of the Heads of State or Government of 27 Member States, as well as the Presidents of the European Council and the European Commission, there can be no negotiations before a notification under Article 50 TEU has taken place. Therefore the Commission cannot elaborate further on the question put by the Honourable Member.

Parliamentary questions

12th July 2016

Subject – Trade in Services Agreement – JP29

A US proposed TiSA Annex on State-owned Enterprises (SOEs) suggests that an SOE must operate like a private business, using purely commercial considerations when it buys and sells services or when it buys goods if it is a services SOE. The SOE doesn't have to apply purely commercial considerations where it has a public mandate to deliver a service, but it still can't give preferences to local services and suppliers.

This proposal if incorporated in the final TiSA would be a major constraint to the local operation of regional SOE branches and suggests a mandate to centralise procurement. This may not be in the interests of the region or indeed the branch.

Also the annex seeks to give power to foreign states to demand possibly operationally sensitive information from other sovereign states.

Would the Commission confirm that it will resist all attempts to impose such rules on EU Member Countries or provide justification for doing so.

Parliamentary questions

9 September 2016

E-005940/2016

Answer given by Ms Malmström on behalf of the Commission

The Commission's consistent policy is to ensure that public services in EU Member States are safeguarded under trade agreements it negotiates. This is set out in the Joint Statement on Public Services of 20 March 2015⁽¹⁾, which confirms, among other things, that US and EU trade agreements (including the Trade in Services Agreement) do not prevent governments, at any level, from providing or supporting services in areas such as water, education, health, and social services.

The Commission has previously negotiated rules on state-owned enterprises (SOEs) with Canada in the Comprehensive Economic and Trade Agreement and with Vietnam in the EU-Vietnam Free Trade Agreement (FTA). Following the established policy, public procurement is exempted from the scope of the SOE rules. Furthermore, as in the EU-Vietnam FTA, the exchange of information is protected under the provisions on confidential information and business secrets.

(1) http://europa.eu/rapid/press-release_STATEMENT-15-4646_en.htm

Parliamentary questions

4th May 2016

Subject – Brexit – JP28

Polls in the UK indicate that the referendum to decide whether or not the UK remains part of the EU will be a closely run race. Would the Commission therefore agree that EU Leaders and certain MEP's should focus on contingency planning for Brexit rather than making bellicose statements about the consequences for the UK if the

British people democratically decide to leave. The latter cannot be known in detail and such speculation only hardens views on both sides of the debate and shows scant regard for true democratic process. Is the Commission therefore engaged in making contingency plans to enable a smooth transition into 27 countries rather than 28?

Question withdrawn

Dear Simona,

with respect to my question; although 'taken aback' by President Juncker's reply to Mr Christoferou's similar question, I can now withdraw my question, as Reuters reports that EU officials are now meeting to discuss 'Brexit' contingency plans, which is the confirmation I sought from the Commission in my question.

Yours sincerely,

pp John Stuart Agnew MEP

Parliamentary questions

29 February 2016

O-000035/2016

Question for oral answer
to the Commission

Rule 128

Subject: Thalidomide - On behalf of the EFDD Group

In 2015, the Commission celebrated the 50th anniversary of the first pharmaceutical legislation in Europe to guarantee the security of medicines. The thalidomide tragedy was one of the main reasons for setting up the EU pharmaceutical legislation, which has been improved ever since to ensure that medicinal products which are placed on the market guarantee high standards of quality and safety. The EU law on medicines in Europe is therefore intrinsically connected with this tragedy.

Thalidomide was used as a medicine to alleviate morning sickness in pregnant women, as well as to treat headaches, insomnia, and colds, at the end of the 1950s and beginning of the 1960s. This treatment was commercialised in various European countries for several years, and it turned out to have severe side effects for pregnant women, whose babies were born with birth malformations. This tragedy affected several EU countries, whose victims are still trying to find a solution to cover the costs of their medical and physical conditions, which are worsening over the years.

In this context, can the Commission please detail what action has been, and will be, taken at EU level to provide effective support and assistance to victims of thalidomide and their families? As thalidomide was prescribed in several European countries, does the Commission believe that there should be a framework protocol at European level, in which all European citizens affected by thalidomide receive similar compensation regardless of which Member State they are from?

AWAIT ANSWER

Parliamentary questions

16th March 2016

Subject – European Arrest Warrant – JP27

With respect to the European Arrest Warrant; an opinion of Advocate-General Bot seems to contradict a global consensus that persons should not be extradited to countries where there is a real risk of torture or inhuman/degrading treatment. Indeed Article 6 of the Treaty on the European Union implies that the arrest warrant shall not have the effect of modifying the obligation to respect fundamental rights and fundamental legal principles.

Will the Commission agree that such a decision if implemented would result in the EU legal order being responsible for removing EU citizens' fundamental human rights in the name of increased police and judicial cooperation and accordingly will they challenge any attempt to adversely affect EU citizens' rights from any source.

ANSWER

2 June 2016 E-002237/2016

Answer given by Ms Jourová on behalf of the Commission

The Commission recalls its Report on the implementation of the framework Decision(1) in which it indicated that, in exceptional situations, it does not mandate surrender of a person to another Member State where an executing judicial authority concludes, taking into account all the circumstances of the case, that such surrender would result in a breach of a requested person's fundamental rights arising from unacceptable detention conditions.

Therefore the Commission welcomes the judgment of the Court of Justice of the European Union in the joint cases Aranyosi-Caldararu (C-404/15, C-659/15) of 5 April 2016. The Court ruled that the execution of a European arrest warrant must be deferred and eventually may be brought to an end if there is a real risk of inhuman or degrading treatment of the requested person due to unacceptable detention conditions in the issuing State.

(1)

COM(2011) 175 final.

Parliamentary questions

10th February 2016

Subject – Impact of Russian embargo – EN26

The aid recently granted to EU producers of perishable fruit and vegetables following the Russian import ban was intended to compensate affected growers for 'market withdrawals especially for free distribution, compensation for non-harvesting and green harvesting'. However, growers in the UK are complaining that their perishable products are facing unfair competition from imported produce that was supposed to have been destroyed or given away.

What evidence has the Commission collected to prove that compensated farmers have actually destroyed this produce or given it away, rather than exporting it to valuable markets such as those in the UK?

Answer

11 April 2016

E-001191/2016

Answer given by Mr Hogan on behalf of the Commission

The Commission lays down the measures as regards the checks necessary to ensure the proper application of the provisions related to the fruit and vegetables scheme(1), and the appropriate sanctions applicable to irregularities found. Those measures involve both specific checks and sanctions laid down at Union level as well as additional national checks and sanctions.

Concerning the crisis prevention and management measures referred to by the Honourable Member, there are first- and second-level checks on withdrawal operations and on-the-spot checks on green harvesting and non-harvesting with the corresponding sanctions where irregularities are detected.

In the framework of the conformity clearance the Commission carries out audits to ensure the systems put in place by Member States are sound and respect EU provisions. None of the audits carried out so far have detected the practices suggested by the Honourable Member in his question.

(1) Commission Implementing Regulation (EU) No 543/2011 of 7.6.2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors (OJ L 157, 15.6.2011, p. 1).

Parliamentary questions

21st January 2016

Subject – Water Framework Directive – JP25

“The Waste Water Directive due to be in effect from 2020 and reflected in the General Binding Rules of the Environment Agency published in June 2015, carries with it the imposition of additional costs on the operation of domestic and commercial septic tanks for sewage disposal, which will no longer be permitted to discharge into water courses after January 2020. To replace a septic tank with a sewage treatment plant will cost between GBP5,000.00 and GBP7,000.00 plus VAT for each house affected and in some instances will require the removal of part of a building to access these tanks at further cost.

Will the Commission therefore agree to add to the directive such wording that will take into consideration the practicalities of physical and financial constraints to some households and installations.”

Answer

7 March 2016

E-000532/2016

Answer given by Mr Vella on behalf of the Commission

In its Article 3, the Urban Waste Water Treatment Directive 91/271/EEC(1) (UWWTD) provides for the possibility to use ‘individual or appropriate systems’ (e.g. septic tanks), instead of connection to a central sewage system, where this is justified because it would produce no environmental benefit or because it would involve excessive cost. The decision not to have recourse to a central collecting system falls with the Member States.

In addition, when a Member State has decided on the use of septic tanks, the UWWTD does not set out standards for septic tanks, other than to ensure that they achieve the same level of environmental protection as set under the UWWTD. It is therefore for Member States to decide on, and implement, such standards for septic tanks.

(1) OJ L 135, 30.5.1991, p. 40-52.

Parliamentary questions
24th November 2015
Subject – Migrants – JP24

“The refugee crisis is set to continue so will the Commission consider removing the 3 Billion a year Euro grant to Turkey, to re-use the funds for creating and running a large scale refugee camp in Southern Europe, to be properly set up and administered under UN guidance for swift processing of asylum claims; the 'asylum failures' being returned immediately under UN supervision to their home state? The host nation to be adequately compensated for the provision of suitable land and other related expences. EU sponsored naval resources currently deployed to the Mediterranean could then be used exclusively to collect all smuggler vessels, arrest the smugglers if present and safely arrange for the migrants to be transported to the refugee camp.”

Parliamentary questions
30 August 2016
E-000533/2016

Answer given by Mr Hahn on behalf of the Commission

Since the EU-Turkey Joint Action Plan(1) was activated in November 2015, the EU and Turkey re-energised their cooperation leading to a more strategic and comprehensive engagement with Turkey. With their Statement on 18 March 2016(2), the EU and Turkey decided to break the business model of the smugglers and to offer migrants an alternative to endangering their lives by putting an end to irregular migration from Turkey to the EU. The Commission's reports on the progress made in the implementation of the Statement, issued on 20 April 2016(3) and 15 June 2016, noted that there has been a drastic decrease in the number of irregular migrants leaving Turkey for Greece, and that smugglers were finding it increasingly difficult to induce migrants to cross from Turkey to Greece.

The Commission and the Member States committed to provide EUR 3 billion in 2016 and 2017 coordinated through the Facility for Refugees in Turkey(4). This assistance provides humanitarian, development and other assistance to refugees and host communities in Turkey. The Steering Committee of the Facility composed of representatives of the Member States and the Commission, with Turkey as an observer, will ensure that the assistance will benefit these target groups. The Commission is responsible for the implementation of the resources coordinated through the Facility, using the existing external financial instruments best suited to the type of external assistance to be delivered.

- (1) http://europa.eu/rapid/press-release_MEMO-15-5860_en.htm
- (2) http://europa.eu/rapid/press-release_MEMO-15-5860_en.htm
- (3) COM(2016)0231 final.

(4) Commission Decision No C(2016)0855 final on the Facility for Refugees in Turkey amending Commission Decision No C(2015)9500 final of 24.11.2015.

Parliamentary questions

24th November 2015

Subject – ISIS and Rockets – JP23

Media reports that Iran has given the terrorist group Hezbollah, Fateh -110 ballistic missiles with a range of up to 220 miles. Hezbollah already has Scud – D's which have an even greater range.

- It has been mooted that due to the looseness of the 'Iran' agreement, Iran could have atomic weapons in 10 years.
- Syrian forces have their own version of the Fateh -110, which could be seized by Islamic State if the bases are overrun.
- US intelligence warned that Islamic State is aggressively trying to acquire chemical weapons as part of its campaign against the West.

As a contingency against any conflation of the above will the Commission assist Member States to take a holistic view of terrorists' strategic weapons and plan their anti-terror campaigns accordingly?

Answer

4 March 2016

E-015033/2015

Answer given by Vice-President Mogherini on behalf of the Commission

Arms procurement networks of terrorist organisations are discussed at EU level within the competent geographical and thematic working groups. These existing structures are being further used and networked for the implementation the EU Council conclusions of 9 February 2015 on counter-terrorism. The Council conclusions notably call to step up external action to counter terrorism, in particular in the Mediterranean, Middle East, North Africa, the Gulf and the Sahel and to fully mainstream counter-terrorism into EU foreign policy. With regard more specifically to chemical weapons in Syria, the EU has provided a significant financial and diplomatic contribution to the destruction of the Syrian regime's stockpiles of chemical weapons, which help prevents diversion to terrorist groups.

Parliamentary questions

4th November 2015

Subject – Kurds and Turkey – JP22

In view of the continuing aggressive attitude and treatment of Kurds by the Turkish government and the potential for intra NATO conflict, (current support for the Kurds by the US in Syria) does the Commission think it is appropriate for the German Chancellor to be unilaterally negotiating closer ties between the Turkish Erdogan regime and the 28 EU States?

Answer

1 April 2016

E-014476/2015

Answer given by Vice-President Mogherini on behalf of the Commission

Turkey is a key partner in the coalition against Da'esh, as recognised in the Foreign Affairs Council Conclusions of 9 February 2015. The country is now also host to the largest refugee population in the world with over 2.5 million people, including Kurds, who have fled from the conflict zones in the region. Turkish authorities estimate that they have spent circa USD 8 billion in direct costs in support of refugees.

The situation in Syria and Iraq demands closer EU/Turkey foreign policy dialogue and cooperation. The EU continues to encourage Turkey to develop its foreign policy as a complement to and in coordination with the EU, and to progressively align with EU policies and positions. At the EU-Turkey Summit on 29 November 2015 we agreed to expand and intensify our political dialogue across all areas including foreign and security policy, migration and counter terrorism.

The EU will also continue to provide humanitarian aid to the refugees and to find a long term solution for their re-settlement. The Joint Action Plan has been activated and the Commission adopted a Refugee Facility for Turkey which aims to raise funds worth EUR 3 billion. A EUR 1 billion package was also announced for 2015-2016 to implement the, 'EU strategy for Syria and Iraq as well as the Da'esh threat', as agreed at the FAC(1).

A solution to the Kurdish issue, which has claimed tens of thousands of lives over the past 30 years, would be a turning point in the history of modern Turkey. It will require courage from all parties, and concrete reforms enhancing social, cultural and democratic rights. . Turkey should re-engage in the Kurdish settlement process which brought so many positive and promising results in the recent past. A genuine political dialogue is the only way to achieve a peaceful and sustainable solution. The EU is ready to support such a process, including through financial pre-accession assistance.

(1) 7267/15 of 16.3.2015.

Parliamentary questions

28th October 2015

Subject – Bank deposit insurance contradiction – JP21

The Commission is proposing to create a European system for insuring bank deposits and will apparently make appropriate legislative proposals later this year. A further requirement for an “EU-wide” deposit plan would be that all countries transpose into national law an EU directive which makes banks shareholders, bond holders and even large depositors liable for bank losses before any public cash is spent on rescuing failing financial institutions. These two proposals appear to be contradictory in that the first seeks to protect depositors from a bank failure whereas the second appears to make the depositors liable for bank failures. Indeed, the proposal seems to ignore the fact that governments do not have money, unless they have taken it from the public in the first instance, either directly or by printing it but that same public is now being made responsible for reserve system banks failing, due to mismanagement. Will the Commission clarify these seemingly divergent ideas?

AWAIT ANSWER - query if raised by EU; 29/04/2016

NOT RECEIVED BY COMMISSION – QUESTION NOW OUT OF DATE.

Parliamentary questions

28th October 2015

Subject – EU-US data sharing – JP20

The proposed wording of the “Agreement between the United States of America and the European Union on the protection of personal information relating to the prevention, investigation, detection, and prosecution of criminal offenses,” lacks provisions to ensure that any information transferred is not misused in such a way that infringes current EU Law(s). This EU-US so-called ‘umbrella data protection agreement’ appears to allow the “sharing” of data sent by EU law enforcement agencies to US law enforcement and security agencies for uses including mass surveillance and data mining operations: these data can also apparently be shared with third parties, including in other countries. Will the Commission commit to changing the wording to ensure that the human rights of EU citizens are protected; as specified by the European Convention on Human Rights?

Answer

29 January 2016

E-014190/2015

Answer given by Ms Jourová on behalf of the Commission

The Umbrella Agreement does not by itself provide the legal basis for data transfers. In other words, it does not allow transfers of personal data to US authorities but rather sets high data protection standards for personal data transferred to the US under existing or future international agreements or on the basis of national law. As such, it increases the level of protection available for such transfers, both backward- and forward-looking.

As for its scope of application, the Umbrella Agreement only concerns transfers between law enforcement authorities on both side of the Atlantic (or between a private entity in the EU to a law enforcement authority in the United States for law enforcement purposes), but not to national intelligence agencies. In addition, any further transfer would be subject to limitations and in particular must not be incompatible with the original law enforcement purpose for which the data has been exchanged. Likewise, the onward transfer of personal data to third country authorities is only allowed under strict conditions and requires the consent of the original EU sending authority.

Parliamentary questions

7th October 2015

Subject – Secrecy of 'trilogue' procedures – JP19

Following the recent Ombudsman's investigation into so-called trilogues, (the European Parliament, the Council of the EU, and the European Commission) utilising closed tripartite meetings to 'fast track' law making; will the Commission commit to changing current procedures to align with the "Inter-institutional agreement on better law-making, (OJ [2003]C 321, p.1.), with respect to providing that the three institutions will ensure an appropriate degree of transparency of the legislative process, including of trilateral negotiations between the three institutions." Will the Commission also confirm that there is extant, full traceability of the decision making process used by these trilogues and that public inspection of all relevant documents and minutes of meetings is possible. If not please explain how this is a feature of a democratic process and not a gross example of democratic deficit.

Answer

30 November 2015

E-013607/15 E-013421/15

Joint answer given by First Vice-President Timmermans on behalf of the Commission

Written questions: E-013607/15 , E-013421/15

Tripartite meetings ('trilogues') constitute practical working arrangements followed by the co-legislators, i.e. the European Parliament and the Council of the European Union, together with the Commission, in exercising their Treaty prerogatives to organise the conduct of the legislative activity. Trilogue meetings cannot take any formal decisions but rather prepare the formal decision-making within each of the EU institutions, in accordance with the Treaty rules and subject to the different but complementary democratic accountability of each of the institutions.

Each institution, according to its own practices, provides for internal circulation and publication of information, documents and reports related to trilogue meetings. In addition, public access to documents pertaining to the legislative procedure, including trilogue meeting reports and multi-column documents may be provided following requests filed on the basis of Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents.

The Commission wishes to confirm its attachment to transparency in the EU's legislative work in line with Article 15 TFEU. In its proposal for a new Interinstitutional Agreement on Better Regulation, the Commission proposed that the three institutions shall ensure an appropriate degree of transparency of the legislative process, including of trilateral negotiations between them (point 28 of the proposal for an Interinstitutional Agreement on Better Regulation of 19 May 2015, COM(2015)0216). This proposal is currently under discussion between the Commission and the co-legislators.

Parliamentary questions

16 September 2015

Subject - Proposal for a Regulation on Official Controls 2013/0140 EN18

The proposed European Parliament and Council Regulation on Official Controls on the application of food and feed law is now at the trilogue stage. The latest version as approved by the European Parliament contains amendments that will have particular impact on the established and successful food hygiene control system in operation in the UK. In particular, Amendment 97 requires official vets to be in charge of “processing plants”, and Amendments 157/166 require official vets to have supervision of import checks on Products of Animal Origin. At present, both processing plants and import checks in the UK are safely monitored by chartered Environmental Health Officers.

Vets have specialist expertise in the health and welfare of animals and Environmental Health Officers have specialist expertise in the safe production and microbiological quality of food. Given this clear division of expertise, does the Commission agree that a certified Environmental Health Officer should properly be in charge of meat processing plants (food factories) and import checks on Products of Animal Origin, and not an Official Vet?

In light of this, would the Commission consider revising the text of Articles 15 (1) b) and Articles 47 and 53 accordingly?

Answer

7 December 2015

E-013734/2015

Answer given by Mr Andriukaitis on behalf of the Commission

One of the main objectives of the Commission proposal on official controls(1) is to modernise the system of official controls and optimise the underpinning risk-based approach to ensure that control resources are used to the maximum effect.

On that basis, the Commission, whilst recognising the essential role of official veterinarians during certain controls for which their qualification and expertise is indispensable, proposed to extend the possibility to involve other appropriately trained and qualified staff in certain control tasks. In particular, according to Article 15(1)(b) of the Commission proposal, the official veterinarian would be responsible for certain identified controls in slaughterhouses, cutting plants and game handling establishments, while Member States would be free to assign control tasks in meat processing plants to other suitable trained and qualified staff.

As regards border checks, the Commission proposed (Articles 47(4), second subparagraph and 53(2), second subparagraph of the proposal) that physical checks and subsequent decisions on consignments of animals entering the Union be

reserved to the official veterinarian, while, more generally, physical checks on animal health and welfare requirements could be assigned to staff "possessing appropriate qualifications in veterinary matters" (including non-official veterinarians).

The Commission's position on the amendments referred to by the Honourable Member(2) is publicly available(3).

(1) Proposal for a regulation of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) Nos 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) Nos 1151/2012, [...] /2013 [Office of Publications, please insert number of Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material], and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation) of 6.5.2013, COM(2013)265 final.

(2) SP(2014)471.

(3)

<http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2013/0140%28COD%29#tab-0>

Parliamentary questions

16 September 2015

Subject – Neonicotinoids and the Bee Guidance Document EN17

In 2013, EFSA submitted three reports claiming lack of sufficient data as a reason to be unable to exclude the influence of three neonicotinoid seed treatments as a possible factor in declining bee health. EFSA has since published and updated the draft Bee Guidance Document imposing requirements for field-scale risk assessments of pesticides. In relation to these requirements for risk assessments in the Bee Guidance Document, can the Commission explain:

1. how any substance can pass the benchmark for normal hive mortality at 7%, given that normal honey bee mortality is 15% per annum?
2. how any study under European farming conditions could meet the requirement to have a test area of 7kmx24km, equivalent to 31,000 football pitches?
3. whether natural pesticides such as rotenone-pyrethrin will be required to meet the same standards for risk assessment as synthetic pesticides such as neonicotinoids?

Answer

12 November 2015

E-012957/2015

Answer given by Mr Andriukaitis on behalf of the Commission

As regards the first question, the Commission would like to clarify that in the specific protection goal defined in the Guidance document developed by the European Food Safety Authority (EFSA)(1), EFSA refers to the magnitude of effects which should not exceed 7% reduction in colony size. This is independent from the background mortality of the hives which is already taken into account.

The EFSA Guidance document provides that, only in case it appears necessary to produce higher tier study in the dossier, in order to design a valid field study it is mandatory to demonstrate an adequate exposure. The size of the treated field must be defined to reach the statistical power desired. However, the Guidance Document does not define the minimum surface as mentioned by the Honourable Member. The Commission clarifies that the defined test area of 7 km x 24 km is not a specific figure available in the document produced by EFSA.

The data requirements provided by the EU legislation(2) apply to all active substances in accordance with the EU Regulation on the placing on the market of plant protection products(3).

(1) Guidance on the risk assessment of plant protection products on bees (*Apis mellifera*, *Bombus* spp. and solitary bees), Annex W. EFSA Journal 2013;11(7):3295, 266 pp. doi:10.2903/j.efsa.2013.3295.

(2) Commission Regulation (EU) No 283/2013, OJ L 93, 3.4.2013.

(3) Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21.10.2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC, OJ L 309, 24.11.2009, p.1.

Parliamentary questions

25 August 2015

Subject – VAT MOSS centralised collection system JP16

The VAT Mini One Stop Shop (VAT MOSS) scheme was designed to make the collection of VAT on international trade both fairer and simpler; but it has failed to achieve these objectives. Many small businesses are struggling with this system to the point where they may fail or have to stop 'Union' trading. Will the Commission commit to bringing in temporary measures to ease the burden on SMEs and micro-businesses immediately, rather than wait for the full regulation review, which could take many months?

Answer

23rd October 2015

E-012147/2015

Answer given by Mr Moscovici on behalf of the Commission

The Commission, as indicated in its response to written question E-009494/15, will make a proposal in 2016 which is intended to deliver a level playing field for European business, promote the single market for e-sellers and reduce the burdens that business, particularly small business, face in accessing the single market.

Neither the Commission nor the United Kingdom can unilaterally suspend VAT law agreed through unanimity by all Member States.

Parliamentary questions

27 July 2015 E-011927-15

Subject – Educational bias in Pakistani schools JP15

Pakistan - the International Centre for Religion and Diplomacy examined social studies, Islamic studies, and Urdu textbooks and interviewed teachers and students about their views towards religious minorities. They discovered that, most public school textbooks used by all children had a strong Islamic orientation; while Pakistan's religious minorities were either referenced derogatorily or omitted all together. Hindus, one of Pakistan's religious minorities, were described in especially negative terms, and references to Christians were often inaccurate and offensive.

The EU gives a huge amount of aid to Pakistan and has also granted Pakistan 'most favoured trade partner' status.

- What efforts are being made by the EU to persuade the Pakistani Government to treat all citizens equally, particularly by removing 'hate material' from school text books.
- What steps have been taken by the EU to encourage teachers in Pakistan to be inclusive in teaching their classes and of the importance of promoting tolerance for diversity in the classroom?
- In view of the low literacy rate of females, especially from 'minorities', how much of the aid being sent by the EU to Pakistan this year is reserved for female education, in particular those from the minority faith sectors?

Answer

22 September 2015

E-011927-15

Answer given by Vice-President Mogherini on behalf of the Commission

Curriculum development continues to be a long, difficult and controversial process in Pakistan. The 2006 curriculum is seen as being generally tolerant and respectful. There is a separate subject called Ethics for non-Muslim students as an alternative to Islamiyat (Islamic studies). The main concern has been the implementation of the curriculum including teacher training and updating the textbooks. The EU supports the implementation of new curricula through its programmes. For example, in 2015 we support the training of 24 000 teachers on the implementation of the new curricula in Sindh.

The EU also supports teachers training in all three education programmes in Pakistan. In Sindh and Khyber Pakhtunkhwa (KP), the EU supports continuous professional development programmes for teachers.

Training teachers in new curricula is crucial for improving the teaching diversity and inclusiveness in Pakistan. Out of 24 000 total primary school teachers trained in

Sindh, 22 000 have been trained with particular focus on inclusive education in social studies.

The EU addresses the question of girls' education through the policy dialogue with provincial governments. The EU supports girls' stipend programmes and providing adequate facilities for girls' schools (e.g. boundary walls, toilets) both in KP and Sindh. Upcoming support to Balochistan aims to accelerate and further increase the number of children, with a specific focus on girls, enrolling and completing quality elementary education. It is not possible to quantify the support for specific programme components for a given year as EU support to education in Pakistan is provided mainly in the context of Sector Budget Support.

Parliamentary questions
14 July 2015 E-011309/2015
Subject – Bee Numbers TB

In the context of the adoption of Regulation (EU) No 485/2013 of 24 May 2013, effectively banning the use of neonicotinoids, is the Commission aware that in the two decades that neonicotinoids have been widely used, the honeybee population in the EU has not fallen but risen from 11 050 307 in 1995 to 11 930 083 in 2013?

Given these numbers, does the Commission plan to reassess its ban now that the Commission's own Epilobee survey has shown overwinter losses of honeybees across Europe to be lower than 15.4 percent?

Answer

9 September 2015

E-011309/2015

Answer given by Mr Andriukaitis on behalf of the Commission

The restrictions imposed at EU level by Regulation (EU) No 485/2013(1) for the neonicotinoids were based on the conclusion that the approval criteria in Article 4 of Regulation (EC) No 1107/2009(2) were no longer satisfied regarding the risk to bees. For additional information, the Commission would like to refer the Honourable Member to its answer to Written Question E-003083/2015(3).

(1) Commission Implementing Regulation (EU) No 485/2013 of 24.5.2013 amending Implementing Regulation (EU) No 540/2011, as regards the conditions of approval of the active substances clothianidin, thiamethoxam and imidacloprid, and prohibiting the use and sale of seeds treated with plant protection products containing those active substances, OJ L 139, 25.5.2013, p. 12.

(2) Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21.10.2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC, OJ L 309, 24.11.2009, p. 1-50.

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

Parliamentary questions**15 June 2015 E-009786-15****Subject – Destruction of migrant boats JP14**

Will the Commission admit that the European Union Military Committee plan, (doc. ref.8802/15) for seizure or destruction of people smuggler's vessels must include 'boots on the ground' forces to accurately identify target groups and their vessels and that Member States will be asked to authorise using their forces on a foreign and sovereign shore without prior agreement of an incumbent Libyan government. Because of the compound risks to Member States' personnel and equipment and the uncertain legality of such operations will the Commission therefore commit to act only after the issue of an appropriate UN resolution.

Answer**29 September 2015****E-009786-15****Answer given by Vice-President Mogherini on behalf of the Commission**

European Union military operation in the southern Central Mediterranean (Eunavfor Med), launched on 22 June 2015(1), is a military CSDP operation designed to disrupt the business model of human smuggling and trafficking networks and thus contribute to preventing further loss of life at sea.

The operation will be conducted in four phases: deployment and assessment (phase 1), boarding, search, seizure and diversion of smugglers' vessels (phase 2), disruption of smugglers' assets (phase 3) and completion and withdrawal (phase 4). The decision to move from one phase to another will be taken by the Member States based on the assessment provided by the Council. This assessment, as noted in the relevant Council Decisions(2) establishing and launching the operation, includes the requirement for any applicable UN Security Council Resolution or consent by the coastal State concerned. The activities undertaken by Eunavfor Med will always adhere to and respect international law, including humanitarian, refugee and human rights law. The operation is intended to last for 12 months once it reaches its full operational capacity.

The EU is employing a variety of instruments to address irregular migration, namely also in the countries of origin and transit in efforts to tackle its root causes(3).

Cont'd...

- (1) Council Decision (CFSP) 2015/972 of 22.6.2015. <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D0972&from=EN>
- (2) Council Decision (CFSP) 2015/778 of 18.5.2015. <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D0778&rid=2> Council Decision (CFSP) 2015/972 of 22.6.2015. <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D0972&from=EN>
- (3) More in-depth information can be found on: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/index_en.htm

Parliamentary questions

15 June 2015 E-009787-15

Subject – EU Control of internet JP13

Will the Commission agree that it is not their remit to attempt to block Internet Service Providers, (ISP's) from allowing their customers to access sites of their choice and that it must remain the responsibility of the customer to ensure that they do not infringe copyright rules when using the internet. Further that enforcement of copyright rules must be instituted by the rights holder and not the ISP or the Commission/CJEU. Will they also commit to resisting the attempts of the Federal Communications Commission (FCC), to take control of the worldwide web.

Answer

19th October 2015

E-009787-15

Answer given by Mr Oettinger on behalf of the Commission

It is in principle for the Member States to provide for the measures, procedures and remedies necessary to ensure the enforcement of the intellectual property rights, including copyright, as foreseen by the applicable EU rules(1). Competent national authorities, on the basis of conditions and modalities as set out in the laws of Member States in accordance with those EU rules, may order an intermediary, including an Internet service provider, to block access to Internet sites offering products that are infringing intellectual property rights. Certain conditions will have to be respected, however, depending on the particular circumstances of the case at hand, notably to ensure compliance with the applicable fundamental rights of the parties involved. It may in particular have to be ensured that the measures in question: (i) do not unnecessarily deprive Internet users of the possibility of lawfully accessing the information available and (ii) are sufficiently effective to ensure genuine protection of the intellectual property right. This has been confirmed by the Court of Justice of the European Union(2).

In accordance with the aforementioned EU rules, right holders have the right to apply for such an injunction against intermediaries, including Internet service providers, whose services are used by a third party to infringe an intellectual property right.

The Commission is not aware of any attempt of the Federal Communications Commission to take control of the worldwide web.

(1) See Directive 2004/48/EC of the European Parliament and of the Council of 29.4.2004 on the enforcement of intellectual property rights (OJ L 195/16, 2.6.2004) and Directive 2001/29/EC of the European Parliament and of the Council of 22.5.2001 on the harmonisation of certain aspects of copyright and related rights in the information society (OJ L 167/10, 22.6.2001).

(2) See Case C-314/12.

Parliamentary questions

13 April 2015 E-005863-15

Subject: Spread of tuberculosis in the UK JP11

Between 2007 and 2009 the EU's own database shows that the Commission awarded a total of 727 grants where the beneficiary is marked as confidential, amounting to a total value of just over GBP 400 million. Some recipients have now been named, including the London-based Flying Gorillas troupe, whose act includes the 'brilliant smelly foot dance and the incredibly difficult iguana four-step'.

During the fifth and sixth framework health-related research programmes, which ran from 1998 to 2006, the total value of the grants that did not ultimately lead to research papers was EUR 570 million (GBP 460 million), essentially wasting half a billion euros, or about 15% of the total health research budget.

Will the Commission agree that sensible, non-wasteful spending should be targeted at areas of health that are critical, and therefore increase funding for tuberculosis (TB) research and control instead of reducing funding, as there is clear evidence that uncontrolled borders have allowed TB-infected migrants from EU Member States to travel to the UK and to transmit their disease to others?

Answer

23rd June 2015

E-005863/2015

Answer given by Mr Moedas on behalf of the Commission

Maximising value for money is one of the guiding principles for the EU Research and Innovation Framework Programmes. The Commission is aware of a single study, based on indirect sources, regarding EU-funded health research projects not yielding publications and does not share its conclusions¹. With respect to tuberculosis and its control, the Commission is not aware of any unambiguous evidence that would allow the generalization of transmission patterns. The health theme² of the FP7³ 'Cooperation' Specific Programme prioritised tuberculosis research. High-quality projects to develop better diagnostics, drugs and vaccines were funded (EU contribution EUR 118 million). In addition to hundreds of publications from these projects, several new vaccine candidates have been developed. Furthermore, the European Developing Countries Clinical Trials Partnership (EDCTP)⁴, which is a joint initiative of the Member States, has supported clinical trials on tuberculosis with EUR 73 million.

Tuberculosis control continues to be a priority for the Commission⁵. In the Societal Challenge 'Health Demographic Change and Wellbeing'⁶ of Horizon 2020, the EU Framework Programme for Research and Innovation (2014-2020), two new projects

on the development of new tuberculosis vaccines with an EU contribution of EUR 26.2 million have recently started.

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These projects collaborate with each other, with the EDCTP and with global initiatives, highlighting the importance of a common effort in research and control of diseases like tuberculosis, which do not respect any borders. Further details of EU action to address prevention, monitoring and treatment of tuberculosis are outlined in the reply to question E-010700/2014.

Parliamentary questions

9 April 2015 E-005693-15

Subject: Export market accesses for EU dairy produce EN10

Having regard to the Commission report of 13 June 2014 entitled 'Development of the dairy market situation and the operation of the Milk Package provisions' (COM(2014)0354), to the impact of the Russian import ban, and to Parliament's draft report on 'Prospects for the EU dairy sector - Review of the implementation of the dairy package' (2014/2146(INI)), the Commission is asked:

What can the Commission do to gain better market access for EU dairy products to third countries?

What measures can the Commission undertake to ensure that export markets return added value to EU dairy farmers and do not detrimentally expose EU farmers to volatile commodities markets?

How can the Commission undertake these measures in partnership with dairy supply chain stakeholders so as to ensure that private sector marketing and innovation expertise is fully leveraged in developing products suited to third-country export markets?

Answer

3 June 2015

E-005693/2015 EN10

Answer given by Mr Hogan on behalf of the Commission

The EU policy for the dairy sector has moved away from production support to market orientation, making EU products competitive on the world market. The phasing-out of milk quotas on 1 April 2015 empowers the sector to realise its full competitive potential to meet the growing world demand for dairy products.

The negotiation of bilateral trade agreements will expand the market access for EU dairy products and the Commission and the Member States are actively engaged in the removal by trade partners of technical barriers which hamper the access of dairy products. This effort is to be underpinned by a new and more efficient promotion policy.

In addition to direct payments, which function as an income stabiliser, and to rural development programmes that Member States can deploy to address the territorial challenges of milk production, the Milk Package provides possibilities for dairy farmers to strengthen their bargaining power by collective negotiations via producer organisations.

Parliamentary questions
25th February 2015
Subject: Europol JP9

Europol is the European Union's law enforcement agency responsible for handling criminal intelligence, but given the reticence of some counter-terrorism authorities to fully engage Europol in intelligence-sharing, will the Commission consider closing down Europol and instead working with Interpol, the world's largest international police organisation, which has 190 member countries, has recently formed a dedicated Foreign Terrorist Fighter (FTF) programme in partnership with the US National Security Council (NSC), the US Department of Justice (DOJ) and the US Department of Homeland Security (DHS), and enjoys full cooperation and access to intelligence from the National Central Bureaus of more than 30 member countries?

Answer

13 May 2015

E-002846/2015 JP9

Answer given by Mr Avramopoulos on behalf of the Commission

The Commission is not considering closing down Europol, an agency whose mission is set out in the TFEU (Article 88). On the contrary, and in line with the Treaty's requirements, following the publication on 27 March 2013 of a proposal for a regulation on Europol, the Commission is currently working intensively with the European Parliament and the Council to strengthen Europol's role as the EC law enforcement agency supporting Member States in their fight against serious organised crime and terrorism.

Organised Crime and terrorism are transnational phenomena. It is therefore essential that Europol cooperates with non-EU countries and international organisations. Among its partners, Europol currently cooperates with Interpol and with the United States (via operational agreement entered into force respectively on 5 December 2001 and 21 December 2002), exchanging strategic as well as operational information (including personal data).

Europol seconded two liaison officers in Washington, one in Interpol's headquarter and they plan to second one to Interpol's Global Complex for Innovation in Singapore.

The Commission recalls that at the recent JHA Council on 12 March 2015, regarding the issue of Internet content promoting terrorism or violent extremism, Ministers agreed on the expediency of Europol taking on additional responsibility in this field as early as possible. The Council also invited the Commission to propose ways to combat illicit trafficking of firearms and, together with Europol, to enhance information exchange and operational cooperation on this phenomenon.

Parliamentary questions

11 February 2015

Subject: Communication encryption JP8

Following the recent hacking attacks against large corporations and government bodies, and the subsequent proposal to impose a ban on communication encryption, there is a risk that, largely in reaction to media hype and its effect on our politicians, we risk doing long-term harm to industry, banking and the trust of our peoples. The defeat of widespread industrial and banking espionage has a massive financial value compared with the damage caused by terrorists to date. To ban encryption because of possible terrorist use is like banning cars in case terrorists use them to make car bombs.

Does the Commission agree that encryption is a vital tool for protecting sensitive government, corporate and personal data from hacking and other forms of cyber theft, and that it should not be banned?

Answer

23 April 2015

E-002264/2015 JP8

Answer given by Mr Oettinger on behalf of the Commission

Encryption is widely recognised as an essential tool for security and trust on open networks. Already in 1997 the Commission recognised its role for the 'effective protection of the confidentiality of data and communication against arbitrary intrusions'(1). However, its use should not prevent competent authorities from safeguarding important public interests in line with the procedures, conditions and safeguards set forth by law(2). Furthermore, self-protection through encryption on itself is not a substitute to the enforcement authorities' role to investigate and prosecute cybercrime.

To support research and innovation solutions guaranteeing end-to-end security, in the first call for proposals under Horizon 2020 the Commission funded at least five projects directly related to encryption; results are expected in 2015.

Security requirements laid down in existing and proposed legislation aim to protect personal data and the security of information systems(3). The proposed Data Protection Regulation requires controllers to implement security measures appropriate to the risks(4). The proposed Network and Information Security Directive(5) provides for an obligation for Member States to ensure that market operators and public administrations in specific sectors take measures for the security of their network information systems. Encryption can play a key role to meet these requirements by protecting all types of information, hence reducing the impact of data breaches.

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It is up to EU Member State competent authorities to recommend which security measures organisations should implement, including state-of-the art encryption to protect information, in compliance with applicable legislation.

(1) Ensuring security and trust in electronic communication. Towards a European framework for digital signatures and encryption. Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions. COM(97) 503 final, 8.10.1997.

(2) Communication from the Commission to the European Parliament and the Council on Promoting Data Protection by Privacy Enhancing Technologies (PETs); COM(2007)0228 final, 2.5.2007.

(3) Art 17 Directive 95/46/EC of the European Parliament and of the Council of 24.10.1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, OJ L 281, 23.11.1995. Also Art 4 of Directive 2002/58/EC of the European Parliament and of the Council of 12.7.2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) L 201, 31.7.2002.

(4) Proposal for a regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) COM(2012) 011 final — 2012/0011 (COD).

(5) Proposal for a directive of the European Parliament and of the Council concerning measures to ensure a high common level of network and information security across the Union, COM(2013) 048 final — 2013/0027 (COD). The proposal is currently going through the legislative process.

Parliamentary questions Tony Savill on Marie Curie Grants

19 January 2015 E-000659-15

Subject: Oxford University secondment anomalies JP7.1

Is the Commission aware that its own implementation rules for the Marie Skłodowska-Curie Innovative Training Networks (ITNs) make it difficult for SMEs to take part?

The Commission wants SMEs to be beneficiaries of these grants and to recruit researchers. Given that the implicit objective of an ITN is the awarding of PhDs, and that SMEs are, of course, not able to confer such degrees, their early-stage researchers (ESRs) are enrolled as PhD students at a university involved in the project. The problem then is the very strict implementation of the '30% of time' secondment rule, which states that ESRs may spend no more than 10.8 months away from their host institution (the SME). Universities require attendance at specific research training events (normally in the first two years of the PhD), which means that there is no time for other inter-partner training secondments included in the work programme. SMEs end up as partners offering short-term secondments which are potentially costly and of little scientific benefit to them.

There are two options that would help SMEs be beneficiaries, both of which would require a change in the current rules for participation: excluding PhD training for ESRs hosted by an SME from the secondment allowance, and allowing joint appointments of ESRs by an SME and a university.

Answer

19 March 2015

E-000659/2015 JP7.1

Answer given by Mr Navracsics on behalf of the Commission

Innovative Training Networks (ITN) can take three different forms: European Training Networks (ETN), European Industrial Doctorates (EID) and European Joint Doctorates (EJD). Only in the EID and EJD is enrolment in the PhD programme obligatory. ETN, which currently represent more than 85% of the overall ITN budget, do not require enrolment in doctoral training. Consequently, participating SMEs do not necessarily need to host a researcher undertaking a PhD.

The 30% secondment limit in ETN to which the Honourable Member refers exists in order to ensure the policy goal that research training involves international mobility, which is a key factor in a successful research career. Without the secondment limit a researcher might not move from one country to another but instead only be 'recruited' through a foreign entity.

When a researcher must spend the majority of the fellowship at the university (e.g. because of the PhD), it is recommended that the university recruits the researcher instead.

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In addition, in EID the time is equally shared between the academic and non-academic sector. Therefore, the time that an SME-employed fellow spends at the university may be extended to up to one year and a half.

Although the participation of SMEs is not obligatory, in the last ITN 2014 call they represent 13% of all beneficiaries. As the hosting and administrative capacities of SMEs are very often limited, they may also participate as 'partner organisations'. In this way, SMEs may provide training or host fellows within the project without much administrative involvement.

Parliamentary questions – Ref Carl Thompson and Possibly Robert and Susan Wells.

14 January 2015 E-000437-15

Subject: Unfair car rental practices JP6

Is the Commission aware of concerns that some car rental companies operating in Member States have adopted non-transparent pricing practices, including mandatory and/or hidden charges which must be paid to release the vehicle and which are not made clear at the time the booking is made?

Has it made any representations to the car rental sector to ensure that UK consumers are not forced to pay hidden, non-transparent or illegal additional charges when renting a vehicle in other Member States?

Answer

12 March 2015

E-000437/2015 JP6

Answer given by Ms Jourová on behalf of the Commission

The Commission is aware that many consumers file complaints to consumer associations or national authorities on misleading practices concerning the car rental sector.

In this respect, the Honourable Member could refer to the Commission's answers to written questions E-009602/2014, E-008596/2014 and E-006629/2014. In addition, in 2014, the European Commission sent a letter to the CEO(1)s of six international car rental companies asking them to respect the non-discrimination principle in Article 20 of Directive 2006/123/EC (the Services Directive) by ceasing to prevent consumers resident in any Member State from accessing the best available prices in the Single Market. The companies affirmed their commitment to respect Article 20 of the Services Directive and to stop using methods such as automatically rerouting consumers to a different national website of the company.

Alongside the European Consumer Centres and national enforcers within the Consumer Protection Cooperation Network (CPC Network), the European Commission met on 3 April 2014 with the trade association Leaseurope and major EU wide car rental companies. This meeting resulted in a dialogue between the Commission, CPC enforcers and the industry with the objective of eliminating practices identified as potential breaches of EU consumer legislation such as the lack of price transparency and unclear payment mechanisms used for additional charges.

The Commission is determined to act expeditiously with the aim that the dialogue with the car rental industry results in full compliance with consumer legislation from the companies in this sector for the benefit of all consumers across Europe.

(1) Chief Executive Officer.

Parliamentary questions

13 Jan 2015 E- 000355/2015

Subject – Enrofloxacin and the consumption of shelled and unshelled eggs TB

The prohibition on the use of enrofloxacin in animals producing eggs for human consumption in Commission Regulation (EU) No 37/2010 can be overridden by the correct application of the 'cascade' principles laid down in Directive 2001/82/EC. There is, as a result, confusion over whether and when the shelled eggs of chickens prescribed antibiotics containing enrofloxacin can be consumed, and this decision is left to the discretion of the prescribing vet.

Furthermore, the minimum residue levels set for meat from chickens in Regulation (EU) No 37/2010 include the giblets of the chicken, which by definition include the fallopian tubes, uterus and any unshelled eggs present in the mature chicken.

As a result, it is deemed safe to eat the unshelled egg under Regulation (EU) No 37/2010, but it is uncertain whether and when it is safe to eat the shelled egg under the 'cascade'.

What steps will the Commission take to:

1. ensure that this confusion is not repeated in the new Regulation on Veterinary Medicine Products; and
2. ensure that veterinarians are given maximum flexibility to prescribe medicines for animals in accordance with their professional judgment?

Answer

4 March 2015

E-000355/2015

Answer given by Mr Andriukaitis on behalf of the Commission

The decision as to whether or not chickens may be treated at certain stages of their life cycle with enrofloxacin must be taken considering the provisions of the Commission Regulation (EU) 37/2010(1). The provisions of Commission Regulation (EU) 37/2010 reflect the fact that no consumer safety data were available regarding eggs and therefore no safety limit could be established for this commodity.

The Commission proposal for a regulation of the European Parliament and of the Council on veterinary medicinal products(2) does not contain any provisions amending Commission Regulation (EU) 37/2010. However, the draft Regulation does contain provisions which allow a more flexible use of the 'Cascade', enabling veterinarians to choose the best available treatment for animals under their care provided that food safety is ensured.

- (1) Commission Regulation (EU) No 37/2010 of 22.12.2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin — OJ L15, 20.1.2010.
- (2) COM(2014) 558 final of 10.9.2014.

Parliamentary questions

27 January 2015 E-001106-15

Subject: Germany's Interstate Treaty on Gambling JP5

Germany's apparent 'gentlemen's agreement' (Commission communication SG(2012) D/50777) with the Commission has protected it from an infringement procedure related to its amended Interstate Treaty on Gambling for over two years now. Under the agreement, Germany was obliged to prove the suitability of its gambling law. Although the agreement's two-year validity period expired on 1 July 2014, no infringement procedure has been initiated to date. This means that a potentially illegal law is still in place.

1. Have other Member States been granted a gentlemen's agreement before which delayed the initiation of an infringement procedure?
2. Does the Commission deem the amended Interstate Treaty on Gambling and its implementation to be in compliance with EC law?
3. If not, why has the Commission not taken action by means of an infringement procedure without further delay?

Answer

1 April 2015

E-001190/15 - E-001106/15 JP5

Joint answer given by Ms Bieńkowska on behalf of the Commission Written questions: E-001190/15, E-001106/15

The Commission continues monitoring closely the implementation of the German State Treaty on Gambling, as it continues to examine other specific aspects of gambling regulation in Germany. In this context the Commission is in frequent contact with the German authorities to evaluate the situation in Germany, as it is also in close contact with the authorities of other Member States against which there is a possible incompatibility of national rules with EU-law.

The German authorities have been reporting on the implementation of the German State Treaty on Gambling at several occasions since the entry into force of the State Treaty. They have in particular informed the Commission about the ongoing developments of a modified regime for sports betting, including a tender procedure for the award of sport betting concessions. The process of the award of sport betting concessions is considered as part of the overall assessment of whether the objectives in the public interest justifying the restrictions of the German gambling legislation are met in a consistent and systematic manner as stipulated in the case law of the Court of Justice of the European Union. At this stage, the Commission's examination is still ongoing.

Parliamentary questions

10 November 2014 E-009018-14

Subject: Comprehensive Economic and Trade Agreement (CETA) and Transatlantic Trade and Investment Partnership (TTIP) JP3.1

Will the Commission confirm that the timetable for developing the CETA and TTIP agreements will allow national governments to carry out cost-benefit analyses of the documents, especially in the areas of investor-state dispute settlement (ISDS), prior to the Commission applying them?

Answer

16 December 2014

E-009018/2014 JP3.1

Answer given by Ms Malmström on behalf of the Commission

During the negotiations, the Commission is assisted by a special committee appointed by the Council and conducts the negotiations within the framework of such directives as the Council may issue to it. The Commission reports regularly to this special committee and to the European Parliament on the progress of the negotiations.

Being closely involved in the negotiating process, the Member States always have the opportunity to conduct a cost-benefit analysis. In this respect, it is worth noting that a study on the 'Impact of Investor-State-Dispute-Settlement (ISDS) in the Transatlantic Trade and Investment Partnership' has been prepared for the Dutch Minister for Foreign Trade and Development Cooperation and the Dutch Ministry of Foreign Affairs and is available on the website(1).

The text of the CETA Agreement is now subject to legal verification by both sides, after which it will be translated into all EU languages, in view of its signature.

(1)<http://www.rijksoverheid.nl/documenten-en-publicaties/rapporten/2014/06/24/the-impact-of-investor-state-dispute-settlement-isds-in-the-ttip.html>

Parliamentary questions

10 November 2014 E-009017-14

Subject: Commission control over security and defence assets JP2.1

1. Will the Commission confirm that, under the auspices of its roadmap for a comprehensive EU-wide security of supply regime and specifically in its forthcoming Green Paper on the control of assets in defence and security, it will seek to gain control of all Member States' security and military assets, both at the design and procurement stage?
2. Will the Commission also define the remit given to those who are preparing the aforementioned Green Paper?

Answer

11 February 2015

E-009017/2014 JP2.1

Answer given by Lord Hill on behalf of the Commission

The Commission does not seek to gain control of Member States' security and military assets. It has never considered issuing a green paper with this objective. It is considering how best to respond to the European Council's call in December 2013 for a more effective Common Security and Defence Policy.

Parliamentary questions

10 November 2014 E-009016-14

Subject: Progress of the ITER project JP1.1

Will the Commission confirm that the delay experienced by this vast project, now planned to start up in 2023 (3 years later than the last planned start-up date), is largely due to the Japanese nuclear accident at Fukushima, delaying Japanese input into the project and leading to a significant consequential cost increase for all participants. Would the Commission also confirm:

1. the new start-up date for the ITER project;
2. the increase in forecast costs due to this latest delay;
3. the new total forecast cost of the overall project.

Answer

19 February 2015

E-009016/2014 JP1.1

Answer given by Mr Moedas on behalf of the Commission

The nuclear accident at Fukushima in 2011 caused delay in the execution of the project since it introduced increased nuclear safety requirements. Additional design changes, partially affecting the overall project schedule, were requested by the French Nuclear Regulator to take these new requirements into consideration.

ITER is a first-of-a kind project. The delays relate mainly to maturity of the design and integration of the different systems and components. The complex decision-making process also plays a part. These concerns were highlighted by an independent assessment of the ITER Organisation management carried out in 2013 in accordance with the ITER Agreement.

All ITER Parties are experiencing delays in the delivery of their components including the EU, the largest contributor and responsible for 45% of the overall ITER contribution.

1. The present schedule(1) foresees First Plasma by November 2020. This objective is now difficult to achieve due to the current delays. Work is ongoing on a more realistic schedule to be proposed by June 2015.

2 and 3. The revision of the schedule will require an assessment of the available resources and costs, as both schedule and costs are closely related.

The Commission is committed to respect the capped budget of the EU contribution to ITER for the construction phase until 2020(2). The maximum level of the Euratom commitments for ITER is set up in Article 16.2 of the Council Regulation of 2 December 2013 fixing the MFF(3) for the years 2014-2020 at EUR 2 707 million(4).

Cont'd...

On 13 December 2013, the Council adopted a decision which amends the 2007 Decision establishing the Joint Undertaking for ITER and fixes the Euratom contribution for the 2014-2020 period to EUR 2 915 million(5).

(1) Adopted in 2010 and revised in November 2011.

(2) Set by the Council of the EU in 2010 at EUR 6.6 billion (2008 value).

(3) Multiannual Financial Framework.

(4) 2011 value.

(5) Current values.