

Does the Council consider there has been real enforcement of the democratic control principle with regard to Spain?

Will the Council put forward a judicial instrument, in the new texts being drafted, for those included on the European Union's black list?

Reply

(13 May 2003)

The Council is not able to take any position as far as individual criminal cases as well as the maintaining of public order in the Member States are concerned.

As for the last question raised by the Honourable Parliamentarian, the Council invites the Honourable Member of the European Parliament to note that the Council has adopted the 'Council Decision 2003/48/JHA of 19 December 2002 on the implementation of specific measures for police and judicial cooperation to combat terrorism in accordance with Article 4 of Common Position 2001/931/CFSP' which is published in the Official Journal L 16 of 22 January 2003, p.68.

(2003/C 222 E/254)

WRITTEN QUESTION E-0666/03

by **Jan Dhaene (Verts/ALE) to the Commission**

(6 March 2003)

Subject: Equipping of vehicles with automatic rear fog flashlights (ARFF)

Automatic rear fog flashlights were on the agenda of the Working Party on Lighting and Light-Signalling (GRE), and were thus being discussed by lighting specialists, as long ago as 1991 and 1992.

Practical research carried out in the French Government's Fog Laboratory in Clermont-Ferrand and part-funded by the European Commission led to the finding that, after a series of tests, undertaken totally independently, of all the possible rear-light configurations currently authorised under European legislation, all the international test persons involved agreed that automatic rear fog flashlights were always the easiest to detect and were selected as the best additional warning signal. As long ago as 1994, the Advocate General at the Amsterdam Court ruled that automatic rear fog flashlights were not prohibited.

In 1999, the European Commission's High-Level Group on Traffic Safety deemed that such lights did not constitute a danger for international traffic and referred to the Vienna Convention which lays down that warnings may be given by means of flashing lights while the danger lasts. The use of such additional warning signals may well prevent serious accidents.

1. Is the Commission aware that ARFF constitute the only system which meets all the requirements laid down by the German Federal Road Research Institute?
2. Is the Commission aware that multiphase lighting was introduced some time ago but that it was then withdrawn again, once it became obvious that it resulted in no more than limited improvement?
3. Is the Commission aware that all types and sorts of vehicles may be involved in serious accidents and that, accordingly, all types of vehicles must be able to use a clear and directly recognisable additional signal in order to prevent very serious accidents?
4. Is the Commission aware that all previous shortcomings and irritations involved in rear-light configurations may be solved by second-generation ARFF at a stroke?

Answer given by Mr Liikanen on behalf of the Commission

(3 April 2003)

All vehicles are subject to serious accidents and the Commission has an on-going programme of work to harmonise and improve the safety provisions of vehicle through the type approval process. Whilst it is appropriate for vehicles to generally comply with a common set of provisions, where a particular risk is identified for a vehicle category, additional provisions are included, for example side-marker lamps on long vehicles.

European requirements concerning the installation of lighting and light-signalling devices on motor vehicles are contained in Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers⁽¹⁾, as amended, which refers to Regulation 48 of the United Nations Economic Commission for Europe for its technical provisions.

Compliance with Council Directive 76/756/EEC is mandatory for passenger cars when they are first placed on the market. However, Member States are able to apply their own provisions for other categories of motor vehicles and for vehicles in-use, although compliance with such requirements will not guarantee that the vehicles concerned can be used in international traffic. The Commission is not aware of any particular requirements laid down by the German Federal Road Research Institute, and therefore is not in a position to comment on whether the Automatic Rear Fog Flashlight (ARFF) is the only system that meets them.

An expert working group of the United Nations Economic Commission for Europe, which the Commission and Member States attend, meets twice a year to discuss proposals to amend the requirements for lighting and light-signalling devices on vehicles. As a member of this working group, the Commission follows all the discussions and regularly reviews their position on all matters under discussion. A few years ago this group was made aware of the ARFF during discussions to enhance the stop lamp function. However, at that time, the general principle of enhanced stop lamps was not supported and neither was ARFF. More recently, though, attitudes have started to change towards innovative lighting devices and it might be an appropriate time to re-present ARFF to the group, especially if there is an improved second-generation version. If the inventor of ARFF would like to contact Directorate General Enterprise, it would be possible to examine the feature of the new version. This would allow the Commission to decide on the appropriateness of bringing the matter to the attention of the working group again.

⁽¹⁾ OJ L 262, 27.9.1976.

(2003/C 222 E/255)

WRITTEN QUESTION E-0668/03**by Giacomo Santini (PPE-DE) to the Commission**

(6 March 2003)

Subject: Young farmers ignored under the new CAP

One voice has been missing from the passionate debate surrounding the reform of the common agricultural policy – that of young farmers. Nor was there any tangible reference in the Commission document to what will become of these farmers, their problems and their expectations.

We have therefore not moved on from articles 7 and 8 of Regulation (EC) No 1257/1999⁽¹⁾, which envisage higher percentages for the EAGGF premium, so that instead of the ceiling of 40 % of the volume of investments for ordinary holdings, the figure rises to 45 % for young farmers and 55 % for young farmers in disadvantaged areas.

Article 8 envisages a maximum amount of EUR 25 000 of setting-up aid for young farmers. This is not much as an incentive for a young person to set up a farm, faced with the forthcoming major reforms.