

European Communities

EUROPEAN PARLIAMENT

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ORAL QUESTION (0-140/78)

with debate, pursuant to Rule 47 of the Rules of Procedure
by Mr SPINELLI, Mr GALLUZZI, Mr MASCAGNI, Mr SANDRI and
Mr VERONESI

to the Commission of the European Communities

Subject: Confiscation of political material at the
German frontier

Does not the Commission think that the confiscation
at the Basle frontier between the Federal Republic of
Germany and Switzerland on 19 October 1978 of 9 copies of
the book 'I partiti comunisti dell'Europa occidentale' by
Antonio Rubbi and 7 copies of the book 'La Romania' edited
by Arnaldo Alberti, by customs officials of the Federal
Republic of Germany, to the detriment of the Italian publisher
Nicola TETI, constitutes a clear violation of the fundamental
principles of the Treaty of Rome and is contrary to the
Customs Union between the Member States, since

- 1) German internal legislation does not provide for any kind
of censure of political literature;
- 2) the confiscated material was intended for exhibition at the
official stand of the Teti publishing house at the Frankfurt
International Book Fair;

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3) for the very reason that the books were for exhibition, they should not have been subject to any kind of taxation or control - or indeed customs duty - and the publisher was therefore perfectly entitled to state 'nothing to declare';

4) no legitimate reason was given for confiscation of the material and the high-handedness of the action was borne out by the fact that, following intervention by the Italian Publishers' Association and the Frankfurt Book Fair, the authorities at the Basle Customs Post stated their willingness to return the books provided that the publisher arranged to collect them personally?

Having regard to this situation, how does the Commission intend to prevent the recurrence of similar infringements in the Member States in the future and finally, what measures does it intend to take to ensure that the Teti publishers receive compensation for the moral and material damage caused by the action of the German administration?