

FORM FOR TABLING PARLIAMENTARY QUESTIONS

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To the: COUNCIL
COMMISSION

ORAL QUESTIONS	WRITTEN QUESTIONS
Oral Question with debate (Rule 108) <input checked="" type="checkbox"/> Question Time (Rule 109) <input type="checkbox"/>	Written Question (Rule 110) <input type="checkbox"/> Priority Written Question (Rule 110 (4)) <input type="checkbox"/>
AUTHOR(S): Ignasi Guardans, Jeanine Hennis-Plasschaert, Alexander Alvaro, Marios Matsakis on behalf of the ALDE group	
SUBJECT: EU restrictions on liquids that passengers can carry on aircrafts (please specify)	
TEXT: <p>The Council has adopted Commission Regulation 1448/2006 on aviation security containing a secret annex with restrictive measures on liquids that passengers are allowed to carry on aircrafts in their hand-luggage.</p> <p>1 - Can the Commission explain and provide assurances on why the contents of the annex, which has binding effects on individual persons, are kept secret, in breach of the democratic principle of publicity of laws? Which sanctions are applied in case of refusal to follow or of breach of the rules? How is it intended to avoid pure arbitrariness in the practical implementation of a secret rule and its exceptions? How can a person contest the decision or a sanction, on the spot or at a later stage, and look for legal remedy, if the norm is secret?</p> <p>2 - What is the justification for the measure? why and on which basis has the Commission proposed such a measure, which specialised expertise did it gather before taking the decision and has a proportionality, necessity and efficiency test, both in terms of citizens' rights and of security, been applied?</p> <p>3 -Why is the application of the measure not harmonised and left to the discretionary powers of Member States, airport authorities and security services? will the European Commission evaluate and inform the public and the EP on the practical consequences of the measure on individuals, on their rights, as well as on airport land services management (checked luggage, connecting flights, etc...)? are there categories of persons or VIPs, also when flying on commercial flights, that can be exempted from these rules?</p> <p>4 - Will it review the measure, so as to learn from experience in its application and to tackle the aforementioned issues, as well as the problem of the seizure of items of travellers in transit on EU territory? if so, when?</p> <p>5 - Does it agree that the comitology procedure applied does not allow for proper parliamentary and judicial control, in breach of the democratic principles and the European standards? What does it suggest in order to overcome such serious shortcomings?</p>	
Signature(s): Date: 31/10/2006	