



BELGIAN FEDERAL PARLIAMENT

Mr Wolfgang PIRKLHUBER
Member of the Standing Subcommittee
on EU-Affairs
Nationalrat
Dr. Karl-Renner-Ring 3
A - 1017 Vienna

Brussels, 19 January 2011.

Dear Mr Pirkhuber,
Dear Colleague,

It is with great pleasure that we send you the answers of the President of the European Commission, Mr José Manuel Barroso, to the questions you raised on the occasion of the XLIVth COSAC organised in Brussels on 25 and 26 October 2010.

We wish you good receipt of these documents and remain,

Yours sincerely,

Philippe Mahoux
Co-chair of the Federal Advisory
Committee on European Affairs

André Flahaut
Speaker of the Chamber of Representatives
Chair of the Federal Advisory
Committee on European Affairs

**Follow-up to the XLIV COSAC meeting
(Brussels, 24-26 October 2010)**

**President Barroso's replies to written questions submitted by Members of the
COSAC**

The European Citizens' Initiative has been introduced within the framework of the Lisbon Treaty. When can the citizens of Europe expect the necessary procedural steps to be implemented? What is the current state of affairs?

(Question by Mr. Pirklhuber, Member of the Standing Subcommittee on EU-Affairs of the National Council)

On 6th December, a political agreement was reached between the three institutions on the final text of the Regulation on the Citizens' Initiative. Following this agreement, the Council agreed on this text on 8th December and the European Parliament endorsed it during its plenary session on 15th December.

The adoption of this Regulation will show European citizens that implementation of the Lisbon Treaty is on track and citizens will soon be able to start using this new instrument of participatory democracy.

As regards the entry into force of the future Regulation, the final text foresees a 12-month period before the application of the Regulation in order to allow the Member States in particular to prepare and take the necessary measures. Citizens will only be able to launch and register initiatives after entry into force.

For your second election term you have announced that the right of self-determination on the GM-free regions in Europe should be facilitated. By when do you expect that the corresponding legally binding measures will be put in place? What further steps are exactly planned in this regard?

(Question by Mr. Pirklhuber, Member of the Standing Subcommittee on EU-Affairs of the National Council)

In my political guidelines for the new Commission delivered on September 2009, I referred to the possibility to combine an EU authorisation system based on science with the freedom of Member States to decide whether or not they wish to cultivate GMO crops on their territory.

This commitment was taken forward by the adoption by the Commission, on 13 July 2010, of a package on GMO cultivation.

This package comprises first a Commission Recommendation on guidelines for the development of national co-existence measures to avoid the unintended presence of GMOs in conventional and organic crops¹ which recognises the possibility to establish "GM free areas". While this provision does not provide a legal basis for an administrative entity of a Member State to declare itself GM free, it recognises that, under certain economic and natural conditions, GMO cultivation can be excluded from certain areas to avoid unintended presence of GMOs in other crops. This possibility has to rest on the demonstration by the Member State concerned that for those areas, other measures are not sufficient to achieve the objective pursued.

In complement to the Recommendation, the Commission also adopted a proposal for a Regulation of the European Parliament and of the Council amending Directive 2001/18/EC as regards the possibility for Member States to restrict or prohibit the cultivation of GMOs in their territory². This proposal provides the possibility for Member States to adopt measures to restrict or ban the cultivation of GMOs, in all or parts of their territory for reasons that are not linked to the assessment of the risks posed by GMOs on health and environment. Where the constitutional arrangements within a Member State attribute to regional entities the competence to act in this matter, this Regulation could be used by these entities to declare themselves GM free, provided that all the conditions foreseen in the amended Directive are met. In all other cases, the assessment of whether the GMO cultivation has to be banned or not, in specific parts of the territory or in the whole of it, will have to be done at national level. This proposal is currently under discussion by the European Parliament and the Council.

¹ OJ C 200, 22.7.2010, p. 1-5

² COM (2010)375