

MIÉRCOLES 14 DE DICIEMBRE DE 2005

STŘEDA, 14. PROSINCE 2005

ONSDAG DEN 14. DECEMBER 2005

MITTWOCH, 14. DEZEMBER 2005

KOLMAPÄEV, 14. DETSEMBER 2005

TETAPTH 14 ΔΕΚΕΜΒΡΙΟΥ 2005

WEDNESDAY, 14 DECEMBER 2005

MERCREDI 14 DÉCEMBRE 2005

MERCOLEDÌ 14 DICEMBRE 2005

TREŠDIENA, 2005. GADA 14. DECEMBRIS

2005 M. GRUODŽIO 14 D., TREČIADIENIS

2005. DECEMBER 14., SZERDA

L-ERBGHA, 14 TA' DIČEMBRU 2005

WOENSDAG 14 DECEMBER 2005

ŚRODA, 14 GRUDNIA 2005

QUARTA-FEIRA, 14 DE DEZEMBRO DE 2005

STREDA 14. DECEMBRA 2005

SREDA, 14. DECEMBER 2005

KESKIVIIKKO 14. JOULUKUUTA 2005

ONSDAGEN DEN 14 DECEMBER 2005

PRESIDENCIA DEL SR. BORRELL FONTELLES

Presidente

1 - Apertura de la sesión

(Se abre la sesión a las 9.00 horas)

2 - Composición de los Grupos políticos: véase el Acta

3 - Presentación de documentos: véase el Acta

4 - Transferencias de créditos: véase el Acta

5 - Transmisión por el Consejo de textos de Acuerdos: véase el Acta

6 - Preparación del Consejo Europeo (Bruselas, 15 y 16 de diciembre de 2005), incluida la estrategia de desarrollo

El Presidente. – Señoras y señores diputados, de acuerdo con el orden del día vamos a proceder a las declaraciones del Consejo y de la Comisión sobre la preparación del Consejo Europeo que se celebrará en Bruselas los próximos días 15 y 16 de diciembre, incluida la Estrategia de Desarrollo.

Para ello contamos aquí, y le damos la bienvenida, al Presidente de la Comisión, señor Barroso. Desgraciadamente no contamos todavía con la presencia de ningún miembro del Consejo: debe de estar acabando de preparar la nueva propuesta británica.

3-011

Graham Watson (ALDE). – Mr President, I wish to rise on a point of order, to offer the Presidency the opportunity to request that this debate be rescheduled for this afternoon. It is my understanding that the President-in-Office, the European Affairs Minister, intended to be with us this morning to discuss the preparations for the Presidency and yet the Presidency-in-Office did not intend to unveil its budget proposals until this afternoon. We have had the great pleasure of debating with one of the more assiduous and intelligent European Affairs Ministers who has come before this House. To engage in some kind of shadow boxing when we do not know what the proposals are seems to me to be really quite ridiculous and a waste of our time.

The Presidency-in-Office is not here to be able to make this request. I hope it will be here later. Mr President, I hope you will seek an assurance from the Presidency-in-Office that it will have proper debate with us and outline what it intends to put to the Council as a budget proposal.

3-012

El Presidente. – Gracias, señor Watson. De momento el combate no sería, ni siquiera, contra una sombra sino con el vacío, porque todavía no contamos con la presencia del representante del Consejo. En cambio, me han comunicado que está en camino y que hay dificultades de tráfico. Por lo tanto, puedo suponer que estará aquí en breves minutos.

En cuanto a su petición de que el Consejo haga referencia en su intervención a la nueva propuesta que se supone que va a hacer pública hoy, debo decirle que ayer le pedí a la Presidencia británica, en el curso de la comida de despedida con motivo del final de su Presidencia, que así lo hiciera, que el Parlamento no entendería demasiado bien que una nueva propuesta que se hará pública a mediodía de hoy no se incluyese en el debate, porque sería ciertamente un debate meramente protocolario y formal.

No recibí una garantía pero sí observé cierta comprensión que, supongo, se traducirá en la práctica en, al menos, un antícpo de lo que la Presidencia va a explicar más tarde. Si no fuera así, creo que el Parlamento tendría, ciertamente, razones para sentirse poco apreciado.

Por otra parte, tampoco me parece oportuno que suspendamos la sesión ahora, señor Watson, sabiendo que va a estar aquí con nosotros, próximamente, el señor Ministro. Espero que el sentido común y el sentido del humor del que hacen gala los británicos le asistan en su intervención para explicarnos lo que va a pasar más tarde.

3-013

José Manuel Barroso, président de la Commission. – Monsieur le Président, Mesdames et Messieurs les députés, je n'ai pas besoin de vous convaincre que le Conseil européen de demain est une étape cruciale pour l'Europe.

À Hampton Court, nous avons identifié les défis immédiats; il faut à présent se donner les moyens de répondre à ces défis et c'est l'enjeu des perspectives financières. Je reviendrai tout à l'heure sur ces perspectives, mais permettez-moi d'abord de vous dire un mot sur d'autres sujets importants qui seront abordés lors du Conseil européen.

À Hampton Court, nous avons discuté de la façon dont l'Europe peut se préparer à la mondialisation. Nous sommes convenus de relancer nos travaux dans plusieurs domaines, notamment la recherche, les universités, la démographie, l'énergie, l'immigration, la sécurité et les relations extérieures. Je ferai rapport au Conseil européen sur les travaux en cours à la suite du sommet informel. Dans ce cadre, j'attire votre attention sur quelques questions clés.

Hier, la Commission a adopté les derniers points de la révision de sa stratégie de développement durable. L'objectif est d'accroître le niveau d'ambition de cette stratégie en veillant à une plus grande efficacité de sa mise en œuvre. Les éléments les plus importants sont les suivants: veiller à ce que toutes les politiques communautaires soient encadrées par les principes du développement durable; s'engager fermement dans la réalisation des objectifs en prévoyant un rendez-vous régulier de nos institutions pour faire le point et passer en revue les pratiques des États membres; impliquer de façon plus systématique les acteurs principaux du développement durable, pas seulement les institutions mais aussi le monde des entreprises, qui doit faire des efforts importants et, bien sûr, les autorités régionales et locales.

La Commission travaillera de façon étroite avec le Parlement et le Conseil pour préparer au mieux cette étape importante. Vous pouvez compter sur mon engagement personnel et sur celui du collège. Dans ce contexte, le succès de la conférence de Montréal est une très bonne nouvelle. Il montre que le *leadership* de la Commission européenne et de l'Union européenne sur le changement climatique a porté ses fruits.

J'en viens à la question de la croissance et de l'emploi dans le cadre de la nouvelle stratégie de Lisbonne. La Commission constate avec plaisir que la stratégie renouvelée pour la croissance et l'emploi est maintenant bien lancée. Les programmes

nationaux qui ont été établis montrent que le nouveau système de gouvernance de la stratégie de Lisbonne commence à être intégré par les États membres.

Je souhaite, pour ma part, noter, d'ores et déjà, les points suivants: il y a évidemment un lien très étroit entre les défis économiques que nous avons identifiés au sommet informel et ceux que les États membres identifient dans leurs programmes nationaux. La Commission assumera toutes ses responsabilités dans son rapport en janvier en expliquant de façon claire, mais constructive quels sont les points faibles et les points forts de ces programmes nationaux. Elle veillera également à faire ressortir de bonnes idées et de bonnes pratiques qui pourraient être utilisées par tous.

Une autre question importante, et de très grande actualité, est celle de l'immigration. La Commission est résolue à progresser dans le développement d'une approche transversale des questions migratoires. Cette approche consisterait à traiter l'immigration sous l'angle de la prospérité, de la solidarité et de la sécurité dans l'Union européenne, et ceci en étroite collaboration avec les États tiers concernés. C'est dans cet esprit que s'inscrit la communication sur un programme d'action relatif à l'immigration légale, dont le collège doit discuter la semaine prochaine.

La Commission salue aussi la stratégie globale contre le terrorisme qui devrait résulter du prochain Conseil européen. Les instruments récemment proposés par la Commission sur les échanges d'information, l'interopérabilité des bases des données ou la protection des infrastructures critiques devraient être adoptés et appliqués dans les plus brefs délais. Nous avons grand besoin de ces instruments pour renforcer l'efficacité de notre action. C'est à nouveau l'un des domaines où il existe une nette valeur ajoutée européenne quand on pense à ce que l'Europe peut apporter à l'action menée à l'échelon national.

Enfin, je suis très heureux que les trois institutions se soient mises d'accord sur l'initiative que la Commission a prise concernant le consensus européen pour le développement. Vous le savez, il fera aussi – nous l'espérons – l'objet des conclusions du Conseil européen. Ce consensus européen pour le développement définit, pour la première fois en cinquante ans de coopération, un corps commun de valeurs, de principes, d'objectifs et de moyens en faveur de l'éradication de la pauvreté.

Avec l'adoption de la résolution du Parlement européen sur la déclaration de la politique de développement de l'Union européenne, ce consensus devient une véritable déclaration tripartite européenne pour le développement. Aujourd'hui, un pacte est scellé en faveur du développement. Maintenant, nous devons traduire les promesses de plus d'argent et mieux cibler ces promesses dans la réalité. La Commission demandera activement aux États membres de respecter leurs engagements. Ces engagements, nous les avons pris non seulement entre nous, mais aussi à l'Organisation des Nations unies. Une fois de plus, nous sommes fiers, en tant qu'Européens, d'être les promoteurs de ce dossier à l'échelle mondiale, mais il faut maintenant traduire en actions concrètes, cette ambition et ces engagements.

Maintenant, je vais vous parler du plat de résistance de ce Conseil européen, les perspectives financières.

3-014

As you know, whenever I speak about financial matters I switch to English! I have been doing that for the last month, so I shall now continue in English.

We all know what is at stake this week. This is the opportunity for Europe to show its citizens that it is capable of deciding on tough issues, that it can meet their expectations and that it will hold true to its values. The Commission has set out its ideas. Parliament has done the same. Now we are waiting for the Council. Any further delay and implementation of our policies will be delayed. Policies delayed are policies denied. I know that there are other technical options for keeping spending programmes going, but let us be frank: these are temporary measures only. The Europe of today needs greater security and ambition for its new priorities.

The Commission is playing its role. To unblock negotiations in October, I set out five proposals which have helped to kick-start discussions. On Monday I set out to Prime Minister Blair and other national leaders and to the President of this Parliament principles and 12 specific proposals to reach what I believe can be an ambitious and fair agreement this week on the financial perspectives. I welcome the support I have received within this House and amongst the Member States for the Commission's position. I want to set out today where the European Council should focus its attention in the coming days.

We need an ambitious Europe. The Hampton Court Summit showed the scale of the challenges before us and the role which the European Union must play in meeting them. But we must be coherent. Having defined the objectives, the Member States must now provide the means to achieve them. To support enlargement, we need investment; to support reform and modernisation, we need investment; to increase trade liberalisation, we need investment. Ambition is not realised through communiqués and great and grand statements. It needs action. And action needs means and instruments.

Europe's credibility is severely damaged when some do not put their money where their mouth is. A modern budget needs to recognise the realities of an enlarged Europe, so it must support growth, with cohesion policy focused on competitiveness. It must support Europeans adjusting to globalisation, immigration and the threats to security. It must avoid reversing recent reforms, such as the shift to rural development in agriculture, and it cannot downgrade the essential task of reconnecting with our citizens. Heading 3b of the financial perspectives is not an optional extra; it is of central importance to the Union's work.

There is another direct consequence of a tight budget. It makes it all the more essential that every euro be used to best effect, and seven years is a long time. We must not close the door to sensible adjustments in the future. With our original proposals, the emphasis Parliament's resolution put on flexibility was prudent: at much lower levels it is indispensable. The European Council must leave room for these issues to be debated within Parliament and the Council, as the two arms of the budgetary authority.

The principle of flexibility should be carried through to the review clause. I said in June that this will be essential in reaching a deal. I remain convinced of that. We need a comprehensive, ambitious and open review clause. Of course, any change must be agreed unanimously, but it is essential that this Commission and this Parliament have the opportunity to launch a genuine debate, without taboos, about the future of the European Union's spending and resources.

The budget also needs to be fair: fair in spending, but fair in contributions too. I think that we have come a long way in this respect, with a true recognition that the impact of enlargement on the budget has changed the situation. Now we need one further step to ensure that the burden of that impact is genuinely shared. That means further movement from the British side on their abatement. That will be crucial to reaching an agreement. That change should be linked to enlargement and, since this enlargement is permanent, so should the change be permanent, just as it was when the United Kingdom agreed changes to its abatement in 1988 and 1999.

One aspect of last week's proposals which concerns the Commission is the creation of parallel rules: one set for the Europe of 15, one set for the rest. This creates a very unfortunate effect. A two-speed cohesion policy, with one set of rules focused on competitiveness and another on financial transfers, is not the way to build a competitive Europe or a cohesive Europe. We need to ensure the coherence of our instruments. If there is some differentiation – and in some cases we need differentiation – it should be based on objective criteria in terms of the relative development of the Member States or the different regions, and not on those who were already members and new members. The European Union we want to build is not the European Union of old members and new members, it is a Union of all members with exactly the same dignity, and that is a very important point.

(Applause)

Making exceptions and special arrangements not only undermines coherence, it creates new risks for financial management. As you know, we take our accountability to this House and to the public at large very seriously. We take seriously the fiscal pressure on the Member States. The Commission made great efforts to develop a package of measures which were simple and comprehensible and will permit high standards of control. Alongside the revised financial regulation, they aim to make programmes more user-friendly and more efficient, so I regret that the principles of value for money and sound financial management seem to be sacrificed in order to achieve an agreement. The proposals on managing cohesion policy and voluntary modulation must be revised.

Sound management can also be undermined if cost-cutting takes the easy way out and targets administration. It is simply not credible to suddenly bring to an end the process of bringing our institutions up to speed with the last enlargement, and still less credible to make zero provision for Bulgaria and Romania.

I have to tell you, very frankly, that I know it is very easy and popular – I would say demagogic – whenever there is a need to make some cuts, to make those cuts in the administration. But in the next financial perspectives, we have to accommodate Bulgaria and Romania in all the institutions: in the Commission, in Parliament, in all the rest. I have to say that we do not have the resources now for that. So, if you want to have Bulgaria and Romania, we should have this in our budget.

(Applause)

I know that you share many of the concerns I have set out today. I know this because many of them echo your own resolution and your own comments. I welcome Parliament's position. It contains sound principles and imaginative solutions which can only make agreement more likely and results more effective. I am determined to do everything I can to help the European Council reach agreement this week.

I urge the Presidency, with its special responsibility, and the Member States to show the courage and determination to reach a deal which matches our ambitions. I fervently hope that when I address the Conference of Presidents next week

our task will be to chart the path towards an interinstitutional agreement that will take Europe into the next decade with real confidence. But we must do that with confidence and ambition. I myself, you in this House, and, I hope, all here today will always reject the narrow, nationalistic vision of a mini Europe.

(Applause)

3-015

Douglas Alexander, President-in-Office of the Council. – Mr President, let me begin by apologising to honourable Members for the momentary delay in my arrival here from the airport this morning. Let me also assure this House that I have listened with great care to the statement that we have just heard from the President of the Commission and I look forward to the contributions of honourable Members to this important and timely debate that we are having here today ahead of the European Council.

This week's European Council in Brussels takes place at the end of a tumultuous year for the European Union. It has been a year in which the voters of France and the Netherlands rejected the draft Constitutional Treaty; a year in which the need for Europe to face the realities of a globalised economy has become ever clearer; and most tragically, a year in which terrorism has once again struck in the streets and trains of a European capital. But Europe has responded. We have developed a clearer sense of our common response to globalisation. We have shown a sheer determination, which Mr Schulz has been generous enough to acknowledge in previous debates in this chamber, in the face of terrorism which has reaffirmed the strength of our solidarity, our democratic values and our common resolve to see those values triumph. We have asserted Europe's truly global role and responsibility, whether it is in New York, in Montreal last week, the Gaza Strip, or in Aceh, Indonesia.

The United Kingdom has been truly proud to hold the Presidency of the Council during these last six months. Let me put on record, on this occasion, our gratitude to the Members of this Parliament for the cooperation they have shown in facing this challenging but shared agenda.

The primary task facing the European Council this week is both necessarily and appropriately to agree the financial perspectives of the European Union for 2007-2013, to which the President of the Commission directed the majority of his remarks this morning. It has always been one of the key challenges of our Presidency. Following the failure to reach political agreement last June, we listened to the calls of those, not least in the new Member States, who underlined the importance of agreement being reached by the European Council this year, and we have worked long and hard towards that end.

The proposals we put on the table a week last Monday, which were discussed by foreign ministers first in the informal conclave last week and then again briefly at the General Affairs Council this week, are challenging for Member States – I acknowledge that – and so, too, will be the revised proposals which we will table later today. Those revised proposals will be realistic, too, given the budgetary context in which most Member States are now operating nationally. Let me be candid: the room for negotiation is narrow. We remain convinced, on the basis of our extensive consultations with other Member States, including at the level of heads of government over the last week when a number of heads of government came to London and there was a range of bilateral contact beyond London, that these proposals remain the best and only basis for agreement within the Council and subsequent discussion with Parliament. They are an important and necessary step in the direction of a modern, reformed budget, fit for the purposes of the 21st century, about which our Prime Minister spoke so eloquently on the eve of the British Presidency at the European Parliament.

The review we propose to hold of all Community expenditure in 2008 and 2009 offers us a chance to assess the global and domestic challenges which the Union faces, where and how Community action and spending can best add value to national and regional efforts, and how the resources to sustain that spending can be most fairly found. It is an important opportunity for us all, for this Parliament, for the Council and the Commission and our European citizens, to consider the best way forward.

Amidst all the debate in the press and the media, let us keep our eyes on the very considerable prize before us: a budget that enshrines a fundamental shift of spending towards the new Member States, EUR 260 billion in receipts for the new Member States over the next seven years, EUR 2 500 for every man, woman and child.

The economic dynamism of those new Member States is already truly an inspiration for us all. The new flexibilities we have proposed for the structural and cohesion funds should ensure that more of the allocations to new Member States can be spent and that each euro absorbed by Member States, their regions and their cities can have more impact. This will deliver greater improvements in the infrastructure and skills which this Union collectively will need if it is to rise to the global economic challenge and if it is to deliver the social justice which all of our people rightly demand.

Future financing lies at the heart of this week's European Council, but it is not the only issue, so let me briefly touch on other points to be discussed by our heads of government this week. First, there is the follow-up to the October informal

heads of government meeting at Hampton Court. At the summit we agreed to make more concrete progress in a series of key areas: boosting research and development with the creation of a European research council; improving our universities and their links with business; creating a more competitive energy market; examining how migration can boost our economy; how we can use more extensive and better quality child care to give people a fairer balance between work and family life; how we can re-skill workers to meet the global challenge, and how we can strengthen Europe's place in the world and our collective security.

President Barroso and High Representative Solana will report back to heads of government on the progress made and on the next steps. Let me pay tribute to the work that they have already done and the close cooperation they have offered on those and so many other issues in the course of our Presidency.

Secondly, there is the issue of economic reform. Here we continue to work closely with the Commission in pursuing the jobs and growth agenda for Europe. This has borne fruit these last few months with the launch of the Lisbon national reform programmes, setting a forward-looking agenda of reforms for every Member State. The summit will welcome this progress, as well as the significant steps taken already on the issue of better regulation. That includes simplifying European Union legislation, both for citizens and for European businesses, and underlining our common responsibility as Council, Commission and Parliament to reduce unnecessary administrative burdens.

Thirdly, we will adopt a Europe-wide counter-terrorism strategy, creating a clear and coherent framework for the European Union's work on counter-terrorism and setting out concrete objectives for action. The strategy enhances the European Union's work to prevent people turning to terrorism. We will adopt an action plan to tackle radicalisation and recruitment by terrorist organisations. It will work to protect further the European Union citizens and infrastructure. We will put in place a programme for protecting critical infrastructure right across Europe from terrorist attack. It improves the European Union's efforts to disrupt terrorists and their terrorist networks, in particular combating terrorist financing. The strategy will help the European Union build its ability to respond to a terrorist attack by improving our crisis management capability and coordination. The Council hopes that we will have reached agreement on the measure on data retention, on which we have worked very closely and effectively with this Parliament in recent days and months.

Next, the summit will set out a global approach to migration. This is an approach that learns the lessons of the events of the last few months and is informed by the discussions we had here in the plenary debate in October. It focuses on the problems of Africa and the Mediterranean but does not exclude the important and necessary cooperation which we need to foster with other regions. It identifies priority actions for the Union to take so as better to help countries of origin and transit to manage migration better and to combat illegal immigration.

Fifthly, let me highlight the regular report on European security and defence policy to the Council. The report will register the difference our European missions are already making on the ground, including the two latest missions: in Aceh – our first in Asia – and on the Rafah border crossing in Gaza, a practical manifestation of the Union's longstanding commitment to the lives and freedoms of the Palestinian people.

The European Council is also expected to adopt an overarching declaration on that area of the world – the Middle East. This will renew our commitment to a secure, prosperous and peaceful Middle East, as well as our efforts to support political, social and economic reform within that region. The declaration will reflect what the European Union has achieved over the course of our Presidency: the first ever EuroMed Summit in November, which has set the agenda for our future relations with our southern Mediterranean neighbours, support for disengagement from Gaza, building Palestinian institutional and security capacity, launching the European Union border assistance mission to Rafah and increased European Union engagement with Iraq. But it will also set out the continued challenges that we face in that region: the search for peace between Israel and its neighbours, the political processes within Iraq and Lebanon, Iran's nuclear programme – a subject that we have debated here in this Chamber – and ending support for groups that use violence.

Let me just pause here to note that the Presidency has been unequivocal in its condemnation of the comments attributed to President Ahmadinejad of Iran which relate to Israel, firstly saying that Israel should 'be wiped off the map' and then denying the Holocaust and calling for Israel to be removed to Europe. The comments are wholly unacceptable and we condemn them unreservedly. They have no place in civilised political debate.

Finally, heads of state and government will also adopt a comprehensive global strategy for Africa, tackling peace and security, governance, regional integration, trade and development assistance. It will refocus the Union's relationship with Africa to cover the whole continent. It will be a fitting end to a year in which the continent has taken centre stage in the European Union and internationally, and in which we have seen extraordinary popular calls for change throughout Europe to make poverty history.

The European consensus on development is the second theme of today's debate. It is right that we should return to the subject of development as we approach the end of this year and the end of this Presidency. Over the course of the year the European Union – already the largest provider of global aid – has again demonstrated the leading role which it plays in this

area of work. The European Union set the tone for the Millennium Review Summit with its commitment from the International Development Ministers to increase aid back in June, a decision that was then ratified by Ecofin. As the consensus on development shows, however, this is not the time for us to rest on our laurels: we must not only spend the money but also spend that money well.

This tripartite declaration sets out the aims and principles guiding European Union development cooperation efforts. The first part is a political declaration that sets out common objectives, principles and methods for delivering development cooperation at both Member State and Community level. The second part guides the implementation of development aid at Community level. The Council and the Commission agreed the consensus on 22 November, following extensive discussions between all relevant European Union institutions and after consultation with other key stakeholders, including European civil society. We hope Parliament will agree to this today so that it can be a truly joint tripartite declaration.

The Presidency would like to extend particular thanks to the rapporteur, Mr Wijkman, for his commendable efforts to ensure Parliament's substantive and constructive input to this important text. This agreement would be the first time we would have a common European Union approach to development, which will guide the actions of the Community and all 25 Member States. The consensus focuses squarely on poverty eradication to help meet the Millennium Development Goals, on partner country ownership, on ensuring we provide more effective aid and on joined-up policies to promote development. This agreement is particularly important, given that the European Union already provides over half of all global aid and is set to provide two thirds of aid by 2015 on the basis of the commitments that have now been made.

The consensus also sets out a revised EC development policy which clarifies the Commission's role and establishes where it adds value. It ensures that we give priority to the poorest countries and that we take into account development objectives in all other policy-making that affects developing countries. The consensus is an important political statement, against which all parties can be held to account. I hope that it will receive your support.

This will, frankly, be an important but difficult European Council, but, approached with flexibility and vision, we can make significant progress on some of the most important issues facing the Union and set the scene for further work by our Austrian and Finnish colleagues in the coming year. I will listen with great interest to the points that you make and ensure that they are narrated back ahead of what will be important discussions in Brussels towards the end of this week.

(Applause)

3-016

El Presidente. – Señor Ministro, como supongo que usted sabe, esta sesión plenaria tiene por objeto preparar el Consejo Europeo que tendrá lugar este fin de semana. La Presidencia debe lamentar que haya perdido usted una ocasión para informar al Parlamento de la propuesta que va a hacer próximamente.

(Grandes y prolongados aplausos)

Así se lo pedí ayer a su Ministro responsable de las Relaciones con el Parlamento, y creo que es una pena que esta petición no haya sido atendida, lo cual, sin duda, reduce el significado de este debate.

Lamento no haber hecho caso, señor Watson, a la propuesta que usted ha formulado al inicio de esta sesión.

3-017

Hans-Gert Poettering, im Namen der PPE-DE-Fraktion. – Herr Präsident, Herr Kommissionspräsident, Herr Ratspräsident, liebe Kolleginnen und Kollegen! Wenn der Saal hier so schön geschmückt ist, dann ist das nicht der Schmuck für die bisherigen Leistungen der britischen Präsidentschaft, sondern weil wir gleich die Sacharow-Preisträger begrüßen wollen, die sich so hervorragend für die Menschenrechte in der Welt einsetzen. Herr Ratspräsident, Sie sind etwas zu spät gekommen. Ich kritisiere das nicht, das zeigt ja nur, dass Sie auch menschlichen Maßstäben unterliegen. Aber es zeigt symbolhaft, dass der Rat in der Regel sachpolitisch, was den Fortschritt für Europa angeht, zu spät kommt, und wir wünschen uns, dass der Rat morgens etwas früher aufsteht, damit wir für Europa zu guten Ergebnissen kommen.

(Beifall)

Der Präsident des Europäischen Parlaments hat unter großem Beifall gesagt, dass es schön wäre, wenn wir über das, was nun passiert, informiert würden. Herr Ratspräsident, wenn Sie Ihre Vorschläge über die Finanzielle Vorausschau erst um 12.00 Uhr unterbreiten, dann haben Sie diesen Zeitpunkt vermutlich deswegen hinter diese Debatte gelegt, weil Sie das Ergebnis dieser Debatte noch in Ihre Vorschläge einfließen lassen wollen. Ich hoffe, dass dies auch geschieht.

Die EVP-ED-Fraktion möchte für die Finanzielle Vorausschau ein Ergebnis, aber dieses Ergebnis muss annehmbar sein, und das ist für uns das Entscheidende. Wir wollen deswegen ein annehmbares Ergebnis, weil Europa nach den Schwierigkeiten, die wir auf verschiedenen Feldern hatten, wieder Erfolg braucht. Wir weisen darauf hin, Herr Ratspräsident, dass wir bisher noch nichts vorzuweisen haben. Sie haben davon gesprochen, dass der Präsident des

Europäischen Rates, Tony Blair, eine eloquente Rede gehalten hat. Das ist wahr, und gerade in meiner Fraktion haben ja damals viele – vielleicht mehr als aus der Fraktion, zu der Tony Blair politisch gehört – Beifall geklatscht. Der Stil ist natürlich wichtig, und ich möchte durchaus anerkennen, dass die britische Präsidentschaft – durch den Innenminister wie auch durch andere, auch durch den Premierminister, also den Präsidenten des Europäischen Rates – eine gute Kommunikation hatte. Das parlamentarische Miteinander war schon gut, aber der Stil alleine reicht nicht. Wenn die politische Substanz am Ende nicht dem Stil entspricht, dann bleibt die Substanz schlecht, dann müssen wir dies kritisieren, und deswegen hoffen wir, dass Sie morgen und übermorgen in Brüssel zu Ergebnissen kommen.

Wir haben vom britischen Premierminister, dem Präsidenten des Europäischen Rates, gehört, es müsse mehr in der Forschung getan werden. Ja, das ist richtig. Aber wenn ich die Vorschläge der britischen Präsidentschaft sehe, dann liegt das, was jetzt für die Forschung vorgesehen ist, unter dem, was Jean-Claude Juncker uns vorgeschlagen hat. Wo bleibt da bei dem britischen Handeln die Logik?

(Beifall)

Für uns ist es ein entscheidender Maßstab und wir alle sind glücklich darüber, dass wir Vertreter aus acht mitteleuropäischen Ländern bei uns haben, die am 1. Mai 2004 der Europäischen Union beigetreten sind. Für uns wird ein entscheidender Maßstab sein, ob das, was Sie als Rat vorschlagen – wenn es denn einen Vorschlag gibt –, die Geschlossenheit und die Solidarität der Europäer untereinander zum Ausdruck bringt. Wenn diese Solidarität nicht gewahrt ist, dann werden wir gezwungen sein, einen Vorschlag des Rates zurückzuweisen. Für uns hat die Solidarität und die Gemeinschaft der Europäer Vorrang und es darf keine Europäer erste und zweiter Klasse geben.

Herr Kommissionspräsident, wir möchten durchaus anerkennen, dass Sie mit Datum vom 12. Dezember einen Brief an den britischen Ratspräsidenten geschrieben haben. Das, was Sie darin zum Ausdruck bringen, findet unsere Unterstützung. Herr Ratspräsident, der Britenrabatt ist nicht mehr zeitgemäß! Deswegen muss er abgebaut werden mit dem Ziel, dass er eines Tages ganz verschwindet. Wir wissen natürlich, dass das mit der Agrarpolitik im Zusammenhang steht. Deswegen sind wir auch für eine Revisionsklausel in dem Sinn, dass man den gesamten Haushalt der Europäischen Union 2008–2009 einer Überprüfung unterzieht. Was aber nicht geschehen darf, ist, dass am Ende die Mitteleuropäer, die am meisten unserer Solidarität bedürfen, überdies noch die Zeche zahlen müssen, wenn es um den Britenrabatt geht. Das ist nicht in Ihrem Interesse, das ist nicht in unserem Interesse, und das wird unsere Zustimmung nicht finden.

(Beifall)

Wir fordern im Übrigen, dass das Europäische Parlament in seinen Gesetzgebungsrechten ernst genommen wird. Wenn wir hören, dass beispielsweise den Ungarn Geld für den Wohnungsbau versprochen wird, dann erinnern wir daran, dass dies Rechte des Europäischen Parlaments berührt, weil wir nämlich eine Gesetzgebung auf den Weg bringen müssen, um dies zu erreichen. Nehmen Sie das Europäische Parlament ernst und nehmen Sie unsere Reformziele ernst! Wir wollen erreichen, dass wir in der Außen- und in der Innenpolitik unsere Rechte wahrnehmen können, und wir werden es nicht gestatten, dass sich der Rat über unsere Rechte hinwegsetzt.

Was den Iran angeht, stehen wir ganz auf Ihrer Seite. Es muss ein klares Signal geben gegen Ahmadinedschad und für Israel, für das Existenzrecht Israels. Wer Israel in Frage stellt, wendet sich im Grunde genommen auch gegen die Palästinenser, gegen ihr Recht, in Würde zu leben, denn wer Israel das Lebensrecht nicht zuerkennt, spricht sich gleichzeitig gegen einen palästinensischen Staat aus, weil es den dann nicht geben würde. Erheben Sie im Fall Iran Ihre Stimme gegen Ahmadinedschad und für den Frieden im Nahen Osten! Bei dem Punkt haben Sie uns auf Ihrer Seite.

(Beifall)

3-018

Martin Schulz, im Namen der PSE-Fraktion. – Herr Präsident, meine sehr geehrten Damen und Herren! Es ist Zeit, dass wir uns mit der britischen Ratspräsidentschaft auseinandersetzen. Es ist Zeit, dass wir uns mit der Politik des Europäischen Rates auseinandersetzen. „Wir brauchen eine starke, handlungsfähige Europäische Union, und ich bin bereit, für diese handlungsfähige und starke Union zu kämpfen“, hat José Manuel Durão Barroso in dem Brief, den Sie, Herr Kollege Poettering, zitiert haben, dem Rat geschrieben.

Ich hatte neulich ein interessantes Telefongespräch mit Herrn Barroso. Ich hatte ihn nach einem Interview mit der Süddeutschen Zeitung, das mir gut gefallen hat, angerufen und gesagt: „Das ist ein schönes Interview. Das freut mich.“ Daraufhin – das muss ich zugeben – hat er mir am Telefon eine spitze Bemerkung zuteil werden lassen. Er sagte: „Immer wenn du mich kritisierst, dann schreibst du das in die Zeitung, wenn du mich lobst, rufst du mich an. Lob mich auch einmal in der Öffentlichkeit!“ Ja, Herr Kommissionspräsident, ich lobe Sie jetzt.

(Beifall)

Das ist eine richtige Vorgehensweise. Kämpfen Sie! Sie haben für Ihre Linie und gegen die Linie, die wir zuletzt vom Rat gehört haben, eine überwältigende Mehrheit des Europäischen Parlaments hinter sich. Denn die Linie, die aus dem Rat kommt, bringt Europa nicht nach vorne, sondern sie bringt Europa in eine Situation der Desolidarisierung und nicht der Kohäsion. Das nimmt das Europäische Parlament nicht hin!

(*Beifall*)

Ich möchte mich auf das beziehen, was Douglas Alexander hier gesagt hat; er hat Bezug genommen auf das, was der Ratspräsident vor sechs Monaten gesagt hat. Ja, das ist alles richtig, und wir haben alles gehört, was uns der Ratspräsident hier vorgetragen hat. Er hat einen wichtigen Satz gesagt, den Herr Douglas nicht zitiert hat, ich zitiere ihn aber noch einmal. Er hat gesagt: Wenn es eine Krise der europäischen Institutionen gibt, dann gibt es sie, weil es in Europa an Führungsstärke fehlt. Ich habe fünfhalb Monate später den Eindruck, dass es immer noch so ist, Herr Ratspräsident. Ich will Ihnen sagen, welchen Eindruck meine Fraktion hat: Bei jeder Ratspräsidentschaft, nicht nur bei der britischen, hören wir immer dasselbe: Redet nicht zu laut von Europa, sagen uns die Ratspräsidenten. Werbt nicht zu sehr für Europa, das ist für unsere Völker nicht attraktiv. Es ist klar, wenn die Staats- und Regierungschefs ständig schlecht über Europa reden, dann dürfen sie sich nicht wundern, wenn die Völker in Europa den Eindruck haben, die Staats- und Regierungschefs hätten Recht.

(*Beifall*)

Sie beklagen einen Zustand im Rat, den sie selbst herbeiführen. Davon haben wir jetzt die Nase voll, um das hier einmal im Klartext zu sagen. Das kann so nicht weitergehen. Es gibt keine Krise der europäischen Institutionen insgesamt: Das Europäische Parlament handelt, es entscheidet, vielleicht nicht immer richtig. Und doch haben wir zum Beispiel vor einigen Tagen bei der Chemikalienpolitik einen sehr guten Kompromiss erzielt. Da hat dieses Europäische Parlament gehandelt. Die Kommission handelt, vielleicht nicht immer richtig, bestimmt nicht immer richtig, aber sie handelt. Sie ist aktiv. Die Einzigen, die sich in Europa permanent nicht einigen, das ist der Rat der Staats- und Regierungschefs, der zwischenzeitlich so weit ist, dass er nicht einmal eine gemeinsame Tagesordnung festlegen kann, ohne die Angst, es werde ein Veto geben. Wenn es eine Krise in Europa gibt, dann ist das vor allen Dingen auch eine Krise des Europäischen Rates, und ich hoffe, sie wiederholt sich am Wochenende nicht.

(*Beifall*)

Vor 50, 60 Jahren gab es auch nicht in allen Völkern Europas Enthusiasmus für das europäische Projekt. Ich bin an der deutsch-niederländisch-belgischen Grenze geboren. Als dort vor 60 Jahren Spaak oder der niederländische Premierminister oder der luxemburgische Regierungschef hingegangen ist und gesagt hat, die Deutschen kriegen mehr Marshallplanmittel, wir müssen dieses Land wieder aufbauen, wir müssen die Europäische Gemeinschaft für Kohle und Stahl bilden, ich glaube nicht, dass da alle Luxemburger, Belgier, Niederländer oder Franzosen Beifall geklatscht haben. Sie haben auch gesagt: Was? Die auf der anderen Seite, die waren gerade hier, haben unser Land zertrümmert, haben Millionen Menschen umgebracht, und jetzt sollen die mehr Geld kriegen? Die damaligen Frauen und Männer, die die Regierungen führten, haben gesagt: Wer Frieden in Europa will, der braucht die Integration. Der muss diesen Weg gehen. Und wir gehen ihn, weil wir davon überzeugt sind. Deshalb nennen wir diese Frauen und Männer heute Staatsmänner und benennen unsere Gebäude nach ihnen. Ja, Europa ist beizeiten von Staatsmännern geführt worden. Ich habe aber den Eindruck, heute wird es von Kaufleuten geführt, deren einziges Ziel es ist, nachzurechnen, wie viel sie aus diesem Projekt herauskriegen.

(*Beifall*)

Deshalb ist der europäische Gipfel am Wochenende ein wichtiger Gipfel. Es geht nicht nur darum, dass Sie die neue Mathematik in Europa verkaufen. Ich habe jetzt gelernt, es gibt jetzt eine neue Mathematik. Der reduzierte Anstieg ist bereits die Reduzierung. Das ist aber falsch. Ein leicht erhöhter britischer Rabatt ist noch keine Reduzierung desselben. So wird man mit Sicherheit keine Einigung herbeiführen; man wird viel eher versuchen müssen, die tatsächlichen Notwendigkeiten in Europa in einen Finanzrahmen zu fassen.

Eine Bemerkung zu diesem Finanzrahmen: Mein Kollege Walter analysiert immer wunderbar, was auf den Tisch gelegt wird. In den Vorschlägen des Europäischen Parlaments, im Bericht Böge, wird die Landwirtschaftspolitik für die Finanzielle Vorausschau in den nächsten sieben Jahren mit einem Gesamtanteil von 40 Prozent beziffert. Im britischen Vorschlag stehen 44%. Wir sind mit unseren Vorschlägen moderner als das, was jetzt vom Rat auf dem Tisch liegt! Das ist eindeutig, wenn es um moderne Politik geht.

Nun möchte ich, weil mir die britische Ratspräsidentschaft auch persönlich am Herzen liegt, weil die Labour-Kollegen meine Freunde sind und ich Herrn Douglas sehr mag, etwas tun, was ich sonst nicht mache, nämlich Englisch sprechen:

To avoid any misunderstanding, I will now speak in English. Six months ago, Mr Alexander, we all applauded when the President-in-Office of the Council set out his vision for reform, including great investment in research, education and the hi-tech future for our Union, and you repeated it today. In preparing these remarks today, I recalled what I learned at school about the United Kingdom: 10 April 1912 was the date of another launch of a hi-tech future for Europe. The crowds applauded enthusiastically, as they did when Tony Blair spoke here five months ago. They applauded enthusiastically as the symbol of that hi-tech future sailed from Southampton. The symbol was, of course, the *Titanic*.

Today, we are on the *Good Ship British Presidency*. The captain is not Edward John Smith, but Anthony Charles Lynton Blair. Our captain has a huge advantage over poor Mr Smith. The iceberg is staring him in the face, but he still has time to avoid it. To avoid this iceberg, Mr Alexander, you have to sail in the direction of the Böge report.

To be absolutely clear, let me give you our iceberg coordinates: Böge. Certainly not 1.03%. That is the centre of the iceberg. Do not sail in this direction or the *Good Ship British Presidency* and its crew will be lost. Choose another route and do it urgently.

I strongly hope that, by the end of the week, Captain Blair will have avoided the iceberg and steered the British Presidency to a safe harbour and a secure financial future for the European Union. Mr Alexander, that is what I wish. Then you will have a successful British Presidency. Otherwise we will fail altogether in Europe.

(*Sustained applause*)

3-020

El Presidente. – Gracias, señor Schulz, los servicios de la Cámara verificarán exactamente las coordenadas del iceberg que hundió al *Titanic* para que estemos seguros de que eran uno cero tres.

3-021

Graham Watson, on behalf of the ALDE Group. – Mr President, two years ago today a letter was written to President Prodi. It bore the signatures of one head of state – President Chirac – and five prime ministers: Balkenende, Blair, Persson, Schröder and Schüssel, four of whom, alas, are still in office today. Signed with poison pens, it is the root of our problems today. That letter called for a limit to EU spending of 1% of gross national income.

Those same heads of state and government simultaneously demanded of the Union policies that they are not prepared to finance. They are Member State leaders who urge on the Union abroad but duck the debate at home; leaders who will the ends, but not the means. Words like ‘unacceptable’ rarely flow from the very moderate lips of the Commission President, who is reportedly one of Mr Blair’s best friends, but the Commission and Parliament must be at one in rejecting a budget that puts the concerns of the accountants above the broader view of the boardroom. I welcome Mr Barroso’s letter to the Presidency-in-Office about this week’s Council.

For Liberals and Democrats in this House, no deal is better than a bad deal. Liberals and Democrats will not compromise Europe’s long-term interests. We will not be implicated in creating a two-tier Europe.

What have the new Member States found in their brave new world? A French President who tells them to shut up, a German Prime Minister who denies them their own tax policies and a British Presidency that moves the goalposts of solidarity. What we expect from the Presidency is a budget that puts long-term strengths and common concerns above individual satisfaction and personal gain. What it seems we will get is a proposal that will paralyse the Union’s priorities and satisfy no one.

President-in-Office, 1.03% of gross national income will not pay for our new policies or for enlargement. This House understood that when we estimated the future financial needs at 1.08% of GNI, and that was a conservative estimate. What about money for challenges, such as security? What about the ambitions of the Lisbon Agenda? Five years ago, we said we would raise research spending to 3% of GDP by 2010. It has slipped down even further: to below 2% last year, compared to 2.5% in the USA and over 3% in Japan.

This is not just a budget for tomorrow. It is a framework that will bind us until 2013. It is a budget that must provide for competitiveness and jobs for our young people. It is a budget that must pay for the social solidarity Europe wants. Parliament should reject any Council agreement that does our Union down.

The Presidency has ambitions for a wider Council agenda. I wish you success. My group hopes that you will review the so-called war on terror. Complicity of EU Member States in warfare using depleted uranium and white phosphorous, detention without trial, torture and turning a blind eye to a clampdown on the freedom of millions in countries with whom we cultivate strategic partnerships debases our Union. Two days ago, the General Affairs Council called for a comprehensive approach to combating terrorism while respecting human rights. Liberals and Democrats want the Council to restate the European Union’s respect for the rule of law and protection of human rights and fundamental freedoms, and to mean it.

(Applause)

3-022

Daniel Marc Cohn-Bendit, au nom du groupe Verts/ALE. – Monsieur le Président, chers collègues, je viens d'apprendre une chose ce matin: même par un froid matin de décembre, une atmosphère de mai peut se développer dans une salle, et je vois soudain un esprit de révolte se lever contre le Conseil, contre les gouvernements; je trouve cela très, très intéressant.

Monsieur le Président, Monsieur Alexander, vous avez parlé de l'éloquence de M. Blair. Je dirais plutôt que c'est le vide de la Présidence anglaise qui est éloquent! Il est extraordinaire, et si la politique que vous nous proposez est vraiment à la hauteur de l'instrumentalisation que vous faites de ce Parlement et des institutions européennes quand vous en avez besoin – je parle de la retenue des données que vous ne pouvez pas faire passer par votre parlement, car vous avez l'obligation et le devoir de passer par le nôtre –, si c'est ainsi que vous concevez l'Europe, je vous dis une chose: non seulement vous allez à l'échec – ça m'est égal que la Présidence anglaise aille à l'échec – mais l'Europe va à l'échec, et c'est un danger.

En ce qui concerne les perspectives financières, quand vous parlez de propositions de réforme et de votre volonté de réformer l'agriculture, en réalité vous coupez les fonds pour le développement de l'espace rural. Ce sont les aspects les plus modernes de notre budget que vous voulez sacrifier!

(Applaudissements)

Attendez avant d'applaudir, je crains que vous applaudissiez moins à ce qui va suivre.

Vous avez évoqué une chose extraordinaire: il faut être moderne. (J'aurai moins d'applaudissements tout de suite...) Et que nous proposez-nous? L'énergie nucléaire! C'est une énergie du passé, des années 60!. Ne restez pas dans les années 60. La modernité est autre chose, c'est l'hydrogène. Vous n'avez rien compris, et c'est ce qui est dangereux. Quand une présidence n'a rien compris, elle fait n'importe quoi.

3-023

Das möchte ich jetzt auf Deutsch sagen, damit meine Kollegen Poettering und Schulz das auch verstehen. Eines ist wahr: Sagen Sie das, was Sie heute der Präsidentschaft gesagt haben, ihren Regierungen! Denn Teil des Problems sind diese geizigen Regierungen – Kollege Watson hat es schon erwähnt –, die genau das machen, was der Rat will. Sagen Sie Herrn Steinbrück, dass es so nicht weitergeht! Ich habe das vorher den Grünen gesagt, als sie in der Regierung waren. Sagen Sie das öffentlich! Es ist ein Skandal, was dieser Finanzminister anstrebt! Genauso wie Frau Grossete:

3-024

Dites-le aussi à M. Chirac: la défense de la politique agricole française, telle qu'elle est, est un scandale qui ne nous fait pas avancer.

3-025

Die Verantwortung für das, was passiert, hat nicht nur die Präsidentschaft. Sie hat sie auch, weil sie genauso mies und schlecht ist wie die gesamten Regierungen im Rat. Sie ist keinen Deut besser. Aber die Regierungen, die sie vertreten, sind auch Teil des Problems. Nicht hier, aber wenn sie draußen sind, sind sie Teil eines Gesamtkunstwerks, das man Rat nennt. Und das ist ein merkwürdiges Gesamtkunstwerk!

Ich möchte noch zu zwei Punkten etwas sagen, die mir in dieser Frage wichtig erscheinen: Wir haben vorhin vom Iran gesprochen. Hans-Gert Poettering hat Recht: Was im Iran vom Präsidenten Irans gesagt wird, trifft und betrifft uns alle. Wenn man sich allerdings eine Maßnahme dagegen überlegen will, dann kenne ich eine. Der Präsident wurde schließlich gewählt, ob es uns gefällt oder nicht! Die einzige wirkungsvolle Maßnahme, damit man dies endlich diskutiert, ist im Moment die Überlegung, ob man den Iran nicht von der Weltmeisterschaft ausschließen kann. Das würde eine Debatte im Iran auslösen. Das würde zu einer ernsthaften Debatte. Hier Brot und Spiele und auf der anderen Seite kann jeder machen und sagen, was er will – das halte ich für nicht konsequent. Dies wäre eine Debatte, die den Menschen im Iran zeigen würde, was ihre Führung im Moment eigentlich macht: sie nämlich von der Welt isolieren! Wenn man sich isoliert, dann soll man dies auch feststellen und eindeutig klar machen. Es wäre auch ein Vorschlag an die Ratspräsidentschaft, dies einmal zu diskutieren. Und letztendlich der Kampf gegen den Terrorismus.

3-026

Fighting against terrorism cannot mean fighting against democracy. Do you understand? It cannot mean fighting against democracy. Having heard about the events involving the CIA here in Europe, I can tell you that this is not about fighting terrorists; this is about creating the conditions for bigotry. We must stop the wrong fight against terrorism. If you want to fight terrorists, please, come back to the rule of law and then you will have us, the Greens, on your side.

(Applause)

3-027

Francis Wurtz, au nom du groupe GUE/NGL. – Monsieur le Président, au mois de juin dernier, la majorité du Parlement a chaleureusement accueilli M. Blair. Six mois plus tard, les présidents des groupes politiques ont rejeté à l'unanimité – fait très exceptionnel – ses propositions budgétaires, je cite, "pour cause de manque de solidarité".

Le Président de la Commission vient de s'exprimer dans le même sens et l'ensemble de notre débat est on ne peut plus clair. Ce retournement de situation devrait faire réfléchir la Présidence sortante.

Sa désinvolture à l'égard de ses partenaires en général, et des nouveaux pays membres en particulier, a cette fois franchi le seuil de l'inacceptable. Comment peut-on oser envisager de régler les querelles britanniques politico-budgétaires internes sur le dos des nouveaux pays membres, qui ont le plus besoin des fonds communautaires, tout en se déclarant champion de l'élargissement?

D'une part, les nouveaux pays membres se verrait accorder 14 milliards d'euros de crédits en moins par rapport à ce que proposait le compromis du mois de juin, pourtant minimaliste. D'autre part, la Grande-Bretagne bénéficierait, au titre du fameux rabais, de 12 milliards d'euros d'économies supplémentaires par rapport à ce qui avait été prévu six mois auparavant. Il y a là un *Thatcher touch* qui pourrait nous coûter cher.

Quant à la volonté affichée par la Présidence en exercice de réformer la PAC pour la rendre plus équitable, laissons le *Financial Times* du 7 décembre dernier en évaluer la sincérité. Je le cite: "Lorsque la Commission a proposé de fixer un plafond à la taille des exploitations éligibles au soutien au revenu lors de la dernière réforme de la PAC, l'initiative a été bloquée par le Royaume-Uni parce que ce dernier a moins de petites exploitations que les autres États membres". Les grands principes européens de l'actuelle Présidence s'arrêtent manifestement là où commencent les gros intérêts domestiques.

Ainsi, il fallait avoir une bonne dose d'aplomb pour prendre de haut les nouveaux pays membres, comme l'a fait Jack Straw, en comparant les fonds qui leur sont alloués dans les prochaines perspectives financières à deux plans Marshall, alors même que le chèque représenterait, selon les propres chiffres de votre ministre des affaires étrangères, rien qu'entre 2000 et 2013, un plan Marshall pour la seule Grande-Bretagne, cinquième puissance économique mondiale. Ce n'est plus l'Europe, c'est le jackpot!

Ne laissons pas revenir en force le temps du "*I want my money back*", de sinistre mémoire. La lettre des six contribuaires nets les plus importants annonçant, il y a deux ans, qu'ils entendaient limiter les budgets futurs à 1% du revenu national brut, avait malheureusement rouvert cette voie sans issue. M. Blair s'est engouffré sans retenue dans la brèche. Il faut stopper cette dérive pendant qu'il est encore temps.

Il paraît que nous sommes en pleine période de réflexion sur le sens de l'aventure européenne. Il me semble que le moment est venu de choisir entre une intégration par le biais du marché et une construction politique, entre concurrence sauvage et solidarité, entre capitulation et ambition. On verra bientôt qui veut vraiment l'Europe!

3-028

Nigel Farage, on behalf of the IND/DEM Group. – Mr President, if you sat down and deliberately tried to plan the family Christmas from hell, you could not do a better job than the British Presidency has managed to achieve in the last six months. I am certain, Mr Alexander, that you have been very ably backed up by the utterly useless and treacherous Foreign Office sitting behind you, but perhaps this morning you as a great Europhile will begin to understand the reality about the UK's position inside the European Union.

We have never been more isolated, more alienated, more disliked by our European neighbours in our entire history than we are today, sitting here in this Chamber this morning – and I guess that is why Mr Blair has sent you here today to do his dirty work. Because he promised us back in June – did he not? – that he would report back to the European Parliament as often as he could. Well he has not got the guts to turn up today. Perhaps it is the abuse, I do not know. Perhaps he is upset that Mr Barroso has likened him to the Sheriff of Nottingham. I know that many of the new Member States think that Mr Blair is behaving like Ebenezer Scrooge. Well, that is actually rather unfair because the British are still paying GBP 30 million a day into an organisation whose accounts have not been signed off for the last 11 years in a row, and we are paying our fair share of the new underground system in Warsaw, and the sewers in Budapest, and goodness knows how many hectares of French farmland.

But the ghost of Christmas past for Mr Blair will be the spectre of failure. He will not want history to see him coming out of a six-month Presidency without a deal and that is why there will be a deal. There will be a further surrender of the British rebate. And the only real victor in all of this is Mr Barroso! And my goodness me, Mr Barroso, you could do with a few successes, could you not? You wrote to Mr Blair on 20 October with five proposals to relaunch negotiations, and the British Presidency has followed those to the letter, including accepting that in 2008 there will be a complete review of the EU budget, when the whole of the UK rebate will be on the table. So there will be a deal over the next couple of days, but it will not settle the matter.

I have a positive proposal for all of you.

(*Interjection from the floor: 'No!'*)

Yes, honestly! Why do we not extend the British Presidency for a further six months? Six more months of the Foreign Office, Mr Blair and Mr Alexander, six more months of this, and it will be obvious to all that the United Kingdom is a square peg in a round European hole. A global trading nation that is very proud of its recent history does not belong, does not fit in with this club and, from your perspective, we are like the dog in the manger, are we not? We are always holding you up. We are always stopping you. Get rid of us! Kick us out! Expel us! You can then carry on with your projects and we can get back to running our own country. It is not just a question of 'we want our money back' – we want our country back!

(*Applause*)

3-029

Cristiana Muscardini, a nome del gruppo UEN. – Signor Presidente, onorevoli colleghi, non possiamo che dolerci per essere venuti a conoscenza della proposta britannica sul quadro finanziario dell'Unione solo al termine del mandato presidenziale, e per il fatto che questa nuova proposta non sia stata presentata in quest'Aula neppure oggi, dimostrando veramente poca attenzione a un Parlamento apprezzato a parole e disprezzato nei fatti.

Sappiamo tutti che per il rilancio dell'Europa – oggi in difficoltà per una situazione internazionale che ha portato il processo di globalizzazione ad essere guidato e non subito, e che registra gravi inadempienze a delle regole che costituiscono l'unica garanzia per un commercio corretto e una concorrenza leale – occorrono misure politiche ed economiche basate su linee di bilancio idonee.

Per questo motivo, avremmo auspicato fin dai mesi scorsi un più sereno e approfondito confronto all'interno del Consiglio e di tutte le Istituzioni europee. Invece la proposta tardiva, inferiore a quella lussemburghese, penalizza ulteriormente la possibilità di rilanciare le politiche di sviluppo e le politiche sociali necessarie per affrontare il problema degli oltre quaranta milioni di poveri e degli oltre venti milioni di disoccupati.

La proposta britannica non tiene conto neppure delle diversità geografiche dei Paesi membri e taglia quei fondi strutturali vitali per il Sud dell'Europa e per l'Est. Questa proposta manca d'ambizione e sminuisce il ruolo dell'Europa nel mondo.

Signor Ministro, lei ha parlato di terrorismo, ebbene contro il terrorismo occorre rafforzare le strutture di vigilanza e di lotta, ma anche migliorare la qualità di vita all'interno e all'esterno dell'Unione e per fare questo occorrono volontà politiche e finanziamenti, non solo enunciazioni di buone intenzioni.

Il fatto che lo stesso Presidente Barroso e i vari Capi di governo abbiano, pur continuando i negoziati, manifestato chiaramente il loro disaccordo sulla proposta britannica, dimostra come tale proposta sia stata presentata probabilmente al termine del mandato proprio perché sottende la volontà del Regno Unito di non voler affrontare in termini realistici l'antico problema dell'assegno britannico.

Un buon accordo implica per alcuni paesi il saper rinunciare a certi privilegi, anche sostanziosi, che in un determinato momento storico della Comunità e in circostanze precise, erano stati loro garantiti e che in quel momento erano giustificabili.

L'Unione, proprio in assenza di un nuovo Trattato, ha estrema necessità di equilibri finanziari che non penalizzino nessuno e che siano prodromo di una nuova politica economica.

3-030

Ashley Mote (NI). – Mr President, I almost feel sorry for Mr Alexander, but I am going to resist the temptation. Last weekend the London *Sunday Times* published Mr Blair's next speech in Brussels, which included the words: 'here you breathe the sweet smell of Belgium's unique brand of corruption, which it has generously bestowed on the rest of Europe'. Then it went on to anticipate what he might say to Mr Chirac the next time they meet: '*mon ami Jacques*, the proud upholder of the most immoral state-subsidised policy in human history – the GBP 27 billion-a-year common agricultural policy', which transfers British taxpayers' money to 'bloated French landowners, pumping up food prices in Europe and creating poverty in Africa'.

Mr Blair's real problem is that he cannot say any of that. He has to be supportive of the European Union, or at least seem to be so. However, he knows back home that the majority loathes this House and all it stands for and wants us to leave. He knows the British Presidency has been a disaster. We do not subscribe to your project.

Mr Heath's pigeons of the 1970s have come home to roost big time in the UK. Mr Heath lied through his teeth to persuade us to join. His deceit has left successive British governments to cope with the consequences and we have gradually come to see the EU for what it really is. Today we know this emperor has no clothes. This is not a parliamentary democracy. That was never intended. This is ruled by secret committees, faceless bullying bureaucrats, and accountability by smoke and mirrors. This is the new soviet and it is no wonder that Italy now wants Russia to join it. Mr Putin would feel perfectly at home.

Since I arrived here last year, it has been remarkable how many people have admitted privately to me that we should never have joined and we should leave at the earliest opportunity. So we should!

3-031

Timothy Kirkhope (PPE-DE). – Mr President, I too almost feel that I should be doing something to help Mr Alexander out, but, as a lawyer, it does not appear to me that there will be enough money in the EU budget to pay my fees. I am rather sorry for him, but he is here to try to convince the House that the Presidency is on top of events. Sadly, the past six months have shown that this presidency has unfortunately been unable even to comprehend events, let alone establish its position in relation to them. He is the messenger for a presidency that has run out of ideas, run out of steam and is rapidly running out of time.

It is sadly acknowledged across the political spectrum, as we are hearing today, that the British Presidency has not achieved what it said it would. It began with high hopes and prime ministerial panache. In this Chamber, it asked to be judged on its record over the six months it was in office. In June, I warned the House that there was often a yawning gap between the Prime Minister's rhetoric and reality. Anyone who has watched the Prime Minister preside over this presidency will surely understand my caution. Unlike the Minister, I now want to concentrate on Mr Blair's increasingly frantic attempts to get an agreement on the financial perspectives and the future EU budget.

In the past few weeks, he has left us breathless with his efforts at diplomacy. Flexibility and vision is all very well, Mr Alexander, but the Prime Minister's actions have been successful only in securing the hostility of the countries of central and eastern Europe – which thought he was their friend – while gaining not a hint of compromise on CAP reform in discussions with governments. In addition, and crucially, he has reneged on a promise to the British people not to undermine their budget rebate, a promise that perhaps he should not have made. In June, he said the rebate would remain. He is now negotiating it away without any promises on fundamental reform, which he said previously were vital.

He should not be surprised if public reaction in the United Kingdom is hostile. He has misled the British people and they see it live on their television screens. They will be paying more because the Prime Minister has let them and the country down. I read at the weekend – and I hope the President-in-Office will react to it – that the British Treasury has not budgeted one cent for a reduction in the budget rebate, meaning that British taxpayers could end up paying higher taxes.

We will look closely at the latest budget proposals expected from the Presidency today. I am sorry that we did not have the benefit of hearing these in Parliament this morning, but we will judge them in part on how much British taxpayers will have to pay for their government's mishandling of the issues and on whether there is any evidence that the Prime Minister has received any solid and bankable commitments on fundamental reform in Europe. As far as we are concerned, whatever our political positions, we need to have sensible and progressive reform. Under this Presidency, the omens have not been good.

3-032

Bárbara Dührkop Dührkop (PSE). – Señor Presidente, también yo lamento que la Presidencia en ejercicio del Consejo haya venido para no decir nada, pero permítame las siguientes observaciones y preguntas, a ver si obtenemos alguna aclaración del Consejo.

En primer lugar, en el preámbulo de la propuesta del Consejo del día 5 de diciembre, se dice que las perspectivas financieras deben proveer los medios financieros necesarios para afrontar los desafíos internos y externos de la Unión Europea. ¿De verdad creen ustedes que los desafíos de la Unión pueden afrontarse cada vez con menos medios?

En segundo lugar, ustedes —aunque no son los únicos— han despotricado con buenas razones, pero también con razones demagógicas, contra la PAC, pero *at the end of the day*, seguirán ustedes recordando dentro de la PAC la parte dedicada al desarrollo rural: la parte más moderna, más racional y más defendible de los gastos agrícolas.

En tercer lugar, aplaudimos todos al Primer Ministro británico cuando afirmó en este Parlamento que quería un presupuesto moderno para Europa, y esperábamos que ello incluyera un aumento de los créditos destinados a alcanzar esta Europa de excelencia. ¿Será una esperanza vana? ¿Cambiará su primera propuesta, que significaba un 40 % de recorte con respecto a la Comisión?

En cuarto lugar, el *patito feo* del presupuesto comunitario: las acciones exteriores. A todos los ministros de Asuntos Exteriores se les llena la boca con promesas sobre las necesidades de los terceros países en desarrollo, o para paliar

catástrofes naturales, y no tan naturales, como el hambre. Luego *llegará el tío Paco con las rebajas*, como siempre. Ello significa que damos a unos lo que quitamos a los otros.

En quinto lugar, ustedes han asumido que no se llegó a un acuerdo en junio pasado, porque las perspectivas financieras eran demasiado generosas. ¿Van a seguir prestando oídos al sector de sus colegas que cree que el presupuesto europeo, cuanto menor, mejor? Lamentablemente, hay muchos países que se felicitan por que el presupuesto europeo sea cada año menor; para algunos, incluso, fue lo único positivo de su primera propuesta. ¿Va a ganar en el Consejo la idea de tratar de detener la construcción europea con la filosofía *con menos presupuesto, menos Europa?* En el Parlamento, sin embargo, que quede muy claro, queremos avanzar en la construcción europea. No pensamos que se haya llegado demasiado lejos y que, desde ahora, es mejor que cada país se las arregle como pueda. He aquí el gran escollo entre el Consejo y el Parlamento. No se va a tratar de unos cuantos millones de euros de más o de menos. Vamos a juzgar a dónde nos llevan las perspectivas financieras que el Consejo Europeo nos pueda proponer.

En sexto lugar, vimos que lo único que se les ocurrió proponer en el conflictivo tema de los ingresos de la Unión, o los recursos propios, eran una serie de chapuzas para contentar a sus socios en el acoso y derribo del presupuesto comunitario. ¿Quieren ustedes que volvamos a las contribuciones nacionales?

Por último, ante un ataque al sistema de recursos propios de la Unión, el Parlamento sólo tiene derecho a la protesta, según los Tratados; pero, sin embargo, sépanlo ustedes y ténganlo muy claro, sí depende del Parlamento la existencia de perspectivas financieras. No lo olviden, y no estén tan seguros de que vamos a hacer lo que el Consejo tenga a bien demandar.

3-033

Bronisław Geremek (ALDE). – Panie Przewodniczący! Dramatyczny charakter obecnej debaty o perspektywie finansowej wiąże się z tym, że nie chodzi tu o pieniądz, tylko chodzi o klimat zaufania - po pierwsze, i chodzi o przyszłość Europy - po drugie.

O klimat zaufania, bo chodzi o to, czy przyrzeczenia, które padły, a także słowa brytyjskiego premiera, mówiącego o potrzebie pomocy dla krajów słabszych, mają jakieś znaczenie, czy rzeczywiście chodzi o to, ażeby wyłącznie na pierwszym planie stanęło coś innego, co narusza zasadę polityki europejskiej. To drugi bowiem problem. Chodzi o to, czy chcemy Europy zjednoczonej, ażeby ona była nie tylko rozszerzona, ale i zjednoczona. A to oznacza pewną politykę solidarności.

Mamy w tej chwili z jednej strony propozycje Komisji Europejskiej, propozycje Parlamentu Europejskiego, sprawozdanie Böge. Są one wyrazem ducha europejskiego i zrozumienia potrzeby przyszłości Europy. I z drugiej strony, propozycję brytyjską, zgłoszoną niedawno, która jest wyrazem egoizmu narodowego wielkich i bogatych.

Wiemy, że Europa przez stulecia za ten egoizm płaciła wielką cenę. Nie ma możliwości kompromisu między egoizmem a poczuciem ducha narodowego. I dlatego oczekiwany trzeba nowej propozycji brytyjskiej, całkowicie nowej, z nadzieją. Tylko ona może rozwiązać ten kryzys.

(*Oklaski*)

3-034

Johannes Voggenhuber (Verts/ALE). – Herr Präsident! Zum ersten Mal in elf Jahren hat ein Ratspräsident nach der ersten Diskussionsrunde auf sein Rederecht verzichtet. So kurz ist der Weg vom Glanz zum Elend einer Präsidentschaft, vom gleisnerischen Auftritt auf der Bühne Europas zum Scheitern am Publikum, von den großen Bekenntnissen zum Scherbengericht! Und das ist heute ein Scherbengericht über die britische Ratspräsidentschaft. Sie hat mit Trompeten begonnen und endet mit dem Sterbeglöckchen am Armengrab. Vor sechs Monaten haben Sie den Menschen *Leadership* versprochen. Sie wollten das Vertrauen der Menschen zurückgewinnen. Ich bedaure Sie durchaus. Tony Blair ist für die große Inszenierung verantwortlich, Sie für das Scherbengericht. Mich wundert nicht, dass Sie ganz darauf verzichten, noch ein Wort dazu zu sagen.

Sie haben *Leadership* versprochen und uns den nationalen Egoismus vorgeführt. Sie haben uns Europa als nationalistischen Interessensbasar, als Regierungseuropa vorgeführt. Das Vertrauen wollten Sie zurückgewinnen, aber in diesen sechs Monaten ist aufgrund Ihrer Politik nach allen Umfragen das Vertrauen der Menschen in allen Ländern dramatisch zurückgegangen.

Zur Finanziellen Vorausschau: Sie haben ein Bekenntnis zum solidarischen Europa abgegeben und betreiben die finanzielle Spaltung der Union. Sie schaffen ein Zwei-Klassen-Europa. Sie kündigen die Solidarität mit den Mitgliedstaaten. Sie haben große Reformen angekündigt und Ihre Zustimmung zur Finanziellen Vorausschau von einer Agrarreform abhängig gemacht. Nun zerstören Sie mit der Kürzung der Gelder für die regionale Entwicklung die einzige Reform, die bisher gelungen ist. Sie wollten Wege für das soziale Europa finden, und das Ergebnis von Hampton Court war, dass es eigentlich gar kein Sozialmodell in Europa gibt. Das sind die kläglichen Ergebnisse!

Innere Sicherheit sollte ein Schwerpunkt werden. Es wurde ein Tiefpunkt Ihrer Ratspräsidentschaft. Es blieb Ihrem Innenminister überlassen, als erster Vertreter einer demokratischen Regierung die Europäische Menschenrechtskonvention als überholt zu bezeichnen. Insbesondere die Frage des Folterverbots wirft ein seltsames Licht auf die britische Ratspräsidentschaft. Vielleicht ist dies auch die Erklärung dafür, warum diese Ratspräsidentschaft die Bürger in der größten Grundrechtsaffäre im Stich gelassen hat, nämlich angesichts der mutmaßlichen Verbrechen, die mit Verschleppung und Entführung begangen wurden, und der völligen Unfähigkeit der britischen Regierung.

Ich habe nur eine einzige Frage an die britische Ratspräsidentschaft: Wann hören Sie auf, nach Europa zu reisen, und wann fangen Sie an, in Europa zu leben?

3-035

ΠΡΟΕΔΡΙΑ του κ. ΤΡΑΚΑΤΕΛΛΗ
Αντιπροέδρου

3-036

Bairbre de Brún (GUE/NGL). –

(The speaker spoke Irish)

Mr President, there are many difficulties with the British Presidency's proposals for the financial perspectives, which the chairman of my group, Mr Wurtz, and others have outlined here this morning. Those include lower than previously proposed amounts for rural development, cohesion funds for the newest Member States, culture, youth and health and consumer protection.

I would plead in favour of one aspect, however: the funding for the EU programme to support peace in the north of Ireland. That is necessary if we are to continue the valuable work of peace-building, tackling discrimination and promoting national reconciliation. It is imperative that the opportunity for peace in Ireland is not squandered, which means that there is also an onus on the British Government to ensure political progress in Ireland in 2006.

3-037

Miroslaw Mariusz Piotrowski (IND/DEM). – Panie Przewodniczący! Przyjęcie przez Wielką Brytanię przewodnictwa w Unii stwarzało szansę na to, że ta zbiurokratyzowana i mało wydolna organizacja wejdzie na drogę istotnych reform i, że głos dużych będzie tak samo słyszalny jak głos mniejszych, czy słabiej rozwiniętych Państw Członkowskich.

Brytyjski premier pół roku temu, tu w Parlamencie Europejskim mówił o zapominaniu o egoizmach narodowych na rzecz przekształcania Europy w solidarny, a poprzez to wiarygodny politycznie i konkurencyjny gospodarczo kontynent. Dziś, pod koniec prezydencji wiadomo już, że była to tylko błyskotliwa retoryka. Jest mało prawdopodobne, żeby Unia zyskała w najbliższym czasie nowoczesny i rozwojowy wieloletni budżet. Równie mało prawdopodobne jest, że zmieni się sposób decydowania o sprawach 25 Państw Członkowskich. Nadal Unią będą rządzić nieprzejrzyste układy silnych, w których słabsi powinni milczeć albo przytakiwać. W przeciwnym razie zarzuca się "łaskawie" przyjętym nowym Państwom Członkowskim, płacącym pełną składkę, niewdzięczność, albo mówi się ustami brytyjskiego ambasadora w Warszawie, że, cytuję: "życie jest brutalne i pełne zasadzek". Na taką Unię nie wyrażamy zgody.

(Oklaski)

3-038

Roberts Zīle (UEN). – Pusgadu atpakaļ daudzi šajā zālē un arī jaunajās dalībvalstīs ar cerībām un simpātijām raudzījās uz jauno, dinamisko britu prezidentūru un tās vadītāju. Mēs dzirdējām par vīziju - Eiropas konkurētspēju pasaulē un par sociālekonomisko apstākļu izlīdzināšanu Eiropā. Luksemburgā vairākas jaunās dalībvalstis arī piedāvāja samazināt savas finanšu prasības, ja lielās valstis nevar rast kompromisu. Un diemžēl šis bija pamats britu finanšu perspektīvas piedāvājumam, vienlaicīgi samazinot budžeta apjomu un mazliet samazinot "britu atlaidi". Šeit runa nav par neuzbūvētiem kilometriem vai neradītajām darba vietām jaunajā Eiropā. Šeit runa ir par to, ka jūs mūsu cilvēkiem parādījāt - solidaritātes princips ir tikai skaisti vārdi. Mēs gribējām redzēt, ka mūsu cilvēki līdz 2013. gadam dzīvo mazliet tuvāk "pirmās šķiras" Eiropai. Mūsu tautieši Latvijā, mani tautieši, nevēlas būt tikai lēts darbaspēks jūsu darba tirgum un nevēlas būt lēta tūrisma vieta jūsu lēto aviokompāniju tūristiem. Paldies!

3-039

Jean-Marie Le Pen (NI). – Monsieur le Président, le Conseil européen de Bruxelles consacré aux questions budgétaires et fiscales revêt une importance capitale.

Albion, incarné par le socialiste Tony Blair, a présenté sa proposition sur les perspectives financières 2007-2013, dix jours seulement avant le Conseil européen, afin que ses partenaires ne puissent pas lui faire de contre-propositions. En outre, les Britanniques, fins tacticiens, ont poussé l'habileté jusqu'à mécontenter leurs amis – les pays de l'Est – et ménager leurs adversaires – la France et l'Allemagne –, sans pratiquement toucher à leur ristourne budgétaire. Il leur suffit de faire

semblant de lâcher du lest pour obtenir un accord au Conseil, peu enclin à revenir sur cette question sous présidence autrichienne.

Le grand perdant serait la France qui continuerait à financer le chèque britannique et verrait sa contribution au budget communautaire exploser pour cause d'élargissement, tout en recevant moins, en raison de la diminution du budget de la PAC.

L'autre thème de discussion est le taux réduit de TVA pour les services à forte proportion de main-d'œuvre. Il est mirobolant que la fiscalité d'activités qui ne nuisent en rien au fonctionnement du marché intérieur, comme la restauration ou la rénovation de logements, soit discutée au niveau européen et requière l'unanimité. Chirac aurait dû se souvenir que la souveraineté fiscale n'existe plus lorsqu'il faisait aux restaurateurs des promesses qu'il ne pouvait tenir.

Quoi qu'il en soit, les décisions prises à Bruxelles engageront la France pour de longues années et contribueront, un peu plus, à l'endettement dramatique de notre pays.

3-040

Gerardo Galeote Quecedo (PPE-DE). – Señor Presidente, señor Ministro, hace casi veinte años, con el Acta Única, cuando abrimos nuestras fronteras para crear un espacio económico europeo, decidimos también poner en funcionamiento una serie de mecanismos financieros para ayudar a los países menos desarrollados a adaptar sus estructuras económicas a la libre competencia. Y, desde ese momento, la cohesión se ha convertido en un pilar fundamental de Europa, consolidándose en las perspectivas financieras negociadas en 1992 y 1999.

Los resultados de esa política han sido extraordinarios. Como reconocía hace unos días el Ministro Straw, al presentar la propuesta de la Presidencia británica, se ha producido un aumento análogo en los flujos comerciales en beneficio de los Estados miembros más desarrollados y de manera tal que es perfectamente demostrable que el déficit presupuestario con la Unión Europea de los contribuyentes netos se corresponde con los superávit comerciables de estos mismos países con respecto a los de la cohesión.

Por lo tanto, es evidente que la política de cohesión —seguramente, la más eficaz de todas las políticas comunitarias— beneficia a todos los países de la Unión Europea, permitiendo, en un tiempo relativamente breve, la convergencia real de los territorios más rechazados.

Pues bien, señor Ministro, la Presidencia británica rompe ese principio de cohesión, lo que supone imputar los costes financieros de la ampliación a los territorios menos desarrollados de la Unión Europea, pese a que sean los más ricos los que más se benefician de la ampliación. Por eso, siendo coherentes con lo aprobado en el Pleno del Parlamento Europeo, el Consejo ha de ser muy consciente de que no tiene asegurado el preceptivo apoyo parlamentario a una propuesta como la que, hasta ahora, ha puesto sobre la mesa la Presidencia británica. Y, si el Consejo la aprueba, desde luego haré todo lo posible para que el Parlamento la vete.

3-041

Hannes Swoboda (PSE). – Herr Präsident, Herr Ratspräsident! Wir haben mit der britischen Ratspräsidenschaft in vielen Punkten gut zusammengearbeitet. Das Problem ist, dass Sie den guten Ruf dieser Zusammenarbeit gefährden, wenn Sie kein vernünftiges, realistisches Budget zustande bringen. Sie haben gesagt: realistisches Budget. Ich möchte nur zwei Punkte ganz kurz anschneiden.

Sie kommen selbst aus einer Region, die es geschafft hat – nicht zuletzt durch europäische Fördermittel – sich von der Landwirtschaft bis hin zu Forschung und Entwicklung zu einer Spitzenregion zu entwickeln. Warum wollen Sie dies jetzt anderen Regionen vorenthalten, indem Sie gerade diese modernen Mittel der ländlichen Entwicklung und der Forschung massiv kürzen beziehungsweise in der Erweiterten Union nicht die Voraussetzungen dafür schaffen?

Dann zur Frage der Erweiterung. Ich bin wie Sie der Meinung, dass wir mit der Türkei verhandeln sollten, und dass es gut wäre, wenn wir ein großes Europa mit der Türkei zustande brächten. Glauben Sie, dass es realistisch ist, mit einem solchen Budget und einer solchen Budgetvorschau eine Erweiterungsstrategie zu verfolgen, wie sie auch die britische Präsidentschaft verfolgt? Glauben Sie, dass es realistisch ist, auch die Länder des Balkans in diese Erweiterung einzubeziehen? Das ist doch nicht glaubwürdig! Das können die Bürgerinnen und Bürger nicht akzeptieren.

Aus diesem Grund verstehe ich Ihren Vorschlag nicht. Sie können doch die eigenen Zielsetzungen, die Sie persönlich vertreten und die Premierminister Blair vertritt, gar nicht erfüllen! Daher kann ich Sie nur auffordern: Ändern Sie Ihre Meinung! Kommen Sie mit einem Budgetvorschlag, der im wahrsten Sinne des Wortes realistisch ist, der aber den Hoffnungen und Wünschen der Europäer einigermaßen gerecht wird. Was bisher vorliegt, ist weder für das Europäische Parlament noch für die Bürgerinnen und Bürger Europas akzeptabel!

(*Beifall*)

3-042

Karin Riis-Jørgensen (ALDE). – Hr. formand, torsdag og fredag på topmødet står De, Douglas Alexander, og hr. Blair, med Europas skæbne i jeres hænder. Vi forventer, at De leverer et afbalanceret resultat. Her i Parlamentet har vi faktisk leveret, både hvad angår Reach og datalagring, som vi stemmer om i dag. Så EU handler og agerer ikke kun, når der er topmøder. For seks måneder siden stod Deres formandskab og præsenterede et meget visionært program, som lagde vægt på fremtidens investeringer i forskning og udvikling. Det var en fantastisk performance, der vakte stor begejstring hos os parlamentarikere. Men hvor er de løfter henre i dag? Jeg håber, at Blair kommer ud af Sherwoodskovene kl. 12 her i dag, som en rigtig Robin Hood - og ikke en falsk Robin Hood - som giver til de fattige og tager fra de rige.

Det nye forslag bør også tage fat i den forældede britiske rabat. Vi skal vise den nødvendige solidaritet med de nye medlemslande. Det fortjener de, og det vil også være i Blairs interesse at lægge klar afstand til fortidens stemme fra fru Thatcher. Hvis ikke Blair står ved sine løfter fra i sommer, har formandskabet spillet fallit. Blair skal og bør vise lederskab, så EU's efterhånden smudsede billede kan blive poleret op. Blair skal vise, at han tør investere i fremtiden. Ja tak til forskning og udvikling, nej tak til rabatter og understøttelse af fortidens erhverv. Derfor lyder min opfordring til det britiske formandskab: Find en fornuftig og afbalanceret løsning, så vi kan få genoprettet troen på Europa. Bolden ligger hos jer.

3-043

Luisa Morgantini (GUE/NGL). – Signor Presidente, onorevoli colleghi, sono piuttosto imbarazzata perché sia io che i colleghi di altre forze politiche, membri della commissione per lo sviluppo, avremmo voluto vedere in questo dibattito una causa di discussione più rilevante e non soltanto l'enunciazione di un documento, che abbiamo elaborato e che è certo positivo. Avremmo auspicato anche una valutazione, perché in realtà sono molti gli elementi positivi contenuti nel consenso europeo sullo sviluppo, sebbene i tagli di bilancio inficino seriamente la realizzazione anche di questa visione della politica dello sviluppo.

C'è stato un coinvolgimento del Parlamento europeo, in primo luogo alla Commissione, e poi successivamente al Consiglio, nell'analisi e nei dibattiti che hanno avuto luogo. Abbiamo anche partecipato a diversi seminari. Lungo questo percorso il Parlamento ha fatto molto e ha anche acquisito molto, anche se in questo documento non viene contemplata, per esempio, la necessità della democratizzazione delle istituzioni finanziarie internazionali e non è presente una valutazione delle motivazioni della mancata crescita dell'uguaglianza economica, mentre cresce invece la disparità economica e anche le nostre responsabilità, per esempio, per le conseguenze comportate dalle armi di nostra produzione.

Non c'è dubbio che il processo di ridefinizione delle politiche di sviluppo, degli strumenti finanziari e del quadro degli accordi economici dell'UE rappresentano una sfida per il futuro. In tal senso, anche in questo nostro documento la questione commerciale occupa ancora un'importanza predominante.

Desidero inoltre aggiungere che in questo documento, che richiederebbe un altro dibattito, sebbene vi siano numerosi elementi positivi, molti ancora mancano. Vorrei davvero che le Presidenze e la Commissione rispondessero in modo adeguato a quanto stiamo facendo sulle politiche di sviluppo.

3-044

Roberta Angelilli (UEN). – Signor Presidente, onorevoli colleghi, alla fine Tony Blair ha scelto di vestire i panni dello sceriffo di Nottingham: drastica riduzione del bilancio e difesa radicale del privilegio dell'assegno inglese.

Se non ci saranno cambiamenti dell'ultima ora, la proposta di Londra rischia di essere il sigillo di un sonoro fallimento. In realtà, ci troviamo di fronte a una crisi molto più profonda: Blair ha scelto solo di esasperare lo scontro, di far emergere la debolezza dell'Europa e far esplodere le contraddizioni; ha solo evidenziato i problemi di un'Europa dilaniata dagli egoismi, che non vuole fare sforzi per sostenere l'allargamento, incapace di affrontare veramente le sfide del terzo millennio e di affermarsi come soggetto politico unitario nello scenario internazionale.

L'Italia, da paese fondatore dell'Unione europea, ha da sempre fatto la sua parte, sempre disposta a fare sacrifici guardando avanti. Per vent'anni, da paese contributore netto, ha pagato il 25 percento dell'assegno inglese. Ora però ci troviamo davanti a un bivio: non possiamo pagare solo noi i costi dell'allargamento, questa volta non possiamo essere gli unici a fare un passo indietro.

3-045

Ryszard Czarnecki (NI). – Panie Przewodniczący! Panie i Panowie! Punktualność jest cnotą królów. Wielka Brytanii jest królestwem, ale jej ministrowie nie są punktualni, co jest zresztą wielką metaforą. Unia czeka na rozsądne propozycje Londynu, a Londyn się spóźnia, tak jak dziś spóźnił się minister Alexander.

Pan Cohn-Bendit mówił dziś w tej sali, że dziś w tej sali jest maj, ale ja uważam, że raczej jest zima jak pod Stalingradem w czasie II wojny światowej. Relacje między Komisją a Radą, a także pomiędzy poszczególnymi krajami są wręcz lodowate.

Szkoda, że na początku XXI wieku, z epoki filmów trójwymiarowych cofnęliśmy się w Parlamencie Europejskim o pół wieku, do ery filmu czarno-białego. Oto mamy w tym filmie dobrego szeryfa Barosso, rzecznika europejskiej solidarności, i mamy czarny charakter, premiera Blaira. Niestety, tylko amerykańskie westerny kończą się dobrze.

Film prezydencji brytyjskiej jest jednak horrorem i zmierza do katastrofy, ale w tym filmie nie będzie Greka Zorby, mówiącego: jaka piękna katastrofa. Bo to, Panie i Panowie, jest brzydka katastrofa.

Idą święta. Panie Przewodniczący! Panie i Panowie! Rodak Blaira, Charles Dickens, w "Opowieści wigilijnej" ponad 100 lat temu sportretował obecnego brytyjskiego premiera. Ale tam główny bohater, straszny skapiec, przeszedł metamorfozę. Tej metamorfozy życzę też skapcowi, premierowi Blairowi.

3-046

Armando Dionisi (PPE-DE). – Signor Presidente, signor Ministro, Presidente Barroso, onorevoli colleghi, il prossimo Consiglio europeo rappresenta una tappa fondamentale nel difficile processo di costruzione dell'Unione. Un'intesa sulle prospettive finanziarie restituirebbe certezza all'azione politica e fiducia al processo di integrazione, un fallimento aprirebbe una grave crisi politica. Tuttavia, la necessità di un accordo non può essere confusa con la disponibilità ad accettare qualsiasi compromesso.

Nel suo discorso di insediamento in quest'Aula, Blair aveva prospettato il rilancio dell'Europa e forti innovazioni del bilancio. Oggi, purtroppo, dobbiamo constatare che la proposta è modesta e di basso profilo. La proposta di Junker di ridurre la spesa a 871 miliardi di euro rappresentava un compromesso difficile da accettare, ma l'ulteriore riduzione prospettata a 846 miliardi, con tagli consistenti alle politiche di coesione per i nuovi Stati membri e allo sviluppo rurale, è inaccettabile.

Vorrei inoltre far notare che il contributo chiesto all'Italia sarebbe superiore a quello di Francia e Inghilterra. In tal modo sarebbero le regioni povere dei vecchi Stati a essere penalizzate, mentre i privilegi degli Stati che vorrebbero un bilancio al ribasso resterebbero quasi intatti.

Una soluzione di questo tipo contraddice tutte le premesse del Premier britannico e non può essere accettata da questo Parlamento. L'unica soluzione per uscire dalle ristrettezze nazionali e ridare slancio alla nostra Europa, è trovare un accordo ambizioso che tenga insieme competitività e coesione, solidarietà e innovazione.

In conclusione, mi sia consentito di citare un uomo del futuro: Alcide De Gasperi, che abbiamo ricordato ieri. Per riunire l'Europa c'è da buttare via un mondo di privilegi, un mondo di pusillanimità e di rancori. Parliamo, scriviamo, insistiamo, non lasciamo un istante di respiro affinché l'Europa rimanga all'ordine del giorno.

3-047

Dariusz Rosati (PSE). – Panie Przewodniczący! W czerwcu Wielka Brytania zablokowała perspektywę budżetową zaproponowaną przez prezydencję luksemburską. Usłyszeliśmy od premiera Blaira, że Unii potrzebny jest inny budżet – budżet, w którym mniej pieniędzy będzie szło na tradycyjne cele związane z polityką rolną, a więcej pieniędzy cele nowoczesne, na rozwój ubogich regionów i nowych Państw Członkowskich. Te słowa wzbudziły nadzieję na to, że Unia przezwycięża okres egoizmów narodowych i być może czyni wielki krok do przodu, w kierunku unowocześnienia.

Niestety po 5 miesiącach (bo przez 5 miesięcy nie działało się nic) dostaliśmy propozycję, która jest głęboko rozczarowująca. Wielka Brytania nie potrafiła przekonać innych partnerów do tego, aby zreformować wspólną politykę rolną i nie była w stanie zrezygnować też z tego, aby jej rabat stale wzrastał. W efekcie wszystkie cięcia, które zostały zaproponowane w budżecie są cięciami niesprawiedliwymi, bo w większości dotykają nowych Państw Członkowskich. Okazuje się, że ¼ części zaproponowanych przez prezydencję brytyjską w kwocie 6 miliardów euro dotyczy tylko jednego kraju, a mianowicie Polski.

Panie Ministrze Alexander, chciałbym zapytać, czy widzi Pan taką możliwość, żeby premier Polski wrócił do kraju i oświadczył społeczeństwu polskiemu, że on akceptuje tego typu propozycję? To jest po prostu nierealne. Propozycja, która złożyła prezydencja brytyjska jest propozycją bez wyobraźni. Jest ona wyrazem wizji Europy, która nie jest akceptowana tu, w tym Parlamencie. Parlament Europejski na taką wizję się nie zgadza.

Panie Ministrze Alexander, nigdy dotychczas w historii Europy zasada solidarności i spójności nie była tak zagrożona. Nigdy dotychczas kraje europejskie nie były w ten sposób zaangażowane w obronę własnych egoistycznych i krótkoterminowych interesów. Wzywam Pana, by Pan przekazał prezydencji brytyjskiej, że oczekujemy od niej, żeby stanęła na wysokości zadania i była w stanie osiągnąć kompromis, który będzie respektował te zasady, na których opiera się Unia Europejska.

3-048

Enrico Letta (ALDE). – Signor Presidente, onorevoli colleghi, questo dibattito è importante perché dà voce al malcontento che circola in Europa rispetto a un Vertice europeo che, data la sua impostazione, non potrà che portare a un

fallimento annunciato. Se questo sarà il caso, per i primi anni della programmazione, ovvero dal 2007 in poi, sarà impossibile utilizzare efficacemente le risorse e il danno provocato sarà grave.

Tuttavia è preferibile correre questo rischio piuttosto che pregiudicare definitivamente il disegno di un'Europa forte e solidale e piegarsi ad accettare l'Europa minima dell'uno per cento. Quello dell'uno per cento è infatti un cattivo accordo che il Parlamento europeo non può accettare. Ed è ancora più grave che questo cattivo accordo avvenga senza una sostanziale riduzione del rimborso britannico.

Per crescere, l'Europa deve essere competitiva e per essere competitiva deve essere coesa. Con un bilancio che taglia le spese e fissa il tetto intorno all'uno per cento, un bilancio in cui si garantiscono soltanto i privilegi acquisiti, non si investe né sulla crescita né sulla competitività né sulla coesione, signor Presidente, l'Europa tradisce se stessa. È un'Europa che non vogliamo, un'Europa in cui non ci riconosciamo. Faremo di tutto affinché il Parlamento bocci un eventuale accordo su questa Europa minima che non è l'Europa che il Parlamento vuole.

3-049

Margie Sudre (PPE-DE). – Monsieur le Président, Monsieur le Président de la Commission, Monsieur le Président en exercice du Conseil, les Européens méritent mieux que le jeu du chat et de la souris auquel se livre la Présidence de l'Union avec ses 24 partenaires à la veille d'un Conseil européen crucial pour l'avenir de l'Europe.

Les propositions avancées ces derniers jours par la présidence britannique sur les perspectives financières 2007-2013 sont inacceptables pour deux raisons. Elles sacrifient les nouveaux États membres, instaurent un nouveau mur entre anciens et nouveaux membres, et voudraient pérenniser un échec britannique qui n'a plus lieu d'être. Par ailleurs, elles contiennent un sous-entendu au sujet des dépenses agricoles qui frôle la menace et que nous ne pouvons tolérer au sein de notre Union. Si la politique agricole commune n'est pas réformée en 2008, le Royaume-Uni conservera son chèque inchangé.

Aucun sujet ne doit être tabou dans notre démocratie, et ce qu'il s'agisse de l'enveloppe globale du budget européen, de la répartition de ses dépenses, des aides régionales, de la PAC, de l'aide à la recherche et à l'innovation ou de toute autre politique communautaire. Tout peut être débattu, étudié et faire l'objet de compromis dans notre intérêt, ce que nous comprenons tous.

Mais ce que nous ne pouvons accepter, c'est qu'un pays conserve des avantages qui ne correspondent absolument plus au contexte économique et politique actuel, a fortiori, au détriment de pays qui ont besoin d'aide pour surmonter les handicaps créés par cinquante années d'un régime communiste. Nous ne pouvons pas accepter non plus que les efforts considérables déjà consentis par l'Union européenne dans le domaine agricole soient niés, notamment dans le contexte des négociations de l'OMC. L'Europe a déjà fait son devoir sur ce point et elle attend avec impatience que d'autres puissances agricoles, comme les États-Unis, fassent des efforts comparables avant de poursuivre, le cas échéant, ses réformes.

Le premier ministre britannique, Tony Blair, nous a formellement déclaré dans ce même hémicycle, sa volonté de travailler au bien commun de l'Europe, de dépasser les égoïsmes nationaux et de faire avancer la construction européenne au cours de sa présidence. Nous attendons de lui qu'il passe enfin à l'acte pour mériter les applaudissements dont nombre de mes collègues l'ont peut-être un peu trop rapidement gratifié en juin dernier.

3-050

Gary Titley (PSE). – Mr President, I would like to begin by apologising to the Presidency. When it agreed to open negotiations with Croatia, I confess I suspected that a rather grubby deal had been done to overcome Austria's objections to Turkey. I was wrong. We now know that Croatia was cooperating very closely with The Hague and providing information which led to the very significant and important arrest of General Gotovina and I congratulate the Presidency on that progress.

If it is not too much of a shock for Mr Alexander, I would also like to congratulate the Presidency on its cooperation with the Parliament, which has led to huge progress on some very difficult dossiers, noticeably REACH, the long-running Eurovignette saga, and hopefully data retention. I also understand the Presidency is making great strides, or trying to make great strides, in introducing transparency to the Council and I would hope Mr Alexander could tell us what progress he has made on that.

Nonetheless there is still a lack of transparency in the Council, so I wonder whether he could just lift the veil momentarily by answering some questions. Which net payers, apart from the UK, are prepared to pay more money to solve the budget problem? Which net recipients are prepared to receive less in order to solve the budget problem? Which net recipients from old Europe are prepared to receive less in order to show solidarity to new Europe?

How many countries in the Council advocate spending programmes so long as they do not have to pay for them? Which of the main beneficiaries of the CAP are arguing for further reform? Which CAP beneficiaries are prepared, like the UK Government, to make public the information about where the money goes? By that I mean information that shows that the benefit is felt not by farmers but by multinational processors of food and big landowners. Which finance ministers are

prepared to sign an annual statement of assurance of their accounts, which will put an end to the annual saga of us failing to sign off the accounts because of the failure of Member States to control their accounts? Which Member States come to the Council meeting and ask not what Europe can do for them, but what they can do for Europe?

3-051

Jacek Emil Saryusz-Wolski (PPE-DE). – Mr President, the EU needs a budget, but not at any cost. The Commission's proposal was optimal and in agreement with the commitments of the Edinburgh Council of 1992. Do you still remember the 1.27% of GNI from Edinburgh?

The European Parliament's bigger budget is realistic in protecting crucial areas of EU priorities. Our Parliament wants to free the dynamism of new Member States and use it to the advantage of the economy of the whole Union. We should not, as under the humiliating British proposal, penalise them and push them into second class membership status.

The Luxembourg proposal was already scarce and at the limits of acceptability. The British proposal has crossed the red line in terms of the overall level of commitments and unacceptable reduction of funds for the poorest Member States. Non-agreement is better than an agreement that contradicts the very principle of European integration. The budget is not only about figures; it is about principles and policy choices. Reducing the budget when our Union is larger and has new tasks is contrary to logic and common sense. It means amputating EU policies, slice by slice: real salami tactics.

The budget is about the solidarity, cohesion and competitiveness of an enlarged Union, not about charity. We do not want charity. We are not beggars. We want our money back. But, even applying an accountant's approach, the proposal is contrary to honest business practice. New Members opened their markets and committed themselves to apply high and costly EU standards. Matching transfers of 4% of GNI was a legitimate expectation based on political promise. Limiting that support today means breaking the contract. Our Parliament, showing self-respect, should prevent the erosion of the EU in the name of the impossible and destructive doctrine of 'more Europe for less money'. The primary source of that doctrine is the 1% budget proposal, the famous 'Letter of Six': the proposal to have, to use the words of President Barroso, 'a mini Europe'. The 1% philosophy means *détricotage* of the Union and leading the Union into a trap of doing *l'impossible*.

When there is a crisis of leadership – and there is – the European Parliament should take the lead and the responsibility, together with the European Commission, and veto the Council proposal if there is any bottom line set by the Luxembourg proposal.

Best wishes and Merry Christmas to the outgoing British Presidency.

(Applause)

3-052

Miguel Ángel Martínez Martínez (PSE). – Señor Presidente, la estructura del debate introduce una gran confusión, al mezclar el Consejo del jueves con el consenso europeo sobre el desarrollo. El malentendido explica, seguramente, que de esto último no haya dicho ni una palabra el señor Durão Barroso, aunque sí se ha referido a ello el señor Alexander. De ello quiero hablar en nombre del Grupo Socialista.

Sentimos, con respecto al consenso europeo sobre el desarrollo, una gran satisfacción, no exenta, sin embargo, de preocupación. Satisfacción por el proceso seguido en la elaboración de la declaración; satisfacción por la iniciativa de la Comisión y del Comisario Louis Michel para que se produjera un documento que supere el del año 2000; y satisfacción, también, por la decidida implicación en esta operación de la Presidencia británica y del Ministro Hilary Benn.

Merecedora de reconocimiento es la flexibilidad de la Comisión y del Consejo para llegar al texto final consensuado. Notable ha sido el tesón de la Presidencia para convencer a los otros veinticuatro Gobiernos, algunos muy reacios, al principio, a aceptar el compromiso que iba tomando forma.

Un cambio significativo fue la voluntad de la Comisión y del Consejo de asociar el Parlamento a la firma y, antes, al proceso que ha llevado a la redacción de la declaración que define la política de desarrollo de la Unión para los próximos años.

Nuestra participación, a través de Anders Wijkman y seguida por todos los grupos de la Comisión de Desarrollo, ha sido eficaz; esencial fue que actuáramos con firmeza y unidad. Gracias a ello la declaración recoge lo principal de nuestros planteamientos.

Esta declaración debería potenciar, encuadrándolos políticamente, los compromisos que, a propuesta del Consejo de Ministros de Desarrollo, se asumieron hace unos meses y que aumentan, drásticamente, el esfuerzo de la Unión y sus Estados miembros para superar el subdesarrollo y sus consecuencias para los pueblos que lo sufren. Por fin, podríamos

hablar de coherencia con lo previsto en la Constitución Europea que señala, como prioridad notable, las responsabilidades de la Unión en el terreno de la solidaridad con el Sur.

Podríamos hablar de coherencia si no fuera por otras incoherencias mayores, fuente de la preocupación antes apuntada: los anuncios de perspectivas financieras de la misma Presidencia británica, en un ejercicio de desconcertante esquizofrenia, son incompatibles con los compromisos presupuestarios contraídos desde el Consejo de Leeds y con las actuaciones previstas en la declaración que hoy se debate.

De ahí que nuestra inquietud por todo esto quede en expectativas que nacen para ser defraudadas. Y de ahí que convenga dejar claro desde mi Grupo que no aceptaremos tal horizonte y nos movilizaremos para que la esperanza que hoy aquí se suscita no se venga abajo cuando se aprueben los recursos disponibles para los próximos años.

Enhorabuena a todos hoy, pero les anuncio ya toda una dinámica de resistencia si con una mano se pretendiera quitar mañana lo que se da hoy con otra.

3-053

Othmar Karas (PPE-DE). – Herr Präsident, Herr Kommissionspräsident, Herr Ratspräsident, meine Damen und Herren! Herr Ratspräsident, das Vereinigte Königreich ist der Hauptverursacher des Scheiterns des Gipfels in Luxemburg. Aber natürlich sind die Verabschiedung der Staats- und Regierungschefs von der gesamteuropäischen Verantwortung und ihre nahezu täglichen Beiträge zur Renationalisierung, zur Spaltung der Politik der Europäischen Union in die Innen- und Europapolitik nicht nur Ihr Problem. Aber Sie provozieren permanent, und Sie spielen auch die Karte der Erpressung.

Sie sind heute hier, Tony Blair fehlt wieder. Ich wusste schon, warum ich am 12. Oktober eine Vermisstenanzeige aufgab. Sie sind hier, und der Vorschlag für den Gipfel kommt nach der Debatte! Sie teilten uns vor wenigen Tagen mit, dass Sie, wenn man Ihnen nicht zustimmt, nächstes Jahr alles ablehnen werden. Das ist Erpressung. Was haben Sie in den letzten sechs Monaten gegen dieses unsolidarische, unverantwortliche Selbstverständnis der Ratspolitik getan?

Zwei rhetorische Feuerwerke von Tony Blair im Europäischen Parlament machen noch keine erfolgreiche Ratspräsidentschaft. Im Gegenteil. Sie bestätigen den Widerspruch zwischen Reden und Realität, zwischen Zielen und Taten, zwischen Aufgaben und Kompetenzen, zwischen Ankündigungen und Erfolgen, zwischen dem niedergeschriebenen Fehdehandschuh und den vertraglichen, moralischen und politischen Verpflichtungen. Ich kann Ihre Mentalität nicht nachvollziehen. Wie sagen Sie den Bürgern, dass Sie die Wettbewerbsfähigkeit reduzieren wollen, dass Sie weniger Geld für innere und äußere Sicherheit geben wollen, dass Sie 2007 weniger Geld auf den Tisch legen, als wir für das Budget 2006 vereinbart haben, dass Sie die Rolle Europas in der Welt schwächen wollen? Je überheblicher Sie zu den Bürgern Europas und ihrem Europäischen Parlament werden, umso selbstbewusster und entschlossener werden wir, und umso wütender werden die Bürger.

Verhandeln kann man nur auf der Grundlage gegenseitigen Respekts, der Achtung der gemeinsamen Regeln und Ziele, auf Augenhöhe. Wir sind nicht die Erfüllungsgehilfen der nationalstaatlichen Einzelinteressen der Regierungen, sondern wir stehen auf der Seite des gemeinschaftlichen Europas, einer handlungs- und entscheidungsfähigen, solidarischen und vereinten Europäischen Union. Wir lassen die Zukunft der Europäischen Union nicht auf ein Scheitern der Ratspräsidentschaft oder des Rates reduzieren. Wir Parlamente müssen die Führungsverantwortung übernehmen, weil Sie ein Vakuum hinterlassen.

(Beifall aus seiner Fraktion)

3-054

Κωνσταντίνος Χατζηδάκης (PPE-DE). – Κύριε Πρόεδρε, πιστεύω ότι, αν κάποιος ήθελε να βάλει τίτλο στις απόψεις που εκφράζονται από ορισμένα κράτη μέλη στο Συμβούλιο, θα έλεγε πως ο τίτλος αυτός είναι: "Πώς να έχετε περισσότερη Ευρώπη με λιγότερα χρήματα". Αντό, κατά την άποψή μου, πολύ απλά δεν γίνεται. Πιστεύω πως υπάρχουν πολλές αντιφάσεις στις συζητήσεις που γίνονται στο Συμβούλιο και στις προτάσεις της βρετανικής Προεδρίας.

Σε αυτή τη συζήτηση υπάρχει μια μεγάλη αντίφαση ανάμεσα στα λόγια και στις φιλοδοξίες από τη μια μεριά και στο γεγονός από την άλλη ότι δίνουμε στον κοινοτικό προϋπολογισμό μόνο το 2.5% των δημοσίων δαπανών στα 25 κράτη μέλη.

Επίσης, σε αυτή τη συζήτηση πολλά κράτη μέλη δίνουν έμφαση στο πόσα χρήματα δίνουν τα ίδια στον κοινοτικό προϋπολογισμό. Ξεχνούν όμως τι παίρνουν αυτά τα ίδια κράτη μέλη, οι καθαροί συνεισφορείς, μέσω της ενιαίας αγοράς αλλά και μέσω των διαρθρωτικών ταμείων, καθώς ένα σημαντικό τμήμα του προϋπολογισμού των διαρθρωτικών ταμείων γυρνάει πίσω σε αυτά τα κράτη μέλη με διάφορους τρόπους, που είναι γνωστοί και δεν είναι ανάγκη να τους αναλύσω.

Πέραν τούτου γίνεται κουβέντα για τους αγρότες. Εάν κάποτε αναθεωρηθεί η Κοινή Αγροτική Πολιτική, προτείνω στη βρετανική Προεδρία να ξεκινήσουμε από τους μεγαλοαγρότες, οι οποίοι παίρνουν και το μεγαλύτερο τμήμα των

ενισχύσεων, και όχι από τους φτωχούς αγρότες του Νότου, αν θέλουμε η κοινή αγροτική πολιτική να έχει κοινωνικό περιεχόμενο.

Εν πάση περιπτώσει, ως συντονιστής του Ευρωπαϊκού Λαϊκού Κόμματος για την πολιτική συνοχής, θα ήθελα να πω πως το Κοινοβούλιο εξέφρασε τις απόψεις του. Είναι απόψεις που στηρίζουν έναν αξιόπιστο προϋπολογισμό για τη συνοχή, μια πολιτική συνοχής χωρίς δύο ταχύτητες και με αποτελεσματική διαχείριση. Το Κοινοβούλιο δεν θα μείνει σιωπηλό· δεν είναι έτοιμο να αποδεχθεί κάθε συμφωνία του Συμβουλίου, κάθε απόφαση που θα ληφθεί την επόμενη εβδομάδα· είμαστε εδώ για να αγωνιστούμε μέχρι τέλους για την πολιτική της συνοχής, κύριε Πρόεδρε, και θα ασκήσουμε όλα τα δικαιώματά μας.

(χειροκροτήματα)

3-055

József Szájer (PPE-DE). – Fél éve felhívtam a figyelmet, hogy az Unió szükséges változtatásait azzal kell kezdeni, hogy az új tagországokkal szemben még hosszan fennálló igazságtalan megkülönböztetéseket felszámoljuk. Csalódnunk kellett. Most az év végén nemcsak nem léptünk előre az Európát a válságból kivezető úton, hanem éppen visszafelé, a rossz irányba indultunk el. Herr Schultz, a jéghegy nem előttünk van, hanem mögöttünk. Egyszer már sikeresen ki is kerültük. A baj az, hogy tolatunk. Az eredmény persze így is a biztos hajótörés. Ki kell mondani, hogy a költségvetési javaslat alkalmatlan arra, hogy Európa újraegyesítésének nagy történelmi vállalkozását megalapozza. Nem csökkenti, hanem növeli Európa válságát, nem egyesíti, hanem elválasztja egymástól az Unió országait. Nem segíti, hanem megalázza az új tagországokat. Nem versenyképesebbé teszi Európát, hanem visszahúzza.

Ez a javaslat a fékezés és a megosztás költségvetése. Az Unió új tagjai pár éve Koppenhágában abban a reményben fogadták el az átmeneti hátrányokat és megkülönböztetéseket, hogy a héteves pénzügyi tervben már teljes joggal, megkülönböztetés nélkül vehetnek majd részt. Most mégis azt látjuk, hogy a régi tagországok régóta megoldatlan problémáikat az új tagok rovására akarják megoldani. Ez elfogadhatatlan, ez megalázó, ez megengedhetetlen. Ez méltatlan Európához. Változásra van szükség a kormányok hozzáállásában. Kövessék az Európai Parlamentet! Mi itt az eltérő érdekeink ellenére már tavasszal megállapodtunk a költségvetésben. Pedig mi több mint 700-an vagyunk, a kormányok csak 25-en.

3-056

Anders Wijkman (PPE-DE). – Herr talman! Min tid är kort och min fokus kommer därför att vara på den överenskommelse som nämts om EU:s biståndspolitik på temat "European consensus". Till skillnad från diskussionen om budgeten och bristen på ledarskap där, kan jag när det gäller den här överenskommelsen och processen som har lett fram till den vara entydigt positiv. Den dialog som har förts under hösten mellan kommissionen, rådet och parlamentet har varit både positiv och konstruktiv. Jag tackar Barroso och Alexander för deras positiva kommentarer här idag och vill gärna framföra ett tack till både kommissionär Michel och till minister Benn för ett som jag tycker mycket bra samarbete.

EU är, som redan har framförts här idag, sammantaget världens största givare av bistånd. Hittills har biståndets effektivitet och kvalitet dock inte varit i paritet med dess storlek. EU:s medlemsländer är dåligt koordinerade både inbördes och visavi kommissionen. Detta innebär höga transaktionskostnader, dubbeltarbete samt stora svårigheter för många av våra samarbetsländer. Den nya utvecklingspolicyn som nu i två delar hanterar EU:s respektive kommissionens specifika arbete kommer att innehålla stora framsteg på detta område.

Bättre givarsamordning, bättre koherens, bättre effektivitet är alltså hörnpelarna i den här politiken. Vi har vidare fått överenskommelse om att definiera kommissionens specifika roll i utvecklingssamarbetet, något som jag tror kommer att bli mycket viktigt.

När det gäller substansfrågorna är kampanjen mot fattigdomen fortsatt högprioriterad. Vi ger också ökad uppmärksamhet åt frågor som demokrati och mänskliga rättigheter, vikten av ett hållbart utnyttjande av naturresurserna, kvinnornas roll i utvecklingsarbetet osv. Jag vill avslutningsvis tacka mina kolleger i utvecklingsutskottet för ett mycket gott samarbete.

3-057

Douglas Alexander, President-in-Office of the Council. – Mr President, I always enjoy these debates. On the basis of this morning's debate, I shall miss them! Whether you will miss the British Presidency is perhaps a different judgement altogether, given the comments I have listened to during the last hour-and-a-half!

I will not be able to address every single point or charge that has been put to me in the course of the last couple of hours, but I will endeavour to answer some of the specific points that have been put to me by honourable Members.

Mr Poettering began the debate with what I judged a rather unworthy charge that I, and the Presidency, had got out of our beds too late. If 4.30 a.m. is judged to be too late, then I apologise unreservedly to this House! In the last 24 hours, more seriously, not only – as you would expect – have I met with our Prime Minister, our Chancellor of the Exchequer and our Foreign Minister as we prepare our revised proposals, but I have also met with the heads of mission in London of every

one of the other 24 Member States of the European Union. So I will happily discuss how late we are working and how early we get up, as we endeavour to secure the deal that we believe is necessary for Europe's future this weekend.

As to the issue that you raised, Mr President, I can assure you that there was no courtesy intended, nor is any intended now, in relation to the timing of the revised proposals being tabled by the European Presidency later today – not least given the timing of this important debate.

First, these will not be wholly new proposals but will simply be revised proposals, the principles of which I set out in my introductory remarks. Secondly, the charge has been levelled that our Prime Minister is somehow not available for scrutiny on this, the second negotiating box. Our Prime Minister will be coming to Strasbourg tomorrow to hold further discussions with the Conference of Presidents. Thirdly, notwithstanding the criticism that has been directed toward the British Presidency in the course of this debate, I would respectfully reply that, as Mr Titley generously acknowledged, criticism of the Presidency's engagement with this Parliament is surely not something that deserves to be articulated by honourable Members. My visit today is one of more than 80 visits by British ministers in the course of the British Presidency.

Mr Schulz was brave enough to acknowledge our friendship before this House, so let me further imperil his reputation by saying that I also like and admire him. Let me return the candour with which he spoke to me directly. Mr Schulz, you discussed whether a cut on a rise was still a rise, and spoke of what you described as 'the new arithmetic'. I should like to be clear that in relation to both the Commission's proposals and the Luxembourg Presidency proposals, an unfunded offer is no offer at all. We need a deal that commands the support, not simply of those who spend the money, but also of those who contribute the money.

As to the *Titanic*, I accept that trying to secure agreement amongst 25 Member States of this Union does involve a 'titanic' challenge, but I believe that it can end in agreement rather than tragedy. In only a few days' time we will all find out.

To Mr Watson, who said that no deal is better than a bad deal, I certainly find myself on common ground on that particular issue. Although I admire his erudition, his critique of how budgeting should work did rather call to my mind that it perhaps accounts for why the Liberals have now been out of power in the United Kingdom since 1929.

Mr Cohn-Bendit spoke of a vacuum of achievements during the British Presidency. Perhaps he chose to ignore the development agenda, of which a number of honourable Members have spoken in this debate today. Also, given his concern for the environment, I am surprised that he did not pay due tribute to the work of Margaret Beckett, on behalf of the European Union, in persevering to secure agreement during what I judge to have been a hugely significant conference on climate change in Montreal, just last week.

Mr Farage began his speech by accusing my Foreign Office officials behind me as being both able and 'treacherous'. I was on the point of jumping to their defence and refuting this allegation, before one of them asked me to say that yes, that was entirely true! We had the ghosts of Christmas past and Robin Hood bumping into the Sheriff of Nottingham in Mr Farage's contribution. Suffice to say, the kindest thing I can find to say about that particular speech is rather than being a convincing case, it turned into more of a fairy tale.

Mr Kirkhope, who, perhaps in a sign of disrespect to the Presidency, has now left the Chamber – I wonder whether he has returned to his bed rather than got up from it – made perhaps one of his final appearances as part of the EPP before this Chamber. Something of a swansong before being banished to new irrelevance by the incoming leader of the Conservative Party! He suggested that the Presidency would not be able to afford his fees, if he was representing us. I do not know the level of the charge-out rates being sought by the present leader of the Conservative Party in the European Parliament, but I sincerely hope it is not very much, on the basis of the speech we heard this morning!

(Applause from the Left)

Mr Voggenhuber did not hold back and accused us of being surrounded by ruins at this stage in our Presidency. He then went on to follow the charge by suggesting that our Presidency proposals were framed by national egotism. This is a serious point, and I think it deserves a serious reply. There is absolutely no doubt in my mind that had the British Presidency sought to succumb to national egotism, it would have been far easier domestically for the United Kingdom and for the British Government to assume an approach which continued to advocate immediate and fundamental change, for example to the common agricultural policy and the wider European Union budget.

It has been a far more challenging route to walk to suggest that, notwithstanding our continuing desire to see more fundamental change in the Union, that there should be a clear recognition of the urgent need to find the resources to fund the costs of enlargement, and that explains the basis of the proposals that we tabled initially last week and the revised proposals that we will table later today.

Mrs de Brún spoke of the need for further work to secure the peace process in Northern Ireland, and on that specific point I listened very carefully to her in relation to the proposals that, in turn, we shall make.

Let me deal, finally and briefly, with the issue of transparency which was taken up by Mr Titley. I was invited to inform honourable Members as to the further progress during the Presidency. I can assure this House, not least on the basis of the strength of opinions articulated within this Chamber on the matter, that we are making continuing efforts to increase the transparency of the Council. We tabled an options paper last month. There are proposals that have now been discussed both in Coreper I and Coreper II, and we continue to hope that the Council will adopt conclusions this month on the important matter of transparency.

However, most honourable Members directed their interventions towards the important issue of future financing. Let those who criticise our proposals today pause, if only momentarily, to reflect on what we may all lose, but particularly the new Member States, about whom a number of honourable Members have spoken. Speaking for just a second as a United Kingdom Minister rather than solely on behalf of the Presidency, let me underline that we are willing to pay our fair share of the budget but not *more* than our fair share. Back in June, we were asked to make a net contribution of an extra EUR 20 billion or more above and beyond the EUR 50 billion we were already going to pay, or, to put it another way, to make a net contribution about a third more than France as a share of gross national income.

So let me be crystal clear on this point: that was not fair then and it is not fair now. We did not accept it then and we will not accept it this week or, indeed, next year. Instead, for the first time in 30 years of our membership of this European Union – 30 years, in which we have always been a net contributor to the Union – and after years of paying far more than countries of similar levels of prosperity, we intend to make a contribution roughly in parity with similar-sized countries, like France and Italy. We believe that is transparently and eminently fair.

Others have alluded, at least briefly, in this important debate to this week's other major event: the WTO ministerial meeting taking place presently in Hong Kong. A globally oriented Europe is also one that takes seriously its responsibilities to tackle global poverty, and I once again pay due tribute to a number of honourable Members who have brought this to our attention this morning.

Following its decisions earlier this year effectively to double the level of development assistance by 2010, this Union needs to take the lead in securing a truly ambitious conclusion to the current WTO trade round. We have in our hands the potential to create a fairer trading global system that will allow hundreds of millions to lift themselves out of poverty. This is no zero-sum game. A fairer global trade system can also act as a spur to the reforms that Europe needs if it is to enhance its competitiveness and deliver on its promises of social justice. We need an outcome to the round, whether in Hong Kong or indeed in the months and years to follow, that is, therefore, pro-poor in the world and pro-jobs in Europe.

Let me finish my contribution to today's debate, however, by casting our minds back to July when we took over the Presidency. A number of honourable Members have referred to the speech that our Prime Minister made at that time. But let us remember also the context of that speech coming, as it did, soon after the twin rejection of the European Constitution in France and in the Netherlands.

There has been a lot of debate as to the exact significance of those two votes. What, if anything, was wrong with the constitutional draft itself? What were the citizens of Europe telling us about the way in which they wanted the European Union to be run? I would agree with the commentator who said that what we saw in June was the rejection not just of the text but of the context. People in France and in the Netherlands did not have deep-seated objections to a particular subparagraph or clause of the draft Constitution. Rather the basic question, which should still be in our minds today and in our minds during this European Council, which these European citizens were asking, is what did the European Union deliver for them? They were not sure enough about the value added to their lives. They did not know enough about the decisions it made and they had not got the trust in Europe's politicians to steer the right course. People were uncertain about the broader forces of global change, about the economic challenges facing Europe and what they might mean for them and for their families. Who can blame them at a time when one in ten European citizens today are out of work, in which one in twenty are long-term unemployed?

It is the duty of those who believe fundamentally in social justice to ask how the European Union can be part of a solution to that challenge. The answer to people's justifiable concerns about change is not, I would argue, to turn inwards, retreating into a politics of anxiety and, indeed, an economics of protectionism. That way offers no solution and, I would argue, no hope. If we are to meet the challenges of today's world, we must turn outwards with optimism and determination and become a globally oriented Europe. That is what will inspire us in the days ahead.

I can assure you that I will, in turn, pass back the comments that I have received in the course of this morning's debate to our Prime Minister and to other members of our government ahead of his visit here to Strasbourg tomorrow. I can assure you of our best endeavours in the critical days and hours that lie ahead.

(Applause)

3-058

José Manuel Barroso, Presidente da Comissão. – Senhor Presidente, Senhoras e Senhores Deputados, queria tratar três questões nesta minha intervenção final.

Em primeiro lugar, sobre um assunto muito importante que é o do desenvolvimento e sobre aquilo que se anuncia como um acordo no Conselho Europeu quanto à política de desenvolvimento e de ajuda ao desenvolvimento da União Europeia. Em segundo lugar, uma análise das conclusões deste debate e, em terceiro lugar, queria dirigir-me especificamente à Presidência britânica.

Sobre o desenvolvimento, queria corrigir o que disse o distinto membro desta casa, o Sr. Deputado Martinez Martinez. Eu falei disso na minha intervenção inicial e fiz-lo em termos muitíssimo claros, dizendo que estava muito orgulhoso de a Comissão ter dado um contributo para ser agora possível este consenso em política de ajuda ao desenvolvimento - o consenso que podemos afirmar que existe entre Comissão, Parlamento e Conselho -, e disse mesmo mais: que a Comissão vai cumprir o seu papel de verificar e de informar o público europeu se de facto os Estados-Membros estão a respeitar os compromissos que eles próprios assumiram em matéria de ajuda ao desenvolvimento.

Por isso, quero que fique bem claro o nosso compromisso com uma política ambiciosa de ajuda ao desenvolvimento; mas, a nossa responsabilidade, da Comissão Europeia, na prossecução dessa política e a nossa vontade de continuarmos a trabalhar com este Parlamento e com o Conselho para que a União Europeia reforce a sua posição de liderança na ajuda mundial aos países que mais necessitam da nossa solidariedade.

3-059

Monsieur le Président, Mesdames et Messieurs les députés, au-delà des propos parfois vifs qui ont été tenus par les intervenants pendant cette séance, c'est en fait un fort sentiment d'inquiétude qui s'est exprimé au seuil d'une échéance d'une très grande importance pour l'Union.

Inquiétude face à un manque d'ambition qui hypothéquerait la nécessaire modernisation de nos économies.

3-060

President. – Colleagues, please be quiet. Our debate is not yet over.

3-061

José Manuel Barroso, President of the Commission. – Mr President, with all due respect, this happens almost every time I sum up a debate! It is better that Members of Parliament are coming in, rather than going out when I start to speak, but, if I may make a suggestion, maybe it would be a good idea in future to come up with another system to avoid disruptions to debates directly preceding the vote.

3-062

Je vais continuer, mais je crois qu'il serait important d'examiner cette question, il s'agit aussi de respect entre nos institutions. J'ai déjà dit, avec tout le respect que je vous dois, que lorsque le président d'une autre institution s'exprime devant cette Assemblée, il a le droit d'être écouté en silence.

(Applaudissements)

(S'adressant à M. Schulz qui l'interpelle)

Oui, Monsieur Schulz, vous avez raison, pas écouté en silence, mais avec attention, avec la même attention que je vous ai témoignée à toutes et tous, Mesdames et Messieurs les députés.

J'aimerais vous dire, Mesdames et Messieurs, que j'ai ressenti ici, tout au long du débat ce matin, une inquiétude très sérieuse et je suis sûr que le Ministre Alexander fera part à son gouvernement et à la Présidence de cette inquiétude qui vient de pratiquement toutes les forces politiques du Parlement. Une inquiétude face au manque d'ambition qui pourrait hypothéquer la modernisation des économies, une inquiétude face au risque d'une Europe à deux vitesses, d'une Europe divisée, une inquiétude sur la capacité de l'Union à se doter des moyens propres à lui permettre de remporter la bataille de la mondialisation et donc celle de l'emploi et du bien-être des citoyens européens. Ces inquiétudes, vous le savez, sont aussi les miennes, et celles de la Commission, et j'en ferai part de façon très claire au Conseil européen de demain.

Mais la messe n'est pas encore dite, et le temps du bilan viendra. Demain, nous devrons avoir un seul objectif: parvenir à un accord. Pas n'importe quel accord, bien sûr, mais un accord qui ouvre de réelles perspectives – et pas simplement des perspectives financières –, mais des perspectives politiques pour la construction de l'Europe. Un accord qui ouvre la voie à une négociation constructive avec votre Parlement et à la conclusion d'un bon accord interinstitutionnel car – faut-il le rappeler? –, il nous faut l'accord des trois institutions. Bref, un accord qui témoigne, vis-à-vis des citoyens et de l'Europe,

de notre sens des responsabilités et qui donnera aux citoyens et aux citoyennes des raisons de croire en cette Europe, qu'ils continuent à appeler majoritairement de leurs vœux.

3-063

I would now like to address the British Presidency with all due respect, friendship and frankness.

First of all, I would like to congratulate you, because of what you have achieved during this debate: getting Mr Schulz to speak such good English was a real achievement by the British Presidency.

(Applause)

I hope, however, that this will not be the highlight of the British Presidency ...

(Laughter)

and that we will have a major success in the Council tomorrow and afterwards. We sincerely hope for more.

How can this be achieved? That is the problem. Does it not concern the British Presidency that the overwhelming majority of this House and the most relevant political groups unanimously reject your proposal?

(Applause)

Does the opinion of this House and the Members of Parliament who were directly elected by our citizens mean nothing, or mean so little, to the Presidency of the Council? I hope the conclusions of this debate are important for your final negotiating position in the Council. And, does it not concern the British Presidency that the strongest supporters of your proposal in this Chamber are those who hold a narrow-minded, nationalistic, backward-looking vision of Europe?

(Loud applause)

Is it not strange that there is such a contradiction between the forward-looking, modern, open, competitive view of Europe expressed by Mr Blair, and the lack of ambition of the British Presidency proposal in terms of financial assurance?

(Applause)

So, with all due respect, frankness and friendship, I say to the Presidency of the Council that we have to avoid this disconnection between the policy objectives on energy, security, immigration, research and universities that are supported by the Presidency – and were so well expressed at Hampton Court – and the resistance to providing the means to achieve them.

We must have the courage to explain this to the whole public in Europe – including, of course, the British public. If we want an enlarged Europe, we need investment. If we want a modern, reformist, competitive Europe, we need investment. If we want an open Europe in terms of global trade, we need investment. Let me tell you very frankly that I am concerned about this.

President-in-Office, you mentioned the world trade talks. I really think that, if we do not have a good deal in the European Council, this could undermine the goals for the global talks. Why? Let us be frank: in the European Union there are several opinions about the world trade talks. There are those who are more in favour, who take a more affirmative position on trade, and those who are more ‘prudent’ or resistant to it. Some of the less-developed regions of Europe and the countries that have some structural problems will not support open, ambitious world trade talks if there is not good investment in these countries’ social and economic development.

(Applause)

I want the British Presidency, the Member States and the Council to think strategically, not only from the point of view of an accountant but also from a political point of view, and consider whether no deal or a bad deal on the budget will not put some fundamental strategic objectives – such as the world trade talks, an open Europe and an enlarged Europe – at risk. Already we can hear people saying that, with this kind of ambition with regard to the Financial Perspective, there is no provision for further enlargements of the European Union.

Therefore, the issue we shall be discussing tomorrow is very important. It is not just about the financial perspective. It is about the budget, but it is more than that. It is the kind of vision we have for Europe: whether you envisage an ambitious open and reformist Europe – an enlarged Europe, or a mini-Europe: a Europe that does not fulfil the goals that the citizens of Europe want.

(*Loud applause*)

On the subject of the British rebate, let us be clear: we understand the British position. Mr Blair said: 'the rebate is an anomaly'. However, at the same time he said that he is ready to discuss the general question of the rebate when there is a discussion on the reform of the budget. That is why I believe it is important to have a real discussion about the future of our budget, without taboos, looking at everything, the expenditure and the resources. Our discussions and the proposals made by various Member States are not about the existence of the rebate; it is the size of the increase of the rebate that is the problem. Should the British rebate grow by 60% at the expense of the poorest Members of the Union? I think not – that is not fair.

(*Applause*)

It is my duty and the duty of the Commission to represent the general interest of Europe, particularly those Member States who have just joined our Union. They want to see the solidarity of the European Union. If the European institutions do not send signals of solidarity to the new Members, they might be tempted to think that the European Union that they have joined is not the European Union of solidarity that we daily endeavour to build.

(*Applause*)

I believe a deal is possible. It is difficult but it is possible. I would just like to mention again what I believe are the minimum conditions for a deal that will also be accepted by the Commission and Parliament, because Parliament will also have a say on this. The first point is a higher level of spending. The second point is a fairer deal for the new Member States in terms of solidarity, giving them an opportunity to show whether or not they are able to spend the money, not starting from the position that they are not able to invest in their own development. The third point is the adaptation of the British rebate to meet the conditions of enlargement. That is all the Commission is asking, and we believe it is fair and reasonable. From all the contacts that we have had with all Member States, we believe this can be accepted. A fourth condition is a real review clause that will enable the Commission, Parliament and the Council to look at the budget in good time. It is true we have a problem with the budget. However, we should not be paralysed by it; we should approve the budget for the next seven years but at the same time give ourselves time to look at it in terms of expenditure and resources. We should have a real debate about what we want from the European institutions, what we want in terms of competitiveness, what we want in terms of solidarity. This should be a real review clause, not just a cosmetic review clause, so we have a true debate in Europe about the instruments to fulfil our objectives.

Finally, I believe it is important for the Council to take on board at least some, if not all, of Parliament's very good suggestions concerning flexibility, for instance the globalisation adjustment fund – a typical flexibility instrument – and other good suggestions by Parliament for the new interinstitutional agreement. When we discuss the budget it will only be fair to take on board the suggestions that were put in a very responsible way in the debate in Parliament.

If these conditions are met, if there is a significant move on the points I have just mentioned, I believe a deal is possible and necessary. I know it is difficult and will require a lot of statesmanship by all the Members of the Council and all the Heads of State and Government present.

I believe a deal is important. It is my duty and the duty of the Commission to protect the general interest of the European Union. I can promise you that tomorrow, and the day after tomorrow, we will put forward in the European Council this vision of a Europe that has ambition and a European that is committed to the goals of solidarity. Because without solidarity there is no Union.

(*Loud and sustained applause*)

3-064

PRESIDENCIA DEL SR. BORRELL FONTELLES
Presidente

3-065

El Presidente. – Muchas gracias, señor Barroso. Estaba recibiendo a los galardonados del Premio Sájarov, pero el ruido de los aplausos para el señor Barroso era tan intenso que me ha obligado a venir corriendo al Pleno para ver qué ocurría, porque no es normal que el señor Barroso reciba tantos aplausos y tan extensos.

Saben ustedes que, si no hay cambios en el programa, mañana el señor Blair, Presidente en ejercicio del Consejo, vendrá a Estrasburgo a reunirse con la Conferencia de Presidentes y a explicarnos su propuesta al Consejo que hoy el Ministro que representa a la Presidencia británica no ha podido o no ha querido explicar.

Los Grupos políticos y usted también, señor Barroso, se han pronunciado muy claramente. Yo solamente quiero hacerles una advertencia: no devaluemos las palabras. Lo que es inaceptable no debe ser aceptado, porque de lo contrario lo que hoy se declara inaceptable y mañana se acepta puede ser un bumerán que convierta los aplausos en silbidos.

(aplausos)

Ciertamente, la frontera entre lo aceptable y lo inaceptable no puede ser una centésima de bip. Con esto damos por terminado este debate, agradeciendo a todos su participación en el mismo.

Declaraciones por escrito (artículo 142 del Reglamento)

3-066

Richard Corbett (PSE). – The Presidency has a thankless task in trying to reach an agreement in Council on the financial perspectives. It has to reconcile the six countries who wanted to limit EU spending to 1% of GDP with those who want a much larger budget. It has to deal with Mr Chirac who wants to ring-fence all agricultural spending, from which his country benefits far more than most. It has to deal also with the expectations of the new Member States and with longstanding members who wish to preserve their privileges – such as Spain which wants to remain a net beneficiary to a greater extent than the much poorer central European countries, and Luxembourg which, in per capita terms, is both the richest Member States in and the biggest net beneficiary. It has to deal with all those who think that a cost-free –for them! – way to increase resources is to cut the British rebate – although even with the rebate Britain's net contribution is far higher than that of France and Italy.

I wish the Presidency well in finding an agreement which will serve as Concil's negotiating position for the definitive negotiation with Parliament.

3-067

Ilda Figueiredo (GUE/NGL). – A preparação deste Conselho demonstra a gravidade da situação que se vive na União Europeia e a crise a que conduziram as políticas cada vez mais neoliberais, ao serviço dos interesses dos grupos económico-financeiros dos países mais poderosos.

A solidariedade dos países mais ricos é cada vez menor. Os próprios princípios do Tratado sobre a coesão económica e social estão a ser totalmente espezinhados. Os últimos alargamentos da União Europeia concretizaram-se sem novos meios financeiros e preparam-se para agravar a situação com mais cortes propostos pela Presidência Britânica para os novos Estados-Membros e para países da coesão, como Portugal.

A crise orçamental é, tão só, a expressão do grande mau estar que se vive na União Europeia, que o fundamentalismo das orientações monetaristas do BCE e do Pacto de Estabilidade se têm encarregado de agravar, e que se aprofundam com as restrições que impõem ao orçamento comunitário.

Entretanto, reforçam-se novas prioridades contidas na dita constituição europeia, já rejeitada - a militarização da UE, a chamada segurança interna e o controlo da imigração, as políticas de concorrência - o que tenderá a canalizar meios financeiros para as prioridades dos países economicamente mais desenvolvidos e dos seus grupos económico-financeiros, à custa das necessidades sociais, ambientais, de coesão e de ajuda ao desenvolvimento.

3-068

Pedro Guerreiro (GUE/NGL). – O Quadro financeiro para 2007-2013 é o "prato forte" do Conselho Europeu. Mas não é o único na "ementa": a liberalização dos serviços e a dita "luta contra o terrorismo" também lá estão.

Após a Presidência britânica ter protagonizado os interesses dos países economicamente mais desenvolvidos da UE, ao apresentar uma proposta que procura baixar de novo a fasquia e ultrapassar contradições entre estes, aumentou a pressão quanto à necessidade de um acordo o mais rapidamente possível.

A UNICE (grande patronato na Europa) vem dizer que se entendam. Ao mesmo tempo que alerta para o perigo de se perder a "credibilidade" da UE, apresenta o seu caderno de encargos: um acordo sobre as Perspectivas financeiras, reafirmando que este "deve ser um instrumento ao serviço da Estratégia de Lisboa"; o pronto estabelecimento do mercado interno de serviços (aliás é eloquente que para justificar a liberalização dos serviços, a UNICE argumente de que se trata de um "elemento essencial da Estratégia de Lisboa", de um "requisito dos Tratados", suportado pelas decisões do Tribunal Europeu de Justiça - depois venham "vender" que a dita "constituição europeia" não nem nada a ver com isto...); e a liberalização do comércio internacional no quadro da OMC.

Ou seja, a UE sem máscara!

3-069

Alyn Smith (Verts/ALE). – It saddens me as a proud Scottish European that the UK has represented Scotland so badly during the Presidency, and everything I have heard in this debate confirms my view that the UK has lost friends and influence on our behalf by this wrongheaded stance on the budget. The proposals announced today fail Scotland and they fail Europe also. I have no doubt that they will be comprehensively rejected by other member states and with 11 of those states smaller than Scotland I am more convinced than ever that there is no substitute for independence in Europe.

3-070

7 - Bienvenida

3-071

El Presidente. – Ahora quiero dirigir un saludo a una delegación del Parlamento Centroamericano que se encuentra en la tribuna oficial.

(grandes aplausos)

Quiero también felicitar a su Presidente, señor Julio Palacios, por haber sido elegido Presidente de esta Institución que surgió de los acuerdos de Esquipulas, que pusieron fin a los años de guerras civiles en varios países centroamericanos. Enhorabuena, señor Presidente.

3-072

8 - Turno de votaciones

3-073

8.1 - Conservación de datos (votación)

3-074

- *Antes de la votación:*

3-075

Alexander Nuno Alvaro (ALDE), Berichterstatter. – Herr Präsident! Es ist wohl der falsche Zeitpunkt, um noch detailliert auf die Inhalte des vorliegenden Vorschlags einzugehen. Lassen Sie mich aber bitte sagen, dass ich Hunderte von Mails, und zwar keine Serienbriefe, sondern individuelle Mails, und 58 000 verifizierte Unterschriften von Bürgern aus ganz Europa erhalten habe, die ihre größten Bedenken zum Ausdruck bringen. Das ist die viel zitierte Öffentlichkeit, die sich so sehr nach der Vorratsdatenspeicherung sehnt!

Der Ausschuss für bürgerliche Freiheiten, Justiz und Inneres hat diese Bedenken ernst genommen und mit seinen Änderungsanträgen ein ausgewogenes Verhältnis von Freiheit und Sicherheit erreicht. Der aufgebaute Zeitdruck rechtfertigt allerdings nicht die Art und Weise, wie hier teilweise versucht wird vorzugehen. Wenn dieses Projekt für die Bürger Europas wichtig ist und nicht nur ein Gefallen an die britische Ratspräsidentschaft sein soll, dann sollten wir besonnen vorgehen. Andernfalls schaffen wir ein Präjudiz, dass der Rat dem Parlament nur zurufen muss: „Spring!“, und wir rufen zurück: „Wie hoch?“ Unter großem Druck lässt sich so manches erreichen. In Jahrtausenden produziert die Natur so die wundervollsten Diamanten. Von einer Zitrone bleiben aber unter großem Druck in kürzester Zeit nur Saft und Matsch übrig.

Es liegt an uns, ob dieses Parlament ein Diamant oder eine Zitrone ist. Unterstützen Sie bitte mit mir die Anträge Ihres Parlamentarischen Ausschusses, damit dieses Parlament ein Diamant bleibt!

(Beifall)

3-076

- *Después de la votación de la propuesta modificada:*

3-077

Alexander Nuno Alvaro (ALDE), Berichterstatter. – Es ist wohl zu erwarten, dass ich mit dem Ausgang der Abstimmung nicht froh bin. Ich kann mit meinem Namen nicht mehr für diesen Bericht stehen und ziehe ihn zurück.

(Anhaltender Beifall)

3-078

El Presidente. – Se cierra el turno de votaciones.

3-079

9 - Entrega del Premio Sájarov (Sesión solemne)

3-080

El Presidente. – Señoras y señores, estimados colegas, me complace mucho recibir, en nombre de todos ustedes, en nombre de todos nosotros, a los dos galardonados del Premio Sájarov 2005 que otorga el Parlamento Europeo y a la representante del tercer galardonado.

En efecto, a pesar de todas las gestiones efectuadas hasta el último momento, desgraciadamente, las «Damas de Blanco» no han sido autorizadas a salir de Cuba para estar hoy con nosotros.

Creo poder hablar en nombre de todo el Parlamento Europeo para lamentar y rechazar esta actitud de las autoridades cubanas.

(Grandes aplausos)

En este momento solemne quiero recordar a las «Damas de Blanco» y las razones por las cuales han sido galardonadas por el Parlamento Europeo.

Desgraciadamente no es la primera vez que ocurre, ni Nelson Mandela, ni Aung San Suu Kyi, ni Leyla Zana, ni Wei Jingshen pudieron acudir en su día a recoger su premio. Sus representantes acudieron aquí para hacerlo.

Y cuando pudieron hacerlo, y algunos todavía no han podido porque siguen detenidos, vinieron a la Cámara y nos reunimos expresamente para escucharles. Este fue el caso de Nelson Mandela y, más recientemente, de Leyla Zana.

Por lo tanto, seguiremos haciendo toda la presión sobre las autoridades cubanas para que puedan venir, y cuando vengan organizaremos, como hemos hecho en otras ocasiones, una sesión solemne para que puedan dirigirse a nuestro Pleno y haremos lo posible para que esto sea cuanto antes.

(Aplausos)

Todos los galardonados de este año tienen en común su lucha por la libertad y la dignidad humana. Son dignos sucesores del académico soviético que da nombre al premio que concede el Parlamento Europeo.

Los tres, cada uno a su manera, simbolizan la lucha por la afirmación de los derechos humanos en el mundo.

La lucha frente a los regímenes que encarcelan a los críticos que tienen la osadía de criticarlos.

La lucha frente a leyes inhumanas.

La lucha frente a los que niegan el derecho a la información y en contra de los terroristas que quieren hundir el derecho a la información en las tinieblas.

El Parlamento Europeo ha apoyado a nuestros galardonados de este año a través de sus resoluciones y de sus iniciativas. Son bien conocidos por nosotros.

Hemos seguido su trabajo, hemos seguido su lucha.

Su presencia aquí no es sino el final de un proceso que hemos compartido a través de nuestras resoluciones.

Es una lucha por un mundo más democrático y más justo.

Permítanme decir, desde esta alta tribuna, que muchos europeos consideran que el derecho al respeto de los derechos humanos es algo natural, consustancial, que prácticamente es gratuito y que siempre ha sido así.

No, ni siempre ha sido así, ni es así todavía, desgraciadamente, en muchas partes del mundo.

Para la gran mayoría de la humanidad todavía es un sueño lejano. Y por eso, a nosotros, europeos, nos corresponde una especial responsabilidad en la defensa y en la promoción de los derechos humanos en todo el mundo.

Permítanme un breve glosa de nuestros galardonados: las «Damas de Blanco» están representadas por la señora Blanca Reyes, que también ha sido «Dama de Blanco» hasta que, afortunadamente para ella, dejó de serlo, puesto que se consiguió la liberación de su esposo, al que tuve el placer de recibir en su nombre en este Parlamento inmediatamente después de que saliera de la cárcel.

Estas damas se manifiestan pacíficamente todas las semanas del año en La Habana, para expresar su solidaridad con familiares y amigos encarcelados, desde marzo del 2003. De alguna manera son también las continuadoras del fenómeno que se conoció en su día como las «Madres de la Plaza de Mayo» que también fueron galardonadas por nosotros.

El delito de muchos de estos prisioneros, de estos presos, no es sino el de expresar públicamente su oposición al poder como simples ciudadanos, como periodistas independientes o como disidentes pacíficos. Muchos de ellos han caído gravemente enfermos durante su detención en condiciones que, sin duda, la señora Reyes nos explicará.

Hemos pedido la liberación de estos prisioneros en abril del año 2004 y todavía, desgraciadamente, hace falta mucho para conseguirlo, a pesar de algunos casos individuales que se han producido.

La experiencia de muchos de los países europeos nos enseña que la transición a la democracia, una transición pacífica a la democracia, no se prepara precisamente encarcelando a los disidentes, sino todo lo contrario.

Ojalá que la transición a la democracia en Cuba tome buena nota de la experiencia de algunos países europeos.

Señora Hauwa Ibrahim:

Usted ha puesto su talento de abogada al servicio del Estado de Derecho. Su fuerza, como me decía al recibirla esta mañana, es el respeto de la Ley. Admiramos su determinación.

En este inmenso país que es Nigeria, usted defiende a las personas que viven bajo la amenaza de penas crueles e inhumanas. De penas que se aplican en virtud de la «Sharia» en doce Estados de su país.

Usted lucha por el derecho de esas personas a un juicio justo, de acuerdo con la ley.

Hemos seguido, créame, con indignada emoción los procesos incoados contra Amina Lawal y Safya Hussaini, acusadas de adulterio. Usted consiguió que triunfara la ley, exigiendo el respeto de la Constitución y de los Tratados internacionales firmados por Nigeria.

Es inconcebible que todavía se pueda lapidar a una mujer acusada de adulterio;

(Aplausos)

Es inconcebible que se pueda lapidar a una mujer acusada de adulterio como en los tiempos bíblicos; no se puede condenar a la amputación a jóvenes incriminados. En repetidas ocasiones, este Parlamento se ha expresado con firmeza contra esas penas inhumanas y contra la pena de muerte.

Señora Ibrahim: somos sus aliados en el rechazo de esta残酷 y seremos intransigentes en este rechazo.

Admiramos su compromiso personal. El compromiso personal que usted expresa con una fuerte convicción: la del derecho a la educación de los pobres, especialmente, de las mujeres, porque la pobreza se ceba especialmente en la mujer. Es usted un ejemplo para todas las nigerianas que quieren salir de la pobreza y la ignorancia.

También recibimos hoy a Robert Ménard, conocido de esta casa, secretario general de Reporteros sin Fronteras, y, con él, a todos los periodistas.

A unos profesionales que insuflan vida a la libertad de información, que nos abren los ojos a un mundo cruel. No puede haber democracia sin una información plural. La democracia es un sistema que tiene a la información como materia prima, como combustible primario. Sin él no puede haber democracia.

Rendimos homenaje a los que luchan para hacer realidad todos los días, en todas las partes del mundo este principio.

A aquellos que con demasiada frecuencia caen víctimas de la entrega apasionada a su profesión.

Por desgracia, demasiado a menudo caen víctimas de la entrega apasionada a su profesión.

Hace muy pocas semanas, a Robert Ménard le fue negada la autorización para acudir a la Cumbre de la Información que se celebraba en Túnez. Las autoridades tunecinas temían, sin duda, su testimonio.

No deja de ser paradójico que esto ocurra precisamente cuando se habla del derecho al acceso a información libre para todos.

Permítanme recordarles que en el año 2005, que ahora acaba, han perdido la vida 58 periodistas, uno cada semana del año, cada siete días muere un periodista en el ejercicio de sus funciones. En el 2004 fueron 53. Desgraciadamente, la cifra aumenta. Quiero rendir hoy homenaje a todos ellos, y a todos sus compañeros encarcelados o desaparecidos.

Este Parlamento se ha movilizado y se movilizará siempre a su favor.

Porque las dictaduras no duran eternamente. Algunas duran mucho, demasiado, pero no duran eternamente.

(Aplausos)

Con sus actos crueles, tampoco los terroristas conseguirán suprimir la libertad de información, base imprescindible de nuestra vida democrática.

Para terminar, y antes de dar la palabra a nuestros galardonados y a su representante quiero unir en una misma cita a Voltaire y a Brecht. Dos intelectuales separados por muchos años. Uno que abrió las luces y otro que sufrió las tinieblas. Voltaire y Brecht, los dos, coinciden en una expresión, que no sabría muy bien a quien atribuir prioritariamente. Lo dijeron en distintas épocas y distintos lugares y desde distintas situaciones.

Insisto, uno abriendo la luz y otro soportando las tinieblas. Ambos dijeron que la libertad de expresión es el único derecho que separa la libertad de la tiranía. Y no aceptarlo es condenar al ser humano en el oprobio.

Enhorabuena a nuestros galardonados por el coraje que han demostrado.

Voltaire y Brecht nos están observando

Muchas gracias.

Señora Blanca Reyes, tiene usted la palabra.

3-081

Blanca Reyes, "Damas de Blanco". – Estimado señor José Borrell, Presidente del Parlamento Europeo, estimados señoras y señores europarlamentarios, estimadas personalidades participantes, estimado señor Robert Ménard, admirada doctora Ibrahim, queridos amigos europeos y hermanos cubanos residentes en todas las partes del mundo, el honor de haber sido distinguidas con el Premio Sájarov 2005, compartido con la hermana doctora Ibrahim y los esforzados y solidarios Reporteros sin Fronteras, ha conmovido profundamente nuestros corazones —los de las Damas de Blanco— y los de los setenta y cinco prisioneros de conciencia apresados en Cuba durante la primavera negra de 2003.

En primer lugar, quisiera saludar a una solidaria representación de amigas de las Damas de Blanco del exilio —y digo bien, del exilio—, que se encuentran en la tribuna de invitados, acompañándonos.

(Aplausos prolongados)

Yo misma soy una dama del exilio, porque las auténticas Damas de Blanco, como ustedes bien saben, no se encuentran hoy, desgraciadamente, con nosotros. Nunca imaginamos que nuestra agrupación espontánea, motivada por el dolor y la injusticia, sin color político ni organización partidaria o de grupo, fuera a recibir un reconocimiento tan prestigioso. Este premio constituye para nosotros un compromiso aún mayor con nuestra causa y con ustedes; un impulso para seguir defendiendo la inocencia de nuestros seres queridos con mayor valor y demandar su libertad inmediata e incondicional.

El Gobierno de Cuba ha evidenciado, una vez más, la violación sistemática de los derechos humanos que practica diariamente contra la población de nuestro país, al no conceder a cinco mujeres pacíficas e indefensas permiso para viajar y compartir con ustedes esta ceremonia de entrega de los premios, a pesar de que se han realizado todos los trámites burocráticos que exigió, la mayoría innecesarios e incomprensibles, incluidas las gestiones efectuadas por este Parlamento y por gobiernos y personalidades europeos.

Eso no impide que las Damas de Blanco estemos hoy en Estrasburgo, al igual que lo están los setenta y cinco prisioneros condenados desde marzo de 2003 y cientos de reos de conciencia y políticos cubanos. Por el contrario, el mundo entero escuchará hoy las voces de ustedes y el eco de todos nosotros.

Nosotras no recogeremos el premio hoy, pero, como Andrei Sájarov, el eminentе científico y abnegado luchador por la libertad de conciencia, la ejemplar Aung San Suu Kyi, las Madres de la Plaza de Mayo y todos los demás galardonados en años anteriores, continuaremos nuestros incansables esfuerzos para que prevalezcan la justicia social, la democracia y la

reconciliación. Especialmente, podríamos unirnos a ustedes con nuestro compatriota Oswaldo Payá Sardiñas, cubano galardonado en 2002.

Les pedimos que nos visiten en nuestra patria, Cuba, a fin de realizar una ceremonia de entrega del Premio a la Libertad de Conciencia en un futuro inmediato.

(*Aplausos*)

Serán acogidos en nuestros modestos hogares y podremos exponerles personalmente, no ya cinco mujeres, sino muchísimas más, las cruentas condiciones, las arbitrariedades, las intimidaciones y la represión que padecen nuestros prisioneros y nuestras familias.

Quisiera, antes de terminar, mencionar, por su especial significación entre los muchísimos testimonios y felicitaciones que hemos recibido, las palabras del ex Presidente checo Václav Havel: «Estimadas damas: reciban mi más sinceras felicitaciones por el premio que les ha otorgado el Parlamento Europeo. Su firme actitud las hace dignas de ese reconocimiento. Estoy convencido de que supondrá un impulso para ustedes y sus valientes maridos, de la misma manera que el interés del mundo libre representó para mí un impulso durante los tiempos más oscuros de mi encarcelamiento. Václav Havel».

Por último, y no lo consideren una impertinencia, ni tan siquiera una incorrección o descortesía, quiero anunciarles que las Damas de Blanco me han pedido que no participe en el almuerzo protocolario que ustedes ofrecerán a continuación. Esta política de *silla vacía* sólo pretende ser un gesto simbólico, de protesta ante la dictadura cubana y de denuncia ante el mundo, por la ausencia de quienes legítimamente son las acreedoras del premio.

Espero que sepan entender y disculpar tan sonora ausencia. Agradecemos, una vez más, su reconocimiento a nosotras — esposas, madres, hijas, hermanas y tíos, exponentes del pueblo cubano — y les reiteramos nuestra convicción de que no existen causas imposibles cuando están inspiradas en la razón, la reconciliación y el amor. Todas voces, unidas en la diversidad, por el derecho a la libertad de conciencia.

Firmado: Laura Poyán, esposa de Héctor Macea; Miriam Leyva, esposa de Óscar Espinosa Chepe; Berta Soler, esposa de Ángel Moya; Loida Valdés, esposa de Alfredo Felipe Fuentes; Julia Núñez, esposa de Adolfo Fernández Saíz.

La Habana, 14 de diciembre de 2005.

(*La Asamblea, puesta en pie, aplaude a la oradora*)

3-082

Hauwa Ibrahim. — Mr President, political group chairmen, honourable Members of this beautiful Parliament, my friends from Lawyers Without Borders in France, staff of the Parliament — especially the Protocol Service, who have provided me with guidance since I arrived; I would like to mention Ursula Bausch and my guide; members of the press, ladies and gentlemen: ever since our arrival on Monday we have been warmly welcomed by all of you.

We started with the Committee on Foreign Affairs, which afforded us the opportunity of being heard by all the political groups. We are very grateful for this opportunity. We were able to explain our work and answer questions about what the European Union and European Parliament can do for us. We want to assure you that, following this ceremony, we will be willing to discuss any specific issues you wish to bring up with us, at any time, regarding the projects or programmes in our regions or constituencies with the appropriate committees and think-tanks.

In some of the committees and groups, I mentioned the strategies we used in the defence of the woman sentenced to death under the Islamic religious law of Sharia in Nigeria, and I will continue on that subject now. I shall then try to read my three-minute speech, as I have been advised.

Let me turn now to our strategy. Our strategy was to understand the dynamics of the Islamic law of Sharia. We tried to understand the dynamics of the mullahs, the religious leaders. We tried to understand the dynamics of the culture and the values of our people and, above all, we tried to understand the dynamics of the society in which we operate. We were focused and we stayed focused. The press asked us questions such as, ‘Is it Islam versus the West, or perhaps a clash of civilisations?’ We do not know. We knew, however, that a woman had been sentenced to death by stoning and that we were using the instrument of the law to ensure her freedom. That is what we knew.

We paid attention to the detail around us, but were flexible with regard to society’s perception of what we were doing. We acted locally, but we thought globally.

(*Applause*)

Lawyers Without Borders from Canada and France gave us support, and every time we went to court we had a plan. We also had a back-up plan, just in case. We did not tell the media, which had given us huge coverage, what they wanted to hear. We told them what we wanted them to know. We were aware of the views around us and the accusations, verbal attacks and threats, but we stayed focused.

I will share with you today our safety strategy. Of course we had many threats and we had to take care of ourselves so that we did not get killed. We did not travel to court in the same car. At times, we would take our public car then switch to our personal car and we sometimes took public transport. We never travelled in the same car twice, because we knew we were being monitored. We never dress the same way twice. We never take the same route twice, if we can avoid it. More importantly, however, it was necessary to engage with the fundamentalists. We engaged with the extremists, and I will try to illustrate that with a brief story.

I was interviewed by a BBC reporter, who came from London but interviewed me in the local language, Hausa. He asked me whether stoning to death was in the Koran. My response was simply that I did not think so. It was played repeatedly over the radio, and the mullahs decided to answer me via the radio. They said I was anti-Sharia and anti-Islam. That meant that I had committed blasphemy and could be stoned to death. I was afraid, of course. I then called the reporter and told him I wanted to meet the mullahs. He said, 'That is a very dangerous thing to do. You heard what they said on the radio'. The radio programme was not only broadcast to the more than 70 million people in Nigeria who understand Hausa, but also across the western coast of Africa, where Hausa is spoken in several countries. Hausa is the second largest language in Africa, after Swahili. He said that it was really dangerous to do that, but I told him I wanted to go. He said that he would not be responsible for me, but would introduce me. He was kind enough to do so and the mullahs decided to see me in the mosque.

It was a huge mosque, bigger than this hall, though not as beautiful. There were eight mullahs. They were sitting at the end of the hall and in the middle of the hall was a chair. When I went in, they beckoned me to sit on the chair. I did not sit on the chair. I walked towards them. On approaching them, I decided to kneel down and to sit on the floor and they said to me as I went to sit, 'You cannot sit on the floor. Sit on that chair'. And I said to them, 'How can I, your daughter, sit on a chair when you, my fathers, are sitting on a chair?'

They asked me, 'Are you Hauwa Ibrahim?' And I said, 'I am', never looking at their faces because that culture forbids me to do that. And they said to me: 'Are you the lawyer?' And I said: 'I am. But I am a foolish lawyer. I am a stupid lawyer. I did not know what I was doing. I came to you, because I want your wisdom. I came to you because I want some knowledge. I want to do what is right for society, but I do not know how to do it and I want you to guide me'.

It is important to understand that this was my strategy. I caught their attention. They listened to what I was saying, but they did more than that. They said, 'We will not publicly support you, but neither will we publicly oppose you'.

And that was all I needed. Nothing more. We needed safety. We needed them to listen to us. We needed to carry them along with us. We needed to engage them.

This is part of the strategy. In all the 90 cases in which I have been involved, the strategies have not been the same. As you know, I do not take money for the cases. This is because I have enjoyed a huge privilege – that of education. And that is my passion. Whatever my share of this prize, all of it is going towards education. As a result of this Sakharov Prize, I have started a trust fund to invest in education, because I think that is the way forward.

(Applause)

Now I shall read my three-minute speech!

(Laughter)

I am humbled to receive this prestigious 2005 Sakharov Prize alongside this distinguished group of people. I am saddened that the Ladies in White are not here. I share Parliament's sentiment, and agree with what the President said.

I am proud to be associated with the Reporters Without Borders. This is a gift and an empowering message to the voiceless, to the powerless, to the illiterate and to women. It acknowledges not just the women and children of northern Nigeria, for whom I have worked, but everyone who remains unrepresented in society.

This award tells those millions that the European Parliament does not just hear them but that it supports, encourages and celebrates them. It is humbling to realise that most of us strive for the common good, for universal respect for human dignity, for basic human rights and civil rights. Unfortunately, some of the provisions of the new Sharia legal system in my

country, Nigeria, violate some basic human rights, especially equal treatment under the law. In spite of scientific progress, a woman in 2005 can be stoned to death for having a child out of wedlock.

It raises the issue of respect for the certainty and supremacy of law, respect for fundamental rights, the separation of state and religion and strict standards for evidence. This law has resulted in the loss of hundreds of lives. The 90 victims of the Sharia legal system, in whose defence I have been involved, are powerless and voiceless. They are illiterate and poor. The new Sharia legal system in Nigeria needs to be reformed. We need you to help us with your voice. It has to be reformed.

(Applause)

Our goal for the reform is a bottom-top approach. We have a long-term plan, a medium-term plan and a short-term plan. Our methodology will be flexible. It will be responsive to a cultural system of values. It demands organisational and analytical skills, as well as creative intelligence. We must think strategically, coordinating and cooperating with donors, working with political leaders, building coalitions and encouraging alternative ways of resolving disputes. We will give people the tools to ask questions and encourage greater measures of political freedom and activism.

We will let people realise the essence of the rule of law, not the essence of being ruled by the law or by man. To encourage this idea and vision we will build, without letting up, on the struggle and labours of our women heroes, such as the one this building is named after: Louise Weiss. We cannot afford to be infatuated by the progress we have made. We must continue to build on this modern approach, through advocacy and beyond.

I will walk out of this beautiful and magnificent building feeling a greater sense of self esteem, having a greater voice. The European Parliament, one of the world's most important bodies, is behind me. Most importantly, the plight of the poor and the voiceless, with whom I have walked free today, is gaining attention and their cause is known and supported. Today, you have made the voice for humanity louder. I will return to Nigeria with a deep sense of mission and will help redefine the future of the vulnerable and powerless.

I will return to share skills within my country, and across the globe, with humility and passion for freedom and justice, irrespective of race, colour, sex, political beliefs and privileges.

My ultimate hope is that, through the effective application of the rule of law, those who argue for truth and justice and those who work effectively to achieve a better community will change people's hearts and the attitude that governs society and bring about the type of world envisaged by all of us.

I have chosen a path, a path of equal protection under the law, a path to pursue justice, encourage and engage, a path to do good. I have found in all of you in the European Parliament, and all lovers of humanity, the passion to go on.

What a great day, what a great honour and what great people!

Thank you so much.

(*The House rose and accorded the speaker a standing ovation*)

3-083

Ménard, "Reporters sans frontières". – Mesdames et Messieurs, je voudrais avant tout, évidemment, vous remercier de nous avoir offert ce prix Sakharov, à nous, à toute l'équipe – il y en a une partie ici –, et vous dire à quel point c'est important pour nous.

(Applaudissements)

Permettez-moi juste de citer un seul nom, celui de Jean-Marie Cavada, qui est un ami; je sais à quel point il a milité pour que Reporters sans frontières ait ce prix. Merci, Jean-Marie.

(Applaudissements)

Je voudrais juste, en vrac, vous faire part de quelques remarques agréables et plus désagréables. On va commencer par les agréables et on garde les désagréables pour la fin.

Je tiens d'abord à vous féliciter, vous, hommes et femmes politiques, de reconnaître des qualités et surtout de donner un prix pareil à des journalistes qui, quand même, vous cassent les pieds à longueur de temps et à qui, souvent, vous ne ménagez pas vos critiques – à juste titre. Vous avez en effet raison: les journalistes ne font pas très bien leur métier, loin s'en faut, mais offrir ce prix Sakharov à Reporters sans frontières, c'est aussi dire que, malgré tout, on sait à quel point les journalistes sont indispensables à la démocratie, de la même façon que les élus lui sont indispensables.

C'est aussi dire – permettez-moi de le rappeler ici, même si vous le savez – que s'il y a du journalisme mondain, il y a aussi du journalisme de prise de risques au jour le jour. Cette prise de risque au jour le jour, ce sont les 74 confrères qui ont été tués en Irak, soit deux fois plus qu'en vingt ans de guerre du Vietnam; ce sont les cinq journalistes irakiens aujourd'hui détenus parmi les 120 journalistes détenus en Irak par l'armée américaine, sans qu'on sache rien: ni pourquoi ils le sont, ni ce qu'on leur reproche, ni exactement comment ils peuvent être défendus. À travers nous, c'est à eux que vous rendez hommage; je crois qu'ils le méritent, une fois de plus, même si on peut être agacé, à juste titre, par le comportement de la presse.

(Applaudissements)

Permettez-moi encore de citer un nom ici, et je pense qu'il est d'actualité: c'est celui du dernier journaliste qui a été tué. Vous voyez à qui je pense: c'est Gebran Tuéni. Gebran Tuéni, je ne suis pas le seul à le connaître ici; c'était un grand patron, un homme politique au Liban. C'est la quatorzième victime d'attentats ciblés dans ce pays depuis quelques mois. Il faut être avec les Libanais, et il faut être avec les démocrates libanais. Vous savez qu'à travers lui, c'est encore la démocratie et la réelle indépendance du Liban qui sont visées. Je tenais à saluer avec vous la mémoire de Gebran Tuéni.

(Applaudissements)

En vrac, maintenant, voici quelques points peut-être plus critiques, et le prix remis aux Dames en blanc me permet de les aborder.

Il existe encore et toujours une capacité d'indignation à géométrie variable qui me scandalise. Comment ne pas comprendre que l'on peut trouver scandaleux que 24 journalistes soient détenus à Cuba et, dans le même temps, trouver tout aussi scandaleux ce que je vous disais tout à l'heure, à savoir que l'armée américaine, sans jamais le justifier, détienne des journalistes en Irak. On n'a pas à faire ce choix-là. Il faut être aussi intransigeant dans un cas comme dans l'autre.

(Applaudissements)

Or, dans le cas de Cuba, je suis absolument sidéré de l'attitude d'un certain nombre de gens. Qu'un Reporter sans frontières, je le disais à des amis hier, dénonce la dictature en Birmanie, en Corée du Nord ou au Laos, il n'y a personne pour venir nous dire que nous exagérons, que c'est mal, que c'est plus compliqué que cela. Il suffit qu'on dise qu'il existe aussi une dictature à Cuba pour qu'on reçoive des tonnes de lettres d'insultes de gens qui trouvent des excuses.

(Applaudissements)

Je ne me prononce pas ici sur le fait de savoir s'il faut ou pas maintenir l'embargo américain. Ce n'est pas mon problème. Mon problème, c'est qu'il y a 300 prisonniers d'opinion à Cuba qui ont pour seul tort de demander la démocratie et de contester l'autorité de M. Castro. C'est tout! Et ça, c'est inacceptable, quelles que soient les positions politiques que l'on défend.

(Applaudissements)

Je suis sidéré de voir des gens qui sont prêts à descendre dans la rue, ici, si on touche à la moindre de leur libertés, mais aussi à applaudir des espèces de crapules exotiques sous prétexte qu'elles sont exotiques!

(Applaudissements)

Une autre personne que je voudrais évoquer, Monsieur le Président, c'est Florence Aubenas, parce que vous avez été l'exemple même de la mobilisation. Vous avez été extraordinaires au Parlement – et je ne mâche pas mes critiques, vous le verrez –, vous avez été extraordinaires pour Florence Aubenas. Je suis venu plusieurs fois la défendre ici. Les Français, les Belges, les Italiens, les Allemands, tout le monde s'est mobilisé. Mais quelle injustice pour les autres! Il y a d'autres Florence Aubenas, mais qui n'appartiennent pas à de grands médias occidentaux, qui ne sont pas des Occidentales. Et dans ce cas, on a un mal fou à vous mobiliser, à mobiliser la presse, voire parfois à nous mobiliser, comme s'il y avait deux poids et deux mesures, comme s'il y avait des vies qui valent plus que d'autres, comme s'il y avait des libertés qui nous touchent et d'autres libertés qui ne nous touchent pas. Il faut absolument que cela cesse.

On ne peut pas être crédibles, on ne peut pas dire aux gens, nous sommes ici des démocrates qui nous battons pour la démocratie, si on le fait mille fois plus quand il s'agit des nôtres que quand il s'agit des autres, cela nous enlève toute crédibilité, y compris à notre discours sur les droits de l'homme. Je voulais vous le dire car je le vis tous les jours.

(Applaudissements)

Je tenais à vous dire aussi de mettre fin à cette espèce de mauvaise conscience tiers-mondiste, d'arrêter de croire que vous défendez ici les valeurs de l'Occident, d'arrêter de vous autoflageller chaque fois et d'essayer de trouver des excuses à des gens qui n'en ont aucune. Les valeurs de la démocratie que vous défendez ici sont des valeurs universelles, elles sont valables ici, à Cuba ou au Nigeria. Arrêtons de croire que nous avons cette espèce de devoir de mémoire à tout crin avec ces anniversaires et ces commémorations perpétuels. Il y en a marre de ça, occupons-nous de l'actualité. Je n'ai pas mauvaise conscience par rapport à ce qui a eu lieu dans le passé. J'ai de la mauvaise conscience par rapport à ce qui se passe aujourd'hui et que je ne fais pas.

(Applaudissements)

J'aimerais aborder un autre point, si vous le permettez, au sujet de notre propre intolérance. Il est tellement facile de défendre les idées des gens qui pensent comme nous. Il est tellement facile de se battre pour des gens qui nous ressemblent. Mais la démocratie ce n'est pas ça. La démocratie c'est se battre pour le droit d'expression des autres, y compris de ceux qui seront demain des dangers pour nos démocraties. Voilà le paradoxe et la difficulté auxquels vous êtes confrontés et je suis confronté. À Reporters sans frontières, je le raconte souvent à des amis – je vois Dany en face de moi –, on va parfois dans des pays où l'on défend des gens et je me dis que ce sont des crapules. Je me dis que ce type-là, le jour où il arrivera au pouvoir, mon Dieu, je reviendrai rapidement. En même temps, je me dis que ma place est ici. La différence entre un certain nombre de gens qui parlent de démocratie et ceux qui la vivent – et vous la vivez ici – c'est qu'on est capable de dire ça, de prendre la défense de gens parce qu'ils ne bénéficient pas d'un certain nombre de règles de droit, même si ces gens-là seront demain des dangers pour nous. Ce paradoxe est notre faiblesse en même temps que notre force.

(Applaudissements)

J'aimerais encore vous dire deux ou trois petites choses. Non, toutes les atteintes à la liberté de la presse ne se valent pas. Arrêtons de tenir ces propos: "Attendez, je ne sais pas comment on faisait dans le passé, l'arrestation d'un objecteur de conscience en Suisse (quand l'objection de conscience existait) et les 30 ans de goulag en URSS, c'est la même chose". Non, ce n'est pas la même chose. Il faut se battre dans ces deux cas différents.

Arrêtons de faire croire ou de finir par faire croire aux autres que nous ne vivons pas dans des démocraties. Nous sommes dans des démocraties, on est dans des démocraties. La moitié des pays dans le monde n'appliquent pas ces démocraties-là. Mettre sur le même plan le problème de concentrations des médias dans nos pays et celui de l'arrestation des journalistes en Chine ou en Birmanie est dégueulasse pour les gens qui sont emprisonnés en Chine.

(Applaudissements)

C'est indécent pour eux. À cette tribune, je peux dire ce que je veux, y compris sur vous. Cela est impossible dans la moitié des pays dans le monde, alors arrêtons de tout mélanger. Oui, il y a des choses qui ne vont pas chez nous. Oui, dans le domaine de l'information, il y a des choses qui ne vont pas. Oui, il faut réfléchir. Oui, comme vous, je suis scandalisé de temps en temps par l'attitude de mes confrères et ce que je fais en tant que journaliste. Mais il faut faire attention à ne pas dire qu'il s'agit de la même chose, à ne pas confondre un pays où, en général, l'atteinte à la liberté de la presse est une exception, avec des pays où l'atteinte à la liberté de la presse est la règle. Ce n'est pas la même chose nom de Dieu!

(Applaudissements)

Nous ne vous demandons pas de dire "oui" à tout ce que nous disons. Je ne pense pas que vous soyez en mesure de le faire. Nous, nous sommes dans une certaine mesure irresponsables car nous ne défendons rien d'autre que la liberté d'expression. Vous, vous êtes obligés de prendre en compte d'autres choses, les intérêts économiques de vos pays et de l'Europe, les intérêts diplomatiques, militaires. J'espère – je suis sûr – que vous en êtes conscients. C'est pourquoi, je ne vous demande pas de dire que la politique de l'Europe et du Parlement n'est guidée que par les droits de l'homme. Ce n'est heureusement pas vrai. Je vous demande, lorsque vous nous dites quelque chose, lorsque vous prenez un engagement, de le respecter, de respecter votre propre parole, ce que parfois vous ne faites pas.

Tout à l'heure, Monsieur le Président, vous nous parliez de la Tunisie. Mais, nom de Dieu, il y a un accord d'association avec la Tunisie!

(Applaudissements)

Vous me direz qu'il ne s'agit pas du Parlement mais des institutions européennes. Qu'attend-on pour appliquer cet accord d'association? Des clauses existent, vous les faites voter; c'est vous qui perdez la face dans ces cas-là.

Dans ce cas, on ne parle pas de droits de l'homme. Toutefois, si on en parle, on respecte sa parole et ses engagements. Vous savez, on a besoin de vous. Vous êtes formidables – je vous l'ai redit hier Monsieur le Président –, quand vous votez

des rapports et des résolutions. Ne croyez pas un instant que c'est inutile. On s'appuie là-dessus. C'est utile pour les gens, continuez à le faire, mais allez jusqu'au bout. Parlez vrai! C'est la seule chose que l'on vous demande. Nous en avons assez des envolées lyriques. Nous en avons assez des trémolos dans la voix. Nous avons envie d'entendre des gens qui nous disent: "Voilà, je peux faire ça. Je ne peux pas faire plus, mais pour cela au moins, vous pouvez compter sur nous."

Je voulais encore dire une dernière chose. J'ai cru avec d'autres qu'on pouvait changer radicalement le monde. J'en suis moins sûr désormais et les autres aussi. Ça peut rassurer, vous avez raison, par ailleurs ça angoisse aussi. En même temps, on ne peut pas se contenter du monde tel qu'il est, Monsieur le Président. Chaque fois que j'ouvre le journal, le monde me donne envie de vomir. En effet, j'ai une petite fille qui a quatre ans, qui va grandir et qui a mille fois plus de chances qu'une petite fille du même âge dans quatre-vingt-dix pays que je peux vous citer ici. Et cette injustice est inacceptable. Vous savez ce qu'il y a de bien avec les droits de l'homme? C'est que ça marche. Je ne sauve pas mon âme. Je ne crois ni au bon Dieu ni au diable. Simplement, je crois qu'on peut bouger, améliorer jour après jour la vie de chaque individu et, pour ça, on a besoin de vous.

(L'Assemblée, debout, applaudit l'orateur)

3-084

(El Presidente entrega el Premio Sájarov a los galardonados)

3-085

PRESIDÊNCIA: Manuel António dos SANTOS
Vice-Presidente

3-086

10 - Declarações de voto

3-087

Relatório: Alvaro (A6-0365/2005)

3-088

Carl Schlyter (Verts/ALE). – Herr talman! Det är ödets ironi att parlamentet direkt efter att ha röstat igenom "övervakningsdirektivet" delar ut Sacharovpriset för öppenhet och mänskliga rättigheter. Samma dag som vi bygger murar mot våra medborgares frihet ger vi pris åt dem som bryter ner dessa murar i omvälden. Detta direktiv ska enligt spinndoktorerna ge oss frihet från mord och terror och organiserad brottslighet, men i verkligheten befriar den oss snarast ifrån demokratins ideal.

Vitsen med demokrati är att man ska kunna kommunicera med vem man vill när man vill utan att känna oro för dessa kommunikationer. Förespråkarna hävdar att denna övervakning är nödvändig för brottsbekämpning av de allvarligaste brotten, men de har fel. Det här gäller i praktiken alla brott i den europeiska arresteringsordern, dvs. att jaga även fildelare. Det är därför de stora mediebolagen idag jublar över detta nya direktiv. Då slipper de ändra teknik till mer modern teknik som skulle spara pengar för konsumenterna, utan behåller den gamla.

Enligt direktivet ska data lagras mellan 6 och 24 månader, och 80 procent av alla e-mejl är s.k. spam. Detta är ett skräpdirektiv som lagrar skräppost, vilket knappast är det mest effektiva sättet att bekämpa organiserad brottslighet. Det kostar pengar och tar resurser från mer effektiva åtgärder. Det blir dessutom enkelt för yrkeskriminella att undvika att fastna i nätet.

I USA snabbfryser polisen data. Det är mycket mer effektivt och enklare och drabbar enbart de människor som är konkret misstänkta för ett brott. Var var du den 17 mars? Vilka träffade du? Vilka satt du bredvid? Satt du bredvid en känd forbrytare? Hur bevisar du att du inte hade kontakt? Hur vet du att de personer som du regelbundet e-mejlar till inte är storskaliga fildelare som polisen jagar? Hur bevisar du att det inte var upphovsrättsskyddat material du skickade? Vet du de dolda sidorna hos dem du kommunicerar med?

Även i framtiden kommer rättsstaten att finnas och folk kommer oftast inte att bli oskyldigt dömda, men kanske blir de friade från misstankar först efter kränkande förhör och husrannsakningar. De gröna röstade nej till detta direktiv.

3-089

Luca Romagnoli (NI). – Signor Presidente, onorevoli colleghi, voto contro la direttiva sulla conservazione dei dati, *in primis* perché si tratta di una direttiva intrusiva e tecnicamente inapplicabile.

L'unica minaccia alla sicurezza è quella relativa al diritto alla *privacy* dei cittadini. Difatti questa direttiva non riguarda i soggetti sospetti, gli indagati, i pregiudicati, ma insinua occhio e orecchio su tutti, indiscriminatamente. Con questa direttiva si vuole istituzionalizzare un'orrenda discriminazione nei confronti della stragrande maggioranza dei cittadini, costituita da persone oneste e pacifiche, che noi dovremmo invece difendere da questo tipo di abusi.

Non possiamo consentire l'esistenza in Europa di un sistema controllato di spionaggio continuativo e ingiustificato, per giunta inutile e costoso; non possiamo istituzionalizzare la non tutela del diritto alla *privacy*. Per questi motivi ho votato "no".

3-090

Zita Pleštinská (PPE-DE). – V hlasovaní o tejto správe som jej nemohla vyjadriť svoju podporu, pretože sa domnievam, že Európsky parlament nemôže súhlasiť so zhromažďovaním osobných údajov o každom občanovi. Databázy nemusia sledovať len všeobecnú vzorku ľudí, ale môžu vyhľadávať aj politicky alebo inak názorovo nevyhovujúcich.

Každá totalita v histórii sveta začína práve tým, že sa začali zhromažďovať osobné údaje o všetkých občanoch danej krajiny. Tiež som vyrastala v štyridsaťročnej totalite, keď vládna komunistická moc zhromažďovala moje súkromné údaje a informácie o mojich telefónnych hovoroch.

Dnešná technika prenosu údajov stále nie je dostatočne bezpečná, a tak dobrý úmysel, ktorým je boj proti terorizmu, kriminalite či praniu špinavých peňazí, môže byť ľahko zneužitý. Nikdy by som nevedela verejnosti predložiť žiadne rozumné vyhlásenie, keby som hlasovala za tento návrh.

3-091

Tomáš Zatloukal (PPE-DE). – Vážený pane predsedající, vážené kolegyně, kolegové, jsem si vědom důležitosti právě přijaté směrnice o uchovávání dat. Myslím, že z hlediska zajištění bezpečnosti je její přijetí nezbytným krokem v boji proti terorismu a jiné závažné trestné činnosti. Jako jeden ze signatářů pozměňovacího návrhu číslo 41 však nemohu souhlasit s tím, aby byla porušována zásada pravidel volného trhu tím, že jednotlivé země přistoupí k úhradě nákladů za uchovávání dat operátorem rozdílně.

3-092

Maria Carlshamre (ALDE), skrifflig. – Jag röstade idag ja till De grönas ändringsförslag om att avvisa det föreslagna direktivet om datalagring. Jag anser att förslaget är för långtgående när det gäller personlig integritet, ineffektivt – det kommer inte att innehära en förbättrad terroristbekämpning och det har dessutom drivits igenom med skrämmande hastighet på ett sätt som inte bådar gott för framtiden.

Jag röstade därför också nej i den slutliga omröstningen om förslaget.

3-093

Richard Corbett (PSE), in writing. – I welcome the proposed agreement between Parliament and Council. It achieves the right balance between allowing police and judicial authorities access to the data on electronic communications, and the protection of privacy. Its approval by both a majority in the elected Parliament and by a qualified majority of governments in the Council is proof of its acceptability to a wide range of opinions.

It reasonably allows police and judicial authorities to access, under certain conditions when investigating serious crimes, data on past electronic communications: that is, who has called who, not the content of the conversations.

I am nonetheless shocked at the tactic of some of those who oppose it. I have received letters, emails and representations from people who fear that governments will be able to listen to their telephone conversations and read their emails! Why do they think that? Because they have been told this by people who should know better, including some in this chamber who are willing to deliberately mislead the public in pursuit of their political goals.

3-094

Hélène Goudin, Nils Lundgren och Lars Wohlin (IND/DEM), skrifflig. – Principiellt menar Junilistan att ett för medborgarna så långtgående beslut inte ska fattas med kvalificerad majoritet. Istället borde förfarandet vara direkt underställt de nationella parlamenten och beslut tas på mellanstatlig nivå med enhällighet av rådet i enlighet med det polisiära och straffrättsliga samarbetet.

Vi anser dessutom att förslaget går alldeles för långt i förhållande till den förväntade nyttan. Medlemsstaterna bör underlätta informationsutbytet mellan varandra för att effektivare bekämpa terrorism och organiserad brottslighet. Ett sådant samarbete kräver dock inte en harmonisering på EU-nivå för lagring av denna enorma mängd uppgifter.

Förslaget medför även avsevärda betänkligheter avseende medborgerliga fri- och rättigheter där medborgarna blir allmänt misstänkligjorda. Junilistan vill inte medverka till skapandet av ett europeiskt kontrollsamhälle. Om en medlemsstat vill införa obligatorisk lagring av uppgifter bör den göra detta först efter en ordentlig nationell debatt med beslut i nationella parlament. Att smyga in en så genomgripande lagstiftning bakvägen är högst orimligt ur demokratisk synvinkel.

3-095

Pedro Guerreiro (GUE/NGL), por escrito. – Lamentamos que a proposta de rejeição, que subscrevemos, desta directiva sobre a conservação de dados das comunicações electrónicas tenha sido recusada pela maioria do Parlamento Europeu.

Recorde-se que uma proposta similar foi anteriormente recusada pelo Parlamento Europeu e não obteve a maioria necessária no Conselho para a sua aprovação, quando exigiu uma decisão por unanimidade. No entanto, a actual proposta de directiva (apresentada pela Comissão Europeia por iniciativa do Reino Unido) demorou apenas três meses a ser adoptada, pela maioria dos deputados do PE e por uma maioria qualificada no Conselho. Directiva que a Presidência britânica declarou querer ver entrar em vigor quanto antes.

Consideramos que se trata de uma inaceitável proposta - mais uma -, que se integra na actual ofensiva securitária que atenta contra direitos, liberdades e garantias dos cidadãos, a pretexto da denominada "luta contra o terrorismo".

O que se pretende é "legalizar" a ilegalidade. Procura-se ampliar a recolha e armazenamento de informações (comunicações telefónicas, correio electrónico, Internet,...) por um período até dois anos, prorrogável, para, entre outros aspectos, "prevenir" infracções. Sendo inscrita uma cláusula de flexibilidade que permitirá a recolha quase indiscriminada de informações electrónicas.

Daí o nosso voto contra.

3-096

Jean Lambert (Verts/ALE), *in writing*. – I voted against the proposal on Data Retention.

The European Parliament has been used to by-pass national parliaments which have rejected similar proposals. Our Parliament has forfeited certain rights by the process we have adopted on this Directive. I hope this behaviour will act as a warning and not a precedent when we handle future dossiers in this field under co-decision: the reward we were offered by Council for being a "politically mature" institution, capable of agreeing with Council.

We have today, set up the framework for a surveillance state. It is not clear to me that this will make us more secure and safe from crime.

This Directive no longer has crime prevention as a goal. We are therefore using an intelligence-led approach which relies on public confidence and support to be effective. Mass surveillance threatens that confidence. We have alternatives to such surveillance and should have adopted them.

3-097

Jörg Leichtfried (PSE), *schriftlich*. – Die Verhältnismäßigkeit sowie die Interessenabwägung zwischen Sicherheit und den Grundfreiheiten der Bürger ist für mich von großer Bedeutung und kann von der vorliegenden Richtlinie nicht gewährleistet werden. Die Vorratsdatenspeicherung wird insbesondere als wichtiges Werkzeug für die Ermittlungsbehörden im Kampf gegen den Terrorismus gesehen, wobei im Telefonbereich schon jetzt nach geltender Rechtslage - über richterlichen Auftrag - auf jene Daten zugegriffen werden kann, die Betreiber aus Verrechnungsgründen gespeichert haben. Des Weiteren konnte keine Einigung bzw. Festlegung bezüglich der durch die Speicherung anfallenden Kosten gefunden werden, wodurch die zukünftigen Auswirkungen auf Industrie und Verbraucher mehr als ungewiss sind.

Auch ich bin der Meinung, dass Telekommunikationsdaten bei der Verbrechensauffklärung sowie im Kampf gegen den internationalen Terrorismus eine außerordentlich wichtige Bedeutung zukommt. Es ist jedoch so, dass wir diesbezüglich in diesem Bereich bereits jetzt über einen weitgreifenden Handlungsspielraum verfügen, welcher - im Gegensatz zur vorgeschlagenen Richtlinie - in Harmonie mit der Wahrung der Grundrechte eines jeden Einzelnen steht.

3-098

Cecilia Malmström (ALDE), *skriftlig*. – Bra lagar stiftas inte under tidspress och med bristfälligt beslutsunderlag. Jag är mycket kritisk till hur processen runt förslaget till beslutet om lagring av trafikdata hanterats. Det är en svår fråga att ta ställning till, den kräver eftertanke och gediget faktaunderlag - både vad gäller integritetsaspekten, de tekniska konsekvenserna samt de verkliga kostnaderna för teleoperatörerna och därmed konsumenterna.

Det är vi skyldiga Europas medborgare. Tveklöst är det så att trafikdata kan vara av värde i olika brottsutredningar. Men det innebär inte att vi skall ge klartecken till en omfattande lagring. Trafikdata skall kunna användas, men bara i samband med mycket grova och väl definierade brott och efter beslut i domstol. En harmonisering av bestämmelserna i EU är önskvärd, men långt mera restriktiv än dagens beslut. Det förslag till ändring av direktivet som antogs i parlamentets utskott för medborgerliga fri- och rättigheter var ett steg i rätt riktning. Men detta förslag föll i omröstningen till förmån för förslag som är för långtgående. Därför valde jag att rösta nej till förslaget till direktiv. Jag hade velat se ett beslut med kortare lagringstider, bättre integritetsskydd, att email undantogs samt att användning av trafikdata endast tillåts vid vissa allvarliga och väl definierade brott.

3-099

Erik Meijer (GUE/NGL), *schriftelijk*. – Op de onder Brits voorzitterschap doorgedrukte richtlijn over dataopslag zaten weinigen in Europa te wachten. Met het oog op terrorisme- en misdaadbestrijding worden telefoon- en internetgegevens van burgers en bedrijven straks jarenlang opgeslagen. Deze regelrechte aantasting van de privacy en creëert grote rechtsonzekerheid. Wie heeft toegang tot deze gegevens? Wie maakt er gebruik van? Dat wordt slecht geregeld.

Het is niet uitgesloten dat telecombedrijven de data voor commerciële doeleinden gebruiken. Daarentegen is het allerminst zeker dat de verplichte gegevensopslag helpt bij de opsporing van terroristen en criminelen. Terwijl de richtlijn voor heel Europa geldt wordt de definitie van 'zware misdaad' aan de lidstaten overgelaten. Het is onduidelijk wie gaat betalen voor de gigantische databases die hiervoor nodig zijn.

De richtlijn is niet alleen overbodig maar is ook nog eens overhaast door de Raad en het parlement geloodst. Daarbij heeft men de rapporteur domweg buiten spel gezet. Alle garanties die binnen de Commissie Vrijheidsrechten waren ingebouwd zijn door de ministerraad overboord gegooied.

Eens temeer blijkt hoe slecht onze democratische instituties bewapend zijn tegen dit soort demagogie waarmee regeringen inspelen op de angsten die onder de bevolking leven. Onder het mom van terrorisme wordt het Fort Europa steeds meer een politiestaat.

3-100

Gay Mitchell (PPE-DE), *in writing.* – I do not know why this proposal was rushed, the 'extremely accelerated legislation procedure has meant that there was little time for discussion and translations were sometimes unavailable. There was also no time for a technology assessment or for a study on the impact on the internal market. Bearing in mind the measures and plans aimed at better regulation at European level, it is to be hoped that the procedure used for debating data retention will not become the rule', to quote directly from the report to Parliament.

-There is a framework decision on this issue still with the Council of Ministers.

-There is doubt that the correct legal basis was used for this proposal.

3-101

Andreas Mölzer (NI), *schriftlich.* – Die Angst vor Terrorismus darf nicht länger dazu missbraucht werden, Schritt für Schritt Grund- und Freiheitsrechte zugunsten eines totalitären Überwachungsstaates auszuhöhlen. Seit den Anschlägen vom 11. September zeichnet sich die Tendenz ab, vermehrt gegen Aufdecker – sprich Journalisten – aber auch gegen missliebige oder nonkonformistische Kräfte vorzugehen. Als jüngstes Beispiel der Einengung journalistischer Freiräume und der Zäsur sei die sog. „Cicero-Affäre“ angeführt. Immer wieder sollen demnach Verbrechen dazu herhalten, neue Polizeibefugnisse einführen zu können – so wird in Deutschland bereits der Zugriff auf Mautdaten diskutiert.

Im besten Fall werden jedoch nur kleine Fische gefangen, denn kriminelle Organisationen und Terroristennetzwerke wissen sich meist erfolgreich der Verfolgung zu entziehen. Da letztere ihre Taten oft auf Jahre hinweg planen, kann die Datenspeicherung Terrorakte schlachtweg nicht verhindern. Vielmehr kommt es zu einer Dauersubvention von Netzwerkhardware, ungerechtfertigte Einschnitte in Privatsphären und Geheimnisträger wie Ärzte, Journalisten oder Anwälte werden in ihrer Berufsausübung behindert.

Wenngleich sich die Auswirkungen und Folgekosten der geplanten Richtlinie noch nicht seriös abschätzen lassen, kann es auf keinen Fall angehen, den Bürger dieser massiven Grundrechtseinschränkung völlig schutzlos auszuliefern. Zumindest muss er in Form strikter abschreckender Sanktionen gegen einen möglichen Missbrauch geschützt werden, denn sonst resultiert daraus bald etwa ein Internet nach chinesischem Vorbild.

3-102

Claude Moraes (PSE), *in writing.* – Following the vote on the Alvaro Report, I believe that Labour MEPs were successful in getting stronger safeguards concerning the security of communication data and in specifying penal and administrative sanctions for abusive use of retained data. In representing London, the city with one of the highest numbers of Internet service providers in the EU, safeguards are important.

3-103

Bill Newton Dunn (ALDE), *in writing.* – I voted for the LIBE committee's position, but against the overall resolution.

Hurried law is usually bad law. This has been rushed through by the UK presidency of the Council. It is tragic that two large MEP groups have passed this in a single reading rather than have a thorough scrutiny.

It has many defects. The definition of "serious crimes" is uncertain, being left to 25 separate governments to each decide in their own way.

The question of costs is unclear. The demanders, the governments, should pay, not the individual citizen.

The inclusion of emails was badly thought through. The industry was never formally consulted. Hotmail and Yahoo emails are excluded. In the 2004 Madrid bombings, no emails were sent by terrorists ; instead one wrote a draft on Yahoo, and his accomplices logged on and read it.

So much "Spam" email is sent. Why do the governments want to preserve spam ?

The text gives too much latitude to the 25 governments to do what they wish. It allows them to decide the details themselves, and cannot be amended by national parliaments.

This is an unsatisfactory law. I am proud to have opposed it in its present form.

3-104

Luís Queiró (PPE-DE), por escrito. – Antes de entrarmos na discussão do relatório, convém referir que o facto de a matéria aqui em causa suscitar uma ampla discussão é um primeiro sinal positivo que se deve destacar. É, em meu entender, sinal de que a Europa está atenta, está desperta, para os riscos que uma atitude excessivamente securitária pode trazer consigo em matéria de liberdades individuais.

No relatório que aprovámos não descortinei uma deriva securitária, nem um abandono dos princípios fundamentais de respeito e defesa dos direitos, liberdades e garantias dos cidadãos. O que resulta do relatório aprovado é o reconhecimento da necessidade de reforço dos meios à disposição do combate ao crime, sobretudo tendo em conta tanto a gravidade de certo tipo de crime - destacando-se o terrorismo, evidentemente - como a utilização dos novos meios tecnológicos que é feita para a prática dessas actividades criminosas.

Há, porém, uma preocupação que ficou expressa no debate e no documento aprovado, e que deve aqui ser destacada. A admissão das possibilidades previstas por este relatório só é compatível com uma vigilância reforçada da sua utilização. O Parlamento não se pode desinteressar do seguimento que venha a ser dado à directiva em causa. O que hoje aprovámos foi para proteger os cidadãos dos criminosos e não pode ser utilizado com qualquer outro fim.

3-105

Alyn Smith (Verts/ALE), in writing. – Nobody would deny that any measures which would help in the fight against terrorism should be investigated, but data retention as proposed will just not achieve the desired aim. Worse than that, I fear it will infringe liberty, and add unnecessary costs to business and consumers without actually making any of our citizens safer. This is a flawed proposal and the Parliament has done us a disservice today by adopting it.

3-106

Thomas Ulmer (PPE-DE), schriftlich. – Ich habe nach sorgfältiger Prüfung meines Gewissens dem Bericht zugestimmt,
 - hoffend, dass die Daten von den offiziellen Stellen nur nach unseren Vorschriften genutzt werden,
 - wissend, dass nicht alle Mitgliedsstaaten das Prinzip der richterlichen Anordnung kennen,
 - wissend, dass hier das Parlament die Vorlage des Rates und der Kommission wesentlich entschärft hat
 - in der Überzeugung, dass die Bürgerrechte durch das Parlament ausreichend geschützt wurden.

Ich werde nach 2 Jahren eine Statistik über die Zugriffe der Behörden einfordern.

3-107

Ιωάννης Βαρβιτσιώτης (PPE-DE), γραπτώς. – Τάχθηκα εναντίον της πρότασης οδηγίας για την διατήρηση των δεδομένων, διότι παρά τις βελτιώσεις στην αρχική πρόταση της βρετανικής προεδρίας, ύστερα από τις προσπάθειες που καταβλήθηκαν από μέλη του Κοινοβουλίου, εξακολουθώ να πιστεύω ότι τα μέτρα αυτά από μόνα τους θα αποδειχθούν στην πράξη αναποτελεσματικά. Και ακόμη ανοίγουν μια μεγάλη ρωγμή στις προσωπικές ελευθερίες, με οδυνηρές συνέπειες.

Ο οδηγός μου είναι πάντοτε η μνημειώδης φράση του Προέδρου των ΗΠΑ Benjamin Franklin το 1759: 'They that can give up essential liberty to obtain a little temporary safety deserve neither'.

3-108

Anders Wijkman (PPE-DE), skriftlig. – Bra lagar stiftas inte under tidspress och med bristfälligt beslutsunderlag. Jag är mycket kritisk till hur processen runt förslaget till beslutet om lagring av trafikdata har hanterats. Det är en svår fråga att ta ställning till, den kräver eftertanke och gediget faktaunderlag. Det är vi politiker skyldiga Europas medborgare.

Tveklöst är det så att uppgifter om telefonsamtal kan vara av värde i olika brottsutredningar. Men det innebär inte att vi skall ge klartecken till en omfattande och systematisk lagring av båda telefonsamtal och emails. Trafikdata skall kunna användas, men bara i samband med mycket grova och väl definierade brott och efter beslut i domstol. En harmonisering av bestämmelserna i EU är önskvärd, men långt mera restriktiv än dagens beslut. Därtill måste rimligen teleoperatörerna kompenseras för sina extra kostnader.

Det förslag till ändring av direktivet som antogs i parlamentets utskott för medborgerliga fri- och rättigheter var ett steg i rätt riktning. Men detta förslag föll i omröstningen till förmån för ett förslag som var identiskt med det förslag regeringarna förhandlat fram. Därför valde jag att rösta nej till förslaget till direktiv. Jag hade velat se ett beslut med kortare lagringstider, att email undantogs samt att användning av trafikdata endast tillåts vid vissa allvarliga och väl definierade brott.

3-109

(A sessão foi suspensa às 13H15 horas e reiniciada às 15 horas)

3-110

IN THE CHAIR: MR McMILLAN-SCOTT
Vice-President

3-111

11 - Corrections to votes: see Minutes

3-112

12 - Approval of Minutes of previous sitting: see Minutes

3-113

13 - Presumed use of European countries by the CIA for the transportation and illegal detention of prisoners

3-114

President. – The next item is the Council and Commission statements on the presumed use of European countries by the CIA for the transportation and illegal detention of prisoners.

3-115

Douglas Alexander, President-in-Office of the Council. – Mr President, over the last few weeks we have heard and read a lot about the alleged use of European airspace, airports and countries by the United States in its global war on terror, so I welcome this afternoon's debate. It allows this Parliament to discuss one of the fundamental issues facing European governments and institutions in the 21st century: the balance to be struck between security and liberty in a world characterised in part by mass-casualty terrorism.

I hope the debate will help illuminate the key issues involved, including how to tackle the unprecedented threat we all face from international terrorism, how to ensure respect for the international rule of law at the same time, and how every day Member States have to take hard decisions to maintain the balance between security and liberty and take responsibility for those decisions. I hope too that the debate can demonstrate respect for the word of other governments, the benefits of informed discussion and a sense of proportion. In so doing, Parliament will be able to make a valuable and credible contribution to the larger debate about how to safeguard our security and liberty simultaneously.

As honourable Members of this Parliament will know, allegations have been made in the European and international media and elsewhere concerning US detention facilities in Europe and the use of aircraft to transfer terrorist suspects between countries in order to interrogate them using torture and ill-treatment. These reports prompted discussion amongst European Union Foreign Ministers at the General Affairs Council meeting on 21 November. As a result, the Presidency wrote on 29 November to the US Secretary of State, Condoleezza Rice, on behalf of European Union partners, seeking the views of the United States Government on these allegations.

On 5 December the United States Secretary of State made a detailed public statement on the matter in advance of her visit to Europe. The Presidency has forwarded that reply to European Union colleagues and I have today provided a copy of the reply to President Borrell Fontelles.

Some European Union colleagues were able to discuss this matter with Secretary of State Rice last week in Brussels. The United Kingdom has expressed its satisfaction with the US statement. I understand some other European Union colleagues have also made public comments upon the statement by Secretary of State Rice. The Council welcomes the detailed statement by the US Secretary of State, for all European countries share the determination of the United States to protect innocent citizens from the threat of terrorism, while operating within international law.

Let us be clear about the threat our people face from the modern terrorist. Europe has faced terrorism for many years. I do not need to relate the names of the organisations and individuals concerned, but none of us have had to face the kind of threat we face – now and in the long term – from al-Qa'ida and its supporters.

Modern terrorism means mass-casualty attacks. We have seen them in New York, Washington, Istanbul, Madrid, and recently in London and in numerous other cities around the world. Honourable Members will recall that, just a few years ago, Strasbourg was also the target of a thwarted attack. Today we are exposed to fanatical suicide attacks on innocent civilians using modern techniques and technology previously confined to states but now available to individuals on the internet. That is a picture we face for the foreseeable future. Our people need protecting against it; our governments have a clear responsibility to provide that protection. It is a responsibility that requires governments to make difficult decisions, take concrete action and explain and defend those decisions and that action.

The European security strategy adopted in 2003 emphasised that transnational terrorism and the non-proliferation of weapons of mass destruction pose a threat we cannot ignore. However, at the same time, in seeking responses to these new challenges, it is essential that the rule of law and the human rights of individuals are respected.

The question of torture is a key element of this debate. Torture is abhorrent. The prohibition against it is absolute. The British Government – like all European governments – unreservedly condemns it. We never use it; we never instigate or condone it; we condemn it utterly, and we work hard with others to eradicate it.

Secretary of State Rice's statement of 5 December makes clear that the policy of the United States Government is to comply with the UN Convention against Torture, that the United States Government complies with its Constitution, its laws and its Treaty obligations. She goes on to say that acts of physical or mental torture are expressly prohibited, that the United States Government does not authorise or condone torture of detainees and that torture and conspiracy to commit torture are crimes under US law wherever they may occur in the world.

The Council welcomes this statement. It is right that the word of another sovereign government – expressed so clearly on such an important issue – is respected within a larger discussion on the balance between security and liberty. As Secretary of State Rice herself said on 5 September, that debate in and among democracies is natural and healthy. That must be right and this Parliament can and has made a contribution to that debate.

I understand that, in the light of the allegations, the Secretary-General of the Council of Europe has requested from the Member States of that international organisation an explanation of how they ensure the effective implementation of the provisions of the European Convention on Human Rights. I am sure that Member States will want to cooperate with the Council of Europe. Informed exchanges on issues like this are important, including for the benefit of our people who look to their governments and institutions for a lead.

I look forward to hearing your views and those of Commissioner Frattini on this important subject.

3-116

Franco Frattini, Vicepresidente della Commissione. – Signor Presidente, onorevoli deputati, in primo luogo la Commissione europea sente come dovere morale, istituzionale e politico, la necessità di agire affinché i diritti fondamentali di ogni persona siano sempre rispettati e difesi senza eccezioni o deroghe di nessun genere. Torture e trattamenti inumani sono la negazione dei valori su cui si è basata sin dalla sua nascita, e si basa tuttora, l'Unione europea.

In secondo luogo, vorrei riaffermare l'importanza cruciale e strategica dell'azione comune e della stretta cooperazione tra l'Unione europea e gli Stati Uniti d'America nella lotta al terrorismo. Tutte le nazioni democratiche europee, gli Stati Uniti e gli altri *partner* internazionali devono, insieme, difendere i loro valori comuni contro la principale minaccia di questo secolo: il terrorismo internazionale.

Come il Ministro Alexander ha appena detto, accolgo positivamente la dichiarazione formale del Segretario di Stato americano Condoleezza Rice, la quale afferma che gli Stati Uniti d'America non tollerano, anzi puniscono la tortura sia sul territorio americano sia fuori da esso, in ogni parte del mondo. Come voi capite, si tratta una dichiarazione impegnativa, che impegna a dei comportamenti. Negli Stati Uniti – e questa è anche la prova della grande democrazia americana – si è aperto un dibattito pubblico nel Congresso, nel Senato, sulla libera stampa americana e anche questo è un fatto sul quale noi dobbiamo riflettere e a cui dobbiamo guardare, in quanto anche l'Europa sta partecipando a questo dibattito internazionale su questo grande tema.

In terzo luogo, occorre accettare la verità su accuse derivate da fonti giornalistiche, accuse che, ove fossero dimostrate, potrebbero avere serie conseguenze politiche, poiché costituiscano una grave violazione del Trattato. Accettare, onorevoli deputati, vuol dire ottenere le prove: senza le prove, secondo le regole dello Stato di diritto, nessuna accusa può ritenersi accertata, e finché la prova non è acquisita io stesso ho il dovere di rispettare la parola e dunque anche la smentita che tutti i governi da me consultati finora – e dico finora – hanno fornito. Ciò non esclude la nostra volontà comune di verità, ma è evidente, come ho detto già alla commissione LIBE l'altroieri sera, che io non posso mettere in dubbio, senza prove contrarie, la credibilità di legittimi e democratici governi di paesi dell'Unione europea e di paesi candidati.

Inoltre non posso considerare che esistano paesi europei "imputati", lo dico tra virgolette e lo dico in particolare agli amici polacchi e rumeni. Vi è un dovere di accettare se sull'intero territorio europeo sono stati commessi abusi e torture. Non si può indicare come obiettivo, come accusato, come imputato questo o quel paese. Se la tortura, se un trattamento inumano è stato compiuto, noi abbiamo il dovere di accertarlo su tutto il territorio dell'Unione europea.

Alcuni paesi europei, come voi sapete, hanno avviato delle indagini a livello nazionale. Lo hanno fatto alcuni governi, ad esempio quello portoghese e quello polacco, come anche autorità giudiziarie di paesi membri quali il mio, l'Italia, nonché la Spagna, la Germania e altri paesi. Queste autorità giudiziarie stanno conducendo delle indagini con i poteri propri della

magistratura ed è evidente che noi attendiamo con rispetto e senza possibilità di alcuna interferenza le conclusioni di queste indagini giudiziarie.

Ieri ho incontrato il Segretario generale del Consiglio d'Europa. L'ho incontrato ieri sera e gli ho confermato il sostegno della Commissione – e mio personale – all'indagine da lui avviata ai sensi dell'articolo 52 della Convenzione europea dei diritti dell'uomo nei confronti di tutti i quarantasei paesi membri del Consiglio d'Europa. Ho anche confermato al signor Davis il convinto sostegno della Commissione alla seconda inchiesta avviata in parallelo dall'Assemblea parlamentare del Consiglio d'Europa. Il signor Marty, che ne è il relatore, merita un pubblico apprezzamento per l'attività che sta conducendo. Come probabilmente già saprete, il Segretario generale concluderà l'indagine il 21 febbraio del 2006 e il dottor Marty, dinanzi all'Assemblea parlamentare del Consiglio d'Europa, presenterà entro gennaio 2006 un primo rapporto sulla sua indagine.

Tramite i Commissari Barrot e Ferrero-Waldner ho chiesto che i dati di Eurocontrol relativi ai piani di volo sul territorio europeo e tutti i possibili elementi utili raccolti dal Centro di rilevazione satellitare europeo, siano messi a disposizione del Consiglio d'Europa per la sua indagine.

Non vi sono attualmente elementi di prova che confermano le accuse, ma dobbiamo continuare – e io lo farò – a lavorare in stretta collaborazione con il Consiglio d'Europa e con questo Parlamento per la ricerca della verità. Non sta a me stabilire quale strumento di lavoro il Parlamento sceglierà per questo lavoro comune, mi limito a dire che quando parliamo di inchiesta occorrono dei poteri di inchiesta, di interrogare, di indagare e di ispezione ed è evidente che spetta a voi decidere se questi poteri siano previsti o meno, come il servizio giuridico del Parlamento sembra indicare.

In ogni caso, ricercare la verità significa per me non solo accertare eventuali abusi e trarre poi le dovute conseguenze, ma anche sgombrare il campo da pregiudizi negativi e sospetti che altrimenti rischiano di indebolire la nostra doverosa azione internazionale di lotta al terrorismo.

In conclusione, dunque, se vi è dubbio oppure prova che in Europa sono stati commessi abusi e torture, noi saremo certamente più deboli di fronte ai terroristi e di fronte alla propaganda antidemocratica dei terroristi. Ecco perché dobbiamo conoscere la verità, ecco perché dobbiamo farlo come leali amici ed alleati degli Stati Uniti d'America, ma sempre custodendo gelosamente i nostri valori comuni.

3-117

Hans-Gert Poettinger, im Namen der PPE-DE-Fraktion. – Herr Präsident, Herr Ratspräsident, Herr Vizepräsident der Kommission, liebe Kolleginnen und Kollegen! Ich möchte zwei Vorbemerkungen machen. Erstens: Die EVP-ED-Fraktion betrachtet sich als Partner und Freund der Vereinigten Staaten von Amerika. Diese Debatte und die Debatte über das Thema eignen sich nicht für antiamerikanische Ressentiments, sondern wir müssen den Sachgegenstand betrachten und ihn nach unseren Prinzipien beurteilen.

Zweitens: Der Kampf gegen den Terrorismus ist eine der größten Herausforderungen der Gegenwart. Terroristen wollen Angst und Schrecken verbreiten, sie wollen einschüchtern. Unsere Antwort darauf ist: Wir werden uns nicht einschüchtern lassen! Wir werden den Kampf gegen den Terrorismus mit aller Schärfe, mit aller Entschlossenheit führen!

Mit Terroristen kann es keine Kompromisse geben. Aber es kann auch keine Kompromisse geben, wenn die Würde des Menschen, die Menschenrechte, die Einhaltung des Rechts auf dem Spiel stehen. Unsere Werteordnung, unsere Wertegemeinschaft darf nicht dem rechtlichen und politischen Opportunismus unterworfen werden. Die Prinzipien, auf denen unsere demokratische Werteordnung beruht, dürfen niemals aufgegeben werden. Diese Prinzipien unterscheiden uns ja gerade von den Terroristen. Die Terroristen würden gewinnen, wenn wir uns ihrer Methoden bedienen, das heißt, das Recht mit Füßen treten würden. Der Kampf gegen den Terrorismus muss mit den Mitteln des Rechts und unter Beachtung der Prinzipien der Würde des Menschen und der Menschenrechte geführt werden.

Das bedeutet, wenn eine Person des Terrorismus verdächtigt wird, dann kann der Beweis, dass es sich um einen Terroristen handelt, nur dadurch erbracht werden, dass diese Person einem rechtsstaatlichen Verfahren unterworfen wird. Entführung und Verschleppung, unrechtmäßige Inhaftierung und Folter dürfen wir niemals zulassen. Nicht das Europäische Parlament, nicht die Europäische Union, nicht die Mitgliedstaaten der Europäischen Union und des Europarates – kein Staat auf dieser Erde darf dies zulassen!

Der Berichterstatter der Parlamentarischen Versammlung des Europarates, der Schweizer Abgeordnete Dick Marty, teilte gestern mit – ich zitiere eine große deutsche Zeitung –, dass sich nach den ihm bisher vorliegenden Informationen der Eindruck verstärkt, dass Bürger unrechtmäßig in europäische Länder transportiert und dort vorübergehend festgehalten worden seien. Wörtlich sagt Herr Marty: „Es muss zur Kenntnis genommen werden, dass die Beschuldigungen niemals förmlich durch die Vereinigten Staaten bestritten worden sind.“ Wenn die Außenministerin der USA sagt, die USA würden keine Folter akzeptieren, dann begrüßen wir das. Aber das ist kein Beweis dafür, dass nicht eine Verschleppung

von Personen stattgefunden hat, und deswegen fordern wir Aufklärung und Transparenz. Für uns ist entscheidend, dass die Wahrheit auf den Tisch kommt.

Wir haben diese Meinung im Übrigen immer vertreten. Wir haben immer Guantánamo kritisiert – schon bevor der Oberste Gerichtshof der USA zu seiner Entscheidung gekommen ist. Ich kann für uns hier im Europäischen Parlament sagen: Wir können stolz darauf sein, dass wir die Menschenrechte auch in Guantánamo verteidigt haben und dass der Oberste Gerichtshof der USA sozusagen zum gleichen Ergebnis gekommen ist.

Aber, bei aller Kritik an Geheimdiensten – und es muss nun aufgeklärt werden, was wirklich geschehen ist – wir brauchen Geheimdienste! Wir brauchen auch die amerikanischen Geheimdienste, auch die CIA, weil wir wissen, dass die CIA und diese Geheimdienste uns helfen. Wenn zum Beispiel – wie jetzt – eine Deutsche im Irak entführt wurde, dann brauchen wir die Unterstützung der Geheimdienste. Aber ich sage mit aller Entschiedenheit und mit aller Entschlossenheit, dass sich auch Geheimdienste auf das Recht gründen müssen. Die Menschenwürde und die Menschenrechte sind unser höchster Wert. Dort, wo sie verletzt werden, müssen wir unsere Stimme erheben. Und wenn nicht klar ist, ob die Menschenrechte verletzt werden, dann müssen wir Untersuchungen anstellen. Deswegen spricht sich unsere Fraktion für eine enge Zusammenarbeit mit der Parlamentarischen Versammlung des Europarates aus und auch dafür, dass wir gegebenenfalls einen nichtständigen Ausschuss einsetzen, der dazu beiträgt, dass die Menschenrechte und die Würde des Menschen verteidigt werden.

(*Beifall*)

3-118

Martin Schulz, im Namen der PSE-Fraktion. – Herr Präsident, meine sehr geehrten Damen und Herren! Ich stimme mit dem Kollegen Poettering überein, dass wir aufklären müssen und nicht vorverurteilen dürfen. Es geht im Wesentlichen um die Frage, ob Organe der Europäischen Union oder ihrer Mitgliedstaaten aktiv oder passiv an der Errichtung extralegaler Gefängnisse beteiligt waren und aktiv oder passiv daran beteiligt waren, dass in diesen Gefängnissen Verhörmethoden angewendet wurden, die man als Folter bezeichnen muss.

Beides, die extralegalen Gefängnisse wie auch die Verhörmethoden in Form von als Folter, wären ein Verstoß gegen die Charta der Grundrechte der Europäischen Union, gegen die Menschenrechtskonvention des Europarats und gegen das Übereinkommen gegen Folter, die alle Mitgliedstaaten der Europäischen Union und alle Beitrittskandidaten ratifiziert haben.

Dabei ist es – und da gebe ich Franco Frattini völlig Recht – nicht die Aufgabe des Europäischen Parlaments, ein einzelnes Land oder einen einzelnen Kandidatenstaat zu untersuchen, sondern es geht darum, dass wir uns ein Bild über die Lage in Europa insgesamt verschaffen. Der beste Ort dafür ist das Europäische Parlament.

Wenn wir diese Untersuchung anstellen, dann sind wir aber nicht frei von den Erfahrungen der Vergangenheit. Wir brauchen Geheimdienste, da haben Sie Recht, Herr Kollege Poettering. Im Gegenteil, mehr denn je müssen moderne Ermittlungsmethoden angewendet werden. Das Infiltrieren von Organisationen, deren Handlungen darauf angelegt sind, unsere Werteordnung zu untergraben und zu zerstören, die nicht vor jeder Art der Vernichtung von Werten und von Leben zurückschrecken, ist unverzichtbar, das weiß jeder. Dass diese Organisationen nicht nur mit der Straßenverkehrspolizei bekämpft werden können, weiß auch jeder. Dass die Geheimdienste weiß Gott nicht transparent arbeiten, weiß auch jeder. Deshalb heißen sie ja auch Geheimdienste. Und dass es von Zeit zu Zeit nötig ist, dass sie geheim arbeiten, weiß auch jeder. Aber dass die Vereinigten Staaten von Amerika und ihre jetzige Regierung es mit dem internationalen Recht nicht immer so genau nehmen, das weiß auch jeder!

Für mich war die Entscheidung für den Krieg im Irak eine Entscheidung außerhalb des internationalen Rechts. Die Entscheidung für diesen Krieg war ein Desaster, und der Krieg selbst ist ein Desaster. Dass man dann natürlich in den Geheimdienst eines solchen Landes, in dem schon die Regierung ein bisschen neben der öffentlichen Legalität handelt, oder zumindest diesen Eindruck erweckt, kein überquellendes Vertrauen hat, das ist auch richtig.

Nun kann man ja vertrauensbildende Maßnahmen schaffen. Eine vertrauensbildende Maßnahme ist, dass die tatsächlichen Fakten auf den Tisch kommen, dass gesagt wird, wer wann wohin geflogen worden ist und aus welchen Gründen. Auf welche Art und Weise ist er gefangen genommen worden? Auf welcher Rechtsgrundlage ist er gefangen genommen worden? Was hat zu seiner Gefangennahme geführt? Wohin ist er verbracht worden, und in welcher Art und Weise ist er befragt worden? Wenn diese Antworten zeigen, dass alles im Rahmen der Legalität ist, in Ordnung. Wenn die Antworten aber – was wir nicht hoffen – so sind, dass wir feststellen müssen, dass Organe der Europäischen Union oder ihrer Mitgliedstaaten aktiv oder passiv zur extralegalen Arrestation von Menschen, zum Betrieb außerrechtlicher Gefängnisse und zu Folter beigetragen haben, dann muss das Sanktionen nach sich ziehen.

Also keinerlei Vorverurteilung, sondern nur die Auflistung von Fragen, auf die wir klare Antworten erwarten. Wir werden nicht gegebenenfalls, Herr Kollege, sondern präzise heute in der Konferenz der Präsidenten einen nichtständigen

Ausschuss zur Untersuchung dieser Frage beantragen. Ich gehe davon aus, dass die Fraktion der EVP und alle anderen Fraktionen dem zustimmen.

3-119

Sarah Ludford, on behalf of the ALDE Group. – Mr President, the investigator for the Council of Europe, Dick Marty, has called allegations of illegal extraordinary renditions credible. If he concludes that they are true, the question for us is what is the degree of complicity of EU governments? They are all rattling off the denials, but this has not satisfied those who have expressed concern or deterred calls for parliamentary or judicial inquiries in a string of European countries. No wonder the US is irritated by European governments' attempts to evade responsibility and I am glad that the President-in-Office talked about taking that responsibility. Secretary of State Rice pointedly said last week that the US has respected the sovereignty of other countries. That means: 'don't rock the boat, guys – we are all in this together'.

A feasible scenario is that, in the immediate aftermath of 9/11, understandably keen to offer help to the US in tracking down the perpetrators of that abominable crime, European governments offered intelligence help and facilities to their US ally. However, as the years have gone by, they have got deeper into the mire of illegality. Only by cleaning house and starting afresh on the basis of real respect for the rule of law can we convince our citizens that we are not sacrificing our principles.

The problem is that we are living in an Alice in Wonderland world. The President-in-Office said that Secretary of State Rice's statements last week should be taken at face value. However, if the US does not tolerate torture inside or outside the United States, why is it resisting the McCain amendment? Why have we had so many twists and turns by the Bush administration, redefining torture so that it does not cover waterboarding, prolonged shackling or induced hypothermia? Secretary of State Rice's statement begged more questions than it answered.

I welcome Mr Frattini's statement that we have a duty to investigate. I also welcome his offer of assistance to the Council of Europe. This Parliament must avoid duplicating Dick Marty's investigation. However, we need a mechanism to draw all the threads together and that means a temporary committee. Then we can assess, in the light of Article 7 of the Treaty on European Union, what evidence is produced.

I also welcome Mr Frattini's statement that finding out the truth will strengthen our fight against terrorism by upholding our values. I agree with Mr Poettering – that does not happen often – that this is not an anti-American project. Helping save America and Europe from the disastrous policies of the Bush administration is a pro-American exercise.

3-120

President. – You wicked girl!

3-121

Kathalijne Maria Buitenveld, namens de Verts/ALE-Fractie. – Voorzitter, minister Alexander zegt te geloven in *the benefits of an informed discussion*. Het probleem is dat we juist niet over heel veel informatie beschikken. U bent helemaal tevreden met de antwoorden van Condoleezza Rice en misschien wil u ons mededelen waarom zij u zo goed heeft weten te overtuigen. Nu begrijp ik wel dat u geen diplomatische rel wil, maar wat is nu uw strategie om aan waarheidsvinding te doen? Daarover zou ik graag worden geïnformeerd.

De Verenigde Staten zeggen geen mensen te martelen, maar tegelijk werd al gezegd: mensen bijna laten verdrinken, dat kan je toch niet echt martelen noemen? Collega Ludford heeft het in verband hiermee ook al gehad over het amendement-McCain. We kunnen ons toch niet serieus laten afschepen met een soort Amerikaanse woordspelletjes? Dat moeten we dan ook niet doen.

Terreurverdachten die soms pas na maanden vrijkomen, zeggen vaak wel degelijk zwaar mishandeld te zijn geweest. Misschien zijn ze niet goed geïnformeerd, dat kan natuurlijk. Maar hoe dan ook, daar gaat het niet eens alleen om. Martelen of niet, het is sowieso illegaal om mensen vast te houden zonder gerechtelijke procedure.

Dat zien we natuurlijk op Guantanamo Bay, maar het zou toch al te gek zijn, als ook in Europa mensen vastgehouden worden zonder procedure. Als dat zo is, als mensen hier in cellen zitten, als het zo is dat mensen ook illegaal vervoerd worden, ook via Europees grondgebied, zonder juridische procedures, dan worden de kernwaarden van de Europese Unie bedreigd en is de vraag wat wij daaraan gaan doen. Het is onze plicht om dan een onderzoek te beginnen.

Nu had de heer Frattini het erover hoe het allemaal zit met die juridische procedures, maar dat zoeken we dan nog wel uit. De kernwaarden van Europa kunnen bedreigd zijn en als dit het geval is, moeten wij reageren. Wij kunnen nu alvast beginnen met een tijdelijke commissie, dat hebben we gezien bij Echelon, dat werkte prima. We kunnen later nog altijd kijken of we die kunnen omzetten in een parlementaire onderzoekscommissie. Collega's van ons zijn al bezig hier handtekeningen voor te verzamelen, maar we hebben gezien, ook bij de Echelon-commissie, dat zelfs zo'n tijdelijke commissie een dynamiek op gang brengt voor waarheidsvinding. Een openbaar debat waardoor mensen zich uitspreken,

waardoor ook de publieke opinie zich erin gaat mengen en waardoor ook politici verplicht zijn om iets verder te gaan dan alleen maar te zeggen: we hebben alle vertrouwen, om de blauwe ogen van een minister van Amerika.

3-122

Giusto Catania, a nome del gruppo GUE/NGL. – Signor Presidente, onorevoli colleghi, vorrei informare il ministro Alexander che oggi non stiamo parlando di lotta al terrorismo, ma di centinaia di voli in tutta Europa, di rapimenti e torture effettuate dalla CIA nei confronti di cittadini europei o di cittadini rifugiati, e di torture praticate in prigioni nel territorio europeo.

Tutto questo emerge già da alcuni elementi dell'inchiesta del Consiglio d'Europa e, giustamente, il Commissario Frattini ci chiede di approfondire queste vicende perché dobbiamo arrivare alle prove.

C'è un caso simbolo che, in sé, racchiude tutti questi elementi e che dimostra che esistono delle prove su tutte queste vicende. Si tratta del caso di Abu Omar, rapito nel pieno centro di Milano da agenti della CIA, trasferito in una base americana italiana e torturato per 12 ore, in seguito trasferito in Egitto dove è stato detenuto e torturato per oltre un anno. Infine è stato scarcerato e gli è stato intimato di non raccontare degli abusi e delle violenze subite. Egli ha trasgredito e dopo 22 giorni è scomparso e non se ne hanno più notizie.

Tutto questo è provato dal fatto che gli agenti della CIA, autori del rapimento, hanno lasciato delle tracce: telefonini intercettati, chiamate a casa, chiamate al quartier generale della CIA, pagamenti in hotel con carte di credito e persino dati lasciati nel computer col tracciato automobilistico.

Ritengo che tutti questi elementi vadano approfonditi; vi sono 22 mandati di cattura a 007 della CIA e siamo ancora in attesa che il governo italiano inoltri le richieste di estradizione.

E' evidente, dunque, che le autorità italiane fossero a conoscenza del caso di Abu Omar, come è evidente che moltissimi governi europei sono a conoscenza di queste vicende. Infatti, come è scritto nell'accordo del gennaio 2003 concluso ad Atene fra gli Stati Uniti e l'Unione europea, bisogna potenziare l'uso di luoghi di transito per il trasporto di criminali stranieri.

Credo che dobbiamo accettare la verità, dobbiamo accettare le torture e le detenzioni, dobbiamo accettare i voli e i trasferimenti. Serve una commissione d'inchiesta per fare luce su tutti questi elementi. Abbiamo l'obbligo di sapere e questo per il bene dell'Europa, che non può predicare diritti umani e tollerare violazioni e abusi.

3-123

Johannes Blokland, namens de IND/DEM-Fractie. – Voorzitter, als het waar is dat de Amerikanen op Europees grondgebied terreurverdachten vasthouden en martelen, dan is het onderlinge vertrouwen ernstig geschaad. Het staat mij echter tegen dat sommigen hier gretig met zware maatregelen zwaaien. Amerika is voor elk land van de Europese Unie nog steeds de grootste bondgenoot en bewezen is er nog niets.

De regering Bush schiet wel tekort wat transparantie over het detentiesysteem betreft. Gevangenen kunnen jaren worden vastgehouden zonder tussenkomst van de rechter. Ook de wijze van ondervragen blijft onduidelijk. Ik roep de Verenigde Staten dan ook op om de regels van de rechtsstaat te eerbiedigen. Senator McCain diende terecht een amendement in om de spelregels van verhoren scherper te omschrijven. Het zou president Bush sieren om hier niet zijn veto tegen te stellen. De strijd tegen terreur is keihard, maar het recht zoals we dat in de Europese Unie en de Verenigde Staten kennen, moet wel gehandhaafd worden. Samen met de VS zal de EU een weg moeten zoeken waarin het onderlinge vertrouwen bevestigd wordt.

3-124

Romano Maria La Russa, a nome del gruppo UEN. – Signor Presidente, onorevoli colleghi, in seguito al problema estremamente grave sollevato da alcuni giornali e qualora quelle che per ora sono solo delle supposizioni o delle fantasie fossero confermate, ritengo anch'io doveroso che il Parlamento dia il proprio contributo affinché si faccia chiarezza e vi sia totale trasparenza nei rapporti tra l'Unione europea e tutti i paesi non membri, anche se credo che quest'oggi sarebbe stato più utile spendere il nostro tempo per discutere di fatti più concreti.

Non vorrei andare troppo a ritroso nel tempo, ma vorrei che qualcuno si alzasse e mi dicesse se, a suo tempo, gli Stati Uniti calpestarono la sovranità degli Stati membri europei quando sacrificarono migliaia e migliaia di uomini per salvare l'Europa. Siete sempre voi di sinistra a ricordarmi queste cose. Ma allora, gli Stati Uniti sono un popolo amico o no? Non possono esserlo quando ci fa comodo e non esserlo quando non ci fa comodo. Non riesco ancora a capacitarmi di come sia possibile che persino alcune persone che ricoprono ruoli istituzionali e che dovrebbero mantenere posizioni obiettive, evitando affermazioni destabilizzanti, possano esprimersi con dichiarazioni di condanna quando non esistono nemmeno prove dei fatti e quando, tra l'altro, gli stessi Stati coinvolti negano qualunque illegalità.

Nessuno vuole certo negare il ruolo cruciale del Parlamento nel garantire e vigilare sul rispetto dei diritti umani e sulla tutela delle libertà individuali e dei singoli popoli. Detto ciò, nessuno è però autorizzato a fare processi, a esprimere giudizi su supposizioni, sospetti, solo sulla base di alcuni articoli di giornale.

Tuttavia, mi dichiaro a favore dell'istituzione di un gruppo di lavoro che approfondisca l'argomento avvalendosi delle informazioni fornite dal Consiglio d'Europa che, secondo la Convenzione europea dei diritti umani, è l'unica Istituzione deputata a investigare eventuali violazioni dei diritti umani negli Stati membri. Non vorrei che tutto questo atteggiamento, questa avversione verso uno Stato amico dell'Europa, sia soltanto figlia di un sentimento perverso, che si evince dagli interventi di alcuni parlamentari e certamente non della mia parte politica.

In conclusione, ho la sensazione che in questo Parlamento, e specialmente in alcune commissioni che lo compongono, regni un velato ma diffuso sentimento di antiamericanismo ideologico. Alcuni gruppi sembrano permeati di un antiamericanismo, di un antioccidentalismo viscerale di antica memoria che evidentemente rivela vecchi amori sovietici mai sopiti.

(*Applausi*)

3-125

President. – I see we have some Americans in the Chamber!

3-126

Philip Claeys (NI). – Voorzitter, de reactie van commissaris Frattini op het nieuws dat de CIA in het geheim terreurverdachten zou transporteren en ondervragen in Europa, was snel, energiek en krachtig. Als de Europese Unie met evenveel energie, kracht en snelheid zou optreden tegen het terrorisme zelf als tegen de vermeende CIA-vluchten, zouden we alleszins op de goede weg zitten.

Natuurlijk klopt het dat de strijd tegen het terrorisme gevoerd moet worden in het kader van de rechtsstaat, maar de Europese Unie heeft een geloofwaardigheidsprobleem. Wij zijn altijd wel bereid om een minuut stilte in acht te nemen voor de slachtoffers van terreuraanslagen als die van Madrid en Londen en zelfs die van 11 september in New York en Washington. Maar als het erop aankomt om maatregelen te treffen en acties te ondernemen die zulke terreuraanslagen in de toekomst moeten helpen te voorkomen, dan geven we verstek, dan zijn we in de eerste plaats geïnteresseerd in het vrijwaren van de rechten van de terreurverdachten. Die selectieve verontwaardiging in het Europees Parlement is dus misplaatst.

Mocht de Europese Unie maar één concreet succes in de strijd tegen het terrorisme kunnen voorleggen, zou de reeks verdachtmakingen tegen de Verenigde Staten misschien nog aanvaardbaar zijn, maar dit is niet het geval. Misschien moeten we eens ophouden met lesjes in moraal te geven, nu bijvoorbeeld blijkt dat de Raad naar aanleiding van de Palestijnse parlementsverkiezingen officiële contacten zal leggen met organisaties als Hamas en Hezbollah. Hamas dat nota bene op de EU-lijst van terroristische organisaties prijkt!

Het wordt dringend tijd dat deze hypocrisie stopt en het juridisch kader waarin de strijd tegen het terrorisme moet worden gevoerd, wordt aangepast aan de noden van vandaag.

3-127

Barbara Kudrycka (PPE-DE). – Panie Przewodniczący! Członkom frakcji EPP-ED w Komisji LIBE bardzo zależy na ochronie wolności podstawowych praw człowieka oraz na przestrzeganiu zobowiązań i konwencji międzynarodowych. Są to najbardziej podstawowe wartości, które pozwalają bezpiecznie i harmonijnie żyć i pracować wszystkim obywatelom demokratycznych krajów Unii Europejskiej. Dlatego zgadzam się, że skutecznie walcząc z terroryzmem i chroniąc w ten sposób życie obywateli, musimy to realizować zgodnie z obowiązującymi nas konwencjami międzynarodowymi, dbając o ochronę prawa do zachowania godności człowieka, nawet jeżeli jest terrorystyą.

11 września 2001 terroryści wydali wojnę naszej cywilizacji opartej na wartościach judeochrześcijańskich. Ameryka to wyzwanie podjęła, ograniczając zasięg morderczych planów organizacji terrorystycznych. Pamiętajmy, że walka z fanatykami terroryzmu nie jest czymś epizodycznym, ona będzie trwać przez dziesiątki lat. Europa po zamachach w Madrycie i w Londynie włączyła się w tę walkę, aktywnie proponując skuteczne metody działania przeciw terroryzmowi, ale z zachowaniem podstawowych praw i wolności człowieka, również dla terrorystów. W tym kontekście stosowanie tortur nie powinno było i nie może mieć miejsca w żadnym z europejskich krajów. Dlatego głosować będziemy za powołaniem tymczasowej komisji do wyjaśnienia spraw związanych z domniemanym transportem, przetrzymywaniem, czy też torturowaniem więźniów w krajach Unii Europejskiej. Ważne jest jednak, by działania takiej komisji nie służyły eskalacji nastrojów antyamerykańskich w Europie i aby z góry nie zakładano wyników i ustaleń jej prac.

Mam nadzieję, że prace tej komisji pozwolą na zdefiniowanie koniecznej równowagi między wartościami, które są tak ważne dla każdego obywatela Europy – ochroną prawa do życia i ochroną samego życia, poprzez skuteczne zapewnienie

nam bezpieczeństwa, a ochroną podstawowych praw człowieka, w tym prawa do obrony prawnej podejrzanych o przestępstwa takie jak terroryzm, jak i prawa do sprawiedliwego sądu.

3-128

Hannes Swoboda (PSE). – Herr Präsident! Wir haben heute in diesem Parlament eine Rechtsvorschrift beschlossen, die für den Kampf gegen den Terrorismus ganz wichtig ist. Dank der guten Zusammenarbeit mit der britischen Ratspräsidenschaft und unseren Kolleginnen und Kollegen im Ausschuss, insbesondere auch mit unserer Koordinatorin Martine Roure, hat die überwiegende Mehrheit der Sozialdemokratie dieses Gesetz als ein wichtiges Mittel im Kampf gegen den Terrorismus unterstützt. Aber ebenso entschieden sind wir gegen jegliche Art der Folter.

Mich wundert – und das gilt für Minister Alexander, Herrn Kommissar Frattini und auch für den zukünftigen Ratspräsidenten Wolfgang Schüssel –, dass einige wenige Erklärungen von Frau Rice genügen, um zu glauben, dass es vonseiten der Amerikaner keine Folter gibt. Ich möchte das wirklich im Konkreten sehen. Denn Sie alle haben von Guantánamo gehört und von Senator McCain, der ja kein Verrückter ist, sondern einen spezifischen und begründeten Kampf gegen die Folter – gerade seitens der Vereinigten Staaten von Amerika – führt. Daher ist es wichtig, dass wir in diesem Parlament den Dingen auf den Grund gehen und ohne Vorurteil und ohne Vorverurteilung, allerdings auch ohne Wegschauen und ohne Blindheit gegenüber den Fakten untersuchen, ob es solche Maßnahmen auch auf europäischem Boden gegeben hat – angefangen von Verschleppung bis hin zu Folter.

Wir wollen die Wahrheit und nichts als die Wahrheit wissen. Daher brauchen wir auch diesen Ausschuss.

Meine letzte Bemerkung betrifft das Verhältnis zu den USA. Hier schließe ich mich meiner Vorrrednerin an. Wenn wir gegen die Folter kämpfen, dann kämpfen wir für jenes Amerika, das genau wie wir gegen die Folter eintritt – und ich glaube, das ist die Mehrheit in diesem Amerika, jedenfalls wird es zum Beispiel durch Senator McCain repräsentiert. Es ist ein gemeinsamer Kampf: Europa und die USA gegen den Terrorismus, aber ebenso gegen die Folter!

3-129

Jean-Marie Cavada (ALDE). – Monsieur le Président, il appartient aux groupes politiques de décider de faire la lumière sur ces allégations alors que tout le monde éprouve actuellement un très grand malaise.

La commission des libertés civiles tiendra compte autant que possible des indications données par les groupes politiques. Je suis personnellement convaincu qu'il faut revenir sur quatre points essentiels.

Premièrement, il s'agit d'examiner la question des extraditions irrégulières. Les États-Unis se sont-ils livrés à cette pratique sur des personnes suspectées de terrorisme? Peut-elle être considérée comme légale, si d'aventure elle a été mise en œuvre sur le territoire de l'Union européenne? Dans ces conditions, il faudra avoir à l'esprit l'article 6 du traité de l'Union, les articles 2, 3, 6 et 8 de la Convention européenne des droits de l'homme, notamment en matière de garantie judiciaire, mais aussi les dispositions de l'accord entre les États-Unis et l'Union européenne sur la coopération judiciaire en matière pénale et en matière d'extradition, ainsi que les accords bilatéraux y afférents. Il faudra tenir compte, au cours de l'examen de cette question, des problèmes soulevés par les enlèvements illégaux et le traitement des prisonniers.

Deuxièmement, cette pratique a-t-elle été mise en œuvre sur le territoire communautaire depuis le 1^{er} janvier 2002? Des vols transférant des personnes suspectées d'actes de terrorisme ont-ils été organisés? Où leur détention a-t-elle eu lieu? Quel était leur statut? Pour répondre à toutes ces questions, Monsieur le Président, la commission des libertés dispose, de par l'annexe 6 du règlement qui définit ses attributions, d'une base légale pour déclencher le système d'alerte en cas de risque de violation des droits fondamentaux; elle pourrait donc se mettre à travailler si les groupes politiques lui en donnent la possibilité et livrer son travail en accord avec le Conseil de l'Europe ou coopérer en tout cas avec la commission temporaire qui sera mise sur pied. Toutefois, je vous prie de ne pas attendre.

3-130

Cem Özdemir (Verts/ALE). – Herr Präsident, meine sehr geehrten Damen und Herren! Spätestens nach den schrecklichen Bildern von Abu Ghraib ist auch in den USA eine Debatte darüber entbrannt, was beim legitimen Kampf gegen Terrorismus zulässig ist und was nicht. Ich möchte das, was von verschiedenen Fraktionen gesagt wurde, auch im Namen meiner Fraktion noch einmal ausdrücklich wiederholen. Wir begrüßen den Einsatz von Senator McCain und anderen Kollegen im amerikanischen Kongress zum Verbot von Folter. Folter ist unamerikanisch. Sie ist aber auch zugleich uneuropäisch und deshalb ist auch einmal die Frage gestattet, warum beispielsweise die Schweiz in sieben Fällen Überflugrechte für Militärmaschinen verweigert hat, offensichtlich wegen des Verdachts illegaler Gefangenentransporte. Was war mit den anderen Ländern, welche Geheimdienstinformationen haben sie? Warum hat bislang nur das dänische Außenministerium entsprechende Konsequenzen gezogen, indem es Handlungen, die gegen internationale Konventionen verstößen, über dänischem Luftraum für nicht zulässig erklärt? Wo bleiben die anderen europäischen Länder?

Wir haben auch Vorbildfunktion für andere Länder in der Welt, wo es keine Demokratie gibt, wo Menschenrechte bedroht sind. Wir müssen uns als Vorbild verhalten, und dies zu jedem Zeitpunkt!

(*Beifall*)

3-131

Sylvia-Yvonne Kaufmann (GUE/NGL). – Herr Präsident! Gestern hat der Ermittler des Europarats, Dick Marty erklärt, es bestätige sich der Verdacht, dass die CIA vielfach Luftraum und Territorien europäischer Staaten benutzt hat, um Gefangene zum Verhör an geheime Orte zu verbringen. Dies bestärkt mich darin, dass unser Parlament unverzüglich einen Ausschuss zur Untersuchung aller Vorwürfe einrichten muss.

Im öffentlichen Raum stehen schwerste Vorwürfe gegen die Vereinigten Staaten und gegen Mitgliedstaaten der Europäischen Union. Es geht um Entführung und Folter von Menschen. Herr Kommissar, Sie haben Beweise eingefordert, und ich will Sie in dem Zusammenhang fragen, ob der Fall des deutschen Staatsbürgers Khaled El Masri nicht schon Bände spricht. Weder die US-Regierung noch die betroffenen europäischen Regierungen haben bisher angemessen reagiert. Im Interesse unserer Bürgerinnen und Bürger, im Interesse der Glaubwürdigkeit der Union in ihrem internationalen Eintreten für die Achtung der Menschenrechte tut vollständige Aufklärung Not. In der Europäischen Union darf es keine rechtsfreien Räume geben!

Als Vertretung der Bürgerinnen und Bürger der Europäischen Union stehen wir in der Pflicht, Licht ins Dunkel zu bringen. Denn es geht um nicht weniger als die Wahrung der grundlegendsten Werte, auf denen die Europäische Union beruht. Das Folterverbot gehört zu jenen menschenrechtlichen Mindeststandards, die jeder Staat strengstens einzuhalten hat. Das Folterverbot gehört zum zwingenden Völkerrecht, und es ist einer der Grundwerte der Europäischen Union. Hat die Regierung eines Mitgliedstaats aktiv dazu beigetragen oder auch nur zugelassen, dass Menschen im Zuge des so genannten Krieges gegen den Terror durch die USA entführt wurden, um sie an geheimen Orten zu foltern? Falls ja, dann hat diese Regierung den Grundkonsens, auf dem die Europäische Union und die Mitgliedschaft in der Europäischen Union beruhen, verlassen, und genau dies muss minutiös untersucht werden.

(*Beifall*)

3-132

Mario Borghezio (IND/DEM). – Signor Presidente, onorevoli colleghi, nei giorni scorsi a Ceuta e Melilla, alcuni parlamentari della commissione LIBE hanno potuto constatare di persona la gradevolezza dei metodi usati dalla Guardia Civil alla quale l'attuale governo spagnolo ha affidato il delicato compito di respingere i clandestini. I parlamentari hanno inoltre potuto ammirare la brillante invenzione del sistema di doppia rete nel quale vengono poi trattati, nel modo che abbiamo sentito, gli stessi clandestini.

In verità questo non ha suscitato tutto lo scandalo di cui si sta parlando in questi giorni, per delle notizie apparse sulla stampa che io per primo ritengo debbano essere accertate da una commissione. Condoleezza Rice sostiene che anche i governi europei debbano assumersi responsabilità e che l'America abbia agito con il consenso, più o meno dichiarato, dei governi interessati.

La politica europea dovrebbe a sua volta uscire dall'ipocrisia, dall'idea condivisa da tutti secondo cui la lotta al terrorismo si deve svolgere soprattutto attraverso gli strumenti dell'*intelligence*. Prima di ogni altra cosa domandiamoci anche per quale motivo sono stati tollerati la violazione o l'abuso del diritto d'asilo da parte di molti che poi, abusando di questo stesso diritto, hanno creato in Europa, nelle nostre città, dei centri di preparazione e di sostegno al terrorismo.

3-133

Eoin Ryan (UEN). – Mr President, I support the cooperation which the European Union and the United States have undertaken for the fight against terrorism. Terrorism is a huge threat to all of us and to all of our citizens and it is something that has to be fought in the years ahead.

I am pro-American, but that does not mean that I am not going to question the US Government for the presumed use of European countries by the CIA for the transportation, illegal detention and/or torture of prisoners. We should all recall that this story emanated in the United States, where there is deep unease about what may be happening. We should also recall that America, like all EU countries, has signed up to international conventions protecting human rights and against torture. The provisions of these conventions must be honoured and we cannot arbitrarily throw them out of the window when it does not suit us.

The European Union is at the forefront in protecting and upholding the human rights of all its citizens. It would be wrong for us in Europe to ignore what is happening. I would go as far as to say that it is a derogation of our public duty to not ask questions about this serious issue. Serious clarifications must be given by the US Government to the issues that have been raised. We have a right to ask questions and demand answers from the US authorities.

I am tired of people saying that when you question America, somehow you are not one of its friends. This is not the truth. As friends, we should be allowed to ask questions. I quote one of the most famous Americans, Thomas Jefferson, when he said, 'I have never considered a difference of opinion in politics, in religion, in philosophy, as a cause for withdrawing

from a friendship'. Because we are debating this issue today, certainly, as far as I am concerned, I have no intention of withdrawing my friendship from the United States and I hope nobody else has.

Serious human rights issues are at stake. That is the reality of the situation and it is an issue which, rightly, will not go away. We have a right to answers and the US Government should cooperate with all of us to ensure that clarification on the issues raised is secured and that human rights and human dignity are not swept under the carpet in this fight. It is absolutely essential that Europe sticks to what it believes in and we believe in human rights. At the same time, of course, we believe that terrorism should be fought in all ways. We cannot sweep under the carpet things that we believe and hold true to us, because in this fight, it is absolutely essential that Parliament stands up to this.

3-134

Ryszard Czarnecki (NI). – Panie Przewodniczący! Komisja – tak, antyamerykańska histeria – nie! Tak, w największym skrócie, można by określić nasze stanowisko wobec powołania organu Parlamentu, który zająłby się zbadaniem doniesień mediów na temat więzień CIA w Europie. Trzeba tę sprawę wyjaśnić. Ale przestrzegam przed instrumentalnym traktowaniem tego jako dogodnej broni przeciwko brzydkiej Ameryce. Słusznie walcząc o przestrzeganie praw człowieka, nie wylewajmy dziecka z kąpielą. Zachowajmy właściwe proporcje, nie wrzucajmy do jednego worka reżimów, które podstawą swoich egzystencji uczyniły brutalne łamanie praw człowieka, z krajami, gdzie sporadycznie dochodzi do nieprzestrzegania praw człowieka.

Chciałbym wierzyć trochę może nadgorliwemu, ale bardzo sympatycznemu komisarzowi Frattiniemu, który przekonuje nas, że tych więzień w Europie nie było. Boję się jednak, że w tej sprawie powinniśmy raczej słuchać szefa CIA, który nie dementuje doniesień o tajnych więzieniach na naszym kontynencie.

Jesteśmy za powołaniem komisji, ale nie chcielibyśmy, aby stała się ona antyamerykańskim teatrem, także dlatego, że Ameryka niejedno ma imię. Trzeba bronić praw człowieka, odrzucając podwójne standardy, o czym mówiłem wczoraj, ale też nie można traktować uniwersalnych wartości, jakimi są prawa człowieka, jako oręża w walce politycznej. Powołując komisję, pamiętajmy o tym!

3-135

Carlos Coelho (PPE-DE). – Senhor Presidente, Senhor Presidente da Comissão, na defesa dos direitos do Homem temos que ser claros: ou há violação ou não há. A tortura é sempre tortura seja ela praticada no Iraque, no Afeganistão na China ou no Chile de Pinochet. Se a tortura for praticada num país democrático, com a complacência de um governo eleito, não deixa de ser tortura mas é uma vergonha para esse país e para esse governo.

O nosso ponto de partida só pode ser o da manifesta reprovação de todo e qualquer acto que possa constituir uma violação dos direitos humanos, sejam actos degradantes, seja detenção ilegal e manutenção de detidos sem protecção judicial. Saúdo por isso o Comissário Frattini pela clareza das posições que tem tomado. A União Europeia, que criou e está a consolidar o espaço de liberdade, segurança e justiça, não pode consentir que, no seu seio, se pratiquem ou facilitem essas violações.

Falou-se aqui das declarações da Sra. Condoleza Rice, que foram claras. Fica-nos, porém, a sensação incómoda de que há dois discursos sobre esta matéria, como se dentro da administração Bush houvessem duas correntes: a corrente Rice e a corrente Dick Cheney.

O *New York Times*, há uma semana, afirmava que há evidências demais de que se pratica ou praticou tortura às mãos de interrogadores americanos e ONG, como a *Human Rights Watch*, a *American Civil Liberties Union* e a *Human Rights First*, dão nota de preocupantes e graves situações.

Não é bom para os Estados Unidos a manutenção de Guantánamo, a recusa de Rumsfeld de autorizar a missão humanitária da ONU, as dúvidas do Director da CIA, Peter Goss, em entrevista recente sobre se alguns tratamentos degradantes podem ser considerados como tortura ou a ameaça do Presidente Bush de vetar a emenda McCain que proíbe o tratamento dos prisioneiros de forma cruel, desumana ou degradante.

Não posso deixar de felicitar o Reino Unido pela recente decisão dos Lordes Juízes que torna inúteis as provas obtidas sob tortura. Na Europa dos valores e das liberdades, queremos saber o que se passou e, se algo de errado ocorreu, garantir que não volta a suceder. Na Europa democrática não condenamos ninguém a priori, sem provas. Por isso, a União Europeia deve tudo fazer para colaborar com o Conselho da Europa e com a investigação em curso. Este é o melhor tributo para a descoberta da verdade e para a prevalência dos nossos valores.

3-136

Martine Roure (PSE). – Monsieur le Président, en cinq semaines, l'enquête du Conseil de l'Europe sur l'existence de centres de détention secrets des États-Unis en Europe n'a pas progressé. Selon le rapporteur parlementaire suisse Dick Marty, tout ce qu'il y a eu comme information renforce la crédibilité des allégations, mais il n'a pu avoir de réponse précise à ses questions. Il est de notre devoir, donc, en tant que représentants des citoyens européens, d'exiger qu'une enquête soit

menée afin de préciser soigneusement, au cas par cas, les faits susceptibles de donner lieu à des infractions et à une violation des droits humains.

Si les informations qui circulent sont vraies, cela signifie que des crimes sérieux ont eu lieu sur le territoire de l'Union. En ce qui concerne la torture, n'y allons pas par quatre chemins. La CIA avoue qu'elle a recours à la privation de sommeil, à l'exposition au froid, à la suffocation; si ce n'est pas de la torture, alors qu'est-ce que c'est? Si l'existence de ces centres était avérée, nous demanderons des sanctions sévères contre les responsables. Par contre, si les rumeurs étaient infondées, il y va de notre crédibilité de lever les doutes. Tous nos États membres sont concernés et nous devons en être conscients.

L'Union, à travers sa charte des droits fondamentaux – nous le disons tous fréquemment – peut être un modèle. Ne tolérons donc aucune attaque aux droits de la personne humaine sur le territoire de l'Union.

3-137

Bronislaw Geremek (ALDE). – Monsieur le Président, je voudrais dire tout d'abord qu'il est très important qu'une commission temporaire soit constituée, non seulement pour affirmer que l'Union européenne se sent concernée au premier chef par le respect des droits de l'homme, mais aussi pour faire toute la vérité sur cette affaire. Je suis content d'avoir entendu M. Alexander et M. Frattini donner le point de vue de l'Union européenne, mais je voudrais aussi dire que j'ai été étonné d'entendre le commissaire Frattini, ainsi que les représentants de la Commission européenne, reprendre avec confiance les rumeurs disant que, dans deux pays de l'Europe de l'Est, la Pologne et la Roumanie, il y avait des centres de détention des services secrets américains.

Je voudrais, mes chers collègues, dire que, à ma connaissance, il n'y a jamais eu en Pologne, après 1989, de camp de détention, américain ou autre, où des prisonniers seraient illégalement détenus. Si c'était le cas, je voudrais que cela soit dit. En revanche, dans le cas contraire, je voudrais que l'opprobre jeté sur mon pays sans aucune preuve, par des rumeurs, soit un jour lavé. Je demande que la commission temporaire se mette au travail, qu'elle fasse toute la vérité sur cette affaire et j'attends avec confiance le jour où elle la dira et où mes collègues l'apprendront.

(*Applaudissements*)

3-138

Elmar Brok (PPE-DE). – Herr Präsident, Herr Kommissar, Herr Ratspräsident! Dies ist eine sehr wichtige und grundsätzliche Frage. Zum Ersten müssen wir feststellen, dass bei aller Kritik, die wir anführen, natürlich der Kampf gegen den Terrorismus von ungeheuer großer Bedeutung ist und dass Europa und Amerika in dieser Frage eng kooperieren müssen. Dieser Kampf gegen den Terrorismus kann aus meiner Sicht aber nur gewonnen werden, wenn er auf der Grundlage der Rechtsstaatlichkeit und der Menschenrechte durchgeführt wird. Jetzt müssen wir sehen, ob diese Bedingungen missachtet wurden oder nicht. Deswegen wäre es dringend notwendig, dass Beweise dafür auf den Tisch kommen. Damit die Glaubwürdigkeit des Westens insgesamt nicht in Frage gestellt wird, ist es wichtig, dass Verfehlungen – wenn es sie gegeben hat – schnell auf den Tisch gebracht werden und hier nicht nach einer Salamitaktik gearbeitet wird. Denn sonst haben wir über viele Monate hinweg ein Glaubwürdigkeitsproblem, das wir schon nach der Vorstellung von Außenminister Powell vor dem Sicherheitsrat der Vereinten Nationen im Zusammenhang mit dem Irakkrieg und in anderen Fällen hatten. Es geht um die Frage der Glaubwürdigkeit des Westens insgesamt, die wir sehen müssen und in deren Interesse wir sehr schnell gemeinsam verantwortlich handeln müssen, damit unsere eigenen Möglichkeiten nicht zerstört werden.

Ich finde es gut, dass Rat und Kommission – Kommissar Frattini hat in den beiden bisher zuständigen Ausschüssen deutlich dazu Stellung genommen – im Zusammenhang mit dem Europarat und im besonderen Auftrag des Europarates versuchen, hier Klärungen zu erzielen, die dann auch in die Arbeiten des wohl zu beschließenden nichtständigen Ausschusses einfließen können.

Bei all den Problemen, die wir haben, müssen wir aber auch sehen, dass dies nicht Linien sind, die zwischen Europa und Amerika verlaufen, sondern dass wir Diskussionen sowohl in Europa als auch in Amerika führen und dass wir einen Verbündeten haben, nämlich den amerikanischen Senat, der auf Antrag von Senator McCain mit 98 Stimmen beschlossen hat: Folter ist kein Instrument im Kampf gegen den Terrorismus sein darf. Hier zeigt sich auch die Leistungsfähigkeit dieser anderen großen Demokratie auf der anderen Seite des Atlantiks. Und hier sollten wir ansetzen: Die Demokraten und die Anhänger des Rechtsstaates in Europa und Amerika haben gemeinsam die Fähigkeit zur Bekämpfung des Terrorismus, gleichzeitig aber auch die Fähigkeit, dies unter glaubwürdigen Bedingungen und unter Wahrung des Rechtsstaates durchzuführen.

(*Beifall*)

3-139

Jan Marinus Wiersma (PSE). – Voorzitter, wij nemen de zaak die wij vandaag bespreken natuurlijk uitermate serieus. Het gaat om mogelijke misstanden die het hart van onze democratie en onze opvattingen over mensenrechten raken. De verklaringen die we tot nu toe van Amerikaanse zijde hebben gekregen, zijn niet voldoende. Er zitten een hoop gaten in het

verhaal. Ik wil er niet op ingaan, maar de uitleg van de minister van Buitenlandse Zaken Condoleezza Rice roept juist vragen op en daarop willen wij een antwoord.

Onze bezorgdheid wordt ook veroorzaakt, dat speelt bij mij toch een belangrijke rol en daar is hier in de zaal al eerder aan gerefereerd, door de houding van de Amerikanen in de strijd tegen het internationale terrorisme. In Guantanamo Bay houden de Verenigde Staten sinds begin 2002 honderden mensen gevangen zonder enige vorm van proces of onafhankelijk toezicht. Amerikaanse politici hebben regelmatig gesproken over de noodzaak in de strijd tegen het terrorisme ook onconventionele methodes te gebruiken. De VS hanteren hierbij af en toe hun eigen regels.

De Amerikaanse regering verzekert weliswaar dat er niet wordt gemarteld en dat alle mensenrechten worden geëerbiedigd, maar nog steeds neemt de regering een weifelende houding aan ten aanzien van de voorstellen van senator McCain om de antimartelwetgeving te verbeteren en ook buiten de VS volledig van toepassing te verklaren.

De Europese Unie heeft de plicht om de letter en de geest van de verdragen te waarborgen en onze waarden te bewaken. De informatie die op dit ogenblik in deze kwestie beschikbaar is, volstaat niet om te concluderen dat er niets aan de hand is, maar het Europees Parlement heeft ook zijn eigen verantwoordelijkheid. Het gaat om de mogelijke betrokkenheid van lidstaten en toekomstige lidstaten van de Europese Unie bij de zaken in kwestie. Het gaat mogelijk ook om de relaties van de Europese Unie met de Verenigde Staten. Het Parlement heeft als rechtstreeks verkozen instelling de plicht om te onderzoeken of de beschuldigingen waar zijn.

De eerste indrukken van de rapporteur van de Raad van Europa, Dick Marty, versterken onze overtuiging dat een eigen onderzoek geenszins overbodig is. We moeten dan ook met spoed de stap zetten om met een eigen onderzoek van start te gaan, teneinde eventueel in samenwerking en overleg met de Raad van Europa te proberen echt antwoorden te vinden op de vragen die wij nog altijd hebben, waarbij allereerst en zo snel mogelijk een tijdelijke commissie moeten worden opgericht en later indien nodig een echte onderzoekscommissie.

3-140

Annemie Neyts-Uyttebroeck (ALDE). – Voorzitter, mijnheer de raadsvoorzitter, mijnheer de commissaris, collega's, de aantijgingen waarmee wij worden geconfronteerd, zijn buitengewoon ernstig. Indien ze worden bevestigd, betreft het overduidelijk schendingen van de beginselen opgesomd in artikel 6 van het Verdrag: vrijheid, democratie, bescherming van de rechten van de mens en de fundamentele vrijheden en de rechtsstaat.

Sinds de jongste wijziging van het verdrag biedt artikel 7 de mogelijkheid om tegen een lidstaat wegens ernstige schendingen van deze beginselen op te treden. Dergelijk optreden kan tot en met de schorsing van bepaalde rechten van die lidstaat leiden, met inbegrip van zijn stemrecht. Precies om die reden moet met de grootste omzichtigheid worden gehandeld. Mij persoonlijk gaat het te ver, als ik mij nu al zou verplichten tot de inwerkingstelling van het mechanisme van artikel 7.

Vanzelfsprekend ben ook ik ten zeerste verontwaardigd over de vermoedelijke gedragingen van de CIA en maakt het mij ten zeerste bezorgd dat lidstaten deze gedragingen eventueel hebben gedoogd, maar op grond van verontwaardiging alleen stelt men geen sanctiemechanisme in werking.

Artikel 7 biedt ons voor het eerst in de geschiedenis van de Europese Unie de mogelijkheid om sanctionerend tegen misdragingen van lidstaten op te treden. Het mechanisme hiervoor mag slechts in werking worden gesteld, wanneer men voldoende en afdoende elementen heeft verzameld. Ik vertrouw erop dat dit Parlement en zijn Commissie burgerlijke vrijheden, justitie en binnenlandse zaken en Commissie buitenlandse zaken dit met de allergrootste zorgvuldigheid zullen doen.

3-141

Józef Pinior (PSE). – Panie Przewodniczący! Jest oczywiste, że walka z terroryzmem musi być skuteczna, a więc na swój sposób bezwzględna. Kluczem w tej walce jest działalność wywiadowcza, jednostki specjalne, często działanie na granicy dopuszczonej przez prawo. Jednocześnie walka z terroryzmem toczy się w obronie podstawowych wartości liberalno-demokratycznych, których fundamentem jest m.in. *habeas corpus* – prawo do nietykalności cielesnej, zakaz przetrzymywania kogokolwiek w więzieniu bez nakazu sądowego oraz wymuszanie siłą zeznań w śledztwie, czy bezwzględny zakaz tortur.

Ośrodk prowadzone przez CIA pozostają nie tylko poza systemem konwencji genewskich, lecz także poza kontrolą amerykańskiego wymiaru sprawiedliwości, zarówno cywilnego, jak i wojskowego. Te same władze śledzą, porywają, zatrzymują na wiele miesięcy, przesłuchują, nie przebierając w środkach i ewentualnie decydują o zwolnieniu. Kontrola nad działaniami służb specjalnych jest jednym z mierników jakości demokracji w nowej epoce globalnej.

W Europie istnieje niebezpieczna tendencja traktowania Unii Europejskiej jako klubu ekonomicznego, którego jedynym zadaniem jest rozwój wspólnego rynku. Otóż Unia Europejska nie jest takim klubem. Unia Europejska jest także

wspólnotą polityczną, w której członkostwo wiąże się z podpisaniem Traktatu o Unii Europejskiej, który gwarantuje ochronę praw człowieka i podstawowych wolności.

Mówię te słowa dokładnie 24 lata po wprowadzeniu w moim kraju – w Polsce stanu wojennego, który m.in. charakteryzował się przetrzymywaniem osób podejrzanych o prowadzenie działalności związkowej w ośrodkach odosobnienia bez wyroku sądowego przez wiele miesięcy.

Przemawiam dzisiaj w imieniu wszystkich obywateli Unii Europejskiej, dla których prawa człowieka, wolności polityczne i obywatelskie stanowią o sensie istnienia Wspólnoty. Mamy prawo do prawdy. Instytucje Unii Europejskiej muszą dokładnie wyjaśnić tę sprawę i zabezpieczyć na terytorium Unii przestrzeganie przez rządy Państw Członkowskich Traktatu o Unii Europejskiej.

3-142

Σταύρος Λαμπρινίδης (PSE). – Κύριε Πρόεδρε, γνωρίζουμε μετά βεβαιότητος ότι: α) οι ΗΠΑ έχουν στο παρελθόν προβεί σε παράνομα βασανιστήρια και απάνθρωπη μεταχείριση κρατουμένων, όπως στο Αμπού Γκράιμπ: β) ο Πρόεδρος των ΗΠΑ έχει απειλήσει να προβάλει βέτο στην τροπολογία της Γερουσίας των ΗΠΑ που απαγορεύει τα βασανιστήρια κρατουμένων εκτός των συνόρων της Αμερικής: - Κύριε Alexander, γιατί δεν αναφέρατε και αυτό, αντί απλώς να χειροκροτείτε πειθήνια τις δηλώσεις της κ. Reis; - γ) το Αμερικανικό Κογκρέσο, προς τιμήν του, διερευνά συχνά τέτοιου είδους καταγγελίες.

Δεν γνωρίζουμε μετά βεβαιότητος: α) αν οι ΗΠΑ ή ευρωπαϊκές χώρες διατηρούν ή διατηρούσαν μυστικές φυλακές και πού· β) αν οι ΗΠΑ έχουν απαγάγει Ευρωπαίους πολίτες ή άλλους από ευρωπαϊκό έδαφος για να τους μεταφέρουν, να τους ανακρίνουν και ενδεχομένως να τους βασανίσουν· γ) αν ευρωπαϊκές κυβερνήσεις ή αρχές έχουν ανεχθεί ή έχουν συμμετάσχει σε τέτοιου τύπου παράνομες δραστηριότητες.

Το ερώτημα είναι, λοιπόν, τι θα πράξει τώρα το Ευρωπαϊκό Κοινοβούλιο. Θα διερευνήσει και αυτό ή θα περιμένει από άλλους; Αν δεν κινηθούμε άμεσα, τότε οι εκλεγμένοι εκπρόσωποι των λαών μας θα καταλήξουν να παρακολουθούν τις αποκαλύψεις του διεθνούς Τύπου και να αντιδρούν σαν απλοί σχολιαστές των γεγονότων.

Υποστηρίζω επομένως την άμεση σύσταση μιας επιτροπής του Κοινοβουλίου αλλά εκτός από τα ζητήματα των φυλακών, κύριε Πρόεδρε, πιστεύω ότι πρέπει να στρέψετε την προσοχή σας σε ένα ευρύτερο ζήτημα, που βρίσκεται στη ρίζα όλων των σημερινών δεινών: τη σχέση μεταξύ της καταπολέμησης της τρομοκρατίας και της προστασίας των θεμελιωδών δικαιωμάτων των πολιτών. Δυστυχώς η σχέση αυτή, και μετά τις δηλώσεις του κ. Alexander, τείνει άκριτα, άκομψα ή ακόμα και παράνομα να κλίνει πολύ επικίνδυνα υπέρ της πρώτης και κατά των δεύτερων.

3-143

Giovanni Claudio Fava (PSE). – Signor Presidente, onorevoli colleghi, a differenza del ministro Alexander, molto giovane e molto zelante, questo Parlamento non si rallegra affatto per le dichiarazioni di Condoleezza Rice, né per ciò che ha detto né –soprattutto – per ciò che ha tacito. In questo non c'è alcun sentimento antiamericano, diciamo soltanto che l'equilibrio fra sicurezza e libertà, fra diritti umani e lotta al terrorismo, è stato spezzato a danno dei diritti.

Questo Parlamento non si accontenta più delle affermazioni solenni dei governi coinvolti. La storia è ricca di bugie, altrettanto solenni, di quegli stessi governi e la vicenda delle armi chimiche in Iraq ce lo ricorda.

Al momento – dice la Commissione – non ci sono prove. Dobbiamo metterci d'accordo su cosa si intenda per prova: la pubblica confessione di un Primo ministro che si presenti davanti alle televisioni per dire "è vero, sul territorio del mio paese ho ospitato prigionieri segreti gestiti dai servizi segreti americani, in cui si praticava la tortura"? Mi sembra difficile pretendere questo tipo di prova.

Signor Presidente, noi riteniamo che le affermazioni di Condoleezza Rice – la quale rivendica di aver salvato molte vite umane in Europa grazie all'attività preventiva della CIA – siano più di un'ammissione di colpevolezza.

Vorrei anche ricordare come rivendichiamo la sacralità della prova solo per i governi, dimenticandocene a volte per i cittadini, trasformati rapidamente da sospetti in terroristi, senza le necessarie garanzie giudiziarie.

Abbiamo molte buone ragioni per chiedere l'istituzione di una commissione d'inchiesta che serva non a sostenere un'accusa, ma a cercare la verità. Apprezziamo la fermezza del Commissario Frattini e condividiamo il suo sostegno al lavoro svolto dal Consiglio d'Europa, ma non possiamo delegare la responsabilità della vigilanza politica e il dovere della verità a nessun altro organo istituzionale: è nostro compito e nostra responsabilità.

3-144

Lilli Gruber (PSE). – Signor Presidente, onorevoli colleghi, in ognuno dei nostri paesi durante la resistenza e la guerra fredda sono morte persone sotto tortura per proteggere il bene più prezioso che abbiamo: la libertà.

E anche da questo sacrificio è nata l'Europa, che si fonda su un'idea precisa: il rispetto della legge come presupposto inscindibile della libertà e della democrazia, senza se e senza ma. L'alternativa non è tra la vita o la morte di una o più persone, ma tra la civiltà della democrazia e la barbarie dell'arbitrio.

Il nostro continente ha millenni di esperienza nella tortura e sa che non solo la tortura è ingannevole nelle informazioni che estorce, ma soprattutto che corrompe irrimediabilmente quegli stessi valori di civiltà che dice di dover proteggere.

È un insulto alla nostra libertà e intelligenza, rafforzato da un vile ricatto, affermare che la tortura abbia permesso di sventare anche un solo attentato in Europa o in altre parti del mondo.

Oggi è nostro dovere fare piena luce sulle denunce di sequestri e maltrattamenti di presunti terroristi da parte della CIA e di trasferimenti illegali in altri Stati, complici alcuni governi europei.

L'azione della Procura di Milano sulla sparizione dell'imam Abu Omar per la quale sono sotto inchiesta 22 membri della CIA e le iniziative del Consiglio d'Europa sono una concreta espressione dello Stato di diritto e chi non ha niente da nascondere non ha nulla da temere.

Noi dobbiamo fare la nostra parte con una commissione del nostro Parlamento – non importa che sia d'inchiesta, temporanea o *ad hoc* – ma che si impegni a scoprire la verità. Il nostro Parlamento chiede anche un'altra America, non condizionata dal fanatismo e dagli interessi economici dell'amministrazione di George W. Bush.

3-145

Douglas Alexander, President-in-Office of the Council. – Mr President, I judge this to have been a valuable debate and I am grateful to all honourable Members for the varied contributions we have heard this afternoon. As I made clear in my introductory remarks to this debate, the security and liberty of all our people are important issues, perhaps the most important issues that our governments presently face. I also said that it was right for democracies and their institutions to debate the questions that arise when defending both principles in our modern world, vital that we recognise the unprecedented threat from contemporary terrorism and the longevity of that threat, and crucial that we all respect the rule of law in the process. I said it was important to recognise the need for governments to take tangible steps to fulfil their principal responsibility – the security of their people, right to respect the word of other sovereign governments including our allies, and incumbent on European governments and institutions to lead by example and conduct informed debate.

Overall I think we have achieved those objectives in the conversation and discussions we have had on the threat this afternoon. The images of the terrorist attacks – on commuter and underground trains in Madrid and London, places of worship, diplomatic premises, banks in Istanbul, hotels in Jordan, residential compounds in Saudi Arabia, and restaurants and bars in Bali – the list goes on – are not computer-generated. They are a reality with which we live. They are the new and frightening reality of our modern world. The contemporary terrorist is not content to limit himself or herself to conventional attacks. If he can, he will acquire and use chemical and biological means to reach his ends.

On respect for the rule of law, I mentioned the question of torture – a central issue that featured in our debate – in my opening remarks. Let me reiterate the position of the United Kingdom Government. The prohibition against torture is absolute. The British Government, like all European governments, unreservedly condemns its use. We never use it for any purpose, including to obtain information. We never instigate, condone or otherwise support others using it. Indeed, we condemn it. We have worked hard with our international partners to eradicate an abhorrent practice.

On government action to counter the threat within the rule of law, I am pleased that under the UK Presidency the European Union has agreed a new counter-terrorism strategy and thereby provided a clearer framework in which Member States can take forward their national and European work, striking a balance between citizens' rights to life and to liberty. These are not just words. The recent extradition of a man from Italy to the United Kingdom to face charges connected with the terrorist attacks in London in July would not have taken place so quickly but for European arrest warrants. That is a practical example of European Union counter-terrorism and judicial cooperation.

On respect for sovereign governments, I remind honourable Members of the words of the United States Secretary of State on 5 December 2005. She stated, and again I quote directly for completeness: 'The United States has respected – and will continue to respect – the sovereignty of other countries. The United States does not transport, and has not transported, detainees from one country to another for the purpose of interrogation using torture. The United States does not use the airspace or the airports of any country for the purpose of transporting a detainee to a country where he or she will be tortured. The United States has not transported anyone, and will not transport anyone, to a country when we believe he will be tortured. Where appropriate, the United States seeks assurances that transferred persons will not be tortured'.

Of course, a number of honourable Members have raised the issue of the response of European Union Member State governments to the allegations that have received wide publicity in recent months. Let me just for a moment digress from my responsibilities as the President-in-Office of the European Union and share with this Chamber the approach of the

United Kingdom Government to dealing with these very serious allegations. We have researched the question of US rendition via the United Kingdom carefully and we have not identified any occasions since 11 September 2001 or earlier during the period in office of the Bush administration when we received a request from the United States for a rendition through United Kingdom territory or airspace, nor are we otherwise aware of such a case.

On providing a lead to our constituents with informed discussion, it is right that the Council of Europe be allowed to conduct a factually based examination of how its members ensure the effective implementation of the provisions of the European Convention on Human Rights, which has featured prominently in this afternoon's debate.

This debate today has raised numerous points – many held with great conviction – for the Council of Europe to address in its coming inquiry. For its part, I can assure this Chamber that the United Kingdom will respond fully to the Council's queries. I trust and hope that other Member States will do so as well.

3-146

Franco Frattini, Vicepresidente della Commissione. – Signor Presidente, onorevoli deputati, credo che dal dibattito di oggi pomeriggio emerga un'opinione largamente condivisa, di questo Parlamento, che anche io condivido in pieno: non ci possono essere compromessi con i terroristi, ma non ci possono essere compromessi nemmeno sulla tutela dei diritti fondamentali delle persone. Occorre, da un lato, fare chiarezza e scoprire tutta la verità – una verità che può piacere o non piacere – ma pur sempre una verità e noi dobbiamo accertarla ed evitare, come giustamente ha affermato il Presidente Shultz, giudizi affrettati.

Desidero rivolgermi in particolare all'onorevole Geremek che ho ascoltato con attenzione. Nella mia introduzione, a proposito del suo paese, la Polonia, ho detto esattamente ciò che lei auspica, e cioè che prendevo atto con rispetto della smentita solenne delle autorità di governo polacche e che non ritengo si possa parlare di paesi europei imputati o sospettati, ma che si debba ricercare la verità per quanto riguarda l'intero territorio europeo, tutti i paesi dell'Europa e tutti i paesi candidati all'ingresso. Ho esattamente escluso il fatto di poter affermare che questa sia un'azione di verità rivolta solo alla Polonia e/o alla Romania. La verità deve essere accertata ovunque.

Una parte del dibattito sui valori essenziali dell'Europa riguarda sia il diritto alla sicurezza dei cittadini – e credo che, su questo, il Parlamento europeo abbia già detto più volte che la cooperazione internazionale con gli Stati Uniti è indispensabile se vogliamo avere successo nella lotta al terrorismo – sia il dovere dell'Unione europea e di tutti i paesi democratici di rispettare la dignità di ogni persona.

Oggi avete votato a larga maggioranza un provvedimento importante, un provvedimento utile alla lotta al terrorismo, che ottiene un bilanciamento tra sicurezza e libertà. Questo rappresenta un buon esempio al quale, io credo, noi tutti dovremmo riferirci. Un esempio di equilibrio tra la lotta al terrorismo e la protezione dei diritti fondamentali delle persone.

Come europei abbiamo lavorato insieme agli Stati Uniti contro il terrorismo e continueremo a farlo. Ad esempio, onorevoli deputati, mi spiace dire che il trattato di estradizione relativo proprio ai sospetti terroristi, firmato nel 2003, è stato ratificato dagli Stati Uniti d'America ma non è stato ratificato dai paesi membri dell'Unione europea. Voi comprendete quanto sarebbe importante avere oggi in vigore un trattato di estradizione chiaro, contenente regole ferme tra cui, ovviamente, il divieto di trattamenti inumani. Questo ci dimostra che purtroppo anche noi europei dobbiamo fare qualcosa un po' più rapidamente.

Infine credo che sia possibile interpretare l'azione e lo sforzo di verità come un'azione non diretta contro gli Stati Uniti ma, come qualcuno ha detto, un'azione per una verità che ci rafforzerebbe tutti quanti. Saremmo tutti più forti, con un risultato oppure con un altro, perché la verità, lo ripeto, può farci scoprire qualcosa o farci scoprire che questo qualcosa non è avvenuto.

In ogni caso, la verità ci rafforzerebbe perché nella Costituzione americana, nel Trattato sull'Unione europea, nella Carta di Nizza, nella Convenzione europea per i diritti umani, in tutti questi documenti - e ho citato per prima la Costituzione americana - il principio dei diritti umani è fondamentale e assoluto. Mi chiedo allora perché non dovremmo lavorare insieme anche su questo terreno, affinché quei principi solenni vengano applicati. Questo sarà il mio impegno personale.

3-147

President. – I have received six motions for resolutions¹ tabled in accordance with Rule 103(2) of the Rules of Procedure.

The debate is closed.

The vote will take place on Thursday at 10.00.

3-148

¹ See Minutes.

14 - Bulgaria - Romania

3-149

President. – The next item is the joint debate on progress achieved towards the accession of Bulgaria and Romania.

3-150

Geoffrey Van Orden (PPE-DE), rapporteur. – Mr President, it is only six weeks since this House last debated Bulgaria's progress towards European Union accession. I have been back to Bulgaria since then, as indeed has the President of Parliament. We met the President and the Prime Minister of Bulgaria and many ministers. I visited a children's home in an area that had been badly affected by floods and a factory that had benefited from EU funding. I had discussions with the Foreign Minister, the Interior Minister, the President of the Supreme Court and police chiefs, including those running the national organisation for combating organised crime. I also met the chairmen of key committees of the parliament and representatives of all political parties. None of them seemed to be under any illusion about the work that needs to be done, or indeed the urgency of addressing the areas that have been highlighted by the Commission and the Parliament as being still of serious concern. Many however, are increasingly alarmed that Bulgaria's accession is being caught up in the wider controversy over the future extent of the EU and over the EU budget.

Mr President, bearing in mind that I am otherwise speaking for my current political group in this debate, I hope you will excuse me if I make two personal comments on these matters.

Firstly, many of us are disappointed that following the defeat of the Constitution, the opportunity has not been seized to have a wide ranging and open discussion about the nature and direction of the EU in order to take full account of the real wishes of our citizens and make it more relevant to the needs of the 21st century.

Secondly, as Mr Barroso observed this morning, there is a structural problem in the budget. I am not sure that he and I would agree on what that problem is. To my mind, it is the fact that some 40% of the EU budget is spent on the common agricultural policy and it is also the fact that the United Kingdom, year on year for twenty years, has been paying double the amount in net terms into the EU budget, even with her abatement, in comparison with a country such as France that has a similar-sized economy.

Let me revert now to my rapporteur's role. The point is that accession countries such as Bulgaria should certainly not be disadvantaged because of those wider issues. The timing of accession should not be vulnerable to unrelated concerns about future enlargement. Let us remember that neither Bulgaria nor Romania form part of future enlargement rounds; they are part of the previous enlargement. Their accession is already secured. Indeed, their budgetary arrangements for the first two years after accession are also secure. I am sure the Commissioner will confirm this.

Bulgaria's financial provisions are fixed from 2007 to 2009 in the Accession Treaty, Title III, which was signed on 25 April this year. These determine the amounts Bulgaria will pay into the EU budget in various forms, as well as what she will receive in cohesion funding, nuclear decommissioning assistance, the transition facility, the Schengen facility, agriculture payments and other structural actions.

So, leaving aside any negative attitudes to enlargement in general that have begun to develop in some countries, what are the substantive obstacles to be overcome by Bulgaria in the next few months?

Firstly, the Accession Treaty must be ratified by all Member States. So far, only seven have done so, Parliament urges the remaining 18 Member States to ratify as soon as possible.

Secondly, there is the question of the precise timing of accession. Parliament supports the common objective of Bulgaria's accession to the EU on 1 January 2007, provided that certain matters of serious concern are dealt with. Without this firm target, a major incentive to increased effort by the Bulgarian authorities is removed. They are making an increased effort. I can report that in the past month a further six major legislative acts have progressed through the Bulgarian National Assembly and I am advised that key constitutional changes that we have called for will be presented to the National Assembly this year.

However, while legislative change is essential, I cannot re-emphasise too strongly the need for tangible and concrete outcomes. We must see the evidence of change, particularly in the vital areas of justice and policing and the fight against organised crime and corruption. It is this area, more than any other, that has been the focus of my report on behalf of Parliament. There are, of course, other areas of concern, including child welfare and the support for and integration of the Roma communities.

I commend my report to Parliament. It had the widest possible support in the Committee on Foreign Affairs, and I regret that the GUE/NGL Group has chosen to re-table amendments that were rejected by the committee. With the exception of my own Amendment 16, I do not recommend support for any other amendments.

I urge the Bulgarian authorities to take very seriously the need to deliver on reform. The changes are, of course, beneficial in themselves, not just as a prerequisite for EU membership. I ask the Commission to ensure that Parliament remains fully involved on a timely basis in any consideration of the use of safeguard clauses.

1 January 2007 is an achievable date for Bulgaria's accession to the European Union.

3-151

Pierre Moscovici (PSE), rapporteur. – Monsieur le Président, Monsieur le Commissaire, je veux d'abord rejoindre M. Van Orden sur un point qui est tout à fait décisif: la question financière. Même si je n'ai pas tout à fait le même mode de raisonnement que lui – ça ne l'étonnera pas –, je partage son inquiétude sur des perspectives financières qui ne permettraient ni de réussir l'élargissement qui a déjà été fait à dix nouveaux États membres, ni de préparer dans des conditions correctes l'élargissement suivant.

Cela dit, je veux rappeler l'esprit du rapport qui est le mien, et qui est de préparer au mieux l'adhésion de la Roumanie pour 2007 car, moi aussi, je pense que l'adhésion de la Roumanie, comme de la Bulgarie, est possible le 1^{er} janvier 2007. Le rapport que je présente se veut un outil de travail utile et efficace pour les prochains mois. Le rapport de la commission, tel qu'il a été présenté le 25 octobre par M. Rehn, était d'ailleurs exemplaire dans ce sens. Je le remercie de nouveau de son travail et, au fond, le rapport que je soumets au vote du Parlement se place dans la même optique que le sien.

Je souhaite réaffirmer l'amitié du Parlement européen envers la Roumanie ainsi que notre volonté de travailler à un objectif commun – permettre l'élargissement à 27 après la chute du communisme et le grand mouvement de libération à l'Est de l'Europe –, mais parallèlement, nous devons affirmer le sérieux de nos exigences et la solidité de nos critères. C'est pourquoi il faut à la fois que le Parlement soit sensible aux progrès faits par la Roumanie sur la voie de l'adhésion – qui, je crois, a agi comme catalyseur de nombreux changements et de nombreuses réformes – mais aussi qu'il se montre exigeant et vigilant et qu'il suive la mise en œuvre pratique de ces réformes.

Par ailleurs, mon rapport se montre lucide sur les problèmes auxquels la Roumanie doit faire face, notamment dans le domaine de la justice et des affaires intérieures en ce qui concerne la transparence du système judiciaire, la lutte contre la corruption, la criminalité organisée, le contrôle des frontières, la capacité administrative, la reconnaissance ou la protection des minorités hongroises, – j'en redirai un mot –, mais aussi dans le domaine de l'environnement ou de la mise en œuvre de la législation. Et on sait qu'il y a toute une série d'exigences et de sujets sur lesquels le gouvernement roumain doit se concentrer.

J'ajoute, à mon tour, que l'éventualité du recours aux clauses de sauvegarde demeure. La clause de sauvegarde n'est pas un gadget. C'est une disposition précise et concrète et un gage du sérieux de la procédure d'adhésion; néanmoins, elle ne doit pas être perçue comme une menace ou une sanction, mais comme un mécanisme destiné à donner à la Bulgarie et la Roumanie le temps nécessaire pour se préparer à intégrer le marché intérieur et à veiller à ce que l'adhésion se déroule dans les meilleures conditions possibles pour les pays membres comme pour les nouveaux entrants.

Tel est l'esprit de mon rapport, un esprit proche, d'ailleurs, de celui du rapport de M. Van Orden, et je pense que demain, le Parlement pourra marquer sa volonté de faire un pas de plus vers l'adhésion le 1^{er} janvier 2007.

Quelques mots à présent sur les amendements tels qu'ils ont été discutés et préparés à la commission des affaires étrangères. Nous sommes là aussi très proches d'un consensus et il est vrai que le rapport a également été voté de manière très large par la commission des affaires étrangères. Je pense toutefois qu'il reste trois ou quatre questions délicates qui devront être discutées demain, et je tiens à donner mon sentiment; c'est le rôle du rapporteur.

Il y a d'abord la question de savoir si on lie le cas de la Bulgarie et celui de la Roumanie. S'ils sont bien sûr liés en pratique, il y a néanmoins la question des mérites propres. J'ai, pour ma part, cosigné un amendement déposé par M. Lagendijk, au nom des Verts, qui ajoute au paragraphe 3 une mention spécifique de la lutte contre la corruption et de la transparence du système judiciaire, et ce pour les deux rapports, celui de M. Van Orden et le mien.

Une deuxième question très délicate et très importante est celle des adoptions. Elle fait l'objet d'un amendement de Mme Nicholson, dont on connaît l'attachement à la loi telle qu'elle a été votée en Roumanie. Je pense, pour ma part, qu'il faut placer peut-être davantage l'accent sur l'intérêt de l'enfant et sur le cadre légal de l'ONU, en sus du droit roumain, dans la résolution de cas litigieux issus du moratoire – et comme rapporteur, j'en vois de très nombreux. Plusieurs amendements ont été déposés par M. Wiersma et M. Lajendijk. Je souhaite que l'on adopte l'un ou l'autre de ces amendements ou qu'on trouve un compromis entre eux.

Il y a par ailleurs la question des minorités. Dans le rapport, j'avais proposé la notion de *self-governments*. Les discussions en commission des affaires étrangères ont montré que beaucoup pensaient à la fois qu'il fallait le respect des minorités, mais qu'il ne fallait pas d'injonction au gouvernement roumain sur la méthode, sur la procédure ou sur la forme pratique

que devait prendre cette autonomie accrue. Il s'agit de ne pas faire preuve d'ingérence et de ne pas provoquer de conflits par des formulations maladroites. Là encore, plusieurs formules ont été proposées par M. Wiersma, à nouveau, ou par Mme Nicholson. Que ce soit une décentralisation approfondie ou une autonomie culturelle, je souhaite là aussi que le Parlement manifeste sa volonté d'affirmer le droit des minorités, notamment hongroise, tout en demeurant souple.

Enfin, un consensus avait été dégagé la semaine dernière pour éviter de mentionner dans ce rapport les rumeurs au sujet des activités secrètes de la CIA. Je continue de penser que ce rapport d'étape n'est pas le lieu pour exprimer notre inquiétude très réelle à ce sujet; il doit traiter de l'adhésion et uniquement de l'adhésion.

À mon tour, je voudrais remercier tous ceux qui ont travaillé sur ces adhésions pour le soutien qui a été apporté à ce rapport. Je me félicite de son amélioration par des ajouts judicieux. Je crois qu'on peut encore faire mieux demain matin lors du vote et j'espère que nous ferons un pas vers l'adhésion de la Roumanie le 1^{er} janvier 2007.

3-152

PRESIDÊNCIA: Manuel António dos SANTOS
Vice-Presidente

3-153

Olli Rehn, Member of the Commission. – Mr President, I am glad to address the House again as regards the preparations of Bulgaria and Romania for accession to the Union.

Much has happened in the past year. Negotiations were completed at the end of 2004, and Parliament gave its assent to the accession of Bulgaria and Romania, after which the accession treaty was signed in April. Currently, the treaty is being ratified in the Member States. Our focus, in the Commission and, I trust, in the other institutions, such as Parliament, is now firmly on encouraging and supporting Bulgaria and Romania to successfully complete all necessary preparations for accession. Neither country should spare any effort or time in completing the challenging work still to be done on the domestic front.

I welcome the active part played by the European Parliament and its Committee on Foreign Affairs and the reports prepared by Mr Moscovici and Mr Van Orden, which highlight the strong and weak points relating to the progress of both countries to date.

As you have seen from the Commission's comprehensive monitoring reports, which I presented to you on 25 October, our assessment is broadly the same: both Bulgaria and Romania meet the political criteria. At the same time, they need to make further efforts, in particular to strengthen the rule of law, to improve public administration and the justice system, to fight corruption and to protect vulnerable groups effectively. Structural economic reforms need to be continued in both countries for them to meet the economic criteria for membership fully.

As regards the EU *acquis*, both Bulgaria and Romania have continued to make progress in adopting and implementing EU legislation. They have reached a considerable degree of alignment 13 months before their envisaged accession on 1 January 2007. Nevertheless, in some areas there are still serious shortcomings in preparations and, in general, more attention needs to be paid to effective implementation and enforcement of the legislation.

So, it is far from plain sailing for the moment. Bulgaria and Romania still have a lot more to do and it is important that we, together – Parliament, the Member States and the Commission – keep reminding both countries to stay focused on the significant internal work still to be done. On 7 November, I sent a letter to both Foreign Ministers Kalfin and Ungureanu, in which I urged Bulgaria and Romania to take immediate and decisive action to address the gaps and shortcomings in their preparations.

As regards the remaining issues in Bulgaria and Romania's preparations, the Commission will continue both to monitor and support them intensively up to accession. I welcome Parliament's help and efforts in this regard.

Our next rendezvous on this topic will be to discuss a report focusing on the actions taken by Bulgaria and Romania to address the main remaining shortcomings that were identified in October's comprehensive monitoring report. The Commission intends to present this report to Parliament and to the Council in May 2006. At that moment, the Commission may recommend that the Council postpone accession until 1 January 2008, if there is a serious risk of either country being manifestly unprepared to meet the requirements of membership by January 2007 in a number of important areas.

As President Barroso promised earlier this year, and in the spirit of our discussions in April to create an extended assent procedure, the Commission will use its regular dialogue with the European Parliament and will listen to Parliament's views on the possible use of the postponement clause. The Commission would seriously consider these views before issuing any recommendation to associate fully the European Parliament in any possible decision to postpone accession. I am ready to meet the Foreign Affairs Committee in the course of the spring, for instance in April, to exchange views on the situation then in Bulgaria and Romania.

Let me conclude by thanking the European Parliament for its constructive and balanced approach towards Bulgaria and Romania's accession to the European Union. This has again been illustrated in the very sound, solid reports from Mr Moscovici and Mr Van Orden. The Commission always welcomes the strong commitment of Parliament in the accession process and its close follow-up of developments in Bulgaria and Romania. I trust that together we will complete the fifth enlargement round and make a success of it.

3-154

Douglas Alexander, President-in-Office of the Council. – Mr President, let me begin by paying generous tribute to the work of both Mr Van Orden and Mr Moscovici for their work on these dossiers as rapporteurs and also by saying what a particular pleasure it is to follow Commissioner Rehn, who has been a dedicated and effective advocate of taking forward the work both for Bulgaria and Romania's accession.

I warmly welcome this debate today, which is held at an important juncture in Bulgaria and Romania's accession processes. From previous exchanges with honourable Members, I know that this Parliament maintains a close and detailed interest in both countries' European Union preparations and wider enlargement issues. I look forward to a stimulating and thought-provoking discussion this afternoon.

The December 2004 European Council concluded that both Bulgaria and Romania will be able to assume all the obligations of membership from January 2007, provided they both continue with efforts to implement the necessary reforms and commitments undertaken in the *acquis*. The June 2005 European Council reiterated these conclusions and welcomed the signing of Bulgaria and Romania's accession Treaty in Luxembourg on 25 April. As the Council noted, this marked a further important step towards accession, and it was a step firmly supported by this Parliament when it voted to approve the signing of the Treaty.

It is not difficult to see why the European Parliament and the Council have supported Romania and Bulgaria's European Union aspirations. The prospect of EU membership has acted as a major lever for reform already. Since they started on the path to EU membership, both Bulgaria and Romania have implemented far-reaching political and economic changes. Living conditions and economic opportunities have improved. In the space of only 16 years, two dictatorships have been supplanted, I am glad to say, with democracies. These are substantial achievements by any measure and we should credit those who have worked so hard to bring them forward.

The stage is now set for full membership, something that will bring us much closer to healing the artificial division of Europe after the Second World War. It will contribute to a more stable, secure and stronger Union.

Neither Bulgaria nor Romania's accession processes are yet complete. Indeed, as Commissioner Rehn has emphasised and emphasised previously in July, it is crucial to the success of enlargement that any new country joining the Union is well prepared to cope with the obligations of membership. As the Commissioner made very clear in his public statement in October, the jury is still out on when Bulgaria and Romania will join.

It is in all of our interests that Bulgaria and Romania are ready to join the European Union on 1 January 2007, as has already been suggested in the course of our debate. This goal is achievable as long as both countries step up the pace of reform in the short period of time left between now and that critical date. The comprehensive monitoring reports identify clear areas where both countries must now focus their efforts.

The report on Bulgaria shows that it meets the political criteria for membership, but further work is still needed to address remaining shortcomings. These include taking decisive action to reform the justice system and substantially stepping up the fight against organised crime and corruption, including at a high level. Pursuing reforms of the public administration system should also be a priority. In the area of human rights and the protection of minorities, more efforts are needed to prevent the trafficking in human beings, a subject on which this Parliament has repeatedly made clear its views, as well as to improve child welfare and the situation of the mentally disabled and to further the integration of the Roma minority generally.

The Commission also assesses that Bulgaria should be in a position to comply with the economic criteria of accession, provided it continues on its current reform path and deals with the current account deficit. To this end, it should seek to maintain a prudent fiscal policy, improve the business environment and pursue accelerated labour market reforms.

On the adoption and implementation of the *acquis*, the report notes that Bulgaria has made further progress in particular on competition rules and culture and audiovisual policy. However, developments in a number of other areas have been frankly insufficient. Generally, Bulgaria needs to step up its efforts to complete preparations and to develop a sufficient administrative and judicial capacity to implement and enforce our Union's legal order in full. I mentioned some particularly pressing implementation gaps earlier, such as the need to tackle corruption and organised crime effectively. Other concerns relate to the implementation of the European Union's external border requirements and procedures, police cooperation and the effective enforcement of intellectual property rights in order to fight piracy and the broader issue of counterfeiting. The weak enforcement of rules on motor vehicle insurance also remains an issue of serious concern, as are shortcomings in the areas of agriculture, animal welfare, veterinary public health and food safety.

Turning to Romania, the Commission assesses that she meets the conditions for membership, but further work is still needed to address remaining shortcomings. Romania needs to take decisive action to reform the justice system and substantially step up the fight against corruption, including at a high level. It should also pursue reforms of the public administration system and further efforts are needed to improve the situation of the disabled and mentally ill, a topic which I know is close to this Parliament's heart.

I would agree with the Commission's assessment that Romania should be in a position to comply with economic criteria by accession, provided it continues and intensifies its efforts, in particular by paying attention to its external balance, public sector wage policy and the government's revenue base. Romania has made further progress in adapting and implementing the *acquis*, in particular on areas concerning the free movement of persons, telecommunications and consumer protection.

However, shortcomings remain in other areas. Generally, as with Bulgaria, Romania needs to step up its efforts to complete preparations and to develop a sufficient administrative and judicial capacity to implement and enforce the European Union's legal order in full. It too needs to tackle corruption, including high-level corruption. As with Bulgaria, Romania must address concerns over the implementation of the European Union's external border requirements and procedures, and concerns over the effective enforcement of intellectual property rights. A number of grave shortcomings that need to be swiftly and decisively addressed also relate to the area of agriculture and food safety and to the protection of the environment.

The first months of next year will be crucial periods in Romania's accession process. Romania has made substantial progress to reach this stage. I clearly acknowledge that before this Parliament today. However, it must now renew its efforts to tackle those remaining concerns.

Bulgaria must also in the first months of the year focus all its efforts on addressing its remaining shortcomings. The Commission's report provides an effective roadmap, identifying clearly the key weaknesses, and should help guide Bulgaria's approach. Bulgaria too has made substantial process to reach this stage. The finishing-line is now in sight and Bulgaria will cross it, as long as it increases its efforts and implements those outstanding reforms. This will require hard work, but it will be well worth it.

The European Union will continue to provide any assistance and support to both Bulgaria and Romania in their endeavours to make that final push towards accession. I hope that accession in 2007 will be achieved by both Romania and Bulgaria. That accession will bring real benefits to both countries and – I would argue – clearly to the European Union as a whole. As my Prime Minister, Tony Blair, said to this Parliament in June, enlargement is an historic opportunity to build a greater and more powerful Union. I hope that this time next year both Romania and Bulgaria will be only a fortnight away from becoming full members of our European Union.

(Applause)

3-155

Francisco José Millán Mon, en nombre del Grupo PPE-DE. – Señor Presidente, hace sólo mes y medio hablamos en este hemiciclo de la adhesión de Rumanía a la Unión Europea. Se trataba entonces del informe presentado por el Comisario, señor Rehn. Nuevamente lo hacemos hoy para referirnos al informe que este Parlamento aprobará mañana y que gozará, espero, de un amplio respaldo.

Hay una coincidencia básica entre ambos informes. En Rumanía se han hecho muchos e importantes avances, pero todavía son necesarios esfuerzos en diversas áreas, que todos conocemos y hoy se han mencionado. También hay coincidencias entre ambos informes en un punto fundamental: es muy importante que se avance en materia de justicia e interior, en

especial en lo que se refiere a la implementación de la reforma en el funcionamiento de la justicia, al mejor control en las fronteras y a la lucha contra la corrupción, aspecto éste esencial, respecto del que el Parlamento quiere ver resultados.

Hay otra coincidencia importante entre el informe de la Comisión y el informe Moscovici: estamos en momentos decisivos. Como ha dicho el Comisario, en la próxima primavera la Comisión efectuará un informe sobre el estado de preparación de Rumanía y se pronunciará sobre la eventual puesta en marcha de un mecanismo que podría retrasar un año la adhesión efectiva. También entonces este Parlamento tomará posición sobre este tema, como se recoge en el texto que mañana votaremos. Queremos estar estrechamente asociados a este asunto.

Los resultados en materia de justicia e interior y de lucha contra la corrupción tendrán una gran relevancia en la evaluación de esta primavera. Por consiguiente, el Gobierno rumano debe seguir realizando los mayores esfuerzos posibles en esta y otras áreas. El ejemplo de los éxitos logrados en política de la competencia, que antes era un asunto de enorme preocupación, debe servirle de estímulo en los trabajos pendientes.

Señor Presidente, es cierto que las adhesiones de Rumanía y Bulgaria no deberían ser víctimas del nuevo clima de crisis y de fatiga entre los ciudadanos que se ha puesto de manifiesto con los fracasos relacionados con el Tratado constitucional. Pero tememos que ser realistas; ese clima existe y es difícil que no afecte a los miembros de este Parlamento, que están cerca de la ciudadanía y observarán cuidadosamente el estado de preparación de los dos países.

En resumen, Rumanía tiene una cita histórica con la Unión Europea el 1 de enero de 2007. Como dice el informe, el Parlamento reafirma su deseo de que esta cita tenga lugar, pero también subraya que la realización del objetivo depende, en primer lugar, de que las autoridades rumanas cumplan sus compromisos. Nosotros apoyamos y aplaudimos los esfuerzos que hacen para llegar a tiempo y lograr la meta, pero la tarea corresponde a las autoridades rumanas.

3-156

Alexandra Dobolyi, a PSE képviselőcsoport nevében. – Szeretném üdvözölni minden jelentéstevő munkáját. Teszem ezt azért is, mert magyar képviselőként, amiőt bekerültem a Parlamentbe, napról-napra követem a két ország erőfeszítéseit és a Parlament, illetve Bizottság értékelését. Némi módosításokat eszközölve nyugodt szível mondhatom, hogy minden jelentés kiegyensúlyozott és jól tükrözi a két ország jelenlegi állapotát. Nem kívánom megismételni az előttem szólók állításait, a Tanács és a Bizottság által gyakorolt kritikát sem, hiszen ahogy a bizottsági országjelentés utáni vitában, októberben már említettem, a két ország megfigyelői azért vannak itt, hogy első kézből tudják saját döntéshozókat tájékoztatni mind a hiányosságokról, mind pedig a Parlament által javasolt kíváatos döntésekéről. A délelőtt folyamán zajlott vitában a hétfőn esedékes csúcs előkészítésénél egyértelműen kiderült, hogy a Parlamentben minden frakció hangsúlyozta a szolidaritás fontosságát az Európai Unió egész területén, mert csak így tudjuk megörizni a versenyképességünket. Ahogy a két jelentéstevő is említtette, a két tárgyalt ország esetében még inkább hangsúlyozandó a szolidaritás fontossága.

Magyarként nem tehetem meg, hogy ne térek ki a Romániában élő magyarság helyzetére. Elvárom a román kormánytól, hogy a koalicionális szerződésben rögzített kisebbségi törvényt igéretéhez híven minél előbb szavazza meg. Tudom, hogy a teremben jelenlévők számára ismeretes, de mégis hangsúlyozom a kulturális autonómia fontosságát, ami a fent említett törvény alapját képzi. Ez a törvény az, aminek elfogadása és betartása hosszú távon biztosítani tudja a Romániában élő kisebbség és többség harmonikus együttélését.

3-157

Alexander Lambsdorff, im Namen der ALDE-Fraktion. – Herr Präsident! Die liberale Fraktion würdigt die Fortschritte in den Anstrengungen Bulgariens und Rumäniens auf dem Weg in die Europäische Union. Wir unterstützen beide Länder weiterhin auf diesem Weg, beobachten aber auch sehr genau, wie beide Länder ihrer Verantwortung als Kandidaten nachkommen. Beide Länder müssen – das hat meine Fraktion immer wieder betont – auf der Grundlage ihrer eigenen Leistungsfähigkeit und unabhängig voneinander bewertet werden.

Der nächste Fortschrittsbericht der Kommission zu den beiden Ländern wird im Frühjahr vorgelegt werden. Dies wird – der Kollege Millán Mon hat das erwähnt – in einem veränderten Klima stattfinden, denn die Union befindet sich in einer Verfassungskrise. Die Debatte darüber wird Mitte 2006 geführt werden.

Umso wichtiger sind die Anstrengungen beider Länder jetzt auf der Schlussgerade, so effektiv und leistungsfähig wie möglich zu werden, denn die Europäische Union braucht solche Mitglieder. Es geht dabei auch um die Aufnahmefähigkeit der Union selbst und damit auch um die Zukunft der Erweiterungspolitik. Die Debatte im Rat über Mazedonien ist übrigens symptomatisch für dieses veränderte Klima.

Lassen Sie mich noch einige Worte speziell zu Bulgarien sagen: Wir haben ein ausgewogenes Dokument von Herrn Van Orden vorliegen, das die Anstrengungen der bulgarischen Regierung würdigt. Es weist auf die Wirtschaftsdynamik mit durchschnittlichen Wachstumsraten von 4% hin, sagt aber auch sehr deutlich, wo Bulgarien noch Fortschritte erzielen muss. Ein wichtiger Teil des Textes aus dem Ausschuss für auswärtige Angelegenheiten: Hochrangige Beamte in Bulgarien werden darin aufgefordert, sich öffentlich von jeder Form von Korruption zu distanzieren und die Schaffung

von Vorschriften zur Offenlegung ihrer Finanzen und Einkommen zu unterstützen. Dies würde zu mehr Transparenz führen und das Vertrauen erhöhen.

Die liberale Fraktion möchte, dass Rumänien und Bulgarien 2007 Mitglieder der EU werden. Im Übrigen bin ich der Meinung, dass wir diese Debatte in Brüssel und nicht in Straßburg führen sollten.

3-158

Milan Horáček, im Namen der Verts/ALE-Fraktion. – Herr Präsident, liebe Kolleginnen und Kollegen! Wir erkennen die Arbeit der beiden Länder an. Sorgen machen uns aber verschiedene kritische Punkte im Bericht der Kommission. Wir haben zum Bericht Van Orden unsere Änderungsanträge im Bereich Umwelt und Menschenrechte eingebracht; sie wurden leider abgelehnt. Zum Termin der Abschaltung des Atomkraftwerks in Kosloduj möchte ich Sie, Herr Rehn, fragen, was die Meinung der Kommission zu Ziffer 29 ist, in der in Hinsicht auf die Stilllegung der Blöcke 3 und 4 mehr Flexibilität eingeräumt wird. Was sind die angedachten Alternativen der Energieversorgung? Unser Parlament ist in die Überlegungen zur Anwendung der Schutzklauseln einzbezogen. Wir werden zum Beitritt kritisch Stellung beziehen und uns auf den Stand der durchgeföhrten Reformen im Justizsystem, im Kampf gegen Korruption, beim Schutz der Kinder und beim Schutz und der Integration der Roma stützen und dann entscheiden.

3-159

Erik Meijer, namens de GUE/NGL-Fractie. – Voorzitter, hoewel over de toelating van Roemenië en Bulgarije al is gestemd, kan de teleurstellende toestand in die landen een jaar vertraging opleveren. Mijn fractie heeft op dit punt een aantal amendementen ingediend, onder meer amendement 7, over de ook dit jaar voortgezette afpersing door politie en douane van EU-burgers van Turkse afkomst op doorreis door Bulgarije.

Maar ook ontwikkelingen binnen de Europese Unie zelf belemmeren verdere uitbreiding. Frankrijk dreigt met een veto tegen onderhandelingen met Macedonië, een land dat verwacht om in nauwe samenwerking met Kroatië gelijktijdig binnen te komen. De eventuele goedkeuring van de dienstenrichtlijn van ex-commissaris Bolkenstein maakt economische verschillen tussen de lidstaten tot een concurrentiefactor. Dat nodigt de publieke opinie in de huidige lidstaten uit om zich tegen verdere uitbreidingen te keren.

De kiezers in Nederland en Frankrijk, die de voorgestelde grondwet afwezen, keren zich tegen het neoliberale beleid dat hun voorzieningen afbreekt en hun bestaanszekerheid wegneemt. Er zijn nu, in en buiten regeringen, krachten actief die dit ten onrechte uitleggen als een afkeer van betalingen uit de regionale fondsen aan landen met een lage levensstandaard. Als we verdere uitbreiding willen, moeten we ervoor zorgen dat die problemen tijdig worden opgelost.

3-160

Mirosław Mariusz Piotrowski, w imieniu grupy IND/DEM. – Panie Przewodniczący! Polacy szczególnie dobrze rozumieją i zawsze wspierali dążenia Bułgarii i Rumunii do integracji europejskiej. Wynika to zarówno z bliskości geograficznej, jak również z podobnej, trudnej historii ostatnich dziesięcioleci. Nadal, z najwyższą uwagą i życliwością śledzimy postępy obu krajów w reformowaniu swoich systemów politycznych i gospodarczych.

Chciałbym jednak wyrazić poważną wątpliwość, czy nadzieje obu krajów, związane z wejściem do Unii Europejskiej, będą mogły się urzeczywistnić. Zaproponowana przez prezydencję brytyjską perspektywa finansowa na lata 2007-2013 nie obejmuje kosztów nowego rozszerzenia. Wbrew politycznym deklaracjom Unia nie będzie mogła spełnić swoich, wcześniej podjętych, zobowiązań. Oznacza to również, że fundusze unijne przedakcesyjne i po akcji Bułgarii i Rumunii będą daleko niewystarczające, aby zapewnić wyrównanie ich szans rozwoju. I po raz kolejny może to dowodzić, że unijna zasada solidarności jest od dawna martwą literą.

3-161

Alessandro Battilocchio (NI). – Signor Presidente, onorevoli colleghi, parlo a nome del nuovo PSI.

Già in più di un'occasione ho palesato il mio sostegno all'adesione della Romania. Mi rincresce tuttavia constatare che non è stato fatto ancora alcun progresso nella questione delle adozioni internazionali, pendenti al momento della moratoria del 2001, nonostante le ripetute raccomandazioni di questo Parlamento e le dichiarazioni di apertura da parte del governo di Bucarest. Specificatamente il 14 gennaio 2005, il Premier rumeno aveva assicurato alla stampa italiana che tutti i casi di adozioni internazionali pendenti sarebbero stati analizzati uno ad uno da una commissione di esperti internazionali. Tuttavia al momento, per quanto io ne sappia, né le famiglie interessate né la stessa Unione europea sono state informate sulle procedure e sulle conclusioni di tale gruppo di lavoro.

La Commissione europea, da me interpellata, non ha saputo infatti darmi alcuna delucidazione e sono rimasto inoltre deluso dalle risposte ricevute dal Commissario Rehn alle mie interrogazioni, nelle quali viene difesa l'attuale legge rumena che nessuno mette in discussione, senza prendere alcun impegno per la risoluzione dei casi pendenti, prima dell'entrata in vigore di tale legge, come espressamente richiesto dal Parlamento.

Anche da parte del governo rumeno – che io stesso ho interpellato tramite l'Ambasciatore a Bruxelles – non ho ricevuto alcuna informazione utile, né collaborazione e di questo oggi ho voluto informare, con una lettera, i colleghi osservatori,

sperando che vogliano prendere seriamente in considerazione questo mio appello. L'Europa, sempre disponibile verso i paesi candidati e i casi umani di tutto il mondo, per una volta meriterebbe forse una maggiore riconoscenza, vedendosi rifiutare una richiesta di fatto piuttosto semplice.

3-162

Elmar Brok (PPE-DE). – Herr Präsident, Herr Kommissar, Herr Ratspräsident! Rumänien und Bulgarien gehören zu den zwölf Ländern, die nach dem Fall von Mauer und Stacheldraht von uns eingeladen wurden. Sie gehören zu dieser Gruppe – das dürfen wir bei allen Überlegungen, die wir jetzt anstellen, nicht vergessen – und deswegen gehören sie in diesen Korb hinein.

Der Vertrag ist abgeschlossen, aber der Vertrag mit diesen Ländern ist jeweils mit Schutzklauseln versehen. Deswegen ist außerordentlich wichtig, dass wir sehen, wie der Zeitplan eingehalten wird, in welcher Weise der Bericht der Kommission im Frühjahr vorgelegt wird. Aufgrund der Einschätzung dieses Berichts und eigener Erkenntnisse haben wir dann den Beschluss zu fassen, ob diese Schutzklauseln, die auch eine Verschiebung um ein Jahr beinhalten, angewandt werden. Dies kann für beide Länder der Fall sein, es kann für keines der Länder der Fall sein oder aber auch für eines dieser Länder der Fall sein. Dies ist etwas völlig Unentschiedenes, aber wir sollten uns klar vor Augen halten, dass es in den Augen unserer Bürger keinen Automatismus geben darf nach dem Motto: Wer einmal die Verhandlungen begonnen hat, ist automatisch zum gewünschten Zeitpunkt drin. Deswegen ist es notwendig, dass die Implementierung in den Bereichen erfolgt, die der Kommissar in seinem letzten Bericht, in seinem Brief – ich glaube vom 9. November – an die Regierungen der beiden Länder genannt hat und die auch der Ratspräsident heute hier erwähnt hat, wie Korruption, organisierte Kriminalität, Sicherheit der Grenzen, Nahrungsmittelsicherheit im Rahmen des europäischen Binnenmarktes, Konsequenzen für den Binnenmarkt selbst, die Frage der Rechtsstaatlichkeit und die Entwicklung von Administration und Justizsystem. Es geht nicht nur darum, dass dies im Gesetz beschlossen wird, das ist von Seiten der Kommission und in den Berichten, die die Kollegen Moscovici und Van Orden heute diesem Hause dankenswerterweise vorgelegt haben. Nun sollten wir den nötigen Druck machen und die nötige Unterstützung leisten, damit diese Länder die Bedingungen erfüllen. Aber der Beitritt ist nur möglich, wenn sie diese Bedingungen erfüllen, und es liegt völlig in ihren eigenen Händen, die notwendigen Fortschritte zu erzielen.

3-163

Jan Marinus Wiersma (PSE). – Voorzitter, onze fractie, de PSE-Fractie, is altijd een consequent voorstander van de uitbreiding van de Europese Unie met de landen in Midden- en Oost-Europa geweest. De toetreding van Bulgarije en Roemenië is de voltooiing van de vijfde uitbreidingsronde, die een definitief einde aan de decennialange opdeling van Europa maakt.

Wij willen dat de toetreding van Bulgarije en Roemenië net als die van tien nieuwe lidstaten vorig jaar een succes wordt voor de bevolking van deze beide landen, maar ook voor de Europese Unie. Mijn fractie heeft er vertrouwen in dat beide landen in staat zijn om vóór de definitieve toetreding alle noodzakelijke maatregelen te treffen en tot uitvoering te brengen.

De voortgangsverslagen van de Europese Commissie geven aan wat nog moet gebeuren. De punten van bezorgdheid en kritiek zijn vooral een handleiding voor de regering en het parlement van de beide landen om in de resterende tijd de nodige maatregelen te treffen.

We gaan ervan uit dat beide landen al het mogelijke in het werk zullen stellen en actie zullen ondernemen om de doelstellingen voor lidmaatschap van de Europese Unie in januari 2007 te halen. De strijd tegen corruptie en georganiseerde misdaad verdienen extra aandacht, alsmede de versterking van de rechterlijke macht. Ook het belang van de positie van de Roma in beide landen wordt in de verslagen van het Europees Parlement benadrukt.

We hebben afgelopen april onze formele zegen aan de toetreding van Roemenië en Bulgarije gegeven. Op dat moment, 20 maanden vóór de voorziene datum van toetreding, deden wij dat in het volle bewustzijn dat in beide landen op belangrijke punten nog aanzienlijke vooruitgang geboekt zou moeten worden. Het opnemen van een veiligheidsclausule die het mogelijk maakt om de datum van toetreding met een jaar te verschuiven, was hierbij belangrijk, alsmede de toezegging van Commissie en Raad het Europees Parlement volledig bij de beslissing over de eventuele toepassing van deze veiligheidsclausules te betrekken.

Wij zien reden voor een gematigd optimisme dat beide landen in staat zullen zijn bij de volgende beoordeling aan de gestelde eisen te voldoen. In het voorjaar van 2006 zullen wij ons daarover uitspreken.

Een laatste punt geldt natuurlijk onze eigen gereedheid voor deze uitbreiding. Morgen en overmorgen wordt in de Europese Raad gesproken over de meerjarenbegroting van de Europese Unie voor na 2006. Deze kwestie is vanmorgen al uitgebreid besproken. Ik wil nogmaals benadrukken dat wij de verantwoordelijkheid delen van de toetreding van Roemenië en Bulgarije een succes te maken en ik roep daarom ook de regeringsleiders op - vooral voor beide debatten morgen - deze uitbreiding als een van de uitgangspunten bij hun besluitvorming te nemen.

3-164

Luciana Sbarbati (ALDE). – Signor Presidente, onorevoli colleghi, a due mesi dall'ultima relazione della Commissione e del Consiglio sul grado di preparazione della Romania in vista dell'adesione all'Unione europea, ci troviamo di nuovo ad esaminare i progressi compiuti.

Possiamo convenire sul fatto che siano stati compiuti dei progressi, ma è innegabile che, per poter realizzare l'adesione nel gennaio 2007, dovranno essere soddisfatte anche altre condizioni, stipulate nel Trattato di adesione e che oggi, com'è evidenziato dalla relazione Moscovici, sono addirittura carenti.

Si tratta, ad esempio, di libertà di espressione, giustizia, lotta alla corruzione, misure antidiscriminatorie, tutela dell'infanzia e delle persone con problemi di salute mentale, ricorso eccessivo all'uso della forza da parte delle autorità di polizia, gestione delle scorie e dei rifiuti, sicurezza alimentare e tutela ambientale, nonché dell'applicazione di una legislazione che preveda la restituzione delle proprietà immobiliari; per non parlare poi – e qui desidero assolutamente sottolineare quanto già detto da un collega – del problema delle adozioni internazionali, che non trova soluzione neppure alla luce della nuova legge, che non ha alcun effetto giuridico retroattivo ma che ha imposto di fatto un blocco anche alle famiglie con un processo di adozione già in atto al momento dell'entrata in vigore della moratoria.

Signor Presidente, si tratta di una questione di diritti umani. Negare una famiglia a un bambino, che peraltro ha già abbracciato, conosciuto e amato i suoi possibili genitori adottivi, non è giustificabile in alcun modo; l'interesse dei bambini deve restare comunque prioritario.

Per questo motivo abbiamo chiesto che si proceda, attraverso il comitato che è stato istituito, all'analisi di tutte le questioni e di tutte le situazioni. Ciononostante, non abbiamo finora avuto risposte.

Abbiamo anche fatto un emendamento, in seno alla commissione con l'onorevole Podestà, che è poi stato ripreso. Oggi sono stati presentati ulteriori emendamenti, da parte dei Verdi e del gruppo dei socialisti, che in qualità di liberali appoggeremo perché vogliamo che questa situazione trovi il giusto riconoscimento da parte delle autorità rumene e trovi una soluzione.

Crediamo quindi che si rivelerà strategico l'apporto che i colleghi osservatori, presenti in Parlamento dal 26 settembre, potranno dare al governo per adempiere agli impegni sottoscritti, anche attraverso lo scambio di esperienze con i colleghi di altri paesi.

(Il Presidente interrompe l'oratrice)

3-165

Elly de Groen-Kouwenhoven (Verts/ALE). – Mr President, the Verts/ALE Group has tabled an amendment to paragraph 19 of the Bulgaria report. Although the rapporteur welcomes practical measures taken to improve integration, key reforms to combat discrimination are still at the early stages. Our amendment stresses that fact.

In other fields the situation is worsening. The trafficking of children has doubled. The good news is that 86 Bulgarian institutions recently started legal proceedings against Mr Siderov, leader of the neo-Nazi party Ataka. He will be brought to court for his hate speeches against Roma, Jews and Turks. This initiative deserves our support.

However, if MEPs are not cautious in expressing themselves, they run the risk of being exploited by parties like Ataka. Mr Van Orden's frequent use of the word 'adapt' made the rapporteur popular in Ataka circles. I am going to show you the Ataka newspaper with a picture of Mr Van Orden and an article inside. I think this is a sad day for Parliament.

3-166

Jaromír Kohlíček (GUE/NGL). – Bulharsko a Rumunsko budou od 1. 1. 2007 členskými zeměmi Evropské unie. Některé podmínky smlouvy o přistoupení jsou pro tyto země příznivé, jiné z hlediska základního pilíře vyloženě diskriminační. To ostatně my z nových členských zemí dobře známe z vlastní praxe. Za jiné podmínky jmennuji volný pohyb osob jako ideál, k němuž mají přístupová ujednání na hony daleko.

Poněkud mě znepokojuje snaha administrativy Spojených států o budování či převzetí vojenských základen na Balkáně a trvalý tlak na beztrestnost jejich občanů před haagským soudem. Zde by skutečně vyjednávání mělo vést jasné k přednostnímu sledování společných zájmů států Evropské unie a nových členských zemí. To ve zprávách chybí. Naopak, domnívám se, že je čas zahájit jednání o zajištění energetické bezpečnosti zejména v dodávkách elektrické energie celého regionu v odstavení několika bloků elektrárny v Kozloduji, jak se o tom zmínil kolega z frakce Zelených.

Znovu vás vyzývám, vážení kolegové a kolegyně, pomožme novým členským zemím k plynulému zapojení do Evropské unie. Nedopusťme, aby země s obrovskými problémy, které vyvolal i nevybírávý vnější tlak na privatizaci, i nadále strádaly po 1. 1. 2007. Uvědomme si, že zde vytváříme příklad pro jednání s dalšími státy Balkánu a přivítejme je mezi námi odpovídajícím způsobem.

(*Předseda poslanci odejmul slovo.*)

3-167

Bastiaan Belder (IND/DEM). – Voorzitter, de Bulgaarse douanebeamten houden nog altijd een slechte reputatie hoog: het financieel lichter maken van reizigers. Deze laatsten anticiperen zelfs al op het gedrag van de eersten. Zo maakt een officieel schrijven van de Nederlandse regering van slechts anderhalve week geleden melding van het feit dat veel grenspassanten een klein bedrag voor de Bulgaarse douanebeamten in hun paspoort stoppen. Als de Bulgaarse media deze corruptiepraktijk aan de grens eindelijk eens visueel zouden vastleggen, zou dat zeker helpen, meent een ingewijde. Wellicht een tip die de Commissaris aan zijn Bulgaarse gesprekspartner kan doorgeven.

Bestrijding van corruptie wordt trouwens even hoog in het vaandel gevoerd door de Roemeense autoriteiten. Zorgwekkend is evenwel het spanningsveld dat lijkt te bestaan tussen de wens om aan de strijd tegen corruptie publiciteit te geven, zowel ten aanzien van de EU als van de bevolking, en de terughoudendheid die bij rechtszaken gewoon dient te worden betracht. Deelt de Commissaris deze constatering van lidstaat Nederland en zo ja, welke concrete actie overweegt hij ten aanzien van de Roemeense autoriteiten? Ik hoor hier in het debat namelijk spreken over bestrijding van corruptie en versterking van het rechtswezen, maar daar is toch wel sprake van een spanningsveld. Dat weet de Commissaris heel goed uit zijn Roemeense praktijk. Kortom, het ontluikende Roemeense rechtswezen mag toch niet worden geofferd op het altaar van de EU-integratie, want dan missen we de boot.

Tot slot, mijnheer de Voorzitter, nog een korte kanttekening bij de bescherming van intellectuele eigendom. Daar spreken we in dit huis doorgaans China op aan. Terecht dringt rapporteur Moscovici daar eveneens bij Boekarest op aan, want de Roemeense winkels met namaakartikelen zijn wijd en zijd bekend. Kortom Boekarest wordt verzocht op te treden.

3-168

Charles Tannock (PPE-DE). – Mr President, I believe Romania remains on track for accession by 1 January 2007. However, the new government must continue reforming the judiciary, upholding media freedom, enabling property restitution, protecting minorities and children and fighting organised crime. Particular attention must also be paid to the reform of public administration and the fight against corruption, including delivery on the promise of indictments of high-level officials alleged to have committed serious offences.

The situation of disabled and mentally ill people is also of concern. Romania's control of its borders and collection of customs dues – with the settlement of the Snake Island dispute in the Black Sea – is important, as is improving food hygiene, environmental pollution and intellectual property protection. However, Romania's recent handling of the avian flu outbreak was excellent. Romania continues to comply with the criterion of being a functioning market economy, but there are still concerns on state aid and bankruptcy laws.

Lastly, I want to raise the tragic issue of international adoptions, which affects hopeful parents from the European Union, the United States and Israel. I urge the Romanian Government to consider concluding these adoptions, in particular the 1 100 pipeline cases of orphans and abandoned children for whom caring foreign families had registered adoption petitions prior to the January 2005 ban. That ban was largely brought about at the request of the European Union, eager to clean up a previously chaotic and sometimes corrupt system. The UN Convention on the Child does not forbid international adoption. It simply makes it the last permanent solution. The Romanian Government should seriously reconsider the heartless position it is currently maintaining.

3-169

Robert Evans (PSE). – Mr President, I first visited Romania for a skiing trip during the Christmas/New Year period in 1989. The Romanian flags being waved then had holes where the symbol was cut out in the middle. Sixteen years on, we have Mr Moscovici's report which shows quite amazing achievements and huge progress.

I speak now as one who has been a Member of the EU-Romania Joint Parliamentary Committee since 1994 and who has visited many times, seeing the significant advances, particularly in the fields of freedom of expression, justice, minorities and children. What we are talking about is reuniting the people of Europe. People who share a common culture, a common heritage, a common history and who have great linguistic links. Romania is European in every sense; its mere name gives that away. I look forward to the day when Romanian colleagues are in this Chamber as elected Members of this European Parliament.

(*Applause*)

3-170

Paavo Väyrynen (ALDE). – Arvoisa puhemies, sekä Bulgarian että Romanian valmistautuminen EU-jäsenyyteen näyttää sujuvan odotetulla tavalla. Molemmissa maissa on kohdattu ongelmia, jotka ovat kuitenkin voitettavissa. On syytä korostaa, että kummankin maan jäsenyyttä on arvioitava sen omien saavutusten perusteella. Toivottavasti molemmat maat voivat liittyä unioniin vuoden 2007 alussa.

Unioni on sekä poliittisesti että institutionaaliseksi valmis ottamaan Bulgarian ja Romanian jäsenikseen. Tulevien laajentumisten osalta tilanne on sen sijaan epäselvä. Tätä osoittaa myös se, että ulkoasiainvaliokunnassa ei ole päästy yhteisymmärrykseen laajentumisstrategiaa koskevasta mietinnöstä.

Tulevaa laajentumista ja perussopimusten uudistamista tulee tarkastella yhdessä. Monet pyrkivät rajoittamaan tulevaa laajentumista ja katsovat, että kansanäänestyksessä kaatunut perustuslaki tulisi saada nopeasti voimaan. Tähän strategiaan liittyvät keskustelut unionin vastaanottokyvystä ja vaihtoehtoista täysjäsenyydelle. Tämä tie ei ole realistinen ja se johtaa umpikuaan.

Tulevaisuus on rakennettava kahden tosiasian varaan. Ensiksikin on selvää, että unioni laajenee edelleen voimakkaasti, ja toiseksi perustuslaki on kaatunut lopullisesti. Niinpä on viisasta ryhtyä laatimaan sellaista utta perussopimusta, joka sopii laajentuvalle unionille ja jonka jäsenvaltioiden kansalaiset hyväksyvät. Laajentuva unioni ei voi olla kovin tiivis, joten tarvitaan nykyistä enemmän tiiviimmän yhteistyön järjestelyjä. Laajentuessaan unionin tulee siis erityy়ä sisäisesti.

3-171

Joost Lagendijk (Verts/ALE). – Voorzitter, collega's, ik wil vandaag een oproep doen tot zorgvuldigheid. Een oproep aan onsself om onze eigen criteria en procedures serieus te nemen.

Ik zeg dat vooral tegen collega's die nu, op dit moment, al weten dat Roemenië het volgend jaar niet zal halen. Die vonden of vinden dat Europa in het verleden te snel is gegaan met de uitbreiding en nu vinden dat we wat strenger moeten zijn en dat wat Roemenië ook doet, het nooit goed genoeg zal zijn.

Ik zeg het ook tegen de collega's die nu al weten dat Roemenië sowieso zal slagen, los van het feit of het werkelijk aan de voorwaarden die gesteld zijn, zal voldoen. Er is alle reden voor het Parlement om kritisch te blijven tot het laatste moment, met name op terreinen die zo gevoelig en moeilijk zijn als de hervorming van de justitie en de bestrijding van de corruptie. Die vormen niet alleen in Roemenië het grootste probleem, maar in alle kandidaat-lidstaten.

De vragen van zes maanden geleden zijn nu nog steeds cruciaal: lukt het nu met de zeer daadkrachtige minister van Justitie werkelijk om de hervorming van het justitiële apparaat door te voeren? Komen er nieuwe mensen met nieuwe inzichten op belangrijke posten? Lukt het werkelijk om corruptie tot op het hoogste niveau te bestrijden? Dat zijn vragen waarop wij niet nu een antwoord moeten geven. Onze taak nu, collega's, is om scherp, helder en duidelijk te zijn, om duidelijk te maken wat wij vinden dat in Roemenië moet gebeuren. In mei 2006 is het moment gekomen om te oordelen.

3-172

Gerard Batten (IND/DEM). – Mr President, these reports state the wish of the majority in this Parliament to see Bulgaria and Romania join the European Union by 1 January 2007. However, these reports contain many instances detailing their total unsuitability to join according to the EU's own membership criteria.

These reports highlight their levels of corruption, the proliferation of organised crime, and the need for the reform of their legal and economic systems among many other things. It is unlikely that these countries will be able to transform themselves into the paragons of virtue they are supposed to be before they can join in one year's time.

But we all know that sadly it does not matter what state they are in. It does not matter what their levels of corruption and organised crime are. They are going to be welcomed in anyway. Their membership is part of the grand plan for the creation of a United States of Europe, and all other factors are subordinate to that ambition.

3-173

Kinga Gál (PPE-DE). – A romániai sajtóban és számos sajtótájékoztatóban elhangzott minden vád ellenére nem vagyok Románia csatlakozása ellen, nem a román érdekek ellen emeletem fel a szavam. De – mélyen tisztele Románia lakosságát – tudom, hogy a csatlakozás sikeres kell legyen minden egyes román állampolgár számára. Ez az egyetlen lehetősége, hogy ne maradjon le a létfontosságú modernizációról. Az Unió pedig ma esélyt jelent, talán a legutolsó esélyt Románia lakosainak. Csakhogy azt gondolom, hogy ezt az esélyt meg kell adni a romániai magyar közösségnak is, akik a kirakatpolitikából kaptak bőven eddig, de azt látták, hogy a lényeges kérdésekből nagyon kevés oldódott meg.

Egendék meg, hogy egy példát hozzak fel! Amikor a Parlament Külügyi Bizottsága megszavazza, hogy olyan európai alapelvetek, mint az önkormányzatiság, a szubszidiaritás elvei alapján rendezzék ennek a közösség helyzetét, akkor Brüsszelben a román miniszterelnök kéri a liberális frakciót, hogy az önkormányzatiság alapelt végett vegyék ki a szövegből és szerepeljen helyette a kulturális autonómia kifejezés. Eközben Bukarestben, hétfőn a háttérben megegyezik a kormánykoalíció két nagy pártja – a liberális és a demokrata –, hogy a kisebbségi törvénytervezetből kiveszik a kulturális autonómia lényegét, megfosztva a kisebbségi közösséget az önkormányzatiság minden formájától.

A meglehetősen gyenge lábakon álló kisebbségi törvénytervezetből kivennek azt a lényeget, amiért az készül, esélyt sem adva a párbeszédre. Mindez újabb bizonyítéka a román kirakatpolitikának. Mondanak valamit Európának, de mást tesznek otthon. Vajon nem ugyanaz a kirakatpolitika érvényesül más területen is? A romák, a környezetvédelem, a tulajdon

visszaszolgáltatása, a korrupció kérdéseiben? Kérem Önöket, – támogassanak abban, hogy ragaszkodjunk európai alapelveinkhez, az áprilisi határozatunkhoz – és ne módosítsuk a Moscovici jelentés 26. cikkét. A jelentés úgy jó, ahogyan megszavaztuk, ezért elismerés illeti Moscovici urat. Ha mi nem kérjük számon ezen alapelveteket, helyettünk senki más nem teszi meg.

3-174

Παναγιώτης Μπεγλίτης (PSE). – Κύριε Πρόεδρε, είναι γεγονός ότι η Ρουμανία και η Βουλγαρία έχουν σημειώσει σημαντική πρόοδο στην ενσωμάτωση και εφαρμογή του κοινοτικού κεκτημένου, χάρη στη συνεπή υποστήριξη στη στρατηγική της διεύρυνσης από την πλευρά της Ευρωπαϊκής Ένωσης.

Χαιρετίζουμε όλες αυτές τις αλλαγές και τις μεταρρυθμίσεις στον πολιτικό, οικονομικό και κοινωνικό τομέα. Σήμερα οι δύο χώρες, Βουλγαρία και Ρουμανία, βρίσκονται σε μια κρίσιμη φάση και πραγματικά υπάρχουν σοβαρά ελλείμματα. Το ζήτημα της προστασίας του περιβάλλοντος, το θέμα των ελέγχου των εξωτερικών συνόρων, το ζήτημα της καταπολέμησης του οργανωμένου εγκλήματος, η ασφάλεια της πυρηνικής ενέργειας και η διατροφική ασφάλεια είναι ζητήματα που επίσης ανησυχούν και ενδιαφέρουν τους Ευρωπαίους πολίτες.

Σε μια περίοδο που υπάρχει κρίση της νομιμοποίησης της στρατηγικής της διεύρυνσης πρέπει η Ευρωπαϊκή Ένωση, από την πλευρά της, να παραμείνει σταθερή στις αποφάσεις της για τις δύο χώρες, αποφάσεις οι οποίες δεν πρέπει να λειτουργήσουν με λογικές εκπτώσεων. Αυτό θα ήταν λάθος και για τις δύο χώρες αλλά και για την Ευρωπαϊκή Ένωση.

Η Ευρωπαϊκή Επιτροπή από την πλευρά της πρέπει να βοηθήσει στο πλαίσιο της προενταξιακής στρατηγικής και στο πλαίσιο των προγραμμάτων που υπάρχουν για τη μεταφορά κοινοτικής τεχνογνωσίας.

Τέλος, θα ήθελα, κύριε Πρόεδρε, να σημειώσω δύο επί μέρους αιτήματα που αφορούν ιδιαίτερα τους Ευρωπαίους πολίτες και τους απασχόλούν: Το ένα είναι το ζήτημα της υποχρέωσης της Βουλγαρίας να σεβαστεί τις πρόνοιες, τις ρυθμίσεις της πράξης προσχώρησης για την ασφάλεια του πυρηνικού σταθμού στο Κοσλοντούν. Το δεύτερο, για τη Ρουμανία, είναι το μείζον ανθρωπιστικό πρόβλημα που έχει δημιουργηθεί με τις υιοθεσίες παιδιών. Πιστεύω και εύχομαι οι ρουμανικές αρχές, με σεβασμό στο διεθνές δίκαιο και με σεβασμό στο ρουμανικό νόμο, να λύσουν αυτό το ανθρωπιστικό πρόβλημα που απασχολεί τους θετούς γονείς στην Ευρώπη.

3-175

Anna Ibrisagic (PPE-DE). – Herr talman! Det är bra att spelreglerna i anslutningsprocessen är klara, och enligt min uppfattning är de det. Det finns ingen som helst tvekan om att både Rumänien och Bulgarien förstår vad det är som krävs av dem. Under mina resor till dessa båda länder och mina samtal med mänskorna där har jag själv bevitnat detta. Alla där vet att vi är bekymrade över de kvarstående områdena där förbättringar krävs. Alla vet mycket väl att vi har ögonen på dem och följer varje steg i utvecklingen. Men ingen av dem som jag har pratat med, från regeringsrepresentanter till mänskorna ute på caféerna, är lika starkt övertygade om att vi verkligen vill se dem som medlemmar redan 2007, trots att vi säger det, trots att det står i våra resolutioner och betänkanden. Varför är det så?

Uppenbarligen sänder vi signaler som är väldigt tydliga när det gäller problem, svårigheter, krav, det som är negativt, men våra signaler om uppmuntran, uppskattning och framför allt vår uppriktighet när vi välkomnar dem är inte lika tydliga. Vad jag menar är att det är bra att vi noga följer vilka reformer som vidtas och hur både Rumänien och Bulgarien uppfyller kraven för medlemskap. Med så många upprepningar i denna kammare av ord som skyddsklausuler, senareläggning av anslutningen, diskussionen om EU:s ytter gränser, absorptionsförmåga, är jag rädd att signalen vi skickar inte bara till Rumänien och Bulgarien utan till hela regionen är att Europa har förändrats till ett mer instängt och mer kallt Europa.

Det är inte mitt Europa, det är inte det Europa som jag kämpar för, arbetar för och försvarar. Jag anser att alla reformer som Rumänien och Bulgarien har genomfört under den senaste tiden bevisar dessa länders ansträngningar och det faktum att de starkt prioriterar sitt medlemskap. Rumäniens och Bulgariens anslutning till EU är en stark katalysator och en säkerhetsfaktor i hela regionen. Jag är övertygad om att dessa länder med vår hjälp kan hinna ansluta sig som medlemmar i tid till januari 2007. Jag är också övertygad om att det inte är möjligt utan vår hjälp och vårt stöd och utan ett positivt perspektiv.

3-176

Libor Rouček (PSE). – Já bych též chtěl ve svém příspěvku vyzvat úřady v Bulharsku i Rumunsku k urychlení prací a příprav na vstup do Evropské unie. Slabá místa, kde je potřeba přidat, jako např. fungování soudnictví, boj proti korupci či integrace menšin včetně menšiny romské, jsou velmi dobře popsána ve zprávách našich kolegů Van Ordenu a Moscovicim. Splnění těchto a dalších podmínek, o kterých zde byla řeč, je podle mého názoru důležité z dvojího důvodu.

Zaprvé, aby se Bulharsko i Rumunsko mohly stát plnoprávnými členy již od 1. 1. 2007 a zadruhé, a to považuji za stejně důležité, aby obě země mohly i nadále působit jako pozitivní vzor na své sousedy, jakými je třeba Makedonie nebo Srbsko a Černá hora. Obě země, Bulharsko i Rumunsko, sehrály velmi pozitivní a stabilizační roli v 90. letech, v dobách, kdy na Balkáně zuřila válka. Já jsem přesvědčen, že obě země budou hrát tuto pozitivní roli i nadále a že dají příklad nejenom

svým balkánským sousedům, ale také některým malým a malomyslným politikům hlavně ve starých členských zemích, kteří začínají zpochybňovat celý smysl evropského rozšíření.

3-177

Γιώργος Δημητρακόπουλος (PPE-DE). – Κύριε Πρόεδρε, κύριε Προεδρεύοντα του Συμβουλίου, κύριε Επίτροπε, θα συμφωνήσω και εγώ με όσους σε αυτή την αίθουσα τόνισαν ότι μόνο με την ένταξη της Βουλγαρίας και της Ρουμανίας, την 1.1.2007, ολοκληρώνεται η πέμπτη διεύρυνση. Είναι σημαντικό να το θυμόμαστε αυτό.

Σε όλο το διάστημα της ενταξιακής διαδικασίας και η Βουλγαρία και η Ρουμανία πέτυχαν πάρα πολλά πράγματα. Οπωσδήποτε υπάρχουν ακόμη κάποιες εκκρεμότητες αλλά το γεγονός ότι πέτυχαν όσα πέτυχαν δείχνει την πολιτική βούληση, και στις δύο αυτές χώρες, να ολοκληρώσουν τις δεσμεύσεις που ανέλαβαν απέναντι στην Ευρωπαϊκή Ένωση, ώστε να συμμετάσχουν πλήρως και ενεργητικά στην ευρωπαϊκή οικογένεια.

Σε ό,τι αφορά τη Βουλγαρία, έχω να κάνω δύο παρατηρήσεις: Η πρώτη παρατήρηση αφορά τον πυρηνικό σταθμό του Κοσλοντούνι. Θεωρώ ότι η Βουλγαρία πρέπει να τηρήσει τη δέσμευση που ανέλαβε υπογράφοντας τη Συνθήκη Προσχώρησης και να κλείσει τις μονάδες 3 και 4. Ταυτόχρονα όμως θεωρώ ότι η Βουλγαρία χρειάζεται βοήθεια, ώστε να αναπληρώσει το κενό ενέργειας που θα δημιουργηθεί, βοήθεια τέτοια σαν αυτή που πρόκειται να δοθεί στη Σλοβακία, όπως πληροφορούμαι, ώστε και εκείνη να εκπληρώσει τις υποχρεώσεις της σχετικά με την πυρηνική ενέργεια.

Η δεύτερη παρατήρηση αφορά στη στρατηγική θέση της Βουλγαρίας στα εξωτερικά σύνορα της Ευρωπαϊκής Ένωσης. Θεωρώ ότι είναι πολύ σημαντικό, ακριβώς επειδή με τη Βουλγαρία θα έχουμε νέα σύνορα, να συντονιστούν οι έλεγχοι ώστε να αποτραπεί και να αντιμετωπίζεται το οργανωμένο έγκλημα.

Και τέλος, σε ό,τι αφορά τη Ρουμανία, κι εγώ θεωρώ ότι αυτό το πολύ σημαντικό θέμα των υιοθεσιών πρέπει να αντιμετωπιστεί στη σωστή του διάσταση.

3-178

Camil Eurlings (PPE-DE). – Voorzitter, de uitbreiding heeft de Europese Unie, ook de oude landen van de Unie, veel gebracht en we moeten ons keren tegen populisten die net doen alsof uitbreiding voor ons slecht is geweest. Ook Roemenië en Bulgarije, daar ben ik van overtuigd, zullen de Unie verrijken. De toetreding van deze landen zal niet alleen voor henzelf goed zijn, zij zal ook iets toevoegen aan de Unie. Vrienden, als ik dit zeg, betekent dit niet dat wij niet scherp moeten zijn op de criteria, op de waarden van de Unie.

Op dat gebied is er gewoon nog veel werk. Volgens een lijst van Transparency International van vorige maand staat Bulgarije nummer 55 op de lijst van corrupte landen en Roemenië op nummer 85, samen met landen als Mongolië en de Dominicaanse Republiek. Met name zorgen baart het feit dat ook op het hoogste niveau corruptie bestaat.

De grenscontroles en alles wat daar moet gebeuren, dat is ook nog een gat, en ook de rechten van minderheden.

Bulgarije en Roemenië hebben veel gedaan, maar er moet nog veel gebeuren, voordat echt aan de criteria is voldaan. Wij werden in het Parlement eerst gedwongen heel vroeg te beslissen, twintig maanden voor de toetreding, maar de echte beslissing van het Parlement over de vraag wanneer deze landen erbij kunnen, zal pas vallen op het moment dat we de laatste informatie hebben, namelijk in april en mei volgend jaar, waarschijnlijk in mei. Ik vind dat we daarin fair moeten zijn, dat we de feiten moeten laten spreken, dat we nu de druk moeten opvoeren en dat Roemenië en Bulgarije alsnog alles op alles moeten zetten om ook in de praktijk echte resultaten op het gebied van corruptie te boeken.

Ik zou het een fantastisch teken vinden als we zien dat hoge vertegenwoordigers uit de ambtenarij en oude vertegenwoordigers uit de politiek gewoon berecht worden voor hun corruptie. Dat lijkt mij een prachtig signaal. Daarvan zullen we onze beslissing moeten laten afhangen, fair maar objectief en ook trouw aan onze waarden.

Ik vertrouw erop, de Commissaris kennende, dat hij ook op die manier zal opereren, dat, als het resultaat goed genoeg is, de landen in kwestie er in 2007 bij kunnen, maar dat, als nog een gat gaapt, de Commissie zal voorstellen de toetreding met een jaar uit te stellen.

De criteria handhaven is goed om de steun voor de uitbreiding te behouden, het is goed voor de geloofwaardigheid van de Europese Unie en, Voorzitter, *last but not least*, het is heel erg goed voor de inwoners van Roemenië en Bulgarije zelf die ons niveau van vrijheid en democratie verdienen.

3-179

Árpád Duka-Zólyomi (PPE-DE). – Románia kormánya módszeresen dolgozik az Európai Unió, illetve az Európai Parlament által támasztott követelmények megvalósításán. Ennek ellenére még számos területen nagyon sok feladattal kell megbirkóznia. Az előterjesztett határozati javaslat kritikusan, de igazságosan foglalkozik a hiányosságokkal. Felhívom a figyelmet a Külügyi Bizottságban elfogadott alábbi módosító javaslatok fontosságára.

Bizonytalan helyzetbe került a román kormányprogramban szereplő kisebbségi törvénytervezet. Elfogadhatatlan a román kormánypártok halogató taktikája, ezért szükséges Bukarest szigorú figyelmeztetése. További fontos kérdés a kisebbségekhez tartozó állampolgárok egyetemi oktatásának biztosítása anyanyelvükön, különös tekintettel a több mint 1,5 milliós őshonos magyarság, magyar közössége és téren nem kielégítő helyzetére. Hangsúlyozom: a kisebbségek védelmények és jogbiztonságának megkérdezjelezhetetlen eszköze a szubszidiaritás és az önkormányzatiság elvének konkrét megvalósítása, beleértve az autonómia egyes változatainak létrehozását is.

Tisztelt Kollégák, ne módosítsuk a 26. cikkelyt! A jelentéstervezetben szó van a vagyoni javak visszaszolgáltatásáról, viszont még nem megoldott kérdés az egyházi javak restitúciója. A környezetvédelem terén Romániában reformokra és számos új jogszabályra van szükség. Ismét kritikusan rámutatok a verespataki aranybánya kitermelési tervére, amelyet az illetékes civil szervezetek és az érintett országok, mint például Szlovákia és Magyarország véleményének figyelembe vételével kell megoldani. Végül nagyon fontos a védzár érvényesítési lehetőségének határozott megfogalmazása.

A felsorolt követelményeknek való megfelelés a koppenhágai kritériumok teljesítését jelenti. Mint minden eddigi jelölt ország, Románia is csak tényleges eredmények alapján nyerheti el a csatlakozáshoz szükséges jogosítványt.

3-180

Mairead McGuinness (PPE-DE). – Mr President, I am very glad to participate in this debate, mainly to give a voice to the many children, young adults with handicaps and those living in inappropriate state institutions in Romania, which I visited recently.

However, before I do that, let me just say a few words about the EU budget talks that are ongoing for 2007 onwards. The British Presidency proposal does not make adequate provision for the enlargement of Romania and Bulgaria and we can only hope that the talks will change that situation. Whatever emerges, there is a duty on the EU to continue to press for reform in Romania's state residential institutions. This is detailed in the monitoring report of the Enlargement Commission.

It is no coincidence that practically the only area that has experienced substantial reforms is that of child protection, to some extent due to the interest taken in this by the European Parliament. The adult handicapped sector has plans for reform but there are no substantial initiatives as yet, again reflecting the recent interest we have taken in this in the EU.

As for the mental health sector, where some of the worst conditions can be found, there are no substantive plans for reform and this area has been largely ignored by the European Union. We need to address it.

I would like to mention, as some of my colleagues have, the issue of the 'pipeline children', the inter-country adoptions. I share the concerns of colleagues. We need to get clarification from the Romanian authorities about these children. They need to give us assurances that it is in the best interests of the children to stay in Romania and indeed we need to know that they are in appropriate homes as we speak.

I understand the anxieties of the adoptive parents, but I also appreciate the reasons behind the ban on inter-country adoptions. However, what is most important is that the needs of the children are placed above all else. In some cases, this may mean allowing the adoptions to proceed. Human rights lobbyists I have spoken to contend that much of the reforms in Romania are of the 'smoke and mirrors' variety and that the theory does not always translate into real progress on the ground.

I hope that is not the case and I applaud Romania where it has made improvements, but much remains to be done. Too many people still live in unacceptable conditions in Romania's institutions. We represent their best hope.

3-181

Stefano Zappalà (PPE-DE). – Signor Presidente, onorevoli colleghi, intervengo al posto del collega Podestà, presidente della commissione per le relazioni con la Romania, e pertanto il mio intervento verterà in particolare sulla situazione in questo paese.

Concordiamo con i punti fondamentali illustrati nella relazione Moscovici. I rilevanti progressi compiuti dalla Romania sono evidenti anche nel *progress report* presentato dal Commissario Rehn la scorsa sessione. Il 22 e 23 novembre scorso, la delegazione mista UE-Romania si è riunita per discutere dell'attuale e reale stato di avanzamento del paese candidato. A questo incontro hanno partecipato anche il vicepresidente Frattini, il Commissario Rehn, gli osservatori rumeni al Parlamento europeo e il rappresentante del governo rumeno.

E' a seguito di tutte queste relazioni, che testimoniano gli sforzi intrapresi dalla Romania, che ribadiamo il bisogno di sostenere l'impegno di questo paese, affinché possa unirsi a noi il primo gennaio 2007. Notevoli e innegabili miglioramenti sono stati ottenuti nel campo della libertà, della comunicazione, dei media, dell'istruzione, dei diritti umani per le minoranze etniche presenti, senza dimenticare gli importanti risultati ottenuti in campo economico.

La situazione del mercato rumeno di oggi non è diversa da quella in cui si trovavano Spagna, Portogallo, Grecia e i dieci paesi del quinto allargamento, dodici mesi prima della loro adesione.

Nella consapevolezza dell'esistenza di importanti aree di miglioramento, quale la giustizia e la lotta alla corruzione ad alto livello e la restituzione delle proprietà confiscate ad altri, all'inizio di dicembre il governo rumeno ha lanciato un piano d'azione che fissa scadenze irrevocabili al fine di rispettare le condizioni concordate con l'Unione europea. I sistemi di controllo e la riorganizzazione delle istituzioni responsabili per questi settori sono stati avviati già dallo scorso aprile ed è ora necessario concedere loro il tempo indispensabile affinché le attività entrino effettivamente in vigore.

Resta invece irrisolto il grave problema dei bambini già in contatto con le loro potenziali nuove famiglie, a causa della nuova normativa che vieta le adozioni internazionali. A tale proposito, sosterremo l'emendamento 38 al paragrafo 14 della relazione Moscovici, con l'auspicio che il governo rumeno adotti immediate decisioni risolutive in merito a questo problema.

In ogni caso, desidero rivolgere i miei migliori auguri ai colleghi di Romania e Bulgaria, affinché dal 1º gennaio 2007 siedano alla pari con noi in questo Parlamento.

3-182

Douglas Alexander, President-in-Office of the Council. – Mr President, I welcome the informed and thought provoking-debate that has taken place this afternoon on this important issue for the European Union. The interventions we have heard have reinforced the importance of enlargement in my mind and underlined the benefits it brings to candidate countries and indeed the wider Member States.

As in our previous debate, honourable Members' points and questions went to the heart of the issue and raised some interesting issues for us to consider about Romania and Bulgaria's accession processes and the wider policy of enlargement.

Given the constraints of time, I shall limit my concluding remarks to a few of the points that were addressed directly by honourable Members.

Mr Tannock and Mr Belder mentioned the issue of corruption and, in particular, concern in relation to border guards and the security thereof. Both countries certainly face major challenges in tackling corruption, and Bulgaria, in particular, must step up the fight against organised crime. The new governments have demonstrated a real commitment to tackle these problems and we have seen some progress, but there is still a long way to go. It is right to acknowledge that before this House today.

In Romania examples of progress include: a new head of the anti-corruption department in the General Prosecutor's office; 11 new senior prosecutors removed for ineffectiveness; and 22 cases of corruption by former and current senators and deputies now under way. In relation to the further work that Romania has undertaken, border police and customs have dismissed large numbers of senior border and customs officers at several posts for ineffectiveness and corruption. But let us be very clear: there is considerable and important progress that needs to be made on these important points.

Mr Beglitis and Mr Tannock also mentioned the issue international adoption, a point that was then touched upon by Ms McGuinness in a later contribution to the debate. Corruption in international adoption has been clearly a problem. Recent measures have been introduced to protect the interests of the child, as we have heard from a number of speakers, to improve domestic child protection and family facilities and to reduce the numbers of institutionalised children, in line with the United Nations Convention on the Rights of the Child and European Union norms.

In relation to the specific question as to why the Romanian Government is blocking pre-arranged adoptions, for example to the United States, a number of the so-called pipeline cases, which have been mentioned in the course of contributions to this debate, relate to requests made during the period of the 2001 to 2004 moratorium on international adoption. The Romanian authorities set up a group of experts in June 2005, who are working through the files of the children concerned, to analyse each specific case and to look for solutions within the context of the legislation currently in force.

Ms McGuinness, Ms Sbarbati and Ms de Groen-Kouwenhoven also mentioned children in the wider sense and asked what is being done in relation to the treatment of children in both of these countries. We are certainly concerned about the plight of institutionalised children whose living conditions are generally inadequate in both of these countries. More work is needed to improve conditions, but we are encouraged by both governments' recent actions. For example, in the case of Bulgaria, the government has established six regional offices of the State Agency for Child Protection since early 2005 to take forward improvements. It has started to implement a new action plan to close old state care homes.

In the case of Romania, the government is working hard to take children out of care homes and move them in with foster parents or relatives. It has closed almost all of the 85 large, old-style institutions for children and replaced them with

modern child protection alternatives. Since 2000, it has reduced the number of children in care homes from 37 000 down to the present figure of 32 000.

Mr Piotrowski suggested – on a different matter entirely, but one that it is apposite to respond to, not least given the timing of this debate – that the Presidency's proposals on the financial perspective for 2007 to 2013 could not accommodate Romania and Bulgaria and failed to meet the criteria for solidarity. I do not accept either charge.

On Romania and Bulgaria, our proposals fully respect their allocations under the accession agreements and provide for a historic shift of spending towards the new Member States and accession states and offer them greater flexibility as to how to distribute those European Union funds to the greatest possible effect. That historic shift in funding, which includes significant cuts in receipts for the United Kingdom, shows why our proposals are all about solidarity, which featured prominently in his remarks.

There is no virtue in repeating the word 'solidarity', while avoiding the difficult challenge of finding the common ground on which both net contributors and net recipients can meet in the course of the coming hours and coming days.

In relation to both Bulgaria and Romania, I would recognise that significant progress towards European Union accession on 1 January 2007 has been made, but more work needs to be undertaken. The Commission, under the capable leadership of Commissioner Rehn, will continue to monitor progress closely and will produce a follow-up report in April or May next year. This report will provide the basis for any decision on whether to activate the so-called 'safeguard clause'. To avoid delay, Romania and Bulgaria must now step up the pace of reform in the critical months at the beginning of the coming year and, in particular, tackle corruption, which has featured so prominently in this debate this afternoon.

They have a short space of time in which to implement these reforms, but accession in 2007 is still achievable, as long as they fulfil those important, outstanding commitments.

(Applause)

3-183

Olli Rehn, komission jäsen. – Arvoisa puhemies, arvoisat jäsenet, haluan ensinnäkin kiittää jäseniä asiallisesta ja sisällökkäästä keskustelusta sekä painavista puheenvuoroista. On myös hyvä, että puheenvuoroissa korostettiin sitä, että kyse on nyt viimeisimmän eli viidennen laajentumiskierroksen saattamisesta loppuun. Tämä täydentää sitä historiallista murrosta, joka käynnistyi Berliinin muurin murtumisella yli 15 vuotta sitten.

Käsitykseni on se, että komissio ja Euroopan parlamenti sekä puheenjohtajavaltio, ministeri Alexanderin painavan puheenvuoron perusteella, tarkastelevat Bulgarian ja Romanian jäsenyyssalmisteluja hyvin samalla tavalla ja samoja asioita painottaen. Erityisesti oikeuslaitoksen oikeusjärjestelmän uudistaminen on aivan välttämätöntä. Se on välttämätöntä kansalaisten oikeusturvan kannalta Bulgariassa ja Romanialla, se on välttämätöntä talouden dynamiikan ja ulkomaisten investointien näkökulmasta, ja se on myös välttämätöntä EU:n lainsäädännön toteuttamisen kannalta näissä maissa.

Meillä on vastuu siitä, että arvioimme objektiivisesti ja reilusti sitä, ovatko nämä maat valmiita tässä suhteessa liittymään unionin jäseniksi vuonna 2007. Sama koskee myös hallinnon uudistamista, ja varsinkin korruption ja rikollisuuden vastaista taistelua, sekä ongelmien poistamista maatalouden ja elintarviketurvallisuuden saralla.

Tulevat kuukaudet ovat hyvin ratkaisevia kummankin maan kannalta. Molemmissa mailla on mahdollisuus liittymään vuonna 2007, mutta vain jos kumpikin maa tekee kaikkensa ja ottaa haasteen täysin vakavissaan. Luotan, että asiassa ei ole epäselvyyttä, mutta kaiken varalta toistan viestini. Ratkaisevaa ei ole nyt mikään charmioffensiivi EU-maiden pääkaupungeissa, vaan määratietoinen käytännön toiminta uudistusten läpiviemiseksi oikeusjärjestelmässä ja hallinnossa sekä korruption ja rikollisuuden vastainen toiminta hyvin määratietoisella tavalla.

En haluaisi keväällä joutua tilanteeseen, jossa joudun komission puolesta ehdottamaan turvalausekkeita, mutta on syytä todeta, että niitä ei ole kirjattu liittymissopimuksiin huvin vuoksi. Tämä mahdollisuus on syytä ottaa vakavasti Bulgariassa ja Romanialla, ja ponnistella kaikin keinoin jäsenyysselpoisuuden saavuttamiseksi, jotta kumpikin maa voisi liittymään jäseneksi tammikuussa 2007. Me arvoimme tätä valmiutta täysin objektiivisesti tosiasioiden valossa.

Komissio tukee uudistuksia Bulgariassa ja Romanialla, seuraa kehitystä ja esittää parlamentille ja neuvostolle aikanaan arvion tähdestä edistymisestä. On syytä korostaa, että tarvitsemme säännöllistä vuoropuhelua, kuten muun muassa ulkoasiainvaliokunnan puheenjohtaja Elmar Brok totesi. Ehdotankin, että palaamme asiaan kevään kuluessa, kun meillä on nykyistä tarkempi kuva siitä, miten Bulgaria ja Romania ovat edistyneet ponnisteluissaan saavuttaa jäsenyysselpoisuus vuoden 2007 alussa.

3-184

Declarações escritas (artigo 142º)

3-185

Gábor Harangozó (PSE). – I would like to draw your attention within the framework of the Moscovici Report on the importance of safeguarding the rights of the Hungarian minority, the largest minority in Romania. More specifically, I would like to draw your attention on paragraph 26 of the Report.

I understand that attempts have been made in order to erase from this paragraph the references to the principles of subsidiarity and self governance. My opinion is that these principles are fundamental principles of the European Union and therefore should not be erased.

Many promises were made by the Romanian political leadership for the safeguard of the rights of the Hungarian minority. It is about time now that Romania shows real political will to concretely implement these promises. The question is: if there is no problem with Hungarian minority's rigths why would the Romanian leadership want to erarse parts of paragraph 26?

I strongly believe that it is the political responsibility of the European Parliament to ensure that all aspects including minorities' protection are appropriately dealt with while addressing Romania's readiness to access the European Union. In my opinion, minority issues are indeed at least as important as economic issues.

3-186

Véronique Mathieu (PPE-DE). – Au printemps 2006, la Commission européenne remettra au Conseil son Avis final concernant l'adhésion de la Bulgarie et de la Roumanie en janvier 2007. Ces adhésions dépendront de leurs capacités à remplir les engagements souscrits dans le traité d'adhésion. Faute de quoi, les clauses de sauvegarde prévoyant le report de l'adhésion à 2008 pourront être activées.

Bien que les rapports portant respectivement sur le degré de préparation de la Roumanie et de la Bulgarie soulignent l'importance des progrès accomplis, notamment en matière d'économie de marché, force est de constater que le rythme des réformes doit être intensifié, particulièrement pour la Roumanie, afin de renforcer le système administratif et judiciaire, la lutte contre la corruption, l'intégration des roms et le contrôle des frontières. Des retards préoccupants sont également constatés dans l'application de l'acquis communautaire en matière d'agriculture, de marchés publics et d'environnement.

Cet élargissement placera l'Union européenne devant un double défi : celui de ne pas décevoir les citoyens roumains et bulgares qui placent de grands espoirs dans cette adhésion tout en expliquant à nos citoyens, alors que l'Union européenne traverse une crise politique et budgétaire majeure, le bien fondé de cet élargissement - rejeté par une grande partie de l'opinion publique.

3-187

15 - Boas-vindas

3-188

Presidente. – Comunico que tomou lugar na tribuna oficial uma delegação austriaca, chefiada por Hubert Gorbach, Vice-Chanceler austriaco, que participará em reuniões políticas tendo em vista a Presidência austriaca, que terá inicio em 1 de Janeiro de 2006.

3-189

VORSITZ: SYLVIA-YVONNE KAUFMANN
Vizepräsidentin

3-190

16 - Fragestunde (Anfragen an den Rat)

3-191

Die Präsidentin. – Als nächster Punkt folgt die Fragestunde (B6-0343/2005).

Wir behandeln die folgenden Anfragen an den Rat.

Die Anfragen Nr. 2 bis 8 werden nicht behandelt, da sie sich auf einen Gegenstand beziehen, der bereits heute Nachmittag auf der Tagesordnung stand.

Anfrage Nr. 9 von Elizabeth Lynne (H-0985/05)

Betreff: Arbeitszeitrichtlinie

In seiner Ansprache vor dem Europäischen Parlament vom 26. Oktober im Vorfeld der nächsten informellen Tagung des Europäischen Rats hat der Ratsvorsitzende Folgendes erklärt: „Was die Arbeitszeitrichtlinie anbelangt, so hoffe ich, dass wir unter britischem Vorsitz eine Einigung erzielen können.“ Was genau hat der britische Vorsitz unternommen, um dieses Ziel zu verwirklichen, und welche Fortschritte wurden erreicht?

3-192

Douglas Alexander, President-in-Office of the Council. – I can assure the honourable Member that we are endeavouring to reach an agreement on the amended proposal for a directive amending the Working Time Directive. In-depth discussions, both bilaterally and in the Council working groups, have enabled progress to be made on some key issues. Discussions at the Employment Council only last week were very positive. We made significant progress towards identifying the possible elements for an agreement. Regrettably, however, due to differences in labour market situations across the Member States, as well as the complexity of new provisions, it was not possible to reach overall agreement at this stage.

It is obviously vital that any solution strikes the right balance between the objectives of health and safety protection for workers, and the protection and promotion of Europe's competitiveness in the context of globalisation.

3-193

Elizabeth Lynne (ALDE). – President-in-Office, thank you for that reply. I understand that, as you said, no agreement was reached. It is becoming very clear that a lot of Member States that are trying to get rid of the individual opt-out – which you are working to retain, as I am – are trying to get around the use of the opt-out, either by using autonomous workers as a way of opting out or by making sure that there are multiple contracts, i.e. two or three contracts for one employee, which makes the whole idea of the Working Time Directive seem ludicrous.

I should be grateful if you could say whether the Socialist Group of MEPs, including the Labour MEPs, might support us now on the retention of the individual opt-out?

3-194

Douglas Alexander, President-in-Office of the Council. – I am sure that honourable Members as experienced as Mrs Lynne recognise that it is not my responsibility to answer on this occasion on behalf of individual Members of this Parliament or of any group within this Parliament. My responsibility instead is to answer on behalf of the Presidency. However, I can assure her that she is correct in her analysis, in recognising that one of the main outstanding issues is how to apply the directive: per contract or per worker.

This confusion has arisen out of the discovery that, as she suggested, some Member States were applying the limits in the Working Time Directive per contract, thereby allowing people to work much longer than 48 hours per week by having more than one contract. We now need to consider further how to resolve this and seek to build on the significant progress that was made in the course of our Presidency, including last Thursday.

3-195

Alejandro Cercas (PSE). – Señor Ministro, no entiendo la preocupación de la Presidencia británica sobre los contratos múltiples. Sería muy loable si ustedes estuviesen en contra del *opt-out*, pero, con una directiva con *opt-out*, como ustedes defienden, es irrelevante que se vea el contrato o se vea al trabajador, porque todo el mundo podrá hacer más de 48 horas.

Yo creo que esto es una maniobra táctica; una maniobra que ha dividido al Consejo, que les está haciendo perder el tiempo y que no nos va a acercar la solución final.

Deben ustedes leerse mejor las resoluciones de este Parlamento. El Parlamento sí que ha encontrado el camino de la flexibilidad y de la seguridad.

Por favor, no inventen cuestiones nuevas y dedíquense a resolver los problemas importantes.

3-196

Douglas Alexander, President-in-Office of the Council. – With the greatest of respect, it is not the British Presidency that has been inventing responses to the working time directive. Let me assure the honourable Member that we remain committed to securing a European solution that respects national labour practices whilst providing appropriate levels of worker protection and promoting European competitiveness in line with Europe's jobs and growth objectives.

3-197

Philip Bushill-Matthews (PPE-DE). – I should like to congratulate the Presidency and indeed those other countries within the Council that recognise the importance of retaining the opt-out. I know this is a difficult dossier which all of us would like to see resolved some way or another.

Although the 'double deal' of the opt-out is potentially on the table, and taking into account the issue of on-call time, given that it is clearly impossible to do the double deal, is it not at least still sensible for you and/or the Austrian Presidency to try and clear up the issue of on-call time in isolation?

3-198

Douglas Alexander, President-in-Office of the Council. – In response, I am grateful to the honourable Member for having rushed to the Chamber to ask the question. Let me seek to assure him that we came very close to being able to find that

agreement which secured the objectives that I described last week. That is what gives me cautious optimism that we will, in time, be able to find a way forward in relation to the question that he put to me.

Our proposals, tabled for that discussion last week, marked a serious attempt to meet practical objections on the opt-out and reflected extensive consultation with Member States. No doubt there will now be further opportunities for discussions within the Council to see whether we can finally reach the consensus that has so far eluded us.

3-199

Die Präsidentin. – Anfrage Nr. 1 von Marie Panayotopoulos-Cassiotou (H-0980/05)

Betreff: Verbesserung der Eisenbahndienste in den Gebieten in Randlage in Europa

Kann der Rat mitteilen, welche konkreten lang- bzw. kurzfristigen Maßnahmen er in Anbetracht der Ölkrise und der hohen Transportkosten im Straßenverkehr treffen wird, um die Entwicklung des elektrisch betriebenen Schienenverkehrs insbesondere in den Gebieten in Randlage in Europa zu fördern?

3-200

Douglas Alexander, President-in-Office of the Council. – I hope I do not disappoint the honourable Member, who has now joined us in the Chamber, with the answer that I can offer, but the Council has received no proposals from the Commission on this subject and it therefore has not addressed the issue.

3-201

Μαρία Παναγιωτοπούλου-Κασσιότου (PPE-DE). – Κυρία Πρόεδρε, ευχαριστώ τον κ. Υπουργό για την απάντηση, θα ήθελα όμως να ρωτήσω αν εντάσσονται στο μελλοντικό σχεδιασμό κάποια τέτοια μέτρα για την ανάπτυξη, τη δημιουργία θέσεων εργασίας ή για την κινητικότητα, την οποία θα εορτάσουμε το 2006. Οι προετοιμασίες θα έπρεπε να είχαν γίνει το 2005.

3-202

Douglas Alexander, President-in-Office of the Council. – I fear I must simply reiterate the point that I made in my earlier answer that no proposals have been received by the Council from the Commission in relation to this matter. I would respectfully suggest that, if this is a matter which she feels is more appropriately directed towards the Presidency rather than the Commission, it might be a matter she would wish to raise with our successors, the Austrian Presidency.

3-203

Die Präsidentin. – Da die Fragestellerin nicht anwesend ist, ist die Anfrage Nr. 10 hinfällig.

Anfrage Nr. 11 von Bernd Posselt (H-0991/05)

Betreff: EU-Mazedonien

Wie beurteilt der Rat die Lage in Mazedonien und wie sehen die nächsten Schritte im Heranführungsprozess dieses Landes an die Europäische Union aus?

3-204

Douglas Alexander, President-in-Office of the Council. – On 9 November, the Commission presented its opinion on the Former Yugoslav Republic of Macedonia and its application for European Union membership, and recommended that it be granted candidate country status.

The European Council next week is likely to assess the opinion with a view to establishing the European Union's position. The Commission's opinion notes the important progress achieved by FYROM. Less than five years ago, the stability of FYROM was threatened by an internal conflict. Fortunately, the country is today engaged in a constructive drive for European Union membership.

The Commission's opinion notes that FYROM is now a functioning democracy, with stable institutions generally guaranteeing the rule of law. Important steps have been taken towards establishing a functioning market economy, and FYROM is likely to be able to take on most of the obligations of membership in the medium term, provided that considerable efforts are made in its alignment with the *acquis*.

Although important progress has been made, it is clear that there are many areas where more and harder work is now needed: the effective implementation of the Ohrid Framework Agreement must continue, public administration and institutions should be strengthened, the rule of law has to improve, including through a determined fight against crime and corruption, and the economy needs to develop.

The Council's recommendation to the Former Yugoslav Republic of Macedonia at this stage is to stay focused on reforms and to implement fully all the measures identified in the new European partnership.

3-205

Bernd Posselt (PPE-DE). – Frau Präsidentin, Herr Ratspräsident! Ich möchte Sie ergänzend fragen, was die Europäische Union konkret tut, um vor allem gegen die Jugendarbeitslosigkeit, gegen die Perspektivlosigkeit der Jugend in Mazedonien vorzugehen, und ob es für das Land konkret auch massivere Wirtschaftshilfen geben wird. Denn Beitrepperspektiven allein, die sehr vage sind, werden dem Land nicht helfen. Wie sieht es außerdem mit der Mobilität der Jugend aus, vor allem, was Studienmöglichkeiten und Ausbildung in der Europäischen Union betrifft?

3-206

Douglas Alexander, President-in-Office of the Council. – In the course of our Presidency, I myself have had the opportunity to travel to the Former Yugoslav Republic of Macedonia and meet directly with the Deputy Prime Minister of that country. That meeting afforded me the opportunity to discuss with her the very ambitious plans she had for continued economic reform. I believe that the kind of economic reforms of which I spoke in my initial answer is the surest foundation on which to tackle the kind of youth unemployment of which the honourable Member speaks.

In relation to the specific financial contribution that the European Union is making to that country for the year 2005, the European Union will provide EUR 34.5 million intended to support its European integration reform agenda, as well as an additional EUR 2.8 million for cross-border cooperation. Between 1992 and 2004 the European Union committed some EUR 736 million to the country.

3-207

Die Präsidentin. – Die Anfrage Nr. 12 ist vom Fragesteller zurückgezogen worden, so dass wir die Frage nicht behandeln.

Anfrage Nr. 13 von Fiona Hall (H-0997/05)

Betreff: Energieeffizienz und Sitz des EP

Der Rat hat erklärt, er möchte erreichen, dass der öffentliche Dienst eine Vorbildrolle im Bereich der Energieeffizienz beim Endverbrauch übernimmt. Teilt der Rat die Auffassung, dass das monatliche Pendeln des Europäischen Parlaments zwischen Brüssel und Straßburg ein Beispiel für eine ineffiziente Energienutzung im öffentlichen Sektor ist, und welche Maßnahmen schlägt der Rat angesichts der Tatsache, dass einzig und allein er befugt ist, über den Sitz des Parlaments zu entscheiden, vor, um für Abhilfe zu sorgen?

3-208

Douglas Alexander, President-in-Office of the Council. – As the honourable Member will be aware, Article 289 of the EC Treaty provides that the seat of the institutions of the Community shall be determined by common accord of the governments of the Member States. In accordance with the Protocol (8) annexed to the EC Treaty, and I quote directly from it: ‘The European Parliament shall have its seat in Strasbourg where the twelve periods of monthly plenary sessions, including the budget session, shall be held’.

The Council has not discussed the question of energy efficiency and the monthly movement of the European Parliament between Brussels and Strasbourg.

3-209

Fiona Hall (ALDE). – Is this key issue not a sort of litmus test for the adaptability of the Union? Energy saving was not an issue in Europe 50 years ago but it is now and the Council and Parliament agree on that.

The public is entitled to some joined-up thinking. So, as you say, it is in the Treaty but it is up to Member State governments to change that. Therefore will the Council agree to include discussion on a single seat for the Parliament in the forthcoming Plan D post-Constitution debate?

3-210

Douglas Alexander, President-in-Office of the Council. – Let me reply, firstly, by saying that the spirit of the honourable Member's question suggested that the process of Treaty change could be easy or quick. I have to say that one needs only to reflect – during this period of reflection – on the fate of the draft Constitutional Treaty in the hands of the voters of France and the Netherlands to call that assertion somewhat into question.

I certainly take seriously the question of energy efficiency and there have been various steps taken by the European Union – commendably – in that regard. However, again, if this is a matter which is of concern to the honourable Member, I would suggest that, given the very heavy programme that we face in the next couple of days in relation to future financing, it might be an issue better directed towards our successors.

3-211

Richard Corbett (PSE). – It is not just a matter of energy efficiency, but of financial efficiency. The EUR 300 million a year spent on bringing Parliament here for part-sessions amounts to EUR 2 billion over a financial perspective. You mentioned the need to ratify any change to this system. Seeing that the own-resources decision is likely to need national ratification, could not a few extra clauses that would save the European taxpayer an enormous amount of money be added at the same time?

3-212

Douglas Alexander, President-in-Office of the Council. – The honourable Member who raised this question is not the first colleague from the EPLP to do so. I perhaps have a clearer understanding of the potency of this issue for MEPs after taking up my responsibilities as Minister for Europe in the course of the Presidency and having seen for myself the challenges that all Members face in negotiating the journey between Brussels and Strasbourg on a monthly basis.

I have to say, respectfully, however, that, given the sentiment within Parliament this morning about the urgent and pressing need to find agreement on future financing, I am not entirely convinced that raising this issue with our colleagues from Paris, at this particular stage, would be considered the most constructive contribution the British Presidency could make to finding agreement on future financing.

3-213

Bernd Posselt (PPE-DE). – Frau Präsidentin! Herr Ratspräsident, können Sie bestätigen dass das Europäische Parlament laut Vertrag nur einen einzigen Sitz hat? Es ist nämlich falsch zu behaupten, es hätte zwei Sitze. Dieser einzige Sitz ist Straßburg. Wir könnten ohne weiteres die Mini-Plenarsitzungen in Brüssel abschaffen und würden dann enorme Energie sparen. Denn in diesen übrigen Wochen könnten wir zu Hause bleiben und die entsprechende Arbeit am Freitag hier in Straßburg erledigen.

3-214

Douglas Alexander, President-in-Office of the Council. – I do not wish to intrude on what appears to be an interparliamentary debate now on the relative merits of Brussels and Strasbourg. Suffice to say, on the legal basis for the establishment of Parliament, I have nothing to add to my previous answer.

3-215

Die Präsidentin. – Anfrage Nr. 14 von Mary Lou McDonald (H-0999/05)

Betrifft: Europäisches Sozialmodell

Ist der Rat der Ansicht, dass die Tatsache, dass die Ausgaben für den britischen Wohlfahrtsstaat (ausgedrückt in Prozent des BIP) fast 30 % unter denen in Frankreich und Deutschland liegen, erklärt, warum das Vereinigte Königreich im Armutsindex 2004 der Vereinten Nationen (bei dem Faktoren wie Gesundheit, Bildung, Lebensstandard und soziale Ausgrenzung berücksichtigt werden) schlechter dasteht als die Staaten auf dem Kontinent und warum seine Kinderarmutrate um 51 % über der von Deutschland liegt und mehr als doppelt so hoch ist wie in Frankreich?

Ist er der Ansicht, dass der Entwicklung des Europäischen Sozialmodells am besten dadurch gedient ist, wenn das britische Konzept übernommen wird, das seit dem Regierungsantritt der Labour Party im Jahre 1997 zu noch gravierenderen Ungleichheiten geführt hat, während in Frankreich, Deutschland und Italien ein Rückgang zu verzeichnen ist?

Vertritt der Rat in Anbetracht der Tatsache, dass die nordischen Länder, die ein hohes Sozialschutzniveau haben, beim globalen Wettbewerbsfähigkeitsindex ebenfalls besser abschneiden als andere EU-Mitgliedstaaten, die Auffassung, dass der Strategie von Lissabon besser gedient wäre, wenn man sich auf den sozialen Schutz und den sozialen Zusammenhalt konzentrieren würde?

3-216

Douglas Alexander, President-in-Office of the Council. – The Council is not in a position to comment on the ranking of the Member States in the United Nations Human Poverty Index 2004.

The Joint Council-Commission report on social protection and social inclusion provides useful information on policies for combating poverty within Member States. There is no single European social model. Although we share a common and distinctly European commitment to social justice and, indeed, solidarity, there is enormous variety in national responses to welfare and social challenges within our Union. It is right that the different models should reflect the very different traditions and practices in individual Member States.

Heads of State and Government agreed back in October in Hampton Court that, whilst the operation of their social systems was a matter for individual Member States, Europe needed economic reforms and social modernisation to safeguard its values and meet the challenges and opportunities of globalisation and demographic change. This agreement will build on the outcome of the mid-term review of the Lisbon Strategy agreed at the European Council in March, which set out a new strategic focus on jobs and on growth. The spring European Council specifically reaffirmed that strengthening social cohesion would remain a core objective of the Union and that modernising social protection and fostering social inclusion were key priorities.

3-217

Mary Lou McDonald (GUE/NGL). – I suppose, very much like motherhood and apple pie, everybody in the European Union, the Member States, all the political groupings, rhetorically at least, share a commitment to social solidarity, social justice, social cohesion. However, I would put it to the Council that, particularly in the course of this Presidency, much of the credibility around that rhetoric has been undermined.

I do not believe that there is a faith amongst people in the Member States that in fact what we rhetorically commit ourselves to we are prepared financially to commit ourselves to. Can I ask you to comment on a number of things, please:

Firstly, on the issue of the budget and the financial perspectives, I am sure you have a view in terms of how this will be financed, and secondly to comment on measures such as the Services Directive ...

(The President cut off the speaker)

3-218

Douglas Alexander, President-in-Office of the Council. – I shall endeavour to answer at least the first part of the honourable Member's question.

Firstly, if she is talking about solidarity, I recognise that is a concept that is of relevance to us, as is social justice, not simply within the borders of Member States or European Union, but far beyond the boundaries of the European Union. That is why it is a matter of immense pride to me that, in recent months, we have seen a commitment from European Development Ministers, and then a decision endorsed by European Finance Ministers, to effectively double the level of European overseas development assistance, from USD 40 billion to USD 80 billion. I make no apology, therefore, and in no way resile from the fact that every Member in this House should feel huge pride in this matter as we seek to meet our obligations towards the world's poorest people.

In relation to the honourable Member's specific question in relation to the Services Directive, the charge is often levelled at the British Presidency that an element hostile to the founding principles of the European Union is present in Britain's national approach towards this Union. I believe in completing the single market and I believe the services directive, given the original terms of the Treaty of Rome, has a contribution to make towards finishing and completing that single market. However, we must recognise that the market has to be balanced by the kind of social funding which has been provided historically within this Union. That is why, on the second point raised in relation to the coming financial prospective, I want to see the position articulated by the British Presidency this afternoon, the second negotiating box, form the basis on which agreement can be reached.

The sums of money in question are considerable and will provide the basis on which not just the new accession countries but all countries can strengthen their economies and thereby strengthen their capability to secure the very solidarity and social justice so often discussed in this Parliament.

3-219

Eva-Britt Svensson (GUE/NGL). – Vilken social modell man väljer påverkar jämställdheten oerhört mycket. Senare studier som jag har tagit del av visar att samhällsmodellen med ett generellt välfärdssystem, relativt höga skatter osv. är den modell som bäst gynnar jämställdheten. Min fråga är om rådet delar den uppfattningen om dess betydelse för jämställdheten och kopplingen till välfärdsstaten, gemensamt offentligt finansierad.

3-220

Douglas Alexander, President-in-Office of the Council. – There is an important gender perspective towards the policies that we should advocate for our welfare states, but it is right to recognise that there is, as I said in my introductory remarks to this question, a diversity of social models within Europe. It is a matter of profound concern to me that 20 million fellow European citizens are out of work. Upholding the European social model, as is often suggested, is of little comfort to those 20 million citizens. The necessary practical steps must be taken to secure the economic reforms that will create the prosperity to provide further opportunity for those individuals. The core insight that the surest means to tackle poverty is to provide somebody with a job – one of my main political convictions – must also be recognised.

3-221

Philip Bushill-Matthews (PPE-DE). – May I say again that I welcome your remarks about there being no such thing as a single European social model. I believe that is absolutely right, but could you confirm to me and colleagues whether, in making that remark, you feel that you are just saying that on behalf of the Presidency, or are you speaking on behalf of the Council as a whole?

3-222

Douglas Alexander, President-in-Office of the Council. – I am reflecting both the spirit and the outcome of the discussion at Hampton Court of which I spoke earlier. There was a clear recognition both of the challenges that Europe faces in the face of globalisation and that different courses have been set, in the face of those challenges, by individual Member States.

3-223

Die Präsidentin. – Anfrage Nr. 15 von Manuel Medina Ortega (H-1002/05)

Betreff: Sonderregelung für die Gebiete in äußerster Randlage

Die Ratifizierung der Verfassung für Europa, in deren Artikel 167 im Rahmen der staatlichen Beihilfen ein Sonderstatus für die Gebiete in äußerster Randlage vorgesehen ist, hat sich verzögert. Plant der Rat in Anbetracht dessen, Übergangsmaßnahmen zu erlassen, die diese Sonderbehandlung, die in der Abgelegenheit dieser Gebiete vom Kerngebiet des Binnenmarktes und anderen sie benachteiligenden Faktoren begründet ist, gewährleisten?

3-224

Douglas Alexander, President-in-Office of the Council. – Any amendment of the Treaties on which the Union is founded can enter into force only after being ratified by all Member States. Under the current Treaty, the Council can already adopt specific measures aimed at the outermost regions. This includes common policies. The regional state aid guidelines, which are currently being revised, already make special provision for the outermost regions.

3-225

Manuel Medina Ortega (PSE). – Señora Presidenta, agradezco al Señor Presidente en ejercicio del Consejo su observación sobre las previsiones de las nuevas directrices en materia de ayudas de estado para las regiones ultraperiféricas, pero, en todo caso, en Derecho internacional hay una figura, que es la de los tratados firmados y no ratificados, que tienen unas ciertas consecuencias jurídicas. Concretamente, en la región a la que yo pertenezco, Canarias, se aprobó la Constitución Europea con un 90 % de los votos.

En estos momentos, más de la mitad de la población de Europa ha aprobado la ratificación de este Tratado constitucional y me da la impresión de que esta ratificación no es irrelevante desde el punto de vista del Derecho europeo.

3-226

Douglas Alexander, President-in-Office of the Council. – I stand by the answer I have just given in terms of European law. In relation to the Canaries in particular, however, Parliament should be aware that the NUTS level 2 region of the Canaries will benefit from an additional envelope of EUR 100 million over the 2007-2013 period under the envisaged proposals.

3-227

Agnes Schierhuber (PPE-DE). – Frau Präsidentin! Meine Frage an den Ratspräsidenten ist folgende: Wie gedenkt man, diesem Auftrag für unsere Randgebiete, die es im Süden ebenso wie im Norden gibt, nachzukommen, wenn wir keinen entsprechenden Haushaltsrahmen für all diese Maßnahmen haben?

3-228

Douglas Alexander, President-in-Office of the Council. – I hope that we are able to secure that budget framework. The important first step is to secure the agreement at the European Council on the future financial perspective and I assure the honourable Member that we will be giving it our very best endeavours in the hours and days ahead.

3-229

Die Präsidentin. – Anfrage Nr. 16 von Claude Moraes (H-1008/05)

Betreff: Integration und Chancengleichheit innerhalb der EU

Kann der Rat seine Ansicht zu den jüngsten Unruhen in Frankreich darlegen und sagen, ob daraus irgendwelche Lehren hinsichtlich einer weitergehenden Integration und Chancengleichheit in der EU zu ziehen sind?

Kann der Rat beispielsweise mitteilen, wie er über den Austausch bewährter Verfahren im Bereich der Integrationspolitik durch Instrumente wie die offene Koordinierungsmethode denkt, oder ob er weitere EU-Vorschläge für erforderlich hält?

3-230

Douglas Alexander, President-in-Office of the Council. – It would not be appropriate for the Council to comment on the specific recent events in France, but while Member States are and remain primarily responsible for the adoption and implementation of their national integration policies, the Council seeks to provide support to them, in particular by promoting the exchange of experience and best practice.

The Hague Programme for strengthening freedom, security and justice in the European Union, approved by the European Council in November 2004, has invited Member States, the Council and the Commission to promote the structural exchange of experience and information on integration, supported by the development of a widely accessible website on the internet.

In December, ministers agreed on the need to reinforce cooperation on integration, in particular via the network of national contact points on integration. This commitment built on the Commission communication: A common agenda for integration of third-country nationals in the European Union.

This integration network, established in 2003 and supported by the Commission, has played an important role in the framework of the exchange of information and best practice and has provided very valuable contributions in the drafting of the ‘Handbook on integration for policy-makers and practitioners’, published by the Commission in 2004. An expanded handbook is due to be published next year.

3-231

Claude Moraes (PSE). – I should like to ask the President-in-Office to continue the good work done during the UK Presidency of looking at the best possible models of diversity and of best practice and integration. It is valuable work, which we must keep up in the coming months. It is a very serious issue for EU Member States, in particular EU cities.

As this is your last Council Question Time, let me take this opportunity to say what many Members across this House have said to me: that you have answered criticism with good grace and you and your civil service team sitting behind you will leave this Presidency with a reputation for listening to Members and making every effort to answer their questions.

3-232

Douglas Alexander, President-in-Office of the Council. – I am almost speechless, given the level of criticism usually directed towards me, that such a generous compliment has been paid, albeit in the final hours of my appearance before Parliament.

Let me return the compliment by saying that I know that the honourable Member has a strong reputation in the United Kingdom for his committed work on diversity over many years. It was therefore no surprise to me to see that he had tabled such a question before this Chamber today. I can certainly give him the assurance he seeks: we will continue to work hard to share the best practice, as I described, to ensure that there is effective cooperation on this issue of diversity, both in the remaining period of the British Presidency and well beyond that in the years to come.

3-233

Die Präsidentin. – Anfrage Nr. 17 von Mairead McGuinness (H-1013/05)

Betreff: Abschluss der WTO-Verhandlungen

Es wurde eine heftige Debatte über die Doha-Verhandlungs runde bei der WTO geführt, wobei der Schwerpunkt hauptsächlich auf den Zugeständnissen lag, die von allen Partnern notwendig sein werden, insbesondere in Bezug auf den Agrarmarkt der EU, um diese Verhandlungs runde zu einem erfolgreichem Abschluss zu bringen. Ich bin nicht der Meinung, dass genügend Einzelheiten zu der Frage vorgelegt wurden, welche Vorteile eine Einigung für die Mitgliedstaaten Europas und seine Bürger bieten würde.

Kann der Rat seine Meinung zu den spezifischen Vorteilen einer Einigung in der Doha-Verhandlungs runde darlegen und begründen, die sich für die Wirtschaft der EU und ihre Bürger ergeben würden, und dazu, welche Konsequenzen es hätte, wenn keine Einigung erfolgt?

3-234

Douglas Alexander, President-in-Office of the Council. – The Council has on several occasions noted the possible benefits of an agreement on further changes in the World Trade Organization's outcomes during negotiations in the framework of the Doha Development Agenda within the WTO.

The Council has expressed support for future comprehensive multilateral negotiations, which reflects its wish for substantial progress in world trade liberalisation, securing continuing global economic growth, increased job creation, prosperity and sustainable development, and addressing the concerns of civil society. The Council has noted that a further multilateral change of trade was the best way to meet the challenges posed by economic and technological change and increasing globalisation. The Council sees this multilateral change as the most appropriate approach for achieving substantial and balanced results for the benefit of all WTO members.

A number of studies have tried to assess the magnitude of the benefits for the European Union. For example, a widely-cited World Bank study in 2005 estimates that the potential gains from full liberalisation of global merchandise trade would be around USD 65 billion for the EU-25 and the EFTA countries by 2015.

The Council has not explicitly commented on the consequences 'if no deal is done'. The ramifications of a failed round go much wider than trade. It would send a negative message about multilateral cooperation. On the contrary, a good trade deal is an important part of our efforts to tackle poverty and promote global security in the long term, which have been such a focus of our work in the course of our Presidency.

3-235

Mairead McGuinness (PPE-DE). – As it is Christmas, I should like to thank the President-in-Office of the Council for his handling of Question Time and his wit. Very often a laugh is no harm in this Chamber, and you have given us a few this evening. Well done! If we had the chirpiness of your voice in airports when they called for the last passengers to board, I would be grateful!

With regard to the WTO, could you comment on the difference between free trade and fair trade? There is a world of a difference. We need to be honest in terms of what we are looking for. When you talk about the benefits, we need to know how they are distributed. Who gains? Because not everyone gains equally.

3-236

Douglas Alexander, President-in-Office of the Council. – I am increasingly humbled by the compliments that are being paid to me. I now see a whole new employment possibility opening up before me. If we fail to reach agreement at the European Council this weekend, you will be able to enjoy my dulcet tones at Brussels airport in the future, announcing flights departing for Dublin and for Edinburgh. I sincerely hope that does not turn out to be the outcome of the European Council this weekend. I am not sure if my observations were always intentionally humorous, but I shall take the compliment in the spirit in which it was intended in this holiday season.

On the serious and substantive point that the honourable lady raises with me, I can assure you this has been a matter that we have given much thought to in the course of our Presidency, both as a result of the extraordinary meeting of the General Affairs Council that took place to discuss the terms of the mandate for Trade Commissioner Peter Mandelson, in light of the fact that, from the government that presently holds the Presidency, not only Margaret Beckett but also Hilary Benn and Alan Johnson are presently in Hong Kong doing what they can to sustain our case that the best outcome in Hong Kong would be a balanced and ambitious outcome which would allow a successful conclusion of the round.

However, that raises exactly the point that the honourable Member addressed: what is a balanced and ambitious outcome for the Hong Kong talks and, indeed, for the Doha development round in general?

I have always been clear that there is and should be no contradiction between an agenda which is pro-jobs in the European Union and pro-poor in the world. One need only consider the potential gains for the developing world from a successful outcome to the Hong Kong meeting and indeed the Doha round to be encouraged to take whatever steps are necessary to see the progress that would not only be in the interests of this Union, but in the interests of the broader cause of proving that globalisation can work, not simply for a minority of the world's citizens but, if the right public policy choices are made, in the interests of the poorest people and well as the rich people in this world today.

3-237

Die Präsidentin. – Anfrage Nr. 18 von Gay Mitchell (H-1015/05)

Betrifft: Normen für das Pflegewesen in Rumänien

Die Normen für die Pflege von Kindern und Behinderten in Rumänien sind zweifellos eine Frage für die Menschenrechte, und die Union hat die grundlegende Pflicht, das Wohlbefinden dieser künftigen Unionsbürger sicherzustellen. Zwar hat es in diesem Bereich durchaus begrüßenswerte Fortschritte gegeben, es bleibt aber noch viel zu tun. In dem zusammenfassenden Überwachungsbericht für Rumänien 2005 werden die neuen Rechtsvorschriften für die Rechte von Kindern und deren Inkrafttreten im Januar 2005 begrüßt. In dem Bericht wird jedoch auch darauf hingewiesen, dass auch drei Jahre nach der Verabschiedung des Gesetzes über geistige Gesundheit und den Schutz von Menschen mit psychischen Störungen Personen mit einer psychischen Schwäche in Rumänien nach wie vor unter Überbelegung, schlechter Behandlung und Gewalt leiden.

Welches ist die Auffassung des Rates in Bezug auf diesen Sachverhalt, insbesondere unter Berücksichtigung der Tatsache, dass das Gesetz über geistig Behinderte noch älter ist als das kürzlich verabschiedete Gesetz über den Schutz von Kindern?

3-238

Douglas Alexander, President-in-Office of the Council. – The Council is aware of Parliament's long-standing interest in this issue and has already had the opportunity to reply to several questions from Parliament on these matters. This was a subject that featured prominently in the debate we have just concluded on the potential accession of Bulgaria and Romania.

Parliament has consistently stressed the great importance that it attaches to the issue of care of children, the disabled and the mentally ill in Romania. The Union's clear position that Romania, as a future member of the European Union, must comply with high standards in these areas, has been expressed throughout Romania's accession process. The Union's views were reiterated during the latest meeting with the European Union-Romania Association Council on 14 June 2005.

The Commission's 2005 comprehensive monitoring report on Romania, to which the honourable Member refers, is still being examined by the Council. The Council's general opinion, however, remains clear on these issues. These are priority areas, in which remaining shortcomings must be adequately addressed as soon as possible. The progress already made needs to be followed by further implementation, further improvements and the allocation of both adequate funding and staffing levels. This applies to all areas of care, but is particularly important with regard to the situation for the disabled and the mentally ill.

The Council will closely follow and evaluate future developments and continue to raise these concerns directly with Romania.

3-239

Gay Mitchell (PPE-DE). – I thank the President-in-Office for his reply. The EU monitoring and advocacy programme of the Open Society Institute has stated that there is a total absence of reliable, comprehensive data on mentally disabled persons in Romania, which has contributed to a general lack of public attention to people with intellectual disabilities. From the Minister's reply, I take it that assistance in this area would be an immediate priority as part of the EU's monitoring of issues in relation to persons with mental disabilities in Romania.

I should like to ask the Minister, in the spirit of Christmas, by wishing him well, if he does get that job at the airport, could he do something about direct flights to Strasbourg?

3-240

Douglas Alexander, President-in-Office of the Council. – Firstly, in relation to his final remark, I have even more sympathy with him on exactly that point than I did at the beginning of the UK Presidency. If I do not manage a job in Brussels airport, perhaps I will manage one in Frankfurt airport, to where I often have to travel, given the length of the questions I face here in this Chamber.

In relation to the substantive point that he raises, however, this matter was addressed directly in the Commission monitoring report to which I referred. Romania has started to develop a strategy to close large residential institutions for the disabled and replace them with alternative Community-based services in smaller residential units. A public campaign is also under way to raise awareness of disabled rights, I hope addressing some of the points that the honourable Member raises. However, clearly, as he suggests, more work is needed. But the new policies, I have to say, are encouraging.

Psychiatric care requires more immediate attention: living conditions for patients are poor and budgetary resources, as was implied, are limited. The 2002 Law on Mental Health and Protection of People with Psychological Disorders is still not being implemented. The government has begun to tackle this issue and we want to see this work stepped up.

3-241

Mairead McGuinness (PPE-DE). – This is a very serious issue. I have recently been to Romania and visited some of the institutions we have discussed. The conditions are deplorable from a health and safety point of view, if nothing else. I ask you to do whatever you can, in your last days in office, to ensure that this issue is given a higher priority in the progress towards accession.

3-242

Douglas Alexander, President-in-Office of the Council. – The comments that have been put to me today are communicated, in turn, to the European Commission, in view of their ongoing monitoring role in this accession process, and given the strength of feeling being communicated in the Chamber this evening.

3-243

Die Präsidentin. – Anfrage Nr. 19 von Zdzislaw Kazimierz Chmielewski (H-1019/05)

Betreff: Fangquoten

In der Verordnung (EG) Nr. 27/2005 des Rates vom 22. Dezember 2004² zur Festsetzung der Fangmöglichkeiten werden auch für die Ostsee grundsätzliche Fragen der Quotenaufteilung und Schonzeiten geregelt. Die meisten dieser Quoten gelten für jeweils ein Kalenderjahr und müssen folglich jedes Jahr neu ausgehandelt werden.

Kann der Rat angesichts fehlender genauer Angaben über die diesbezüglichen Verhandlungen im Rat sowie im Hinblick auf den immer näher rückenden endgültigen Entscheidungstermin mitteilen, wie weit die Verhandlungen in dieser Frage gediehen sind, und dabei insbesondere darauf eingehen, ob es im Jahr 2006 im Vergleich zum Jahr 2005 veränderte Fangquoten geben wird?

3-244

Douglas Alexander, President-in-Office of the Council. – Fisheries quotas for the Baltic Sea for 2006 were jointly agreed by the European Community and Russia in September on the basis of scientific advice produced by the International Council for the Exploration of the Sea in May.

The relevant details are set out in the Commission's proposals to put such quotas into Community law. This should be adopted at the Agriculture and Fisheries Council on 20 and 21 December 2005.

3-245

Zdzislaw Kazimierz Chmielewski (PPE-DE). – Pani Przewodnicząca! Panie Ministre! Dziękuję Panu za odpowiedź, wolałbym jednak usłyszeć bardziej jednoznaczną deklarację wychodzącą naprzeciw istocie mojego pytania, czyli zasad podziału kwot oraz okresów ochronnych. Coroczne negocjacje w tej sprawie muszą być wreszcie oparte na obiektywnych przekonywujących przesłankach. Te, o których Pan wspomniał, zdaje się, że takimi nie są. Zakres dotychczasowych badań pogłowania ryb w Bałtyku był, jak wiadomo, ograniczony zbyt rzadkimi połowami sondażowymi oraz brakiem, w gruncie rzeczy, pełnej zgodności co do podstaw metodologicznych oceny biomasy. Jak Panu się znudzą lotniska, to z całego serca zapraszam Pana nad Bałtyk.

3-246

Douglas Alexander, President-in-Office of the Council. – The Council will meet on 20 and 21 December to agree next year's fishing deal for European Union waters. I referred the honourable Member to the relevant details that have been set out in the Commission's proposals and, for his assistance, I would recommend document COM(2005)0598, which sets out the relevant details for the Commission's proposals to put such quotas into Community law.

It may also be of assistance to the honourable Member to be aware that there will be two separate regulations, one for the north-east Atlantic, but one, which I judge to be his primary interest, for the Baltic, in particular.

² ABI. L 12 vom 14.1.2005, S. 1

3-247

Die Präsidentin. – Anfrage Nr. 20 von Ewa Hedkvist Petersen (H-1021/05)

Betreff: Züchtigen von Kindern

Kinder sind europäische Mitbürger und haben ebenso wie die Erwachsenen Anspruch darauf, von Gewalt verschont zu sein. Sind Kinder aber trotzdem Opfer von Gewalt, so sind Rechtsvorschriften zu ihrem Schutz erforderlich. Die Bemühungen um Rechtsvorschriften, die die Züchtigung von Kindern in den EU-Ländern verbieten, kommen jedoch nur schleppend voran. In 17 der EU-Mitgliedstaaten gibt es keine Gesetze, die Kinder vor körperlicher Züchtigung schützen.

Welche Maßnahmen werden in der EU ergriffen, damit die Kinder in der gesamten Union die gleichen Rechte genießen können?

3-248

Douglas Alexander, President-in-Office of the Council. – There is at present no proposal before the Council to establish a European Union ban on corporal punishment of children in European Union Member States. The Council does not have information on, nor does it deem it appropriate to comment on the state of the domestic legislation of Member States in this regard.

3-249

Ewa Hedkvist Petersen (PSE). – Tack för det mycket kortfattade svaret. Vi har ju en värdgemenskap i Europeiska unionen. Jag undrar om det är tänkbart att EU-länderna, precis som när det gäller den sociala situationen i Frankrike, med rådet i spetsen skulle kunna utbyta praxis för att barn inte ska utsättas för våld i hemmet och i skolan i våra europeiska demokratiska länder.

3-250

Douglas Alexander, President-in-Office of the Council. – I would reiterate that the Council does not deem it appropriate to comment on the state of domestic legislation of individual Member States, but I would certainly recognise that the use of corporal punishment in individual Member States and the rights of children are not within the competence of the European Union, which explains the brevity of my response.

3-251

Barbara Kudrycka (PPE-DE). – Pani Przewodnicząca! Niestety, nie przekonuje mnie odpowiedź pana ministra, ponieważ Rada niewiele zrobiła, aby państwa Unii Europejskiej ratyfikowały Konwencję Haską w zakresie praw rodziców i ochrony praw dzieci, a te sprawy właśnie tam są regulowane. Jak wiemy, tylko sześć państw ratyfikowało Konwencję Haską, natomiast pozostałe państwa nie, więc takie przypadki mogą nadal mieć miejsce i chciałam zapytać, co zrobiła Rada w tej sprawie.

3-252

Douglas Alexander, President-in-Office of the Council. – In relation to this question, I would suggest that this is not a matter for the Presidency. Member States are signatories to conventions individually, rather than collectively.

I would, however, refute the allegation that no action has been taken on the general issue of child welfare. Over the past few years, the European Union institutions, working with Member States, have made significant progress on children's rights. The European Union Charter of Fundamental Rights (2000) explicitly recognises the rights of children as fundamental to European values. Article 24 of the Charter is based on the United Nations Convention on the Rights of the Child (1989), which has been ratified by all Member States of the European Union.

3-253

Agnes Schierhuber (PPE-DE). – Frau Präsidentin! Auch ich bin nicht einverstanden mit der Antwort des Ratspräsidenten. Denn auch wenn die Ratspräsidentschaft dieses Thema nicht als Priorität für diese Präsidentschaft betrachtet hat, so glaube ich doch – wie wahrscheinlich alle hier im Parlament –, dass wir in der Europäischen Union in einer Wertegemeinschaft leben und dass Gewalt gerade gegen Kinder, die auch die leibliche Züchtigung beinhaltet, wirklich ein Verbrechen gegenüber den Kindern ist. Ich bitte sehr darum, diesbezüglich in Zukunft mit Unterstützung aller Mitgliedstaaten entsprechend zu agieren.

3-254

Douglas Alexander, President-in-Office of the Council. – Nobody is denying that there can be a community of values. What, I sense, is an issue between me and the honourable Member is whether there is a legal basis for the Council to take action in this regard. In that sense, I would simply reiterate the points that I have made previously, that I judge this not to be a matter for the Presidency. Member States are signatories to conventions individually, rather than collectively.

3-255

Die Präsidentin. – Da der Fragesteller nicht anwesend ist, ist die Anfrage 21 hinfällig.

Anfrage Nr. 22 von Chris Davies (H-1026/05)

Betreff: Phase der Reflexion über den EU-Verfassungsvertrag

Wann wird die Reflexionsphase, die nach den Ergebnissen der Referenden in den Niederlanden und in Frankreich eingeleitet wurde, beendet sein?

Ist der Rat jetzt bereit, Vorschläge für Reformen zu prüfen, die im EU-Verfassungsvertrag enthalten sind?

3-256

Douglas Alexander, President-in-Office of the Council. – Given that the period of reflection will itself extend beyond the British Presidency, it somehow seems fitting that the final question that I answer in this Parliament, as the representative of the British Presidency, anticipates what will be an important subject in the months to come.

Perhaps with your indulgence, Madam President, I could also take this opportunity – given that you have intimated that this is the final question to be answered – to thank all the members of the Council secretariat for their very considerable hard work in producing the draft replies in the course of our Presidency to the questions that have been raised by Members of this Parliament. Rather like an author in the foreword to a book, I would, at this point, respectfully say that all the mistakes are entirely my own, and I am sure all the factual accuracy is reflective of the considerable expertise of the Council secretariat.

To address myself directly to the honourable Member's question, as he is aware, Heads of State and Government agreed on 17 June that there was a need for a period of reflection to enable a broad debate to take place within each Member State. Provisions for reform within the Constitutional Treaty – and I have certainly experienced this in the course of our Presidency – may be sensible to one Member State but controversial to another. Therefore, the focus of the United Kingdom Presidency has been to engage consciously in a wider debate about the future of Europe. It was agreed to come back to the matter in the first half of 2006, in the Spring Council of the Austrian Presidency, to make an overall assessment of the national debates and agree on how to proceed at that stage.

3-257

Chris Davies (ALDE). – If you indulge me, may I take the opportunity to thank the representatives of the Presidency for all the help and assistance they have given my colleagues over the recent months.

May I thank the President-in-Office in particular; I have much enjoyed these exchanges over the recent weeks, taking place in a rather empty public library though, sometimes it may seem.

I welcome the opportunity to come back to an oft-repeated subject. Every head of government has publicly supported the principle that the Council should meet in public when it is debating legislative acts. If the fine words and good intentions of the President-in-Office could deliver firm results, the Council would have ensured that changes in its Rules of Procedure were now on the way to being put into practice. Instead we have the suggestion that the Council will review the functioning of these measures in future presidencies and examine how further to increase openness and transparency, including the possibility of amending the Rules of Procedure.

Will the President-in-Office say where the substance is in this proposal?

3-258

Douglas Alexander, President-in-Office of the Council. – Let me seek to answer the honourable Member's question directly. Firstly, we will both recall the terms of the statement made by our Prime Minister before this Assembly at the outset of the British Presidency and that has informed the approach that I have taken to this issue of transparency in the Council. It explained the basis on which I first sought the agreement of colleagues within the United Kingdom Government and the process on that basis that we then took forward with other countries in the course of our Presidency.

The Presidency tabled an options paper on improving Council transparency in November 2005. The proposals have been discussed by the Antici Group and by both Coreper I and II, and we now aim to agree Council conclusions on 20 December. The honourable Member will have to wait a little longer before, I hope, we secure the kind of agreement that will give him the satisfaction he seeks this evening.

3-259

Richard Corbett (PSE). – On the wider package of the Constitutional Treaty as a whole, does the President-in-Office of the Council accept that the European Council was right, in the light of the fact that a majority of Member States have actually ratified this Constitutional Treaty? It was right not to declare the text dead, but to inaugurate a period of reflection – one which has been much more about the context than about the text. Does he agree that in due course, once we are in a new context, we will have to return to the question of the text and what to do about it, if not in 2006, then in 2007?

3-260

Douglas Alexander, President-in-Office of the Council. – I find myself in agreement and sympathy with the point the honourable Member makes. The British Government, even before assuming the office of the Presidency of the European Union, argued for the need for a period of reflection. We did not feel it was appropriate for any one government to make a

unilateral declaration as to the status of the draft Constitutional Treaty, given the fact that the Constitutional Treaty was owned by the totality of the members of the European Union.

It is right to recognise that, even before the decisive votes in France and the Netherlands, there had been, in the case of Spain, a referendum which had found in favour of the draft Constitutional Treaty and a whole range of other countries had in turn ratified the draft Constitutional Treaty by parliamentary procedure. That is why I hold to the position that was first articulated immediately prior to the British Presidency. During our Presidency we have maintained that position.

In the course of that Presidency our Prime Minister has made clear his personal judgement that he believes it is necessary to get the politics in a better place before returning to the institutional question. But in the course of this Presidency we have also made it clear that we regard it as necessary to have the kind of practical, sensible reforms that will allow a Union of 25 to operate more effectively than on the basis of the present Treaty arrangements.

3-261

Den Dover (PPE-DE). – If I could join with other colleagues from the United Kingdom to thank you for your efforts over the last six months and also say that, in connection with the Constitution, we were delighted that there were two ‘no’ votes in Holland and France and we will not – unexpectedly to you – be demanding a referendum in the United Kingdom if any part of the Constitution is proposed for bringing forward in future.

3-262

Douglas Alexander, President-in-Office of the Council. – I am deeply conscious of my responsibilities, not least in my final answer, to seek to answer on behalf of the Presidency and not simply indulge in what would be a fascinating debate with a domestic political opponent in relation to their present position, not only in terms of where they sit within this Chamber but where they sit on the issue of the draft Constitutional Treaty.

The statement I have just heard is clearly in contradiction to at least some of the assertions that have come from other Conservative colleagues in relation to some of the practical and sensible changes of which I have just spoken. However, I have a clear feeling that there are much bigger issues at stake for the modern Conservative Party in terms of its engagement with Europe than even the answer we have just heard.

3-263

Gary Titley (PSE). – I wondered whether the Minister would like to make any comment on the possibility of British Conservative MEPs sitting on the same bench as Mrs Mussolini?

3-264

Douglas Alexander, President-in-Office of the Council. – If I can manage just under the wire before the conclusion, let me simply say this. Kenneth Clarke is a serious figure within the United Kingdom, a figure well known to this Chamber. He has described the modern British Conservative Party under its new leader as being faced with a proposal – and I quote directly – that is ‘head-banging’ in its extremism. He has said that the modern Conservative Party is more extreme than the Conservative Party under William Hague or indeed Iain Duncan Smith.

It is up to the honourable Members on the Conservative benches in this Chamber to decide whether to marginalise themselves further, not simply within the United Kingdom, but also within the European Union.

I have already paid generous tribute to the work of one of the British Conservatives in this Chamber today, who through his role as a rapporteur in relation to the accession of one of the potential candidate countries of the European Union, has undertaken important work on behalf of this Parliament. The marginalisation of what was once a great political party, as envisaged by its new leader, would be a diminution not simply of the Conservative Party but of Britain’s national interest. But ultimately it is not the only misjudgement they will make. I fear it will be the first of many by the new Conservative leader.

3-265

Die Präsidentin. – Die Frage 23 ist hinfällig, da es um eine Problematik geht, die wir heute Nachmittag behandelt haben.

Da die für die Fragestunde vorgesehene Redezeit erschöpft ist, werden die Anfragen Nr. 24 bis 54 schriftlich beantwortet (nicht behandelte Anfragen siehe Anlage ‚Fragestunde‘).

Gestatten Sie mir zum Abschluss noch eine persönliche Bemerkung. Herr Minister, Sie haben heute erfahren, dass es nicht nur Kritik in diesem Haus gibt, sondern auch Lob für Ihre Arbeit. Ich wünsche Ihnen Erfolg für Ihre Tätigkeit, erholsame Feiertage und bedanke mich für die Zusammenarbeit.

Die Fragestunde ist geschlossen.

(*Die Sitzung wird um 20.10 Uhr unterbrochen und um 21.00 Uhr wieder aufgenommen.*)

3-266

PRESIDENZA DELL'ON. COCIOLOVO
Vicepresidente

3-267

17 - Macchine

3-268

Presidente. – L'ordine del giorno reca la raccomandazione per la seconda lettura della commissione per il mercato interno e la protezione dei consumatori sulla posizione comune definita dal Consiglio in vista dell'adozione di una direttiva del Parlamento europeo e del Consiglio che modifica la direttiva 95/16/CE relativa alle macchine [5786/2/2005 - C6-0267/2005 - 2001/0004(COD)] -. (Relatore: Andreas Schwab) (A6-0338/2005).

3-269

Andreas Schwab (PPE-DE), Berichterstatter. – Herr Präsident, Herr Kommissar, meine sehr verehrten Damen und Herren! Zunächst einmal möchte ich, bevor ich zur Maschinenrichtlinie an sich komme, allen am Prozess Beteiligten, insbesondere den Schattenberichterstatterinnen der verschiedenen anderen Fraktionen, sehr herzlich danken. Sie waren zu vielen Kompromissen bereit, wofür ich Ihnen ausdrücklich Dank sagen möchte. Ich möchte auch dem zuständigen Kommissar, der heute selbst hier ist, dafür danken, dass er in vielen Detailpunkten, die für uns als Parlament außerordentlich wichtig waren, zu Kompromissen bereit war, die den Abgeordneten die Zustimmung zum Gemeinsamen Standpunkt in leicht veränderter Form erleichtert haben.

Ich möchte fünf Punkte ansprechen, die aus unserer Sicht von überragender Bedeutung sind. Das Ziel dieser Richtlinie, die ja nicht für jeden Bürger ohne weiteres verständlich ist – das muss man selbstkritisch feststellen –, war, eine bessere Abgrenzung zu anderen Richtlinien herzustellen. Da gibt es ein Problem, nämlich die Traktorenrichtlinie. Traktoren waren früher nicht gleichzeitig durch die Maschinenrichtlinie abgedeckt und sind nun einer Parallelgeltung unterworfen: einerseits der Traktorenrichtlinie und andererseits der Maschinenrichtlinie. Das ist für die Hersteller eine schwierige Doppelbelastung, die wir gerne abgeschafft hätten. Und dann gibt es natürlich auch die Traktorensitzrichtlinie, Herr Verheugen, die – das werden Sie aus der Lektüre der Zeitungen in Deutschland wissen – nicht nur in Deutschland als absolutes bürokratisches Monster gilt. Deswegen bin ich Ihnen sehr dankbar, dass wir an diesem Ziel gemeinsam – vielleicht nicht ganz so schnell wie wir uns das alle wünschen – arbeiten, um hier zu einer einfachen Geltung zu gelangen: die Traktorenrichtlinie nur für die Traktoren und die Maschinenrichtlinie nur für alle anderen Maschinen.

Wir müssen nun zusehen, dass wir dieses Ziel auch möglichst schnell erreichen. Aus meiner Sicht wäre natürlich die Vollendung der Traktorenrichtlinie unter Einschluss aller noch nicht gedeckten Risiken innerhalb der 18-Monatsfrist, die zur Umsetzung der Maschinenrichtlinie in den Mitgliedstaaten erforderlich ist, wünschenswert. Ich weiß, dass solche Wünsche nicht immer gleich erfüllt werden können, aber ich möchte doch das Ziel nennen, nämlich 18 Monate, um die Umsetzungsfrist zu erreichen.

Es gibt natürlich verschiedene Punkte, an denen ich als Berichterstatter gern weitergekommen wäre. Das betrifft zum Beispiel den Ausschluss von harmlosen Maschinen, Armbanduhren beispielsweise sind so ein Fall. Ich habe meinen diesbezüglichen Antrag aber am Schluss gegen die massiven Bedenken vor allem der Kommission gegen die dadurch entstehenden Sicherheitslücken zurückgezogen.

Allerdings hat das Parlament bei der Geheimhaltung von Betriebsgeheimnissen einen erheblichen Fortschritt im Vergleich zum Gemeinsamen Standpunkt erreicht, und das gilt meiner Ansicht nach auch für die Entsorgung von Maschinen. Natürlich wissen wir alle, dass die Bedeutung einer nachhaltigen Produktion für Europa erheblich ist, auch unter dem Gesichtspunkt der Lissabon-Strategie. Trotzdem war es sicherlich richtig, dass wir den Herstellern, die ja nun wirklich nicht vorhersehen können, wie die Entsorgung von Maschinen konkret abläuft und die vielerorts kleinen und mittleren Unternehmen sind, die Haftung dafür nicht gewissermaßen pauschal auferlegen. Ich glaube auch, dass wir beim Punkt der Zertifizierung, insbesondere der Drittzertifizierung, noch einen Weg zusammen gehen müssen, da die Situation, die wir im Gemeinsamen Standpunkt zur CE-Kennzeichnung vorgefunden haben, für uns als Abgeordnete keinesfalls akzeptabel war. Es reicht aus unserer Sicht nicht aus, dass man sich im Rat – auch wenn viele Sitzungen zur Erarbeitung dieses Gemeinsamen Standpunkts erforderlich waren – auf dem kleinsten gemeinsamen Nenner wiederfindet und Formelkompromisse gefunden werden, die sich dann in einer Formulierung widerspiegeln, die kein Mensch, kein Bürger, kein Mittelständler verstehen kann.

Natürlich wissen wir auch um die Schwierigkeiten, zum Beispiel im Zusammenhang mit Fragen der Übersetzung. Trotzdem muss es unser Ziel sein, Rechtstexte zu produzieren – und dafür stehen Sie ja auch ganz persönlich, Herr Verheugen – die für jeden Bürger verständlich sind.

Ich freue mich, dass wir bei der CE-Kennzeichnung einen kleinen Schritt weitergekommen sind. Aus meiner Sicht gehen wir zwar nicht weit genug, aber Sie haben in Ihrem Arbeitsprogramm 2006 ausdrücklich den *new approach* im Hinblick auf die CE-Kennzeichnung aufgenommen, und deshalb möchte ich darüber jetzt nicht lange klagen. Ich glaube, das ist die richtige Gelegenheit, die CE-Kennzeichnung in einem breiteren und stimmigeren Ansatz über alle Sektoren hinweg gleich

zu regulieren, was von Vorteil wäre und was *better regulation* aus meiner Sicht bedeuten würde. Gleichwohl müssen wir uns bei der Fixierung dieser Gesetzgebung noch einmal genau überlegen, was die Aufgabe der CE-Kennzeichnung in der Europäischen Union ist, welche Qualitäts- und Sicherheitsstandards wir damit verbinden und wer die Aufgabe hat, diese Standards zu überwachen, denn ich glaube, dass wir im Bereich der Marktaufsicht bei den Mitgliedstaaten noch einen Klärungs- und Diskussionsprozess vor uns haben. Es kann nicht sein, dass die Europäische Union die Verantwortung tragen soll, wenn Probleme entstehen, während die Mitgliedstaaten nicht voll ihrer Verantwortung nachkommen, was die Zeit, in der die Aufsicht geleistet werden soll, betrifft.

Insgesamt noch einmal herzlichen Dank. Ich glaube, dass wir damit auf dem Weg zu besserer Rechtsetzung und Entbürokratisierung ein Stück vorangekommen sind, aber auch noch weiter vorankommen müssen. Ich zähle in dieser Hinsicht darauf, dass die Kommission auf dem Weg zu einer *better regulation* erfolgreich mit weiteren Vorschlägen, insbesondere im Bereich der Traktoren, vorangeht.

3-270

Günther Verheugen, Vizepräsident der Kommission. – Herr Präsident, meine Damen und Herren Abgeordnete! Ich möchte zunächst dem Berichterstatter, Herrn Schwab, und den Schattenberichterstattern für ihr Engagement und ihre konstruktive Zusammenarbeit danken. Ohne sie wäre es nicht zu einer Einigung im Rahmen dieser zweiten Lesung gekommen.

Die heutige Situation könnte man treffend durch das gute alte deutsche Sprichwort kennzeichnen: Was lange währt, wird endlich gut. Die Bearbeitung der Maschinenrichtlinie hat eine sehr lange Geschichte. Sie war ursprünglich durch eine Empfehlung der so genannten Molitor-Gruppe veranlasst worden, eines Vorläufers der Initiative „Bessere Rechtsetzung“ der heutigen Kommission.

Als die Kommission zu Beginn des Jahres 2001 und nach langen Beratungen mit allen Beteiligten den Richtlinievorschlag vorlegte, hat niemand erwartet, dass es fünf Jahre und 43 sämtliche Rekorde brechende Ratsarbeitsgruppensitzungen brauchen würde, um diese Überarbeitung abzuschließen, ganz zu schweigen von der Arbeit, die das Europäische Parlament investiert hat. Der Grund für die langen Beratungen lag in der erheblichen Größe und der Komplexität des von dieser Richtlinie betroffenen Maschinenbausektors, der eine sehr weit gefächerte Produktpalette enthält – es geht um Maschinen, mechanische Geräte und die Komponenten dazu. Es ist aber ein Sektor, der für die Wirtschaft der Europäischen Union von zentraler Bedeutung ist, einer der stärksten industriellen Sektoren. Der Maschinenbau stellte im Jahre 2004 Güter im Wert von 402 Milliarden Euro her. Er beschäftigte über 2,6 Millionen Ingenieure, Techniker und großenteils hoch qualifizierte Arbeitnehmer in der Europäischen Union. Die Produktion im Maschinenbau übersteigt die Produktion Japans und der USA bei weitem. Die Europäische Union ist der weltweit größte Exporteur von Maschinen und mechanischen Geräten mit einem Wert von 150 Milliarden Euro vor den USA mit 62 Milliarden Euro und Japan mit 67 Milliarden Euro. Das zeigt, dass wir es hier mit einem Sektor zu tun haben, den man mit Recht als ein Juwel der europäischen Industrie bezeichnen kann und der deshalb wirkliche besondere Aufmerksamkeit verdient.

Mit der Empfehlung, den Text des Gemeinsamen Standpunkts zu ändern, sind wir jetzt ganz nahe dran, den Gesetzgebungsprozess für die Erarbeitung der Maschinenrichtlinie abzuschließen. Ich freue mich, Ihnen mitteilen zu können, dass die Kommission das Ergebnis des Kompromisses zwischen Parlament und Rat voll akzeptieren kann. Das Ergebnis ist in der Tat eine wesentliche Verbesserung gegenüber der gegenwärtig anzuwendenden Maschinenrichtlinie 98/37/EG und ein gutes Beispiel für eine bessere Rechtsetzung, wie Herr Schwab schon gesagt hat.

Die Rechtssicherheit wurde durch eine Klarstellung des Anwendungsbereichs und durch das Bereinigen von Unklarheiten erhöht. Es hatte verschiedene Interpretationen gegeben. Das wird jetzt aufhören. Wir haben eine wesentlich klarere Abgrenzung zu anderen Richtlinien, wie etwa der Aufzugsrichtlinie oder der Niederspannungsrichtlinie. Auch die Umsetzung einschließlich der Marktaufsicht und der Kontrolle der Stellen, die von den Mitgliedstaaten mit der Zertifizierung beauftragt und uns entsprechend mitgeteilt wurden, wurde infolge grundlegender Änderungen durch das Parlament in erster Lesung effizienter gestaltet.

Hersteller von bestimmten Maschinenarten, die dem Anwendungsbereich der Richtlinie hinzugefügt wurden, werden jetzt auch vom Binnenmarkt profitieren. Benutzer und Arbeitnehmer werden von einem verbesserten Gesundheits- und Verbraucherschutz profitieren, der sich aus den Erfahrungen mit der gegenwärtigen Richtlinie ergeben hat.

Was die sehr umstrittene Frage der Beziehung anderer Kennzeichen zum CE-Kennzeichen betrifft, so möchte ich bestätigen, dass dies – wie in der folgenden Kommissionserklärung erläutert – im Rahmen der Überarbeitung des so genannten neuen Ansatzes geklärt wird. Ich lese noch einmal die förmliche Erklärung der Kommission vor:

3-271

‘Without prejudice to respect for Community legislation, the Commission, within the context of the revision of the new approach planned for mid-2006, will clarify the conditions for the affixing of other markings, whether national, European or private, in relation to the CE marking.’

3-272

Bezüglich der ebenfalls sehr strittigen Traktorproblematik möchte ich darauf hinweisen, dass die Kommission uneingeschränkt zu den Grundsätzen steht, die in den beiden Erklärungen enthalten sind, die ich ebenfalls noch einmal zitieren möchte.

Die erste Erklärung lautet:

3-273

'Parliament, the Council and the Commission declare that, in order to cover all aspects related to the health and safety of agricultural and forestry tractors in one harmonising directive, Directive 2003/37/EC on type-approval of agricultural and forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units needs to be modified so as to address all the relevant risks of the Machinery Directive. Such a modification of Directive 2003/37/EC should include an amendment of the Machinery Directive, in order to delete the expression 'for the risks' in Article 1(2)(e), first indent.'

The second declaration is as follows: 'The Commission recognises the need to include in the Agricultural and Forestry Tractors Directives further requirements for risks not yet covered by those directives. To that end, the Commission is considering appropriate measures that include references to the United Nations regulations, CN and ISO standards, and OECD codes.'

3-274

Ich hoffe, dass damit die noch offenen Fragen zu aller Zufriedenheit geklärt sind. Ich danke Ihnen nochmals für die wirklich gute und konstruktive Zusammenarbeit, und ich danke Ihnen für Ihre Aufmerksamkeit.

3-275

Malcolm Harbour, on behalf of the PPE-DE Group. – Mr President, first of all I would like to congratulate my colleague, Mr Schwab, on the excellent job he has done on a very complex and difficult text, made more difficult because he took it over from our previous rapporteur and colleague, Mr Wieland. I am very pleased with what the Commissioner said and with the agreement that we have reached to secure a second reading confirmation with the Council.

I would like to pick up one or two of the policy issues. As the Commissioner indicated, it has been a long and sometimes bumpy road towards the final agreement on this very complex text. Looking forward, and in the light of his determined commitment to the better regulation agenda, we need to keep a close eye on the implementation and effectiveness of this directive. I fear that it may be extremely costly to implement and we need to make sure that his services are keeping an eye on it and that it is not being duplicated by the national regulation. I welcome what he said about different marks, but we need to give serious consideration to the cost of regulatory compliance.

In that connection, I want to make two other points. I am pleased that the Council has recognised that it has to speed through the issue of tractors, because the lack of a harmonised type-approval process for a very important sector is scandalous, and Member States should be ashamed of their foot-dragging on this.

I want to draw his attention to another crucial machinery category, which is also partly affected by this directive, which is the whole issue about road-going machinery. I recently went to a conference of construction equipment manufacturers. They told me that, on their estimates, 70% of their research and development costs are absorbed by complying with regulation. How can we run a competitive European economy when we saddle a major industry with those sorts of compliance costs? I think we may have problems with this machinery directive, but the Commissioner must address that. I want to bring a delegation from the construction equipment manufacturers to see him as soon as possible to address their issues as well.

3-276

Barbara Weiler, im Namen der PSE-Fraktion. – Herr Präsident, Herr Kommissar, liebe Kolleginnen und Kollegen! Anderthalb Jahre Debatte im Rat, das ist sicher sehr lang. Aber es ist natürlich nichts im Vergleich zu Maschinenlaufzeiten. Als jemand, der 20 Jahre im Maschinenbau gearbeitet hat, weiß ich natürlich, wie wichtig diese Richtlinie auch für die Berechenbarkeit von Gesetzgebung ist. Nach der anfänglichen Skepsis von vielen Anwendern sind jetzt, glaube ich, alle Bedenken mehr oder weniger ausgeräumt. Wir haben die ersten Briefe bekommen, die Zustimmung signalisieren, und das ist wichtig, weil wir ja anwenderorientiert arbeiten wollen und nicht über die Köpfe hinweg.

Diese Richtlinie ist aber nicht nur für die Anwender wichtig, sondern auch für Millionen von Verbrauchern, denn sie enthält Rechtsvorschriften, die von großer Bedeutung für die Gesundheit und Sicherheit von Verbrauchern sind. Diese Überarbeitung war u.a. notwendig – der Kommissar hat es gesagt –, weil frühere Richtlinien nicht ausreichend waren, aber auch wegen der Verbesserung der notwendigen Rechtssicherheit, genauerer Festlegung des Anwendungsbereichs, und um sicherzustellen, dass der freie Warenverkehr bei einem hohen Standard von Sicherheit und Gesundheitsschutz für die Verbraucher gewährleistet ist. Das sollte vor allen Dingen auch das Ziel europäischer Industriepolitik sein.

Für die gute Zusammenarbeit mit den Kolleginnen und Kollegen und vor allen Dingen auch mit Kommission und Rat möchte ich mich auch bedanken. Dennoch war es notwendig, dass die Sozialdemokraten einige wichtige Aspekte eingebracht haben. In den meisten Diskussionsrunden standen wir da auch dem Rat sehr viel näher. Zum Beispiel wollen wir, dass die Kommission Leitlinien entwickelt, damit die Mitgliedstaaten ihre Kapazitäten erhöhen können, um eine effektive Marktaufsicht zur einheitlichen Anwendung der Richtlinie zu ermöglichen.

Die Sozialdemokraten waren aber auch der Meinung, dass sich die Vertraulichkeit und die Berufsgeheimnisse nicht zu Lasten von Sicherheit und Gesundheit von Personen auswirken dürfen. Wir wollten auch eine Erleichterung für KMU – das ist jetzt passiert – ohne Substanzverlust und ohne relevante finanzielle Belastung. Wichtig war für uns auch, dass bei der Anpassung dieser Richtlinie keine Reduzierung der Standards für behinderte Menschen bei Aufzügen vorgenommen würde. All das haben wir erreicht. Wir waren dagegen, dass land- und forstwirtschaftliche Zugmaschinen herausgenommen werden. Die Erklärung des Kommissars akzeptieren wir. Uns wäre lieber gewesen, Sie hätten ein Datum genannt, nämlich 2008, aber wir sind um diese Zeit alle noch im Parlament und wir werden ein Auge darauf haben, dass es passiert.

Die kleinen Geräte wollten wir nicht herausnehmen, Herr Schwab, weil es eben nicht nur um Armbanduhren geht, sondern auch um relativ gefährliche Feuerlöscher und ähnliche Kleingeräte. Dennoch haben wir, glaube ich, einen guten Kompromiss erreicht. Die Sozialdemokraten werden ihn unterstützen, und ich hätte in dieser Woche auch ausnahmsweise gern einmal ein Lob an die Briten ausgesprochen – es ist ja nicht so selbstverständlich, dass das passiert: Wir haben auch mit der britischen Präsidentschaft in dieser Hinsicht sehr gut zusammengearbeitet.

3-277

Janelly Fourtou, au nom du groupe ALDE. – Monsieur le Président, Monsieur le Commissaire, chers collègues, la directive relative aux machines que nous examinons ici est la révision d'une directive, vous l'avez dit, datant de 1998. C'est un sujet éminemment technique, mais qui aura une incidence majeure sur l'industrie mécanique européenne et sur l'économie européenne dans son ensemble. Je voulais rappeler les chiffres qu'a déjà cités M. Verheugen et qui, en fait, sont encore meilleurs que ceux que j'avais. Je ne résiste pas à vous rappeler donc que le chiffre d'affaires annuel de la profession est de 402 milliards d'euros, dont 113 milliards d'euros par an d'exportations vers les pays tiers.

La première lecture reflétait un compromis raisonnable obtenu après des années de débats. Les seules définitions d'une machine et d'une quasi-machine avaient, je m'en souviens, nécessité une forte mobilisation lors du mandat précédent. Lors de la seconde lecture, pour ma part, je me suis surtout attachée aux dispositions de cette directive concernant le marquage CE, estimant que la formulation n'était pas juridiquement claire.

Je remercie le Conseil d'avoir accepté mon amendement, mais je me réjouis que la Commission travaille sur ce sujet, qui demande encore un approfondissement. Je tiens à féliciter le rapporteur pour la manière dont il a mené les négociations. Nous avons pu avancer considérablement vers une position commune grâce à un trilogue informel réunissant auprès de lui le président de la commission du marché intérieur et de la protection des consommateurs, les rapporteurs fictifs, les représentants de la Commission européenne et ceux du Conseil.

Nous sommes arrivés à un consensus attendu par tous les professionnels. Il reste certes quelques points à clarifier, notamment au sujet des tracteurs, mais je reste optimiste et j'espère que les problèmes seront résolus grâce à l'application effective de cette directive. En conséquence de quoi, le groupe ALDE votera le compromis.

3-278

Christoph Konrad (PPE-DE). – Herr Präsident, meine sehr verehrten Damen und Herren, liebe Kolleginnen und Kollegen! Auf die Wichtigkeit des Maschinenbaus in der europäischen Wirtschaft ist gerade schon hingewiesen worden. Das ist in der gesamten Europäischen Union so, sicherlich aber insbesondere in meinem Heimatland. Insofern ist in diesem Zusammenhang auch ganz interessant, einmal zu unterstreichen, dass diese Richtlinie auch auf Wunsch der Wirtschaft zustande gekommen ist. Die Wirtschaft hat sich sehr darum bemüht, diese Richtlinie – unter der Überschrift „Ein Produkt, eine Vorschrift für den Binnenmarkt“ – zu bekommen. Wenn man sich die Vorteile vor Augen führt, dass nämlich im gesamten Binnenmarkt ein und dieselbe Maschine mit ein und derselben Ausführung in den Verkehr gebracht werden kann und dies alles natürlich ohne zusätzliche Prüfungen in den Mitgliedstaaten der Europäischen Union, so ist dies sicherlich positiv.

Lassen Sie mich vor diesem Hintergrund der zweiten Lesung mit Blick auf die Debatte über die Dienstleistungsrichtlinie folgende Bemerkung machen. Wenn wir dies bei unseren Beratungen zur Dienstleistungsrichtlinie immer als Argumentationsgrundlage nehmen würden, dann würden wir sicherlich auch dort die Diskussion voranbringen. Ich möchte in diesem Zusammenhang nicht versäumen darauf hinzuweisen, dass gerade der europäische Maschinenbau besonders auf die Dienstleistungsrichtlinie angewiesen ist, weil natürlich nicht nur Produkte, sondern mit den Maschinen auch Dienstleistungen verkauft werden.

Lassen Sie mich hierzu noch eine zweite politische Anmerkung machen. Wir haben in der heutigen Debatte noch einmal festgehalten, dass der Weg zu dieser Richtlinie sehr lang war, nämlich fünf Jahre. Dies hat sich im Wesentlichen in einer

Europäischen Union mit 15 Mitgliedstaaten abgespielt. Wie wir alle wissen, bewegen wir uns jetzt in einer Union mit 25 Staaten. Vor diesem Hintergrund und vor allem vor dem Hintergrund einer Rückführung von Regelungen sollte man auch mit Blick auf die Wirtschaft und auf die zuständigen Stellen der Politik darauf hinweisen, dass man in Zukunft wahrscheinlich noch sehr viel längere Wege zurücklegen muss, um zu derartigen Regelungen zu kommen. Auch an dieser Stelle gilt der Grundsatz: Weniger ist manchmal mehr. Insofern darf ich auch noch einmal den positiven Eindruck mit Blick auf diese Richtlinie unterstreichen.

3-279

Evelyne Gebhardt (PSE). – Herr Präsident, Herr Kommissar, liebe Kolleginnen und Kollegen! Ich möchte mich auch dem Dank an Herrn Schwab für die gute Arbeit anschließen, mich aber gleichzeitig auch bei den Kolleginnen Weiler und De Vits bedanken, die sich mit sehr viel Engagement für meine Fraktion in diese Arbeit mit eingebracht und deswegen auch dafür gesorgt haben, dass in Zusammenarbeit mit Herrn Schwab einige Fortschritte erzielt worden sind.

Die Stichworte Gesundheit, Sicherheit, Verbraucherschutz sind schon gefallen. Das ist auch das, was die Qualitätsmerkmale ausmacht, die bei Produkten wie Maschinen auch die Spitzenstellung bedeuten und dazu führen, dass unsere Produkthersteller weltweit einen großen Markt finden können. Das ist eine gute Sache.

Ich kann in diesem Zusammenhang Frau Weiler nur Recht geben: Rechtssicherheit ist in diesem Zusammenhang das Entscheidende. Rechtssicherheit bedeutet, dass die Maschinenbauer genau wissen, woran sie sich halten müssen, welche Regelungen tatsächlich vorhanden sind, und dass sie nicht im Ungewissen bleiben. Das führt auch dazu, dass wir in diesem Zusammenhang einen guten Markt haben können.

Rechtssicherheit bedeutet aber auch, dass wir vermeiden müssen, dass mehrere verschiedene Richtlinien für ein Produkt gelten. Rechtssicherheit bedeutet, dass man endlich einmal diese Schritte – gerade bei den Traktorenrichtlinien – voranbringt, dass dort eine einheitliche Regelung getroffen wird. Es ist für Hersteller nicht gut, wenn sie zwischen verschiedenen Regelungen jonglieren müssen, und es ist auch sehr bedauerlich, dass wir uns mit unserem Vorschlag, dass diese Frage bis allerspätestens 2008 endlich gelöst sein sollte, nicht durchsetzen konnten. Das ist wirklich ein Trauerspiel. Ich kann mich erinnern, dass es in der ersten Lesung, als wir dieses Thema schon einmal mit der Europäischen Kommission und dem Rat besprochen haben, hieß, dass wir in den nächsten sechs Monaten alles gelöst haben würden. Das ist anderthalb Jahre her. Die gleiche Antwort haben wir erhalten, als wir das Thema in diesem Jahr diskutiert haben: In den nächsten sechs Monaten wird es geregelt werden.

Daher meine Bitte an alle Beteiligten: Sorgen Sie dafür, dass dieses Problem wirklich schnell gelöst wird, denn wir sollten auch die Maschinenbauer nicht im Ungewissen lassen.

3-280

Mia De Vits (PSE). – Voorzitter, mijnheer de commissaris, beste collega's, de machinerichtlijn waarover wij ons moeten uitspreken, is voor mij veel meer dan alleen maar een technische internemarktrichtlijn. Zij vormt het bewijs dat wij in de Europese Unie sociale regelgeving kunnen maken, ook al steken we haar graag in een economisch kleedje. Het eindresultaat van de onderhandelingen laat zien dat het Europees Parlement wel degelijk het verschil kan maken en ik zou rapporteur Schwab en mevrouw Weiler willen danken voor de manier waarop zij dit dossier afgehandeld hebben.

Het is dankzij het Parlement dat misleiding van consumenten en te veel administratieve lasten voor onze bedrijven als gevolg van andere dan C1-markeringen, vanaf nu niet meer zullen kunnen. Het Parlement zorgde er voorts voor dat echte controle op de gevaarlijkste machines mogelijk wordt en dat dit geen formaliteit zal zijn, maar het is nu aan de lidstaten om van deze richtlijn werkelijk iets te maken, er een ambitieus werkinstrument van te maken. Daarom moeten alle lidstaten werk gaan maken van de effectieve marktcontrole, want zonder deze marktcontrole blijft deze richtlijn een papieren tijger, zoals met de vorige richtlijn het geval was.

De Europese Commissie, mijnheer de commissaris, moet mijns inziens het engagement van de lidstaten nauwgezet controleren, nagaan of zij deze marktcontrole uitvoeren en desnoods in de toekomst ook een initiatief nemen, als zou blijken dat zij hun beloften niet nakomen, en dit zowel in het belang van werknemers, consumenten als producenten. Voor ons is het werk op dit ogenblik af en ik denk dat wij deze richtlijn morgen dan ook zullen kunnen goedkeuren.

3-281

Presidente. – La discussione è chiusa.

La votazione su si svolgerà domani, alle 10.00.

3-282

18 - Reti di donne: pesca, allevamento e diversificazione

3-283

Presidente. – L'ordine del giorno reca la relazione presentata dall'on. Elspeth Attwooll, a nome della commissione per la pesca, su Reti di donne: pesca, agricoltura e diversificazione (A6-0341/2005).

3-284

Elsbeth Attwooll (ALDE), rapporteur. – Mr President, frequently in this House, speakers in a debate will pay some kind of tribute to the rapporteur. This ranges from a rather guarded expression of thanks for a great deal of hard work, to the offer of congratulations on the production of an excellent report. Were I in that situation on the present occasion, I could not in all honesty take the congratulatory line, for I believe the report to have some obvious shortcomings. That is not to say that it does not make very valuable points, or that there is anything in it with which I am in substantive disagreement. I am very grateful, too, to colleagues for the interest that they have taken.

My concern is two-fold: first, the extent of redundancy in the text – there may be circumstances in which repetition is used to good effect, but I do not consider that this is one of them; secondly, the range of issues covered – I believe that the European Parliament should be taking seriously all aspects of the lives of women in the fisheries sector and doing its best to address the problems that affect them. But the original intention of this report was to concentrate on the role of women's networks and their potential to contribute to the socio-economic fabric of fisheries-dependent communities. We have mentioned two of the parallels between their situation and that of women similarly engaged in the agricultural sector and of the possibility of joint action on their parts. That focus has been lost. I find that unfortunate, since women's networks are central to achieving the other objectives itemised in the report.

So, I shall state quite simply and briefly what my own message to the Commission and Council would be: please give your encouragement and support to the creation and development of women's networks, at both domestic and pan-European levels. Please also give your encouragement and support to their activities in diversifying local economies, in contributing to the development of the common fisheries policy and in providing a coordinated approach to tackling issues of common concern.

Encouragement and support, however, call for more than just a few kind words; they entail active assistance in accessing the necessary financial means and specific measures to remove all existing social and administrative barriers to women's full participation and progress in all areas of the fisheries sector.

Commissioner, thank you for listening. I thank you, too, in anticipation of concrete actions to come.

3-285

Joe Borg, Member of the Commission. – Mr President, first of all I would like to congratulate the rapporteur for her report. I welcome the initiative of the European Parliament and share the rapporteur's commitment to equal opportunities in the fisheries sector. I also share her opinion that the participation of women's networks is particularly important in this context.

In the next programming period, 2007-2013, the Commission will attach great importance to promoting the role of women in the fisheries sector. The proposed European Fisheries Fund reflects the Commission's commitment to equal opportunities. The future fund is even more specific about the role of women in fisheries than the current Financial Instrument for Fisheries Guidance. The integration of the gender perspective is promoted during the various stages of implementing the Fund. We will ask the Member States to ensure that operations to enhance the role of women in the fisheries sector are promoted. The report under consideration calls on the Commission to provide active support for existing women's networks and the creation of new networks.

I am very pleased to inform you that the European Fisheries Fund proposal will support specific actions like networking and the exchange of experience and best practice among organisations promoting equal opportunities between men and women.

For the next programming period, the Commission suggests including the actions relating to networking and the exchange of experiences among organisations promoting equal opportunities in the Member States' operational programmes. This replaces our past approach of launching calls for proposals for innovative actions directly managed by the Commission. We believe that this option will have more added value than funding small-scale projects, which was the case under the innovative actions formula.

An ex-post evaluation of transnational projects for innovative actions was conducted in 2005. One of the main findings of the evaluation was that the operational programme projects were more highly performing than the innovative action projects. The evaluation also showed that the EU added value of the innovative actions, as well as the exchange of experiences and good practices were fairly limited.

In your report you called on the Commission to promote more vocational training and education specifically geared to the activities of women working in the sector. I am pleased to announce that the European Fisheries Fund's new priority – the sustainable development of fisheries areas – will make an important contribution to these needs.

Support can be granted for the diversification of activities and the promotion of multiple employment opportunities for fishers outside the sector. Measures, such as the promotion and the improvement of professional skills, worker adaptability and access to employment, particularly in favour of women, are foreseen. The measures aimed at the diversification of economic activities, as well as education and professional training, will be of particular benefit for women in fisheries-dependent areas.

The Commission also shares with you the concern about the difficulty in recruiting young people in the fisheries sector. The sector suffers from a poor image with the younger generation and an effort has to be made to attract young people to join the profession. In this regard under the European Fisheries Fund, we are considering more incentives for young fishers, in addition to the measures already foreseen under the Financial Instrument for Fisheries Guidance such as training, including training on health and safety, and the upgrading of professional skills. There will also be limited assistance offered under the EFF for first-time young fishers entering the profession. In addition, there will be increased possibilities for the participation of women in the decision-making process.

The new priority ‘sustainable development of fisheries areas’ will be implemented through a bottom-up approach. The local actors, including women’s associations, will be the motor in designing and implementing the local development strategies. This new approach is a further opportunity for women at local level to get involved in decision-making and to ensure that their specific concerns are taken into account in the local development strategies. Likewise, for the establishment of the National Strategic Plans, a wide partnership with all relevant actors, including women’s representatives, is foreseen. Women’s organisations should therefore give their input for the analysis of the trends in the fisheries sector and the development of a strategy for its sustainable development.

Women and their representatives are also encouraged to participate in the regional advisory councils, which are the cornerstone of the ‘governance’ pillar of the reformed common fisheries policy. For instance, women’s associations already have a seat in the North Sea RAC, which was the first to be created as a result of the common fisheries policy reform in 2002. Women are also represented in the North Western Waters RAC.

Finally, following the conference on the role of women in fisheries organised in January 2003, I am pleased to inform you that the Commission is planning to organise another conference on equal opportunities in 2006. This conference will take stock of the situation of women in the fisheries sector and reflect on ways further to improve the situation and make further progress. I hope that the views of this Parliament will also find reflection in the proceedings of the conference.

In conclusion, I would like to underline the Commission’s determination to attribute great importance to equal opportunities in our policy. However, in order to make equal opportunities a reality, all policy-making levels need to take responsibility: the Commission, and national as well as regional and local levels. Your own commitment to this objective will assist in keeping and furthering the importance given to equal opportunities at all levels.

3-286

Teresa Riera Madurell (PSE), Ponente de opinión de la Comisión de Derechos de la Mujer e Igualdad de Género. – Señor Presidente, efectivamente hablo en nombre de la Comisión de Derechos de la Mujer e Igualdad de Género, y quiero unir mis palabras a las de la ponente y a las del Comisario para decir que el papel de las mujeres en el sector pesquero debería tener un mayor reconocimiento.

Aunque la participación de mujeres en la pesca extractiva es sólo de un 3 %, las mujeres sí participan activamente en todas las demás actividades relacionadas con la pesca. Como consecuencia de su invisibilidad, muchas de las mujeres que trabajan en el sector carecen de derechos sociales y económicos.

Por ello, pedimos a la Comisión que, junto a los Estados miembros, emprenda las medidas necesarias para garantizar plenamente sus derechos a estas mujeres.

También estamos de acuerdo en que deberían tener acceso a la formación profesional, a la financiación y a los créditos en igualdad de condiciones que los hombres. Y sería necesario, además, reforzar la participación de las mujeres en los procesos de toma de decisiones, por lo que también sería muy positiva una recomendación de la Comisión a los órganos pertinentes para que emprendieran las acciones necesarias en este sentido.

Y, desde luego, es indispensable ayudar a las organizaciones y a las redes de mujeres, por lo que aplaudimos el compromiso de la Comisión de continuar dando su apoyo activo a las ya existentes y a la creación de otras nuevas, pues son herramientas absolutamente necesarias para el intercambio de información y para las buenas prácticas.

Señorías, no quiero ni debo cerrar mi intervención sin hacer mención especial al colectivo de las mariscadoras, y digo mariscadoras porque este trabajo lo ejercen, mayoritariamente, mujeres mayores de 50 años que sufren problemas de salud

directamente derivados de su trabajo y que carecen, en muchos casos, del derecho al desempleo, de servicios sanitarios y de seguridad en el trabajo.

No podemos permitir que colectivos como éste estén tan desprotegidos y, como miembro de la Comisión de Derechos de la Mujer e Igualdad de Género, reclamo un mayor reconocimiento al trabajo de las mujeres en el sector y que aportemos, sin demora, soluciones a los problemas derivados de este trabajo.

3-287

Carmen Fraga Estévez, en nombre del Grupo PPE-DE. – Señor Presidente, como representante en este Parlamento de una de las regiones europeas donde la presencia de las mujeres en el sector pesquero es elevadísima, incluso en el sector extractivo, a través de actividades como el marisqueo, agradezco a la señora Attwooll su informe, que pone de relieve una fórmula extraordinaria para que las mujeres vean revalorizado su papel en la sociedad y puedan aprovechar mejor las distintas posibilidades que se abren para mejorar su formación, su especialización y sus perspectivas de futuro.

Tengo el orgullo de poder decir que, en los últimos años, las autoridades pesqueras de mi región han prestado una especial atención al papel de las mujeres, fomentando —e, incluso, urgiendo— el asociacionismo y apoyando sin reservas la integración de dichas asociaciones en las redes ya existentes, así como convocando foros y conferencias internacionales para fortalecerlas y crear otras nuevas, permitiendo el intercambio de conocimientos y experiencias entre las mujeres de toda Europa.

El resultado está siendo espectacular, sobre todo en lo que se refiere a la toma de conciencia de las propias mujeres de la importancia económica y social de su trabajo, pasando de asumirlo como un papel de apoyo a la economía familiar, que tradicionalmente les había tocado efectuar, a exigir compensaciones a las que, como trabajadoras, tienen derecho: mejores salarios, prestaciones sociales y demanda de formación.

El informe de la señora Attwooll recoge fielmente el papel que han desempeñado y el que aún pueden desempeñar las redes de mujeres en este ámbito y solicita que las administraciones nacionales y la propia Comisión sigan prestando e intensificando su apoyo. Por todo ello, nuestro Grupo político apoya el fondo de este informe y espera que el Pleno del Parlamento lo respalde igualmente.

3-288

María Isabel Salinas García, en nombre del Grupo PSE. – Señor Presidente, quisiera en primer lugar manifestar, como ponente alternativa de este informe, mi acuerdo con lo expuesto por la ponente, la señora Attwooll.

Creo que con la lectura de este informe podemos ver que las redes de mujeres cumplen, pero aún pueden cumplir más y mejor en el futuro, múltiples tareas en las zonas pesqueras. Es importante dar visibilidad a la importantísima labor de las mujeres en este sector y conseguir, de este modo, que se valoren y se remuneren estas actividades que, en muchos casos —como ya se ha dicho aquí— se realizan de forma gratuita y, a veces, sin protección social. Aún queda mucho camino por recorrer.

En el informe también se reconoce el esfuerzo que la Comisión ya ha realizado, con la celebración de la Conferencia sobre el papel de la mujer en el sector de la pesca, en 2003. Esperamos con ilusión la que está prevista para 2006.

Pero queda mucho por hacer. Por eso me congratulo de haber escuchado en la voz del Comisario un cambio de enfoque, que es muy necesario para las mujeres en el sector pesquero.

Creo que las medidas que la Comisión debe tomar para apoyar estas redes deben orientarse en cuatro direcciones, que se desprenden de la lectura del informe: información, financiación, representatividad y formación.

Se debe elaborar un informe más exhaustivo. Coincido con la ponente en que el informe sobre las redes de mujeres nos sabe a poco. Es necesario elaborar un informe exhaustivo, que refleje fielmente la situación de las redes existentes, y realizar posteriormente un seguimiento de la evolución de éstas.

Hace falta financiación, pues estas redes cumplen y pueden cumplir más y mejor en el futuro funciones de interés público, desde un punto de vista económico, social e incluso ecológico, y por ello merecen que se les dediquen instrumentos de financiación.

Es necesaria la formación que mencionaba el Comisario. Consciente de la importante labor de las mujeres en el sector pesquero, la Comisión debería promover la educación y formación de jóvenes en estas actividades, para permitir la continuidad de su relevo.

Como ya se ha puesto de manifiesto, hay situaciones que sirven de muestra, como la de las mariscadoras. Por eso, creo que tenemos que apoyar las organizaciones de mujeres que se agrupan en torno a las redes, a fin de que logren y consoliden una mejora en sus condiciones de vida.

Quiero anunciar que mi Grupo también va a apoyar el informe de la señora Attwooll.

3-289

Albert Jan Maat (PPE-DE). – Voorzitter, ook ik wil mijn collega Attwooll heel hartelijk danken voor haar werk, haar verslag en de wijze waarop zij de vrouwennetwerken in Europa op de kaart heeft gezet. Ik wil ook de Commissaris danken. Het is niet de eerste keer dat hij laat blijken dat hij een groot sociaal gevoel ten aanzien van de visserijsector heeft. Ik wil hem ook bedanken voor de wijze waarop hij actief werk van de betrokkenheid van alle maatschappelijke geledingen binnen de visserij wil maken.

Waarom is dat zo belangrijk? Er zijn drie punten waarom het essentieel is dat de visserij breder op de kaart komt dan alleen met economische factoren. Als ik kijk naar een crisis in mijn eigen regio, de garnalen crisis, en naar de rol die VinVis daarin gespeeld heeft, dan stel ik vast dat het vrouwennetwerk tot een oplossing heeft bijgedragen en moet ik gewoon constateren dat het een hele goede zaak is dat de maatschappelijke verbreding binnen de visserij er komt.

Ik ben ook erg blij dat dit netwerk inmiddels zijn plaats binnen de regionale adviesraad voor de Noordzee heeft gekregen. Maar het is met name van belang op het terrein van scholing, op het terrein van de sociale positie, op het terrein van de economische impact van de visserij. Als ik kijk naar de hoge brandstofprijs en een aantal andere zaken, die wel degelijk sociale gevolgen binnen de visserij hebben, dan beschouw ik het als een goede zaak dat het vrouwennetwerk, VinVis, maar ook andere organisaties, hun plek krijgen.

Wat dat betreft was ik ook zeer ingenomen met de hoorzitting die de rapporteur in juli met een groot aantal vrouwenorganisaties heeft georganiseerd en ik denk dat het goed zou zijn als dit soort activiteiten ook in de toekomst door het Parlement en ook door de Commissie wordt georganiseerd.

Nogmaals, Voorzitter, dank aan de rapporteur voor dit verslag en ik hoop dat de Commissaris ook verdere uitvoering aan de aanbevelingen zal geven. Zijn antwoord op dit punt schept redelijk positieve verwachtingen met betrekking tot een dergelijke aanpak en ik hoop dat wij er als politici met elkaar ook voor zullen zorgen dat alle maatschappelijke geledingen binnen de visserij de plek krijgen die ze binnen de sector verdienen.

3-290

Σταύρος Αρναούτακης (PSE). – Κύριε Πρόεδρε, θα ήθελα και εγώ με τη σειρά μου να συγχαρώ και να ευχαριστήσω την εισηγήτρια για την εξαίρετη δουλειά που έχει κάνει στην έκθεσή της.

Είναι γνωστό σε όλους μας ότι οι γυναίκες που απασχολούνται στην παράκτια αλιεία βρίσκονται σε μειονεκτική θέση, διότι η εργασία τους στον τομέα αυτό θεωρείται ως συμπληρωματική απασχόληση και όχι ως επάγγελμα. Αυτό που λείπει είναι η αναγνώριση της εργασίας τους, τόσο σε νομικό όσο και σε κοινωνικό επίπεδο. Χρειάζεται να υποστηρίξουμε και να εξασφαλίσουμε τα κοινωνικά και οικονομικά δικαιώματα των γυναικών σε όλους τους κλάδους του αλιευτικού τομέα. Τη μισθολογική ισότητα, τα συνταξιοδοτικά δικαιώματα, την κοινωνική ασφάλιση, την πρόσβαση σε υγειονομικές υπηρεσίες.

Πρέπει να ενισχύουμε τις προσπάθειες για την υλοποίηση πολιτικών που υποστηρίζουν πρωτοβουλίες για τη δημιουργία δικτύων γυναικών σε ολόκληρη την Ευρωπαϊκή Ένωση και κυρίως στις απομακρυσμένες νησιωτικές περιοχές. Η ανάπτυξη των δικτύων αυτών δεν θα πρέπει να στηριχθεί απλά και μόνο στον εθελοντισμό ή σε μεμονωμένες ενέργειες. Πρέπει τα δίκτυα αυτά να θεσμοθετηθούν ώστε να ενισχυθεί ο ρόλος τους στις περιοχές στις οποίες αναπτύσσονται και να αποκτήσουν συμβολευτικό και γνωμοδοτικό χαρακτήρα στα συμβούλια των περιοχών τους.

Αγαπητοί συνάδελφοι, σε ό,τι αφορά την πλήρη εφαρμογή της αρχής της ίσης μεταχείρισης και της προσφοράς ίσων ευκαιριών στον αλιευτικό τομέα, θεωρώ ότι έχουμε μείνει πολύ πίσω. Ήρθε, πιστεύω, η ώρα για μια γενναία απόφαση, ώστε να αναγνωρισθεί η προσφορά των γυναικών στην ανάπτυξη της αλιείας και της οικονομικής ζωής γενικότερα. Ας μην αντιμετωπίζουμε τα δίκτυα των γυναικών μόνο με συμπάθεια και κατανόηση! Ας τα καταστήσουμε σημαντικό εργαλείο που θα προωθεί την αλιευτική πολιτική, τη βιώσιμη ανάπτυξη, το σεβασμό στο περιβάλλον, τα οικοσυστήματα και τον άνθρωπο!

3-291

Μαρία Παναγιωτοπούλου-Κασσιώτου (PPE-DE). – Κύριε Πρόεδρε, από όλους τους προλαλήσαντες αναγνωρίζεται η ανάγκη διατήρησης της αλιείας ως δραστηριότητας όχι μόνο με οικονομικό αλλά και με κοινωνικό και, θα έλεγα, με πολιτιστικό περιεχόμενο.

Ασφαλώς ο παραδοσιακός ρόλος των γυναικών στην αλιεία, αλλά και οι πουκίλες σύγχρονες μορφές συμμετοχής στην αγορά εργασίας γυναικών από περιοχές με αλιευτική δραστηριότητα, ενισχύθηκαν αποφασιστικά μετά την κατά το 2003 Διάσκεψη της Επιτροπής και την έναρξη δικτύωσης αυτής της ιδιότυπης κατηγορίας εργαζομένων.

Δεν μπορούμε παρά να συγχαρούμε την πρωτοβουλία της Επιτροπής Αλιείας και ιδιαίτερα την υπερβολικά ταπεινή κ. Attwooll για τη σύνταξη της εικθέσεως. Εγώ, πάντως, ως σκιώδης εισηγήτρια για το κόμμα μου στην Επιτροπή για τα Δικαιώματα των Γυναικών και την Ισότητα των Φύλων, την ευχαριστώ διότι συμπεριέλαβε τις περισσότερες παρατηρήσεις της επιτροπής μου. Δεν μένει, λοιπόν, παρά να ευχηθούμε να βοηθήσει η Επιτροπή κατά τη νέα Διάσκεψη του 2006 στην ολοκλήρωση ενός πανευρωπαϊκού δικτύου γυναικών ασχολούμενων με την αλιεία.

Οχι μόνο το ευρωπαϊκό αλιευτικό ταμείο αλλά και τα διαρθρωτικά ταμεία και άλλα προγράμματα, όπως το FEMME και το LEADER, μπορούν να γίνουν εργαλεία για ειδικές δράσεις, παράλληλα με την εκπαιδευτική ανάπτυξη και την ανάπτυξη επαγγελματικών δεξιοτήτων, την ανάπτυξη της προσαρμοστικότητας, τα προγράμματα έρευνας για τον αντίκτυπο των αναδιαρθρώσεων της αλιευτικής και αγροτικής βιομηχανίας, την καινοτομία στην παραγωγή, την προώθηση κατανάλωσης με περιβαλλοντική ευαισθησία και με σεβασμό στη βιοποικιλία. Από αυτές τις δράσεις εξαρτάται η παραμονή των νέων αγοριών και κοριτσιών στις περιοχές με αλιεία, ώστε να διατηρήσουν τις παραδόσεις, τις μακραίωνες πρακτικές, που είναι πολύτιμες με τη νέα τεχνολογία, και μπορούν να αποτελέσουν προστιθέμενη αξία για την Ευρωπαϊκή Ένωση. Προστιθέμενη αξία όμως είναι και η διατήρηση όσων προβλέπονται από την οδηγία 86/613 του Συμβουλίου, της οποίας, κύριε Επίτροπε, θα σας παρακαλούσα να αντιμετωπίσετε την επέκταση στον τομέα της αλιείας. Η εφαρμογή της αρχής της ίσης μεταχείρισης ανδρών και γυναικών για όσους ασκούν ανεξάρτητη δραστηριότητα, συμπεριλαμβανομένης της γεωργικής, καθώς και η προστασία της μητρότητας είναι σημαντικοί τομείς, το δε υπό ίδρυση Ινστιτούτο Φύλου θα έχει ρόλο να διαδραματίσει με ειδικές έρευνες επί του θέματος.

3-292

Dorette Corbey (PSE). – Voorzitter, allereerst mijn oprochte dank aan Margaret Attwooll, zij heeft heel goed verwoord wat de rol en betekenis van vrouwen in de visserij is en kan zijn. Het werk van vrouwen is vaak onzichtbaar en het verslag van collega Attwooll draagt ertoe bij dat het in ieder geval in de schijnwerpers komt te staan.

De visserij is een zware sector: lange werktijden en zwaar en helaas ook gevaarlijk werk. Meer vrouwen op de schepen kan een stimulans zijn voor verbetering van de arbeidsomstandigheden daar. Werk dat voor vrouwen te zwaar of te gevaarlijk is, is voor mannen ook niet goed. In veel sectoren is gebleken dat vanaf het moment dat vrouwen binnenkwamen, de arbeidsomstandigheden verbeterden. Meer betrokkenheid van vrouwen bij de veiligheid op schepen is essentieel om daadwerkelijk stappen vooruit te zetten.

Van vrouwen en vrouwennetwerken mogen we ook aandacht voor duurzaamheid verwachten. Duurzame visserij is essentieel om toekomstige generaties van vis te voorzien. Duurzame vangstmethodes met minimale bijvangsten en een goede controle zijn essentieel. Deze maand worden de quota's vastgesteld en het is erg belangrijk om daarbij de wetenschappelijke adviezen serieus te nemen, anders vissen de komende generaties achter het net en daar zijn vrouwen vaak gevoelig voor.

Het is misschien tijd om met een nieuw beleid te komen, om een paar jaar te experimenteren met visreservaten, om visreservaten op de kaart te zetten, om visstanden de gelegenheid te geven zich te herstellen. De maritieme strategie die nu wordt voorbereidt, is een geschikte gelegenheid om de discussie hierover te voeren. Ik roep iedereen op om in alle landen juist vrouwen bij die discussie te betrekken.

Vrouwen zijn ook vaak de handelaars en kopers van vis. Duurzame visserij maakt alleen kans als de consument hier volop bij betrokken wordt. Keurmerken om kwaliteit en duurzaamheid te garanderen zijn een noodzakelijke stap. Het is goed om vrouwen hier zoveel mogelijk bij te betrekken. Kortom, net als collega Attwooll verwacht ik veel van vrouwen.

3-293

Joe Borg, Member of the Commission. – Mr President, I thank the rapporteur again for her report. I would also like to thank all the speakers for their remarks, for the determination they have shown on the subject of equal opportunities for women in fisheries, and for the proposals that they have made to the Commission.

On women's networks, let me state again that the European Fisheries Fund aims to support networking and the exchange of experience and best practice among organisations promoting equal opportunities. The European Fisheries Fund will also provide for educational and social needs in the fisheries sector, with particular emphasis on women.

Women's networks in fisheries are already benefiting from Community funding under programmes such as EQUAL, and certainly this funding will be enhanced with the entry into force of the European Fisheries Fund. The focus in the fund on young fishers will also help in the field of equal opportunities.

An important milestone in the reform of the common fisheries policy was in the field of governance through the creation of the regional advisory councils. I can only express the hope that women's organisations will take up their place in the regional advisory councils in the same way as they have already done in two out of the three existing regional advisory councils. Participation in such governance fora will see benefits for equal opportunities at various levels.

On the point raised with regard to shellfish gatherers, I would like to point out that they benefit from assistance from the FIFG under the Spanish operational programme. I trust that such funding may also be requested by the Spanish authorities under the European Fisheries Fund and I am confident that the Commission can continue to support such activities. In fact, such an example can certainly be promoted further.

In conjunction with the Commissioner responsible for equal opportunities, I will do my utmost constantly to underline to Member States the importance of promoting equal opportunities in the fisheries sector. As I stated before, there will be another conference in 2006, following the conference of 2003. The purpose behind that conference is to take stock of the situation concerning equal opportunities in the fisheries sector and then to consider what further initiatives can be taken in conjunction therewith. I look forward to Parliament's constructive contribution to that conference.

3-294

Presidente. – La discussione è chiusa.

La votazione si svolgerà domani, alle 10.00.

3-295

19 - Finanziamento della politica comune della pesca, diritto del mare

3-296

Presidente. – L'ordine del giorno reca la relazione della commissione per la pesca, sulla proposta di regolamento del Consiglio che istituisce un'azione finanziaria della Comunità per l'attuazione della politica comune della pesca e in materia di diritto del mare [COM(2005)0117 - C6-0131/2005 - 2005/0045(CNS)] (Relatore: Catherine Stihler) (A6-0340/2005).

3-297

Joe Borg, Member of the Commission. – Mr President, first of all, I would like to thank the honourable Member for her report on the proposal for a Council regulation establishing Community financial measures for the implementation of the common fisheries policy and in the area of the Law of the Sea. The funding proposed by this regulation will be an essential part of the fisheries financial perspectives package for 2007-2013. Next to the European Fisheries Fund, this regulation represents the legal basis for most other expenditure allowing the continuation of the common fisheries policy and, based on the Commission's original proposal for a financial perspective, it will cover more than EUR 2.5 billion worth of spending in the seven year period from 2007-2013.

The proposal aims to provide a more transparent and simplified framework for the execution of Community financial interventions. It is geared towards improving the effectiveness of financial interventions in the field of control and enforcement, in the area of data collection and scientific advice, in the strengthening of the governance of the common fisheries policy, and in the area of international relations and the Law of the Sea.

Let me now turn to the amendments proposed in the report before us. The Commission can accept Amendment 1 and will continue to do what is possible within its competence to work towards ensuring the sustainability of the resources in third countries.

Whereas the Commission is in agreement in principle on the substance of Amendment 2, it has difficulty accepting the form of such an amendment. The proposed amendment could have the effect of restricting the scope of what is designed to be a broad and general paragraph dealing with the crucial aspect of control capacities of third countries. Furthermore, the Commission plans to concentrate on developing common objectives with third countries, rather than prescribing to them detailed means as to how to get to those objectives as different countries have different needs.

Amendments 3 to 8 should be considered together with Amendment 17, since they quote objectives which were already covered in the Council's conclusions of 19 July 2004, regarding fisheries partnership agreements. However, the legal provisions of this regulation are not the right place for policy statements. The Commission therefore considers that a reference to these conclusions in the recitals of the proposed regulation, as proposed by Amendment 17, is the most appropriate way to include these aspects and can therefore accept Amendment 17. As a consequence, the scope of Amendments 3 to 8 will be covered through this recital.

Since the Natura 2000 network falls under the Community's environmental policy, the Commission cannot accept Amendment 9 in a regulation which exclusively concerns the common fisheries policy. The Commission will, however, ensure coherence of the common fisheries policy with environmental objectives.

For similar reasons, the Commission cannot accept Amendment 10. In the framework of fisheries partnership agreements, the Council conclusions referred to earlier require coherence between the objectives of the CFP and the objectives of other Community policies such as environmental objectives.

The Commission appreciates the support the Committee on Fisheries has demonstrated and continues to demonstrate towards the regional advisory councils. The proposed Amendment 11 clearly sets out the desire of the Committee to see the role of the regional advisory councils facilitated through indefinite funding. Whereas the Commission is willing to explore options for funding beyond the currently prescribed five-year period, a commitment cannot be made at this stage since this would not be in line with the current regulation that has established the regional advisory councils, but this request can be reconsidered in the first evaluation of the functioning of the regional advisory councils three years after their establishment.

On the cost of commissioning scientific advice, the Commission is already paying independent and credible bodies to deliver the scientific advice. RACs are welcome to highlight to the Commission any need for scientific advice. However, the Commission reserves its right to decide on the justification of such a request on a case-by-case basis and will lead the process of obtaining this advice.

Although the Commission is in agreement in principle on the substance of Amendment 12, it has difficulty accepting the form of such an amendment. The proposed amendment could have the effect of restricting the scope of what is designed to be a broad and general paragraph dealing with the objectives for fisheries partnership agreements. Value for money is just one of the principles mentioned in the Council conclusions of 19 July 2004 regarding fisheries partnership agreements, and it should not be highlighted individually to the detriment of the other principles and objectives defined in the Council.

The Commission has difficulty in accepting Amendment 13. Most of the aspects mentioned in the amendment are covered either by the Council conclusions on fisheries partnership agreements, or by the Financial Regulation applicable to the general budget of the European Communities.

The Commission agrees on the substance of Amendment 14, but not on the form. In principle, the Commission agrees to provide summaries and aggregations of the collected data on request or for specific needs, but it is not planned at this point automatically to issue this data in the form of a periodic publication or report.

Amendment 15 cannot be accepted by the Commission, as fisheries partnership agreements are in essence based on a commercial relationship. The third country is responsible for and sovereign to spend its revenue under the agreement, in whole or in part, in support of its fisheries policy for the purposes jointly agreed in a common approach with the Community. The parties will jointly review the results obtained by this policy. However, in this context, the Commission cannot impose financial audits or on-the-spot checks on third countries without their agreement.

For similar reasons, the Commission cannot accept Amendment 16. Each fisheries partnership agreement contains provisions on the payment of funds, as well as on the use of the share of these funds foreseen for the fisheries policy of the third country. On the basis of indicators and benchmarks, both parties will jointly evaluate the results of this policy and, where appropriate, will make the necessary adjustments. As regards its national budget and financial administration, however, the third country is sovereign.

As said before, the Commission can accept Amendment 17.

Concerning Amendment 18, the Commission welcomes the support from Parliament to reinforce the budget for the common fisheries policy in the course of the negotiations on the 2007–2013 financial perspective. The proposed regulation, by definition, can be adopted only once the financial perspective has, hopefully, been agreed. Therefore, adding a recital, as proposed in this amendment, is probably obsolete.

The Commission agrees on the substance of Amendment 19, but not on the form. Small-scale fisheries, as part of the catching sector, are already included as RAC members by virtue of the RAC decision. Thus the Commission already promotes their participation in RACs as full members.

3-298

Catherine Stihler (PSE), rapporteur. – Mr President, I should like to thank all colleagues for their support so far for my report. This report replaces a number of existing legal measures which provide the basis for current funding beyond monies provided by the European Fisheries Fund. This is in line with the policy of achieving better regulation and simplification of legislation. It sets out objectives for: expenditure, rules for eligibility of expenditure, the level of the Commission contribution and control measures. The key areas covered are: control and enforcement, data collection, scientific advice, governance of the CFP and international matters. The total budget foreseen for 2007-2013 is EUR 2 625 million, although the actual amounts, as the Commissioner has said, will depend on the EU budget negotiations.

On control and enforcement, the aim is to improve the control of fishing activities in order to combat those fishing activities that are damaging the conservation of resources within and outside Community waters. This is to be achieved by

providing Community financial support to Member States to reduce weaknesses in their fisheries control programmes and by assisting coordination of control measures, particularly via the Community Fisheries Control Agency.

Within the area of data collection and scientific advice, Community support will allow for the collection and management of the data needed to evaluate the state of fisheries resources and the fishing industry within and outside Community waters. This will assist the Member States to establish multiannual, aggregated and science-based data sets which incorporate biological, environmental and economic information.

In the area of governance, the goal is to ensure the involvement of stakeholders at all stages of policy development up to and including implementation.

In the area of international relations and the law of the sea, Community financial support is given for the conclusion of fisheries agreements with third countries, including partnership agreements, and participation in international organisations relating to fisheries or the law of the sea. This area is allocated the lion's share of the budget – EUR 1 592.5 million, of which EUR 1 522.5 million will go to fisheries agreements. In addition, some money has been allocated to technical and administrative assistance, including related staff costs.

However, although the sums allocated by the Commission have been increased in committee, MEPs expressed concern that the allocation would not cover all the tasks required. These have been increased by enlargement and the need to collect data on the new seas – for example, current data on the Black Sea scarcely exists.

Uncertainty over funding – not least as we await a new EU budget – poses the question of whether more funds can be made available, and if so, how they should be allocated. If more funding is not available, then the question of whether funding is appropriately allocated by this proposal arises.

The creation of RACs is a vital and most welcome development. They will play a key role in the management of the CFP. However, we need to ensure that the RAC areas are adequately supported. They are unlikely to generate sufficient resources of their own after the start-up phase and, indeed, the operating costs are certain to increase after the start-up phase, as the RACs and their working groups – the North Sea RAC already has four of them – progressively generate and implement new projects in support of management guidance to the Commission. Even in the start-up phase, the level of support to the RACs from the Commission diminishes progressively and steeply and continues to do so, year on year, as the RAC itself is expected to become increasingly self-supporting. Moreover, the secretariats of the RACs have only limited capacity to seek alternative sources of funding, notably from Member States.

There is only limited opportunity – or justification – to pass the burden of cost on to the stakeholders – members of the general assembly and executive committees – especially as individual stakeholders – such as NGOs – seek to be involved in several RACs simultaneously, which incurs significant resource costs. It is vital to press for finance to be available for RACs beyond the initial five-year period.

The financial support for the collection of data on the impact of fisheries on the environment in relation to adopting an ecosystem-based approach is also important. Almost 60% of all the money goes on international fishing agreements, and it is only right that we make sure this amounts to value for money and is a fair development.

Expenditure on agreements should be eligible for Community financing only if it has been recommended as value for money under an evaluation report on the relevant agreement. It is also important to develop control capacities of third countries to ensure sustainable fishing monitoring and control of fishing activities.

If cuts need to be made in the Commission's indicative budget, savings should be found from the international relations area, the largest budget area.

I thank colleagues for their support and urge them to support this report tomorrow, and I wish everybody a Happy Christmas.

3-299

Carmen Fraga Estévez, en nombre del Grupo PPE-DE. – Señor Presidente, aunque ésta es una discusión prematura, puesto que todavía no tenemos las perspectivas financieras aprobadas, creo que, de todas maneras, como medida de previsión, es bueno aprobar el informe de la señora Stihler, pero me gustaría hacer varias observaciones, algunas de ellas coincidentes con las que ha formulado el señor Comisario.

En primer lugar, no estamos de acuerdo con la afirmación de la ponente de que, en el supuesto de una disminución de los créditos previstos en la propuesta de la Comisión, éstos se detraigan sin justificación alguna de la partida correspondiente a acuerdos de pesca, a pesar de que la ponente parece olvidar que la mayor parte de estos fondos están ahora destinados a sufragar la ayuda al desarrollo, y no la parte comercial de dichos acuerdos.

Asimismo, a estas alturas resulta poco práctico el tópico recurrente de vincular la financiación de los acuerdos de pesca a análisis previos de coste-beneficio. En primer lugar, en los estudios *ex-ante* y *ex-post* que realiza la Comisión para cada protocolo, se constata que los acuerdos siguen aportando beneficios superiores al coste para la Unión Europea y, al mismo tiempo, debido a su nuevo carácter de acuerdos de asociación, hay que tener en cuenta otros parámetros no cuantificables en un mero análisis coste-beneficio.

En segundo lugar, tampoco estamos de acuerdo con que se financien medidas de la red Natura 2000 con fondos de la PPC. A este respecto, me remito a lo dicho por este Parlamento en el informe Böge sobre perspectivas financieras.

Por último, y en relación con los comités regionales de pesca, no creo que esté justificado, al menos de momento, ampliar el período previsto por la legislación comunitaria para su financiación, máxime cuando la mayoría de los RAC no están todavía en funcionamiento, por no haberse constituido ni siquiera la mitad de los que estaban previstos. Lo lógico es que los RAC sean un instrumento que pueda llegar a autofinanciarse, si es un instrumento tan útil como esperamos, y no convertirse en una nueva carga para los contribuyentes, máxime en una política cuya dotación financiera está siempre por debajo de los mínimos.

3-300

Rosa Miguélez Ramos, en nombre del Grupo PSE. – Señor Presidente, casi enlazaría con la última frase de la señora Fraga. No sé qué pasa que, justamente la política común que dispone de menos fondos, es la que se ve más asediada por solicitudes de todo tipo. En este sentido y, aunque, sinceramente, agradezco el trabajo realizado por la ponente —y ella lo sabe—, no puedo dejar de manifestar una serie de observaciones, o más bien discrepancias, al texto que ha sido aprobado en comisión y que vamos a votar mañana.

Me refiero concretamente a las enmiendas 6, 9, 11, 12 y 13, de las que, a continuación, haré un breve repaso. En el contexto de este Reglamento, y conociendo las consecuencias beneficiosas que, sobre el empleo, tienen los acuerdos internacionales en las regiones de la Comunidad, entiendo la postura de la Comisión sobre este asunto. El mantenimiento del empleo es un objetivo específico que nadie discute. Ahora bien, fijarnos este mismo objetivo sin mencionar específicamente a la Comunidad, como hace la señora Stihler, puede inducir a error. Como deseo me parece muy loable, pero es algo que supera el ámbito de la PPC y, desde luego, me parece un objetivo poco realista.

Respecto a la recopilación de datos para Natura 2000, prevista en la enmienda 9, creo que debería financiarse por los fondos destinados a la política de medio ambiente —y así lo he dicho siempre— y no por la PPC. Los que nos ocupamos de la PPC sabemos que con esta política se están pagando facturas por obligaciones contraídas dentro de otras políticas comunitarias, como lo prueba el peso económico creciente de la cooperación al desarrollo dentro de los acuerdos de pesca.

Por otra parte, cuando, en la enmienda 12, la señora Stihler plantea el criterio de la rentabilidad como determinante en los acuerdos de asociación pesquera, no puedo dejar de preguntarme a qué rentabilidad se refiere, ¿la del tercer país? Además, señora Stihler, pienso que, si nos basásemos en este criterio de la rentabilidad, no sé si podríamos llevar a cabo la política de cooperación a la que me acabo de referir, y a la que usted misma se refiere. Y, verdaderamente, no sé si usted, como ponente, ha reflexionado o no sobre este criterio de rentabilidad, de tan difícil comprensión para mí.

Acepto las dos enmiendas presentadas por el señor Guerreiro, así como la enmienda 17, presentada por la señora Stihler.

3-301

Elspeth Attwooll, on behalf of the ALDE Group. – Mr President, on this occasion I would like to offer very genuine and heartfelt congratulations to the rapporteur and thank her for her support for the ALDE amendments. These largely related to the issue of international fisheries agreements. I have to say, Commissioner, I was rather disappointed by your response to them.

We do not deny the importance of these agreements, but we believe that if we are expending European taxpayers' money, whether for targeted assistance or in relation to fishing rights, we should know exactly how this money is being expended. Amendment 16 in particular was crafted very carefully to get over the international legal difficulties in that respect.

We are talking about fisheries partnership agreements with obligations on both sides. If we do not have this information, if we cannot evaluate what is going on, how can we decide whether we should renew them when the time comes? There are serious concerns about what is going on in some third-country waters. Only last week, the Environmental Justice Foundation published a report on illegal fishing in Guinea and its links to the European Union. A telling statistic cited in the report is that Guinea is losing over 34 000 tonnes of fish every year to illegal fishing, worth an estimated USD 110 million. The EU fleet is only one of several implicated in this, but it is implicated all the same.

It seems to me that this one example demonstrates why it is crucial that care is taken with regard to the EU's fishing agreements, ensuring that the Union is helping to improve governance in third-country waters, but also addressing the

urgent need on all sides to step up the quality of monitoring and enforcement. Several of the amendments in this report would help the Union move towards more responsible fishing agreements.

On a slightly different topic, the ALDE Group welcomes Amendment 11 proposing that funding for the operating costs of regional advisory councils should not be restricted to the first five years. As the Commissioner has said, they are the cornerstone of the governance of the revised common fisheries policy.

3-302

Pedro Guerreiro, em nome do Grupo GUE/NGL. – Gostaria de reafirmar o que já foi sublinhado no debate na comissão parlamentar, ou seja, a insuficiência do montante dos fundos inscritos na proposta da Comissão Europeia, tendo em conta os objectivos enunciados neste Regulamento - o financiamento de medidas de controlo e execução, de medidas de conservação, de recolha de dados e melhoria dos pareceres científicos, da denominada governança, das relações internacionais e do direito do mar.

Quando se imporia o reforço significativo dos recursos financeiros deste importante instrumento da Política Comum de Pescas, tendo em conta o alargamento da União Europeia e a maior ambição dos objectivos enunciados, não é isso o que se verifica. Aliás, na lógica de restrição do orçamento comunitário para 2007-2013, de que a proposta de Presidência britânica é apenas mais um capítulo. Deste modo, apresentámos uma proposta de alteração que afirma que o envelope financeiro global para as pescas, nomeadamente para a presente proposta de regulamento, é manifestamente insuficiente para fazer face à crise económica e social que o sector atravessa e às necessidades decorrentes da revisão da Política Comum de Pescas de 2002, defendendo que se dote o sector da pesca com os meios financeiros adequados.

Por outro lado, porque consideramos fundamental a participação dos pescadores na definição e execução da Política Comum de Pescas, nos seus diferentes níveis, apresentámos igualmente uma proposta no sentido de que seja apoiada a criação, ou a promoção, de associações representativas da pequena pesca costeira, de longe a mais significativa do sector, assim como que seja apoiada a sua participação nos processos de decisão, nomeadamente nos conselhos consultivos regionais.

Por fim, será de salientar que o regulamento não deixa de estar imbuído da ideia de que a conservação dos recursos haliêuticos passa exclusivamente pela redução da actividade pesqueira ao nível da União Europeia, descurando outros factores determinantes.

Quanto a nós, consideramos que o objectivo primordial deveria consistir na promoção da modernização e no desenvolvimento sustentável do sector, respeitando necessariamente o equilíbrio dos recursos haliêuticos com vista a garantir o abastecimento público de pescado, a manutenção dos postos de trabalho e a melhoria das condições de vida e de trabalho dos trabalhadores da pesca.

3-303

Derek Roland Clark, on behalf of the IND/DEM Group. – Mr President, the common fisheries policy affects the UK more than many other Member States. A UK minister in the late 1940s once remarked that Britain's economy was safe for years to come because, he said, we live on an island of coal, surrounded by fish. The coal is still there, if we care to use it, but the fish have almost gone, due to the disaster that is common fisheries policy.

Designed to conserve fish stocks, this misbegotten scheme has reduced some species to near extinction. Among the most depleted are the plentiful stocks once found in the North Sea and Irish Box, up until 1973 the exclusive province of British fishermen who looked after the fishing grounds and reaped a rich harvest. Then we joined the common market and the CFP, and now these seas are a marine desert in the making, if not already so.

Fair shares for all under the CFP, do I hear? If so, why does Britain have lower quotas in the waters around our shores than some other countries from further afield? And what does it profit anyone to fish our waters out? Too many boats taking too few fish is the cry. Just so. Under the CFP vast fleets of trawlers from countries previously excluded are rapaciously fishing these grounds to extinction, while fertiliser factory ships vacuum up vast quantities of marine life on the seabed, destroying the bottom of the food chain.

How could any sane person devise the CFP scheme of quotas resulting in fish caught in excess being thrown back? Do you not know that the discarded fish are dead when they are thrown back? Do you not know that for some species the annual weight of useless discards is as much as the weight of the fish legally landed? Compare that to Norway and Iceland who both refused to join the EU: their fish stocks remain plentiful and their fishing industries flourish because they look after them, forbidding discards. Meanwhile, the British fishing fleet has sunk to less than a quarter of its previous size.

Destruction of the fishing industry means that the fishermen are out of work and on benefit. It means that fishing ports are in terminal decline, so structural funds are poured in. It means that the social and economic fabric around the ports declines, while the EU claims to be combating this particular misery.

If you think this is a purely British complaint, think again. The fishing industry is a factor in the UK's GDP to which contributions to the EU budget are geared, and that comes on top of the destruction of a priceless natural resource. And so, another Christmas goose reduces its output of golden eggs!

3-304

Duarte Freitas (PPE-DE). – Senhor Presidente, caros Colegas, Senhor Comissário, a Europa atravessa momentos difíceis e, em bom rigor, a crise económica que se instalou permanece e a União Europeia deverá ter em atenção a forma como gere e distribui o seu orçamento por essa via. No entanto, para se conseguir avançar com uma estratégia sólida, consciente e sustentada é necessário termos à disposição ferramentas que nos permitam realizar um trabalho sério, à imagem daquilo que penso que todos nós nos propomos fazer.

A presente proposta de regulamento estabelece o quadro das intervenções financeiras para fins de execução da Política Comum de Pescas, complementando a proposta de regulamento do Conselho relativo ao Fundo Europeu das Pescas, que tivemos oportunidade de aqui discutir há alguns meses atrás. À semelhança do que já havia referido na altura do FEP, parece-me fundamental que as verbas consignadas para estes documentos sejam consentâneas com as necessidades reais do sector da pesca integrada numa Europa alargada com novos desafios pela frente.

Apesar de me congratular com os esforços da Comissão no sentido de tornar os acordos financeiros no âmbito da PCP mais claros e coerentes, não posso deixar de manifestar o meu desagrado relativamente à forma desajustada como relaciona os objectivos pretendidos com as verbas consignadas. Existindo missões mais ambiciosas e de maior alcance em virtude do alargamento da União, parece-me descabido aplicar reduções na ordem dos 6,3% a este instrumento financeiro.

Com um orçamento previsto de 2.625 milhões de euros distribuídos em quatro áreas de intervenção principais, realço que cerca de 60% deste orçamento se encontra consignado aos acordos internacionais em matéria de pesca. A vertente relacionada com os acordos de parceria no domínio da pesca, pelo seu peso orçamental, é um ponto-chave a ter em conta. A coerência entre as conclusões relativas à nova Política Comum de Pescas manifestada nos recentes Conselhos Europeus da Pesca e da Agricultura e as relações internacionais mantidas pela União são salvaguardadas neste relatório do Parlamento, o que me parece de importância capital.

Por fim, a criação de conselhos consultivos regionais e a sua manutenção são um ponto-chave da nova PCP. Afigura-se determinante, portanto, não só garantir o financiamento dos custos de iniciação destas unidades, como também a sua viabilidade no futuro e, para tal, será fundamental que a Comissão clarifique melhor como e em que medida é que estes conselhos consultivos serão financiados em todas as suas dimensões.

3-305

Jacky Henin (GUE/NGL). – Monsieur le Président, chers collègues, la pêche – tout comme l'agriculture – n'est pas un secteur économique comme un autre. La pêche participe à l'élaboration de la qualité de vie au niveau européen, à la sécurité du littoral, à la défense de l'environnement. Dans bien des cas, lorsqu'elle est artisanale, la pêche contribue même à renforcer l'activité touristique.

Il convient de souligner que la communauté des pêcheurs joue un rôle majeur. Le métier qu'ils exercent avec passion est exigeant, dur, dangereux et leur rémunération soumise à de trop nombreux aléas. Souvent endettés, victimes de la hausse continue du gazole, les pêcheurs et leur famille vivent dans la peur de ne pas arriver à joindre les deux bouts et de perdre leur emploi.

Depuis qu'elle existe, la politique communautaire de la pêche ne les a pas aidés à se libérer de leurs angoisses. Au contraire, elle a contribué à la disparition de l'activité de milliers d'artisans pêcheurs et à l'insécurité sociale des marins pêcheurs, sans obtenir de résultats probants en matière de préservation des ressources. Pire, cette politique a souvent donné l'impression de subir la loi des lobbys, plus soucieux de cultiver leur image médiatique et de courir après les subventions que de travailler sérieusement à la défense de l'environnement.

C'est pourquoi, Monsieur le Commissaire, les pêcheurs en ont ras le bol d'être soupçonnés en permanence d'être des délinquants de la mer, par une Commission européenne qui se montre au contraire très complaisante pour les véritables forbans de la mer à savoir les pavillons de complaisance. Monsieur le Commissaire, contrairement aux préjugés de votre aréopage de scientifiques, nul n'est plus attaché à la préservation des ressources halieutiques que les marins pêcheurs. C'est à la fois leur gagne-pain, leur patrimoine et l'avenir de leurs enfants. Il y en a plus qu'assez que des quotas relatifs aux quantités et aux jours de pêche, définis bien souvent sans véritable fondement scientifique et que les États se revendent entre eux, en dépit du bon sens, interviennent dans l'établissement des zones de pêche. La Commission ne doit plus favoriser les pêcheurs de certaines nationalités au détriment des autres. Tout le monde doit être sur un pied d'égalité au sein de l'Europe.

Certes, votre texte présente quelques avancées en la matière, en se donnant l'objectif formel d'associer tous les acteurs concernés, permettez-moi toutefois de le trouver flou et timide. On ne sauvera pas la pêche et les ressources halieutiques sans les pêcheurs et leurs organisations professionnelles et syndicales. Les pêcheurs, par l'intermédiaire de leurs

représentants, doivent être vraiment partie prenante à toutes les décisions les concernant. L'Union doit par ailleurs aider financièrement les États membres à protéger leurs eaux territoriales contre les pirates de la pêche. Je pense en particulier aux eaux territoriales situées dans les régions périphériques de l'Union.

Dans la mesure où il existe un vrai problème de financement d'une politique européenne de la pêche, juste, durable et audacieuse, n'oublions pas que l'une des menaces qui pèsent sur les ressources est due aux pollutions provoquées par le transport maritime. Derrière cette pollution se cache le système des pavillons de complaisance. Alors, taxons les responsables de cette catastrophe écologique permanente et nous aurons les moyens d'engager une politique véritablement ambitieuse.

3-306

PRESIDENZA DELL'ON. MAURO
Vicepresidente

3-307

Joe Borg, Member of the Commission. – Mr President, first of all I would like to say that funding has in fact been increased under this instrument. This is due to a number of reasons: enlargement, new technologies, broader scope of data, the new control agencies and the establishment of the regional advisory councils. On the latter point, I wish to say, as I said before, that the Commission is willing to consider the funding of the regional advisory councils during the review to be undertaken after the third year of their operation.

With regard to the extent of the funds, were more funds to be made available the Commission would surely not complain. However, in reality we will hopefully have a 150% increase in control and enforcement, a 160% increase in data collection and scientific advice, a 110% increase in governance and a 120% increase in international relations. If all goes well, there will be an overall increase of 130% if one compares the 2000-2006 financial period and the 2007-2013 financial period.

If there is a reduction, we have a cushion to some extent, so we do not have to deduct from any one specific heading. If there is going to be a drastic cut, all headings will be affected linearly. We will know hopefully before the end of the week what the situation is going to be. So far, from the indications we have, the cuts envisaged under the financial perspective as regards fisheries are relatively small, especially in the second instrument, and hopefully it will stay that way.

On the international agreements, the Commission believes that the proposal strikes the balance between internal and external policies, between international agreements and conservation, control and governance. At this juncture I wish to highlight that the allocations to the various areas are only indicative and based on current forecasts. Adjustments for each programme will in any case be submitted and adopted every year in the annual budgetary procedure.

I would like to pick up on the point made by Mrs Attwooll with regard to Amendment 16. Since these are commercial relationships, the monies often go directly to the treasury budget as part of the budget of the state. However, we intend to strengthen our dialogue with the Commission's development services, to enhance the effectiveness of these monies in these countries' general development objectives, in particular in the fisheries sector.

With particular reference to the fisheries partnership agreements, I need to underline that each fisheries partnership agreement contains provisions on the payment of funds under the agreement, as well as on the use of the financial share foreseen for the fisheries policy of the third country. On the basis of indicators and benchmarks, as I have said before, both parties will jointly evaluate the results of this policy and where appropriate will make the necessary adjustments.

With regard to the remarks made by Mr Clark, I cannot agree with his assertions. The lower stocks of fish are the result of year upon year of uncontrolled over-fishing and not of the common fisheries policy. That policy, through its measures, seeks to address the need for balance between the availability of stocks and the fleets that target them.

Finally, the point on coastal fisheries and small-scale fisheries is better addressed under the European Fisheries Fund, which will hopefully be adopted early in 2006.

3-308

Presidente. – La discussione è chiusa.

La votazione si svolgerà domani, alle 10.00.

3-309

20 - Partecipazione finanziaria della Comunità ai programmi di controllo della pesca degli Stati membri - Sanzioni comunitarie nel settore della pesca

3-310

Presidente. – L'ordine del giorno reca, in discussione congiunta,

- la relazione della commissione per la pesca, sulla proposta di decisione del Consiglio che modifica la decisione 2004/465/CE del Consiglio relativa ad una partecipazione finanziaria della Comunità ai programmi di controllo delle attività di pesca attuati dagli Stati membri [COM(2005)0328 - C6-0273/2005 - 2005/0136(CNS)] - Commissione per la pesca. (Relatore: Paulo Casaca) (A6-0339/2005) e

- l'interrogazione orale dell'on. Philippe Morillon, a nome della commissione per la pesca, alla Commissione, su sanzioni comunitarie nel settore della pesca (O-0111/2005 - B6-0344/2005).

3-311

Paulo Casaca (PSE), relator. – Senhor Presidente, Senhor Comissário, é hoje cada vez mais consensual entre cientistas e investigadores e organizações não governamentais de defesa do ambiente que a pesca sustentável exige uma ligação estável e durável do pescador ao meio ambiente em que realiza a sua actividade e entre esta actividade económica e o acompanhamento, controlo e penalização de práticas predatórias.

Numa excelente tese sobre o funcionamento da Confraria de Cangas, na Galiza, Dora Jesus observou que a assumpção de direitos exclusivos de pesca numa área determinada para uma comunidade piscatória determinada, ou seja, a assumpção de direitos e deveres relativos à propriedade dos recursos naturais, associada a sistemas primários de controlo e de penalização geridos pela própria confraria, permitiu a recuperação do percebe e a sua exploração ecológica e economicamente sustentável na zona sob controlo dessa confraria.

A União Europeia, infelizmente, optou por uma política diversa, ou seja, um máximo de dissociação entre os direitos de pesca, cuja atribuição é tida como competência exclusiva europeia e que para algumas espécies são determinados para virtualmente todo o espaço marinho europeu, e os sistemas de controlo e de penalização deixados quase completamente à disposição de cada um.

A verba e as taxas de comparticipação propostas pela Comissão Europeia para apoiar o investimento em controlo da pesca pelos Estados-Membros, reduzidos para 32 milhões de euros em 2006, são uma pequena quantia comparada com as responsabilidades atribuídas a algumas regiões e a alguns Estados-Membros. Acresce a este facto que não existe comparticipação comunitária para a execução dos controlos e da fiscalização da PCP. Permitam-me recordar, neste contexto, que por exemplo, Portugal, apesar de contar com pouco mais de 2% da população europeia, tem mais de 50% da área das zonas económicas exclusivas europeias e que, só a região autónoma dos Açores tem, por si só, uma ZEE maior do que a de qualquer Estado-Membro, apesar de ter apenas 250 mil habitantes.

Em resultado desta situação e desde que o acesso às águas dos Açores foi liberalizado a 1 de Agosto de 2004, e apesar de já ter sido registada através de VMS a presença de muitas dezenas de embarcações externas nessa ZEE atingindo, por vezes, mais de duas dezenas em simultâneo, apenas há a registar um único controlo efectuado entre elas, em absoluto contraste com as inúmeras fiscalizações realizadas em terra, ou a curta distância desta, sobre a frota artesanal dos Açores pelas autoridades regionais, nacionais e comunitárias.

Na ausência de qualquer sistema de controlo VMV e exactamente com o sistema VMS a funcionar de forma extraordinariamente deficiente, em virtude de algumas derrogações a aspectos fundamentais do seu funcionamento, com o sistema clássico de controlo no mar alto pouco actuante e efectivo, ele continua, nomeadamente nas zonas mais pobres e periféricas da Europa como as que acabámos de referir, sem uma protecção eficaz, quer em relação à pesca de navios não registados, quer mesmo em relação aos navios legalmente registados.

Numa Conferência sobre Política Marítima e Estratégia Marinha Europeia realizada na semana passada pelo Partido Socialista Europeu, em Ponta Delgada, ficámos a saber que foram recenseadas, recentemente, no mar dos Açores, cerca de 150 espécies diferentes de corais, várias delas endémicas e algumas com períodos de vida que podem atingir a ordem dos milhares de anos. Entre elas temos densas florestas de corais negros, alguns com mais de dois metros de altura. O valor patrimonial destes corais e outros organismos de profundidade ainda por conhecer e o seu potencial biotecnológico é, reconhecidamente, enorme. É verdade que, finalmente, nesta zona, foi proibido o arrasto e as redes de emalhar de fundo, mas o problema é saber se estas proibições são efectivas quando o esforço e a garantia comunitária de acompanhamento, de controlo e de protecção destes tesouros europeus são praticamente nulos.

O anúncio da proposta de estratégia marinha pela Comissão Europeia deu-nos a todos a esperança de vermos este estado de coisas alterado, mas foi com enorme decepção que verificámos que essa proposta contempla um financiamento comunitário nulo, ou seja, vai insistir na mesma lógica actual pela qual, na Europa, só o usufruto dos recursos marinhos é que é de todos, as responsabilidades da protecção são exclusivamente das populações que lá vivem.

No plano da segurança marítima e da salvaguarda da natureza estamos agora nos Açores, infelizmente, confrontados com uma tragédia de grandes dimensões com o encalhe de um porta-contentores de grande dimensão com bandeira de conveniência, numa arriba classificada como sítio de interesse comunitário integrado na Rede Natura 2000, carregando

alguns contentores com carga química perigosa. Apesar dos vários pacotes legislativos, do *Erika*, do *Prestige*, apesar da criada Agência Europeia de Segurança Marítima, a verdade é que continua a não haver capacidade de resposta europeia, tanto a estas catástrofes, como às que resultam da pesca não sustentável.

É por estas razões que pensamos ser urgente a formação de uma verdadeira guarda costeira europeia onde as actividades de controlo da pesca sejam ligadas às restantes operações de controlo no mar e onde haja uma abertura da actividade da pesca ao conjunto da frota europeia - um sistema eficaz, moderno e harmonizado de controlos e sanções. A liberalização do acesso às águas sem o cumprimento destes requisitos é absolutamente inaceitável e não pode ter outro resultado que a rápida delapidação do património natural marinho europeu.

3-312

Elsbeth Attwooll (ALDE), deputising for the author. – Mr President, the issue of sanctions is of some urgency. A level playing field is essential to giving fishermen faith in the fairness of the common fisheries policy. Without that faith it becomes much more difficult to put well considered and effective management tools in place.

The Commission's latest report on behaviour that has seriously infringed the rules of the common fisheries policy demonstrates once again how uneven the playing field currently is. In 2003 there was a range within Member States of between 24% and 100% of the infringements that were actually followed by a sanction. Average finds for the same offence also vary considerably between Member States: for example, for keeping prohibited fishing gear on board, between EUR 451 and EUR 9 000; for unauthorised fishing, between EUR 375 and EUR 8 379, and for falsifying data, between EUR 98 and EUR 132 056.

Over three years ago my own report on infringements urged the Commission 'to examine the possibility of introducing a uniform system of minimum penalties across the European Union ... to strengthen fishers' confidence in the fundamental principle of equal treatment, which implies objective criteria for classification and rating, as well as for infringements and penalties'. I accept that it is agreed minima to which we look, as there must be some room to align the penalty to the value of the catch and to penalise repeat offences more seriously than first offences, but I believe that we need greater uniformity in both the level of penalties and the type of penalties and procedures involved.

Members of the Committee on Fisheries would be grateful for the Commissioner's answer to our question, bearing in mind that the preliminary statement should be clarified to the fact that what it is stating is that 86% of all offences are currently covered by administrative sanctions and 14% by penal ones. We would be grateful for the Commission's view on the issues that we have raised.

3-313

Joe Borg, Member of the Commission. – Mr President, I wish to thank the rapporteur and the Committee on Fisheries for its report on this proposal from the Commission. I am pleased to note that the committee has given a favourable assessment to this scheme, which is aimed at improving the Member States' control capabilities, and that it fully supports the extension of its validity for a further year. I also note that the committee is favourable to financing, under the Community budget, administrative arrangements with the Joint Research Centre with a view to developing new technologies in the area of control, and to the financing of studies on control-related areas, to be carried out at the Commission's initiative.

The committee has, however, tabled seven amendments to the proposal. I regret that it is very difficult to accept any of the amendments, mainly for formal reasons, which I would like to explain.

Amendment 2 proposes a change to the time limit for the presentation of national programmes. We would like to keep the existing date of 31 January, as the submission of requests early on in the year will allow the Commission to adopt a decision granting the financial contribution in the first semester. This will, in turn, ease the planning requirements for national administrations. It should also be noted that the national administrations are already fully aware of this time limit.

On Amendment 3 and the related Amendments 1 and 6, the Commission shares the committee's view that these expenses should be financed under a different heading. This can be done through a budgetary arrangement. However, it is not possible to finance these two new actions if they were not foreseen in the legal text. The Commission deems that this proposal is the appropriate legal text to introduce them and cannot, therefore, accept these amendments.

In Amendment 4, the committee asks the Commission to establish criteria in order to allocate grants when the amount of request exceeds the available appropriations. The Commission's policy is to allocate grants only when the need for investment has been proven, namely through the national report on control activities, irrespective of the overall amount requested. Establishing criteria will introduce some rigidity to the selection of projects and could entail a risk that grants will be given for projects that are not of general interest. This amendment cannot, therefore, be accepted.

Amendment 5 refers to the contribution rate for the most expensive items, i.e. patrol vessels and aircraft. Increasing the rate to up to 75% of the eligible expenditure will reduce appropriations for other actions. The Commission considers a rate

not exceeding 50% to be appropriate, as a general rule, for all kinds of investment. It cannot, therefore, accept this amendment.

Finally, the Commission cannot accept 7, since at the end of 2006 most of the projects will not yet have been completed, meaning a report on the decision will be of little use. I should like to recall that the Commission will present a report on this decision to the European Parliament by 30 June 2008 at the latest.

Concerning Mr Morillon's oral question to the Commission, may I say that I fully share the view that sanctions, including in the fisheries sector, must be proportionate to the seriousness of the offences committed. They must also effectively discourage any further infringement of the same nature. Moreover, sanctions should be non-discriminatory between nationals and non-nationals of Member States. We cannot achieve compliance with the rules of the common fisheries policy without creating a level playing field across the European Union for all fishermen.

With a view to promoting transparency and to encouraging the application of adequate and dissuasive sanctions against those who commit serious infringements, the Commission publishes an annual communication on serious infringements to the rules of the community fisheries policy.

The Commission has published four of these communications so far. In its comments on the tables annexed to the communications, the Commission stressed the need to reduce existing disparities regarding the level of sanctions imposed across the Community.

On the same communications, the Commission has also declared its preference for the use of administrative procedures and sanctions when dealing with breaches of the common fisheries policy rules, since they are imposed in a swifter manner and are more effective. The Commission believes that a sanction, such as the suspension of an authorisation to fish, decided by the administrative authority and entering into force immediately, subject to the possibility of a judicial review, is a stronger deterrent. The choice, however, between a penal or administrative procedure lies with the Member State.

In conformity with Article 25(4) of Council Regulation (EC) No 2371/2002, the basic regulation on the CFP, the Commission intends to present in due time a proposal aimed at harmonising at Community level sanctions for serious infringements.

³⁻³¹⁴

Duarte Freitas, em nome do Grupo PPE-DE. – Senhor Presidente, caros Colegas, Senhor Comissário, o controlo das actividades de pesca constitui um pilar importante para a sustentabilidade do sector pesqueiro e, face à necessidade de recuperar determinados *stocks* de pesca ameaçados, é urgente continuar a apoiar os Estados-Membros para que estes possam exercer a sua obrigação de controlo, vigilância e inspecção das actividades de pesca nas suas áreas de jurisdição.

O resultado de uma reflexão estratégica data de 2001, altura em que as estratégias de controlo constituíam já um dos eixos importantes do Livro Verde desse ano. A criação de uma Agência Comunitária de Controlo das Pescas, em Abril de 2005, pode vir a preconizar, penso eu, o início de uma nova era. Apesar de organizar e coordenar as actividades de controlo e de inspecção dos diferentes Estados-Membros, esta Instituição não elimina as competências e obrigações destes Estados.

Numa altura em que se aguarda ainda uma decisão relativamente às Perspectivas Financeiras e o novo Quadro comunitário para o período 2007-2013, estes montantes são ainda uma incógnita e convém, desde logo, acautelar o prolongamento da Decisão 465/2004.

Nesta matéria gostaria de felicitar o meu compatriota Paulo Casaca pelo bom desempenho que teve como relator deste documento. Apesar daquilo que o Senhor Comissário referiu, julgo que os ajustes feitos ao texto inicial são pertinentes e tornam o documento mais equilibrado e consentâneo com o seu real propósito. Contudo, e apesar da aprovação do documento merecer o meu total e inequívoco apoio, gostaria de chamar, mais uma vez, a atenção para o facto de os Estados-Membros se continuarem a debater com imensas dificuldades de ordem financeira para poderem aplicar todas as medidas desejadas.

A recente comunicação da Comissão Europeia de 2003 e os relatos de incumprimento em matéria de violação da PCP são a prova de que ainda há muito a fazer. A fim de assegurar que os Estados-Membros cumpram as obrigações que lhes são impostas pelas regras da Política Comum de Pescas é, pois, absolutamente necessário que a Comissão Europeia continue a apoiar os seus investimentos no domínio do controlo e fiscalização.

³⁻³¹⁵

Heinz Kindermann, im Namen der PSE-Fraktion. – Herr Präsident! Ohne Zweifel hat die Entscheidung 2004/465/EG über eine finanzielle Beteiligung der Gemeinschaft an den Fischereiüberwachungsprogrammen der Mitgliedstaaten dazu beigetragen, die Kontrollstrukturen und die Ausstattung mit Kontrollmitteln in den einzelnen Mitgliedstaaten zu verbessern sowie den Informationsfluss effektiver zu gestalten. Gleichzeitig konnten damit die Kompetenzen der EU-Inspektoren bei der Überwachung und Kontrolle verbessert werden. Kontrollprogramme werden immer und überall von

den Personen, die zu kontrollieren sind, als störend und oft als diskriminierend empfunden. Leider beweist aber die Praxis, dass es ohne Kontrolle der Fangtätigkeit im Rahmen der gemeinsamen Fischereipolitik nicht geht. Jeder gesetzte Rechtsrahmen ist nur so gut, wie die Einhaltung seiner vorgegebenen Regeln effektiv und ohne großen Aufwand kontrolliert werden kann. Diese Maßnahmen in den Kontrollprogrammen kosten natürlich Geld und sollten dementsprechend auch mit den nötigen Finanzen ausgestattet werden.

Wir unterstützen daher den Vorschlag des Berichterstatters, die Gültigkeit der Entscheidung 2004/465/EG um ein Jahr zu verlängern. Damit wäre die Gemeinschaftsbeteiligung an der Finanzierung der Fischereüberwachungsprogramme der Mitgliedstaaten zumindest bis Ende 2006 abgesichert, wenn auch vielleicht unter anderen finanziellen Voraussetzungen.

Was nun die von der Kommission vorgeschlagenen Änderungen im Entscheidungsvorschlag betrifft, unterstützen wir die Bewertung durch den Berichterstatter und sprechen ihm auch unseren Dank aus.

3-316

Brian Crowley, on behalf of the UEN Group. – Mr President, I would like to thank the author of the oral question and Mrs Attwooll for presenting it, particularly as she is missing her group's Christmas party this evening by being here, which shows her true dedication.

The question of sanctions and whether they are criminal or administrative is very important. Obviously nobody within this House would condone a breach of the regulations or rules. It is appropriate that we are having this debate as a joint debate with the Casaca report, because the whole issue of fishery control measures and what is required is one that not only can deliver more environmentally and economically sustainable fisheries; it can also give certainty to many fishing families, so that they can continue to live their lives in the way that they have enjoyed up to now.

However, outside the question regarding the effects on stocks and stocking levels, and the new rules and regulations with regard to fishing effort and everything else, there is a further layer of bureaucracy which has a direct impact on the fishermen's ability to make a living.

Commissioner, you have stated on a number of occasions that you have a preference for administrative sanctions as against criminal sanctions. There has also been the question of giving certainty with regard to some form of uniformity: not a harmonisation but a uniformity of sanctions and penalties as they apply across the Member States. Mrs Attwooll mentioned some of the divergences in her presentation. I would like to give you a few more figures from the last Commission report received relating to fisheries offences.

There were 1 785 offences in Spain; 1 641 of them were dealt with by administrative sanctions. There were 1 579 offences in Portugal; three of them were dealt with by criminal sanctions. Out of a total of 26 offences in my own country, Ireland, 20 were dealt with by the criminal courts. The average fine in Portugal was EUR 491; the average fine in Spain was EUR 2 126. The average fine in Ireland was EUR 11 978, which under proposed new legislation to be introduced next year will increase to EUR 220 000.

Obviously, there must be some fairness and equity with regard to the way that these fines and penalties are imposed. Ultimately, it is up to the Member States to put in place the legislation to transpose properly the ideology behind the fisheries regulations and directives. There must also be equity and proportionality within that sanction regime. There must be a preference towards administrative sanctions rather than criminal sanctions.

There has been some talk recently in certain quarters that the Commission was considering taking action against Ireland for failure to implement new legislation, which is currently going through the national parliament in Ireland. Indeed, officials from your own office, Commissioner, recently met representatives of the fisheries committee in the Irish Parliament, as well as meeting members of the Committee on Fisheries here in the European Parliament, to discuss the issue of criminal sanctions and administrative sanctions. I hope these rumours of so-called financial sanctions to be taken against Ireland are untrue.

I hope that tonight you could encourage us with the legislation that exists in Malta, where for a small offence, a small sanction applies – administrative only. For a larger offence, a larger administrative sanction applies. For a serious offence, a criminal sanction will apply. For a continuous offender, then there should be the most rigorous enforcement of criminal sanctions.

But there is no equity or fairness when a logbook offence in one country leads to a fine of only EUR 96, whereas in another country this could lead to the confiscation of boat, catch and gear. There must be proportionality.

3-317

James Hugh Allister (NI). – Mr President, I am somewhat intrigued by the background giving rise to the oral question before the House. Since 1999, countries that obey the rules have been honouring Council Regulation (EC) No 1447/1999,

which required proportional, effective and dissuasive penalties with regard to serious infringements of the common fisheries policy.

It is no surprise to find that the United Kingdom is at the top of the class in its dedication to meeting the Commission's demands, whereas some of those countries that speak the loudest about their commitment to the European project – such as Spain and Germany – are among the main defaulters. The latest figures of serious CFP infringements are – as we have heard – those published by the Commission for 2003. They show that the average fine in the United Kingdom was almost EUR 78 000 whereas the EU average was a mere EUR 4 500. On the serious matter of falsifying records, the UK average fine was EUR 132 000 while in Germany it was a derisory EUR 98 – but EUR 98 more than in the Republic of Ireland which, according to those official Commission figures, had no penalties to declare in 2003, although it belatedly admitted that it had 103 serious infringements! Wherever the last speaker conjured up his figures, he certainly did not conjure them up from the published Commission figures. It is not without significance that only when a red-faced Dublin Government published proposals for penalties to deal with this issue that, at the behest of Irish MEPs and others, this oral question was raised.

Let me make it clear: I see merit in equitable and proportionate penalties across the EU, but I am less than impressed by the fact that, so long as the fishermen of the United Kingdom were bearing the brunt of punitive action, nobody cared. But once one of the free-wheeling states is asked to pedal, then there are cries for equity, for fairness and for a level playing field.

The disparity that has been in operation for years has a practical detriment for those states that have been complying. Take the situation in the Irish Sea, where most of the fishermen from my country, Northern Ireland, have to compete to fish. There, we compete with fishermen from the Republic of Ireland, whereas the Northern Ireland fisherman for years has been subject to those draconian UK penalties. Indeed, at present, some Ulster fishermen are awaiting trial in Liverpool Crown Court. Yet, for years it seems that their southern counterparts have had the benefit of flouting the rules without serious penalty. Think what that does to competitiveness. Every time the Northern Ireland fisherman goes to sea, he has to factor in the risk of savage penalty if he seriously infringes the CFP, but, according to the Commission's figures, the Republic of Ireland fisherman in the same waters has no worries at all. Until now, his government has not seemed to bother about serious infringement.

So, by all means, let us have parity of treatment, but let us understand the detriment suffered to date by those who, for years, have kept to the rules on pain of savage punishment. How, Commissioner, is that historic wrong to be righted? You said tonight that you very much favour administrative sanctions. If that is so, would you now publicly support and encourage the United Kingdom to discontinue its present prosecutions? That would greatly help.

3-318

James Nicholson (PPE-DE). – Mr President, I welcome the opportunity to take part in this debate, as I believe it gives us the chance to raise the difficult degrees of sanctions imposed on the fishing fleets in different Member States of the European Union. We have heard from various Members about the disparities in fines and controls in Member States, which I do not have enough time to address now.

In the United Kingdom, draconian measures have been introduced. Now draconian measures are being proposed in the Republic of Ireland. As the previous speaker said, the British Government has had these implemented perfectly from day one, as it always does, while everybody else lags behind. There is nothing new in that, however, and we should not be surprised at it. Our fishermen and farmers, and many other industries, have suffered this state of affairs, whilst the situation in other states barely compares.

The result of this European Directive, implemented by the Member States, is a total disparity among the Member States. This is unacceptable and unworkable. Like the previous speaker, I come from Northern Ireland. A very small off-shore fleet operates in Box 7A in the Irish Sea, subject to the draconian rules imposed by the British Government. They are now going to be facing the draconian rules introduced by the Republic of Ireland Government. At times they fish in those waters and there is great cooperation among the fishermen in those areas. However, that is of little use to the fishermen if, as the previous speaker says, they find themselves before the courts.

This is the type of directive that brings the European Union into total disrepute in the Member States, as there is no semblance of a level playing field. You talked about a level playing field. It does not exist. There should be proportionality and equal treatment. I realise that there is no easy solution. You know that yourself, as you recently visited Northern Ireland. I understand that, but I believe the Commission must urgently review this entire issue of sanctions in the fisheries sector. Let me make it clear. I believe we require sanctions and controls. There is no question about that and we are not advocating anything else. However, we must be realistic and they must be able to be implemented, unlike these present and unacceptable proposals. As the fishing industry goes to Brussels next week to look to its future and fate on tax and quotas, this is the type of problem they do not need to face.

I would like to leave you with one point, if you will allow me. I want to put one question to the Commission. It does not help us to stand in this House tonight and trade insults with each other, about what this or that Member State does. In the long term, we need each Member State to respect each other's position. You said you were going to harmonise sanctions. So when are you going to come forward with the proposals?

3-319

Paulo Casaca (PSE). – Senhor Presidente, devo dizer que foi com a maior das admirações que eu ouvi a intervenção do Senhor Comissário e gostaria que ele clarificasse se não se tratou de um tremendo equívoco aquilo que ele aqui declarou, porque as emendas nº 2 e nº 6 foram explícita e repetidamente apoiadas pela Comissão Europeia, quer na Comissão das Pescas, quer por mensagem electrónica. Foi na base desse apoio explícito que nós tratámos conjuntamente de alterações orçamentais para adaptar exactamente as emendas nº 2 e nº 6 e, agora, o Senhor Comissário vem-nos dizer que, afinal de contas, a Comissão não apoia aquilo que disse o tempo todo que apoiava.

Bem, com certeza que deve haver aqui um equívoco e eu agradecia que o Senhor Comissário o esclarecesse porque senão parece-me extraordinariamente difícil trabalhar com a Comissão no futuro.

3-320

Joe Borg, Member of the Commission. – Mr President, I wish to begin by saying – on the previous point made by Mr Casaca – that when preparing the allocation of grants, the Commission examines the requests submitted by Member States, taking into account the needs and efficiencies of each Member State, as they result mainly from the national programme and from the earlier report on control activities, which each Member State must transmit to the Commission. Priority is given to those investments which are deemed more cost-effective, bearing in mind the general interest in achieving a high level of control throughout the Community. Therefore, priority may change over the years and be different for different Member States.

I totally agree with Mr Kindermann that control and enforcement is a cornerstone of the effectiveness of the common fisheries policy. I am committed to continuing to strengthen control and enforcement activities. The establishment of the control agency this year will certainly make an important contribution in this area.

On the points raised by Mrs Attwooll, Mr Crowley and other speakers with regard to the whole question of sanctions, let me say that the main trend, as published in the communication, shows that the total number of serious infringements has varied considerably from one year to another – from 4 180 in 2000 to 9 502 in 2003. It is difficult to know if this increase in the infringements detected means that the rate of detection of serious infringements is improving or if the number of infringements committed has increased.

One notable element of progress with regard to deterrence is the fact that the average amount of fines imposed has increased from EUR 1 757 in 2002 to EUR 4 664 in 2003 – that is an increase in one year of 165%. However, the fact that fines imposed in 2003 amount to only 0.004% of the value of landings in 2002, makes us think that fines remain too modest to represent a real deterrent for rule breakers. Having said that, this is a general statement, and one would have to look into the various subsectors and offences with regard to which these fines have been imposed.

Some conclusions from the previous communications are, firstly, that there are substantial differences between the average penalties applied – as a number of Members have made clear tonight – and that the amount of penalties remains too low to represent an effective deterrent against non-compliance with the rules of the common fisheries policy.

Regarding whether criminal procedures or administrative procedures are the best option, Article 25 of Regulation (EC) No 2371/2002 foresees that Member States are to take appropriate measures against responsible persons when the common fisheries rules have not been respected.

Member States can prosecute infringements through criminal or administrative procedures, provided that these measures are effective and proportionate to the seriousness of the infringements. The Commission cannot otherwise interfere in the choice of the instrument by individual Member States. This could touch upon the sensitive issue of state sovereignty.

Having said that, I repeat that it is the Commission's view that administrative procedures – and thus administrative sanctions – are preferable. They are preferable because they can be imposed swiftly by an administrative authority, as this does not require the lengthy process involved in establishing liability before sanctions can be imposed in criminal proceedings. They are less expensive than judicial proceedings. Non-criminal sanctions can be swiftly imposed and have been seen to be more effective than more severe penal sanctions. For instance, an administrative sanction, such as suspension of a fishing permit, may be an effective way to encourage compliance, as it can be applied quickly. I regret that the majority of Member States do not use this tool more often.

The sanction – be it criminal or administrative – must be tailored to the seriousness of the infringement. Mitigating or aggravating factors include: a negative impact of the violation on fisheries resources or type of fish; previous conduct of the violators; repetition of the same infringement; and the estimated economic benefits deriving from the infringement.

The Commission has launched a consultation process on improving the quality of data collected and reported and the analysis of this data, in order to compare the situation between Member States. Furthermore, the Commission intends to propose a catalogue of sanctions to be imposed in cases of serious infringements, for adoption by the Council, as foreseen in Article 25(4) of Council Regulation (EC) No 2371/2002. The catalogue should help to increase the level of sanctions and contribute to the establishment of a more level playing field. This catalogue is scheduled to be presented by the Commission in the second half of 2007.

As I have already said, the discrepancies are, therefore, large and our preference is for administrative sanctions, since they are more effective and can be implemented quickly.

In reply to a specific point that was made, I would say that our proposal for the harmonisation of sanctions for serious infringements will be published in 2007. We hope that this will create a more level playing field and, at the same time, address the issue of proportionality.

With regard to the last point, which was raised by Mr Casaca, concerning Amendments 2 and 6, I apologise. The information that I have is that these amendments were not supported in committee. However, I will look into this and contact him tomorrow before the vote.

3-321

Presidente. – La discussione congiunta è chiusa.

La votazione si svolgerà domani, alle 10.00.

3-322

21 - Protocollo all'accordo di pesca CE/Seicelle

3-323

Presidente. – L'ordine del giorno reca la relazione, a nome della commissione per la pesca, sulla proposta di regolamento del Consiglio relativo alla conclusione del protocollo che fissa le possibilità di pesca e la contropartita finanziaria previste dall'accordo tra la Comunità economica europea e la Repubblica delle Seicelle sulla pesca al largo delle Seicelle per il periodo 18 gennaio 2005-17 gennaio 2011 [COM(2005)0421 - C6-0321/2005 - 2005/0173(CNS)] (Relatore: Philippe Morillon) (A6-0385/2005).

3-324

Joe Borg, Member of the Commission. – Mr President, before I outline the Commission's position on this dossier let me first extend my gratitude to the Committee on Fisheries, and especially to its Chairman and rapporteur Mr Morillon for his excellent work carried out within the very tight deadlines.

As you are all aware, the Commission procedures have delayed the finalisation of this proposal. The Commission is endeavouring to prevent similar delays occurring in the future. We are currently undertaking internal consultations to see how best to overcome the delays which result in very short timeframes being given to the European Parliament to consider the reports. I hope to be able to report to the Committee on Fisheries on possible solutions in the near future. In the meantime I want to apologise to the rapporteur for the very tight deadlines he had to work within, and I personally commit myself to discuss with him and to search for and find a solution with regard to the future modus operandi.

On this dossier I would like to say that we informed the Seychelles authorities of the delay in the adoption procedure at an early stage. The Seychelles authorities have shown great understanding.

As the honourable Members are aware, the Community has a long-standing relation with the Seychelles in the fisheries area. The first fisheries agreement with the country dates back to 1985 and this is one of the most important tuna agreements in financial terms. It is also the cornerstone of the network of our tuna agreements in the Indian Ocean.

This new Protocol is the first one that fully reflects the new partnership approach. Both parties subscribe to a political dialogue on fisheries issues and in particular the fisheries sector policy defined by the Government of the Seychelles. More than one third of the financial contribution has been earmarked in support of the Seychelles fisheries policy.

In line with this desire, the Commission has had a joint committee meeting in April and two technical meetings in July and September 2005 with the Seychelles authorities in order to start the political dialogue on the establishment of a multiannual sector programme to support the development of responsible fisheries in the Seychelles. This work includes the establishment of annual and multiannual objectives, the distribution of a part of the financial compensation, the aims to be attained and criteria and procedures to be followed, in order to allow for an evaluation of the yearly results obtained in accordance with Article 7 of the Protocol. In this manner, both parties are firmly committed to responsible fishing and sustainable fisheries in the Seychelles waters.

The new Protocol covers a six-year period from 18 January 2005 to 17 January 2011. It grants fishing opportunities for 40 tuna seiners and 12 surface longliners and foresees a financial contribution of EUR 4 125 000 per year. The Protocol is of mutual benefit to both parties.

I shall now turn to the amendments. On Amendment 1 we fully share Parliament's concern and appreciate the speedy procedure undertaken notwithstanding the short time-frames given to them. As I said before, the Commission informed the Seychelles authorities of this delay at an early stage. The Seychelles authorities have shown great understanding and have accepted to receive the payment of the financial compensation for the first year of the agreement at a later date.

As I have stated above, the delays in the transmission result mainly from the nature of negotiations, but also because of the length of time involved in internal procedures. In view of this and of my commitment to find a solution, I seek the rapporteur's understanding of our inability to accept this amendment.

On Amendment 2, as stated in Article 7 of the Protocol, it is up to the coastal state, in agreement with the Community, to decide on the way the financial contribution will be used in support of its fisheries policy. It is therefore the responsibility of the Seychelles authorities to identify the main priorities of their fisheries policy to be implemented with the assistance of the Fisheries Protocol. Therefore I am unable to accept this amendment.

As regards Amendments 3 and 5, the Commission is entirely in agreement with their spirit. However, the Commission already complies with the transmission of this kind of information, in line with both the current interinstitutional arrangements and in particular with the framework agreement between the Commission and the European Parliament. The Commission therefore considers that these amendments are not really necessary, if my information is right.

Amendment 4 cannot be accepted by the Commission. May I recall the basic Community provisions concerning the mandate of the Commission to negotiate on behalf of the Community. The Council has authorised the Commission to negotiate fisheries arrangements between the Community and the Seychelles. Against this background, the periodic renewal does not require a new mandate each time. There is no need for a new mandate, given that the existing mandate covers these negotiations' objectives.

On Amendment 6, the new Protocol does not contain any targeted measures but a support to the Seychelles fisheries policy – Article 7 of the Protocol –promoting responsible fishing and sustainable fisheries in Seychelles waters. We fully share the concern to keep the EP informed on the various aspects of the implementation of the Protocol. However, the Commission already complies with the transmission of such information in line with the current interinstitutional arrangements. Therefore the Commission considers that this amendment is not really necessary.

3-325

Elspeth Attwooll (ALDE), deputising for the rapporteur. – Mr President, Commissioner, you have already outlined the contents of the partnership agreement and explained to us that it is one of the first – if not the first – to be negotiated by the Commission as part of the new philosophy agreed by the Council in July 2004. I am sure General Morillon will be pleased when I convey to him your commitment to trying to find a resolution to the problem of timing. The Committee on Fisheries would like you to think again about your acceptance of amendments.

We had the final proposal submitted to us on 18 October this year, 14 days after the deadline for first payment. I accept that you had already spoken about it with officials in the Seychelles and they were very understanding, but this again was nine months after the agreement was due to come into force. We appreciate the exigencies of negotiating a new type of agreement but we on the Fisheries Committee feel that we want to be kept better informed about what is going on. We also want to have some kind of input into the kind of agreement that is being reached, hence the emphasis that the financial contribution must be used for the development of coastal populations living on fisheries.

I revert to the point I made earlier this evening that we are now talking about fisheries partnership agreements in which both sides acquire rights but also take on obligations. There is a feeling on the part of the Fisheries Committee that we want to know what is going on, we want the Commission to submit a report to us and to the Council on the application of the agreement and on the conditions under which it was implemented, and to include a cost/benefit analysis. If we do not have that kind of information, when it comes to renewal, how can we give a considered opinion on the merits of the new agreement?

Please, Commissioner, with regard to our amendments, I would be very grateful if you could see what the Fisheries Committee is trying to achieve in this respect: fuller involvement of the European Parliament, not an attempt to take over the Commission's negotiating mandate, but to have a real input into what is being decided. It is European taxpayers' money that is involved. We are sure that the Commission is doing its very best to ensure that it is put to good use, but we are part of the budgetary authority. We would like to be reassured that we can have the observation and control, which is part of our mandate.

Please, Commissioner, think again about those amendments. I am sure that the Members of the Fisheries Committee and General Morillon, in particular, would be most grateful to you.

3-326

Carmen Fraga Estévez, en nombre del Grupo PPE-DE. – Señor Presidente, muchas gracias, señor Comisario, por sus palabras. Yo diría que el Acuerdo de Pesca con las islas Seychelles muestra, claramente, que los objetivos de esta política comunitaria gozan, pese a las críticas de algunos, de muy buena salud y que este tipo de protocolos sigue siendo básico para mantener la competitividad y el empleo del sector comunitario, mientras se implica, cada vez más, en el fomento de sistemas de pesca más responsables fuera de los mares comunitarios.

La actividad prevista para 40 cerqueros y 12 palangreros supondrá para las islas Seychelles beneficiarse, como se ha dicho, de más de 4 millones de euros al año, de los que el 36 % irá destinado a apoyar su sector pesquero.

Pero si sumamos la aportación de los armadores por diversos conceptos, como los adelantos por licencias, los cánones, las tasas, los suministros y los salarios a los marineros insulares, la cifra asciende, tal y como indica el informe de evaluación de la Comisión, señora Attwooll, entre 17 y 20 millones de euros, ya que, además, Victoria, que es el puerto base de toda la flota atunera en el Océano Índico, es un gran creador de riqueza para las Islas Seychelles.

Ante esta balance, señor Comisario, creo que es el momento de exigir a la Comisión un mejor trato hacia los armadores, mediante la puesta en marcha, de una vez, de los acuerdos de enfoque regional, que eviten las multiplicaciones innecesarias de determinados aspectos que figuran en todos los protocolos de la zona, en este caso del Índico, como la necesidad de tener un consignatario en cada país, o de embarcar marineros en cada Estado costero y observadores también por cada uno de los protocolos, cuando, incluso, mediante sistemas rotatorios, todos los países podrían beneficiarse igualmente sin ocasionar a los armadores incrementos absurdos e indiscriminados de costes.

La propia Comisión lleva tiempo reconociendo la necesidad de instaurar este tipo de acuerdos para las flotas que faenan en una misma zona, y por eso le pido a la Comisión que, junto con los armadores atuneros comunitarios, trabaje para lograr avances que puedan considerarse significativos en este ámbito.

3-327

Rosa Miguélez Ramos, en nombre del Grupo PSE. – Señor Presidente, me voy a referir muy brevemente a este acuerdo, porque es tardísimo y éstas no son horas. Agradezco las palabras del Comisario, porque creo que se corresponden en gran medida con lo que yo pienso, y a nadie se le oculta en esta Asamblea que soy uno de los miembros de este Parlamento que se alegran mucho cada vez que se rubrica un nuevo acuerdo de pesca.

El Acuerdo de Pesca CE/Seychelles es el acuerdo atunero más importante que ha celebrado la Comunidad Europea con un tercer país, y es un acuerdo que constituye —y creo que algunos diputados ya lo han mencionado— la piedra angular de la actividad y de la presencia de la flota comunitaria en el Océano Índico. Es decir, no es que este acuerdo sea importante por sí mismo, que lo es, sino que, además, tiene muchas implicaciones no solamente económicas, sino geoestratégicas, porque las Islas Seychelles y, en concreto el puerto de Victoria, son un lugar de paso obligado para nuestra flota, que opera en ese océano, tanto para las descargas como para las recaladas y los avituallamientos.

Pero, señor Comisario, la alegría que siento por la firma de este acuerdo no me impide criticar la lentitud y el retraso con que en este caso se ha aplicado el procedimiento. El primer pago —y creo que también se ha mencionado ya— de la compensación financiera debería haberse realizado en el mes de septiembre y, por aquel entonces, ni siquiera había llegado la consulta formal al Parlamento Europeo. Nuestro procedimiento interno debe ser revisado cuidadosamente, para saber dónde están nuestros fallos y para corregirlos, porque no es lógico que nuestra flota esté faenando gracias a la buena voluntad del tercer país. Las demoras únicamente debilitan la credibilidad de la Unión Europea frente a otras potencias como, en este caso, Japón, que son muchísimo más ágiles en el cumplimiento de sus obligaciones.

3-328

Derek Roland Clark, on behalf of the IND/DEM Group. – Mr President, the Court of Auditors recently remarked that 90% of EU activity is open to fraud. So, we come to the award of fishing rights to the EU fleets in waters around the Seychelles. A loophole exists in these agreements, whereby EU fleet owners have been known to complete a trawler's fishing to gain full hulls, and then declare technical problems. They are then allowed to replace this trawler with a new one on the same licence, so they get two trawlers full for the price of one. It does not stop there: they repeat it time and again, on the same licence, citing this bogus technical problem several times over – and one wonders why fish stocks are depleted!

The second half of this scam is to declare ‘zero catch’, so there are no EU contributions to the country in question, and deprivation becomes acute. People from several African countries say that everyone knows the huge fraud taking place in their waters under these EU agreements.

On top of that, we have the new Seychelles agreement, following the agreements for Martinique, Madagascar and the Cape Verde Islands, agreed and approved in this House within the last year – and may I say, to the shame of this House. Modern, big EU trawlers force these local fishermen out of business, landing catches at prices with which they cannot compete. A good slice of the economy of a third world country is destroyed, all because EU fleets, due to their reckless rape of their own seas, now move on to other targets.

I note that Commissioner Borg disagreed with me in my last speech, saying that the problem was over-fishing, which is precisely what I said in my own comments. It is not long before the new waters around these islands are fished out. The EU trawlers then move on, leaving a deeply wounded economy: fishermen out of work and waters deprived of stock, so that the locals cannot restart properly.

And the EU says it wants to help the third world!

3-329

Struan Stevenson (PPE-DE). – Mr President, I must confess I rise to speak in this debate feeling a sense of anger, not least that it is 11.35 p.m. and many of us have missed our Christmas parties, but because we are here debating the eighth renewal of the fisheries agreement between the EU and the Seychelles, which would normally be considered a matter of simple routine.

This agreement, as other speakers have said, was due to enter into force on 18 January 2005. EU fishing vessels have been fishing continuously in the Seychelles' waters since January 2005. However, the Seychelles Government has not yet received a single euro, as we have heard. We are taking their fish without paying them a cent.

We must remember that the Seychelles was one of the countries affected on 26 December last year by the tsunami. As we know, it was the fishing communities that were hardest hit by that disaster. Here we are, in the European Union, exacerbating the problem by allowing our distant-water European fleet to fish in their waters, yet a year later we still have not paid them one cent.

How is it possible that this protocol was not submitted to the European Parliament until mid-October 2005, 10 months after the commencement of the agreement and two weeks after the first payment was due? The second instalment under this agreement is due next month and yet we are here at 11.40 p.m. still debating the text of the protocol, all our amendments to which the Commissioner has rejected. What are we doing here? Are we here simply to rubber-stamp a Commission proposal when there is not even the slightest hint of humility, of acknowledgement of this delay and acceptance of the Fisheries Committee's amendments?

The Council says it is anxious that Parliament should deliver its opinion as soon as possible. The new protocol was signed by the two parties on 23 September 2004, and yet the Council did not request that Parliament should be consulted until 14 October 2005, more than a year later. I am well aware of all the internal procedural problems. I am well aware that we have to seek 21 different translations of all these protocols, but we have been aware of these shortcomings for a long time. Steps should have been taken to ensure that this process was speeded up. This situation is intolerable. It is grossly unfair to fish in the waters of the Seychelles or any other country while withholding payment from them. We have to ensure that this never happens again.

3-330

Joe Borg, Member of the Commission. – Mr President, first of all, with regard to the four amendments that have been tabled, I repeat that, concerning acceptance or otherwise of Amendment 1, which is to a recital, it would not give any added value. I undertake to discuss this with the president of the Committee on Fisheries and with the committee itself, in order to find some solution on a permanent basis, so that the situation can be resolved, hopefully, once and for all, and the Fisheries Committee will have sufficient time to make its necessary evaluation and give its advice on the proposed agreements accordingly.

Concerning Amendment 2, as stated in Article 7 of the Protocol, it is up to the coastal State, in agreement with the Community, to decide on the way the financial contribution will be used in support of its fisheries policy. It is, therefore, the responsibility of the Seychelles authorities to identify the main priorities of their fisheries policy to be implemented with the assistance of the Fisheries Agreement. Therefore, the scope of Amendment 2 would run against such a right exercised by the third country with which such agreements are negotiated, although we try to influence and have indications within the parameters of the agreement reached on the uses of the funds. Certainly, the development of coastal populations living on fisheries is an area which we try to impress upon the States concerned and which should be given top priority.

On Amendment 3, we fully share the concern to keep the European Parliament informed of the various aspects of the implementation of the Protocol. The Commission already complies with the transmission of such information in line with the current interinstitutional arrangements. However, I will look at ways and means to improve this communication and discussion process with the European Parliament. I cannot, however, commit myself here and now to accepting the

amendment before I assess the full implications on the resources available at my DG, with the increased responsibilities that we have, without any increase in the number of people. This task was a problem – we are speaking about some 30 agreements – and I need to carry out an assessment of what this would imply before I can give positive commitments. I will certainly try to find ways and means whereby we can improve this process and hopefully have that included in future agreements; once we include it in one, it will become a standard feature in all agreements. I need to underline that I must be certain that if we undertake commitments, we will be able physically to fulfil them.

The problem that we have faced so far lies in the length of the internal procedures, the consultations at an early stage with the Member States, and the translation requirements that have increased considerably – Mr Stevenson made reference to that. We hope to find a solution in the short term and I will be discussing it with General Morillon in January, so that we can work out a solution which I hope will be acceptable to the Fisheries Committee and will not have a repeat of such occurrences, which are embarrassing to the Commission and leave the European Parliament without real time to effect its rightful functions.

3-331

Presidente. – La discussione è chiusa.

La votazione si svolgerà domani, alle 10.00.

3-332

22 - Ordine del giorno della prossima seduta: vedasi processo verbale

3-333

23 - Chiusura della seduta

3-334

(La seduta è tolta alle 23.45)