

Answer given by Mr Prodi on behalf of the Commission

(6 September 2001)

The Commission has no information about Cryo-cell other than that available on the firm's Internet site and already known to the Honourable Member. Nor does the Commission have any information about other similar firms in the European Union.

The Commission thanks the Honourable Member for raising this matter. It believes that the services offered by Cryo-cell do indeed raise serious ethical questions and has asked the European Ethics Group to look into the ethical aspects of this type of activity as part of its current work on the ethical aspects of the patentability of inventions arising from research into human stem cells.

(2002/C 81 E/080)

WRITTEN QUESTION P-1887/01

by Ilka Schröder (GUE/NGL) to the Council

(21 June 2001)

Subject: 'Enfopol 29' plans for retention of communication data

A recent feature (<http://www.statewatch.org/news/2001/may/03Benfopol.htm>) by the London-based Non-Governmental Organisation Statewatch as well as an article in the Guardian newspaper (18 May 2001) deal with extended requirements to be placed on service and network telecommunications providers to cover mobile phones, satellite phones and internet usage. Allegedly the plans, referred to as 'Enfopol 29' also require them to supply law enforcement agencies on production of an interception order with personal details of users such as e-mail account, passwords, addresses and credit card details. According to the Guardian, 'European Union governments are trying to relax stringent data protection rules to guarantee the police and law enforcement agencies access to private phone calls and e-mails'.

In consideration of the fact that such a requirement would be in flagrant contradiction to Directives 95/46/EC⁽¹⁾ and 97/66/EC⁽²⁾ as well as to Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and to Article 8 of the European Charter of Fundamental Rights, I ask the Council:

1. To what extent is it true that the Police Cooperation Working Party is working on plans referring to the interception and retention of communication data which, if implemented, would be in contradiction to applicable EU legislation?
2. What is the Member States' position on relaxing this legislation in order to provide a legal framework for extended interception and retention of such data?
3. A document uncovered by Statewatch calls for 'every phone call, every mobile phone call, every fax, every e-mail, every website's contents, all internet usage, from anywhere, by everyone, to be recorded, archived and be accessible' for law enforcement agencies. What is the Council's position on this request?

⁽¹⁾ OJ L 281, 23.11.1995, p. 31.

⁽²⁾ OJ L 24, 30.1.1998, p. 1.

Reply

(29 November 2001)

1. The Council has adopted, in January 1995, a Resolution on the lawful interception of telecommunications⁽¹⁾.

2. A draft Council Resolution on law enforcement operational needs with respect to public telecommunication networks and services has been discussed in the preparatory levels within the Council but it was not adopted by the Council.

(¹) OJ C 329, 4.11.1996, p. 1.

(2002/C 81 E/081)

WRITTEN QUESTION E-1888/01

by Ioannis Marinos (PPE-DE) to the Council

(27 June 2001)

Subject: Accession of new countries to the Union

According to Facts about Turkey, a sleek publication produced by the Turkish News Agency and distributed for some time to all MEPs, 97 % of Turkish territory is in Asia and 3 % in Europe (Eastern Thrace). Russia is in a similar situation, albeit that its European part accounts for much more than 3 % of its territory and stretches as far as the Urals. Since December 1999, Turkey has been a 'candidate State' for accession, despite the fact that a very small part of its territory is in Europe. Russia, a country with a vast market and inexhaustible natural resources, has not yet acquired that status as it has not submitted an application for membership.

Would a possible Russian application for accession in the distant future mean that the Union would extend its geographical frontiers to the shores of the Far East and border on countries such as China and Japan? Would it be possible (provided the Copenhagen criteria are met) to consider a 'pilot' accession to the Union for regions such as European Russia or Eastern Thrace (European Turkey), which clearly are in Europe and have a significantly higher level of economic development than the other regions of the countries to which they belong?

To what extent does the Council consider it appropriate to draw up a study on such a possible development, which might result in the incorporation of some areas of those countries into the structure of Europe, and the avoidance of an adverse situation in which the EU would shoulder the burden of the economic convergence of underdeveloped, remote areas which, furthermore, belong to geographical regions which are not in Europe?

Reply

(26 November 2001)

According to Article 49 of the Treaty on European Union, any European State which respects the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law may apply to become a member of the Union. The Council shall decide unanimously on any such applications for membership on the basis of Article 49, paragraph 1 TEU, after consulting the Commission and after receiving the assent of the European Parliament.

The conditions of admission and the adjustments to the Treaties on which the Union is founded shall be the subject of an agreement between the Member States and the applicant State and submitted for ratification by all the contacting States in accordance with their respective constitutional requirements.

(2002/C 81 E/082)

WRITTEN QUESTION E-1892/01

by Antonios Trakatellis (PPE-DE) and Ioannis Marinos (PPE-DE) to the Commission

(28 June 2001)

Subject: Economic values and 'creative accounting' in Greece

It has been said and written innumerable times that some Member States have resorted to 'creative accounting' and that the manner in which it is used runs counter to the objective of containing fiscal deficits, which is a basic component of the stability and development programmes.