

WEDNESDAY, 25 APRIL 2007

IN THE CHAIR: MR ONESTA

Vice-President

1. Opening of the sitting

(The sitting was opened at 9 a.m.)

2. Transatlantic relations (debate)

President. – The next item is the Council and Commission statements on transatlantic relations.

Günter Gloser, *President-in-Office of the Council*. (DE) Mr President, Commissioner, honourable Members, as the European Security Strategy affirms, ‘the European Union and the United States of America can, through their common action, be a powerful force for the good of the world’.

Strengthening common trans-Atlantic action and building on our relationship with the USA are core elements in our presidency, in the political and economic spheres as much as in energy security and in addressing climate change, and it is intended that this message should go out from the EU/USA summit to be held in Washington on 30 April.

It is good that we have the chance to discuss things here today, just a few days before the Summit, so that this important signal may go out from the European Parliament.

Your House is playing an active role in trans-Atlantic relations, not least – to mention just one example – through the Transatlantic Legislators Dialogue, which is a significant part of the network of bilateral links establishing connections across the Atlantic at many different levels, and I should like expressly to thank you, Mr President, and the whole European Parliament for this commitment.

The USA is still the partner with which the EU’s relations are closest and most diverse. The trans-Atlantic relationship rests on a solid foundation derived from common historical experiences, very similar interests and, above all, shared values – freedom, democracy, the rule of law and tolerance. Those experiences have shown that this foundation, which is sometimes severely tested, can withstand a great deal, and so it is all the more important that trans-Atlantic relations be continually renewed and made fit for the future. I regard practical common action as the most sustainable way of underpinning the significance of transatlantic cooperation, both for now and for the future.

The transatlantic partnership is not restricted to bilateral issues, but has a strong global dimension. In scarcely any crisis – from Afghanistan to Iran to Kosovo – do the transatlantic partners not come together to try to find possible solutions. Whilst we are largely agreed in our analysis of the key dangers and challenges and on our fundamental policy objectives, the EU and US have had, and still have, differing stances on the priorities, as well as on instruments and methods. That will continue to be the case, and it would be unrealistic to expect us always to be of one mind.

Rather than ignoring difficult issues, we pursue an intensive dialogue with the US on the subject of them, and, in so doing, we will not deviate from our position that measures taken to combat terrorism must comply fully with our international obligations, including human rights law, refugee law and international humanitarian law, and be taken on the basis of our shared values. Your House has repeatedly taken a very clear position on this, and we will continue to address these questions in talks with our American partners.

What is crucial is that we do not allow ourselves to be divided by these issues, for a close partnership between the EU and the US is indispensable for both sides, and this message, too, is to go out from the forthcoming EU/USA summit on 30 April in Washington.

On that occasion the focus will be not only on political and security-related issues, but also on the strengthening of transatlantic commerce and on closer cooperation on climate protection and energy policy.

In the margins of the summit, we will be signing the EU-US air transport agreement, a further important step on the way towards more liberalised transatlantic markets, to the benefit of the public and business alike.

It strikes me that the mobility of our citizens is an important factor in this as well, because, as you are aware, the citizens of 12 EU states still require visas even for brief visits to the United States. The presidency is urging the US to allow all EU citizens to enjoy what is known as the US Visa Waiver Programme, and this, too, will be discussed at the summit. That is something I would like to re-emphasise at this point, since there has, over recent days, been a degree of irritation in certain Member States in the belief that the presidency did not perhaps want that, and, together with our successors in the Presidency, I should like to stress that we do indeed want all Member States included in the US Visa Waiver Programme.

The United States and the EU are already the most closely intermeshed economic areas in the world. We believe – and I know a large number of you think likewise – that our potential for economic cooperation is far from exhausted. Different approaches to regulation in the EU and in the USA give rise to unnecessary transaction costs, and so a further dismantling of non-tariff barriers to trade is urgently called for. It is for that reason that we want to use the EU-US Summit as a springboard for launching strengthened transatlantic commerce. At the heart of this initiative is a mutual political commitment to deepen cooperation with a view to achieving regulatory convergence and even closer economic links, and we want to try to use this initiative to re-energise cooperation on a whole array of fronts, for example, on conditions for investment, in the regulation of financial markets, in new industrial technologies and intellectual property.

We expect to be able to put together an ambitious package that will give renewed impetus.

One thing I would like to stress is that this initiative is not being undertaken in opposition to multilateral efforts towards trade facilitations; on the contrary, it is intended to complement them and to support the successful conclusion of the Doha round.

Another focus of the Summit will be the topics of energy security and climate change, which the presidency sees as key transatlantic issues for the future. At the EU Spring Summit on 8/9 March we agreed on far-reaching climate protection goals and an energy action plan. In the light of these decisions, we want to use the EU/USA Summit to develop closer cooperation with the USA in these areas.

I do not need to make a particular effort to remind your House that there have, over recent years and decades, been recurrent differences of opinion between the EU and the USA on climate change issues, some of which have been about the fundamental issues involved, but I do believe we can rely on the impression that a lot of things are changing in the States, particularly as regards cooperation in research and technology, where the Americans, too, are very interested in stepping up cooperation with the EU. Not least because this is a major market for the future, we must aim at pooling our energies and radically shortening the innovation cycles for new processes and technologies, and it is in our own most intrinsic interest that our transatlantic partners must take a lead here. That I say not least with my eye on the research community in Europe and the influence your House has on it. I am persuaded that energy security and climate change will be among the transatlantic projects of the twenty-first century.

Security and prosperity in Europe and America depend to a fundamental degree on peaceful and stable development throughout the world, and so one thing for which we want to use the EU/USA summit is to send out a signal of the broadest possible agreement on foreign and security policy issues.

In the Middle East conflict, by way of the revival of the Quartet, we have – and I will be very cautious in what I say on this point – re-opened the door to a solution, at least to some small extent. In our dealings with Iran and its nuclear partners, we have managed to preserve the united front presented by the international community, which is, I do believe, a precondition for the reaching of an agreed solution with Iran. We are working closely together with NATO and the United States in the civil and military stabilisation of Afghanistan, and we want to further step up this cooperation, especially as regards the training of the police; the same goes for the planned ESDP mission in Kosovo.

These are but a very few of the international issues on which close cooperation across the Atlantic is necessary.

Perhaps I might conclude by referring once more to the European Security Strategy, which states that, ‘no single country is able to tackle today's complex problems on its own’ – a statement that is true of

the EU, and also of the United States. It is only if we are able to harness the influence, experience and potential of Europe and America, and to mobilise their best forces and ideas, that we will be able to find viable responses for our common future and the future of subsequent generations.

Vladimír Špidla, *Member of the Commission. (DE)* I should like to begin by apologising for the absence of my fellow-Commissioner Mrs Ferrero-Waldner, who has had to go to the funeral of the former President of the Russian Federation, Boris Yeltsin.

Mr President, honourable Members, the EU/USA summit on 30 April is a new opportunity to strengthen our political and economic ties with the United States of America, and so let me say something, briefly, about this Summit's objectives.

Firstly, we will be working towards economic convergence across the Atlantic, for, accounting as they do for 40% of the world's trade volume, economic relations between the United States and the European Union are among the most important in the world, yet, even so, they need an injection of new political vigour, and the dismantling of obstacles to trade and investment would be a major gain for our consumers and entrepreneurs.

It is for that reason that the Commission welcomes the initiative taken by Chancellor Merkel, who has spoken out in favour of a new and ambitious economic partnership between the European Union and the United States, one in which lawmaking institutions and regulatory bodies are to have their parts to play, with the participants in the summit exercising important supervisory and leadership roles.

The summit will see us mapping out specific policy areas in which we can achieve sustainable progress, including, *inter alia*, regulatory cooperation on industrial goods, energy, innovation, financial markets and investments.

Secondly, in foreign policy, we will explore a number of key areas in which we have common ground with the United States, with which we will continue to cooperate closely in working towards stability, prosperity and the rule of law in Kosovo and in Afghanistan.

As members of the Middle East quartet, the European Union and the United States are working together in a constructive manner for the revival of a political process involving both the Israeli and Palestinian Heads of Government, and our willingness to negotiate with the government of national unity in order to support it will depend not only on that government's policy, but also on whether or not it acts in accordance with the quartet's principles.

The Commission has a particular part to play in the development of an international aid machinery for the Palestinian people, with the objects of supporting them and improving the way in which they are governed.

Another high-profile event at the Summit is to be the signing of the recently-concluded, and historic, open aviation agreement between the European Union and the United States, which will – on both sides of the Atlantic – yield economic benefits estimated to amount to EUR 12 billion and create something like 80 000 new jobs. At the same time, we shall be reiterating our commitment to the second stage of negotiations on a comprehensive agreement on air transport services, which will add to the economic benefits of the liberalisation of this important sector.

Preparation for the summit have not yet been completed, and core issues in it are to include climate change and energy. Our aim is to get the United States to commit itself to a policy founded upon market mechanism and clean technologies as goals and on a global approach, and European endeavours to that end are founded upon the consensus achieved at the 9 March 2007 European Council, according to which global action is needed on our part in order to reduce greenhouse gas emissions.

The intention is that the forthcoming summit meeting should see European cooperation with America in this area advanced, and it is my hope that the declaration emerging from it will prepare the way for unambiguous positions to be taken by the G8 and by the UN conference on climate in Bali in December this year. We will also be discussing issues relating to energy security and energy efficiency and discovering common goals for the development of clean technologies and their short and medium-term applications.

On visa policy, we will, at the EU/USA summit, be calling on President Bush to push for all EU citizens to be allowed to enter the United States without a visa, in the same way as US citizens no longer require

a visa in order to enter the European Union; we would very much welcome it if the USA were to extend the waiver of visas to all the EU's Member States and thus put an end to the *de facto* discrimination against EU citizens.

We will also be urging the United States to agree to a solution for the forwarding of air passenger data to the United States that would satisfy the most stringent data protection requirements in a new framework that would replace the present transitional arrangements.

Not least on our agenda, of course, is to stress the need for closer cooperation in the fight against terrorism, and in doing this we will refer to our commitment to ensuring that such efforts will not conflict with our commitments to international law, for that is crucial if the measures we take together in this area are to have any credibility.

(Applause)

Joseph Daul, *on behalf of the PPE-DE Group*. – (FR) Mr President, Commissioner, Mr President-in-Office of the Council, ladies and gentlemen, born as I was 60 years ago in the region of Alsace, I am part of a generation that, having lived through these times, can testify to the great debt that Europeans owe to Americans.

The very strong transatlantic links that unite our two continents are based on millions of personal stories just like mine. They have helped to shape our history and our common values.

During the recent celebration of the 50th anniversary of the Treaties of Rome, the Group of the European People's Party (Christian Democrats) and European Democrats paid tribute to the key role played by the United States in laying the foundations for what was to become the European Union, as, without the support of the Marshall Plan and without the decisive role played by the United States and Canada within the framework of NATO, the reconstruction of Europe would no doubt not have been possible. Even in times of difficulty, we have always believed in the crucial importance of the transatlantic partnership, a partnership founded on dialogue and respect.

Within the European Parliament, our group is the most determined supporter of close transatlantic relations. That is why I wanted the first visit outside the Union to be a visit to Washington. The European Parliament must develop stronger links with the US Congress and the US Administration so that it can cooperate further upstream on subjects of common interest. I should like to propose, in this House, that the President of Parliament invite the new Speaker of the House of Representatives to speak in plenary.

I was pleased to learn that, like us, the US Congress has set up a temporary committee on climate change. I hope that these two committees can cooperate closely together.

Ladies and gentlemen, the creation of a transatlantic common market by 2015 is one of our priorities. We must reduce the burden of regulations, stimulate competition and harmonise the technical standards on both sides of the Atlantic. Let us provide ourselves with a compulsory road map, accompanied by a precise timetable with 2015 as the cut-off date for the launch of an unrestricted transatlantic market.

The European Parliament must be deeply involved in this process but, as friends, we also have the right to speak quite frankly to each other, and even to express criticism.

As President Kennedy observed in 1963, let us not be blind to our differences, but let us also direct attention to the means by which those differences can be resolved. I should also like to stress my concern regarding the risks of stricter US customs controls turning into hidden trade barriers.

We must continue being vigilant without undermining fair trade. In the same way, US legislation on personal data protection still allows some doubt to remain about whether the protection of private life and of civil liberties is being complied with fully.

Europe is determined to fight against terrorism and organised crime, but this fight must be founded on appropriate legal bases. Respect for fundamental rights will only strengthen our work and our influence in the world.

We also share the commitment to create the conditions of stability, peace and prosperity in the neighbourhood of the European Union. We have already cooperated positively in Belarus, Ukraine and Kosovo. However, we must also act in Africa. It is our moral and historic duty to restore hope to the world's poorest people.

The genocide in Darfur and the tyranny in Zimbabwe show that we are not a match for what is at stake. We must also persuade other nations such as China, India, Brazil and South Africa to support our efforts within developing countries.

Furthermore, the Doha Development Agreement must be brought to a successful conclusion because it is a development round for the poorest countries. Europe and the United States must reach a global agreement as quickly as possible.

To conclude, our group believes in the possibility of a safer world. Nuclear proliferation has made the world more dangerous. We support a negotiated solution in connection with the Iranian nuclear programme. Europeans and Americans share common roots that have largely shaped our world. We must maintain our position in what has become a multi-polar world. As Jean Monnet said, Americans and Europeans together defend a common civilisation.

(Applause)

Jan Marinus Wiersma, on behalf of the PSE Group. – (NL) Mr President, I think it is clear to us that a different wind is blowing in Washington – one that is opening up opportunities, not least for cooperation with the European Union. First of all, of course, there is the victory of the Democratic majority in both Houses of Congress, on which we would like congratulate them once again, but there are also perceptible changes in the Bush administration. The tone has changed, and we can tell that the State Department's authority and Condoleezza Rice has grown enormously. More cooperation is being sought, and this is something to which we must respond.

Last week, I was with the delegation in Washington where a tangible change is underway. First of all, there is increased support for something that has always been very important to us, namely effective multilateralism. There is growing support for this, and also for the quest for cooperation with the European Union in this area. They realise that the approach taken in Iraq has failed, and that other ways of cooperating must be found in order to address security issues.

Afghanistan is mentioned by many as an example; as we see it, there is no reason why, in the context of NATO, the European Union and EU countries could not join forces with Americans in projects that involve both security and reconstruction. In fact, a debate is currently being held at that very level on missile defence. Whilst we are struck by the fact that more dialogue is being sought with the Europeans and Russians, we remain critical of the outcome of this process.

Another important point we raised is that on the Middle East conflict. We would like to emphasise once again – and we hope that the Presidency will take note – that we must ensure that the new government of national unity in Palestine is not left out in the cold, and that we look for ways of supporting this new development.

Another thing that struck us is that the Democrats, in particular, are looking for a new social agenda for the United States where the focus is on the problem of healthcare, but also on Doha. What can we do together to ensure that the environment and working conditions take centre stage in the trade talks?

There are, of course, also areas of criticism which we mentioned in the context of renditions and secret prison camps, but also where agreements on data protection are concerned. These are areas that need to remain at the forefront of our minds. In the final analysis, after everything has been said and done, there is an important agenda for cooperation, based on the common values that have already been mentioned.

I should like to finish off with a minor point, which is that it is to be hoped that the presidency can also put the Wolfowitz case on the summit agenda, should this prove necessary, because in our view, given the important role the World Bank has to play in the fight against corruption, his position as Director of the World Bank has become untenable.

(Applause from the Left)

Graham Watson, on behalf of the ALDE Group. – Mr President, after 9/11 *Le Monde* announced: '*Nous sommes tous Américains*'. Times have changed.

On economic, environmental and ethical grounds the United States Government has been shredding the values for which America enjoyed our respect. The challenge for the EU Member States is to resist US

moves towards unilateralism, whether on trade policy, over Kyoto or in respect for international law. This will require the frank, forthright, and sometimes fraught, transatlantic dialogue on issues like the visa waiver scheme, extradition and 'open skies', which our Member States have thus far resisted. Indeed, President Bush succeeds in 'divide and rule' of Europe at least as well as President Putin.

This summit is a time for some home truths. Removing regulatory barriers and harmonising standards between the world's largest trading partners must be our top priority. However, it should not come at the expense of securing a successful Doha round before Mr Bush's mandate expires on 1 July.

We must also use the summit to force recognition of the greatest security threat of the modern age – climate change – and to make the Americans agree to stabilise and reduce greenhouse gas emissions. The UN Security Council debated the issue for the first time last week, underlining the seriousness of the situation.

But we must insist, too, that the administration clarify its position over allegations of torture, secret prisons and extraordinary rendition in the conduct of the war on terror. Not only is it the right thing to do but it is the only thing to do to restore America's reputation.

In the long term, only wider democratic scrutiny involving this House and the US Congress and Senate, perhaps under a transatlantic Schengen-style system, can strengthen our strategic relationship and prevent the kind of legal limbo that we are experiencing with passenger name recognition data or with SWIFT payment transactions.

Success in the war on terror rests on balancing freedom and security, not sacrificing our civil liberties.

The turmoil in Iraq is proof of what happens when we get the balance wrong. The US and the European Union should be helping to repair the damage and showing solidarity with Iraq's two million refugees. The Americans have taken exactly 466 Iraqi refugees since 2003. We know that they do not want to acknowledge a flight of refugees that is a symptom of their failure, but we need a clear and comprehensive aid budget and an agreement on sharing the burden of asylum claims.

Finally, our negotiators must not be afraid to take the initiative. Paul Wolfowitz has undermined the World Bank's moral authority. Our message to them must be that it is time for him to go.

In conclusion, I owe to an American poet, Ralph Waldo Emerson, the thought that there is no such thing as history, only biography. Europe's leaders should bear in mind that they will be judged as individuals for the courage they summon up in Washington.

Angelika Beer, on behalf of the Verts/ALE Group. – (DE) Mr President, ladies and gentlemen, tomorrow we will – together and as one – be adopting a resolution condemning the brutal treatment meted out to the demonstrators by the Russian armed forces, and our expectation is that there should be similar plain speaking during the EU/USA summit. Yes, of course, we want new economic relations, with a stronger trans-Atlantic relationship on a new footing, but it must be founded upon unequivocal values, the democratic values that the European Union has itself undertaken to defend.

After Guantanamo, after the torture and abduction of innocent people, we need a bridge, and what other bridge can there be than that we press the US administration to adopt, in future, a policy guided by democratic principles? When we talk about a moratorium on the death penalty – which we have done in recent weeks, and will do again in future – we do so not only in order to save potential victims in Iran from such a death, but also in the expectation that the Americans will agree to one.

When we talk about the war on terror, we likewise expect that fundamental values will be redefined on all sides and that parliamentary control will be extended, not only in the national parliaments, but also in this one, for what we have seen happening is something we cannot accept as really fighting terror, in that we are thereby cutting back fundamental freedoms for Europe, for people, and for societies.

As regards Afghanistan and Kosovo, I urge both sides that strategy change in Afghanistan needs to be paid more than mere lip service, but also needs to be put into practice; Operation 'Enduring Freedom' has no legal standing any more, and must be changed, but we Europeans, too, must come up with more money in order to make peaceful development in Afghanistan possible at all, specifically in the fight against drugs, in educating and supporting democratic citizens there, and women in particular.

The same applies in Kosovo; we cannot wait for the Americans to loosen this knot for us. I appeal once more to the European Union and to the foreign ministers to now give Kosovo its independence, in order that it may escape another war.

As for Iran, the time has come to abandon the idea of regime change to which Bush is still attached; that, together with negotiations, is the only way to prevent the next war, and I hope that the EU will unambiguously commit itself to that.

Francis Wurtz, *on behalf of the GUE/NGL Group*. – (FR) Mr President, what exactly does the transatlantic economic partnership have in store for us?

According to Mrs Merkel, it will not mean free trade or a common market, but the regulation of markets, the protection of patents, the harmonisation of rules and cooperation aimed at improving the world's economic governance. Her Secretary of State, Mr Würmeling, was more direct in stating that the aim was to move in the direction of an unrestricted transatlantic market. The Chancellor herself did, incidentally, imply that the experiment of the European single market could serve as a model for this new area.

Do I need to remind you of the definition of this single market provided by the Commissioner in charge of monitoring it, Mr McCreevy? As he pointed out, the single market 'is by far the greatest deregulation exercise in Europe's recent history'. Is it indeed this experiment, then, that we should replicate across the Atlantic?

The question deserves all the more to be asked because this project already has a turbulent history. It was in March 1998 that the then figurehead of liberal Europe, Commissioner Leon Brittan, launched the New Transatlantic Market project, modelled on the North American Free Trade Agreement, NAFTA. At the same time, top secret negotiations were taking place at the OECD on the Multilateral Agreement on Investment, the MAI, which was already designed to track down any legislation perceived by investors as an obstacle to their ever-expanding financial operations.

These two projects caused such an outcry among Europeans that they had to be abandoned. Since then, however, lobbies such as the Transatlantic Business Dialogue have continually brought this strategic project up for discussion, albeit in a new form. The adoption, last year, of the US accounting standards and, more recently, the buyout of the European Euronext exchange by the New York Stock Exchange are part of this disturbing trend.

Far from the image of constructive cooperation being sold to us, we are indeed talking here about a major front in the battle over the way in which Europe's future is to be conceived. What are at stake are both Europe's model of society and its democratic identity. I would point out that the report adopted on this subject last June by our Parliament regretted that 'the EU-US relationship is overshadowed to a considerable extent by political conflict and is quite often characterised by rhetoric'.

For the sake of the common values of the Transatlantic Business Dialogue, are we going to have to keep quiet about the war in Iraq or about Guantanamo? About the death penalty or the International Criminal Court? About Kyoto or GMOs? About personal data, the SWIFT affair, or CIA flights? At a time when the process designed to lead to a new European treaty is under way, the nature of the relations between the European Union and the United States is a crucial issue that will need to be handled with great clarity.

Godfrey Bloom, *on behalf of the IND/DEM Group*. – Mr President, I would like in the very short time allocated to me to make one or two observations, offering perhaps some words of caution. In the last couple of years I have seen that there is something of an addiction to gesture politics here, which is something we must be extremely careful to avoid in our relationships with the United States of America. The impact of legislation, for example, is completely global. Everything we do has a global dimension. The serious GDP growth is in the Pacific rim, India and China, notwithstanding other parts of the Pacific and Japan, so we must be extremely careful not to burn any bridges when dealing with the United States, which also has a very serious protectionist element in its society. As the British know, the United States is the UK's biggest trading and investment partner and has been for some years. It is a shame that the British have been forced, against their will, to abandon the imperial measure, which of course we share with the United States of America, and which gave us a particular advantage there. However, that is something that must wait for another day.

Frank Vanhecke, on behalf of the ITS Group. – (NL) Mr President, I share the hope of many in this House that the Summit of 30 April and the new transatlantic partnership will be a success, although we should add, of course, that this new partnership must be based on reciprocity and on respect for mutual key interests. Accordingly, the Americans and their diplomats will, for example, need to learn that Turkey is not a European country and cannot become an EU Member State, irrespective of what the American interests are in this matter.

Our trade relations with the United States will be the subject of talks in Washington in April, when energy and climate change will be discussed, but I also see it as an opportunity to think more about the common fight we must wage against international terrorism and looming Islamic fundamentalism, in particular. Let us not forget that this fight is about the Western values that we share, and that it is these Western values that Islamic fundamentalism and terrorism have in their sights. This is something that is often overlooked, not least by this House.

US foreign policy is very often deserving of criticism, but the one-sidedness with which this criticism is often levelled in this House is hardly constructive. The one-sided activities of the CIA activities temporary committee in Europe and the one-sided conclusions it arrived at, as well the issue of personal data, spring to mind as examples. Let us, whatever we do, not mistake our enemy. Despite the many misunderstandings and different opinions we may have, it is good to remind ourselves of the fact that the USA is not an enemy, but an ally.

Brian Crowley, thar ceann an Ghrúpa UEN. – A Uachtaráin, tá an gaol eacnamaíochta idir an tAontas Eorpach agus Meiriceá ar an ngaol eacnamaíochta is tábhachtaí ar domhan. Is dhá chóras pholaitiúla sinn, le haidhm láidir a chinntíonn caomhnú agus cur chun cinn an daonlathais ar fud an domhain. Bíonn ár naimhde ag iarraidh aird a tharraingt ar an difríocht pholaitiúil atá idir an dá réimeas. Ní mór dóibh cuimhneamh, áfach, go bhfuil i bhfad níos mó nithe comónta eadrainn ná mar atá difríochtaí.

In particular when we consider the links that there are between Europe and the US with regard to the action that we can take on the global stage, it is even more important now to move forward, despite the difficulties and differences we have had in the past.

Just take a look around the world. In Afghanistan, we have to work with the US not only to ensure a stabilisation of the situation there, not just for the sake of the country itself, but also because 90% of the heroin being used in Europe at the moment comes from Afghanistan. Likewise, in South America we must take joint action to ensure that alternative crops can be found for its farmers, because huge amounts of cocaine come from there.

If we look at Darfur in particular, we see the failure of the international community to act and react to the genocide that is taking place there. It is incumbent on us in Europe to bring the US along in order to take further and stronger action. Likewise, as today we celebrate World Malaria Day, the actions that we can take collectively are far greater than those we can take individually.

Most importantly of all are the actions of world trade, however, in order to ensure a fair and more equitable society for all. I call on the Commission and others here to no longer rescind our agreements with other countries in order to protect and assist the poorest in the world. Together we can achieve more than that which divides us, and in that way we can overcome our political differences on small issues.

Roger Helmer (NI). – Mr President, here in this House we love to boast about our green credentials and to criticise the USA and President Bush for their environmental vandalism. After all, we signed the Kyoto Protocol and they did not.

Let us pause for a reality check. In fact, the US did sign the Kyoto Protocol but they did not ratify it. Here in Europe we ratified, but we are not delivering. Despite the Commission spending the last 10 years trying to fudge the Kyoto baseline figures, it still seems that perhaps only two Member States will actually hit their Kyoto targets.

We say that the US is the world's biggest polluter, but only because it is the world's biggest economy. Since Kyoto has been in place, the US trend on CO2 emissions has been better than ours! I repeat, for Mr Graham Watson's benefit, that in recent years the US trend on emissions has been better than the EU's trend. The energy intensity of the US economy is similar to our own and, based on current trends, the US economy will be greener than that of Europe by 2010. The USA has a vast biofuels programme.

They are investing in green technology and their AP6 Partnership engages China and India, without whom no global programme can succeed. Commissioner Špidla calls for the US to adopt a global approach, but it has already done so.

It is time that we in this House stopped our moral posturing and started to treat our American ally with a little more courtesy and respect.

José Ignacio Salafranca Sánchez-Neyra (PPE-DE). – (ES) Mr President, I believe that it is important that we remove the ideological baggage from this debate on transatlantic relations.

I do not know whether, as the joint resolution negotiated states, the President of the World Bank should resign or not, but what I do believe to be important is that the European Union begin to develop its strategic positions and become a mature player on the international stage. I know that Commissioner Ferrero dedicates all of her efforts – which are not inconsiderable – to this field.

I believe that this must not lead us to forget that the transatlantic link is not written into the European Union's genetic code and also that the United States – perhaps as a result of our incapacities – have been the guarantors of security in Europe and that, when it comes to security, there is currently no alternative to the transatlantic link.

Mr President, I believe that, if we want the European Union to become a European power, that cannot be done in opposition to the United States, but rather with the United States, as two partners which have mutual respect, which share a set of values and which share a vision of the world.

This does not of course mean that we must give the United States a blank cheque, and the European Union must affirm its principles in relation to the issue of the death penalty, the issue of the International Criminal Court, the issue of the Kyoto Protocol and the issue of extraterritorial laws.

This also means that the United States must learn to respect the European Union, which is currently a force for stability in the world, and which plays a fundamental role by exerting its influence in many regions.

On a previous occasion in this House, Commissioner Patten said that, in order for the European Union to achieve its objectives – one of the more important of which is for human rights and fundamental freedoms to be respected in all regions of the world – the cooperation of the United States was essential, and likewise the United States' objectives could only be achieved with the cooperation of the European Union.

If the European Union and the United States work together, Mr President, the situation in terms of prosperity, stability and security in the world will be better, and I believe that those are the objectives to which this Transatlantic Summit must contribute and on which it must cooperate.

Poul Nyrup Rasmussen (PSE). – Mr President, I should like to thank the Commissioner and Mr Gloser for their statements on US-European relations.

I feel that the United States' mood and strategy is *gradually* and tentatively changing from unilateralism to multilateralism. Just six days ago I, my good colleague Mr Wiersma, the vice-chairman of our group, and other colleagues visited the United States Congress and Senate and it is quite clear that the mood is changing. This provides a new opportunity for the European Union.

I have three reflections to share with you. Firstly, I think that a precondition for progress on the WTO negotiations is that we somehow incorporate the 'Decent Work Agenda'. Let us face it: it is not possible to obtain new and substantial progress without it.

Secondly, it is time to realise that the financial markets and the recent developments in hedge funds and very large and powerful private equity funds are not fully compatible with the Lisbon goals and our long-term investment and financing needs. This observation is not just a European one but is also being increasingly made by the Democratic Party, which holds the majority in the US Congress and Senate. We therefore hope that this signal will be clear and that the issue will be discussed at the forthcoming G8 meeting in Heiligendamm.

Thirdly, on the Middle East, we should not be naive and expect major changes in American policy in the next two weeks. However, it would be worthwhile to step up our dialogue with our American friends

and colleagues and to insist on backing the Palestinian unity government. If that government fails, the winners will be Hamas and nobody wants that.

(Applause from the left)

Sarah Ludford (ALDE). – Mr President, on a parliamentary visit to Washington last week, we learned more about the high-level contact group on security than we did in Brussels. Thank goodness for the freedom of information culture in the United States! We also learned about renewed transatlantic discussions among officials on the legal basis for rendition. Congressmen and MEPs must not only be informed but also included in that debate.

The tactics of the Global War on Terrorism have failed, according to Scotland Yard's counter-terrorism chief. He said yesterday that al-Qa'ida had not only survived the six-year onslaught, but possessed momentum.

We must certainly seek to build a common transatlantic justice and travel area in which there is maximum information-sharing. However, we must also insist on maximum safeguards and respect for fundamental rights. If the information shared is based on dubious profiling or data-mining exercises, or if it is tainted by torture, what value does it have? As one of the officials in Washington said in that refreshingly direct American manner, 'garbage in, garbage out'. The potential damage to individual rights is enormous.

We must have more cooperation between the US Congress and the European Parliament in order to bring about democratic accountability and the desired goal of a transatlantic Schengen-type zone.

Konrad Szymański (UEN). – *(PL)* Mr President, of all Europe's most important political and economic problems, not a single one could be resolved without dialogue and cooperation with the United States. Only a European-Atlantic common market can put us in a position to compete with China and India. Only American-European cooperation will help bring success in stemming the threat to our security posed by Iran, which today is the greatest threat to world peace, a nuclear power and sworn enemy of Western civilisation. Only together will we be able to stop Korea from uncontrolled aggression. And, keeping things in proportion, only together will we be able to restrain Russia from abusing its military and energy clout in Europe and neighbouring countries. Today we have the opportunity to act in a more pragmatic way. It is not just a question of a change of government in Washington, but also in Paris and Berlin. I live in the hope that we will succeed, and that European identity will never again be reduced to a cheap, trumped-up and harmful confrontation with the United States in the face of such serious threats to our security and to our values.

Johannes Voggelhuber (Verts/ALE). – *(DE)* Mr President, ladies and gentlemen, partnership is based on mutual respect, which itself begins with respect for one another's laws and for the values that both parties have in common. Not a few of the invocations of trans-Atlantic harmony in this debate today would, no doubt, cause Austrians to be greatly astonished and seriously disconcerted.

Public opinion in Austria is occupied and perturbed by two things. A major bank was bought by an American fund and was, overnight, compelled to get rid of its Cuban clients – without notice and for no cause other than their nationality, which is contrary to international law, European law, and Austrian criminal law. Now a major minerals company is to be forced to stop doing business with Iran – and that is against Austrian law, European law, and international law too.

I am quite astonished that this crucial matter has gone unmentioned in this debate. If our partners recognise our legal order and values, then a partnership is what we have; if they do not, then the relationship is one of master and servant. The Commission's response to these two events in Austria, which have received a great deal of publicity and been the occasion of great disquiet, does nothing to build public confidence in its ability and willingness to defend and enforce European law, yet it is on that that partnership is founded.

(Applause)

Miguel Portas (GUE/NGL). – *(PT)* Mr President, in an area of Baghdad, the US army is currently building a wall that, in the name of security, will separate Iraqis from Iraqis. It is doing so despite protests from inhabitants of the area and criticisms from the Prime Minister of Iraq. The Bush Administration loves walls; it builds them in Iraq, in Palestine and on its border with Mexico. The European point of view must be different. The wall that fell in Berlin ought to have been the last.

Euro-Atlantic relations should therefore be higher up the political agenda. For the Europe of economic liberalism, politics means business, even though the depreciation of the dollar, the environmental dumping practised by a country that has not ratified the Kyoto Protocol and the imbalance in social rights demonstrate the danger of blindly scrapping capital trade barriers in a world of walls.

Bastiaan Belder (IND/DEM). – *(NL)* Mr President, today, the European Union and the United States are at level pegging where the immense issues in world policy are concerned. First of all, there is the danger of Islamic terrorism that is lurking in every corner. What could be more obvious than facing up to shared threats in unison? It is not that easy, though, and has not been for years within transatlantic relations, and it would be too easy to point an accusing European finger at America. Time and again, stereotypical anti American reflexes make themselves felt within the European Union, and are at risk of paralysing transatlantic cooperation. Let us bear in mind that the issue concerned is nothing less than crucial survival strategy.

This is why I should like to wish the Council and Commission every success in creating a favourable transatlantic working climate. This effort on our part challenges the American idea of us being unmanageable exotic Europeans. The joining of transatlantic forces will in any event produce a constructive working relationship, and that, surely, is something that is, after all, at stake in any transatlantic summit.

Andreas Mölzer (ITS). – *(DE)* Mr President, before Iraq was invaded, Europe had had the chance to let go of the USA's dubious coat-tails and carve out for itself an independent role as a mediator motivated by reason, and, even as late as the business with the CIA's rendition flights and secret torture prisons, we should have put clear blue water between ourselves and the activities of the George Bush Gang, which were inhumane and contrary to international law, and ought to have denounced them instead of trying to get Europe's taxpayers to cough up for the Americans' belligerent policies.

Were we, as is planned, to impose more stringent sanctions on Iran, we would once more be blindly obeying Washington's orders, and it could not fail to cause us to be perceived, by the Islamic world, even more as its enemies than we already are; that much is made clear by previous terrorist acts and by the latest threats against Germany and Austria. No doubt in the hope of making the USA/EU summit go well, the position of mediator, which we have worked so hard to keep in our sights, is being abandoned without further thought; so much, then, for our independent and assertive foreign policy.

Time and time again, the Americans have shown that they have but little interest in the EU as a partner, and would rather see it weakened by over-extension, internal problems and crisis hotspots on its borders, which is precisely what would result from Turkish accession. The idea is that disputes should make the EU impotent, and that is precisely where the planned anti-missile systems fit in.

Political powers have no friends, but only interests. The Americans are trying to secure their interests, ruthlessly, and even at the cost of the Europeans who are supposed to be their friends.

Jana Bobošíková (NI). – *(CS)* Mr President, I fully support the agreement on economic partnership between the Union and the United States.

Common standards and rules for industry and finance not only simplify trade but also save billions of dollars and euros. I feel that the removal of visas for EU citizens is an obvious part of such an agreement.

Transatlantic relations, however, cannot be narrowed down to just visas and trade. We must put forward different approaches to solving the Iraq situation and work together to develop energy sources that will not pollute the planet and that will deliver lasting, sustainable development.

Ladies and gentlemen, I firmly believe that the era of serious rivalry between the EU and the USA is over. Putting on boxing gloves in a ring built on the foundations of our shared values of freedom, democracy, human rights and the rule of law brings no added value to EU citizens.

In my view, a far more pressing priority is a joint response to the challenge posed by India and China, which are beginning to outstrip us in terms of economic and political development. These powers are based on different environmental and social values from ours. The EU and the USA have social systems built on past experience.

We face the difficult task of ensuring that the competitiveness of our shared cultural model and the living standards of our citizens are sustained over the long term and are not lowered. I therefore feel

that the biggest challenge facing transatlantic relations is to defend the position of the leading culture on the planet. Thank you.

Charles Tannock (PPE-DE). – Mr President, the next EU-US Summit will prove a historic one, and I fully support the German Presidency's initiative for an extensive economic partnership between the EU and the United States, which now represents some 40% of world trade, and in particular Chancellor Merkel's ambitious aim for a transatlantic market without barriers by 2015 through mutual recognition of the same norms for various industries and services, particularly in the financial sector.

Some in this House would regrettably call this a transatlantic 'rivalry' rather than a 'partnership', because they view the EU as being in competition with the United States. If that is indeed the case, then America is clearly winning. The healthy long-term prospects of its free-enterprise economy are in sharp contrast to the EU's gradual decline in a sea of over-regulation, which we must remedy before it is too late. EU-US relations, like EU-India ones – and I especially welcome the visit to our Parliament later on today of President Kalam of India – are a partnership built on our common values of democracy, human rights, freedom and security.

On the world stage we should be grateful to the US that it is willing to bear a disproportionately large burden in fighting global terrorism, with its uncompromising stance on Iran's acquisition of a nuclear bomb, which now demands a similar response from EU governments. The US has led the way in calling for sanctions on Sudan with regard to the genocide in Darfur and has opposed arms exports to China. America is also helping make Europe more secure through its deployment of missiles and missile shields, and it is now working with the EU to defend the Quartet principles for a lasting Arab-Israeli peace. Its engagement with countries like Georgia, Moldova, Belarus and Ukraine in an effort to resolve frozen conflicts is also most welcome.

Finally, we must together urge Russia to behave as a reliable energy supplier and uphold its commitments to democracy and human rights.

IN THE CHAIR: MR McMILLAN-SCOTT

Vice-President

Erika Mann (PSE). – (DE) Mr President, I would just like to address a few aspects of relevance to the idea of the trans-Atlantic market. One gets the recurrent impression, when listening to Members of this House, that relations between Europe and the United States are remarkably tense, with the expectations of it evoking permanent frustration on one side and constant enthusiasm on the other, and that is no sound basis for a relationship; what we need is healthy realism, and so I should like to congratulate the German Presidency of the Council on having taken up the idea of the trans-Atlantic market, which this House had set out in numerous resolutions and, over many years, done a great deal of work on with the Americans, and also, of course, with many Council Presidencies and the Commission, and I would like to thank all those who were involved in this work.

It is this healthy realism that we will need in future, together with a model, a regulatory environment, in which economic cooperation between both sides can be enhanced, in which they can work together more and look together to the future, but the object of this is not coherence; rather, it is that the two economic areas and societies continue to develop along autarkic lines. The future will bring disputes between us, but that is part and parcel of our not being a single economic area, but having differences in many areas. What we need, though, is this healthy pragmatism, and I hope that the future Presidencies of the Council and the Commission will all roll their sleeves up and put some effort into cultivating it in many areas.

It is also clear that this is not just about the economy; this model has received repeated endorsement in many dialogues on subjects ranging from consumer protection to trade unions, and it is broadly supported across society. I would also argue that it is only reasonable that Members of this House be involved in the work of cooperation, and, indeed, that this is indispensable if a model fit for the future is to be developed. I do not believe that there is any basis for the concern voiced by some Members that the developing countries could be harmed by this; that is nonsensical, because, on the contrary, we will, through cooperation, be helping them rather than dividing them.

Sophia in 't Veld (ALDE). – (NL) Mr President, the EU is right to be critical of the method applied by the Bush administration in the fight against terrorism, but this is not a sign of anti-Americanism as some

hollow and cheap swipes made in this Chamber suggest, because the criticism of the Bush administration, and of the way in which it is riding roughshod over human rights, is far greater in the United States itself than here in Europe. However, it is not enough to complain of the United States imposing its policy on Europe or to express our disapproval in this respect. Rather than whining and whinging, the European Union should finally speak with one voice, because only in that way can we see our own principles through. We must be a strong and credible partner in dialogue with the United States, because protesting with 27 squeaky voices will make no impression whatsoever. I would like to draw your attention to the fact that it is the United States itself, rather than the Europeans, that has denounced the CIA rendition scandals, the SWIFT scandal, illegal wiretapping, or the FBI's misuse of National Security Letters.

Finally, I am in favour of joining forces with the Americans, as long as this is not done in small, cloak-and-dagger, undemocratic groups, of which the High Level Contact Group is an example, but simply by following democratic procedures.

Mario Borghezio (UEN). – *(IT)* Mr President, ladies and gentlemen, the German Presidency has ushered in an improved climate in transatlantic relations and a very strong commitment to fight terrorism. All that is in contrast, for example, to one Member State's policy, that is to say the foreign policy of the Prodi-D'Alema Government, which is a dubious, extremely dangerous and perhaps even suicidal policy. This is a government that is friends with Hezbollah and talks to Hamas, not to mention the support it gives to Hugo Chávez and Evo Morales, or the dubious negotiations it conducted with the Taliban to secure the release of a journalist. All that is in conflict with the improvement in transatlantic relations and also makes European policy appear ambiguous.

I believe that the Europe of the peoples that we try to represent certainly does not want to be subservient to the United States in every field, such as with regard to GMOs, trade policy and the affair with Turkey, which we call on the United States to reconsider. Instead, I think that Europe's relations with the United States should form part of a policy of complete solidarity, mutual trust and loyalty, in line with Edmund Burke's vision, because what he has left us are the deeply felt values that we share with that deeply rooted, authentic America, which is anchored in its traditions and in its historical, religious and cultural values.

Georgios Karatzaferis (IND/DEM). – *(EL)* Mr President, it was not that long ago since Bush, referring directly to Europe, said: 'Those who are not with me are against me'. Not even Hitler had said that.

Now we forget the words of this blackmailer and run after him begging for cooperation? Has the Congress voted a similar resolution for us? Can it be that we have forgotten the conduct of this person and this nation with its secret flights over Europe? What kind of cooperation are we seeking for the European industry and economy when America is ruthless? Our industries abide by the Kyoto regulations, while the American ones fail to do so. How will there be any cooperation? How will there be any cooperation when we have an 'expensive' currency and cannot export anything, while Americans can?

If we want to achieve cooperation, in a transatlantic trade environment, we have to adjust the two currencies. We cannot afford this luxury. Only US products are sold around the world. If we really want to see the dreams of Europe come true, that is freedom, democracy and international relations, we should be calling for the resignation of Wolfowitz and Bush.

Jonathan Evans (PPE-DE). – Mr President, as chairman of the Transatlantic Legislators' Dialogue, on Tuesday last week I had the honour of leading Parliament's delegation in briefing Congress in Washington on the findings of the Temporary Committee on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners. We received a robust response from the chairman of the International Organizations Subcommittee, Congressman Delahunt of Massachusetts, who not only gave us his support but also thanked Parliament for its work on this issue.

This was the first time such a meeting had been held, in this case of the Committee on Civil Liberties, Justice and Home Affairs, under the umbrella of the TLD and on the floor of Congress. As our rapporteur, Mr Fava, told our American colleagues, it reflected great credit on Congress that they were the first parliamentary body to ask Parliament's committee to share and discuss its findings. Our criticisms have also been directed at European governments and national parliaments, which have to date failed to follow the Congressional lead.

As I told Congress, we are allies who share common values of freedom, democracy and the rule of law, but in promoting these values elsewhere in the world we must ensure that they are maintained in our

own countries. I hope that this Congressional initiative, under the umbrella of the TLD, will be taken up by other committees of this House in the weeks and months to come.

This weekend I will be leading a small delegation from Parliament, which will be in Washington for high-level discussions on the margins of Monday's EU-US Summit. I know that the Council and Commission give high priority to significantly improving the depth and regularity of dialogue between transatlantic legislators. In preparation for this summit a number of ideas have been floated. We will have to wait until Monday to see how many are successful. But it is crucial that the summit declaration clearly spells out the need for closer dialogue.

I conclude by saying that it is worth remarking that the three presidents, that is Mr Barroso, Mr Bush and Mrs Merkel, will be holding a formal briefing session with the TransAtlantic Business Dialogue and global corporate CEOs but have not yet scheduled any such meeting with either US or EU legislators. I hope that they will put this omission right at future summits.

President. Good luck with your delegation, Mr Evans.

Hannes Swoboda (PSE). – *(DE)* Mr President, ladies and gentlemen, I still remember well one of Mr Barroso's first speeches, in which he said that we had to deal with the United States as with our equals, and I think that is absolutely right; an economic partnership is what is needed. I am all in favour of creating a common market that acknowledges the generally-accepted international rules, such as the WTOs.

What is not acceptable, though – and reference has been made to this already – is that America, or the Bush administration at any rate, should attempt, from time to time and recently more frequently, to bypass United Nations resolutions and other rules in bringing pressure to bear on European businesses and telling them how to go about things.

Reference has already been made to one specific instance of this in Austria, where the new owners of BAWAG, a major Austrian bank, are being compelled to break off all business dealings with Cubans, and that is scandalous; it is not for the American Government to decide how European banks are to conduct their business, any more than it is for us to impose similar decisions on their American counterparts, and I expect the Commission or the Council to speak out clearly on this.

I have in fact had a perfectly clear answer about another, related matter from the Commission, but the response from the Council Secretariat was somewhat vague. What is needed here is a clear and unambiguous stance so as not to fan the flames of anti-Americanism, but instead to maintain a good and proper relationship between Europe and America.

I might add that I believe that Mr Wolfowitz should stand down; those who fight corruption must have no dirty laundry hidden away, and that is something else to be sorted out by the European Union and America together.

(Applause from the left)

Anneli Jäätteenmäki (ALDE). – *(FI)* Mr President, it is a good thing that it is recognised on both sides of the Atlantic that bridges of cooperation need to be rebuilt. A common set of values and a shared history have up till now remained the basis for Transatlantic relations. We need to recognise, however, that we cannot survive on past commendations and achievements.

During World War II and after it we were united by a common view of human rights. Today, I think we have to ask what has happened to that common view. If the fight against terrorism is to be a success we should not sacrifice the rights and fundamental freedoms of citizens, and I hope that this too will be discussed at the summit.

The congressional elections held last autumn heralded a new mood, and the idea proposed here that Nancy Pelosi should be invited to speak here in Parliament is, I think, well worth supporting. It would strengthen the bridges of cooperation between the European Parliament and Congress.

Miloslav Ransdorf (GUE/NGL). – *(CS)* Thank you, Mr President. The current situation in Iraq demonstrates how right the US thinker Santayana was when he said that those who do not learn from history are doomed to repeat it.

When it came to attacking Iraq, some countries such as France, Germany and Belgium refused to have any part in the venture. Defence Minister Rumsfeld at the time divided Europe into new and old, and took a dim view of countries like France and Germany. In reality, the countries that supported the attack on Iraq were the countries of the old Europe. They were the countries that in fact adhered to the traditions of colonial wars and the arrogance of the powerful.

I feel that the new Europe is based on ideas of tolerance, dialogue and mutual understanding between civilisations, without losing sight of the great achievements of our continent. I feel that if today the EU is the voice of reason and human dignity in the world, we can hope that the USA too will ally itself to the voice of reason and human dignity following the next presidential elections in that country.

Paul Marie Coûteaux (IND/DEM). – (FR) Mr President, what we have been hearing since this morning about so-called transatlantic relations – a specious expression since our capitals' relations with the United States differ greatly – does not reassure us.

In reality, this expression does a bad job of disguising a relationship of subordination – subordination that I feel is increasing. In every area, we are giving way. Whether it is the transmission of personal data for various motives; whether it is these surprising – and shameful for the whole of Europe – relinquishments of sovereignty that are the secret CIA prisons and other, all too quickly forgotten, affairs of this kind; whether it is our willingness to accept the very term 'international community', which means little other than the imperial power and its accomplices; or whether it is the general position – about which, I might add, too little is known – occupied by the US Embassy in the central bodies of the Union, these relations do a poor job of disguising different interests, different principles and different views of the world.

In relation to Washington, I call on the Member States to do as France is attempting to do – admittedly, with mixed results – and show a little more dignity and independent spirit for the good of Europe as a whole.

Alexander Radwan (PPE-DE). – (DE) Mr President, ladies and gentlemen, I speak today on behalf of the Committee on Economic and Monetary Affairs in particular, and on the subject of the financial markets, in which we Europeans have already, and for a very long time, been caught up in an international, and trans-Atlantic, network of relationships, and so I will also be speaking, as one who has practical experience of these matters, on a project of economic cooperation involving Europe and America, one that we welcome and support.

Particularly where lawmaking is concerned, we do have some reservations and some experience, which I might sum up by mentioning Basel II and AFAS, and I would like to address my remarks to the Council in particular, for I can tell Mr Gloser that we must take care, in dealing with this, that this House's prerogatives and Europe's rights are treated as equal with those of the Americans when it comes to laying down the rules, for what happened with Basel II was that the Americans ended up deciding not to implement the package.

We also have to consider the issue of regulation, of which regulation is applied, and where; need I mention 'Sarbanes-Oxley'? We have, on repeated occasions, raised with the Commission the consequences of the incursion of the 'newest stock exchange' into Euronext. Will the regulations be American? To date, the Commission has said that the capital market will decide the matter.

BAWAG gives us a contemporary example of how American regulation intervenes directly in the European market in order to detach it from European rules, and the Commission must make its opposition to this unambiguously clear and ask them what they think they are doing. The same, my dear Mr Gloser, does of course apply to the Council, and I would remind you of SWIFT; there, too, European regulation has been forced to make way for its American counterpart.

I urge the Commission to at last do something about hedge funds, where an American invasion is in progress, and discussion is going on at the national level. It is a global issue; it is being moved forward; the Commission maintains deep silence on the subject, and the Commissioner responsible regularly says, 'that's how the market is'.

When international cooperative efforts merge together, it is particularly important that parliamentary control is not eaten away, and I am thinking of the Council in particular when I say that. I am thinking of the comitology debates and the anti-democratic behaviour of the foreign ministries in Europe when

I say that I would like to insist on this House being consulted in due time on future projects of this kind, rather than being presented with a *fait accompli*.

Martine Roure (PSE). – (FR) Mr President, last week the Committee on Civil Liberties, Justice and Home Affairs sent a delegation – which proved to be most useful – to address visa waiver and data protection issues, not least regarding the negotiation of a PNR agreement and, of course, regarding the problems posed by SWIFT. It is regrettable that we had to go to Washington in order to obtain answers to questions that we had asked our institutions, to no avail.

For the European Parliament, it is vital to distinguish the negotiations on the visa waiver scheme from those on the PNR. States that have been excluded from the visa waiver scheme are being blackmailed. No bilateral negotiations are acceptable on either of these issues. Only agreements at EU level can be considered. US citizens are protected by European data protection legislation, but US legislation excludes Europeans and does not permit them any means of redress.

Therefore, Europe must, in my view, propose the negotiation of a comprehensive agreement with the United States on the exchange and protection of personal data. It is our duty to protect our citizens' data.

Jerzy Buzek (PPE-DE). – (PL) Mr President, today the EU Member States are wavering between two extremes: stand-offishness and distance towards the USA, or wholehearted support which overrides European interests. Neither of these are the right way. The answer to the eternal question – more competition or more collaboration with the USA – is clear. In today's world, informed and wise cooperation is the only option both for the USA and for the EU.

Let us begin with wholehearted and clear-cut cooperation in business and technology. There is no need to repeat research that has already been done on the opposite side of the Atlantic – we are more advanced in renewable energies, for example, and the USA in clean coal technologies.

Let us completely open our markets to each other and to technology exchange. Let us collaborate more broadly in the seventh European Framework Programme and the American *National Science Foundation*. Let us not compete so stubbornly for oil and gas markets. Let us agree to act together. Diversification is important for both sides of the Atlantic.

Andrzej Jan Szejna (PSE). – (PL) Mr President, relations between two important world powers such as the USA and the EU have always aroused a great deal of emotion not just because of their effect on the international order, but also because of their complexity and the range of issues they affect.

All the issues raised in the resolution should be considered important and should be debated widely at the coming summit. The involvement of both partners in joint cooperation to strengthen the transatlantic market is a very positive aspect. I also agree that these relations need a fresh impetus, and one way in which this can be done would be to update the new agenda.

We live in a time of a huge increase in international competition from countries such as China, India and Russia. For this reason improving our trade and business cooperation by establishing a common methodology and by avoiding legal discrepancies is in the interests of the economic development both of the EU and of the USA.

I would also like to draw attention to what is currently a major sticking point in EU-USA relations, which is the missile defence shield. We need to settle publicly whether the issue of the missile defence shield should not be subject to a joint political decision between NATO and the EU within the framework of a common foreign and security policy. Whilst I agree that we must support the US in their fight against terrorism and in protecting world security, that does not mean we should allow new lines of division to appear in Europe. And such divisions continue to operate within the European Union, for example in the visa regime. Citizens of the new Member States and Greece are still discriminated against when it comes to travel to the USA. I call for the principles of loyal cooperation and non-discrimination to be respected.

Bogdan Klich (PPE-DE). – (PL) Mr President, for several years now we have been demanding that the United States remove visa restrictions on the citizens of some Member States. However, the lack of progress has aroused understandable frustration in the countries affected, of which Poland is one. US visa policy should not create first and second-class citizens in Europe by allowing one group to travel to the USA without visas, while others are forced to patiently wait in line for visas.

Since last December, however, the USA has shown a willingness to make changes in the Visa Waiver Program. We have heard this both from Capitol Hill and from the Departments of State and Homeland Security. We must seize this opportunity and urge the USA at the coming summit to take real action and waive visa requirements for all EU citizens. I appeal to the presidency and the Commission to do this. At the same time we have to make sure that the exchange of personal data of people travelling to the USA does not violate the rules of data protection.

Helmut Kuhne (PSE). – (DE) Mr President, I want to pick up on the announcement by the President-in-Office of the Council that a demand will be made at the summit for the visa waiver programme to be extended to all citizens of the European Union. That is a very important announcement, for if that happens, all the EU's citizens will be able to experience the practical effects of European policy, and the division that exists among them in that regard, to which you referred, can be done away with.

Moving on to security policy, we Europeans can very definitely take pride in the way that the political approach that we raised as an option – with its combination of diplomacy, pressure and offers to Iran – has now become the policy agreed on by the European Union and the United States and it was this approach that brought the world community together, while others had driven them apart from one another.

If, though, there is a policy on which all agree, one question arises naturally in connection with the anti-missile programme to which many have already referred, for, if we are persuaded that this joint approach promises success, then the issue to be settled before any debate on the stationing of the missiles and on who is to be involved in it is why, if it is possible to get Iran, by peaceful means and negotiation, to renounce nuclear armaments, it is so necessary that a decision on the positioning of these rockets be taken right now, and, since I have not, so far, heard anything from the participants in this debate on security policy that settles the matter, I would be very happy if this question were to be put on the agenda.

Avril Doyle (PPE-DE). – Mr President, as Mrs Merkel has said, we need a new ambitious economic partnership between the US and the EU, but it must go hand in hand with a new ambitious environmental partnership.

There was transatlantic accord at the recent G8 Environment Ministers' meeting, when they agreed with the peer-reviewed scientific report of 2 500 world scientists that human-induced climate change is accelerating and that climate change has consequences not only for the natural environment but also for economic growth and development, global poverty levels, international security and energy supplies. It was unanimously agreed that climate change requires 'prompt action' and 'swift and determined policy responses'. There was, however, less accord, regrettably but not surprisingly, on what those policy responses should be. Paragraph 16 of our motion for a resolution notes the disappointment that the United States has refused to move on issues such as emissions targets and the creation of global carbon-trading schemes.

However, with the Stern report, recent elections in the US, the IPCC report and the increased demands from citizens on both sides, I feel that transatlantic dialogue and cooperation on climate change *is* increasing, and will and must lead to an agreement for the post-Kyoto 2012 period that includes the United States.

Adrian Severin (PSE). – Mr President, I come from that part of Europe where America was, and still is, seen as a European power.

There is no global problem, from the Middle East and the Balkans to energy and climate change, which could not be solved if the European Union and the United States acted together. This should be the main principle on which the transatlantic partnership is built.

The democratic concepts and rhetoric of the United States and the European Union often differ, but they are simply two dialects of the same language, and this language is rooted in the same basic values. We must build on that, and during the summit must insist that our American friends return to the principle of 'together when possible, alone when necessary', and abandon the burgeoning principle of 'alone when possible, together when necessary'.

One of the problems of the transatlantic dialogue is that we do not speak with one voice. A parallel problem is that we do not recognise often enough the existence of differing schools of thought in America.

We have to encourage those who want to return to realism and discourage the continuation of neoconservative unilateralism.

If we are to succeed in this attempt, we must act to eliminate asymmetries and disparities in terms of research, technological improvement and security spending.

Finally, we must commend the German Presidency's ambitious ideas on a transatlantic partnership. It is time to work for a transatlantic free trade area that can open the way towards institutionalised transatlantic cooperation. We need more partnership and less rivalry.

Georgios Papastamkos (PPE-DE). – *(EL)* Mr President, it is widely known that the European Union and the USA are key players in the global trade policy. As a member of the Committee on International Trade, I would like to say that the understanding between the two partners, as well as a harmonious and functional relationship does not only lead to bilateral positive results. It is conveyed to the general multilateral trading system, affecting the trade balance on a worldwide scale, not in terms of political power, but in terms of economic interdependence.

The more we strengthen the trade-political convergence, the more visible the effects of international economic and political cooperation will become. Voices against the multilateral trading system under the WTO, only leave room for the fragmentation of the world trading system and leave no other option but a return to bilateralism.

Ladies and gentlemen, would the disciplines of the WTO tolerate a liberated major Euro Atlantic market, which currently takes up 40% of world trade? What would the consequences be for other countries, especially the developing ones?

Richard Falbr (PSE). – *(CS)* Mr President, ladies and gentlemen, throughout their history, Czech firemen have come into conflict with two concepts in US foreign policy, namely the concept of the lighthouse and the crusader concept. The Monroe Doctrine of 1823 and the actions of Roosevelt in 1904, in other words the right to intervene and the actual interventions in the Caribbean – Haiti, Panama, the Dominican Republic, Cuba and Guatemala – are meaningful illustrations of a century-old doctrine that has now been resurrected. Since the momentous NATO summit in Washington at the time of the bombing of Serbia, it has been clear that the USA can carry on without the Security Council and NATO.

The globalisation of military intervention has emerged, alongside economic globalisation. The Bush Administration has thus gone back a hundred years. This cannot continue. The USA must instead be reminded that 'international law does not belong in the dustbin, torture is an instrument that does not yield credible results; and democracy cannot and must not be exported through the use of bayonets.'

I say yes to transatlantic relations, but on a level playing field, without the kind of servile behaviour typically shown by some of the new Member States.

Antonio Tajani (PPE-DE). – *(IT)* Mr President, ladies and gentlemen, in Italy today we are celebrating National Liberation Day, the end of dictatorship and of the war. We could not remember 25 April 1945, however, if thousands and thousands of young Americans had not also laid down their lives. After Nazism, Europe would not have been able to defeat communism either, without the commitment of the United States.

When we talk about transatlantic relations, we must not forget the country that fought for our freedom because it shares the fundamental values of our western society. That is why our relations with the most important democracy in the world should be a key element in Europe's policies, from security and the fight against terrorism to the fight against drug trafficking, and from the search for energy security to the issue of climate change.

In this context, Europe should support the Merkel proposal to create a transatlantic free trade area. I am also convinced that the future creation of a European army must not come into conflict with NATO, which is a useful tool for the United Nations and for the security of us all.

Just as Europe needs the United States, however, the United States cannot do without a strong Europe that is capable of being a loyal, credible and reliable interlocutor as well as an essential protagonist in upholding the shared values on which our democracies and that of the United States are based.

Günter Gloser, *President-in-Office of the Council*. (DE) Mr President, Commissioner, honourable Members, although I would like, in view of the lateness of the hour, to keep my remarks very brief, I would like to express my gratitude to you for this lively and frank debate.

One essential point that has emerged from it is that it is better to talk with one another than about one another. It is evident from the way in which contact is maintained between Members of this House and Members of the US Congress that talking with one another is the only way to learn from one another and to better understand one another.

Relations across the Atlantic were important in the past and will be important in the future, particularly in view of the challenges that we in the European Union find ourselves facing together, in the shape of issues relating to energy and climate change, but also, for example, the fight against international terrorism. Our relations with other major economic actors show that we can do all these things only together and not in opposition to one another. Earlier on, Mrs Mann said that neither open enthusiasm nor frustration are of any use in this, and the pragmatism to which you have referred is the right way to go about things, because pragmatism is vital in any ongoing dialogue with the United States.

A number of points of criticism have been made, not only of security issues of interest to the United States, but also matters of interest to the European Union, for example data protection standards, passenger data and the issue of SWIFT; these issues are being addressed openly rather than being evaded, and the Commission and the Presidency have already made it clear that all of them will be raised with the Americans. I would like to highlight once more the waiver of visas. Within the European Union, there must be no differences of treatment when it comes to deciding who will be able to travel to America without a visa; that opportunity must be open to the citizens of all the Member States of the European Union, for it is with the European Union that America has to deal.

Perhaps I might be permitted to discuss some other critical comments. I believe that the European Union has, in certain international conflicts, managed to abandon unilateralism and move towards a form of multilateralism, and it is in this way that the European Union has succeeded in involving America in its initiatives with respect to Iran, something that also involved consultation and partnership with China and Russia. Important steps have been taken in the same way. I know that Members of your House can never be satisfied with what has been achieved to date as regards the Middle East, but, in the aftermath of the conflict between Lebanon and Israel, there was much enthusiastic advocacy of the re-mobilisation of the Middle East Quartet, and addressing these issues in tandem with America makes an important contribution. I hope that this joint summit involving both the European Union and United States will lead to the establishment of a sustainable basis for the future discussion of critical issues. An alliance or a relationship is not to be regarded as impaired merely because there are disputes within it.

Vladimír Špidla, *Member of the Commission*. (DE) Mr President, honourable Members, this debate did of course go into some depth, and I will take the liberty of speaking a little longer than usual. A very large number of interesting lines of argument have emerged, and I think it would be good to answer them properly.

I welcome your House's view that we should work together with the United States in order to find multilateral solutions to the challenges we have to face together, and I endorse it unreservedly. I would like to assure you that we are working very hard to ensure that the statement emerging from the EU/United States summit expresses in abundantly clear terms our shared determination to strengthen the hand of the United Nations and to equip it with the tools it needs to perform its tasks.

At the EU/USA summit, we will continue to urge the USA to have recourse, as a matter of preferential choice, to the United Nations in resolving crises such as those in Iran, in the Sudan and in Afghanistan and, of course, to follow the Quartet's approach in the peace process in the Middle East.

Yet another example is climate change, in contending with which the multilateral approach is the only way of acting effectively. At the summit, we will be endeavouring to secure American support for the inception of negotiations on a global framework in the course of the talks called for by the United Nations in Bali (Indonesia) in December.

The Commission has repeatedly supported the efforts of the individual Council Presidencies to make it clear to the United States our obligation to unconditionally endorse the application of international law to humanitarian matters and to human rights issues. I would remind your House that it was the EU, at the 2006 Summit, that prompted President Bush's statement to the effect that he wanted to see

Guantanamo closed down and that the inmates remaining there would have to be either brought before a court or set at liberty. The concerns to which you have given voice were among the main reasons for the initiation of the EU troika's dialogue with the US State Department's legal advisor.

I also welcome the idea of enhanced dialogue between Members of your House and Members of the United States Congress. Dialogue between parliamentarians on both sides is an important pillar in the relationship between the EU and the United States. The Commission has been unstinting in its endeavours towards securing the closer involvement of the legislative institutions in trans-Atlantic relations, and it was the Commission, in particular, that set in motion the trans-Atlantic dialogue between them. Members of these institutions would be able to put themselves in an even stronger position if they were to hold the annual Top Level Domains meeting immediately before the EU/USA summit, as is the practice with the trans-Atlantic economic dialogue.

As it always does, the Commission has, this year, endeavoured to move our American hosts to involve the legislative bodies in the events on the margins of the summit; as far as I am aware, the Americans' current plan is to invite the TLD representatives to a briefing of senior officials from the European Union and the United States on the afternoon following the summit.

Our aim is that, under the new policy agreement on the promotion of bilateral economic relations, a political figure from each side should be appointed to move the EU/USA summit process forward, and we have suggested to the United States that these persons, or contacts as they are termed, should be advised by a small informal group composed of people chosen from legislative bodies, business associations and consumers' groups.

Our shared objectives in terms of the development and use of environmentally-friendly energies cover, in the medium term, and will be restricted solely to the promotion of, largely emission-free coal use, the development and use of renewable energy sources – biofuels in particular – and the promotion of energy efficiency, in every one of which areas we will endeavour to set qualifiable targets for both the European Union and the United States. The EU will be working on the basis of the sound policy platform agreed at the meeting of the European Council on 9 May.

Turning to the visa issue, I have to emphasise that the US administration's undertaking to reform the system is something to be welcomed, although, as it would be premature, at the present time, to adopt a position on the reform of the USA's visa programme, we must wait to see what is in the final document, which the US Congress might well adopt even before the summer, and only when it has done so will the Commission be in a position to judge whether the new programme represents an advance in terms of greater reciprocity between the EU and the United States.

Our position, which has been clear from the very outset, is that all EU citizens should be able to enter the United States without a visa, in the same way as US citizens are allowed to enter the EU without one. We have repeatedly raised these issues at all levels with the United States and have demanded that the visa waiver scheme be extended to all EU Member States, thus ensuring equal treatment for all the EU's citizens.

Negotiations on airline passenger data began in Washington on 26 February, and we expect to be able to conclude them by the end of July, that is to say by the time the current agreement on PNR data is due to expire. We had further constructive talks with the United States last week, about which Vice-President Frattini may be able to give you more detailed information.

We also aim to secure similar security measures for SWIFT in order to ensure that European citizens' data is suitably protected in the United States, and are continuing to work with the USA on agreeing for the long term a series of general data protection principles. Dialogue between experts on both sides has so far been fruitful, but we have not yet got far enough to be able to negotiate a formal agreement.

Reference has also been made to the missile shield issue. I endorse what Mr Solana told your House on 29 March on this subject, namely that the EU is not a defence alliance and that, in accordance with the treaties, sovereignty in this area remains with the Member States, although it has to be said that that does not mean that the EU is wholly unaffected by this matter; in view of the fact that the EU possesses a common foreign and security policy and a security and defence policy and that matters of common interest, among them the relations between the EU and Russia, might be affected, it strikes me as important that the opportunity be found for a debate on this subject at EU level.

The BAWAG case is an interesting one, but the Commission does not as yet have any information to the effect that BAWAG has actually taken such action; had it taken a decision to do so, the Commission would have had to have been informed of it, since this sort of extraterritoriality is not acceptable under our laws. The facts of the case are as yet unclear, but European Union regulations do not, generally speaking, permit such measures or an extraterritoriality of that kind.

‘Economic contacts’ must not be taken to mean mere deregulation, but rather the arrangement of matters of common concern in such a way that real use can be made of economic potential on both sides of the Atlantic.

I am quite certain – and this has also been reflected in this debate – that relations between the United States and the European Union, and the matters of common interest that they share, are of great importance and that there are no other relations of greater significance to Europe; there is practically no major issue in which Europe and the United States do not have a common interest and involvement, and so – as was also clearly articulated – we should address the Americans as equals and engage them in a truly rational dialogue, but must not, in so doing, lose sight of our common European values.

President. Commissioner, thank you for your efforts to shorten what was evidently a much longer speech.

I have received seven motions for resolution⁽¹⁾ tabled in accordance with Rule 103(2) of the Rules of Procedure.

The debate is closed. The vote will take place later today.

Written statements (Rule 142)

Pedro Guerreiro (GUE/NGL), in writing. – (PT) One of the notable events of the start of the German Presidency of the EU was Mrs Merkel’s trip to the USA, the purpose of which was to renew Germany’s proposal for a strategic partnership between the EU, Germany and the USA aimed at ‘shared world leadership’, this at a time when the Bush Administration is in considerable trouble and looking increasingly isolated.

In the context of the rivalry/conciliation between the major European capitalist powers – with Germany at the helm – and the USA, the current state of affairs can be characterised as an attempt to relaunch what are termed transatlantic relations. The EU-USA summit set to take place on 30 April is the result of attempts to overcome differences, to put disagreements to one side and to realign the political, economic and military agendas of the two sides of the North Atlantic.

One of the priorities on the agenda for debate singled out by Mrs Merkel is the strengthening of what is referred to as the ‘New Transatlantic Economic Partnership’ with the aim of setting up a ‘barrier-free transatlantic market’ in the years ahead.

These endeavours – led by Mrs Merkel and her right-wing/social democrat coalition – come at a time when the USA is strengthening its military roots in Europe with the creation of new military bases and with its plans to install anti-missile systems, which represent fresh threats to peace.

Imperialist machinations ...

3. Progress report on Croatia (debate)

President. The next item is the report by Mr Swoboda, on behalf of the Committee on Foreign Affairs, on Croatia’s 2006 progress report (2006/2288(INI) (A6-0092/2007).

Hannes Swoboda (PSE), rapporteur. – (DE) Mr President, ladies and gentlemen, I would like to start by thanking my fellow-Members, especially those on the Committee for Foreign Affairs, for their really very good and fruitful cooperation.

I would also like to thank all the Croatian representatives, who have given a very great deal of help in preparing their country’s way as it draws nearer to the European Union – its ambassador to the EU, the

(1) See Minutes.

principal negotiator, its foreign minister, and, above all, the country's Prime Minister, Mr Sanader, who did a great deal in the last few years of his term of office to move the negotiations forward, but I also want to thank the former Prime Minister Mr Račan, who is a personal friend of mine, and, regrettably, very seriously ill. It was he who started to do what had to be done to prepare the way for Croatia to move closer to the European Union. All these people are not merely Croatian figures, but European ones, for they are helping to make it possible for the whole region of South-Eastern Europe to enter the European Union once the relevant criteria have been met.

There are those who have asked me whether I am not perhaps too friendly to Croatia. I do indeed have very strong emotional ties to the country, but I can also see the things about it that are worthy of criticism and still have to be sorted out, and so I am against the idea that some of the points of criticism made in this report should simply be deleted. Let us be honest with Croatia. Covering things up will not help them, but drawing attention to the outstanding issues will.

Although a great deal has already been got underway, some reforms have still not yet been implemented, and I am thinking here not only of those needed in the administration of justice, but also of economic reforms. I hope that these reforms will make progress despite the elections that are being held today, and I rejoice in the fact that Croatia is cooperating with the International Criminal Tribunal in The Hague. Achieving that was a major step forward, and, while I wish its neighbour Serbia would do likewise, this work must nonetheless be proceeded with in the immediate future.

Another matter that remains to be completed is the return of refugees. When you learn that some villages are still without water or electricity, you understand why returning home is not exactly an attractive prospect for refugees, and so there is plenty left to do on this front.

There are still problems with borders. It is not surprising that borders were not laid down with 100% certainty following the collapse of Yugoslavia, and the best way of solving these problems lies in a bilateral approach, which, in other words, means that Croatia would arrive at different solutions with each of its neighbours, but, if things cannot be sorted out in that way with one country or another, third parties should be brought in who are capable of mediating, adjudicating, and resolving issues in a European manner – not as if there were principles at stake, but treating the issues in practical, economic and political terms.

In my report, I made the quite deliberate point that Croatia should pull out all the stops in order to be able to conclude negotiations by 2008, so that this House can give its agreement in principle before the European Parliamentary elections in June 2009, and I do not doubt that the question as to whether we will be able to do that out of real conviction is one that it is primarily for Croatia to answer.

Croatian politicians on both the government and opposition sides know that it is, nowadays, becoming more and more difficult to get agreement to enlargement, to new Member States, since a certain amount of 'enlargement fatigue' has of course set in, but we have to be honest and upright about this, for we said, in the course of the Thessaloniki process, that, if countries have complied with the Copenhagen criteria and are cooperating with the International Criminal Tribunal, they, too, are entitled to membership. Croatia's membership could send the right signal to the other countries; not a message to the effect that they could become members automatically or that it would be easier for them to do so, but they would be able to see that it is possible for a country to join the European Union if it does its homework. None of us can have an interest in creating a black hole in this region.

We are firmly committed to the idea that the European Union, too, must do its homework and set in motion the necessary institutional reforms in order to complete the constitutional process, and I can do no other than repeat what Mr Schulz told Chancellor Merkel in his last speech in Brussels, namely that the Council and the Commission must do everything in their power to get this process completed contemporaneously with, and in parallel with, the negotiations with Croatia, so that Croatia will be enabled to become a Member State of the European Union rather than finding the door slammed in its face. We must not treat the deepening of the European Union, the reform of its institutions, as something that can be dispensed with; the two should go together, so that we will then be able to welcome Croatia as a new Member State of a strengthened European Union.

(Applause)

Günter Gloser, *President-in-Office of the Council*. (DE) Mr President, Commissioner, honourable Members, speaking on behalf of the German Presidency of the Council, I want to thank you and

particularly Mr Swoboda for the balanced draft of a resolution for your House on the Commission's latest progress report on Croatia, and to say that I do think that – as you have said in your remarks – the draft does indeed separate darkness and light just as clearly as does the Commission's progress report itself, while also venturing to take up an explicit political position, particularly on the state of play as regards compliance with the political Copenhagen Criteria, and that is to be welcomed.

Your House is doing important work in the course of the enlargement process; its active and critical monitoring is making a definite contribution to the transparency of the process, and also enabling it to find more solid support at the level of the European people. We know that it voices criticism from time to time, of such things as the speed of enlargement, but it is important that the process be monitored by the European Parliament.

I am glad to note that your House's views and those of the Council coincide to such a large degree in this area, for that remains enormously important for the continuation of the enlargement process in line with the conclusions of the European Council, and, as you mentioned, the Joint Parliamentary Committee of the European Parliament and the Croatian Sabor plays a pre-eminent role in this, as another means whereby ideas can be transported through dialogue.

Croatia is continuing to make good progress on its way into the EU, and the accession negotiations are moving ahead, but it goes without saying that progress in the talks will continue to be dependent on how quickly Croatia implements the requirements that emerge from the screening process and the negotiations.

The Commission's 8 November 2006 progress report makes clear that, all this progress notwithstanding, Croatia still has a lot of work ahead of it, and needs to accelerate its efforts in certain areas. Mr Swoboda has mentioned the fact that this is particularly the case in the reform of the justice system and of public administration, the fight against corruption and a massive effort at economic reform. I hope you will not mind if I discuss individual areas in brief.

We can see that, while a certain amount of progress has been achieved in justice reform, a number of problems remain to be overcome. This is where it needs to be stressed that the creation of an independent, non-partisan, reliable, transparent and effective justice system is of paramount importance, and it is also a precondition for the reinforcement of the rule of law and for the proper application of the *acquis communautaire*. Progress in this area is important if Croatia's readiness for eventual EU membership is to be assessed.

The same is true of corruption, which continues to be a serious problem; here, too, we are insisting on greater effort to prevent, uncover, and effectively combat corruption.

Successful application of the *acquis* is largely dependent on professional, accountable, transparent and independent public administration, something that is also of the utmost importance to the public and, ultimately, to the investors that the country needs, and that much has already been learned from the experience of previous accessions.

It is for that reason that Croatia should press on with its efforts at good neighbourly relationships, and for that reason, too, that we strongly urge it to work harder at finding definitive solutions to all the as yet unresolved bilateral issues with its neighbouring countries, particularly those to do with borders, solutions that must be acceptable to both sides.

As for the economic criteria, we are glad to see that a general consensus on the essential elements of economic policy has been achieved, and that there is evidence of positive indicators such as low inflation, stable exchange rates, and more rapid growth. Croatia will probably be able to cope in the medium term with the pressure of competition and market forces in the EU, but that will be dependent on it implementing its reform programmes in a determined manner and thereby dealing with its remaining weak points, and it is with this in mind that we have called on Croatia to speed up its structural reforms, including the restructuring of enterprises.

Finally, we note with satisfaction that Croatia has become better able to implement the *acquis*. While it has made progress in most areas, further determined efforts are indispensable in the approximation of legislation and administrative capacity, and there are many areas in which even the short-term objectives of the accession partnership have not yet been achieved.

We are, then, very glad that Croatia recently adopted a national programme for its own integration into the European Union, which constitutes an updated response by it to the recommendations made under the accession partnership, and we look forward to the programme's implementation with high expectations.

Let me reiterate, by way of conclusion, my warm gratitude for your cooperation on matters relating to enlargement, for your House's calm attitude consistently helps to keep enlargement policy rational, and I look forward to our continued cooperation in future on the various projects that we still have to sort out together.

Vladimír Špidla, *Member of the Commission*. (FR) Mr President, the Commission welcomes Mr Swoboda's report on Croatia. It is a balanced report, which addresses the main challenges that Croatia will face on the road to membership of the European Union, not least in the political sphere. I am certain that the adoption by the European Parliament of a resolution on this report will contribute a great deal to the process of enlargement to include Croatia.

The accession negotiations with Croatia have got off to a good start. The screening process was successfully concluded in October 2006. It gave an overall insight into Croatia's current degree of alignment with the *acquis communautaire*, as well as into issues requiring further efforts. The rate at which Croatia will progress on the road to accession will largely depend on its ability to fulfil all of the necessary criteria. This is not an easy task. Croatia must bring its legislation into line with the countless EU regulations and ensure that the latter are implemented and complied with. It must also continue with its efforts to fulfil the political and economic criteria.

Six out of thirty-three chapters of the negotiations have so far been opened. For two of them, negotiations have been temporarily suspended. The objectives have been defined for nine chapters, and they will have to be achieved before negotiations are opened in sectors such as competition policy, public procurement and free movement of capital. The European Union and Croatia are preparing their negotiating positions in many other chapters. We hope to be able to open negotiations on other chapters during the German Presidency.

Generally speaking, Croatia has solid foundations on which to make further progress. There is work to be done, however, not least regarding the political and economic criteria, where difficulties remain. We believe, in particular, that there is an urgent need for Croatia to continue with its efforts and to produce concrete results where judicial system reform, public administration and the fight against corruption are concerned.

Croatia has begun to implement its judicial reform strategy, and we are starting to see the initial results. That is a positive point. However, the Croatian judicial system has serious shortcomings, and many improvements should still be made to it, as Mr Swoboda rightly observes in his report. There is a large judicial backlog. The procedures are far too slow, and we need to ensure that court decisions are executed properly and that judges become more independent and more professional. The government must also present its plan to rationalise the judicial system. Improvements must also be made to the way in which trials for war crimes are held. Corruption remains a worrying problem. Some measures have been taken as part of the anti-corruption programme, but they are only just starting to be implemented.

The implementation of the entire programme is necessary, as is a strong political will to step up efforts. The many weaknesses that remain in the area of public administration do not help make the fight against corruption any easier. Croatia urgently needs to speed up the reform process in this area. Croatia is headed in the right direction where minority rights are concerned. However, it must still meet several specific challenges in the future, concerning the repatriation of refugees. Some problems have still not been resolved, including the allocation of housing to refugees who had occupancy and rental rights before leaving Croatia.

The report rightly highlights Croatia's positive influence in the region, not least in its role as chairman of the South-East European Cooperation Process. It does, however, stress the need to continue to encourage Croatia in its efforts to achieve good relations with its neighbours, not least by stepping up the work aimed at resolving outstanding bilateral issues, particularly those relating to the delimitation of borders.

With regard to the economic criteria, satisfactory progress has been made overall. Indeed, Croatia can be considered as having a market economy that works. It is in its interests, however, that it continue to

move in the direction of an open and competitive economy, so that it can handle, in due course, the competitive pressures of the European Union. It must proceed further with the economic reforms and take some difficult decisions, not least in relation to industrial restructuring, particularly in the steel and shipbuilding sectors.

Whether or not progress is made in the negotiations depends on Croatia. Only the future will tell when Croatia will be ready for accession. The Commission position is not to set a target date for accession before the accession negotiations are at the stage of being concluded. Croatia still has a great deal left to do, and the progress of the negotiations will depend on its ability to meet the demands of accession. The Commission will continue to do all it can to help Croatia to achieve this objective.

Bernd Posselt, *on behalf of the PPE-DE Group*. – (DE) Mr President, if there were any justice in history, the Croats – a European people – would have been among the founders of the European Union, but Communism and the union of the South Slavs prevented it. If history were in any way just, Croatia would have acceded to the European Union at least three years ago, together with Hungary, Slovenia, the Czech republic and other countries with which it shared a history and a culture and with which it had always been united, but this was prevented on the grounds that a third of it had, for years, been occupied by a neighbouring state.

Today, at last, Croatia is on track to join the European Union, and we should play our part in making history just by enabling it to accede before this decade is out, for it is the only European country that can do that – and should be allowed to. That does not mean that we are blind to the things about it that are worthy of criticism. I want to express my thanks for the good cooperation with Mr Swoboda, and these points of criticism need to be addressed.

Commissioner, we must do everything in our power to prevent artificial barriers being put in Croatia's path – barriers of a kind with which other candidates for accession have not had to contend. We must be clear in our own minds that Croatia must not be made the butt for the frustration with enlargement that has arisen since the last time we tried it. Croatia cannot be lumped in with the rest of South-Eastern Europe, or with Turkey either. There is no doubt that it, despite certain defects, has, in many respects, achieved greater progress in its preparations for accession than have certain Member States, and that is why we have to put our own house in order and put the European Union in a position to be able to welcome Croatia without delay.

I would like to make it plain that it is not a matter of doubt that Croatia – in view of its four and a half million inhabitants and the stage of preparations for accession that it has reached – is not going to make excessive demands on the European Union's integration capacity, but will, on the contrary, be a major force for stability in a region beset by problems and will make the European Union stronger.

Jan Marinus Wiersma, *on behalf of the PSE Group*. – (NL) Mr President, first of all, I should like to thank my dear colleague and friend Mr Swoboda for the work he has done as rapporteur, and to congratulate him on his report, which shows that the rapporteur is closely following the developments in Croatia, a candidate country that has made huge progress, and has taken important steps towards the EU, which the rapporteur is right to emphasise in this report. At the same time, though, the rapporteur is honest and open as to what remains to be done, and about the reforms which we expect the Croatian Government to implement in the short term.

My group holds fast to the European prospect of the countries of the Western Balkans and, as I said before, backs Croatia's candidature emphatically and unanimously. Accordingly, there are no doubts in my group as to the European Council's pledges and the question whether Croatia can become an EU Member. It should be noted, though, that we take as our guiding principle the accession criteria and the renewed enlargement strategy, on which we reached broad consensus in this House last December and which is also supported by the Commission and the Council. This does not in any way mean that the criteria that apply to Croatia are different from previous candidates. It does mean, though, that we expect the Croatian Government to carry on working on the foundations that were largely put in place by the previous government led by Prime Minister Račan.

This leaves us one last, joint challenge: the synchronisation of the road maps for completing negotiations with Croatia on the one hand and those for the necessary institutional reforms within the EU on the other. We cannot force either process, but since we aim to have a solution in place by mid-2009 where the constitutional future is concerned, along with my group, I do not see any obstacles that cannot be overcome to complete Croatia's accession process without unnecessary delays.

István Szent-Iványi, *on behalf of the ALDE Group.* – (HU) Croatia deserves recognition for the results achieved in the past few years. Internal reforms have begun, the harmonisation of laws is progressing well, and there is full cooperation with the ICTY. But Croatia still has a great deal of work to do before it can become a member. Administrative reforms have only just begun, and while there have been important steps toward judicial reform, more are needed. The fight against corruption has so far yielded few results, the return of the refugees needs stronger support and there is still much to do in terms of environmental protection. So the Croatian Government has its hands full.

Contrary to previous expectations on both sides, negotiations are running behind schedule, and this is not only Croatia's fault. We also have to do more to keep on schedule and prepare for the eventual admission of Croatia to the EU institutions. We attach great importance to Croatia's ability to solve pending questions with its neighbours – including border disputes – as soon as possible. Constructive thinking and flexibility are needed for this, not only on the part of Croatia but of course on the part of its partners as well. If these results cannot be achieved, the intervention of a third party seems appropriate. For the moment all political parties are in agreement regarding EU membership, but public opinion is, for the most part, undecided.

The government must do more to win over public opinion. Elections are approaching in Croatia and there is a long electoral battle going on. It has already started, and for that very reason we have to take care to remain neutral in sensitive internal political matters. We must not take the side of any one camp, but instead send a message to the whole of Croatia. In my opinion, this message has to be a positive one. I congratulate Mr Hannes Swoboda, because his well-balanced report points to both advantages and problems, encouraging Croatia to continue its efforts.

Milan Horáček, *on behalf of the Verts/ALE Group.* – (DE) Mr President, I am most grateful to Mr Swoboda for his report, which sets out both the areas in which Croatia falls short and the progress it has made in drawing closer to the EU.

We must be most careful in calling by name the points of criticism relating to compliance with the accession criteria and reviewing them – not only where the reform of administration and business is concerned, together with the fight against corruption and the reform of the justice system, but also in every area relating to the making and the enforcement of law.

Let me give some examples of what I am talking about. Becoming a democracy also involves engagement with the past, and that is why we have submitted an amendment relating to the thorough and non-partisan examination of the crimes against humanity committed in the course of hostilities, many of which have gone unpunished. It is reported that various non-governmental organisations and other activists have been monitored and intimidated. A living civil society and active participation by NGOs in political life are indispensable to any pluralistic and democratic society and must be firmly entrenched before accession can go ahead. Sexual minorities are still subjected to public obloquy, and investigation of crimes against them is inadequate.

I would nevertheless like to make it clear that Croatia is on the right road to accede to the EU within the near future, since it is facing up to the political, environmental and economic challenges presented by the Copenhagen criteria, and, while we are encouraging it to do what it has to do without delay, and to establish the rule of law, democracy and human rights, we should also be conscientious and determined in carrying out our own reforms, so that we may both achieve our objectives before 2009.

Pál Schmitt (PPE-DE). – (HU) As chairman of the EU-Croatia Joint Parliamentary Committee, I wish to point out that Croatia is considered a model to be followed by all neighbouring western Balkan states that have also set their eyes on joining the EU. Therefore it is the duty of the European Parliament to support by all available means its ally, which is committed to European values, and to send a clear, positive message encouraging implementation of the necessary reforms.

Members of the joint parliamentary delegation who were present at the last meeting in March could see for themselves how seriously the government of Croatia is committed to preparing for accession. Their conclusion was that in all areas there were significant advances towards meeting the political, legal and economic criteria for membership. The dynamics of the negotiations are satisfactory and the delegation supported Croatia's ambitious aim to have their citizens take part in the next European elections in 2009. It is obvious that the government is taking effective measures to abolish corruption, to reform its administrative and judicial structures, and that it can show considerable results regarding the return of refugees, the protection of the rights of minorities and in the field of regional cooperation.

Croatia's accession has already been delayed too long. Previously, citing a lack of cooperation with The Hague tribunal, and now on grounds of the EU's limited integration capacity – as well as of the absence of the legal and treaty foundations – Croatia is left in uncertainty. As a consequence, the European Union's popularity is very low among its people. I can only approve of the new communication strategy undertaken by the Croatian Government together with the opposition, of informing people of the expected advantages of accession. I recommend setting up a consistent long-term information action plan by the EU, with the aim of reducing the scepticism and mistrust toward the EU among the 4.5 million Croatian citizens.

Coming back to the report of Mr Swoboda, I congratulate the rapporteur and will personally support it. I hope the amendments proposed by the Group of the European People's Party (Christian Democrats) and European Democrats will also be approved.

President. Good luck with your delegation.

Borut Pahor (PSE). – *(SL)* First of all, I would like to extend my sincere congratulations to my fellow Member, rapporteur Swoboda.

In its documents to date the European Parliament has continuously urged Croatia to settle unresolved border issues with neighbouring countries through bilateral agreements. Despite these efforts, nothing has changed. Presumably, nothing has changed because Croatian politicians do not want to, or do not know how to, take responsibility for settling such unresolved border issues through bilateral agreements, despite the fact that some of Croatia's neighbours, including Slovenia, have done everything in their power to bring about the conclusion of such agreements.

For this reason it is good and right that rapporteur Swoboda should find a consensus by mentioning potential third-party mediation and that this should concern all border issues and all the countries which share borders with Croatia and which, for the most part, have not settled their border issues with Croatia.

It is also right that we should welcome the progress Croatia has made and that we should urge the European Union to do its utmost to provide a legal basis for Croatia's accession to the European Union.

Jelko Kacin (ALDE). – *(SL)* Croatia deserves to be congratulated on all the things referred to in this report, because it has made clear progress in a wide range of areas. However, Zagreb must now reaffirm its determination to implement its obligations concerning the reform of the judiciary, the introduction of a non-discriminatory market economy, the protection of ethnic minorities and the return of refugees and displaced persons.

Our relations with neighbouring Croatia are very well developed, which is why I look forward to the moment when our colleagues from Zagreb will be able to join us in this Chamber as observers. However, in the spirit of consolidating bilateral relations, I support the proposal for Amendment 23 tabled by Alfonso Andria, a fellow member of the Group of the Alliance of Liberals and Democrats for Europe. Italy and Slovenia were indeed disturbed by the decision of the Croatian Parliament last December to activate Croatia's Ecological and Fisheries Protection Zone. This unilateral provocation has undoubtedly been detrimental to Croatia's credibility and has undermined what are otherwise good relations in the region. Mr Andria's proposed amendment is important because it underlines the significance of the Trilateral Agreement reached by Italy, Croatia and Slovenia in Brussels on 4 June 2004.

I also welcome Mr Swoboda's positive response to the initiative that the proposal for Amendment 24 be supplemented with an oral proposed amendment. In doing so, he has produced a balanced report, given the fact that Croatia also has unresolved border issues with Bosnia, Montenegro and Serbia. Let us not forget that Bosnia, Montenegro and Serbia deserve a European future, too.

Alojz Peterle (PPE-DE). – *(SL)* First of all, I would like to compliment rapporteur Hannes Swoboda and shadow rapporteur Bernd Posselt for the sterling work they have carried out, which has provided the foundations for widespread support for this report.

I am happy to note that the report begins by acknowledging Croatia's good progress in many fields. At the same time, the report also presents a realistic and detailed picture of the demanding tasks which Croatia, as a candidate country, yet has to implement on its road to accession. Amongst these tasks the report mentions Croatia's unresolved issues with its neighbouring countries.

I anticipate that Croatia will, in the spirit of this report, implement all its commitments arising from the agreements it has concluded to date with Slovenia and with other neighbouring countries. I also anticipate that Croatia will strive together with these countries to settle the bilateral issues and to forge permanent good neighbourly relations, particularly amongst the inhabitants of the border regions. Good neighbourly relations should be established through common rather than unilateral action.

I welcome the ambition that, subject to these commitments being implemented, the negotiation process should be concluded in time for the European Parliament to give its assent before the next EU parliamentary election. The project of European integration must continue. It is right that we should be aware of how important every step taken by Croatia and the countries of South-Eastern Europe is towards implementing European values, principles and the common rules of the game and how much Europe should welcome this.

I welcome the emphasis placed in the report on the importance of Croatia's advancement to all other countries whose prospects of full accession to the European Union were unlocked by the decisions made in Thessaloniki. It is also right that we should be aware of the fact that we are adopting a report on the progress made by one of the countries that was plagued by war in the 1990s. Certain traces of war can only be expunged through a genuine commitment to the spirit of Europe, which also includes efforts towards reconciliation. Thus, in this regard, Croatia's achievements are also important for progress in the wider region.

We know that history is not always our ally. Nonetheless, with regard to some of the supplements proposed, I have to say that I am convinced that this report cannot impose on Croatia, as a democratic country and a country that has condemned all types of totalitarianism, a task which Western democracies have not previously imposed on any other countries.

(Applause)

Pier Antonio Panzeri (PSE). – *(IT)* Mr President, ladies and gentlemen, I agree with Mr Swoboda's report in its entirety.

The about-turn on collaboration with the court in The Hague was certainly significant, but the government and all the political parties in Croatia need to work harder on public opinion there in order to help close the chapter of nationalist claims once and for all.

We are in favour of Croatia's future accession, because we want this country to consolidate its membership of Europe and to share its values and policies in order to contribute to the stabilisation of the western Balkans. This is something that Italy considers fundamentally important.

In that respect, there is no point in reopening painful wounds. Instead, as the report points out, we want to encourage an all-embracing process of truth and reconciliation involving all the interested parties, both in Croatia and in the rest of the Balkans. Legitimate claims concerning minorities in Croatia, including the Italian minority, need to be addressed fully in compliance with international law and all our Community legislation, as indeed the current negotiations require. Their complete integration at all levels of the country's life is still a fundamental objective. We shall follow the negotiations not least because of that.

Annemie Neyts-Uyttebroeck (ALDE). – *(FR)* Mr President, ladies and gentlemen, I shall be extremely brief and say this: in the negotiations between the Commission and Croatia, Croatia must not be held hostage either by the incidents that took place during the negotiations with Turkey or by any inability on the part of the European Union sufficiently to reform its institutions before the accession of that country.

My group supports Croatia and hopes that it can join the Union as soon as the negotiations have been concluded. My group hopes – I repeat – that these negotiations are conducted swiftly, which does not mean, incidentally, that they should lack firmness. It is in Croatia's interest to prepare itself as best it can to join the Union as soon as possible.

President. The House is grateful to Mr Gloser for the Council and to Mr Špidla for the Commission for renouncing their speaking time at the end of the debate.

The debate is closed.

Written statements (Rule 142)

Alexander Stubb (PPE-DE), in writing. – I would like to congratulate my colleague, Hannes Swoboda, for his report on Croatia's progress on the way to EU membership.

As usual, I have three points:

Firstly, enlargement is the most effective foreign policy of the EU. The incentive of EU-membership has helped EU neighbours develop their societies on the principles of respect of human rights, market economy, rule of law and effective administration. Many of the former neighbours are now EU members.

Secondly, the report reminds us that Nice does not provide an adequate basis for enlargement. We have to put our house in order. The responsibility lies with the Union and not with the candidates. The Constitutional Treaty, whatever name it will be given, provides the necessary remedy.

Thirdly, remembering recent history I wholeheartedly hope that Croatia's successes are the first steps for membership for the whole region of the Western Balkans. This process is in the heart of EU, which itself started as a project of reconciliation.

Mr Swoboda's report clearly states that Croatia has made considerable progress in terms of political and economic criteria. Therefore, let us congratulate Croatia.

IN THE CHAIR: MR MOSCOVICI

Vice-President

4. Mandate of a Member

President. – Before the vote, I have a request from Mr Watson to take the floor to table a procedural motion.

Graham Watson, on behalf of the ALDE Group. – Mr President, I rise because a member of my group, Mr Geremek, is to have his mandate as a Member of the European Parliament revoked by his own government with effect from 19 April. The powers under which the Polish Government is revoking Mr Geremek's mandate are a 'lustration' or monitoring law adopted just a couple of months ago which is currently under legal challenge in Poland's constitutional court. This law requires all journalists, academics and elected MPs to sign a declaration stating that they never collaborated with the Communist-era security services.

Mr Geremek has signed such declarations in the past. His refusal to sign in this case is on moral rather than political grounds. He rightly objects to the witch-hunt which the Polish Government seeks.

(Loud and sustained applause)

I would ask three things, Mr President. I would ask first of all whether Mr Kaczyński, who met Mr Pöttering last week, raised this issue with him; secondly, whether it is right and indeed possible for a Member of this House to be stripped of their democratically-elected mandate in this way; and thirdly, whether you would give this House the assurance that Parliament will act to protect Mr Geremek's right to exercise his democratically-elected mandate with all possible haste.

(Loud and sustained applause)

President. – Mr Watson has, in my opinion, already broadly expressed a feeling that is shared by us all.

Martin Schulz, Chairman of the PSE Group. – *(DE)* Mr President, ladies and gentlemen, further to what Mr Watson has just said, I want to say, on behalf of my group, and addressing Mr Geremek personally, that we – as you, Mr Geremek, will be aware – share but few of your political views, but there is one point on which you can count on the Socialist Group in this House, on its unconditional solidarity and – I do believe – on that of the House as a whole, and that is when it comes to fighting off a government that, while being within the European Union, seeks to persecute a man who fought as few others have done for Poland's liberation and for its development as a democracy. It is a disgrace that so great a country should be ruled by such a government.

(Sustained applause)

Mr Watson has said what needed to be said, and I expect the President of this House, tomorrow, to tell the Kaczyński Government that we expect the Polish Government to afford Mr Geremek the protection due to him as a Member of this House. We will, in future, judge everything that has to do with Poland by its treatment of him, and I expect Mr Poettering, tomorrow, to make that as plain as I have.

(Applause)

Daniel Cohn-Bendit, *co-chairman of the Verts/ALE Group*. – *(FR)* Mr President, ladies and gentlemen, not only do we agree with Mr Geremek, but for years we have fought against Stalinism with Mr Geremek, and it is unthinkable that, today, ...

(Commotion)

... and that is why this Parliament has to be uncompromising.

(As the commotion did not stop, the Member addressed the President)

Can you tell these madmen to keep quiet?

President. – Ladies and gentlemen, Mr Cohn-Bendit has the floor, and your behaviour in this matter does little for Parliament's reputation.

Daniel Cohn-Bendit, *co-chairman of the Verts/ALE Group*. – *(FR)* There is only one position that this Parliament can adopt: if a government is employing Stalinist or fascist methods, we must unhesitatingly protect our fellow Member from all the madmen in this House. We stand united.

(Applause)

Francis Wurtz, *chairman of the GUE/NGL Group*. – *(FR)* Mr President, ladies and gentlemen, I have been at odds politically with Mr Geremek in the past and will be again in the future. Despite that, I am only too happy to express to him my deep respect for the political courage that he has demonstrated and, on behalf of my group, I give him my full support.

(Applause)

President. – The chairman of the Committee on Legal Affairs, Mr Gargani, has the floor.

(Protests)

Giuseppe Gargani (PPE-DE), *Chairman of the Committee on Legal Affairs*. – *(IT)* Mr President, ladies and gentlemen, as Chairman of the Committee on Legal Affairs, I should like to reassure Parliament and all my fellow Members that as soon as this issue is examined – which I hope will be soon – ...

(interruption)

...as soon as the Bureau sends the committee the documentation on this issue, we shall duly examine all the documents, with the considerable sensitivity for Parliament's autonomy that distinguishes the Legal Committee, and we shall once again ensure that this Parliament remains autonomous and that its Members, who represent Europe, can be protected in their autonomy and freedom.

Joseph Daul, *chairman of the PPE-DE Group*. – *(FR)* Mr President, ladies and gentlemen, I should like simply to say that every Member here present, irrespective of the party to which he or she belongs, enjoys parliamentary immunity. We are a parliament and we abide by the rules! For the time being, there has been no request, no legal analysis, as Mr Gargani has said. Mr Geremek has our full support, and I can also confirm to him that he has the support of the Group of the European People's Party (Christian Democrats) and European Democrats. We abide by the rules of law in this House, rules that apply to all MEPs, including Mr Geremek!

(Applause)

President. – The speeches that have been made may well clarify both the form and content of this matter.

Ladies and gentlemen, we have not received notification today of this decision of the Polish Government, which, I might add, is highly questionable. Parliament's role is to safeguard and protect the parliamentary duties exercised by one of its Members.

What I imagine will happen is that the Conference of Presidents will have to debate this issue and that the Committee on Legal Affairs, precisely in the terms stated by Mr Gargani, will be very keen to ensure that Parliament's independence is respected, and I therefore consider this debate now closed.

(Protests)

The debate is closed.

The next item is the vote.

(Despite the President's urgings, the protests continued)

5. Voting time

President. – The next item is Voting time.

(For results and other details of the vote: see Minutes)

5.1. Transmission of national accounts data (vote)

- **García-Margallo y Marfil report (A6-0122/2007)**

(Some Members continued to protest and to request the floor)

5.2. Multilateral Agreement on the Establishment of a European Common Aviation Area (vote)

- **Lichtenberger report (A6-0060/2007)**

(After the vote, the commotion grew louder)

6. Mandate of a Member (continuation)

President. – Very well, since you do not wish to be quiet, I am going to give the floor to the group chairmen who have not yet spoken on this matter.

Brian Crowley, co-president of the UEN Group. – Mr President, on a point of order, I will not delay the proceedings for too long, but I wish to say that it was unfair of you not to call on the vice-chairman of the UEN Group, Mr Kamiński, who indicated that he wished to speak on the issue. Whether you would have agreed or disagreed with the point he wished to make is irrelevant. Other people were given the opportunity to speak and he should also have been given an opportunity to speak.

Some people in this House have a different opinion with regard to the interpretation put forward by the speakers before me and they should have been given an opportunity to have their views heard when other views were heard.

(Applause)

President. – Mr Crowley, we could give the floor to any one of the 765 Members of this House to speak on this subject. I have given the floor to the group chairmen, and you have spoken on behalf of your group.

Bruno Gollnisch, chairman of the ITS Group. – *(FR)* Mr President, I believe that, as group chairman, I have just as many rights as the others. Our fellow Member, Mr Cohn-Bendit, said that fascist and Stalinist intrigues should be condemned. Well, I believe that the main difficulty in this matter is precisely that of knowing whether Mr Geremek has been a party to the Stalinist intrigues, to this most appalling form of totalitarianism, and, if so, to what extent.

I note that the protection of Members' rights, which is no less important to us than it is to you, is, from your point of view, often flexible. When Mr Le Pen fell from grace at the end of an iniquitous procedure – after an absurd campaign incident – you cited national sovereignty as a defence. When one of our colleagues, Mr Ruiz Mateos, was prevented from taking an oath in Spain because legal action was being taken against him, you cited national sovereignty as a defence. When action was taken against me for my freedom of political expression, you refused to defend my immunity and you cited national sovereignty as a defence.

Hodie mihi, cras tibi, it is my turn today, and it will be yours tomorrow!

(Applause from the ITS Group)

President. – This matter will be referred to the Conference of Presidents. It will be discussed tomorrow morning, and I believe that the great majority of the European Parliament has come out in favour of supporting Mr Geremek. Just the once will not hurt, since I am President, but I too would like to offer my full support.

(Applause from the left)

7. Voting time (continued)

7.1. Adaption of Title IV of the EC Treaty – Court of Justice (vote)

- Szájer report (A6-0082/2007)

- *Before the vote*

József Szájer (PPE-DE), rapporteur. – (HU) The European Parliament is duty bound to provide for European citizens' legal protection. Here in the EP, there is widespread support for the Treaty establishing a Constitution for Europe, which would be a great step forward from the point of view of the Court's jurisdiction. Nevertheless, we are in the fortunate position of not having to wait in this matter for the birth of the Constitutional Treaty, as the Treaty of Amsterdam provides for a transition, a 'passerelle'.

The report I have tabled clearly advocates implementing the transition, or 'passerelle', extending thereby the jurisdiction of the European Court of Justice to matters concerning the European visa, as well as to refugee and immigration policies. This guarantees total legal protection for European citizens. My proposal would thus make it possible to strengthen European legal safeguards with regard to fundamental rights. In this way I wish to facilitate the uniform interpretation and application of Community rules and laws, and the creation of a unified system of legal safeguards. This is not the first time Parliament calls upon the Council to speed up the adoption of this transitional clause, the 'passerelle', in order to remove the limitations on the Court's competence with regard to Article 4 of the Treaty. I ask Parliament to support my proposal.

7.2. Framework Agreement on a Multilateral Nuclear Environmental Programme in the Russian Federation (vote)

- Remek report (A6-0126/2007)

7.3. Common rules in the field of civil aviation security (vote)

- Costa recommendation (A6-0134/2007)

- *Before the vote*

Robert Goebbels (PSE). – (FR) Mr President, yesterday, during the debate, Mr Barrot announced that he was in possession of a written version of the Commission position on the amendments tabled by Members, and I note that this document has not been distributed. I call on you to ensure that the Commission positions are made available to Members, since many Members are waiting to learn what these positions are.

President. – Very well, Mr Goebbels, we shall ensure that that happens.

8. Welcome

President. – Ladies and gentlemen, it is my pleasure to inform you that, within the context of interparliamentary relations, the Knesset delegation, chaired by Mrs Amira Dotan, chairman of the delegation for relations with the European Parliament, will be visiting our Parliament over the next few days. I should like to extend a very warm welcome to Mrs Dotan and to the members of her delegation. I should like to stress the importance that we attach to this visit.

(Applause)

They are seated on the left, and I extend a cordial welcome to them.

9. Voting time (continued)

9.1. Assessment and management of flood risks (vote)

- Seeber recommendation (A6-0064/2007)

IN THE CHAIR: MR POETTERING

President

10. Formal sitting - India

President. Mr President, honourable Members, it gives me great joy to be able to welcome, today, to this House, to the European Parliament, the President of the Republic of India, Mr Abdul Kalam. A very warm welcome to you, Mr President.

Before your election as President, you were well known as the architect of the Indian space and atomic energy programme, and you enjoy international renown as one of India's most important scientists. Most of your previous life has been devoted to science and technology, and you have always given voice to the view that developing countries should take second place to others when it comes to harvesting the fruits of the most highly-developed technology, because technology – when used rightly – creates growth and can help to improve the day-to-day life of the poor. I do not doubt that this House agrees with your views and is therefore glad that India is participating in the research programmes funded by the EU, collaborating, for example, with us on Galileo.

Alongside the key role you played in promoting science and technology, we were also impressed by your election as President of the Republic of India in 2002, in which you achieved an overwhelming majority with votes from across all party divisions, and that, for you, as a Tamil and a Muslim in a country with a Hindu majority, was no mean achievement; it is evidence of your great ability to bring together people of every background, culture and religion. India is a country of many peoples and religions, and, as the largest democracy in the world, it can encourage new and young democracies.

The relationship between the European Union and India has been in existence since the early 1960s, when India was one of the first countries to establish diplomatic relations with what was then the European Economic Community.

Our contacts and cooperation at the parliamentary level are among the positive results of a long-term process, for the first meeting between the European Parliament and the Lok Sabha took place in 1981. For a number of years, parliamentary contacts between the European Parliament and India have taken the institutional form of a delegation of the European Parliament for relations with the countries of South-East Asia and the South Asian Association for Regional Cooperation, the SAARC. Both the European Union and India have undergone fundamental changes over recent years.

I rejoice to be able to tell you that, over the past month, the European Parliament has set up – quite separately from the delegation to SAARC – a parliamentary delegation for relations with India, an action that takes account of the ever-increasing importance of your country to the European Union. We would

very much welcome it, Mr President, if the Lok Sabha were to be able to respond by setting up a delegation for relations with the European Parliament in order to derive the maximum benefit from this deepening relationship and to make contacts between the two parliaments easier.

Mr President, you were invited by my esteemed predecessor in office Mr Borell Fontelles, who is present here today, and it gave me great pleasure to reiterate that invitation to you.

The relations between India and the European Union are not only of the greatest economic importance, but also of the greatest political importance. The dialogue of cultures is also of the greatest importance. It is therefore a great pleasure to invite you, Mr President, to take the floor to address the Members of the European Parliament.

(Applause)

Abdul Kalam, President of the Republic of India. Friends, my greetings to all of you. I would particularly like to greet Mr Hans-Gert Pöttering, Mr Harald Rømer, Mr Klaus Welle and Mr Ciril Stokelj.

Good afternoon, Ladies and Gentlemen.

I am delighted to be with the honourable Members of the European Parliament on the occasion of the Golden Jubilee year of the European Union. I was wondering what thoughts I could share with you. As you are aware, as a democratic nation India has experience in providing leadership to over one billion people with multi-language, multicultural and multi-religious systems. I wish to share this experience with you, friends.

European civilisation has a unique place in human history. Its people were valiantly engaged in the adventure of exploring the Planet Earth, resulting in the discovery of many ideas and systems. Europe has seen the birth of pioneers in science, leading to the development of technologies. Europe was the theatre of conflicts among the nations lasting hundreds of years, including the two World Wars. Now, with this backdrop and these dynamics, you have established the European Union with a vision of peace and prosperity for the entire region. The European Union has become an example for connectivity among nations, probably with no possibility of war, leading to lasting regional peace.

Before I started out on my journey to Europe, I was thinking: why are Europe and India unique and natural partners? Do we share a common history and heritage and, possibly in the future, a common destiny? This was the question. I was astonished by what I found: the depth and vitality of our inter-connectedness, through language, culture, ancient beliefs, ideologies and the movement of people, have stood the test of time. This has matured into a very strong bond through sustained trade and intellectually satisfying collaboration in many areas of science and technology. For example, on 23 April 2007, the Italian scientific satellite Agile was launched by the Indian Polar Satellite Launch Vehicle rocket system into a very precise orbit. Scientists from India and Europe are very excited. Let us congratulate them.

India is a country that has learnt over the years to evolve and maintain a unique unity amid diversity. Similarly, the European Union's greatest contribution has been to demonstrate to the world that it is possible to build a strong union of nations without compromising national identities. It has become an inspirational model and an example to emulate for every region in the world. The European Union and India support a social form of economic development and we encourage a model of growth with equity. Both are conscious of the need for growth to respect the environment and to make it sustainable for future generations. With India's and the European Union's centuries of valuable experience, we can develop a doctrine of global cooperation based on the foundation of regional collaboration and core competencies of our nations.

The European Union and India radiate a message to the world that regional cooperation and interregional collaboration will lead to a win-win situation for all, so that we can have a politically and socio-economically emergent civilisation. Our contribution will be successful if, before the 21st century is over, we are able to make all regions transform into happy unions leading to the emergence of a world of unions. In this context, I am reminded of the dream of an Indian poet who said 3000 years ago in the Tamil classic: , which means, 'I am a world citizen. Every citizen is my own kith and kin'. He said that 3000 years ago.

Against this backdrop, I have brought from India a message to launch three important Indo-European tasks that could contribute to global peace and prosperity. I propose these missions on the basis of India's experience and the European Union's dynamics.

The first task is the evolution of an enlightened society, in which citizens have a system of values, leading to a prosperous and peaceful world.

The second idea is creating energy independence. Normally people talk about energy security. I am talking about energy independence: a three-dimensional approach to energy choice that aims to achieve a clean world.

The third aim is a World Knowledge Platform to bring together the core skills of the European Union and India in certain areas in order to provide solutions to critical issues like water, healthcare and capacity-building.

When nations join together to build a cohesive society, it is necessary to ensure that the benefits of development encompass all sections of society. Worldwide poverty, illiteracy, unemployment and deprivation are driving forward the forces of anger and violence. These forces are linked to some earlier real or perceived historical enmities, tyrannies, injustice, inequalities, ethnic issues and religious fundamentalism that are flowing into an outburst of extremism worldwide. Both India and the European Union have witnessed and are witnessing the unsavoury acts of certain misguided sections of society. Together we must address the root causes of such phenomena in order to find lasting ways to promote peace. How do we do that?

We need a carrier of eternal goodness and wholesomeness in human conduct, which is called 'righteousness'. As we say in India:

'Where there is righteousness in the heart

There is beauty in the character.

When there is beauty in the character,

There is harmony in the home.

When there is harmony in the home,

There is order in the nation.

When there is order in the nation,

There is peace in the world.'

(Applause)

Honourable Members, this is true for the whole world. When we need peace in the world, we need order in the nation. We need harmony in the home. Whether in Europe, India or in any part of the world the origin is righteousness in the heart. How do we instil righteousness in the heart of every citizen of the world? This is my area of specialisation and I would like to talk to you about it.

First, I wish to discuss the evolution of an enlightened society. With this spirit of righteousness in the heart, I would like to present to this important gathering a methodology for developing a happy, prosperous and peaceful society in our world, which I call 'Evolution of Enlightened society'. I have shared these thoughts with many intellectuals in national and international circles. We need to create an enlightened society with three components: 1) education with a value system; 2) religion transforming into spirituality; and 3) economic development for societal transformation.

Beginning with the first component, we have seen that the seeds of peace in the world have their origin in the righteousness in the heart of every individual. Such righteous citizens lead to the emergence of an enlightened society. Education with a value system has to be designed so that the righteousness in the heart is developed in young minds. That should be the mission of education. The prime learning environment is five to seventeen years of age. That reminds me of what an ancient Greek teacher said a few thousand years ago: 'Give me a child for seven years; afterwards, let God or the devil take the child. They cannot change my child'.

This shows the power of great teachers and what they can inculcate in young minds. Parents and teachers must instil moral leadership in children. It requires the ability to have insight into the uniqueness and universality of human consciousness. True education is the acquisition of enlightened feelings and enlightened powers to understand daily events and to understand the permanent truth linking man to his environment, human and planetary.

I remember the lectures given when I was a student a long time ago – nearly 57 years ago – at the Jesuit institution of St Joseph's College in Tiruchirappalli in southern India by the college's highest authority, the Reverend Father Rector Kalathil. Every Monday, the Reverend Father would take an hour-long class. He used to talk about good human beings present and past and about what makes a good human being. In this class, he used to give lectures on people such as Buddha, Confucius, St Augustine, Caliph Omar, Mahatma Gandhi, Einstein, and Abraham Lincoln and to tell moral stories related to our civilisational heritage. In the moral science class, Father Kalathil used to highlight the best aspect of how these great people had evolved as good human beings through parental care, teaching and the companionship of great books. Even though these lessons were given to me in 1950 during my college days, they inspire me even today.

It is essential that in schools and colleges in every nation, important teachers at the institution give hour-long weekly lectures on civilisational heritage and the derived value system. This may be called a Moral Science class and will teach young minds to love their country and other human beings and to elevate them to higher planes. I have suggested this methodology to education experts in my country. The European Union may like to consider developing a system that would enable a student to learn these fundamental lessons for the benefit of all.

Let me turn to the issue of transforming religion into spiritual force. Many in the world believe it is a difficult task, but I disagree. I would like to share an experience that convinced me that it is possible for religion to be transformed into a spiritual force.

How do we do that? As you all know, religion has two components: theology and spirituality. Even though theology is unique to every religion, the spiritual component spreads the value to be absorbed by human beings in order to promote a good life and the welfare of society in the pursuit of material life. I witnessed the coming together of religion and science in a major task.

In the early 1960s, the founder of the Indian Space Research Programme, Professor Vikram Sarabhai, and his team had located the most technically suitable place for space research after considering many alternatives. The town of Thumba in Kerala in southern India was selected for space research as it was near the magnetic equator. This made it ideally suited to ionospheric and electrojet research in the upper atmosphere. I was fortunate to work with Professor Vikram Sarabhai for about eight years.

The major challenge for Vikram Sarabhai was to locate the site in a specific area. As was usual, Professor Sarabhai approached the Kerala Government administrators first. After seeing the land and the sea coast, he was told that thousands of fishermen lived there and that the place had an ancient church, the St Mary Magdalene Church, a Bishop's House and a school. It would be very difficult, therefore, to allocate this land and the administration was willing to provide land in an alternative area. Similarly, the political authorities also believed that it would be a difficult situation owing to the existence of important institutions and concern for people who were to be relocated. However, the Professor was very determined.

It was suggested that he should approach the only person who could advise and help. That was the Bishop, Father Peter Bernard Pereira. Professor Sarabhai, approached the Bishop one Saturday evening. I still remember their meeting, which proved to be historic. Many of us witnessed the event. Father Pereira exclaimed, 'Oh Vikram, you are asking for my children's home, the fishermen's home, my home, the Bishop's House, and God's home, the church. How is it possible?'. Both had a special quality: they could smile even in difficult situations. Father Pereira asked Professor Sarabhai to come to church on Sunday morning at 9 a.m. and he turned up on Sunday with his team. Prayers were taking place with a reading from the Bible by Father Pereira. After the prayer was over, the Bishop invited Professor Sarabhai to come to the dais. The Reverend Father introduced him to the congregation. 'Dear children', said the Bishop, 'here is a scientist, Professor Vikram Sarabhai. What does science do? All of us, including this church, experience the light from electricity. I am able to talk to you through the microphone because of technology. Doctors treat patients thanks to medical science. Science through technology enhances the comfort and quality of human life. What do I do as a preacher? I pray for you people, for your wellbeing and for your peace. In short, Vikram and I are doing the same: both science

and spirituality seek the Almighty's blessings for human prosperity in body and mind. Professor Sarabhai says that he will build within a year alternative facilities near the coast. Now, dear children, can we give our homes, my home and God's home for a great scientific mission?'

He asked the question. There total silence, as there is now. Then the entire congregation got up and said 'Amen', which made the whole church reverberate.

That was the church where we had our design centre and where we started rocket assembly, and the Bishop's house was where the scientists worked. Later, the Thumba Equatorial Rocket Launching Station led to the establishment of the Vikram Sarabhai Space Centre and the space activities led to the emergence of multiple space centres throughout the country. This church has become an important centre of learning, where thousands of people learn about the dynamic history of India's space programme and the great minds of a scientist and a spiritual leader. Of course, the people of Thumba received well-equipped facilities, a place of worship and an educational centre elsewhere as promised.

When I think of this event, I can see how enlightened spiritual and scientific leaders can come together to give reverence to human life. Of course, the birth of TERLS and the VSSC gave the country the ability to launch vehicles, spacecraft and space applications that have accelerated social and economic development in India to unprecedented levels.

Professor Vikram Sarabhai and Father Peter Bernard Pereira are no longer with us, but those who are responsible for creation and making flowers blossom will themselves be a different kind of flower, as described in the Bhagwat Gita. It says, 'See the flower, how generously it distributes perfume, honey. It gives to all, gives freely of its love. When its work is done, it falls away quietly. Try to be like the flower, unassuming despite all its qualities'. What a beautiful message to humanity on the purpose of life, reflecting the spiritual component. Can we bridge the spiritual component of the religions to bring peace to nations and to the world?

I was asked to talk about cultural dialogue and would like to recall an incident that commonly occurs in many parts of my country. I witnessed this event as a young boy of 10. In our house, periodically, I used to see three unique people meet: Pakshi Lakshmana Shastrigal, who was the head priest of the famous Rameshwaram temple, a Vedic scholar, Reverend Father Bodal, who built the first church on Rameshwaram Island, and my father who was an imam in the mosque. All three used to sit and discuss the island's problems and find solutions. In addition, they built several religious connectivities with compassion. These connectivities quietly spread to others on the island like the fragrance from the flowers. This sight always comes to my mind whenever I discuss with people the dialogue of religions. India has had this advantage of integration of minds for thousands of years. Throughout the world, the need to have a frank dialogue among cultures, religions and civilisations has been felt now more than ever.

These two instances give me confidence that religions can be bridged through spiritual components. Whenever I meet the young and experienced in my country, I narrate these two experiences. Many in my country and the world over may have such experiences. We have to spread such 'glad tidings' to every part of the world.

Now let us discuss the third important component of enlightened society, which is to achieve economic development for societal transformation. Let me take India as an example; it may be true to many parts of the world, including the European Union.

The Indian Economy is in an ascent phase. There is considerable growth in the manufacturing and service sectors. We have a mission of spreading this economic growth throughout the country, including the rural sector. Nearly 220 million people out of a billion people must have their quality of life raised in both rural and urban areas. Even though GDP growth indicates our economic growth, people's participation is essential to achieving the required targets. It is essential to ensure that citizens are empowered with good quality of life encompassing nutritious food, good habitat, clean environment, affordable healthcare, quality education and productive employment, integrated with our value system drawn from civilisational heritage leading to the comprehensive development of the nation that will bring smiles to one billion people. These are indicators for the growth of the National Prosperity Index. To achieve that growth rate, we have identified five areas where India has a core competence for integrated action: 1) agriculture and food processing; 2) education and healthcare; 3) information and communication technology; 4) infrastructure development, including PURA (Providing Urban Amenities in Rural Areas); and 5) self-reliance in critical technologies. We propose to realise the vision of

transforming India into a developed nation before 2020 by energising and igniting the minds of the 540 million youth of the nation below 25 years of age.

So far we have discussed the three-dimensional approach of providing value-based education, religion transforming India's spiritual force and economic development for societal transformation leading to the evolution of an enlightened society. This integrated three-dimensional methodology for the evolution of enlightened society will pave the way for peaceful, prosperous, happy nations and, thereby, for a world free from extremisms and further seeds of extremism. On my website www.presidentofindia.nic.in, I have stated how an empowered world body is essential to evolve the nations of enlightened citizens. I will be very happy to exchange thoughts, ideas and action related to this mission with the honourable Members after they have seen my website.

Let me now discuss the second mission, 'Leading to Energy Independence'. When we analyse the critical problems facing the planet today, two important issues come to our minds. Firstly, the continuous depletion of fossil-material-derived oil, gas and coal reserves, as predicted by the World Energy Forum, of which you are all aware. The second is the continuous degradation of the environment, primarily due to extensive use of fossil materials to generate energy. The solution to these problems can be found through energy independence, which I have presented to my country. It may be applicable to many nations. What form of energy independence do I propose in India?

India has 17% of the world's population, but only about 0.8% of the world's known oil and natural gas resources. Based on the progress visualised for the nation during the next two decades, its power-generating capacity has to increase to 400 000 MW by the year 2030 from the present capacity of 130 000 MW. This takes into consideration the energy economies planned and the design and production of energy-efficient equipment and systems.

I have proposed various systems. Solar cell efficiency, common to the European Union and India, has to increase from the present level of 20% to 55% through intensified research on carbon-nanotube-based solar cells. Regarding thorium reactors, thorium is a non-fissile material. It has to be converted into a fissile material using fast breeder technology. In the biofuels area, the challenge is biofuel plantation for higher yield, esterification technologies for higher output and changes to automobile power plants. These three research areas need intensive cooperation between the European Union and India. I would suggest setting up an India-EU renewable energy development programme for advanced R&D in all forms of renewable energy, leading to the availability of commercial-class large-scale power plants within the next decade.

(Applause)

I should like to conclude with the 'World Knowledge Platform'. With India's experience of two successful international cooperative ventures from concept to realisation and marketing, I would suggest developing the 'World Knowledge Platform' to bring together the core competences of the nations of the EU and India in science and technology, leading to the development of unique systems for global applications. The 'World Knowledge Platform' will enable joint design, development, cost-effective production and marketing of the knowledge products, systems and services in various domains based on the core competence of partner nations in the international market. The 'World Knowledge Platform' is a meeting place for science, technology, industry, management and marketing.

You may ask about the missions of the 'World Knowledge Platform'. The convergence of biotechnology, nanotechnology and IT is expected to touch every area of concern to humanity. The 'World Knowledge Platform' will take up missions in some of the areas discussed further, which are of the utmost importance to all of us and to making our world a safe, sustainable, peaceful and prosperous place to live.

The first is water: desalination of sea water using solar energy, channelisation, networking of rivers and cost-effective safe drinking water.

The second is healthcare: diagnosis, drug delivery system, development and production of vaccines for HIV, TB, malaria and cardiac diseases.

The third is agriculture and food processing: increased production of food grain in an environment of reduced land, reduced water and reduced manpower; preservation of food; food processing; cost effective storage and distribution.

The fourth is knowledge products: hardware, software and networking and storage products, including handheld micro and nano electronic devices.

The fifth is transportation systems: fossil-fuel-free transportation systems using renewable energies, safety systems, hardware and embedded software integration.

The sixth is habitat: an energy-efficient, water-efficient, pollution-free habitat.

The seventh is disaster prediction and management: earthquake forecasting, assessing in advance the quantum of rain for particular cloud conditions.

Finally, capacity-building: quality human resource development for all the above areas, including the development of personnel with world-class skills.

The European Union represents a wealth of scientific potential with a rich culture for research. India has emerged as a leading country, with its demonstrated scientific and technological potential in many societal missions, and is now on the ascent. The combined strength of the nations can be utilised for the advantage of both India and the EU by joining together as partners in creating the 'World Knowledge Platform'.

In conclusion, as we have seen, there is a visible common thread to our dreams and problems. When I am with you, I have a feeling that there are beautiful solutions from beautiful minds. Beautiful minds generate creativity. This is the common heritage of both India and the European Union.

I have presented three missions: 'the evolution of an enlightened society', 'leading to energy independence' and 'creating the 'World Knowledge Platform''. These Indo-EU missions will reinforce further our strategic partnership and become the foundation for making changes to the life of 1.5 billion people, ultimately leading to the confluence of civilisations.

To meet the challenges of these missions, we can draw inspiration from the saying of Maharishi Patanjali from about 2 500 years ago. He said: 'When you are inspired by some great purpose, some extraordinary project, all your thoughts break their bounds. Your mind transcends limitations, your consciousness expands in every direction, and you find yourself in a new, great and wonderful world. Dormant forces, faculties and talents come alive, and you discover yourself to be a greater person by far than you ever dreamt yourself to be.'

I have great admiration for the European Union. In this context I have composed a poem which I should like to share with you.

(Applause)

The title of the poem is 'The message from Mother India to the European Union'.

'Beautiful environment leads to beautiful minds.

Beautiful environment leads to beautiful minds.

Beautiful minds generate freshness and creativity,

Created the explorers of land and sea,

Created the European Union,

Created the explorers of land and sea,

Create minds that innovate,

Create great scientific minds everywhere. Why?

Go back to the many discoveries.

Discover the continent.

Do you realise you have discovered a continent?

Discover the continent and unknown lands.

Venture into unexplored parts.
Create new highways.
In the minds of the best,
In the minds of the best was to us also born,
Generated seeds of the battle and hatred,
Hundreds of years of war and blood.
Millions of my wonderful children lost in the land and sea.
Tears flooded many nations,
Many engulfed in an ocean of sadness.
Then came the vision of the European Union.
Took the vote never to turn human knowledge against ourselves or others.
United in their thinking, action emanated to make Europe prosperous,
And peace bound the European Union.
Those glad tidings captivated the people of the planet of my galaxy.
Those glad tidings captivated the people of the planet of my galaxy.
Oh, European Union let your mission spread everywhere like the air we breathe.
That is my poem.

(Applause)

Finally, friends, let me convey the greetings of the one billion people of my country to all the honourable Members of the European Parliament and, through you, to all the citizens of European Union countries.

May God bless you all.

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

President. President Kalam, on behalf of the European Parliament, I thank you for that important and inspiring speech. That was one of the most extraordinary speeches we have ever heard.

(Applause)

Delivered by a statesman, scientist and poet, it was unique. Thank you. I believe what is most important is that we listen to each other, in order to understand each other better and to respect and cooperate with one another. That was your message. I wish you and your great nation all the best, and convey my best wishes too in respect of our cooperation between the great nation of India and the European Union.

(Sustained applause)

IN THE CHAIR: MR MOSCOVICI

Vice-President

11. Voting time (continued)

11.1. Advanced therapy medicinal products (vote)

- Mikolášik report (A6-0031/2007)

- *Before the vote*

Miroslav Mikolášik (PPE-DE), rapporteur. – Mr President, as rapporteur I would like to take this opportunity to make a clarification in introducing this report.

I wish to condemn and strongly oppose the behaviour of some of my shadow rapporteur colleagues who, by bypassing the rapporteur and presenting block one as a so-called compromise with the Council, are undermining the role of Parliament.

There are eight political groups in this House, but only three groups – the PSE, ALDE and GUE/NGL – have agreed on these over 70 amendments. We have not been informed by the Council that COREPER has accepted this package. I therefore urge you to vote to reject block one and support block two, which is the result of the work done by the parliamentary committees.

However, at the same time I should like to state clearly that I will listen to the voice of this House, and that as the main rapporteur I will give my definitive support to this proposal.

Dagmar Roth-Behrendt (PSE). – Mr President, I simply want to stress that I myself, and members of some of the other political groups, used their democratic right to table amendments in due time. I wish to underline that all of the amendments in block one reflect the votes in committee and are in line with an agreement reached in a technical trialogue with the rapporteur, who then decided not to continue with that trialogue. We did not exceed our powers in relation to any of those items and I would propose that we proceed to the vote. I always respect the democratic procedures applicable here.

(Applause)

- Before the vote on Amendment 66

Hartmut Nassauer (PPE-DE). – *(DE)* Mr President, I do not believe that Amendment 66 is covered by the compromise amendment, and would be grateful if we could have an additional vote on that.

President. – According to the analysis that has been done, Amendment 66 is covered by Amendment 127, which deals with derogations for hospitals. Therefore, we believe that matters have been voted on.

Alejo Vidal-Quadras (PPE-DE). – *(ES)* Mr President, in order to ensure that the vote runs properly, I would ask you please, when you announce that a roll-call vote is starting, to leave a little more time before closing it, because some Members find it difficult to keep up with your fast pace.

(Applause)

So please allow for a few more seconds between opening and closing the vote. Thank you very much!

- Before the vote on the amended Commission proposal

Miroslav Mikolášik (PPE-DE), rapporteur. – *(FR)* Mr President, according to my voting list, we should have also voted on Amendments 24, 35, 44, 45, 61, 62 in two parts and on Amendment 66, which we have not done. I would therefore ask you to put them to the vote, please.

President. – These amendments, Mr Mikolášik, have been covered by the first package.

11.2. Enforcement of intellectual property rights (criminal measures) (vote)

- **Zingaretti report (A6-0073/2007)**

- *Before the vote on Amendment 46*

Ignasi Guardans Cambó (ALDE). – Mr President, I would like to clarify that the scope of this directive should be restricted to piracy and counterfeit practices. As it is to apply in different Member States with different legal systems, where this amendment mentions ‘intellectual property’, we propose ‘copyright and related rights’. ‘Intellectual property’ means not just copyright, but copyright and related rights. This is an oral amendment.

(The oral amendment was not accepted)

11.3. Community vessel traffic monitoring (vote)

- Sterckx report (A6-0086/2007)

- *Before the vote on Amendment 46*

Luis de Grandes Pascual (PPE-DE). – (ES) I shall briefly explain the reason for the oral amendment. The Committee on Transport and Tourism originally approved Amendment 46, presented by myself, and Amendment 50, presented by Mr Sterckx. Subsequently, the services have noted that there is some incompatibility between them, with regard to certain dates.

We have come to an agreement and taken the view that the best solution is an oral amendment to Amendment 46 that I propose to the House and which consists of a simple addition, as follows: ‘and in any case not later than 1 July 2008’.

This would not change the meaning of either of the amendments and would provide a legal solution to this conflict.

(The oral amendment was accepted)

11.4. Investigation of accidents (vote)

- Kohlíček report (A6-0079/2007)

Jaromír Kohlíček (GUE/NGL), rapporteur. – (FR) Mr President, I should like to change the order of the votes. With regard to recital 11, it would be better to vote in the first instance on Amendment 26, because it is more extensive than Amendment 1.

President. – The voting list is established in accordance with the Rules of Procedure, but if the House has no objections, we will do as the rapporteur wishes.

11.5. Liability of carriers of passengers by boat in the event of accidents (vote)

- Costa report (A6-0063/2007)

- *Before the vote*

Paolo Costa (ALDE), rapporteur. – (IT) Mr President, ladies and gentlemen, I am just taking the floor to say, for the sake of clarity, that as rapporteur I call on everyone, in all roll-call votes, to vote against anything not tabled by the committee.

I do so to prevent the European Union from having to intervene the next time there is an accident on any major European river, because that might happen if we do not extend consumer protection to this sector as well.

Georg Jarzembowski (PPE-DE). – (DE) Mr President, that was a very brief description of the problem. Both my own group and the other take the view that specific rules would offer better protection for passengers on inland vessels, since the present regulations, on which we are to vote, apply to sea-going traffic, and so I would just like to point out that we are doing no less for the passengers’ safety if we table our amendments, and then – it is to be hoped – get a majority to vote for them.

11.6. Port State control (vote)

- Vlasto report (A6-0081/2007)

11.7. Ship inspection and survey organisations (vote)

- de Grandes Pascual report (A6-0070/2007)

11.8. International Financial Reporting Standards (IFRS) (vote)

- Motion for a resolution (B6-0157/2007)

- Before the vote

Pervenche Berès (PSE). – (FR) Mr President, the Committee on Economic and Monetary Affairs should like, on the basis of Rule 170(4) of our Rules of Procedure, to have the vote on this resolution postponed until the second part-session in September. The aim of this postponement is to adapt our timetable to the new timetable set at our request by the Commission services for approval of the IFRS 8 accounting standard as a replacement for the IAS 14 standard.

The Commission proposal to adopt IFRS 8 would mean incorporating the equivalent US accounting standard into European law without an impact study on the effect of applying such a standard to European listed companies having been carried out.

The Committee on Economic and Monetary Affairs would like to point out that the convergence of IFRS financial reporting standards and US GAAP – which Commissioner McCreevy is so keen to see happen – must result in standards that make it possible to produce better quality financial information. Real convergence means much more, for the one party, than simply copying the financial reporting standards of the other party.

In this context, the Commission services have agreed to review their timetable, and have thus consented to an impact study being carried out. This information was communicated to us by letter last night. The Committee on Economic and Monetary Affairs would also like to point out that the Commission proposals on implementing measures – at the very least in the financial sphere – including financial reporting standards, must be examined within a three-month period. We should like it if the Commission could resubmit this implementing measure, accompanied by the results of this impact study thus requested, before our Committee on 10 September, so that our Parliament might definitively validate or otherwise the application of this standard in European law.

(Parliament decided to postpone the vote)

11.9. Temporary committee on climate change (vote)

- Proposal for a decision (B6-0158/2007)

11.10. Damages actions for breach of competition rules (vote)

- Sánchez Presedo report (A6-0133/2007)

11.11. Multilateral Agreement on the Establishment of a European Common Aviation Area (vote)

- Motion for a resolution (B6-0148/2007)

11.12. Thematic Strategy on the sustainable use of natural resources (vote)

- Liotard report (A6-0054/2007)

11.13. Transatlantic relations (vote)

- Motion for a resolution (RC-B6-0149/2007)

- Before the vote on paragraph 13

Sophia in 't Veld (ALDE). – Mr President, I would like to propose the following changes to paragraph 13. Firstly, that the word 'welcomes' be replaced by the word 'notes'. Secondly, that we add at the end:

‘regrets, however, the lack of democratic oversight due to the exclusion of the European Parliament and national parliaments from this dialogue’. Finally, we also propose deletion of the word ‘political’ before ‘framework’.

José Ignacio Salafranca Sánchez-Neyra (PPE-DE). – (ES) Mr President, I simply wish to say that my group would agree with two of the references: that of changing the word ‘Welcomes’ to ‘Notes’ and the removal of the word ‘political’.

In order to be able to agree to this proposal, however, we would like to add a positive note and say: ‘so as to give greater democratic legitimacy to this dialogue, calls for the European Parliament to be involved’.

Sophia in 't Veld (ALDE). – Mr President, I think that is acceptable.

(The oral amendments were accepted)

11.14. Progress report on Croatia (vote)

- Swoboda report (A6-0092/2007)

- Before the vote on Amendment 18

Hannes Swoboda (PSE), rapporteur. – (DE) Mr President, it had been agreed with the shadow rapporteurs that this would read simply ‘the Croatian authorities’ rather than ‘the government and local authorities’.

(The oral amendment was accepted)

- Before the vote on Amendment 24

Hannes Swoboda (PSE), rapporteur. – (DE) Mr President, something else I have to clarify, with the agreement of the shadow rapporteurs, is that this provision is intended to apply to all problems with borders, and so I ask that ‘with neighbouring countries’ be inserted. This rule that recourse be had to the services of a third party should, then, apply in principle to all border problems that are as yet unresolved.

(The oral amendment was accepted)

President. – That concludes the vote.

IN THE CHAIR: MR COCILOVO

Vice-President

Reinhard Rack (PPE-DE). – (DE) Mr President, might I ask why it is that, since we always have relatively few votes on a Tuesday and always a very large number of them on Wednesdays, why it is that formal sittings are always on Wednesdays? Could we not move them to a Tuesday? That would work every bit as well, and we would be able to organise our timetable far better.

President. I shall pass your comment on to the right person and try to get you an answer.

12. Explanations of vote

- Report: Lichtenberger (A6-0060/2007)

Pedro Guerreiro (GUE/NGL), in writing. (PT) This association agreement concerns the ongoing Single European Sky initiative. One of the key aspects of the initiative – typical of agreements of this kind – is the gradual liberalisation of transport among the contracting parties and the euphemistic-sounding ‘adjustment’ of the state monopolies.

We therefore wish to restate the principle that it is up to each Member State to decide how to run air transport services and under what conditions, including the condition whereby it is ideally up to the State itself to provide this service.

We also wish to reaffirm our view that the overriding principle governing all action undertaken under these agreements should be that of cooperation and respect for national sovereignty, including each State's management of its own airspace.

The liberalisation of air transport has led to a deterioration in the quality of the services provided and to attacks on the rights of the workers in this key sector. At the same time, liberalisation has served the interests of the large international carriers by concentrating the sector, to the detriment of smaller operators.

Lastly, I wish to highlight the incomprehensible involvement of the United Nations Interim Administration in Kosovo.

- Recommendation: Costa (A6-0134/2007)

Daniel Hannan (PPE-DE). – Mr President, how often do we hear the argument that because a particular field of policy has an international dimension, we need EU jurisdiction? That argument is superficially plausible, but on closer inspection turns out to be specious, and nowhere is this more neatly demonstrated than in aviation policy.

This is plainly an issue that crosses state borders, yet the way to deal with it, as we have seen in this report, is internationally rather than supra-nationally, and involves states outside the EU as well as within it.

This is surely a better model for the organisation of our continent than the control of all cross-border matters from Brussels. Let us extend that dispensation beyond aviation.

Jörg Leichtfried (PSE), in writing. (DE) I have voted in favour of the Regulation on civil aviation security.

I would furthermore argue that detailed measures, such as, for example, the ban on the carrying on board of drinks and liquids, should expire after six months. The present situation, in which airports apply this rule in different ways and in an unprofessional manner, so that many travellers do not know exactly which items they are actually allowed to take with them and which rules actually are in force, is not sustainable and it is understandable that people are getting fed up with it. It is absolutely vital that passengers be informed in precise terms as to the rights and duties of security personnel at airports if they are to be processed peacefully and efficiently while on them.

Should a Member State decide against this, an in-depth reappraisal of the security risks and a thorough review of the costs and effects on flights associated with these measures must be carried out first.

Bogusław Liberadzki (PSE), in writing. (PL) I am voting in favour of the recommendation of a common position of the European Parliament and of the Council on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002.

Mr Paolo Costa has rightly pointed out that the additional security measures proposed by the Commission will not mean obligatory armed security officers on board aircraft. According to the rapporteur, such a decision would be up to the relevant authorities in the Member State.

The problem of funding the additional security measures was also properly addressed. Security costs should partly be paid for by the Member States, and not just the air carriers as the proposed by the European Commission. Any costs of on-board security included in the ticket price should be stated separately on the ticket or communicated to passengers in an understandable way.

I also agree with the proposal made in the report that special instruments for implementing common minimum standards, such as the decision of the European Commission to restrict the carriage of liquids on board, should expire six months after they have been imposed. If they are to be extended, they will have to be subjected to a thorough reassessment of the security threat and the costs of the measure.

David Martín (PSE), in writing. I voted against those amendments which aimed for the European Aviation Safety Authority to take on a security role. That is a separate issue and must not be confused.

Luís Queiró (PPE-DE), in writing. (PT) The strengthening of common air security rules is a key objective of transport policy.

Terrorist threats must be met with clear and precise objectives. Our objectives must be to guarantee maximum security for passengers and to fight these crimes tenaciously.

Effectiveness, clarity and coherence in the European provisions should therefore be our main objectives.

There are various important issues to resolve, such as the sharing of costs of aviation security, the more restrictive measures implemented by one or more Member States and the transport of liquids on board. In resolving these issues, however, we must not lose sight of the main objective of guaranteeing the citizens' safety, even if this may sometimes be at the expense of the comfort and punctuality of air transport services. Our obligation is therefore to strike a balance between these two factors of air transport security and quality. At the same time, what is the point of high-quality transport if tough security standards are not met?

- Report: Seeber (A6-0064/2007)

Ilda Figueiredo (GUE/NGL), in writing. (PT) The purpose of this directive is to create a legislative framework for the assessment and management of flood risks in order to protect human health, the environment, cultural heritage and economic activity. This aim is to be achieved by means of a three-stage approach. First, there will be an initial flood risk assessment to identify areas at risk, followed by flood mapping and, thirdly, by the drawing-up of flood risk management plans for river basins.

Without wishing to question the principles and objectives underpinning the proposal before us, what I should like to know is why there has not been a similar instrument set up for the problem of drought, which every year affects millions of EU citizens, with particularly devastating consequences in the agricultural sector and in the water supply to the people.

This omission is all the more serious in view of the recommendation made by Parliament in its resolution of May 2006 on natural disasters, which, among other points, called on the Commission to submit a strategy on drought on which to base a European drought risk prevention and management policy, including strategies for minimising impact.

Accordingly, although we voted in favour of this report, we are very disappointed by this omission and stress the need for a strategy on drought.

Christa Klaß (PPE-DE), in writing. (DE) When it comes to us in floods, water is a force of nature, endangering our health, the environment, infrastructure and our property. Water takes no account of borders. It is important that the EU should use this proposal for a 'directive on the assessment and management of flood risks' to promote more cooperation across borders, which must be founded on the existing plans and designs held by the Member States, which themselves ought to draw on the best available data, procedures and technologies in the field of flood risk management.

I am glad that agreement has been reached on the last outstanding issues, so that the new directive can rapidly come into effect.

Flooding is a constant risk for people who live in river valleys; they can, to some degree, make their properties proof against it. My neighbouring village in the Moselle valley found its salvation in the building of a protective flood dam, but preventive measures that involve all members of the public are much better and more effective.

In the report, we make reference to the principle of solidarity, which comes into play in villages when the floods come, with everyone helping everyone else, and the volunteers from the fire brigade showing admirable dedication in setting out. It is this solidarity principle that must be developed and supported, not only in the villages affected by flooding, but across every border too.

Luís Queiró (PPE-DE), in writing. (PT) Community action on issues relating to climate change are of vital importance for the future. It is for this reason that I feel that the measures taken by the Community institutions and the Member States cannot be narrow measures focusing on just one aspect of the phenomena, overlooking the rest.

I must therefore advocate integrated measures on climate phenomena. In voting on the assessment and management of floods, it is clear that we are overlooking the fact that floods go hand in hand with other phenomena such as drought and fire.

Frédérique Ries (ALDE), *in writing*. – (FR) This is a nod in the direction of nature: just when an unprecedented heatwave is beating down on northern Europe, in April 2007, the European Parliament has just said ‘Yes’, this lunchtime, to enhanced coordination between the Member States in the fight against floods.

This is a practical response to the ever more frequent and dramatic natural disasters occurring in our countries: my fellow Belgians will recall the floods of December 2002, and how could we not mention, in this House, the floods that occurred in central and eastern Europe during the summers of 2002 and 2005? These two tragedies justified the European civil protection mechanism’s being activated.

As such, I welcome the role played by the Commission in terms of coordinating the management of major disasters via the Brussels-based Monitoring and Information Centre.

I have a suggestion to make: for the sake of effectiveness, the European centre should be coordinated with the meteorological and hydrological services of the 27 Member States.

In order to prevent Europe from flooding too often, there is an urgent need, in my view, for deforestation, agricultural crops and building permits in flood risk areas to be taken into account in the risk management plans, as requested by the Seeber report.

- Report: Mikolášik (A6-0031/2007)

Miroslav Mikolášik (PPE-DE). – (SK) We have just voted on a report in which I called for the adoption of a text and amendments which would, both now and in the future, exclude the possibility of all EU Member States being forced to accept the use of human embryos for research and potentially for treatment, and the creation of human-animal hybrids which would be traded for their tissues, and also interventions in the human germline.

From the way the majority of this House has voted, it would appear that for the time being a text has been adopted which is, as yet, ethically neutral, but will only remain so until products based on stem-cell research appear on the market. As a human being, a father and a doctor, I shall always press for the right of nations not to apply the above-mentioned practices. I strongly reject any future possibility of trading in human tissues, buying and selling embryos, using eugenics, or eugenically modifying the human genome.

On 23 April the European Commission assured us in Parliament that the commercialisation of the human body is out of the question, because it is covered by European legislation. I can assure you that I and the European Parliament will be closely watching and monitoring the observance of this principle.

Zuzana Roithová (PPE-DE). – (CS) Parliament has voted for harmonisation in the areas of gene therapy, cell therapy and tissue engineering products. A central register will integrate the market, cut costs, increase European competitiveness and raise hopes of cures for serious diseases. So much for the benefits.

As a matter of principle, ladies and gentlemen, I object to the fact that you have refused to set boundaries for experiments with human genes. European liberals, socialists and the hard left failed to heed the expert opinions of three committees, and rejected our package of amendments outlawing monstrous ideas such as the transplantation of human DNA into animal embryos. The possibility has also been opened up for the modification of human cells and trading in human bodies. I would like to know according to what criteria the register in London is going to operate.

How can we meet the objective of the single market when in some old Member States the cloning of human beings with animals and other experiments that threaten human development are not considered crimes? Unfortunately some countries have yet to ratify the Convention on Human Rights and Biomedicine. My ‘no’ at the final vote is an expression of common sense, which says that this is a grossly irresponsible and reckless step.

Jim Allister (NI), *in writing*. Today I voted in favour of the package of amendments designed to ensure the inclusion of key ethical safeguards in the legislation on advanced therapy medicinal products. The amendments aim to protect the principles of non-commercialisation of the human body and its parts through voluntary and unpaid donation of tissues and cells, to prohibit all interventions in the human germline which could be passed on to future generations and to ensure that no material from human-animal hybrid embryos or chimeras would be used in research. Finally, I welcome the amendment

respecting the principle of subsidiarity, which in this case gives legal certainty to Member States to opt out of the use of certain ethically controversial cells.

Hiltrud Breyer (Verts/ALE), in writing. (DE) By giving the green light for the legally-vague regulation of new therapies, the majority of this House has allowed itself to be blinded by an alliance of social democrats, the Commission and the German Government, and in doing so has sold its own values. It is shameful that Members should wipe from the board the explicit ban on the commercialisation of the human body, on interference with genetic identity and on the production of human-animal hybrids.

The vote was influenced to an enormous degree by intensive lobbying on behalf of the German Government, which, while presiding over the Council, helped to bring about the demolition of the European values highlighted in the Berlin Declaration and to ensure that they were paid no more than lip-service.

Only the proposal by Parliament's Committee on Legal Affairs (on which I was the rapporteur) for the removal of human embryo stem cells from the scope of the regulation would have assured legal clarity and security. It is now more than a matter of suspicion that representatives of the German Government wanted to use the European Union to nullify German legislation on stem cells, and the Commission's derogation, which this House now supports in principle, will not stand up in a court of law.

Parliament has today failed to go as far as the prevailing European consensus, expressed in the EU's Charter of Fundamental Rights and in the directive on biotechnology patents, and has opened the door to people being treated as commercial goods. We can still hope that other Member States on the Council will be courageous enough to stop the slide in bioethics heralded today and call for a complete turnaround.

Niels Busk, Anne E. Jensen and Karin Riis-Jørgensen (ALDE), in writing. (DA) Explanation of vote on behalf of Karin Riis-Jørgensen, Anne E. Jensen and Niels Busk, Group of the Alliance of Liberals and Democrats for Europe.

A number of ethical amendments have been tabled that are quite superfluous and that, at best, muddy the waters where this matter is concerned.

The principle governing the donation of tissue and stem cells for no payment has already been settled in the Directive on Tissue and Stem Cells. We support that principle, which applied before and during this vote and which will apply after it.

It is the Member States that have, and should continue to have, competence in the matter of ethical decisions.

Marco Cappato (ALDE), in writing. (IT) We voted for the compromise amendments tabled by the Group of the Alliance of Liberals and Democrats for Europe together with the Socialist Group in the European Parliament and the Confederal Group of the European United Left/Nordic Green Left, because we believe that only if a European regulation on advanced therapies is approved quickly can millions of citizens waiting for effective treatments be helped and the freedom of scientific research be assured. Doctors and researchers must be able to operate within a framework of legal certainty – one which recognises their work on a European basis and guarantees that treatments will be made available to all patients in need of them.

Parliament has rejected the so-called 'ethical amendments' by a large majority; in actual fact they were anti-science and aimed solely at delaying and preventing the adoption of legislation to make European scientific research more functional and competitive and to give patients hope.

Any self-styled ethical objections are completely overthrown by the fact that the independence of the Member States guarantees them the power to impose restrictions on research, as still happens in Italy regarding the use of embryonic stem cells. Today's vote, therefore, was just an essential step to ensure that European citizens have equal access to treatments, giving the prospect of hope to all those people who today are forced to undertake expensive journeys to find more suitable treatments, and at the same time enhancing scientific freedom.

Bairbre de Brún (GUE/NGL), in writing. Our position on today's vote, and particularly on block 3, reflects a number of factors, including the belief that such matters should be decided at national level and the fact that our party has yet to take a formal position on certain questions which arose in today's vote.

Robert Goebbels (PSE), *in writing*. – (FR) I endorsed all of the amendments in favour of advanced therapies and, in particular, of cell therapy products. I voted against the amendments tabled by the eternal reactionaries who, on the pretext of protecting the beginnings of life – the embryo – want to ban any recourse to cells from an embryonic source, even an indirect one. By seeking to make all embryonic cells sacred, those who campaign to protect embryos are forgetting about the life that is there and about the genetic diseases and all the forms of human suffering that could be prevented or reduced thanks to advanced therapies.

Marianne Thyssen (PPE-DE), *in writing*. (NL) Mr President, I have voted in favour of what, for the sake of convenience, I will refer to as the package of the triologue. With this legislation and this approach, we wish to give sick or suffering people the opportunity to avail themselves of new, advanced therapies as soon as possible. I have studied the proposal for a regulation and the amendments in detail, and I have come to the conclusion that we, without undermining the Member States' autonomy, were able to approve this legislation with a clear conscience.

I therefore share the joy of many patients over the fact that the vote has ended favourably.

Thomas Ulmer (PPE-DE), *in writing*. (DE) I approve the report, even though not all the Committee on Legal Affairs' amendments will get through, and not all them are to be seen in a favourable light. It is sufficient for the ethical issues to be regulated on the basis of subsidiarity. The regulation almost exclusively applied to products that are ethically uncontentious and must enter into force if the protection of European patients, and their safety, are to be guaranteed.

I am opposed to the exploitation of the human body, or of human body parts, for commercial gain.

Anna Záborská (PPE-DE), *in writing*. (DE) Not only does the Communists', Socialists' and Liberals' so-called 'compromise package' reject important demands for common ethical standards, but it also makes the Member States impotent as regards their responsibility for national health care provision.

The compromise, as adopted, is not at all suitable to the task in hand. Small and medium-sized enterprises working together at national level with hospitals, are exempted from the requirement for national licensing, while others are compelled to go to the agency in London. The compromise has been taken down at the dictation of large-scale industry, in the teeth of the interests of the self-employed and the small and medium-sized business sector.

Not only that, but the Member States are also losing their independence in matters of public health, since it is now to be an agency in England that decides on the licensing of medicines. This goes against the concept of subsidiarity and national responsibility for such fundamental areas as public health and consumer protection.

The opportunity to lay down fundamental ethical principles for the whole of Europe has been missed. It was formerly the case that interference in human genetic identity was not supported in Europe and that the commercialisation of the human body and its parts was *ipso facto* outlawed. Although the compromise as achieved rejects these principles of respect for human life, there are certain things that are essential and inimical to shabby political compromises, and the manipulation of human life is one of them. It is for that reason that I have voted against the report.

- Report: Zingaretti (A6-0073/2007)

Andreas Mölzer (ITS). – (DE) Mr President, despite the obvious importance of the protection of intellectual property and its essential role in the success of businesses, I have nonetheless voted against the Zingaretti report. What the European Union has to do if it wants to take truly seriously the protection of intellectual property as set down in the Charter of Fundamental Rights is to take more action to deal with the infringements of it committed in such places as China, but, instead of at last giving this problem a high profile and doing something about it, it appears that what is sought is to hamper new inventions and to punish as crimes infringements committed in the private sphere without any intention of turning a profit, for that is precisely what the directive would do in its present form. It is my view that the current vague forms of words could do damage to competition, hinder economic growth, and prepare the way for something akin to censorship.

Zuzana Roithová (PPE-DE). – (CS) I should like to explain why I voted against the Directive on criminalising violations of intellectual property rights. This started out as a good idea, and I strongly support penalties for counterfeiting and piracy.

Unfortunately, the directive as it has turned out will not help a great deal to combat counterfeiting from Asia. On the contrary, instead of offering protection for innovative business people, the inconsistency of some paragraphs make them open to misuse in the fight for competitiveness. Even European business people may in the future be faced with unfair complaints, perhaps from Asian counterfeiters. The Union should be focusing on enforcing intellectual property rights outside its borders, not on criminalising its own citizens and businesses.

I am opposed to the idea that for the first time in its history the Union will intervene in the criminal law of the Member States. I do not agree that the Union should enforce criminal liability against legal entities in countries, like the Czech Republic, that do not have this in their law. I object to the notion that the general public, journalists, scientists and ordinary consumers could be punished under so-called 'derived criminal liability'.

To conclude, I should like to ask for my first vote on Articles 43 and 44 to be changed. I was in favour, but I pressed the red light by mistake.

Jan Andersson, Göran Färm, Anna Hedh, Inger Segelström and Åsa Westlund (PSE), *in writing.* (SV) We voted in favour of Amendments 43 and 44 and against the report in the final vote as we believe that it has not been adequately shown that there are legal grounds under the first pillar for common criminal law provisions in the field of intellectual property law. The Commission's extensive interpretation of the European Court of Justice's judgment in case C-176/03 has been called into question and cannot, without further investigation, be extended in this way so that it also applies in the area of intellectual property law.

Jean-Pierre Audy (PPE-DE), *in writing.* – (FR) I voted in favour of the excellent report by my fellow Member, Mr Zingaretti, on the amended proposal for a directive of the European Parliament and of the Council on criminal measures aimed at ensuring the enforcement of intellectual property rights. Naturally, the European Commission does not and must not have legal powers except when it comes to negotiating between the peoples. Criminal justice is the responsibility of the people, not of the European Union. That does not stop it from drafting directives that send out messages to the Member States with the aim of ensuring that Community law is effective. Thus, in the field of patents and, on a broader level, intellectual property, there is an urgent need to establish a European legal framework that is reliable and respected. Instances of counterfeiting, piracy, copying, theft and so on are becoming too serious to go unpunished.

Marco Cappato (ALDE), *in writing.* – (IT) As radical members of the Group of the Alliance of Liberals and Democrats for Europe in this Parliament, we voted together with our group against the Zingaretti report, because we believe that caution and balance are needed when applying criminal provisions for the first time to copyright infringements, but that no room was found for them in the amendments adopted.

Combating international counterfeiting organisations and gangs is certainly a priority, but running the risk of criminalising tens of millions of citizens, perhaps simply exposing those who use the Internet to download music over peer-to-peer networks to summary criminal prosecution, is a policy that is out of touch with reality and also counterproductive, if the objective is to combat criminal organisations.

The ALDE Group had tabled practical amendments to make the report more balanced, by reducing the scope of the directive to copyright and trademarks and clearly indicating aggravating circumstances, such as organised crime or threats to public health or security, that would trigger criminal sanctions. We had also tried to limit the mandate of the 'joint investigation teams', which would give companies the power to play an active part in investigations and the gathering of evidence.

Charlotte Cederschiöld, Lena Ek, Christofer Fjellner, Gunnar Hökmark, Anna Ibrisagic, Olle Schmidt, Anders Wijkman and Lars Wohlin (PPE-DE), *in writing.* (SV) The Group of the European People's Party (Christian Democrats) and European Democrats has voted against Mr Zingaretti's report on the grounds that, under the EU's treaties, criminal law is a national competence. In those areas in which the Member States have nonetheless chosen to cooperate in this sphere (for example, certain kinds of cross-border crime), the decisions should be taken by the Council, and the legal basis shall

consequently be found under the EU's third, intergovernmental pillar (which covers legal and domestic issues) and not under the first pillar, which consists of supranational EC law.

As long as we do not have a Constitutional Treaty providing fundamental rights at EU level, we cannot have a common European criminal law either.

Ole Christensen, Dan Jørgensen, Poul Nyrup Rasmussen, Christel Schaldemose and Britta Thomsen (PSE), in writing. (DA) The Danish Social Democratic Members of the European Parliament have voted in favour of Amendment 43, tabled by Mr Guidoni, Mr Holm, Mr Pafilis, Mr Remek and Mrs Figueiredo on behalf of the Confederal Group of the European United Left/Nordic Green Left.

It is the delegation's view that the directive is not of a sufficiently high quality. While not adequately able to prevent organised crime in this area – which is the aim of the proposal – the directive also fails to provide satisfactory protection for citizens who have inadvertently infringed intellectual property rights.

The Danish Social Democratic Members of the European Parliament have abstained from the vote on the proposal as a whole as the delegation believes that the proposal is contrary to existing regulations. The delegation wishes to emphasise, however, that it does support the enforcement of intellectual property rights.

Brian Crowley (UEN), in writing. I do not agree with the decision adopted today which seeks to give the European Union the power to impose criminal sanctions on people who breach intellectual property rights.

I hope that the EU Council of Ministers will take an opposing view to that taken by the European Parliament today. That is because in Ireland we operate what is known as a common legal system, as opposed to the civil code system which operates in many other EU member states. In Ireland, we operate a judicial system whereby one is presumed innocent until proven guilty, whereas the opposite system operates in many other EU Member States.

We should not allow a system to develop whereby the European Union is given a free hand to impose criminal sanctions in Europe.

The European Court of Justice has said that the EU can impose criminal sanctions for serious breaches of EU environmental law. But this judgement cannot be interpreted as meaning that the European Union can now impose criminal sanctions for whatever measure it feels like.

Ilda Figueiredo (GUE/NGL), in writing. (PT) We completely oppose the legal basis used by the Commission to present this proposal on criminal measures aimed at ensuring the enforcement of intellectual property rights and are very disappointed that our proposal for a rejection was not adopted.

On the basis of a Court of Justice judgment on the environment – regarding which one might raise a number of questions – the Commission has submitted a proposal for a directive laying down criminal measures that the Member States will be required to adopt in the event of breaches of intellectual property rights. Criminal law falls exclusively to the Member States. We therefore feel that the Commission has no powers to submit legislative texts on this issue.

We are disappointed at the rejection of most of our proposals, which were aimed at blocking most of the worst aspects of the Commission's proposal. The report contains some welcome points, which the majority adopted, but, overall, the negative outweighs the positive. We also find it unacceptable that, under the Commission's proposal, private firms are to be allowed to take part in criminal investigations.

Hence our vote against the report.

Hélène Goudin and Nils Lundgren (IND/DEM), in writing. (SV) The June List has, on a number of occasions, pointed out that criminal law ought not to come within the competence of the EU. This has, in general, been confirmed by the European Court of Justice's judgment of 13 September 2005 in case C-176/03, in which the Commission opposed the Council. The rapporteur believes, instead, that initiatives in connection with imposing penalties at EU level are 'perfectly consistent with the Commission's broad interpretation of ... the judgment of the Court of Justice'.

The report is indefensible from a legal point of view. We are concerned about freedom of expression and the right to exchange information. Clearly, the Commission and many Members of the European

Parliament are giving in to the powerful music and film industries and their special interests. They are doing so without taking account either of the European Court of Justice's clear interpretation of the EU's powers or of people's need for legal certainty. Apart from a few amendments that the June List supports, it is difficult to find anything to people's advantage when it comes to the right to freedom of expression and the exchange of information. We have therefore chosen to abstain from voting on those amendments where we had to choose between two evils.

The June List defends copyright protection but believes that the Commission's proposal constitutes a threat to democracy.

The June List is therefore voting against the report as a whole.

David Martin (PSE), in writing. I voted against this report as it aimed to impose criminal sanctions on the end users of counterfeit goods, i.e. the consumers. I believe that it is the producers of these goods, not the consumers, that should be punished.

Arlene McCarthy (PSE), in writing. While the European Parliamentary Labour Party very much supports the work of the rapporteur Mr Zingaretti on the proposal for Criminal Sanctions for the Enforcement of Intellectual Property Rights, we continue to have serious reservations on the Commission proposal to rush to extend criminal sanctions to first pillar legislation before the completion of current hearings at the ECJ.

Moreover some of the proposals passed today concerning the definitions of intentional infringement and commercial scale threaten to remove the discretion of trained and qualified national judges to take the circumstances of each individual case into account. Such decisions are best left to national courts and national judges who have a wealth of experience in dealing with such cases. The text as voted by Parliament runs the risk of potentially putting innocent consumers in prison, while at the same time creating loopholes for individual criminals engaged in organised and serious crime.

The compromise which the rapporteur agreed will lead to legal uncertainty and remove an essential power of discretion from judges and national courts. For this reason the Labour MEPs have voted against this

Athanasios Pafilis (GUE/NGL), in writing. – (EL) The directive is an attempt to reinstate 'under the table' major reactionary provisions of the 'Euroconstitution', which has been condemned by the people. The European Commission and the European Parliament are blatantly attempting to annul the principle of unanimity of Member States in order to adopt penal measures on EU level, abolishing one of the basic principles of national sovereignty of its Member States.

On the other hand, the content of the Directive, which was adopted in the European Parliament by the notorious 'sacred alliance' between the Group of the European People's Party (Christian Democrats) and European Democrats, the socialists and the liberals, is nothing more than a conformance to the provocative demands of monopolies to dominate, without barriers, the sector of intellectual creativity. With the intentional vagueness in the definitions of infringement 'offences' of intellectual property rights, the imposition of harsh penalties (minimum imprisonment of four years and a fine of EUR 300 000 minimum) and the unprecedented privatisation of criminal proceedings through the provision for the participation of large corporations in judicial and police inquiries with regards to the violation of their rights, there is a clear attempt of the monopolies to exert rigorous control on all sectors of intellectual creativity. The EU has even penalised free access of workers to intellectual creations so as to stifle this sector of human creativity and boost the profits of euro-unifying capital.

Bart Staes (Verts/ALE), in writing. (NL) According to the proposal for a directive on criminal measures to guarantee the enforcement of intellectual property rights, Member States are required to penalise every deliberate violation of intellectual property rights if these actions take place on a commercial scale. Forgeries and piracy are clearly punishable offences. So far, so good.

I refuse to back the Zingaretti report, though, and for a variety of reasons. The limitative list of property rights increases legal uncertainty. It is unacceptable for businesses to be discouraged from innovation, creativity and investments if it transpires that the businesses violated these rights unintentionally, and for them to be immediately prosecuted under criminal law.

In addition, the concept of 'commercial scale' has been left rather vague. Would a busker fall within this scope? Is personal use excluded?

There are also serious questions in my mind about subsidiarity and proportionality. It is not up to the EU to specify the nature and level of the penalties, certainly not if personal freedoms are involved, and, although the report, in its Article 7, proposes enquiry teams for the benefit of collective copyright managers, the privatisation of criminal prosecution is not an option either.

People are entitled to unambiguous legislation, and this report fails to hit the mark in this respect.

- Report: Sterckx (A6-0086/2007)

Duarte Freitas (PPE-DE), in writing. (PT) European policy in the area of maritime safety has been at the top of the European political agenda since 1999. The disasters of the *Erika* in 1999 and the *Prestige* in 2002 tragically demonstrated the extent to which European policy and the strategies of the Member States in the event of a shipwreck have fallen short of what is required.

I feel that this report will help enhance the safety and effectiveness of maritime traffic as a whole.

As regards the implications for the fisheries sector, the report is in my view a balanced one, and provides protection for smaller fishing vessels that do not appear to be obliged to install the Automatic Identification System.

I shall be voting in favour of this report.

Pedro Guerreiro (GUE/NGL), in writing. (PT) We broadly welcome the proposal to install a vessel traffic monitoring and information system with a view to preventing accidents and enhancing the safety of maritime traffic.

We cannot, however, accept some of the proposed amendments, for example that of handing over the power of decision on the accommodation of ships in distress to a so-called 'independent authority', which will not be independent at all, given the conflict of interests involved, as was the case with the *Prestige* disaster including the name of the port of refuge.

This is a responsibility that lies with each of the Member States. It is for the national authorities of each Member State to manage the Exclusive Economic Areas under its sovereignty. The Member States are responsible for ensuring the management of their maritime resources.

We therefore propose that any initiative in the framework of Community-level maritime transport safety – at least, initiatives that we feel are relevant and necessary – should form part of the framework of cooperation between the Member States, without infringing on their sovereign powers.

- Report: Costa (A6-0063/2007)

Glyn Ford (PSE), in writing. Despite attempts by many Eurosceptic UKIP colleagues to demonise this report, I will be voting for it on the basis that the attempt by the Commission and rapporteur to extend its remit to include inland waterways is rejected. As for the inclusion of domestic sea transport, the rules incorporated here already apply largely to the United Kingdom. Thus this poses no threat to ferry services in my region, be it to the Scilly Isles or Lundy, nor will the international dimension have an impact on services from Gibraltar. I see no reason why ultimately travellers on board ship should not have the same levels of protection as those that travel by train or plane.

Pedro Guerreiro (GUE/NGL), in writing. (PT) Broadly speaking, we welcome this proposal on the liability of carriers of passengers by sea.

It is a proposal that is mainly aimed at taking account of the rights of passengers at sea, in keeping with what currently happens in air transport. For example, according to the proposal before us, carriers must have insurance that can be activated in the event of an accident. It also broadens the extent of liability of the carriers as regards the levels of financial compensation to be awarded to passengers in the event of an accident.

What is less welcome is that in today's vote, inland waterway transport was removed from the scope of this regulation.

We feel that the need to create this kind of instrument is also related to the gradual lowering of safety standards, which, in turn, is the result of the removal or reduction of state carriers and the upsurge in private operators. The latter often fail to comply with standards of quality and working conditions, as

exemplified by the increasing use of unstable working contracts. Respect for passenger safety goes hand in hand with respect for workers' rights.

David Martin (PSE), *in writing*. I voted for this report to give protection in the case of accidents at sea. In particular, however, I voted against those amendments which sought to exclude inland waterways from the legislation, as I feel that there is a difference in liability cover between accidents at sea and those on water such as rivers.

Brian Simpson (PSE), *in writing*. I voted in favour of taking inland waterways out of the scope of this Directive for a number of reasons.

Firstly, this report was introduced to facilitate adequate liabilities for seagoing ships, not inland waterways including river and estuary crossings.

Secondly, any extension of the scope of this proposal to include inland waterways would have caused severe problems not only on the leisure-based inland waterways of the UK but also on many river crossings that provide an essential public service as part of the public transport network.

Thirdly, bringing estuary crossings into this legislation would have added a considerable cost burden on operators, bringing into question the very viability of some of the operations.

I was surprised that the Liberal Democrats supported the move to include inland waterways, as this could have adversely affected the operations of ferries across the river Mersey, which they purport to support.

Thankfully the plenary, in its wisdom, has now overturned the view of our Liberal rapporteur and removed the problems that I have alluded to.

This means I can gladly vote for the report as amended by plenary.

Peter Skinner (PSE), *in writing*. Along with my colleagues in the European Parliamentary Labour Party I voted to exclude inland waterways from these measures. It was successfully carried in the face of opposition from the Liberal Democrats, who wanted to include these small craft, leading to disproportionate costs, reducing economic viability and a loss of service.

I particularly condemn the outrageous press releases prior to these votes suggested by certain political parties, which raised false worries and concerns. Of course operators such as Isle of Wight ferries may have been forced to consider their economic liability because of such opportunist press releases. It is therefore welcome that, as I said before, no such measures will be introduced.

- Report: Vlasto (A6-0081/2007)

Jean-Pierre Audy (PPE-DE), *in writing*. – (FR) I voted in favour of the excellent report by my colleague and friend, Mrs Vlasto, on the proposal for a directive of the European Parliament and of the Council on port State control. I am not a specialist in the subject, but I welcome the important work done by Mrs Vlasto to uphold a balanced position in the legislation on the inspection of vessels entering a European Union port. Everyone realises, in view – I am sorry to say – of the accidents that have occurred, that flag State control must be supplemented by port State control. Mrs Vlasto's recast – which is far more ambitious than that which was initially proposed by the European Commission – of the directive will enable us to make ever more progress in the field of maritime safety in the interests of the coasts of Europe, the environment, businesses and the citizens.

- Report: Sánchez Presedo (A6-0133/2007)

Françoise Grossetête (PPE-DE), *in writing*. – (FR) I voted in favour of this text.

This report raises the subject of the debate on potential improvements to the EU's competitive environment, not least in relation to private damages actions and damages for breaches of competition law referred to the civil jurisdictions. I endorse the idea that it should be made easier to bring such damages actions. The objective is to 'promote competition, not judicial activism'. It would be appropriate to encourage swift out-of-court settlements. Ninety per cent of the disputes between professionals and consumers are settled out of court. Companies have a tendency to compromise, even when they are not accountable, so as to avoid a long judicial procedure. It would be helpful if Europe were not directly to import the American-style procedural model. We must therefore give precedence to alternative methods

of dispute settlement. If we all think of the major groups that will be affected in this way, SMEs are clearly not protected. We must therefore remain vigilant in order to ensure that their survival is not jeopardised.

- Report: Liotard (A6-0054/2007)

Jean-Pierre Audy (PPE-DE), in writing. – (FR) I voted in favour of the report on a thematic strategy for the sustainable use of natural resources. No one can continue to dispute that our natural resources are under threat. The current growth in the world's population – one billion people in the space of 12 years, bringing today's population up to 6.5 billion – on its own warrants the attention that we must pay to our natural resources. While the report could have been more ambitious, structured and well-documented, it remains a fine document to be assigned to this difficult matter of sustainable development.

Charlotte Cederschiöld, Christofer Fjellner, Gunnar Hökmark and Anna Ibrisagic (PPE-DE), in writing. (SV) We have today voted against this report. Its main message is that we need drastically to reduce our use of natural resources and that the best way of bringing about such a reduction is far-reaching political regulation. We Swedish Conservatives have our doubts about that.

We believe instead that the sustainable use of natural resources requires clear ownership rights, permitting a use of natural resources that is governed by market mechanisms rather than by political decisions. The use of natural resources within a market economy does far more to encourage thrift and technological development than do political regulations.

Human life and creativity aim to leave an imprint. The triumph of humanity is that we have developed ideas and technology that have increased productivity and reduced world poverty by two thirds in 50 years. We Swedish Conservatives believe that, through production and trade, we can not only put an end to poverty but also improve our environment. It is precisely technology and prosperity that provide us with the will and the methods to do just that.

Ilda Figueiredo (GUE/NGL), in writing. (PT) The Commission's proposal on the strategy for natural resources is too narrow, as pointed out by Mrs Liotard, rapporteur and member of the Confederal Group of the European United Left/Nordic Green Left. She has sought to extend its scope by means of the proposals she has tabled. The proposal deals with essential elements such as water, trees, soil and oil, which are vital not only to our economy but also to our very existence.

Accordingly, we welcome the adoption of her report, which advocates sustainable economic development along with a fair and equitable share of the benefits arising from natural resources and from access to resources and markets, in order to reduce poverty and to enhance people's well-being. We are disappointed, however, that not all of her proposals, which we supported, we incorporated into the final resolution.

We welcome the inclusion of proposals calling for reuse alongside recycling, for the Commission to promote technologies conducive to durable, repairable, reusable and recyclable products, and for the principle of proximity to be upheld in all legislation.

Carl Schlyter (Verts/ALE), in writing. (SV) I am voting in favour of tax switching as a principle, even though it is poorly described in the text. I believe that tax on capital and consumption promotes prosperity and justice and that the EU should allow the Member States to switch from one form of tax to another.

Lars Wohlin (PPE-DE), in writing. (SV) I have today chosen to support Amendment 3 by the Group of the Greens/European Free Alliance to Mrs Liotard's report on the sustainable use of natural resources. I support the principle of reorganising the tax levy, so that growth-impeding taxes on labour, capital and consumption are replaced by taxes on activities that harm the environment. There should also be a switch from tax on labour to tax on alcohol and tobacco.

I was unable, however, to support Mrs Liotard's report as a whole because of a number of unfortunate statements it includes. For example, it identifies the long-distance transport of agricultural products and retail goods as undesirable. The trade of which such transport is a result has helped lift millions of people out of poverty. What should instead be limited are the emissions to which such transport gives rise.

- Transatlantic relations (RC-B6-0149/2007)

Glyn Ford (PSE), in writing. I will be supporting this report. One issue Europe must deal with urgently is the US request to establish Theatre Missile Defence facilities on our eastern border. These proposals threaten to destabilise our relations with Russia, encourage them to modernise and update their own missiles and nuclear weapons, while at the same time driving them to rather than deterring them from producing an Islamic bomb. Europe's reaction will be an important test of our ability to project our own foreign policy interests, rather than acquiesce in the US neo-conservative agenda that threatens us all.

Pedro Guerreiro (GUE/NGL), in writing. (PT) The resolution on transatlantic relations – undersigned by the Right and the Social Democrats and adopted today by the majority in Parliament – is a useful snapshot of the current state of EU-USA relations. The majority in Parliament has set the agenda and its priorities, of which I should like to highlight the following:

- 'welcomes the improved climate of EU-US relations on an equal basis' and expresses the desire to share responsibilities in what is termed 'global governance';
- 'strengthening the transatlantic market', with the liberalisation of financial services a 'key issue', and calling for 'regulatory convergence and a level playing field, in view of the Multilateral Agreement on Investment';
- the affirmation of 'serious opportunities for the EU and US to work closely together' in relation to 'the Western Balkans, the South Caucasus region, Central Asia, the Middle East, Afghanistan, the Mediterranean, Latin America and Africa';
- strengthening cooperation in the context of what it calls 'fighting terrorism and the proliferation of weapons of mass destruction' as 'the greatest security challenges for both partners', with NATO a 'transatlantic forum for political debate in a true partnership of equals'.

This agenda expresses the ambitions of the major European capitalist powers, in particular Germany, in relation to the USA.

Willy Meyer Pleite, (GUE/NGL) in writing. (ES) I have voted against the resolution on transatlantic relations because it is my conviction that those relations must be based on common values that the United States have shown themselves not to respect on numerous occasions, as demonstrated by the failure of President Bush's militarist foreign policy, one example of which are the plans that locate missiles in certain European Union countries. The United States administration is responsible for serious violations of human rights and fundamental freedoms in Afghanistan, Iraq and Guantánamo and for illegal detentions and renditions in the case of the CIA flights.

Total respect for international law should be an absolute condition in relations between the EU and the United States. In the case of Iraq, we should demand the withdrawal of troops and respect for natural resources. The EU should demand that the US ratify the different international treaties, such as the Nuclear Test Ban Treaty, the Ottawa Convention on anti-personnel mines and the Kyoto Protocol. The EU should also condemn the illegality of the Helms Burton Law and the United States' trade embargo on Cuba.

Luís Queiró (PPE-DE), in writing. (PT) As the resolution correctly points out, transatlantic relations have improved considerably in recent years. They have regained the quality that one would hope, although they could never be entirely devoid of problems and difficulties, and nor would one want them to be. It is necessary to invest in this good relationship. When one looks around at the old world of the 1970s, 80s and 90s, or at the new world that emerged after the fall of the Berlin Wall, and the advent of globalisation, one cannot help but come to the conclusion that the United States remains our biggest ally, our best friend and our partner in the business of making the world a freer and better-developed place. The importance of the alliance with the United States of America is unquestionable and without parallel, and must not be jeopardised by political outlooks that have always been underpinned by the idea that the USA is the problem, rather than a vital part of the axis of peace, prosperity, democracy and freedom.

On a broader level, I wish to express my agreement with the speech by the leader of the Group of the European People's Party (Christian Democrats) and European Democrats in Parliament, in which he advocated the creation of a large transatlantic market by 2015 and called on parliaments on both sides of the Atlantic to become more involved in preparing the legislative groundwork for this to materialise.

Peter Skinner (PSE), *in writing*. Relations between the European Union and the United States of America have proven very fruitful over the last decade. In particular, financial services is a very positive issue whereby administrations and politicians on both sides of the Atlantic have seen real progress.

If the aims of the OECD Working Paper of 29 May 2005 – which was adopted by both sides – can be put into practice, there would be great benefits. The barriers it mentions, if removed, would lead to growth of over 3% GNI each year, year-on-year. The transatlantic marketplace needs hard work from both sides. Failure to do so, however, means leaving our industries behind and our peoples at economic risk in the global environment.

Geoffrey Van Orden (PPE-DE), *in writing*. My meeting with the President of India meant that I was unable to vote on this resolution. As a strong supporter of the transatlantic relationship, I would have voted in favour. However, I strongly object to what has become a regular and very dangerous sleight of hand in EU policy documents – the displacement of our national governments by the EU, in this instance in its efforts to become the single 'partner' of the US in the transatlantic relationship. This has particular significance for the UK. This language also appears in the reference to NATO. Furthermore, it should be recalled that the idea of a transatlantic single market was a British Conservative initiative going back many years and included in more recent reports through my own amendment. As I see no justification for European Parliament offices in other countries, I certainly oppose the costly proposal, in paragraph 40, of a permanent European Parliament official post in Washington DC.

- Report: Swoboda (A6-0092/2007)

Andreas Mölzer (ITS). – (DE) Mr President, I should like to make a few brief comments on the progress report on Croatia. Now that it has allowed Slovenes to buy property there, Croatia has discharged its obligations under the Stabilisation and Association Agreement, and so this point of contention ought to have been laid to rest. A certain amount of progress has also been made on addressing the issue of war crimes, and, finally, even the Committee of the Regions, in the report it adopted yesterday, observed that Croatia's accession would bring only minor financial effects in its wake.

I take the view, then, that it is a disgrace that Croatia, which undoubtedly belongs to the European family of peoples and complies with all the conditions required for accession, has been strung along for so long. Instead of wasting our time on Turkey, which is neither able nor willing to comply with the EU's requirements, yet nevertheless is impertinent enough to demand that it be given a date for its accession, I do believe that all our energies should be concentrated on bringing the negotiations with Croatia to a prompt conclusion.

Czesław Adam Siekierski (PPE-DE). – (PL) Mr President, we have just adopted a highly important report on the steps taken by Croatia to join the 27 EU Member States. There should be no doubt in anyone's mind that Croatia belongs to our European homeland and that it should soon become a full member of the Community.

While some countries react negatively to further enlargement to include Turkey or Ukraine, and despite the need to reform the EU institutions so that they can function smoothly, the process of integration that started 50 years ago cannot be halted.

I am convinced that Croatia will continue with the reforms it has begun, including in the fields of justice, administration and fighting corruption, which will allow it to meet all political and economic conditions for EU Membership, particularly the Copenhagen criteria and the conditions laid down for the stabilisation and association process. I hope that Croatia will be the 28th member of the EU, something which I wish both for the country and for all of us.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. (SV) We are of the view that EU enlargement is a good thing. Enlargement cannot happen, however, until the candidate countries in fact fulfil all the membership requirements imposed. The latest enlargement, when Romania and Bulgaria became members, happened far too early because the countries and their systems were not ready for membership.

Croatia too has a long way to go, for example in terms of reforming its public administration and judicial system, before membership can become a reality. It is encouraging to see that progress is being made, but, for the sake of both Croatia and the EU, this important and irrevocable process should not be carried through too quickly.

Moreover, it is depressing that the European Parliament is using something as important as enlargement in order undemocratically to engage in propaganda for an EU Constitution. Recital G states that the current draft Constitutional Treaty should enter into force, in spite of the fact that the populations of France and the Netherlands are clearly and unambiguously opposed to it. Paragraph 7 points out, moreover, that there is 'flagging public support for EU accession in Croatia'. If that is the case and if the majority of Croatians are opposed to EU membership, it is only democratic that Croatia should not accede to the EU.

We have consequently voted against this report.

Pedro Guerreiro (GUE/NGL), in writing. (PT) After being at the forefront of the disintegration of Yugoslavia – and let us not forget Germany's role in recognising Croatia following NATO's brutal attack in which war returned to the European continent for the first time since World War II – and after years of the EU/NATO's military occupation of the Balkans, the (major powers of the) EU are now anxious to move on to a new phase of domination by absorbing the countries of this key region, politically and economically, by means of their 'integration'.

As regards the objectives set out in the report, I should like to highlight the following:

- the attempt to make new rounds of EU enlargement conditional upon the spurious need to reform the Treaties, which would lead to the (re)imposition of the so-called 'Constitutional Treaty'.
- the constant emphasis on the adoption of the Community *acquis*, or in other words the neoliberal 'open and competitive market' handbook – thereby gearing an autonomous national development project to the interests of the major powers and their large financial and economic groups – and on Croatia's implementation of 'reforms' such as opening up to 'strong private investment' and the 'sale of minority and majority state-owned interests in companies'.

This demonstrates that, quite typically, it is not the interests of the workers and the people of the region that is motivating the EU.

David Martin (PSE), in writing. I voted for this report, which congratulates Croatia on some of the changes it has made in meeting the criteria for accession.

Erik Meijer (GUE/NGL), in writing. (NL) Unfortunately, my group did not have any speaking time on the subject of Croatia this morning. We regret that the negotiations with that country have been seriously delayed as a result of the war in the 90s and that it was impossible for that country to enter the EU together with Slovenia. Croatia is no longer dominated by extreme nationalists, and accepts the protection and return of minorities; although it is now better prepared for EU membership than some countries that have already joined, it is mainly put at a disadvantage because some within the EU refuse to admit new Member States as long as the EU Constitution that was thrown out by the Dutch and French electorate is not being introduced. Indignant about this delay, Croatian public opinion is now turning its back on the EU.

My group regards as extreme the demands made in the Swoboda report for the sale of state-owned companies and the closure of shipyards. So far, it has always been claimed that the EU has no preference in respect of ownership in the economy, and that state-owned companies and private companies can freely co-exist. Newcomers, however, are now likely to have to meet stiff demands. My group also rejects all amendments that are based on Italian claims on Croatian territory and on the denial of the war crimes during the occupation under Mussolini.

Andrzej Jan Szejna (PSE), in writing. (PL) I am voting in favour of the report by Hannes Swoboda on Croatia's progress in 2006.

The rapporteur has made an insightful analysis of the present political, economic and social situation in Croatia. The report is objective in that while on the one hand it points out the efforts the Croatian Government has made to meet the requirements of the EU, for example, in relation to the political criteria for accession, it also enumerates the problems that still need to be solved.

An important element in this is the implementation of the *acquis communautaire* to the national legal system in all areas, considering that the joint consultation process was successfully completed in October 2006, and negotiations on specific aspects of the *acquis* are now underway.

The rapporteur also rightly pointed out the positive leading role that Croatia is playing in South-Eastern Europe.

Charles Tannock (PPE-DE), in writing. British Conservatives supported the Swoboda report but voted against amendments relating to Recital G. Conservatives are strong supporters of enlargement of the EU, in particular to include Croatia, which will be a relatively smooth process, but are strongly opposed to the idea that a Constitution is a requirement for further enlargement as stated in Recital G. - Reports: Sterckx (A6-0086/2007), Kohliček (A6-0079/2007), Costa (A6-0063/2007), Vlasto (A6-0081/2007), Luis de Grandes Pascual (A6-0070/2007)

Marie-Arlette Carlotti (PSE), in writing. – (FR) Shortly after the ‘Erika’ and ‘Prestige’ oil tankers went down, the Socialist Group in the European Parliament led a campaign calling for the EU to provide itself with legislation aimed at enhancing maritime safety and at doing more to prevent accidental pollution in its territorial waters.

This campaign has borne fruit, but a genuine European maritime safety area has not fully been created.

This ‘third maritime safety package’ is a decisive step towards achieving this objective. The five reports submitted to the European Parliament contain several major advances:

- a clear and precise legal framework for places of refuge for ships in distress, under the aegis of an independent authority;
- a permanent inspection body, to make inspections easier;
- a high level of protection for passengers, in line with that for other modes of transport;
- more effective and higher quality controls in European ports, with special attention paid to ‘high-risk’ vessels.

I shall therefore vote in favour of these reports. I hope from now on that the EU will also improve its legislation against the ‘hooligans of the sea’, who are responsible in the Mediterranean for ‘daily oil slicks’. There are 650 000 tonnes of oil spills each year as a result of unauthorised degassing, a figure that equates to 75 ‘Erikas’!

13. Corrections to votes from previous sittings: see Minutes

(The sitting was suspended at 2 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MRS KRATSA-TSAGAROPOULOU

Vice-President

14. Approval of Minutes of previous sitting: see Minutes

15. Human rights in the world – Moratorium on the death penalty (debate)

President. – The next item is a joint debate:

- on the report (A6-0128/2007) by Mr Coveney, on behalf of the Committee on Foreign Affairs, regarding the annual report on human rights in the world 2006 and the EU’s policy on the matter [2007/2020(INI)]
- on the Council and the Commission statements with regards to the moratorium on the death penalty.

Simon Coveney (PPE-DE), rapporteur. – Thank you, Madam President, President-in-Office, and Commissioner. I am honoured to have this opportunity to present as rapporteur the European Parliament’s 2006 Annual Report on Human Rights.

This report is the most comprehensive and important political statement that the European Parliament makes each year on the issue of human rights and their promotion. As rapporteur I have maintained the direct assessment style adopted last year for the 2005 report. In essence it is a constructive and critical analysis of the performance of the Council, the Commission and Parliament in promoting and defending

human rights across the globe. The report is the culmination of five months of work in the European Parliament's Sub-Committee on Human Rights and Committee on Foreign Affairs in which, it should be noted, significant consensus was reached through discussion, debate and compromise amendments.

One of the focal points of the report concerns the EU's role in the new UN Human Rights Council. The assertions made are based on the Parliament's attendance at a number of those Council meetings in Geneva. The Council and Commission's recent annual report could not refer to the UN HRC so I felt that it was appropriate that we should focus on it in the report and in the debate today.

Our report recognises that while it has the potential to develop into a valuable framework for the EU multilateral human rights effort, for the first 12 months the UN Human Rights Council has not been a good news story. The UN Human Rights Council has failed to reach consensus and an acceptable compromise on key issues such as the Middle East, Darfur, Burma and many others. Instead, it has been used at times as a political point-scoring chamber and we must find ways of preventing it being used as a political forum for conflict between geographical or ideological blocks of countries.

A good example of this is the weakness of the Council's resolution on Darfur. Surely the cessation of the spread of violence and the protection of innocent people in Darfur should have been the only priority of a UN structure designed to deal with human rights, but unfortunately that was not the case. Debates on Darfur and trying to get agreement on Darfur were used as a political bargaining chip or as a lever to try and get agreement on other resolutions. I would urge the European Council, in this regard, to look into introducing tougher measures to respond to the humanitarian crisis in Darfur. This is an issue I raised yesterday, in a committee meeting, with the Council representative who is with us today.

The heart of the report deals with how the EU is performing in relation to the human rights guidelines that it sets for itself. There are five EU policy guidelines that Europe must promote. These deal with the death penalty, torture, children and women in armed conflict situations, human rights defenders and, of course, dialogues with third countries. I felt it important to critically analyse the Council's performance, especially in relation to the implementation of those guidelines, as it has committed specifically to these tools for human rights advocacy in third countries. In particular, the Council and Commission need to promote the guidelines within EU embassies and missions abroad. Concerns remain that some delegations have little or no knowledge of the guidelines themselves, or of how best to promote them within third-country situations.

The report also calls for more consultation between the Council and the European Parliament, and the Sub-Committee on Human Rights in particular, in relation to the Council and Commission's Human Rights report, so that we can genuinely move towards a situation of one all-encompassing report with the views of Parliament, Council and Commission. That is what we are trying to do by changing the structure of our report.

The report also emphasises the need to strengthen and improve EU-China human rights dialogue considerably. It recognises that China has decided to have all death penalty cases reviewed by the Supreme Court, which shows it is inching forward on the death penalty, but also recognises that China puts more people to death than any other country.

The report also welcomes resolutions passed by the Parliament calling for the closure of the Guantánamo Bay Detention Centre, and the contributions that Parliament has made to raising the profile of human rights concerns regarding that Centre. The very existence of Guantánamo Bay continues to send out a negative signal as to how the fight against terrorism is being pursued by the West, led by the US.

I was very happy to refer in the report to the need for a clear and efficient common arms export control policy, including within the European Union, as the impact that the trade in small arms, in particular, is having on human rights conflicts in various parts of the world is clear. We need to move clearly towards an international arms trade treaty, as has been called for repeatedly by Parliament.

May I conclude by thanking all of the other groups for working with me on this. This is not a PPE-DE resolution on human rights. It is, I hope, reflective of Parliament as a whole and of all the groups in Parliament. I wish to thank everybody who has worked on it with me.

Günter Gloser, *President-in-Office of the Council*. – (DE) Madam President, Commissioner, honourable Members, I am glad to be able, as the Presidency's representative, to participate in your honourable House's debate today on this year's report on human rights and the human rights situation around the world.

Like its predecessors in former years, this report engages critically with what the European Union has been doing about its human rights policy, and its critical outlook is one that we welcome, being persuaded as we are that it helps to enhance and improve our common action in protection of human rights, for we are all too aware of the day-to-day challenges to be faced in this area. The better the functioning of dialogue between our institutions, the more likely we are to be able to act together more effectively in pursuance of our human rights policy.

Perhaps I might be permitted to kick off with a practical proposal; I will be requesting that the Council working party responsible for the European Union's international human rights policy (COHOM) should discuss your House's report and consider in greater depth the demands and recommendations relevant to its work. It would then be possible, at a later date, for the finally adopted version of the report and the commentaries of the relevant Council working party to serve as the basis for a continuation of the debate, and so I propose, today, to address only a few of the recommendations.

The report acknowledges the greater cooperation between your House and the EU Presidencies in drawing up and debating the European Union's annual report on the human rights situation. Evidence of the progress in our cooperation is furnished, *inter alia*, by the presentation by your House of its human rights activities in a chapter of the EU annual report devoted to it, and we are keen that this cooperation and the dialogue with the European Parliament, and with its sub-committee on human rights in particular, should be continued. Although we are aware of the important contribution made by your House to the protection of human rights, which is to be acknowledged appropriately in the European Union's annual report, I would also like to stress that our cooperation has to be within the framework of, and in compliance with, the legal basis applicable to the Common Foreign and Security Policy, and that your House's role – as is rightly stated in the explanatory section of Mr Coveney's report – consists in the critical review of the European Union's activities in the human rights sphere.

One important facet of human rights policy this year is the establishment of the United Nations' new Human Rights Council, the importance of which your House's report stresses, while also, and rightly, highlighting this body's potential future role as a valuable forum in which the European Union might work multilaterally for the defence of human rights. The report finds it regrettable that the new Human Rights Council has demonstrated its own excessive inefficiency in responding to human rights crises around the world in an appropriate manner, and I would say, in response to that, that it is as yet too early to be able to pass judgment, and that we have to await the outcome of the institutional decision-making process, which is due at the end of June. The European Union will do everything in its power to ensure that the Human Rights Council continues to develop as an efficient but also credible element in the United Nations' human rights system.

The demand has been made, with regard to the situation in Darfur, which is one of the most important issues considered at the last meeting of the Human Rights Council, that the European Union and the Member States should do more to get their views accepted, so that the Council, following the report by its special mission, might be able to take appropriate and adequate steps to respond to this humanitarian catastrophe. My comment on that is that the unanimous adopting of the document on Darfur by the Fourth Human Rights Council must be counted a significant triumph for the EU.

I would like to briefly mention the other important instruments of our EU human rights policy, namely the guidelines set down by the EU for its relations with third states with particular reference to the abolition of capital punishment, the campaign against torture, the protection of human rights activists and the position of children caught up in armed conflict. Your House's annual report highlights the importance of these guidelines and indicates the need for them to be more effectively complied with. We share this view, and also welcome the work already done by your House's sub-committee on human rights. At the end of its term, the German Presidency of the Council will report in detail on the ways in which the various guidelines have been acted upon.

Today, I would particularly like to highlight the Presidency's efforts to date in relation to the abolition of the death penalty, which is one of the Council's principal priorities among the European Union's measures in the field of human rights policy. In order to achieve further progress on this front, the Presidency has drawn up an action plan for 2007, which is currently being put into effect and which has as its objective the tabling at appropriate levels of the United Nations of measures aimed at the abolition of the death penalty, about which I shall have more to say later on.

Other notable instruments of our human rights policy include the dialogues and consultations on the subject with third countries, which will be the subject of a parliamentary report; we welcome this

initiative and will take careful note of your House's recommendations. Despite the difficulties inherent in human rights dialogues, we do believe that these are not to be underestimated as a means of expressing our misgivings about the state of human rights in a given third country and – albeit sometimes only in the long term – bringing about a change in the situation there.

With that in mind, I am able to inform you that the presidency welcomes the Council resolution on the commencement of a human rights dialogue between the European Union and Uzbekistan, preparations for the first round of which are underway. The next rounds of the human rights dialogue between the EU and China and of the human rights consultations with Russia are also due to take place shortly, the one being in early May and the other in the middle of that month, and I should like to inform you that the consultations with Russia will – as was requested in your report – involve European and Russian NGOs.

One demand made in the annual report was that MEPs be accorded a bigger role in the conduct of dialogues and consultations, and the Council was urged to ensure that they were involved in them. Perhaps I might be permitted to say, by way of a reply to that, that the composition of EU delegations conducting dialogues with third states reflects the demarcation of powers under the Common Foreign and Security Policy, and so it is not possible for Members of your honourable House to take part in these dialogues. That does not, however, mean that you will not be continually informed of developments, or that there will be no ongoing exchange of views concerning them.

I would now, with your President's permission, like to say something about the Presidency's statement on the moratorium on the use of the death penalty.

The campaign against capital punishment has for a long time been a core element in the EU's common policy on human rights; the campaign against the death penalty was, indeed, the subject of the first guidelines to be adopted on human rights by the Council back in 1998, and the continuation of the various measures whereby the European Union has been consistently advocating the abolition of the death penalty since then is one of the German Presidency's human rights policy priorities.

We last discussed the death penalty issue at the mini-session in January, when I announced to you that the German Presidency of the Council would put together a well thought-out plan of action for what we planned to do in the first half of 2007 in order to take the campaign against the death penalty to the United Nations, and I can inform you today that we have done what was announced as planned.

On the basis of an analysis carried out by the heads of all the EU's partners' permanent representations in Geneva and New York, and of numerous conversations with NGO representatives, Germany, at the end of February, produced an action plan for 2007 setting out concrete measures for a progressive approach to raising the issue of the death penalty at the United Nations, which all its partners accepted, and which the Presidency has, since then, been consistently putting into practice.

The first step of this plan of action was taken when, at the opening of the fourth session of the Human Rights Council in Geneva, the problem of capital punishment was put high up on the agenda, and my ministerial colleague Mr Steinmeyer, in his capacity as President-in-Office of the EU Council, deliberately touched on the issue in his speech. Several ministers from EU Member States who were taking part in the opening of the fourth session of the Human Rights Council followed the Presidency in urging the abolition of capital punishment, and the Council's session in March saw the second reading, with the addition of new supporters, of the declaration against the death penalty, which had, at the European Union's initiative been put before the UN General Assembly in December 2006 and signed by a total of 85 states from all corners of the globe.

The second step of the action plan saw the Presidency, in April, starting up a worldwide lobbying campaign, the object of which is to collect more votes in favour of the December 2006 declaration against the death penalty and to forge a multi-regional alliance willing to support the tabling of a resolution in the United Nations.

When this global *démarche* is completed – somewhere around the end of May – the European Union will undertake a comprehensive evaluation of the lobbying campaign's results, and, on that basis, decide whether the time is ripe for a UN resolution, and if not now, when it might be.

Perhaps I might stress what I mentioned back in January, namely that a reopening of the debate in the United Nations at the present time, before the *démarche* is accomplished, would be strategically ill-advised, it being somewhat improbable that any such proposal would gain the support of two-thirds

of the Member States, which is what is required, and this could set a negative precedent, in that other Member States could feel themselves encouraged to respond by putting, outside the regular meetings of the General Assembly, other contentious issues back on the agenda, and, above all, we do not yet know whether we will be able to summon up the necessary majority support from all regions. The object of our currently ongoing global *démarche* is to find this out, and we should defer further decisions until such time as it has yielded results.

Let me, then, once more stress that the campaign against the death penalty is just as important to the Council as it is to your House; no less than you do, we want to see this cruel, inhumane and ineffective form of punishment done away with, but the battle is not an easy one. Goodwill alone is not enough; on the contrary, only a strategic approach will enable us to achieve our objective, and that is what we in the German Presidency of the Council, together with our partners at Council level, are determined to do, and we very much hope that we may, in pursuing this end, be able to rely on your House's full support.

Joe Borg, Member of the Commission. Madam President, I welcome the report by Mr Coveney on human rights in the world in 2006 and on the EU's policy on the matter, as well as the resolution before Parliament today. I am particularly pleased that the innovative approach of the report has been maintained and that it puts the focus on the scrutiny of action taken by EU institutions in implementing the human rights mandates. I also note with approval the recommendation made to move towards a truly interinstitutional EU annual report that reflects the activities of the Council, the Commission and Parliament in the field of human rights and promoting democracy in the world.

This proposal, which I fully endorse, does not in any way imply that Parliament will have to forfeit its prerogative to issue its own report on this matter, nor that there is a potential infringement of the division of powers between Council, Parliament and the Commission. Rather, the objective of the proposal, which I hope will be followed up under the forthcoming Portuguese Presidency, is to offer EU citizens and our partners in the world a single comprehensive report that does justice to the full range of actions undertaken by the three institutions, as well as representing the shared values and objectives in this field.

The Commission welcomes the proposals contained in the report to increase synergies between the three institutions, and to take full advantage of their specific aims as regards promoting human rights. In this regard, I would like to refer specifically to the study of the European Inter-University Centre, which we support. This study provides a number of practical suggestions that merit our full attention. In the same spirit, the good cooperation between our institutions regarding human rights was certainly reflected when introducing the new democratic scrutiny on geographic and thematic cooperation strategies.

The December part-session of the European Parliament, when the EU annual report is presented, is a good occasion to further develop our joint commitment to human rights and democracy.

I would like to mention two examples from the report presented to us today: the UN Human Rights Council and human rights dialogues. Paragraph 22 of the report calls for the EU to make more effective use of its leverage in order to promote important issues on the agenda of the UN Human Rights Council and to better fine-tune its lobbying and outreach activities. As you know, the Commission was initially somewhat sceptical about this council, and felt that even when it was endorsed at the UN General Assembly in 2005, it was not ambitious enough. Doubts remain with respect to this for the following reasons.

The composition has hardly improved. In terms of dealing with country situations, fewer are at the centre of attention and a question mark hangs over the future of the mandates of special mechanisms. Yet there are positive signs, such as the mission to Darfur and the unanimous resolution thereafter. I believe it would be wrong to give up on what is still the most important global human rights forum. On the contrary, we will have to redouble our efforts to make it work better, in the interests of all those peoples whose rights are seriously violated every day.

The EU and like-minded partners have to break the cycle of politicisation and reach out more effectively to partner countries among the G27.

Parliament has closely followed particular developments in the new UN body from its inception, notably through programming missions and inviting its current chair to discuss issues of common interest. In view of the mission planned for next June, I would suggest an informal meeting among the three

institutions in order to inform you of the assessments of the situation and to offer our full support in the preparation of the mission.

Paragraph 78 of the report also calls for increased involvement of the European Parliament in human rights dialogues with third countries. These dialogues have become an essential tool for us in promoting respect for human rights, although there is, of course, a mixed track record depending on the dialogue partner. It would certainly increase our leverage if we could move our exchanges with these countries to beyond those with people in executive power. While in practice there might be obstacles to allow full European Parliament participation in the formal dialogue meetings, parliament-to-parliament dialogues would certainly complement the ongoing efforts. I look forward to Parliament's own-initiative report on this subject for constructive proposals. In any case, I see advantages in an improved information exchange between European Union institutions and the preparation, implementation and follow-up of dialogue exercises.

Let me now turn to the second issue on our agenda. I should like to emphasise how important it is for the European Union to continue to promote the universal abolition of the death penalty. It represents a key objective of our human rights policy and I am personally committed to seeing the European Union play a lead role in this effort, notably within the United Nations. I therefore welcome any initiative to discuss how to achieve a universal moratorium on the death penalty. A UN General Assembly resolution on this matter would certainly be an important step. However, as we also discussed at this week's Council meeting, we have to plan the timing of such an effort very carefully. A resolution would be effective only if it is endorsed by a clear majority of UN Member States, and we need to prepare the ground well before submitting such a project.

On these and all other issues before us, let us keep in mind our common overarching goal of advancing human rights and democracy, and of working pragmatically side by side to reach it.

Roberta Alma Anastase, în numele grupului PPE-DE. – Doresc în primul rând să mulțumesc colegului Simon Coveney pentru concluziile constructive din raportul său și, mai ales, pentru recomandările făcute cu privire la dialogul și consultările Uniunii Europene în domeniul drepturilor omului cu țările terțe, subiect al unui viitor raport la care am onoare să fiu *shadow rapporteur*. Respectarea drepturilor omului, a principiilor democratice și a bunei guvernări reprezintă însăși esența Uniunii Europene. Este obligația noastră morală de a promova aceste valori în numele păcii și dezvoltării în întreaga lume. Intensificarea continuă a eforturilor noastre în promovarea democrației în vecinătatea Uniunii Europene trebuie să constituie, fără îndoială, o prioritate a politicii Uniunii Europene în domeniul drepturilor omului. Crearea unui spațiu veritabil de democrație la frontiera noastră externă și asigurarea ireversibilității acestui proces este una dintre condițiile necesare pentru a asigura stabilitatea și dezvoltarea durabilă în țările vecine. În sfârșit, promovarea drepturilor omului în vecinătatea Uniunii Europene trebuie să beneficieze de toate instrumentele Uniunii Europene care îi stau la dispoziție.

Salut și eforturile recente de a impulsiona aceste activități prin instrumente de cooperare regională, inclusiv prin cooperare cu și în cadrul zonei Mării Negre. Îmi exprim în acest sens speranța că acțiunile propuse în domeniul democrației și drepturilor omului în cadrul noii comunicări a Comisiei Europene privind sinergia în Marea Neagră vor fi implementate cât mai rapid și mai eficient.

Józef Pinior, on behalf of the PSE Group. – (PL) Madam President, first I would like to congratulate Simon Coveney on his contribution in presenting this report before this House. As co-rapporteur for the Socialist Group in the European Parliament, I would also like to thank Mr Coveney for his cooperation. Mr Coveney's cooperation with other political groups should serve as a model for political work in this House, which I would like to point out to everyone here.

The report before us is one of the most important documents in the European Parliament. The question of the world human rights report relates to the way the material is organised, as we have to deal with numerous reports on human rights infringements all over the world. They are provided by international organisations such as Human Rights Watch or Amnesty International. They are also provided by the parliaments of the Member States, as well as the US Congress. This puts this House in the difficult situation of collating all the most important human rights issues in the one report.

We have worked very closely with international organisations – Human Rights Watch and Amnesty International – and the national parliaments of Member States, whilst in the EU-US delegation we conducted a dialogue with US congressmen and senators on the human rights infringements described in this report.

One of the main things we need to concentrate on now is the question of how effective the European Parliament is as regards human rights. I would like to point to what I believe are our successes over the past year. For example, upholding human rights in Belarus, or the Commission's activities regarding the CIA's use of European countries to transport and illegally detain prisoners and its report to Parliament on this. Parliament can undoubtedly be proud of these achievements. Human rights must be a key policy platform in the European Union's foreign policy.

Anneli Jäätteenmäki, *on behalf of the ALDE Group*. – (FI) Madam President, first of all I also wish to thank Simon Coveney for his excellent levels of cooperation. The debate has gone well and we should be fairly satisfied with the outcome. I also agree with Mr Pinior that this is a very important document we are talking about. The problem is just that we only realise how important human rights and fundamental rights are when we actually address these issues and there are problems.

One major problem that Parliament and the European Union have is that the EU seems loath to check and see directly how human rights work in its own Member States. Are human and fundamental rights in the EU being implemented in the way which we teach outsiders to implement them and which we expect of third countries?

This report is thus an excellent one. It alludes to many aspects of the unsatisfactory state of affairs that exists internationally which we need to look into and in which the EU has done some creditable work. Our work in the struggle for human rights, however, will merely become sanctimonious words if we do not have the courage to look in the mirror.

One problem that came to light last year was the cooperation which European Countries showed the US intelligence services. In the fight against terrorism the United States of America has been able to trust in the EU and individual Member States more than perhaps we would like to admit.

A common document on human rights, which was proposed by the Commission, is in my view an excellent idea. It would also enable us to take action at just the right time and as a body of three institutions working together. I think that we should definitely consider this.

Inese Vaidere, *on behalf of the UEN Group*. – (LV) Ladies and gentlemen, first of all I would like to thank Simon Coveney for his really excellent work in drafting this report. It is realistic and at the same time healthily critical. We have to agree with his assessment of the UN human rights council's first year's work. It has not been altogether successful, and the resolutions adopted have been weak. Another positive aspect is that the report is self-critical in discussing Parliament's activity in the field of human rights. In view of deteriorating democracy, freedom of speech, press freedom and the worsening human rights situation in Russia, the Commission and the Council must in the new partnership and cooperation treaty impose on Russia, in addition to the human rights clause, more stringent requirements, creating more effective monitoring procedures. The Council and the Commission must do all they can to minimise breaches of human rights in Belarus. This week's comment by President Lukashenko, speaking about the improvement of relations between Belarus and Russia – 'We don't need inspectors, supervisors or teachers!' – is a signal that the European Union should not only carefully monitor the situation but also increase support for activities by civil society and the opposition in Belarus. Thank you.

Hélène Flautre, *on behalf of the Verts/ALE Group*. – (FR) Madam President, I unreservedly join with those who have congratulated Mr Coveney. He has produced an outstanding piece of work. His report does not catalogue the violations in the world, as you have seen. He makes a genuine effort to evaluate the human rights and democracy policy implemented by the European Union, and I would really emphasise the added value of such an analysis when it comes to successfully increasing the consistency and impact of our actions. I also welcome the action announced by the Council Presidency as that with which it intends to follow up this report.

In the light of this, Parliament believes that its participation, in one form or another, in the dialogue on human rights and its involvement in the implementation of the guidelines are crucial to making the dialogue and the guidelines more effective. I note, moreover, that the effectiveness of the guidelines is harmed by the fact that Union missions in some countries are at times still unaware of them. It therefore remains important – imperative – to inform the missions and to enlist their support, so that maximum use is made of these guidelines.

I should like to emphasise, as you have all done, the concerns regarding the United Nations Commission for Human Rights, at a time when a highly promising reform ought to materialise, enabling the United

Nations to have a credible, effective body with which to protect human rights and democracy. Too many States that are members of the Human Rights Commission are operating along the wrong lines, working as they are to weaken the creative scope and independence of the special procedures, and are promoting a partisan vision. The Union must do all it can - and we support you in this regard - to establish the prestige of this international body, the only one that can still hear the complaints of the world's victims of human rights violations.

This report also enables me to emphasise our commitment towards human rights defenders. The new measures contained within the EIDHR (European Initiative for Democracy and Human Rights) will be an opportunity for the Union to formalise its action by making it possible for human rights defenders quickly to receive support and protection in emergency situations.

Miguel Portas, *on behalf of the GUE/NGL Group*. – (PT) Madam President, around the world, 5 186 convicted criminals are awaiting the day on which they pass the point of no return on their way to their deaths. As recently as 19 April, family members of five Bulgarian nurses were in Parliament condemning the oblique process whereby the Libyan authorities sentenced them to death. When this morning we discussed our relations with the United States, there was much more reference to shared values than criticism of the fact that the death penalty remains in force in 38 US States.

In over 100 countries the death penalty remains in force, and in many of those that have abolished it there are people campaigning for it to be reintroduced. Populism, authoritarianism and the unlawful war on terror have plunged our societies into security-obsessed lunacy. The European initiative for imposing a universal moratorium is not only a step in the direction of abolition. At this time, it is a sign of hope in the face of this onslaught.

Gerard Batten, *on behalf of the IND/DEM Group*. – Madam President, on the subject of human rights I would like to draw attention to the plight of a political prisoner in the European Union. He has been imprisoned in Rome for the last four months. He is now in poor health both physically and mentally. He is being held without prospects of release or trial to try and break his will, in an attempt to force him to sign false confessions against himself and others. His name is Mario Scaramella and his alleged offences are contrived accusations without foundation.

Mr Scaramella was, of course, the man who went to London in November 2006 to warn Alexander Litvinenko that he was about to be murdered. Mr Scaramella and Mr Litvinenko had both been associated with the Mitrokhin Commission for investigating links between Italian politicians and the KGB. Mr Scaramella should be released and returned to his family immediately, pending any trial.

Jim Allister (NI). – Madam President, in this my 100th speech in this House I am glad to be talking about human rights: something which we all take for granted, but to which millions can only yet aspire. As a major player, particularly in trade, the EU has a key role to play. We are good on all the platitudes about human rights, but do we see them through? Take China, for example, with whom we facilitate vast trade. Frankly, however, we do little to insist on parallel human rights compliance. We could do so much more.

Vested interest is no excuse, nor is it when it comes to Western-friendly Pakistan. There, increasingly savage persecution of Christians is rampant under the aegis of Islamic extremism, wicked blasphemy laws and forced conversions. Here the EU's role is not just complacent or ambivalent: it is an area where we are complicit through the millions of euros which we pour into the madrassas. Many of these schools, like Lalmasjid, are training grounds for Islamic extremism, so why do we keep funding them?

Both in our trade agreements and in our development aid, we need to proof our actions more robustly against true human rights standards.

I conclude by commending the rapporteur for yet another comprehensive report.

Maria da Assunção Esteves (PPE-DE). – (PT) It was in the heart of Europe, in Königsberg as it was known at the time, that the philosopher Immanuel Kant said 'every human being is an end in himself', that most universal principle of justice. The EU was built, and has since grown, on the foundations of a culture of rights and on the view that each individual is an entirely unique being. This view, both political and moral in nature, is what characterises the European project.

Today as never before, Europe's destiny is defined by its ability to take centre stage in the fight for rights around the world. In this sense, an immense amount of hope is invested in Europe. The frontiers

we have yet to conquer are those that separate barbarism from civilisation. Loyal to its visionary founder, the EU must not succumb to the temptations of strategic interests and of *Realpolitik*.

We have to admit that Europe must fill the void left behind by other democratic powers in the fight for human rights. To this end, what is needed is political integration, a willingness to make decisions and universal rights. What is needed is a Constitution, and for human rights to be an issue cutting across all measures and defended on all fronts. It is appropriate to point out that fundamental rights are not only violated in the dark depths of underdevelopment and of dictatorships; purportedly advanced democracies practise the death penalty, whilst we remain silent. On this issue, the EU must not operate double standards.

During the summit between the EU and the USA it would be good if the death penalty were on the political agenda. It would be good if Parliament's resolution on the death penalty were to gain ground and become more than just a pipe dream. One thing is for sure: the diagnosis of the serious problems we face can be found in the question of human rights. There can be no dialogue between people, no end to conflict, no security and no freedom unless the world becomes a fairer place.

Raimon Obiols i Germà (PSE). – (ES) The quality of the Coveney report has been clearly confirmed by the very broad support that it received in the vote in the Committee on Foreign Affairs.

Mr Coveney has been able to reconcile the points of view of the different groups and, in our view, has quite rightly continued with the new approach to these reports that was introduced by Richard Howitt with the report corresponding to 2005.

The result of the vote on the amendments reflects a reasonable consensus amongst the groups and a relative lack of points of conflict. This offers the world an image of a Parliament that is united in the field of protecting and promoting human rights, which is something we all want to see.

In order to increase our authority, in order to ensure that this text becomes a reference text, calm, precision and the greatest possible consensus are required. I believe that this Coveney report has represented a clear step forwards in that direction.

We must work hard to send out an important message: Europe must not allow itself to apply different standards for each country when judging human rights in the world: regardless of the interests at stake, the European Union's approach to human rights must be unequivocal and forthright.

I must say that, in our view, the text does not sufficiently reflect the fact that, in today's world, in the fight against terrorism, we are unfortunately seeing a proliferation of detention centres that are not subject to the rule of law, whose practices do not conform to the law of the State establishing them: I am talking about Guantánamo and I am talking about the secret prisons.

For we Socialists, putting an end to these illegal situations in the world is a crucial objective.

For us, the motion for a resolution on the universal moratorium on the death penalty is a similar priority. It is good news that the Council has this week expressed its intention to promote and maintain the effort that all of the groups in this House are calling for.

Marco Pannella (ALDE). – (IT) Madam President, Mr Borg, Mr Gloser, ladies and gentlemen, I have 60 seconds to deal with the important subject of the moratorium on the death penalty.

Since I cannot deal with this subject as I should, I intend straight after this to provide documentary evidence elsewhere of the Council's actual malfeasance, its real betrayal of rules and promises over the last ten years. In the United Nations, the attempt to prevent the moratorium on the death penalty from being proclaimed has been going on for 14 years.

In 1994 we in fact failed to secure a resolution on a moratorium by four votes, four votes cast by fundamentalist supporters of abolition against the reality of a moratorium that had already been won. President-in-Office of the Council, 14 years ago there were 97 countries in the United Nations in favour of the death penalty. Today there are 51.

Ever since 1988 we have shown you that there is a safe majority, and I do not care whether it was because of the interests of China, the United States or a Europe that is again not behaving like Europe, but you have failed in your obligations towards Parliament.

At 6.30 this evening I shall prove to the press that in the Council on 16 and 17 April you made a very serious attempt to fraudulently go back on what you said you accepted. I cannot find an Italian word to describe that; it was a genuine *forfaiture*, a malfeasance, and I accuse you of this: '*Ou pas ça, ou pas vous!*' – either that goes or you go!

Liam Aylward (UEN). – Madam President, one area where the European Union should play a leadership role is in the field of protecting and promoting human rights in the Middle East. As a Community of 27 Member States, representing 500 million people, the European Union is in a position to act as an honest broker in the Middle East.

I welcome the recent formation of the Palestinian Unity Government. This is a positive development, which could lead to a political consensus being built up in that region and which would create peaceful relations between the Palestinian and Israeli people.

However, the human rights of the Palestinian people must be respected. Israel should immediately release all detained Palestinian legislators. Equally, the Israeli soldier Corporal Shalit, who is being held in Palestine, must be released immediately.

The urgent challenge now is the resumption of a credible political process which would provide peace and security to the Israeli and Palestinian peoples. The European Union must positively engage with the new Palestinian Unity Government. We must not only give political support but also be in a position to financially support economic regeneration in Palestinian areas.

Finally, I wish to compliment my Irish colleague, Mr Coveney, on an excellent report.

Alessandro Battilocchio (NI). – (*IT*) Madam President, ladies and gentlemen, as draftsman for the Committee on Development on the financing instrument for the promotion of human rights, I particularly emphasised the role of democracy and respect for human rights in the economic, political and social development of many non-EU countries.

The report before us, however, gives us a chance to look at the situation at home as well, where cases of religious, racial and gender intolerance are still, unfortunately, the order of the day. Abandoned children on the streets or in decaying institutions, domestic violence and homophobic attacks, to mention just a few examples, remain a problem, and we must therefore promote measures to diminish such occurrences.

With regard to the external dimension, there is a clear lack of consistency between our good intentions and proposals on the one hand and our trade policies, development aid and foreign policy on the other. In Latin America, our aid priorities are trade and higher education, while millions of children either have no access to primary education or abandon it. In this respect, I would mention that literacy is a right, as well as one of the Millennium Goals.

In our relations with China, the United States or Russia, the human rights chapter is all too often not given due attention. Furthermore, the seriousness of the situation in some countries, such as Cuba or Belarus, is underestimated, and Parliament's resolutions and the debates on urgent matters that take place here are disregarded.

The 2006 report therefore reads more like a list of what has not been done rather than a series of successes. It must, however, be emphasised that, until the European Union has a single strong voice in foreign policy, countless objectives are destined to remain just that – objectives.

Kinga Gál (PPE-DE). – (*HU*) First of all I would like to congratulate my fellow Member Mr Coveney for this finely composed report analysing a very important subject. The rapporteur has succeeded in the 2006 Annual Report in directing our attention to specific ways in which greater commitment on the part of the EU institutions or Member States could truly help resolve problematic situations, in the area of the defence of human rights across the globe. Moreover, the ways in which this may be done are all present in the report. The practical ways in which they can contribute to this are well known: regional trade agreements, the system of bilateral agreements between Member States and the five EU policy guidelines in the area of human rights, which the embassies of Member States and the EU missions should apply systematically around the world.

I consider it important that the text states: the EU's internal human rights record has a direct impact on its credibility and ability to implement an effective external policy. I wish therefore to call attention to

those regions where human rights problems outside the EU have long since become our own internal problems as well. These include promoting the rights of children, and combating the trafficking in women and children, which claims 100 000-120 000 victims each year right here in the European Union, and of whom 40% are children. Just as important is a greater sensitivity and attention to the situation of ethnic or indigenous national minorities, which is likewise awaiting solutions within the EU or in regions bordering on the Union such as Voivodina or the Lower Carpathians. In the case of national and ethnic minorities, the ban on discrimination is the minimum necessary but not sufficient condition for the defence of these communities.

Finally, allow me, dear colleagues, as the delegate of the People's Party to the Fundamental Rights Agency, to express my hope that the new EU agency launched on 1 March may, through its own work and in collaboration, lend credibility to the EU's measures aimed at improving the situation of human rights around the world.

Csaba Sándor Tabajdi (PSE). – (FR) Madam President, I should like to congratulate Mr Coveney. The European Union's biggest problem, which is reflected very well in the report, is that it does not have any standards or a mechanism for protecting national minorities. Not far from here – 500 metres away – the Council of Europe has correctly understood – unlike us, in this House, who still have not – that human rights and the rights of national minorities are closely linked, while being two, altogether distinct, matters.

I am in complete agreement with Mrs Gál and Mrs Jäätteenmäki: the European Union's credibility depends on its internal situation. What is the situation of the Slovenians in Austria or Italy? This is an indigenous traditional national minority. In Latvia, there are 450 000 people of Russian origin who are not citizens of that country, a Member State of the European Union. France has never ratified the two Council of Europe documents that are indispensable to the new Member States.

That is why there are double standards and why we do not have any real credibility when we criticise third countries. We must get our fundamental rights agency in Vienna involved and remedy this deficiency in the next report.

I have not yet spoken of the complete crisis that is the integration of the new migrant minorities in France, the Netherlands and the United Kingdom. This is the biggest challenge facing Europe: the ability of migrant minorities to be integrated into the countries of western Europe. I believe that it will not be possible to avoid these problems in the future, as they are crucial problems for the whole of Europe and for the whole of the European Union.

IN THE CHAIR: MR MARTÍNEZ MARTÍNEZ

Vice-President

Hubert Pirker (PPE-DE). – (DE) Mr President, Commissioner, in his report, the rapporteur not only gives us an outstanding and critical analysis, but also proposes conclusions and calls for action in response, and that I regard as a good thing, so let me draw your attention to the chapter on armed conflicts and the European Security and Defence Policy.

Why do I do this? It is quite clear that human rights are trampled on wherever people are taking up arms against one another, and this is currently happening in many African states, with the consequences being felt in Europe. Many people, in search of a better life, get into the clutches of people-smugglers and get stranded as illegal immigrants on the Spanish coastline; that happened to 31 000 people last year alone, and we are already seeing a similarly tragic state of affairs developing in the early months of this year.

In his report, Mr Coveney speaks highly of the Austrian Presidency, and his reason for doing so is that it was under the Austrian Presidency that implementation strategies were agreed on, according to which human rights issues have to be considered when planning operations under the European Security and Defence Policy. What we now have to do is to demand that these things be actually put into practice, and I ask the Council, as a matter of great urgency, to arrange in future more effective deployments of military and police structures – of the kind we have seen in Kinshasa – in other states too, for these help us to build up basic structures in these states and to ensure their stability and security.

Firstly, democratic structures are put in place; secondly, human rights are thereafter actually observed, and, thirdly, we create the conditions under which fundamental economic structures can be established,

and all these things have positive effects on the states in question, the people who live in them and on us, in that illegal immigration to Europe is reduced.

If, in addition to that, we also manage to include the Commission's foreign aid programmes, I hope that there will be far more respect for human rights in these states than there has been to date.

Richard Howitt (PSE). – Mr President, firstly may I congratulate Mr Coveney. In his report, he has adopted the new approach which we agreed last year, that the work of Parliament, in terms of an annual human rights report, should be to scrutinise what is done by Council and the Commission and advancing what we can do throughout the European Union to promote human rights, not simply acting as a commentary.

I thank him and congratulate him for that. I was very sad to hear that he will be pursuing a national parliamentary career in future and not standing again for this Parliament. I just want to place on record that he has been a good champion of human rights and a good colleague of ours.

In this debate, I believe we can emphasise that the European Union can do more to promote human rights. Many of us are concerned. Parliament will continue to be intimately involved in ensuring that Europe's actions and involvement in the UN Human Rights Council are more effective. It has not made the start that we all hoped for. In the resolution, we drew attention to the fact that the Commission is chairing the Kimberley Process. Let us use that to get the independent verification system that the NGOs called for by St Valentine's Day 2007, which was a good aim.

We welcome the fact that after our criticisms of Europe's position vis-à-vis Belarus and the ILO last year, and given the attacks and harassment of trade unionists, the Commission has now recommended pulling out of trade preferences for Belarus. You have listened. Thank you for that. We can do more.

On human rights treaties, we are concerned about cluster bombs. Many European countries, led by Belgium and including, I am pleased to say, my own country the United Kingdom, now support a binding treaty to ban cluster bombs.

I am deeply happy that Europe has led the campaign for the UN Convention on disabled people's rights. That was the fastest agreed human rights convention in the UN's history. The European Communities have signed up to it for the first time. Next year, let the Communities and the Member States sign the optional protocol so that there is a complaints procedure. Show us that you are still listening.

Patrick Gaubert (PPE-DE). – *(FR)* Mr President, ladies and gentlemen, as Vice-Chairman of the Subcommittee on Human Rights, allow me, first of all, to congratulate Mr Coveney not only on the quality and scope of his work, which has culminated in this comprehensive and exhaustive text, but also on the openmindedness that he has demonstrated in order to secure, in this House, the broadest possible consensus on this first-rate text. He has thus agreed to take into consideration and to co-sign almost all of the amendments that I submitted to him in committee, and I thank him for having done so.

This text has the virtue of addressing all of the difficult issues and of covering several geographical areas. I particularly support the emphasis placed on the activity of the new UN Human Rights Commission, on the tragic situation in Darfur and on the repeated human rights violations in Russia.

With regard to the activity of the European Parliament and, more specifically, of the Subcommittee on Human Rights, I believe that we can all be pleased with the constructive work of the report, which has made it possible, for example, for the new financial instrument for the promotion of democracy and human rights swiftly to be adopted.

Furthermore, I believe that this report is timely in pointing out the crucial interaction between the internal and external dimensions of Europe's human rights policy. Now more than ever, each of our Member States must serve as an example in this matter. Our responsibility and our credibility outside Europe depend on it. I welcome, in this regard, the adoption, last week, by the justice ministers, of the decision on common criminal sanctions against racism and revisionism. Once again, I congratulate the rapporteur on this text and offer him my full support.

Bogusław Sonik (PPE-DE). – *(PL)* Mr President, an EU based on values such as the defence of human dignity, the principles of democracy and individual freedom must constantly send out clear messages that it is prepared not only to make assurances that it upholds these values, but to actively fight for them

and for all those who are persecuted for their beliefs, their religion or who are tortured or imprisoned for their views.

The report draws due attention to the need for an international peace strategy for the Darfur region, in which the EU must coordinate with the UN Supreme Council on Human Rights. Only an effective engagement of the EU at UN level will allow fast and effective measures to be taken to provide a targeted response to this humanitarian tragedy in Africa.

There are, however, many unresolved issues on which no progress has been made over the past year. One of these is the fate of the five Bulgarian nurses and the Palestinian doctor who have been imprisoned and condemned to death in Libya on ridiculous charges of intentionally infecting children with HIV, the breaches of the rights of religious minorities in China, restrictions on freedom of speech and repressions against pro-democracy activists in Russia, terror in communist Cuba, and finally Turkey. The situation in the latter is of great concern.

Turkey with its aspirations for EU membership, has not made any substantial progress in defending human rights. In fact, freedom of religion has been significantly undermined, as the tragic events of recent days show, when three Christians working at a publishing house which prints the Bible, were killed. The Turkish media seems absorbed in a witch-hunt in which Christians are the victims.

In my view the 50th anniversary of the European Communities and the debate on the future Treaty are a good occasion for drawing up a new and effective policy for defending human rights outside our boundaries. The European Union's international role in this respect must be strengthened, relevant legislation must be incorporated into the new treaty, and in particular, we need to re-think the role of the Agency for Fundamental Rights in this matter.

David Casa (PPE-DE). – *(MT)* Thank you, Mr President. Very often when we talk about human rights, developing world countries immediately spring to mind, and it is good that we should take the necessary steps to see what can be done to ensure that the citizens of these countries are protected and are given the dignity they deserve.

However, I also have to express my concern about the fact that these rights are being trampled on in European Union countries or countries that wish to become Member States of the European Union.

For example, a few days ago in a country that aspires to accede to the European Union, four people were brutally murdered because of their religious beliefs. This is unacceptable and must be condemned. The European Union has to be tough and stop giving aid to any country that fails to respect minority rights or to any country that does not recognise and respect minorities within it, as well as to any country that does not respect the Charter of Fundamental Rights.

We must take immediate action and we simply cannot accept that, in the year 2007, there are countries ruled by dictators who deny the right to freedom of expression, as is unfortunately happening in Venezuela. It is deplorable that, in this day and age, ethnic minorities are ignored. A person's race, skin colour and beliefs must always be respected. We must work to ensure that nobody is left behind and that no one fails to respect these sacrosanct rights. It is not acceptable, however, that the resolutions adopted by Parliament should be ignored by the Commission. This Parliament is the only institution whose representatives are elected democratically. These resolutions adopted by Parliament are aimed at putting a message across, and the Council and Commission should acknowledge the message and not ignore resolutions that have been adopted by this institution, as has unfortunately happened in the past.

Finally Mr President, I too would like to congratulate my colleague Simon Coveney for his marvellous report on the topic we are currently debating.

Günter Glöser, President-in-Office of the Council. *(DE)* Mr President, Commissioner, ladies and gentlemen, I would like to express my gratitude to you for this lively debate on Mr Coveney's report, a debate in which nobody – not even the Presidency – has claimed that we can be satisfied with the human rights situation around the world; the reverse is the case, for it is a daily occurrence to see human rights trampled underfoot.

I cannot allow the argument – which I think originated from Mr Allister – that the European Union is turning a blind eye, to go unchallenged. Even though we cannot be satisfied with the way things are, and even if we suffer setbacks, the Union has, in the past, done a very great deal to change things and improve the conditions under which people live. I can, for example, refer the House to something that

has featured in various committees over the past few days and also in the plenary debate this morning, namely the fact that, in the ongoing discussion of the Central Asia strategy in the Council of Foreign Ministers last Monday, not only was consideration given to our interests in energy and resources – which sometimes calls forth criticism – but we also expressed the desire for an in-depth human rights dialogue with the countries of Central Asia. We take exactly the same line with China, even though we cannot always see the necessary progress immediately.

Last Tuesday, in Luxembourg, there was a meeting between the EU and ECOWAS, the countries of the West African Economic Community, and that again made clear just how important the human rights process is in those countries. Perhaps, too, I could refer you back to last year's summit meeting of the African Union and the European Union on the subject of migration, which discussed how to address the factors that cause people to become refugees.

The fact is that we cannot deal with all of them; it is important that we should have protective measures, but good governance, giving people prospects and securing their freedom and fundamental liberties are essential if it is to be ensured that people stay in their own countries, and I do believe that the European Union, not least through many actions under the ESDP, has helped to secure respect for human rights.

There is another point I would like to make specifically for Mr Pannella's benefit, and it is that there has been no conspiracy on the part of the Presidency, and the Council too, which once more considered the issue of the moratorium for the death penalty on Monday, wants it made perfectly clear that that is what we are campaigning for. Nor are there any delay mechanisms in place, so it can be said loud and clear that the German Presidency, supported by all the Member States, will step up its *démarches* and its endeavours to achieve this common objective, in order that we may be able, in May, to achieve it by means of the submission of a final report.

It would be a shame, though, if precipitate action at United Nations level were ultimately to deny us the achievement of that objective for lack of the necessary majorities.

I would like, once more, to thank your House for this lively debate. In many interventions, you have made it clear that you are not going to relax your grip and that you want to make sure that the Presidency, the Member States, the governments, and the parliaments, too, do not allow this issue to recede into the background, but instead keep it right at the top of the agenda.

Joe Borg, Member of the Commission. Mr President, I warmly welcome the adoption of this report and will pass on the valuable suggestions you have made during the debate and in the report to Commissioner Ferrero-Waldner.

I would like to emphasise that the Commission fully shares the European Parliament's support for the EU Guidelines on Human Rights, which are potentially one of the most effective instruments the EU has in this field.

Within this framework I am happy to announce that the European Union Guidelines on Human Rights will be the main focus of this year's internal training programme on human rights for Commission staff, and we will also instruct our delegations accordingly.

The Commission has reservations regarding the suggestion the report makes to identify, in the context of the annual report, a list of countries of particular concern with respect to human rights violations. We should avoid listings in this area as it would be difficult to establish the criteria based on such general grounds. This is different from listing, for example, countries allowing the recruitment of child soldiers, where there are very clear indicators. The Commission would prefer to support the practice of identifying countries to be targeted by demarches and actions on a case-by-case basis.

Let me now briefly touch upon some of the issues raised during this debate.

Concerning Guantánamo, the European Union has underlined repeatedly that the fight against terrorism must be conducted in accordance with international humanitarian law and international human rights law. The Commission believes that the Geneva Conventions apply to all persons captured on the field of battle. The Commission also takes the view that the provisions of the International Covenant on Civil and Political Rights and the UN Convention against Torture apply to Guantánamo Bay. Every person detained must enjoy a status under international law and is entitled not to be detained arbitrarily and to receive due process and a fair trial. Guantánamo is an anomaly and the European Union continues to call for its closure.

Concerning Belarus, the Commission will continue to work to counter human rights abuses in Belarus. Although the authoritarian nature of the current government makes it impossible for the European Union to offer Belarus full participation in the European Neighbourhood Policy, the Commission believes that the launch of the shadow ENP action plan for Belarus has been very useful in raising awareness amongst Belarusian citizens of the benefits which the European Neighbourhood Policy would offer if the authorities were to demonstrate respect for democratic values and human rights. The Commission is already funding a wide range of projects to support civil society, such as projects to promote freedom of the media in Belarus and to support the European Humanities University in exile. The Commission will naturally seek to support similar initiatives in the future.

The European Union continues to hold human rights consultations with Russia twice each year. Those consultations give the European Union the opportunity to raise a wide variety of concerns, such as the situation in Chechnya, the treatment of human rights defenders and the impact of the revised NGO and anti-extremist laws. Moreover, the European Union does not raise human rights issues only at the consultations, but also at other meetings as appropriate.

Concerning China, the Commission welcomes Parliament's constructive comments on the EU-China human rights dialogue. The Commission also recognises that there is a need to strengthen and improve the EU-China human rights dialogue and has said as much in the clearest of terms in its recent communication, 'EU-China: Closer partners, growing responsibilities'.

Some of the hard-won successes over the last 10 years should not go unnoticed. The visit of the Special Rapporteur on Torture in December 2005 had been a regular request of the EU for over five years. His arrival in Beijing was therefore a considerable achievement. The review of death penalty cases by the Supreme Court, as mentioned in Parliament's report, has been a key delivery of the dialogue.

In relation to forced labour, the Commission, like Parliament, is concerned at the high incidence of Laogai camps and the export of goods produced within them.

Concerning the Human Rights Council, as I had the opportunity to state earlier, and notwithstanding initial scepticism, this remains the most important human rights forum and has shown positive signs, such as in the case of Darfur. The Commission is committed to working with the other EU institutions and like-minded partners to break the HRC's politicisation, and to working with partner countries.

Concerning the Fundamental Rights Agency, it was clear from the debate in the Council during the adoption of the regulation creating the Agency that the weight of opinion is clearly against extending the mandate of that Agency to cover third countries. Nevertheless, the regulation provides that, after the Agency has been in operation for three years, an evaluation of its performance will be undertaken. That evaluation would cover the question of whether the scope or tasks of the Agency should be extended.

President. To conclude the debate, I have received one motion for a resolution⁽²⁾ pursuant to Rule 103(2) of the Rules of Procedure.

The debate is closed.

The vote will take place tomorrow at 12.00 noon.

Incidentally, since we have heard that Mr Coveney is going to leave our Parliament, I would like to take this opportunity to congratulate him not just on this wonderful report, which has been recognised as such by all of the speakers, but also on the work that he has been doing, and to wish him every success and happiness in his new duties and activities.

Written statements (Rule 142 of the Rules of Procedure)

Eija-Riitta Korhola (PPE-DE), in writing. – (FI) Mr President, the remarks in the human rights report on the situation in Turkey now deserve to be updated with the latest news. I refer to the brutal murder that took place last week in Malatya. Five young Muslim students broke into the office of a small Christian publishing house, tied three men to chairs by their hands and feet and tortured them, and in the end slit the throats of all of them. One of the murdered men was a 46 year-old German with three

(2) see Minutes.

children of school age: the other two were Turkish. There were more than 160 stab wounds on the German's body.

Regrettably, what happened cannot be seen merely as a one-off act of violence, with no political dimension. Its connection with the propaganda which is practised and tolerated in the country is very evident: prior to the killing there had been anti-Christian, and especially anti-missionary, propaganda going on for years throughout Turkey, and particularly in Malatya. The media in all its forms as well as authorities, the police, the Governor, imams and teachers joined in. The same sort of propaganda is discernible in the media all over the country, and it has occasionally assumed absurd proportions, when, for example, claims are made that missionaries are trying to divide Turkey to get their hands on the country's huge mineral resources.

The events are a logical consequence of the sort of nationalism and xenophobia which the media engages in. Its target is sometimes Kurds, and sometimes Jews or Christians. It is odd that whilst freedom of speech under Article 301 of Turkish penal code is dramatically restricted, the same Article on the denigration of Turkishness seems to prompt people to engage in writing material that is quite without justification and is felt to act as the fuel in these acts of violence.

I would stress that I am not opposed to Turkish membership of the EU. Turkey nevertheless has to be able to convince Europe that it wants to put an end to this propaganda, which has become part of everyday life and which is now costing human lives.

Jules Maaten (ALDE), in writing. – (NL) I warmly welcome this human rights report, and, in particular, the line it takes on self-evaluation. It is important for the efficacy of European human rights policy to be held up to the light, and for a critical assessment to be drawn up.

I am equally persuaded that consistent European foreign policy must give absolute priority to promoting democracy, since a democratic society can be the only basis for respect of human rights.

I am also in favour of an independent, operational European instrument for promoting democracy, broadly modelled on the example of the Endowment for Democracy in the United States, because we need a human rights policy that is independent of diplomatic or economic relations.

16. Ukraine (debate)

President. We shall proceed to the next item on the agenda. This is the Council and Commission statements on Ukraine.

Günter Gloser, President-in-Office of the Council. (DE) Mr President, Commissioner, honourable Members, we very much welcome your decision to put discussion of the current situation in Ukraine and also the European Union's relations with that country on the agenda. Ukraine's importance in terms of European stability is not to be underestimated, and so I am glad of the opportunity to express the Council Presidency's position with regard to it.

The Orange Revolution was an impressive demonstration of the power of civil society movements in Eastern Europe, and the democratic parliamentary elections in March 2006, being largely free and fair, were an example for other states in the region to follow.

This is not, however, the first time that Ukraine has found itself at a very difficult point in the course of its difficult process of transition and transformation. It has experienced the Orange Revolution, which was in itself the critical culmination of a political dispute, followed by the political wrangling and difficulties relating to the formation of a coalition and a government following the March 2006 parliamentary elections, which were a debate on the country's internal and external orientation, and now President Yushchenko's decree of 2 April 2007 dissolving the parliament, together with the refusal by the government and parliament to obey it.

The attitude of both sides is causing considerable constitutional misgivings in Ukraine itself, with the Ukrainian parliament appealing to the constitutional court to rule on the constitutionality of the President's decree dissolving it.

While the Council is of course following events in Kiev with close attention, they are also a cause of great concern to it. The European Union has been in close contact with both parties in the conflict since

the crisis broke; Mr Solana has spoken with them on several occasions and has made them aware of the European Union's position, and our Presidency, on the day after the decree of dissolution was published, urged moderation and readiness for dialogue on the basis of democratic rules and the Ukrainian constitution. Our Presidency has also been in close contact with the groups involved in the crisis and with protagonists on both sides, and the European Union will build on those contacts.

The Ukrainian constitutional court has been presented with a difficult task, and will be able to perform it only if it is enabled to come to a decision on the constitutionality of the dissolution of parliament without being made subject to external pressure. If the political crisis is to have a long-term solution, however, political compromises will be necessary, and so we are glad to see that both President Yushchenko and Prime Minister Yanukovich are no less willing to engage in dialogue than they were, and welcome the assurances given by both sides to the effect that violence is not even being considered as a means of settling the conflict. Our expectation is that both sides will abide by their public statements and the assurances given by them to the European Union in order to prevent any further escalation of the crisis.

Whatever changes may come about in the political environment in Kiev, democracy, free and fair elections, the free expression of opinion and the freedom of the press remain the basis underpinning political and social life, and that is one reason why we are confident that Ukraine will find a way out of this political crisis that is consistent with our shared conceptions of democracy and of the rule of law, one that will enable Ukraine to continue to be able to count on the support of the European Union.

Vladimír Špidla, *Member of the Commission*. (DE) Mr President, honourable Members, I thank you for the invitation to make a statement on relations between the European Union and Ukraine. This debate is of the utmost importance and is of greater contemporary relevance than ever for various reasons, one of which is the fact that we, on 5 March, commenced negotiations on a new and extended agreement that is intended to put our relations with Ukraine on a new footing.

Another is the way in which the domestic political situation in Ukraine is developing. It is of the utmost importance in terms of the further entrenchment of democratic conditions in that country and of the continuity of its reform process that a solution be found to the present crisis. The Commission has kept an attentive eye on the latest developments in Ukrainian domestic politics, observing with concern the way in which President Yushchenko's dissolution of parliament has resulted in deeper division between him and Mr Yanukovich, the Prime Minister.

It matters a great deal to us that Ukraine should pursue its course of reform, moving closer to complete democratisation, stability and prosperity. Ukraine, and its future in Europe, depend absolutely on stability, which is vital to the European Union too, for it, along with prosperity, is what we need in the countries around us.

What is happening at the moment is that the maturity of Ukrainian democracy is being tested. Mr Barroso, the President of the Commission said, when he met President Yushchenko last week, that there was, in a democracy, no political problem for which a political solution in harmony with the law could not be found, and the frank political debate and the – so far – largely peaceful demonstrations on the streets of Kiev are evidence of the fact that the Ukrainian people understand that internal political disputes have to be settled in a responsible and democratic manner.

What is crucial is that all the relevant political forces should work together in a constructive manner and work honestly towards a political solution, adhering completely, as they do so, to the principles of democracy and of the rule of law, and all of them must obey the democratic ground rules, take action to deal with corruption, respect the independence of the Constitutional Court and obey its rulings.

Ukraine is also in need of a long-term process – one in which everyone can take part and which will lead to a constitutional reform founded on a new-style political compromise – that will equip the political system with clear mechanisms of control and regulation. While it cannot be part of the European Union's role to intervene in this crisis by mediating directly between factions, we can and should appeal to the cautious and rational instincts of all those involved in Ukrainian politics in urging them to hammer out a compromise together.

That is the message we should be sending out in the confidence that the young Ukrainian democracy will pass this test and that its politicians will continue to work for the good of the country and for its future relations with the European Union. Since what was known as the 'orange revolution' and the

adoption of the EU/Ukraine action plan, the EU and Ukraine have come much closer together, and relations between them have improved.

Ukraine is an example of just how successful the European neighbourhood policy can be; our political dialogue has deepened to an appreciable degree, and there has been a constant increase in the sectors in which we cooperate. We have decided to increase the support grant under the new European neighbourhood and partnership instrument to EUR 120 million per annum, have initialled the agreement on visa facilitation and returns, and, on the trade front, are preparing extensive measures that, taken together with the new and wider-ranging agreement, will move us closer to a free trade zone.

We have just started to do something about putting our relations on an even closer footing, for it was on 5 March that the Commission commenced negotiations with Ukraine on the new and extended agreement, which, it is intended, should, when concluded, reflect the significance of relations between us and open up new perspectives, among them the prospect of a deeper partnership in the energy sector.

A second round of negotiations followed in Kiev on 2 and 3 April. The talks progressed to our complete satisfaction, in that it proved possible to achieve substantial progress, and the Ukrainian side demonstrated considerable commitment to them. It is the Commission's intention that the negotiations on the new and extended agreement should be continued as planned, for Ukraine is a key partner for the European Union, and we continue in our firm determination to further develop and put on an even firmer footing our relations with this important neighbour.

Jacek Saryusz-Wolski, *on behalf of the PPE-DE Group*. – Mr President, President-in-Office, Commission, the political crisis in Kiev is a matter of concern to those who welcome the political progress made since the Orange Revolution. Let me remind those here of the leading and pioneering role played by Parliament in 2004.

It is vital that today's situation be resolved in line with the rule of law and democratic principles consistent with European values and, above all, in accordance with the democratically expressed wishes of the Ukrainian people.

In my view, we could have done more to prevent this crisis from developing, notably by providing more substantial moral and financial support to help Ukraine overcome the very difficult political legacy of its Soviet past.

We must devote every effort to the task of nurturing and encouraging Ukraine's democratic gains. It is now time for Europe to engage in a more committed and consistent manner. A new enhanced agreement should establish relations between the EU and Ukraine on a new, reinforced basis commensurate with the challenges posed by reality.

The European Union must understand and acknowledge the context in which this crisis has arisen. There is little use calling for Ukraine's leaders to reach a sensible internal settlement when not all the sides in the conflict are willing to share power, and the normal constitutional mechanisms have fallen into disrepair.

Some may use the crisis in Ukraine as a pretext for not doing anything, claiming that the situation there creates an obstacle to more serious engagement on our part. That is exactly the opposite of what we should do. The difficult internal situation is a challenge to the Union to set out a practical course of engagement for resolving the crisis, which might as such have wider implications for Europe. It is high time to do more for Ukraine. Tangible progress has been made since the Orange Revolution, but may be wasted if it is not further pursued. Let us support Ukraine in its European choice.

Jan Marinus Wiersma, *on behalf of the PSE Group*. – (NL) Mr President, we too are worried about the ongoing political instability in Ukraine. The situation that has arisen out of a conflict between the President and parliament is not doing the country any favours, and will undoubtedly affect cooperation between it and the European Union. As long as the country is in a constitutional impasse, it will be difficult to hold further discussions on closer cooperation, let alone to make concrete progress.

I do not think, though, that we should be persuaded to think that this crisis could cancel out the results of the drastic events of the winter of 2005 and 2006, when the Orange Revolution brought about fundamental democratisation of Ukraine, so that it is today a considerably different country from what it was before that, and the European Union has played a major, helpful role in this. At the same time, though, it has to be said that this Orange Revolution has not managed to bridge the huge divisions in

Ukraine, and there is as yet no consensus on the course that the country should take. The current conflict is an expression of discord within it. It also reflects the apparent failure, at any time, to strike a balance between the role of the different political players, the power of the different institutions and the varying views of the country's future.

It is not in the first instance up to us to choose sides now. At this moment in time, the case is already before the Constitutional Court in Kiev, and at this moment in time, I cannot see any really good reason to doubt its ability to pronounce a correct verdict about the right institutional balance, for it has proven before that it can act independently. The lion's share of the responsibility, however, lies with the political players and the political class.

Without a compromise on their part, a constitutional solution will not work either, so they will have to do everything in their power to invest in a compromise that brings the groups closer together rather than driving them further apart. This is where the European players can, and indeed must, play a mediating role, and I welcome the comment Mr Gloser made in this connection.

It is in our interest too, because muddling along as they currently are not only produces losers in Ukraine, it also turns the EU into a loser, because we can only play our role there with some difficulty. The challenge is now to overcome internal inconsistencies, so that they can carry on with the reforms needed to forge closer ties with the EU, and to flesh out Ukraine's own ambition of becoming a Member State of the European Union. This is the only credible basis on which the ambition that all political parties have in common can be achieved.

István Szent-Iványi, on behalf of the ALDE Group. – (HU) The Ukraine is a strategically important partner of the European Union. We have a fundamental interest in the Ukraine being a stable and democratic country with a functioning market economy. This is why we supported and followed with great hope the events of the Orange Revolution. Unfortunately, the period since then has proven that the country's democratic, social and economic transformation is much more complex and contradictory than we had hoped. The current crisis is another sign that this is the case. The crisis in the Ukraine is fundamentally a matter of internal politics, and therefore the solution will have to be found within the Ukrainian internal political sphere, by Ukrainian politicians, through peaceful negotiations.

We can help in this by our active neutrality. We are neutral with regard to the parties to the debate, but not with regard to the outcome of the debate. For it is in our interest that ultimately the Ukraine be a stable, democratic state governed by the rule of law and nurturing close relations with Europe.

We cannot expect much from the Ukrainian Constitutional Court by way of providing a solution to the conflict, since it is itself a part of the problem. The greatest responsibility therefore rests on the internal political forces within the Ukraine and on the country's politicians. At the moment there are discussions between the European Union and the Ukraine with a view to closer collaboration. These discussions are moving along smoothly.

Our interests are that these discussions meet with success as soon as possible, but the leaders of the Ukraine have to understand that ties between their country and the European Union will only be strong if the Ukraine finds its way back to the path from which the recent crisis has diverted it. Therefore we emphasise that a solution to the internal crisis has to be found as quickly as possible by means of peaceful negotiations, and that we are happy to be of assistance in seeking such a solution. We will assist any process that leads to the consolidation of a democratic Ukraine.

Guntars Krasts, on behalf of the UEN Group. – (LV) Thank you, Mr President. The development of events in Ukraine is of particular interest to the European Parliament, and not only because Ukraine is a state neighbouring Europe. Although Ukraine, at least in the near future, is not regarded as an applicant country to the European Union, nonetheless the successful development of democratic processes and the growing economic potential of the country in the medium term does not rule out such a possibility. The development of democratic processes in Ukraine, its integration into the world economy and the multi-faceted development of relations with the European Union created strong foundations for steering the country's internal political contradictions towards constructive solutions and for uniting Ukrainian society. The current political crisis is a touchstone for the degree of development of democracy in Ukraine and its resolution will determine the direction of the country's future development. The European Union must encourage the movement of Ukraine's warring political factions in the direction of compromise. Political rivals need to be able to reach an agreement on eliminating shortcomings in constitutional reform, in order for these reforms to be directed towards preserving the balance between

institutions of the national government and in order to ensure the stability of the state's political system. Solutions to the political crisis should be based on democratic methods, including early elections, which would give the Ukrainian people the final word in the resolution of the political crisis. Thank you.

Rebecca Harms, on behalf of the Verts/ALE Group. – (DE) Mr President, if you want to judge how far Ukraine has progressed in becoming a democracy, all you have to do these days is to look at Moscow and Kiev both at the same time; a comparison between them shows that light years separate the two in terms of respect for democracy, and that, confusion and disorder notwithstanding, it is in a much more stable state in Kiev than one could have hoped three or four years ago.

It is because Europe – as everyone who has spoken so far has said – has such a great interest in Ukraine's development as a stable democracy that I do not want to take a neutral view of President Yushchenko's decision; I think he is right in his political reasoning behind the calling of new elections. If a political force such as the Party of Regions announces its desire to unite under its banner three hundred votes in the Ukrainian Parliament, then the President is perfectly entitled to declare that they, if they want that sort of majority, will have to seek it through the ballot box.

I believe that these elections are necessary, that President Yushchenko was right to bring political matters to a head, and that this is in Europe's interests too, but, when these new elections are actually held, all the parties must accept their outcome and do much more to make the constitutional reforms, which have been promised for so long and put on the back burner, actually happen.

Something I would like to add for the benefit of the Members from Poland, since Warsaw is Ukraine's principal advocate in the EU, is that Warsaw, where Ukraine is concerned, really is being very continental, very European, in its approach, and I wish that our Polish Members – with whom I share many points of agreement – would show evidence of this European approach, this continental thinking in other matters of dispute, for that would make it possible for us, once more, to pursue a good Eastern policy, not only in Ukraine, but also in other countries to the East of us.

Helmuth Markov, on behalf of the GUE/NGL Group. – (DE) Mr President, Mr President-in-Office of the Council, Commissioner, if the president of a state is to dissolve its parliament, it goes without saying that he has to do that in accordance with the rules laid down in that state's constitution, and, just as President Yushchenko is perfectly entitled to do that under Article 90 of the Ukrainian constitution, which lays down in clear and precise terms the conditions under which a parliament can be dissolved, in the same way, the parliament itself has the right to appeal to the Constitutional Court and say that it takes a different view, that this article is not being applied consistently with the text of the constitution. That is why democratic societies have the separation of the powers, which guarantees that, at the end of the day, it is the judicial power that determines how the text is to be interpreted. That is, then, in the first instance, a legal opinion rather than a political one.

By the same token, any member of parliament is perfectly entitled to pass moral judgment on whether or not it is a good thing when members change sides, and I would like to remind you that groups in this House, too, have been formed and reformed, that members of it have left one group and joined another; such a thing is perfectly normal in many countries within the European Union.

Members of the Ukrainian parliament do not take instructions directly from those who elect them, and, for as long as that is the case, they can be required to take moral responsibility, but cannot be pursued in the courts.

Mrs Harms is right; there is a very considerable difference between Moscow and Kiev, and I would ask her to call to mind how the late Boris Yeltsin, when he was the Russian President, had troops fire on the Russian Parliament for not doing what he wanted it to do. That sort of thing is not happening in Ukraine, where there are democratic forces to prevent it, and a good job too!

What I find intermittently disturbing in this debate is that we are in too much of a hurry to pigeon-hole the rival parties, making the assumption that President Yushchenko is the one the European Union can do business with, that the Prime Minister, Mr Yanukovych, is Russia's protégé and represents Russian interests, that it is obvious that the two are of different nationalities, the one being Ukrainian and the other Russian. The fact is, though, that they are both Ukrainian citizens and both of them represent that country's interests; that they differ in their ideas as to how they should go about that is perfectly normal and is regarded as such in every Member State of the European Union.

I think, then, that there are four things we have to do. Firstly, we have to ask that the decision from the Constitutional Court be forthcoming in the immediate future. Secondly, we should be thinking and talking about the possibility of sending a delegation to Ukraine. Thirdly, it might also be possible to invite all the groups in the *Verkhovna Rada* to come here and have a debate. Fourthly, we could also invite the sparring protagonists to come here on the same day in order to debate the matter together; we do not want to have Mr Yanukovych coming here on one day, with Mrs Timoshenko arriving on the next, and Mr Yushchenko turning up the day after that, when what we want instead is a joint debate.

(The President cut off the speaker.)

Bastiaan Belder, *on behalf of the IND/DEM Group.* – (NL) Mr President, as I see it, the future of the European Union and that of Ukraine are politically intertwined. The EU of the 27 will need to nail its colours to the constitutional mast about its geographical scope and its external borders, which should, in principle, extend to include a European country such as Ukraine.

This clarity would also open up Ukraine's European future prospects, which is undoubtedly a huge incentive for the Ukrainian reform forces, and in fact, an honest choice for all Ukrainian citizens.

Given the general political crisis situation in which Ukraine is currently embroiled, all this still seems far removed from reality. Kiev's discord, however, requires at this stage a powerful and creative contribution from Brussels within the framework of European neighbourhood policy. For the sake of sustainable stability along our own eastern border, the Council and Commission cannot afford to wash their hands of the Ukrainian crisis. How would you reconcile these strategic interests of the Union with a beckoning prospect for Ukraine?

Charles Tannock (PPE-DE). – Mr President, I was privileged to observe the 2006 Ukrainian Parliamentary election, which was held in exemplary fashion. Regrettably, the outcome then produced neither a stable government nor a climate of financial probity amongst many of the *Verkhovna Rada* MPs, who had little interest in politics and really only a vested interest to protect their business interests or avoid prosecution by acquiring parliamentary immunity. I was therefore not surprised to hear the allegations that MPs were being bribed large sums to cross the floor in an attempt by the governing coalition to achieve the magical 300 seats, or constitutional majority, required to finally strip President Yushchenko of his remaining powers.

I personally have always championed Ukraine's intrinsic right under Article 49 of the Treaty to apply for EU membership. That is still some way off, given enlargement fatigue and the fear by some Member States of offending Russia. Nevertheless, I believe the Council missed a trick in not granting Ukraine, in the heady days of the Orange Revolution, the same status as western Balkan countries like Albania of being called a potential candidate for eventual EU accession. This would have been a great carrot to Westernising democratic reformist forces. It is very regretful that this did not happen.

I believe Ukraine will come through this most recent constitutional crisis without violence and fully respect European norms of democracy, human rights and the rule of law. I strongly condemn the alleged attempts to intimidate the Constitutional Court judges in their legal deliberations over the legitimacy of President Yushchenko's dissolution of the *Verkhovna Rada*. In the meantime, I welcome EU plans for a free-trade and visa-facilitated travel area after Ukraine joins the WTO. Ideally, in 2008 the expiring PCA should be replaced by an association agreement. Either way, Ukrainians must be brought closer to the European Union, where they rightfully belong. It is clear to me that the enduring legacy of the Orange Revolution, namely a free press and democratic elections, remains intact.

Adrian Severin (PSE). – Mr President, the essence of the crisis in Ukraine lies in the difference between the views of the political players regarding the check and balance mechanisms and separation of powers. The crisis is fuelled by weaknesses in the interinstitutional equilibrium and how state institutions function.

The European Union should play its part and assume responsibility, since it did not do much to prevent the democratic deficit or the fragility of democracy which led to this crisis.

The good news is that parties now seem to be negotiating and there is a prospect of compromise. We should not take sides. It is wrong to view the Ukrainian people as being pro-Western or otherwise. I think that we ought to assess them not by their rhetoric but by their deeds, in accordance with our values.

At the same time, we should at all costs avoid personal initiatives which could be misleading or be misused. Likewise, we must avoid approaching the situation in Ukraine with national agendas in mind, and avoid competition within the European Union or Parliament which would be counterproductive.

On the other hand, we should not be indifferent to certain values. As I mentioned, we have particular values which we are entitled to put forward when approaching this crisis.

We have to encourage all players to show a spirit of compromise, respect for the rule of law and democracy. We should also ask them to accept the Constitutional Court's decisions, even if it is not yet fully functional.

We have to encourage them to negotiate a package of constitutional modifications and improvements, preferably to be agreed before the Constitutional Court issues its decision.

Parliament's delegation for relations between the European Union and Ukraine is in permanent contact with those concerned and is prepared to help. We made it clear that the outcome will be a test of Ukraine's ability to cooperate with the European Union and integrate with our structures.

We have also stated that one should not sacrifice the rule of law for the sake of a better institutional equilibrium or vice versa. On the other hand, we should look at ourselves. Do we have a clear vision of the future status of relations between the European Union and Ukraine? Do we really know what kind of state Ukraine should be? Did we express our expectations clearly enough? Do we have a strategy on how we ought to promote cooperation between Ukraine and the European Union? Do we have a plan on how we could draw Ukraine and its Euro-sceptics towards us? Are we interactive, not just reactive? I am afraid the answer to many of these questions could be 'no'.

If we do not change the approach, I am afraid that the prospects are dubious, to say the least.

Grażyna Staniszevska (ALDE). – *(PL)* Mr President, the European Parliament committed itself closely to Ukraine during the Orange Revolution. We were greatly moved by the call from Kiev's Independence Square for respect for human dignity, for a democratic country based on rule of law, for a country free of financial and political corruption. It was the Ukraine we had all been waiting for.

From the platform of this House I now appeal to both sides of the conflict in Ukraine – president Yushchenko and Yulia Tymoshenko, both symbols of the Orange Revolution, and to premier Yanukovich, representative of the ruling coalition – to resolve this crisis through negotiation.

Compromise is something that is greatly prized in the EU, it is a value which has repeatedly proved its worth in avoiding conflict. It is good that today both sides have sat down at the negotiating table. We hope that the negotiations will end soon, and with success. Here in the European Parliament, we would like to continue to have the grounds and the conviction for declaring that we are open to the European aspirations of the Ukrainians.

Jerzy Buzek (PPE-DE). – *(PL)* Mr President, three years ago we rightly supported democratic change in Ukraine. Today Ukraine has media freedom and more efficient democratic institutions. It is now up to the Ukrainians themselves to decide where their country will go next, and how to resolve democratic stresses and crises. But that does not mean that we should just sit idly by. By supporting the changes in Ukraine, we took on certain moral obligations, and it is our job to maintain good relations with the country.

So firstly, we must begin serious negotiations with Ukraine on closer energy cooperation. This will help us secure supplies of oil and gas to the EU via Ukraine and independently of Russia.

Secondly, some active investment is needed in Ukraine, above all in oil and gas pipelines which have been short of funding or which are incomplete.

Thirdly, we need an EU diplomatic offensive among the Caspian states which are potential suppliers of oil and gas to the EU via Ukraine.

Fourthly and most importantly, we must conduct an open-door policy to Ukraine and treat it as our closest strategic partner and a future EU member. This will be a way of providing true support for an independent, stable and democratic Ukraine with a free market. It is up to us, and it is our duty to make it work.

Günter Gloser, *President-in-Office of the Council*. (DE) Mr President, Commissioner, ladies and gentlemen, we agree on many points where the assessment of the situation in Ukraine is concerned, and I agree with the many of you who have said, in the course of this debate, that it is now the people in positions of political power who must have their say, that it is they who have to take the decisions, that they must do so with respect for the institutions now established in that country – of which the Constitutional Court is one – and that they must not be put under pressure when they do so.

It is not appropriate, at the present time, that the European Union should play some sort of mediating role; on the contrary, this is, in the first instance, an internal issue in which the persons responsible – the state's President and Prime Minister – must reach some sort of accommodation with one another and find a way out of the crisis. On the other hand, however – and Commissioner Špidla made this perfectly clear – the European Union has itself shown that the way to closer cooperation is through the commencement of negotiations and that Ukraine has the choice of many courses of action as it pursues its economic and political development. It is that way that we should make our own over the coming weeks.

As I have mentioned, Mr Solana is in close contact with both groups, and it is important that we should not keep our distance, but should instead, so to speak, maintain a neutral attitude as regards what others have to do in Ukraine.

I do hope, though, that the people of Ukraine will find the prospect that the European Union has held out to them acceptable. I am put in an optimistic frame of mind when I note that neither political camp has lost sight of the road that leads to Europe and that that is something on which they agree.

IN THE CHAIR: MRS ROTHE

Vice-President

Vladimír Špidla, *Member of the Commission*. (DE) Madam President, honourable Members, the Commission fundamentally agrees with the assessment your House has given of the current political crisis and welcomes the prudent approach it has so far adopted to the present situation. For our own part, we will keep an eye on the further progress of the crisis and play our part by encouraging those in positions of responsibility in Ukraine to see long-term political compromise in the interests of their country.

As has already been emphasised, the Commission continues to give firm backing to negotiations on the newly-extended agreement and sees Ukraine as one of our key partners, to which we are wholeheartedly committed. We will follow with interest the ongoing debate in your House on Ukraine and now look forward to the final version of the Kamiński report.

President. The debate is closed.

17. Homophobia in Europe (debate)

President. The next item is the statements by the Council and the Commission on homophobia in Europe.

I have to inform you that the Union for a Europe of the Nations Group has tabled a motion to omit this debate on the grounds of inadmissibility. Mr Szymański is to speak in defence of this motion and now has the floor.

Konrad Szymański (UEN). (PL) Madam President, I ask the motion for the debate on homophobia be declared inadmissible pursuant to Article 167 of our rules of procedure. The grounds are that this House was misled as to the grounds for the debate, which is to discuss a bill that has never existed, does not exist and will not exist, as was quite clearly stated by the Polish premier.

The proposal is to discuss the statements of certain Polish politicians, which the Polish premier corrected by stating quite clearly that the Polish Government has not proposed any kind of discriminatory policy against homosexual circles. In my view this should suffice to withdraw the motion for a debate on this issue, as the grounds for the debate do not exist.

Manfred Weber, *on behalf of the PPE-DE Group*. – (DE) Madam President, where anti-discrimination is concerned, the Group of the European People's Party (Christian Democrats) and European Democrats' position is perfectly clear; it unequivocally endorses the decisions taken by this honourable House and expressed by it in various resolutions and legal acts.

Having discussed the Polish minister's utterances in the House's Committee on Civil Liberties, Justice and Home Affairs, we asked the House's legal service to give us some idea of what importance should be attached to them and whether or not they were contrary to European law. The legal service replied that it regretted its inability to give an opinion, as this was not a legal matter, and that is the very point made by our friend from the Union for Europe of the Nations Group.

The Group of the European People's Party would like to see this issue taken seriously, and so we have moved that our agency recently formed to deal with these matters be mandated to monitor developments in this area and keep a close watch on them. I would like to make it clear that, while the Group of the European People's Party endorses these decisions, we do believe that there is no reason to bring these matters before Parliament again, and it is for that reason that we are in favour of deleting this item from the agenda.

Kathelijne Maria Buitenweg, *on behalf of the Verts/ALE Group*. – Madam President, I think that the PPE-DE Group also knows that today we are not just talking about one statement by one Minister. It is a much broader debate. I think it is obvious to the majority in this House that this motion has only been put forward because some people do not want to discuss discrimination against homosexuals. However, we are politicians in a democracy and if you do not like a resolution, you simply vote against it.

I cannot understand why this should be inadmissible. Next time we will declare a debate about the internal market as inadmissible! The topic falls within the remit of the European Union. Equal rights are at the core of the European Union. Since the Treaty of Amsterdam – I do not know whether everyone is aware – Article 13 stipulates that we have a role in anti-discrimination legislation. It is not the first time that we have discussed homophobia and nor, unfortunately, will it be the last.

My point is that it is very clear: it is admissible because it falls within our remit. The only reason it can be otherwise is because you do not wish to discuss it. Let us debate it this afternoon and take account of it when we vote, but let us not distort a debate.

(Applause)

(The motion of inadmissibility was rejected.)

Günter Gloser, *President-in-Office of the Council*. (DE) Madam President, Commissioner, honourable Members, 'Europe – succeeding together!' is the motto that the German Presidency of the EU has chosen as its watchword; 'Europe – succeeding together' – but what does that mean? It did mean that we, in Europe, have to keep on reminding ourselves of what is positive and good about diversity, respect, recognition and tolerance, because diversity, respect, recognition and tolerance are the core values upon which is founded the Europe in which we share.

At first sight, it would appear that those whose orientation is towards their own sex are today accepted and tolerated more widely than ever, and the work of associations plays a vital part in this, for movements of lesbians and gay men are ever better organised and encourage their members to affirm their sexual orientation openly. Following as it does centuries of institutionalised discrimination, that is a heartening development. I speak for Germany, and our history has given us a particular responsibility, in that, 60 years ago, homosexuals were among those who fell victim to the National Socialist machinery of extermination.

If one takes a second look, it rapidly becomes evident that homophobia is still very much alive and kicking in many parts of Europe, and current events show that in ways that make us ashamed. Homosexuals are still exposed to prejudices, intolerance and officially sanctioned discrimination, and hate-filled tirades and acts of violence against sexual minorities are daily occurrences, often going unpunished by the criminal law.

In this regard, I can wholeheartedly endorse the words of Hans Winkler, who, speaking to your House as a representative of the Austrian Presidency of the Council not quite a year ago, stressed that: 'Wherever the safety and dignity of any man or woman living in the European Union are in jeopardy, so are the

safety and dignity of all of us, and with it the credibility of our Union and its principles and institutions.' That is still true today.

(Applause)

Discrimination against homosexuals is a problem against which we have to bring all the means at our disposal to bear. Fighting homophobia calls for perseverance. Continuous work is needed in order to progressively demolish the walls of prejudice and intolerance in people's heads, while, at the same time, there is a need for the building of new structures founded on acceptance, equality and respect. To be sure, people's thinking cannot be changed overnight, but official positions and laws can be, and must be, changed if fundamental human rights are to be protected, and in this regard we, in Europe, have already taken a great step forwards.

The European Union is founded upon the principles of freedom, democracy, and respect for human rights and fundamental freedoms. To be specific, Article 13 of the European Communities Treaty, and also Article 21 of the EU's Charter of Fundamental Rights explicitly forbid any form of discrimination on the basis of sexual orientation, and, over and above that, the EU's Member States, as members of the Council of Europe, have committed themselves to adhere to the European Convention on Human Rights.

Ever since the entry into force of the Treaty of Amsterdam in 1997, the European Union has been empowered to address discrimination on a wide range of grounds, including discrimination by reason of sexual orientation. Since then, the European Union has, by adopting the equality directives, put in place a wide range of regulations making it possible to take action against discrimination right across the European Union; in the world of work, for example, an EU directive has prohibited discrimination on the grounds of religious belief, handicap, or sexual orientation.

We may well already have made considerable progress in changing the legal position on protection from discrimination and on the promotion of equal opportunities across the EU, but that is no reason for us to rest on our laurels, for even the best-drafted legislation avails nothing if the political will that it be consistently implemented is not strong enough and it is not supported by the population as a whole.

(Applause)

This is where there is work for the Commission to do, because its task is to monitor whether directives such as the ones I have mentioned are transposed properly and in good time by the Member States, and the newly-established Fundamental Rights Agency will in future be giving it additional support in this, as soon as it is fully up and running. Even so, I have to emphasise that responsibility does not lie with the Commission alone.

We, too, as people in positions of political leadership in the EU or at national or regional level, can and must give a good example by promoting tolerance, understanding, mutual respect and peaceful coexistence, and we also need to keep a watchful eye on the Commission's monitoring activities in the countries that are candidates for accession or have the potential to be such. Accession negotiations no less than stabilisation and association agreements require that all conditions be fulfilled, and that includes specifically those applicable to the human rights of sexual minorities.

At the end of the day, we have to influence the way people think, in order that the walls of prejudice and intolerance in their heads may be brought down, and I am glad that the joint initiative of the Commission and the German Presidency of the Council made it possible for the first European Equality Summit to be held in Berlin on 30 and 31 January, marking the inauguration of the 'European Year of Equal Opportunities for All', which offers a unique opportunity to promote a more solidarity-based society and to mobilise everyone concerned in order to drive forward the European Union's new Framework Strategy on Non-Discrimination and Equal Opportunities, both now and after 2007.

The intention behind the programme is that the public be made more aware of the right to equal treatment and of the ways in which discrimination is combated, and to spread the news that everyone is entitled to equal treatment irrespective of their gender, race, ethnic origin, religion or outlook, of any disability they may have, of their age or of their sexual orientation. Let us make use of this opportunity to fight intolerance and discrimination together and to promote diversity, respect, acceptance and tolerance as positive things.

Only if we work together can we ensure that the European Union can claim, with pride, to be 'united in diversity'.

(Applause)

Vladimír Špidla, *Member of the Commission. (CS)* Madam President, honourable Members, I should first like to remind the Chamber that, in my statements on homophobia on 17 January 2006, and on the increase in violence motivated by racism and homophobia in Europe on 14 June 2006, the Commission strongly condemned all forms of homophobia, which represents an attack on human dignity.

The Commission wishes to emphasise its serious commitment, as a matter of principle, to upholding the basic rights on which the EU was founded. The Commission will do everything in its power to fight homophobia. It is necessary to combat discrimination on the grounds of sexual orientation, which is clearly outlawed in Article 21 of the Charter of Fundamental Rights. Furthermore, Article 13 of the Treaty allows for the adoption at a European level of appropriate measures in the fight against discrimination on the grounds of gender.

In the year 2000, the Council adopted a directive, on the basis of Article 13, establishing a general framework for combating discrimination in employment and occupation on several grounds, including sexual orientation. The Commission will monitor the implementation of the directive in all Member States, including Poland. It will not hesitate to take firm action against Member States if directives are not properly implemented. The Commission wishes to point out that in 2005 it launched studies into the current national laws prohibiting all forms of discrimination, including discrimination on the grounds of sexual orientation, in areas other than employment and occupation.

These studies demonstrated that all Member States to which the studies related have in some areas gone further, often much further, than Community law. There are, however, significant discrepancies between Member States as regards the extent of protection. The Commission also stated in its political strategy for 2008 that it will propose fresh initiatives aimed at preventing discrimination in areas other than the labour market, including discrimination on the grounds of sexual orientation.

In this context, in February the Commission launched an impact assessment in order to establish whether further EU intervention is justified in areas other than employment and occupation. The Commission is now carrying out extensive consultation with the general public and with interested parties such as NGOs and social partners. The results of the impact assessment are expected at the end of 2007. The Commission is aware that protection under the law alone is not enough to guarantee the protection of the people concerned. It is also important to fight prejudice and stereotypes.

The European Year of Equal Opportunities for All 2007 establishes the following aims: to inform the citizens of their rights, to support diversity as a benefit, to promote equal opportunities for all in economic, social, cultural and political life. The Commission welcomes the national strategies drawn up by the Member States in the context of the European Year. All countries including Poland have incorporated all grounds of discrimination into their strategies.

The Commission has become aware of the statements made by a member of the Polish Parliament, who has declared his intention to table a proposal for an act that would ban the promotion of homosexuality in schools and in all other youth or leisure organisations. According to information at the Commission's disposal the proposal in question has yet to be drawn up and the statements made by the Polish Government are not binding. This law, were it to materialise, could be in breach of fundamental laws contained in the European convention on human rights and the EU's Charter of Fundamental Rights. It also could be in breach of the principle of non-discrimination in employment and occupation, that is to say, in breach of Directive 2078/EC.

The Commission will monitor further developments closely and will not hesitate to take action in the event of breaches of Community law.

Manfred Weber, *on behalf of the PPE-DE Group. – (DE)* Madam President, ladies and gentlemen, I would like to make clear – perhaps rather more calmly than before – that we in the Group of the European People's Party (Christian Democrats) and European Democrats stand fully behind the European Parliament's resolutions and behind the directives that have been adopted here and which the Commission has described. Europe is an area of the rule of law and we have to defend that.

However, the occasion for today's discussion, namely the statement by this Polish minister, which is unacceptable and which the Group of the European People's Party rejects, is no reason for such a debate. As Commissioner Špidla pointed out, when we discussed discrimination against homosexuals only a few weeks ago we saw that unfortunately some of Europe's politicians say things that are unacceptable and we must fight them by political means.

I would like to say that it should make us stop and think when Polish Members of all groups – and I am thinking in particular of the discussion among the Liberals – have said that what happened in Poland is unacceptable, but that the debate must be conducted primarily in Poland itself and that Poland itself is dealing with the unacceptable things that were said there. It has been said that Poland does not need a Big Brother interfering in its affairs and that they will deal with the matter themselves. That should give us pause for thought. We will do those who are fighting discrimination in Poland as we would wish no favours by making a big issue of it here.

Please therefore accept – and it is a procedural matter we are raising here – that we consider it inappropriate to debate this matter today, because we have enough decisions and directives about it. No to discrimination, No to homophobia in Europe! We therefore propose that our agency should continue to monitor the situation and keep an eye on it. The Group of the European People's Party will act accordingly tomorrow.

Martine Roure, *on behalf of the PSE Group*. – (FR) Madam President, on 16 January 2006, I spoke in this very place to defend the resolution against homophobia. It was not the first time, and I fear that it will not be the last. Indeed, we were hoping to put a stop to the difference in treatment suffered by homosexuals on Union soil, and we fully realise that there is still a long way to go. Let us remember that we are a few days away from the International Day against Homophobia.

The text being submitted to us today mentions not only known cases of homophobia in several EU countries but also, in fact, a declaration by the Polish Deputy Prime Minister. It is not a question of stigmatising this or that government or this or that Member State, but these diatribes reveal this rise in homophobia within the European Union. These remarks reveal, in fact, an unacceptable state of mind, and they are not the remarks of the man in the street. They are those of a member of government.

This needs to stop. We must once again take a stand against these sickening remarks, and I should like, here and now, vigorously to denounce the new revolting and despicable publication by Mr Giertych, a Member of our Parliament, who has just had his second pamphlet distributed, in which he implies that homosexuals are sick. All those who rightly feel hurt by these hateful acts and words and all those young people who discover that they are different, some of whom go so far as to commit suicide, must know that that is not what Europe is about.

We cannot spend our time voting for resolutions designed to fight against the discrimination suffered by homosexuals. In the future, we must think about tools that will enable us to act effectively. From now on, everyone within the Union must shoulder his or her responsibilities.

(Applause from the left)

Sophia in 't Veld, *on behalf of the ALDE Group*. – (NL) Madam President, I should like to clear up a misunderstanding: this resolution is not about Poland, but about homophobia. Unfortunately, Poland does not have the monopoly on homophobia, which is, regrettably, to be found throughout the world. It is a fact, though, that we discussed the problems in Poland one and a half years ago and that they are still there today. As Mrs Roure rightly pointed out a moment ago, it is not just anybody who has made statements of this kind, it is opinion leaders and members of the government who have contributed to a climate in which hatred and violence have become the norm.

Two weeks ago, a homosexual man was beaten to death on the street in my own country – a country that is extremely tolerant and liberal – because somebody thought he looked too effeminate. Beaten to death! Can you imagine? That is the kind of thing that happens in a climate that is created by people who are guilty of making homophobic statements. You cannot say, therefore, that because there is no legislative proposal yet, we do not have a problem. In that respect, I am also delighted that Mr Weber, on behalf of the Group of the European People's Party (Christian Democrats) and European Democrats, as well as the ombudsman, have dissociated themselves so emphatically from the statements of the Polish minister in question.

I would be appreciative if the Council and Commission could respond with a statement that is just as emphatic. As the Commission, and particularly the Council, have said, we do have laws, rules and treaties; all of which are wonderful, but they have not managed to stop these people from making homophobic statements of this kind. We would like to see more action. We would, for example, like the Council to indicate the measures it intends to take in respect of this Education Minister. Will you tolerate that this Education Minister attends meetings of European Education Ministers, or are you prepared to consider suspending him as long as he refuses to distance himself from his statements?

This is the first time that we have made statements of this kind about Member States – plural, because there are several of them in the European Union. We are always keen to point the finger at other countries, but I think that if we take Europe seriously, if we are a community of values, we should put our own house in order first. I hope that this House will, today, send a very strong message to Europe and to the world that these are the values for which we stand.

Konrad Szymański, *on behalf of the UEN Group*. – (PL) Madam President, aggressive behaviour against homosexuals is a problem in many European societies, but it is certainly not the biggest problem. We also have problems with such behaviour on the part of government agencies, such as the police, in Germany, the UK and Italy, for example. Even so, it would never occur to me to debate the matter in the European Parliament and to give advice. The governments of the Member States themselves know best how to deal with such matters.

It is unfortunate that some colleagues here do not think this rule applies to Poland, for example. There can only be one reason for this. This House is being led by the nose by a group of extremist MEPs who are riled by every word of polemics (*applause*) that stipulates or mentions homosexuality. I would like to point out that homosexuals are not outside the scope of criticism. That is the basis of democracy. Submitting so easily to homosexual censorship has become a hallmark of this House. I do not believe that this will do anything to help our authority.

(*Applause*)

Kathalijne Maria Buitenweg, *on behalf of the Verts/ALE Group*. – (NL) Madam President, I should like to start with a word of reassurance for the last speaker – we have most definitely discussed hooliganism in this House before, but this is a different matter altogether, because in the case of hooliganism, the government does not incite the violence, whereas in this case, certainly in the case of Poland, I am beginning to get the feeling that homophobia is something that is – as it were – being staged by the state, certainly if one considers the statements that were made by members of the Polish Government to the effect that ‘homosexuality is demoralising, perverse, a mental disorder and a threat to society’.

I listened very carefully to what Commissioner Špidla had to say to the effect that ‘if a law is proposed, then I will respond’. I appreciate this, and I gather that Commissioner Špidla can see why a law of this kind would constitute a threat to European values and an infringement of European law. Things, however, are already going wrong, and this is something I find lacking in the speech, for governments cannot, of course, make all kinds of unconditional proposals, only then to retract them, with it then being said that there is not really a problem anyway.

After all, something is obviously being set in motion: this sort of thing is, of course, making homophobia more widespread, and the Commissioner is, after all, responsible for compliance with anti-discrimination legislation within the labour market. Surely you do not believe that the concept of equal opportunities within a labour market can survive within a society where homophobia is rife, so what are you proposing to do about this? How do you propose to deal with governments that – to all intents and purposes – promote homophobia? What are the repercussions for the labour market? This is what I would like you to tell us.

Finally, for the benefit of the Group of the European People’s Party (Christian Democrats) and European Democrats, I should like to say that I regret that you have given your backing to the Union for Europe of the Nations Group for what you claim to be merely procedural reasons. It would be great if a whole delegation from Parliament, including your group, could attend a number of gay pride marches in Warsaw, in Riga and in many other countries. I would greatly appreciate it if we could stand there, hand in hand, so that is my invitation to you, and, who knows – it might actually happen.

Giusto Catania, *on behalf of the GUE/NGL Group*. – (IT) Madam President, ladies and gentlemen, I think it would have been extremely hypocritical if the European Parliament had not debated this issue today, that is, if we had not debated the fact that homophobic public displays and statements have increased in Europe in recent years.

The Polish minister's statements are embarrassing and come in the wake of his Government's ban on the Gay Pride celebrations. Despite public indignation, the minister has never withdrawn his very worrying assertions.

Sadly, this is not the only case in Europe. Displays of intolerance are on the increase in our civilised Europe. We often read about incidents of violence against men and women because of their sexual leanings, or we look on helplessly at the increasingly common cases of serious bullying at school, which can even lead young people to commit suicide, as recently happened in Italy.

For that reason, politicians must not show signs of intolerance and they must not issue statements like those the Polish minister made, because by doing so they risk legitimising homophobic attitudes.

This applies not just to politicians but also to the Church authorities, who more and more often do not miss an opportunity to show their aversion to homosexuals, branding them as sinners. No kind of discrimination is acceptable and, more to the point, no discrimination based on sexual orientation is acceptable.

This Parliament rejected Rocco Buttiglione as a Commissioner because of what he said. I think there needs to be a strong message from the Commission, so that it can keep the promises it made to adopt concrete measures against any form of discrimination.

Europe's history and culture owe a great deal to the sensitivity of men and women who have been persecuted by authoritarian regimes and are still criminalised by reactionary and racist cultures in Europe. We owe a great deal to Sappho, Pier Paolo Pasolini, Oscar Wilde, Michel Foucault and André Gide, and it seems to me a serious matter that, if it had been up to these obscurantist cultures, these great artists would never even have had a voice.

I believe, and I hope that Parliament too will agree with me, that a culture that is against homosexuals is unacceptable and should be strongly resisted.

Hélène Goudin, *on behalf of the IND/DEM Group*. – (SV) Madam President, the fact that homophobia is still a problem in Europe in 2007 is deeply unfortunate and alarming. What is still more unfortunate is that there are fellow Members here in this House who, through their clearly homophobic statements, help make the situation worse for homosexuals, bisexuals and transsexuals. They make such statements not only here in the European Parliament but also, to a large extent, on their home territories. One of the consequences of stirring up homophobic feeling is that homosexuals, bisexuals and transsexuals are in danger of being exposed to both physical and psychological violence, as happened at quite a few Gay Pride parades around Europe last year.

What is even worse is when faith and religion are used as excuses for discriminating against EU citizens. You can surely work out what I have in mind. These are medieval values that do not belong in our modern society. Europe in 2007 should be further along the road than that. Let us combat homophobia wherever it occurs: in politics, in the media and in the circles in which we all move.

Philip Claeys, *on behalf of the ITS Group*. – (NL) Madam President, we have already had a debate on homophobia in Europe – it was in January of last year – and, on that occasion, I said, among other things, that nobody in the European Parliament should accept that homosexuals, on account of their orientation, should be disadvantaged, attacked or intimidated in any manner whatever. At the same time, I also warned against the spirit of political correctness which is gradually suffocating the free expression of opinion. Indeed, in addition to homophobia and other phobias, a kind of 'freedom of speech-phobia' is starting to develop, an irrational fear of letting people express their opinions freely. What my group does not like in today's debate and the resolutions that have been submitted, is that one specific Member State is being targeted on the basis of information the accuracy of which is in dispute. This is not the right way to going about things. We should exercise more care in this area so as to prevent the people in that Member State from turning away from the European Union even more.

Michael Cashman (PSE). – Madam President, I rise in sadness, and not in anger. After the Second World War, we still have not learned the lessons. During the 1930s we stood and watched as Jews,

Communists, trade unionists and homosexuals were taken off to the camps. We stood. We said and did nothing.

We have now moved on. I say to those countries that have lived under domination and repression that they, of all countries, should know the value of fundamental human rights, freedom of association, freedom of speech and the right to a private life.

(Applause)

You should be teaching us about fundamental values. That is why we will not hesitate to defend human rights and human rights defenders, wherever they are.

Let me say to anyone who feels under attack wherever they are – and, as a gay man, I could have been born in Poland, Latvia or the Czech Republic in fear of my life, in fear of my job – you are not alone, we are with you and we will win for the simple reason that goodness and justice always succeed in the end.

When we refer to politicians in office and the statements that were made, we are not talking about a one-off statement but rather a series of statements that have been calculated and made over the years. Hate-speech creates a climate that somehow lives are inferior, that the person poses a threat to society. A climate is created and fear is engendered, rights are under threat. Words once spoken cannot be taken back and the harm that is done continues and the words too often empower the thug, which leads to violence.

I note that Mr Weber says ‘no to homophobia’. However, it is sad that he also says ‘no’ to doing anything about it here in this House today.

Let me finish on this: we will succeed, but that means we have to take up our responsibility to defend human rights and to end human rights abuses, wherever they are.

(Applause)

Jan Jerzy Kulakowski (ALDE). – *(PL)* Madam President, I would like to say a couple of words on behalf of the Polish delegation in the liberal democratic Group of the Alliance of Liberals and Democrats for Europe Group.

Firstly, we accept no form of discrimination, and are for complete tolerance in matters relating to this debate.

Secondly, we would like to stress that there is a big difference between non-discrimination in this area and the promotion of homosexual attitudes. Tolerance yes, non-discrimination yes, but promotion no, because such promotion is not a measure of respect for human rights.

And finally, this is not a political issue, and should not be treated as such. It is a moral issue which is deeply related to pluralism, which should characterise the European Union.

Bogdan Pęk (UEN). – *(PL)* Madam President, those who were so willing to vote on the necessity for this debate just now were just as quick and willing to leave the hall. That is the best illustration that their intentions were not real, but artificial and for political purposes. It is an attempt to persecute a government in a country that does not please various options: liberals, the left, left-wingers, etc.

This I can understand, but, for heaven’s sake, while thousands of pyres were burning in your countries in the not too distant past, those who fled those pyres gathered in Poland. Jews, persecuted throughout Europe, gathered in Poland. Poland is a symbol of tolerance. The attempt being made here to convince the world and Europe that Poland is a hotbed of intolerance towards homosexuals is a huge obscenity and political slander, a cynical ploy to delude public opinion in Europe. I protest against this ploy because it is fundamentally untrue.

(Applause)

Raül Romeva i Rueda (Verts/ALE). – *(ES)* I believe that Mr Cashman has conveyed the sentiment shared by the majority of this House very well and I therefore believe that we must insist once again that we must raise our voices in the face of certain attitudes.

It is not a problem of freedom of expression. The problem is that certain statements that are hostile to sexual freedom come from governmental institutions, States and governments that are part of the European Union, who have signed treaties, such as the European Union Treaty, Article 6 of which clearly defines freedom of choice, including sexual choice.

Let us not confuse propaganda with the right to be free to be what one wants to be at any time, in any circumstance and in any Member States of the European Union.

I therefore believe that these statements, which, as Mr Cashman said quite rightly as well, are not isolated, are part of a tendency, of a calculated strategy to question the fundamental values of the European Union. They cannot go unpunished.

This House had to react – I believe that it is doing so – though, regrettably, I fear that this is not the first time, but we will always insist and, although it is a bore to re-state the obvious, we must continue to do so because – as Mr Cashman also said – we are right and right will prevail.

Witold Tomczak (IND/DEM). – (PL) Madam President, everybody has the right to live and deserves respect and help. That includes misguided and injured people who have succumbed to homosexual inclinations. The solution, however, is neither blind acceptance nor intolerance, but understanding and kindness. The solution is to help sufferers to get better, which is what is expected of us.

To accept homosexuality as something natural and normal is to glorify pain and suffering. It is erroneous and dangerous political correctness. Homosexual acts are against the laws of nature, because they preclude the gift of life. Propagating them is an attack on the family and leads to abnormalities.

Dear Europeans, instead of levelling unfair criticism at Poland, you ought to be following Poland's example of morality, tolerance and normality. In this country, *Coming out Straight. Understanding and Healing Homosexuality* has been published. The author is Richard Cohen, who freed himself from homosexuality and is now a happy man and a father. Let us benefit from his experience.

To the so-called defenders of human rights who are raising such a fuss today and magnifying the problem I ask – why are you ignoring the moral degradation of the media, discrimination against normal families, why do you shut your eyes to the mass murder of children in their mothers' wombs? Do you realise that by promoting a civilisation of falsehood and death you are bringing about the destruction of Europe?

Józef Pinior (PSE). – (PL) Madam President, the Campaign against Homophobia and the Lambda Association presented a report on the situation in society of bisexual and homosexual people in Poland in the years 2005 and 2006. The report paints a picture of persecution. Every fifth homosexual has been jostled or kicked. Half of those questioned have been insulted, harassed or blackmailed. Harassment has increased in recent times. Of the people who have experienced physical violence, almost 42% had experienced it more than three times in the past five years.

It is with deep regret that I have to confirm that homosexuals today cannot rely on the institutions of the Polish state, ruled by a conservative-nationalist-populist alliance, to afford them effective protection. In many statements representatives of the government openly express an ideology of hatred, intolerance and discrimination against homosexual circles. That is what makes today's resolution so important, my Polish compatriots of the right! For these people, the European Parliament has become a champion of justice, a leading light which keeps alive their hopes that their fundamental citizen's rights, and to a dignified life, will be upheld.

(Applause)

President. Someone wanted to raise a point of order.

Alexander Stubb (PPE-DE). – Madam President, no, I cannot do that because there is not one. I just wanted to say that listening to Mr Tomczak proves exactly why we need a debate on homophobia in this House. Those were the most homophobic statements I have heard in this House for a very long time, and I am truly saddened by them.

(Applause)

Günter Gloser, President-in-Office of the Council. (DE) Madam President, Commissioner, ladies and gentlemen, I would like to take advantage of this debate to come back to a speech which the Council

President made here in this House about a Europe of values and tolerance. It is a very important point that holds true in very many areas.

We have discussed a great deal about various other matters today, directing our gaze to problems outside the European Union. If we do that – and we are right to do so – it is perfectly legitimate also to look at what we have still not put in order in our own House, namely intolerance towards homosexual orientation. I therefore ask you, even if many take a different view on this matter, at least to tolerate there being a debate and to see that it is also important that the Commission should have instruments on the basis of which it can take appropriate action to combat such discrimination.

On behalf of the presidency I can only expressly repeat that it is our duty not to leave this with the Commission or the parliaments alone, but that we must also actively seek to make our society aware of this matter so that such discrimination no longer occurs. I hope today's debate has at least made a small contribution to that.

Vladimír Špidla, *Member of the Commission*. (CS) Ladies and gentlemen, human rights are inalienable rights, and I feel that this is a fundamental value on which the entire European project is based.

Given that we have held a very profound and emotionally-charged debate, I should like to quote exactly what the Polish deputy minister said in his speech. According to the deputy minister, the proposed law will affect all those who promote homosexuality or other deviations. I feel that this detail is a sufficiently clear signal for us to conclude that if the law is adopted it will stigmatise a particular category of people on the grounds of their sexual orientation, and for this reason it is unacceptable from the standpoint of European law.

Ladies and gentlemen, the Commission will do everything in its power to uphold the rights of all citizens in all Member States, and I feel the message has come through strongly from this debate that homophobia is not only a phenomenon affecting some Member States, but rather a universal phenomenon. It is of course true that today we are dealing with a speech made by a member of parliament in a particular country.

President. In conclusion of the debate, four motions for resolutions⁽³⁾ have been submitted pursuant to Rule 103(2) of the Rules of Procedure.

The debate is closed.

The vote will take place on Thursday at 12 noon.

(The sitting was suspended at 5.50 p.m. and resumed at 6 p.m.)

IN THE CHAIR: MRS WALLIS

Vice-President

18. Council Question Time

President. The next item is Question Time (B6-0017/2207).

The following questions are addressed to the Council.

Question No 1 by **Manuel Medina Ortega** (H-0177/07)

Subject: Bolstering the Frontex Agency

What action has the Council taken in order to bolster the operations of the Agency for the Management of External Borders (Frontex), with a view to ensuring that there are no massive influxes of immigrants over the next few months, such as occurred last year?

Günter Gloser, *President-in-Office of the Council*. (DE) I can answer your question as follows, Mr Ortega. In its December 2006 Conclusions, the European Council noted the following: the capacity of the European Agency for Operational Cooperation at the External Borders – the European border

⁽³⁾ See Minutes.

protection agency Frontex – will be rapidly enhanced by ensuring adequate financial and personnel resources and their effective use, establishing procedures for emergency situations, strengthening operational means, reinforcing links with the Immigration Liaison Officer Network and completing the planned review of the Agency and its tasks in 2007.

The Agency's budget for 2007 has been increased appreciably and now stands at a total of EUR 22.2 million. The number of persons employed is also increasing steadily and will total 87 in 2007. Regarding the establishment of procedures for emergency situations, the Council has recently concluded consultations with the European Parliament on a proposal for a Regulation of the European Parliament and of the Council establishing a mechanism for the creation of Rapid Border Intervention Teams and amending the Council Regulation as regards that mechanism. The European Parliament will be voting on the regulation at the end of April. The Justice and Home Affairs Council will then consider the regulation in June.

In addition to sending personnel, Frontex is currently compiling a centralised record, the 'tool box', of the Member States' existing technical equipment for controlling and monitoring the external borders, which they are willing to put at the disposal of another Member State on a voluntary basis and on request. On 15 February 2007, the Council examined the progress made in establishing the 'tool box' and called on the Member States to make an active contribution. The situation was again reviewed at the Council meeting on 19 and 20 April.

The Council Conclusions of 14 and 15 December 2006 invited Frontex, together with the Member States of the region, to establish a permanent Coastal Patrol Network on the European Union's southern maritime borders by mid 2007. The introduction of this network will be an important step for taking action jointly and in particular in coordination with the Member States against illegal immigration on the southern maritime borders. The network will be an effective instrument for countering the growing migratory pressure in the region that is anticipated in the next few weeks and months. The Coastal Patrol Network is planned to commence on 24 May 2007.

Finally, in accordance with the Hague Programme which the European Council adopted on 4 November 2004, the Commission will before the end of 2007 be submitting to the Council an assessment report on the Agency, and in connection with that assessment consideration could be given to the possibility of giving Frontex additional tasks or powers.

Manuel Medina Ortega (PSE). – (ES) Mr President-in-Office of the Council, I would like to acknowledge the work of the Council in this field, and I believe that you have explained it very clearly.

Our only concern, however, is that it appears that the operations that have been set up — specifically ERA 1, ERA 2 and ERA 3 — are interrupted at a particular moment with regard to the protection of the Atlantic maritime border and the feeling is created amongst the public that, being of a temporary nature, protection is purely temporary and there is no permanent protection.

Does the Presidency believe that, by means of these measures, permanent control of this border — currently a sensitive border — can be guaranteed for the whole of the European Union?

Günter Gloser, President-in-Office of the Council. (DE) In the first instance, the protection of external borders is of course the responsibility of the respective Member States. In special situations, however, Frontex can be called in. That is why it was created. That means there may be cases where Frontex does not need to act because the Member State concerned can cope on its own. But of course we want to get the idea across that in particular situations, such as illegal immigration, the European Union will show solidarity — that is what this European initiative was about. Only it cannot be a permanent deployment. Really, Frontex should only act in particular cases.

Alexander Stubb (PPE-DE). – President-in-Office, thank you very much indeed for your answer on how to bolster the Frontex Agency. You talked a lot about having more staff, or in other words having more money. If that is your thesis, how would you recommend that the staff complement of Frontex be enlarged, and how much money should we put into the Frontex budget?

Günter Gloser, President-in-Office of the Council. (DE) I cannot give any definite figures at present, honourable Member. We have set this agency up and we must now see what demands are made of it, what tasks the Member States are able to assume and what tasks can be performed by Frontex. But in the talks on the matter that is still undecided.

At any rate, if I have understood the honourable Member correctly, we must also send out a signal that we have not merely created a pseudo institution, so that the public can see that here the European Union has recognised that it is necessary to have an agency to take effective action. Then of course we must also be able to make the necessary resources available.

President. Question 2 has been withdrawn.

Question No 3 by **Sarah Ludford** (H-0183/07)

Subject: The investigation and prosecution of genocide, crimes against humanity and war crimes

In order to increase the effectiveness of the investigation and prosecution by law enforcement authorities of persons who have committed genocide, crimes against humanity and war crimes, the Council adopted Decision 2002/494/JHA⁽⁴⁾ on setting up a network of contact points on genocide and Decision 2003/335/JHA⁽⁵⁾ on the investigation and prosecution of serious international crimes.

What plans does the Council have to improve the institutional infrastructure of the network, in order to strengthen cooperation among the national authorities and contribute to the creation of a consistent approach by Member States in the fight against impunity for grave international crimes? What is the attitude of the Council regarding a suggestion to establish EUROJUST as the secretariat for the network? Will the Council consider including the network on the agenda of the Article 36 Committee (CATS) meetings so as to ensure a follow up of network conclusions? In light of Article 4 of Council Decision 2003/335/JHA, how will the Council address the current lack of specialised war crimes units within Member States?

Günter Gloser, President-in-Office of the Council. (DE) There is no proposal for improving the institutional infrastructure of the European network of contact points under discussion at the moment. Up until now, the meetings of this network that have been held have been prepared in cooperation with the Council Presidency and General Secretariat. Neither is there any proposal before the Council to set up a secretariat for the network within Eurojust. If such an initiative is put forward, the Council will discuss it.

The Presidency can inform you, honourable Member, that the next meeting of the European network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes will be held on 7 and 8 May. In accordance with existing practice, that meeting's conclusions will be passed to the Article 36 Committee for further discussion.

Under the Council decision of 2003, the establishment of specialised war crimes units is a matter for the Member States. All the Member States have already designated contact points for the investigation of genocide, war crimes or crimes against humanity.

Sarah Ludford (ALDE). – Yes, that is reasonably encouraging. I hope that you will conclude that Eurojust should indeed be a secretariat or at least a contact point. I am glad that there is going to be a meeting in May of the contact group – unfortunately there was none under the last Presidency. Can you assure me that the European Parliament will be informed about the conclusions of that meeting?

As the Council begins the process of developing the post-Hague JHA programme, what steps will be taken to ensure that the EU's commitment to fight impunity from international crimes, genocides, crimes against humanity and war crimes, both within the Union and outside, is included as a vital part of the justice, freedom and security agenda so as to create a single area of justice for victims of the gravest crimes?

Günter Gloser, President-in-Office of the Council. (DE) On the first point, as I have already said, it is important that Parliament should be properly informed about this meeting in accordance with Article 36. In the end, I am not yet in a position to say what conclusions will be drawn from it and how they will be incorporated into what processes. But we will be able to tell that when this first meeting has been held on 7 May.

(4) OJ L 167, 26.6.2002, p. 1.

(5) OJ L 118, 14.5.2003, p. 12.

President. Question No 4 by **Glenis Willmott** (H-0184/07)

Subject: Type 1 diabetes

Type 1 diabetes, a condition most commonly found in children, is a disease which predominantly affects European populations, more so than the much talked about type 2 diabetes. Finland has the highest registered number of sufferers in the world, with the UK ranked fourth on the list. There is little understanding of what causes type 1 diabetes and attention needs to be turned towards ensuring that sufferers can enjoy the best quality of life possible. A timely and accurate diagnosis and effective control is essential for this.

What measures does the Council intend to take to ensure not only that all diabetes sufferers have access to a minimum standard of care across Member States but also to ensure that the insulin pump, widely believed to be the best tool currently available to help well-motivated diabetes sufferers to achieve improved control and quality of life, is available to all those who need it?

Günter Gloser, President-in-Office of the Council. (DE) On this question I would like to say that the right of initiative in the area of public health lies exclusively with the Commission. There is at present no legislative proposal concerning diabetes before the Council. May I point out that under Article 152(4) in conjunction with Article 251 of the EC Treaty such a proposal would fall under the codecision procedure? I would also like to draw your attention to the Council's answer to the written question from 2006.

Glenis Willmott (PSE). – Given that type 1 diabetes predominantly affects children and that poor management of diabetes in children can cause problems in the long run, such as kidney failure, blindness and amputations, what measures can the Council put in place to ensure the provision of appropriate education for the patient and his family, as well as providing education campaigns about the disease, in order to prevent the discrimination that many diabetes sufferers come across?

Günter Gloser, President-in-Office of the Council. (DE) You are quite right to raise the issue of the consequences of type 1 diabetes, especially in children. I would like to point out, however – please do not misunderstand me – that this is primarily a matter for the Member States.

It is, however, important to do research and make discoveries and then to exchange those findings at European level, even if the responsibility for health matters does lie with the Member States. We are talking about the wellbeing and future of children and the right thing to do is to exchange findings promptly and effectively.

Sarah Ludford (ALDE). – The President-in-Office replied that the EU has no legislative competence, which is true, but it has the Framework Programme for Research.

Does the Council believe that the EU is providing enough financial backing for research into type 1 diabetes? My understanding is that scientists believe that a cure for type 1 diabetes is deliverable, although a concerted effort will be required to achieve this. It is probably the worldwide disease for which we have the best chance of finding a cure.

I should add that I must declare an interest, as my husband is the Chairman of the UK arm of the Juvenile Diabetes Research Foundation, which supports research on type 1 diabetes.

Günter Gloser, President-in-Office of the Council. (DE) I entirely agree with you, Mrs Ludford, that we must of course investigate the causes and that requires research. As you say, it is quite possible to investigate and carry out research into this disease under the Seventh Framework Programme for Research.

It is of course up to the Member States to take the first initiative, but this instrument, which is certainly necessary, can be used to start such initiatives under the Seventh Framework Programme for Research.

President. Question No 5 by **Philip Bushill-Matthews** (H-0186/07)

Subject: Provision of child care

Following the Barcelona European Council in 2002, when Member States agreed that by 2010 child care should be available to at least 90% of children between 3 and 6 years old, and at least 33% of children under 3 years of age, and in light of the new Commission communication on demographic

changes within Europe, can the Council report on how close different Member States are to achieving these targets?

Günter Gloser, President-in-Office of the Council. (DE) In its 2007 Spring Report, the Commission noted that the availability of affordable child care is a problem in some Member States, making it difficult to reconcile work and family life. The 2006-2007 Joint Employment Report expressly points out that some Member States have set national targets for child care. These efforts should be recognised. At the same time, however, we should keep an eye on further developments in the Member States to see that the Barcelona Process obligations are complied with.

Philip Bushill-Matthews (PPE-DE). – Thank you, President-in-Office, but with respect that was a very general answer. Perhaps that is all you can provide me with at this stage, but could I ask you to kindly e-mail me any details you have, or indicate how I can obtain a breakdown of details by Member State because, as you rightly say, improving the work/family life balance is a priority and it is in all our interests to ensure that priority is widely shared. I hope that you will in turn encourage your successor Presidency to take it on board as a priority too.

Günter Gloser, President-in-Office of the Council. (DE) A few weeks ago we had a debate against the background of the Alliance for Families and the objectives we set ourselves in Barcelona. In that debate I proposed, on behalf of the Presidency, that a report should be presented next year on how far those objectives had been achieved in the individual Member States. In the meantime, we have also produced a list of criteria on the basis of which this report will be produced in 2008. That is an important point.

I am also pleased to say that child care has featured prominently at a number of conferences in the last few weeks, including in the debate about the Alliance for Families. As you know, I am from Germany and I am familiar with the debate that is currently taking place in our country. We have also found that the problem is not confined to Germany, however.

What can we do, then? So far as best practice is concerned, the experiences and results in achieving those objectives must be set out in the report I mentioned next year.

We will send you the information you require in due course.

Justas Vincas Paleckis (PSE). – (DE) You mentioned Germany, Minister. I would like to know about the position regarding child care in the old and new *Länder*. In my opinion, the fact that the child care situation is particularly bad in the new Member States is a problem for the EU. How do you see this problem?

Günter Gloser, President-in-Office of the Council. (DE) There are of course different trends in the European Union, and there is no need to make a distinction between old and new Member States. We have found that some Member States have developed a sensible infrastructure over many years – it was a political objective – while other countries are lagging behind. The East German *Länder* had a different structure even before reunification, and facilities exist there.

We do of course have another problem to deal with in the East German *Länder*, namely the question of depopulation, of people moving away from particular areas because the economic situation is not as people imagined. In general terms, Germany needs to find a way of providing all-day care and care for small children under three. The German Bundestag is currently discussing how we can meet the targets we set ourselves in Barcelona.

Marie Panayotopoulos-Cassiotou (PPE-DE). – (EL) Madam President, I would like to point out that daycare cannot become a substitute for families; it can only facilitate them. Therefore, I would like to inquire about the quality of the service provided, namely how can it be assured and how can we be certain that the personnel hired by these institutions will be capable of determining possible learning difficulties or other disorders, in order to protect children while growing-up, but also provide them with a solid educational future for the rest of their lives?

Günter Gloser, President-in-Office of the Council. (DE) We are not trying to tell parents that they must put their children in child care facilities; we have simply found that parents – and in some Member States predominantly women – need to have the option of deciding whether they want to pursue an occupation, possibly out of economic necessity. They should then also be provided with suitable child care facilities.

It is not for the Presidency to judge the quality of those facilities or how well they are equipped. Each Member State will itself ensure that the staff are properly trained for the task.

President. Question No 6 by **Marie Panayotopoulos-Cassiotou** (H-0188/07)

Subject: Updating the Directive on 'Television Without Frontiers' and combating violence and discrimination

In the context of updating the Community Directive on audiovisual media, known by the title 'Television Without Frontiers', does the Council intend to adopt a common policy against the use of violence and material offensive to human dignity, in particular when the media target children and young people or the content of their programmes concerns women's issues and disadvantaged social groups?

Is it possible that heightening the awareness of members of the Council in regard to the above matters is of more crucial importance than rules relating to the free market, competition and the international obligations of the Union?

Günter Gloser, *President-in-Office of the Council.* (DE) First, I would like to point out that the amendment to the Television Without Frontiers Directive will be adopted under the codecision procedure. As co-legislator, the European Parliament is just as entitled as the Council to bring influence to bear on the content of the legislation.

The Council has taken account of the particular concerns you raise in revising the directive. In particular, the Council is considering extending the scope of the directive so that appropriate provisions for the protection of minors and a ban on incitement to hatred will also apply to new no-demand services and to services offered over new platforms such as mobile networks and the Internet. The Council envisages that the revised directive will recognise that instruments for co- and self-regulation can make an important contribution to this. As you know, the final scope of the revision will have to be agreed together with Parliament.

I also made clear at yesterday's meeting of Presidents that the Presidency is very keen to work together with the European Parliament to reach a decision quickly.

Marie Panayotopoulos-Cassiotou (PPE-DE). – (EL) Madam President, I would like to specifically ask the representative of the Council on the free market and free competition with regard to these products and the obstacles that may arise from this directive, which prohibits certain products that are hazardous to children.

I would also like to ask if a relevant regulation would be provided for, with regards to trade relations with third countries, so that the imported products can be inspected.

Günter Gloser, *President-in-Office of the Council.* (DE) This matter is still being discussed at present. Of course cross-border transmission also plays a major part. We are continuing to conduct an intensive dialogue with the European Parliament on the important question of how we can protect children and young people from certain products.

Andreas Mölzer (ITS). – (DE) Minister, is there any chance of using this directive to at least get the public sector media in the European Member States to largely stop depicting violence on radio and television?

Günter Gloser, *President-in-Office of the Council.* (DE) First of all, we are not seeking to distinguish between private and public television channels, but to have a general directive for television at European level. I also assume that a number of television stations have taken it upon themselves to ensure that no one is incited to hatred and the like by their programmes.

Danutė Budreikaitė (ALDE). – (LT) The programmes of our local television broadcasters contain a lot of material from the United States. It is precisely from this country that we see plenty of violence and aggressive programmes and films, which have a very bad influence on young people and children. We see events from the life of the United States itself: massacres in schools and universities. Could we have any influence on limiting the amount of this type of material being imported and broadcast in Europe?

Günter Gloser, *President-in-Office of the Council*. (DE) I am not sure that a directive can prevent everything, but in the talks between the Presidency and the European Parliament we are seeking to find ways of reducing the danger to a minimum.

I repeat: we will certainly have to find a balance between so-called freedom of information on the one hand and the protection of children and young people on the other. Of course children must be protected. We will see what the talks can achieve in the next few days.

President. Question No 7 by **Bernd Posselt** (H-0189/07)

Subject: Bringing Macedonia closer to the EU

What possibilities does the Council Presidency see for continuing the process of bringing Macedonia closer to the EU, and what practical progress might be brought about by candidate status for this country in the foreseeable future?

Günter Gloser, *President-in-Office of the Council*. (DE) Mr Posselt, the European Council's decision of 15 and 16 December 2005 to give the Former Yugoslav Republic of Macedonia the status of a candidate country stands in recognition of the country's reform effort so far. The European Council stressed that further steps to bring Macedonia closer to the EU will be considered if the conditions and requirements laid down in the Conclusions are satisfied.

The Commission will keep you informed of these developments in its progress reports. After examining the developments in the Former Yugoslav Republic of Macedonia as set out in the Commission's progress reports, at its meeting on 11 and 12 December last year the Council expressed its regret at the slowing of the pace of reform in 2006.

On 14 and 15 December last year, the European Council reiterated that the individual countries' progress along the road to the European Union depends on the efforts each of them makes to satisfy the Copenhagen Criteria and the conditions of the stabilisation and association process. So far as the Former Yugoslav Republic of Macedonia is concerned, it urged the country to step up the pace of reform in the key areas and to implement the priorities laid down in the European partnership in order to make further progress in the accession process.

The country's government faces great challenges, especially in the areas of police and judicial reform and the fight against corruption. As I stressed here back in March in answer to a question from Ryszard Czarnecki, the questions that remain open must now be tackled quickly. The pace of the accession process therefore depends primarily on the efforts and achievements of the Former Yugoslav Republic of Macedonia itself. The Commission's next progress report will shed light on this. The European Union will continue to actively support the country in making this objective a reality.

Bernd Posselt (PPE-DE). – (DE) Three brief comments on that excellent reply. Firstly, I would like to ask you what the position is with regard to the implementation of the Ohrid Agreement, in particular local government reform. Are you satisfied with the developments in home affairs?

Secondly, what do you think of the future Slovenian Council Presidency's announcement that it will work towards a date?

Thirdly, has there been any easing of tension over the tricky question of the name?

Günter Gloser, *President-in-Office of the Council*. (DE) I will begin with the last point, because I know it is very controversial. It would be best if the two countries concerned could settle the matter between themselves, but they have not yet been able to agree on anything.

Regarding the date, if I have understood you correctly, it was about the Slovenian Presidency. What I said before shows that while the European Council has sent out a signal by giving the country candidate status, we are however still not conducting accession negotiations, hoping that further progress will be made after this debate. I do not think it is right to set a date at this point.

If the conditions are satisfied, if the necessary pace of reform is reached, if the results are there, then the European Council is ready to set definite dates so that the next steps can be started.

So far as the Ohrid Agreement is concerned, Mr Posselt, I am unable to give you a precise assessment of the situation at present, but I will gladly send you the answer later.

Andreas Mölzer (ITS). – (DE) Minister, if Macedonia really does join the EU at some point, it could trigger something of a Babylonian confusion of languages, since that country alone has six official languages. Is the Council really aware of the problem of an impending language explosion?

Günter Gloser, President-in-Office of the Council. (DE) At the Thessaloniki summit the European Union unanimously said that, in view of previous events in the countries of the western Balkans, it is necessary to offer those countries the prospect of accession. That decision was motivated by the desire to bring stability to the region.

All the things you have just raised in connection with the diversity of languages will not have been considered from the outset. The important thing, however, is that we help to bring stability to the region, and the problem you raise is therefore a subordinate point for the time being. In any case, the European Union has already solved quite different problems.

Justas Vincas Paleckis (PSE). – (DE) Do you share the view that the preparation and approval of a new basic treaty or constitutional treaty or simply of a new treaty is a prerequisite for the accession of Macedonia, Croatia or other countries of the western Balkans?

Günter Gloser, President-in-Office of the Council. (DE) We have already discussed the speed of enlargement and of course the limits of enlargement in this House on a number of occasions. But at the same time, in the light of decisions already taken, such as the Thessaloniki decision already mentioned, we have said that the European Union must not become unwieldy if there are further enlargements.

It was already clear that the EU 15 could have done with different structures in order to remain able to act. This is all the more true with 25 or 27 Member States. If there are to be prospects for further accessions, the European Union must first satisfy these requirements, that is be transparent and not be unwieldy.

That is why I am always saying, as the Council President has already said here in Strasbourg, that those who call for accelerated enlargement of the European Union are sometimes the very ones who have difficulties with the Constitutional Treaty. But if we want to bring the accession candidates into the European Union in the short or medium term – and there is every reason to want that on political grounds – then we must of course create the conditions to prevent the European Union from being unwieldy. Those conditions do not exist at present.

President. Question No 8 by **Sajjad Karim** (H-0192/07)

Subject: Darfur

The Sudanese Government continues not only to fail in its responsibility to protect its citizens in Darfur, but continues to support Janjawid militias which, together with Sudanese government forces, bear the largest responsibility for grave violations of human rights and international humanitarian law in this area. In light of the Sudanese Government's recent refusal to administer visas for the United Nations Human Rights Council High-Level Mission to Darfur, which follows consistent objection to the necessary deployment of a UN peacekeeping force, is the Council willing to consider targeted sanctions against Khartoum and is it able to confirm that it is doing everything in its power to press Russia and China to act, as their strategic oil interests in Sudan make them well-placed to influence the Sudanese Government?

Günter Gloser, President-in-Office of the Council. (DE) The Council has reacted strongly to the Sudanese Government's refusal to issue visas for the United Nations Human Rights Council's assessment mission to Sudan and it deeply regrets the lack of cooperation on the Sudanese Government's part.

The European Union had already made repeated approaches to the Sudanese Foreign Minister and appealed to Sudan to cooperate with this mission. The Council welcomes the fact that, at its fourth session, the UN Human Rights Council noted the Mission's report and unanimously adopted a resolution on the human rights situation in Darfur, charging a team of special rapporteurs with reviewing all existing recommendations for improving the human rights situation in Darfur and pressing ahead with their implementation.

On 15 March 2007, the Council reaffirmed its support for urgent consideration of further measures against Sudan by the UN Security Council, pointing out that under UN Security Council Resolution 1591 anyone hindering the peace process must be called to account and appropriate measures taken. The Council also expressed its resolve to consider further measures, especially in the context of the UN,

against any party to the conflict who obstructs UN support for the African Union mission in the Darfur region of Sudan, including the carrying out of the agreed hybrid AU-UN operation.

The Darfur conflict has been discussed regularly in talks with both China and Russia, including at political dialogue meetings, for example. We have consistently taken the view that the Sudanese Government must work towards a political settlement of the conflict and give its unequivocal agreement to the implementation of the full UN support package for the AMIS mission.

Fiona Hall (ALDE), *deputising for the author*. – There is a dreadful sense of impasse over Darfur, with lots of hand-wringing but no progress, and recent events have rather added to that feeling.

In the absence of an agreement on a UN peacekeeping force, is the Council considering, among the further measures it is looking into at the moment, the possibility of an EU-enforced no-fly zone, with the enforcement planes based over the border in Chad? That has been discussed periodically since 2004. Does the President-in-Office feel that now is the moment to implement it?

Günter Gloser, *President-in-Office of the Council*. (DE) The Council of Foreign Ministers discussed Sudan and Darfur again last Monday in Luxembourg. As you may know, the United Nations special envoy, Jan Eliasson, took part.

The situation in the region, which was difficult in any case, has not been improved by the fact that, in addition to the existing conflicts between the different parties in Sudan, various tribes are suddenly making war on each other.

At the special envoy's express request, however, the Council has not taken any further measures for the time being. The special envoy asked that we should again seek by political and diplomatic means to secure agreement for a UN-backed mission, perhaps with a change of attitude on the part of China.

The foreign ministers stated, however, that the European Union is considering further effective measures against Sudan if there are no signs of that in the foreseeable future. It cannot be put off for ever, we cannot postpone things for weeks and months on end and simply wait.

Danutė Budreikaitė (ALDE). – (LT) Chancellor Merkel, when introducing the Berlin Declaration, mentioned Darfur as a wound shared by all of us, and she said that it was time for the European Union to take unilateral action.

I would like to check again: how long do we have to wait for these decisions? Are diplomatic negotiations still continuing, even though they have not produced any results so far, and most likely never will?

Günter Gloser, *President-in-Office of the Council*. (DE) I have tried to make clear – it was what the Foreign Ministers Council before last wanted – that we want to get a fresh picture and to do that through the United Nations special envoy this time, but also by getting information from the African Union's special envoy. I readily acknowledge that it really is a sore point, but I must ask you to take this special envoy's request seriously and try to see whether certain movements that have taken place in the last few days might not be conducive to a solution after all, making a joint mission possible.

I do repeat, however, that this is not a project where we will wait week after week without seeing results. The European Union should start taking appropriate measures if this process, which Mr Eliasson wants and which we also want, fails to start.

Esko Seppänen (GUE/NGL). – (FI) Mr Minister, the European Union has combat forces, with German, Finnish and Dutch troops in reserve these days. Can you imagine a situation in which combat forces would be used to calm the situation in Darfur?

Günter Gloser, *President-in-Office of the Council*. (DE) The European soldiers have a very narrow remit. Essentially, it is the African Union's job. That is why, last Monday, we also again made clear that the money for maintaining this mission is slowly running out and the European Union will then of course have to support the African action financially beyond that time. The Council Presidency has also expressly asked that thought be given to how far the Member States might again be able to give money bilaterally to support this African Union action in Sudan, in Darfur, if the money is not sufficient at European level.

President. Question No 9 by **Tobias Pflüger** (H-0196/07)

Subject: Extrajudicial executions in the Philippines

What is the Council's assessment of the political situation in the Philippines, where more than 830 left-wing political activists, journalists, lawyers, judges, human rights activists, priests and trade unionists have been killed in extrajudicial executions since Gloria Macapagal Arroyo's government took office in 2001, a situation which has recently been strongly criticised by the UN special rapporteur Philip Alston? What is the Council's assessment of the Arroyo government's evident failure to act and reports that the Philippines army is behind these killings?

Günter Gloser, *President-in-Office of the Council*. (DE) Mr Pflüger, as has already been explained in the answer to question 619/2007, the Council is aware of the extrajudicial executions in the Philippines. The European Union regularly expresses its deep concern about these occurrences, urging the authorities to tackle the problem quickly and also to allow independent investigations so that the perpetrators can be brought to court and preventive measures taken.

As already stated in the answer to which I referred, the European Union is willing to assist the Philippines in developing its judicial system. The EU is perfectly clear that what is needed in order to put an end to extrajudicial executions in the Philippines is not just specialist expertise but that political will on the part of the top leadership is also crucial. The EU will continue to press for such will to be shown. We hope that the proper investigation and prosecution of these crimes will also have a preventive effect.

In April, the EU Member States and the Commission will be making preparations to send a fact-finding mission to Manila in the near future to assess the need for specialist assistance. This comes in answer to a request from Foreign Minister Romulo, who has asked for help in implementing the recommendations of the Melo Commission, which was charged with investigating the unexplained killings.

Tobias Pflüger (GUE/NGL). – (DE) Is the Council aware of the following extrajudicial executions: Cipriano Ligaspo, murdered on 14 March; Carlito Getrosa, murdered on 11 March; Che Che Gandinao, murdered on 10 March; Felisa Timog Ocampo and Renato 'Atong' Torrecampo Pacaide, murdered on 2 March?

My question is, are sanctions in fact being considered? You have just said that the Philippines Government has asked for assistance and will be given it. But the essential part of the problem is that the government is involved. In view of that, is this the right approach?

Günter Gloser, *President-in-Office of the Council*. (DE) I know there have been many regrettable extrajudicial executions. I do not know the individual names, but this could be looked into. In the process between the EU and the Philippines, I believe it is necessary to get through to the political address, which I am sure is able to influence particular developments. It is also right and important that the European Union should provide appropriate assistance and hopefully also help to clear these cases up if the country itself sees shortcomings in its judicial system.

President. Question No 10 by **Sahra Wagenknecht** (H-0199/07)

Subject: Attacks on anti-war activists in Sri Lanka

On 9 January 2007, members of Sri Lanka's United People's Movement (UPM) were attacked and chased by an armed mob before a public rally. According to reports in the media, a deputy minister, Mervyn Silva, was involved in the attacks.

What view does the Council take of direct attacks on peace activists in Sri Lanka by members of the Sri Lankan Government? How will this incident affect the Council's support for the Government in future?

Günter Gloser, *President-in-Office of the Council*. (DE) The Council has no evidence that the Sri Lankan Government was connected with this incident. No conclusions can therefore be drawn regarding the incident's consequences for relations between the EU and the Sri Lankan Government.

Looking at the situation more generally, however, the Council is deeply concerned about developments in Sri Lanka. The European Union is urging both sides to end the violence immediately and to return to the negotiating table without delay so that a workable solution to the conflict can be found based on constructive proposals. Despite the obvious difficulties, as one of the co-chairs of the Tokyo Conference

of donor countries the European Union is continuing to examine every possible way of supporting the peace process in Sri Lanka.

Sahra Wagenknecht (GUE/NGL). – (DE) You have just said that the Council is deeply concerned, but in that case my question is quite specific: what does the Council intend to do to bring pressure to bear on Sri Lanka to end the military offensive against the Tamil Eelam freedom fighters – which has already claimed many civilian casualties – and force them to return to the negotiating table?

My second question is: is the Council aware that arms from EU Member States are also being used in this conflict?

Günter Gloser, President-in-Office of the Council. (DE) On the last point, I know nothing about this, but we will look into it and see whether there is any information available.

On the question of the measures the Council is thinking of taking, I can tell you that the Council is supporting the work of the Monitoring Mission in Sri Lanka and the Norwegian mediator. We have repeatedly called on the warring parties to observe the 2002 armistice agreement and to respect human rights.

The European Union has also submitted its own draft resolution on the human rights situation in Sri Lanka to the Geneva Human Rights Council. This draft expresses the EU's concern at the recent escalation of violence in Sri Lanka and calls for an immediate end to the violence and the violations of human rights and basic humanitarian rights it entails.

I hope that will lead to a next step. We will look again at the question you raise and let you have information on the subject.

Tobias Pflüger (GUE/NGL). – (DE) When the present escalation of the conflict in Sri Lanka began, this House debated whether the Liberation Tigers of Tamil Eelam (LTTE) should be placed on the EU terror list. What is your present view of the LTTE having been placed on the terror list now that the conflict has escalated enormously? Was it in retrospect the right thing to do? In particular, was it right at that point in time?

A second question: Norway is playing a very positive role in this conflict, especially in negotiations, and Norway has criticised the EU through diplomatic channels, saying that the EU's role has been rather biased towards the government. What do you say to that?

Günter Gloser, President-in-Office of the Council. (DE) I cannot agree with the last statement. As I said before, in view of the conflicts and the problems they also bring for the civilian population, it is necessary for both parties to be involved in resolving the conflict. For that reason, the European Union has not placed greater confidence in any of the parties, not even the government. The EU's measures, and those of other organisations active there, must be geared to a permanent end to the conflict.

I cannot comment personally on the first question, but I will have it examined again.

President. Question No 11 by **Danute Budreikaite** (H-0201/07)

Subject: Ecological consequences of the northern oil pipeline

The Northern Dimension policy, of which the Baltic Sea Strategy is a constituent part, places particular emphasis on the environment and climate change. The Baltic Sea is one of the world's most contaminated seas. Furthermore, 282 000 tonnes of dangerous weapons have lain on its bed since the Second World War. Economic activities, and in particular the planned construction of the northern oil pipeline, may lead to an ecological disaster whose consequences are difficult to predict.

Does not the country that holds the Presidency and which is a participant in the project consider that, before it starts to implement projects of this kind, the EU should obtain independent expertise on the possible ecological consequences of the construction of a gas pipeline? Clearly, expertise provided by the authors of the project and relating to their own interests will not convince the Community's citizens of the safety of the project.

Günter Gloser, President-in-Office of the Council. (DE) The Council plays no direct part in the planning or construction of the pipeline, because the implementation of Community law is the responsibility of the Member States and the Commission's task is to ensure that the Member States apply the law properly.

Danutė Budreikaitė (ALDE). – (LT) Without a doubt, I am not satisfied with that reply. It does not mean that European Union Member States can do whatever they wish on EU territory. Russian experts have already established that there is a lot of weaponry [dumped on the seabed], and now they are thinking about changing the route of the gas pipeline.

The Russians think that Gazprom will be allowed to set up armed militia units, which together with Baltic navies will control the whole pipeline and all who sail in the area and use the environment.

The Baltic Sea belongs to all of us, and I do not think that this is a matter for just two countries.

Günter Gloser, President-in-Office of the Council. (DE) I would again like to make clear that this pipeline is not being planned by a state but by private companies. These companies have to submit planning applications. As different Member States are also concerned, the relevant regulations must be complied with.

As I have already said here some time ago, there are different aspects. You mentioned the munitions that have indeed been found. The ecosystem and other issues must be taken into account. However, all of that can only be examined in the light of European law if an application has been made and the relevant procedures have been initiated. There are no special rights for particular companies: national and European regulations, especially those concerned with environmental protection, must be complied with.

Nils Lundgren (IND/DEM). – (SV) If a dispute arises and an environmental test is carried out in Swedish waters, is it the European Court of Justice or the Swedish environmental court that decides the case?

Very different information has been forthcoming as to whether the Council has approved the construction of a German-Russian gas pipeline under the Baltic Sea. Has the Council taken such a decision?

Günter Gloser, President-in-Office of the Council. (DE) So far as I know, no Council would give an assessment here. Firstly, it is a commercial decision by private companies. It is not being built by the Federal Republic of Germany. The people who are building it or want to build it are consortia from Germany with Dutch participation. If procedures are initiated and Member States have to check whether the project complies with the rules in their particular area or if the applicant does not agree with their decision, then it will of course first be a matter for the national courts.

President. Question No 12 by **Georgios Papastamkos (H-0203/07)**

Subject: EU territorial agenda

One of the priority objectives of the EU German Presidency is the adoption of an EU territorial agenda.

What measures does the Council intend to take in practice towards an integrated urban and rural development policy? Will the projected Leipzig Charter effectively combine this policy with regional development policy and, if so, how?

Günter Gloser, President-in-Office of the Council. (DE) The Council as such is not involved in the initiatives relating to the Leipzig Charter for Sustainable European Cities and the EU territorial agenda. These initiatives are taken by the Member States on an informal basis.

The Leipzig Charter and the EU territorial agenda are offers by the European ministers for regional and urban development to take better account of urban and territorial matters in the implementation of EU policies, for example in the question of how an integrated regional and urban development policy can contribute to the Lisbon and Gothenburg objectives of more sustainable economic growth and strengthening the European social model. The results of the informal ministers' meeting will therefore be passed on to all European institutions. These can then examine independently to what extent taking account of urban and territorial matters will be helpful in achieving their political objectives.

Georgios Papastamkos (PPE-DE). – (EL) Madam President, I would like to thank the Minister for his response. The territorial charter, however, is certainly a priority of the German Presidency and holds a significant place in its programme. Therefore, I would like to ask the Minister to explain to us in greater detail, what the goals are of such a territorial agenda, how it is viewed by the German Presidency and how it is included in its future programme, up to the end of June.

Günter Gloser, *President-in-Office of the Council*. (DE) Particular results must first be evaluated, and then they can be passed on to the appropriate institutions, at least where topics have been identified.

The approach was that opportunities for integrated urban or regional development also exist in cross-border areas. Our presidency has only slightly more than two months left to run. I expect the President-in-Office will be presenting results at the end of his presidency and making them available to the institutions concerned.

President. Questions which had not been answered for lack of time would receive written answers (see Annex).

I should like to thank the President-in-Office and colleagues.

That concludes Question Time.

(The sitting was suspended at 7 p.m. and resumed at 9 p.m.)

IN THE CHAIR: MR ONESTA

Vice-President

19. Rapid Border Intervention Teams (debate)

President. – The next item is the report (A6-0135/2007) by Mr Deprez, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a regulation of the European Parliament and of the Council establishing a mechanism for the creation of Rapid Border Intervention Teams and amending Council Regulation (EC) No 2007/2004 as regards that mechanism (COM(2006)0401 - C6-0253/2006 - 2006/0140(COD)).

Joe Borg, *Member of the Commission*. Mr President, the Commission strongly welcomes the excellent compromise reached by the European Parliament and the Council on the Rapid Border Intervention Teams Regulation.

As you know, over the last few years the European Union has experienced an increasing need for providing operational assistance to the Member States which, due to their geographical location and the complexity of their external borders, have to shoulder the heaviest burdens in terms of border control. In response, the European Union created the Frontex Agency in 2004 as a measure for channelling the solidarity between Member States and the Community in terms of operational cooperation. Moreover, a new External Borders Fund will be used from next year for ensuring financial solidarity, by boosting the capacity of all Member States to deal with the challenges posed by their different external borders.

The establishment of a mechanism for the creation and deployment of Rapid Border Intervention Teams is a further measure of solidarity. It is an important step forward in the cooperation between Member States and the Community, by controlling the external borders of the European Union and performing checks on people at these borders.

The Rapid Border Intervention Teams will become a highly trained and specialised reserve of border guards, which will be deployed at short notice, by the Frontex Agency, to a Member State in need of such assistance. As something new and ground-breaking in this regard, the rapid teams will be enabled to carry out all necessary functions related to the checks on people at external borders, in the same way as checks are performed by the national border guards of the host Member State.

In this context, the Commission would like to make the following oral statement on the International Law of the Sea and international protection obligations.

Each Member State participating in operations coordinated by the Frontex Agency on the high seas remains fully bound by its individual obligation to respect the principle of non-refoulement as enshrined, in particular, in the Geneva Convention relating to the status of refugees of 28 July 1951 and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment vis-à-vis all people under its jurisdiction. When an interception or rescue operation is carried out in the territorial waters of a Member State, the Community *acquis* on asylum is applicable. This includes the Dublin Regulation. Consequently, in the absence of any other relevant criteria, the Member State on whose waters the interception or rescue operation is carried out, would be responsible for examining

any asylum claims. These principles remain fully valid in cases of future deployments of Rapid Border Intervention Teams following the adoption of this regulation.

As the Commission underlined in its communication of 30 November 2006 on reinforcing the management of the southern external maritime borders, it is not clear under what circumstances a state may be obliged to assume responsibility for the examination of an asylum claim when the interception or rescue operation takes place on the high seas or in the territorial waters of a third country. Similarly, it is unclear under what circumstances the Member State hosting an operation coordinated by the Frontex Agency could be considered as ultimately responsible for compliance with this principle.

Evidently, the further development of an integrated system for managing the external maritime borders should be based on a clear common understanding of the Member States' protection obligations. To this effect, the Commission suggested that Member States should address these issues collectively and pragmatically, either in the context of broader bilateral or regional agreements or through the development of practical guidelines in close cooperation with the International Maritime Organisation, the United Nations High Commissioner for Refugees and other relevant stakeholders.

In order to support this process, the Commission will soon publish a study on the Law of the Sea addressing these and other relevant issues. The publication of the study will be followed by an expert meeting with Member States to identify the practical follow-up, having regard to the limits of the Community's responsibility in this area as well as the oral statement.

Finally, I would like to stress once again that the Commission is very pleased with the good cooperation between the three institutions involved in reaching agreement on this extremely important piece of new Community legislation and would like to warmly thank the rapporteur, Mr Deprez, the shadow rapporteurs and the Committee on Civil Liberties, Justice and Home Affairs for their excellent contributions to achieving success on this file.

G rard Deprez (ALDE), rapporteur. – (FR) Mr President, Commissioner, ladies and gentlemen, allow me to express my pleasure by saying straight away that, if the RABIT draft regulation can be put to the vote in this House tomorrow with a view to an agreement at first reading, it is thanks to the fact that our three institutions have cooperated in what I would describe as an exemplary fashion.

It is thanks to the Commission, firstly. Its initial proposal was of a high quality, and throughout the discussion process it has continually shown a great capacity for smoothing things over and for easing the way for compromise. It is also thanks to the Council, particularly during the Finnish Presidency and now during the German Presidency. It has continually affirmed its desire to succeed and has spared no efforts in order to convince all of the Member States. It is thanks, in particular, to the most recent presidency of Mrs Monika Schmitt-Vockenhausen. For my part, on behalf of Parliament, I have been able to rely from the start on the solid support and confidence of the majority of the shadow rapporteurs from the other political groups within the Committee on Civil Liberties, Justice and Home Affairs, and I should like publicly to thank them. I hope that they find, in this, the expression of my gratitude.

The root of the problem to be dealt with, Mr President, is both simple and urgent. It consists of organising assistance from the Member States for those of the Member States that have to cope with the sudden arrival of huge numbers of illegal immigrants, who are anxious to cross the Union's external borders. This problem now affects, as we know – and tragic images constantly remind us of the fact – the countries of the south of the Union. Yet, no one can rule out the possibility that, in the future, other borders – particularly those to the south-east and to the east – will be under the same sudden, recurring pressure.

The draft regulation that has been submitted to this House confirms four major principles, which I have always vigorously defended on behalf of Parliament. The first principle: solidarity in the area of external border control is not an option, but an obligation. It is for this reason that the draft regulation stipulates that the Member States must contribute to the rapid intervention reserve and must make border guards available to Frontex, at its request, unless they themselves are faced with an emergency situation to which they must attend.

The second major principle: when deployed on the territory of another Member State within the rapid intervention teams, border guards posted to the reserve are not auxiliaries or second-rate agents compared with the border guards of the Member State. Of course – and this goes without saying – members of the teams will receive their instructions from the Member State that is hosting them but, otherwise, they are on an equal footing with the national border guards. The tasks that they may carry out are the same.

They have the right to wear their own uniform, with the addition of a European badge. They may carry their service weapons, in accordance with the national law of their own Member State, except in the event of a disagreement between the two Member States concerned. They may be authorised to consult European and national databases, and their accreditation document, which was provided for in the initial draft, has been stripped of all the cumbersome elements that I feel it contained.

The third major principle – and I say this, in particular, for Mr Catania’s benefit – is that respect for fundamental rights applies in all circumstances. It is for this reason that the draft regulation stipulates: firstly, that the members of the teams, together with the national border guards, must abstain from any discriminatory behaviour; secondly, that they must act in accordance with the Member States’ obligations with regard to international protection and non-refoulement; and, thirdly, that the members of the teams must act fully in accordance with the obligations of international maritime law, especially in relation to search and rescue. That is what the Commissioner has just reaffirmed to us here. Therefore, Mr Catania, the amendment that you are tabling is unnecessary. I would even say that it is insulting because it makes the assumption that, when they discover ships that are in distress, border guards, including those from Spain, Italy or Malta now, would not be particularly concerned about saving people. Lastly, the draft regulation stipulates that the European directives on the protection of personal data must be applied in full.

The fourth principle: while the situation is urgent, it is urgent for everyone. Given that the issue is one of dealing with emergency situations, the terms of the regulation provide for very short deadlines in which to intervene. The director of Frontex has a maximum of five working days in which to decide how to intervene. Once the operational plan has been established, the actual deployment of the rapid intervention teams must take place within those five working days at the latest. That being the case, it was therefore only right that, in cases of interventions that are justified but where the budgetary resources of Frontex are not adequate to meet their costs, the budgetary authority should make a commitment, in accordance with the provisions of the financial regulation, urgently to find a budgetary solution. That is the meaning of the amendment that has been added to the text of the draft regulation and that formalises the agreement reached in this regard between the Commission, Parliament and the Council.

So much, Mr President, ladies and gentlemen, for the draft on which this House will have to vote tomorrow. I do not doubt, and I hope, that it will receive your broad support.

Agustín Díaz de Mera García Consuegra, *on behalf of the PPE-DE Group.* – (ES) Mr President, I am not going to use up the three minutes that I am allowed because we are dealing with a very well-produced report, employing a working method that is worthy of praise, and I would therefore like to congratulate Mr Deprez.

Secondly, I am also pleased with the great agreement reached between the Council, the Commission and the European Parliament.

I would finally like to express a few considerations.

I would point out — as I did at my party’s Bureau last week, in Granada — that competence for monitoring borders and external borders is one that falls to the Member States and only to the Member States.

What is FRONTEX then? FRONTEX and the RABITs essentially mean coordination, cooperation and collaboration.

The RABITs are additional cooperation and collaboration instruments for preventing the permeability of the Union’s external borders from being added to the permeability of the internal borders and between them creating a scene of humanitarian desolation. Let us remember that, as a result of the practice of crossing the Atlantic using the criminal mechanisms of mafias, the European Union has just put at 10 000 the number of deaths recorded as a result of this inhuman epic journey.

The RABITs, which have been the subject of so much consensus and so much agreement, are an additional instrument for collaboration and cooperation.

That obligatory solidarity is not a contradiction in terms, Mr President. It is a necessary reality that we have enshrined today in the agreement that I hope will be supported by a large majority in this House tomorrow.

The financial instrument that Mr Deprez has referred to is much more than a statement of intent for dealing with critical situations and mass invasions of a part of our territory. It offers an immediate response demonstrating solidarity and providing budgetary resources.

I shall end as I began, Mr President, by expressing my pleasure at the achievement of an instrument which shows so much solidarity and is so useful in terms of controlling the Union's borders.

Javier Moreno Sánchez, *on behalf of the PSE Group.* – (FR) Mr President, I shall use the mother tongue of our rapporteur in order to congratulate and to thank him for his meticulous work and for the outcome of that work: the excellent report that we are going to adopt tomorrow.

Mr Deprez, without straying into the realm of cheap puns, I believe that, together with the shadow rapporteurs, you have been able to create a veritable rapid intervention team within the Committee on Civil Liberties, Justice and Home Affairs, which has enabled us to act quickly and to pass at first reading a text that was the subject of a very broad consensus during the vote in committee.

We have also been able to promote our proposals at the Council, thanks to the constructive dialogue that we have established with the German Presidency, which has included this regulation among its priorities and which has proved very receptive to our proposals.

(ES) Ladies and gentlemen, together we have improved the text, which once again demonstrates the maturity of this House when it comes to legislating in such a sensitive field as the fight against illegal immigration. We must therefore extend the field of codecision to all aspects of immigration policy.

We welcome the fact that the Justice and Home Affairs Council (JHA) approved the Regulation last Thursday in Luxembourg and the commitment reached by the three institutions to guarantee adequate funding of operations.

We hope that the teams are operational this summer, even before, as requested by the Vice-President of the Commission, Mr Frattini.

I believe that we are moving in the right direction, ladies and gentlemen. We are moving slowly, but in the right direction. We have taken a small step towards a common immigration policy.

Our respective governments have understood that immigration is a shared European challenge which requires a global and joint response based on solidarity, mutual trust and shared responsibility.

To this end, the obligatory principle of solidarity on the part of Member States laid down in Article 3 of the Regulation is extremely important. This instrument is no panacea, but it represents progress in the fight against illegal immigration and people trafficking.

These teams will contribute to increasing solidarity and mutual assistance with a view to being able to monitor Europe's external borders, saving lives – particularly in Atlantic and Mediterranean waters – and properly treating immigrants who try to enter the Union's territory illegally.

Our citizens want the European Union to respond to their concerns. The RABITs are a concrete response.

Our citizens and the immigrants deserve to see us treat the issue of illegal immigration seriously. I would therefore call upon the Group of the European People's Party (Christian Democrats) and European Democrats to show consistency. You cannot be in Granada criticising the regularisation implemented by the Spanish Government while at the same time, in Luxembourg, two governments led by your political family are announcing imminent regularisations, which we Socialists fully understand and respect, incidentally.

Ladies and gentlemen of the Group of the European People's Party (Christian Democrats) and European Democrats, do not allow yourselves to be led by the Spanish People's Party, which is firing blanks at the Spanish Government.

Bernat Joan i Marí, *on behalf of the Verts/ALE Group.* – (FR) Mr President, I should like to begin by congratulating the rapporteur, Mr Deprez, on his work. I believe that this is a very rigorous, very interesting and very well executed piece of work on a genuinely difficult subject. I think that one might speak in terms of an agreement in several stages.

We can speak in the long term, in the medium term or in the short term. I think that this is a good report and a good solution for the problems we in the European Union are facing and have had to face before. The Rapid Border Intervention Teams, under common rules, will be a good instrument for providing the necessary measures to deal with people entering the European Union illegally.

On the other hand, I think that Europe needs a common policy on immigration. As a member of the European Free Alliance, I do not agree that the Member States should be the owners of the borders. I consider that, in future, the borders of the European Union should be a common issue. We have to work together on this issue and to consider a common policy on migration, always in accordance with the main European values and the principles of the European Union. The European Union has to be more consistent in order to provide the best measures in these cases.

We also need to help the development of the ACP countries and, in particular, our neighbours in the southern Mediterranean. Finding a solution in this part of the world is a guarantee for a solution to our current problem. Solving problems in the countries from which people are migrating to the European Union is the main basis for avoiding this sometimes tragic situation.

It is not only the Member States but the whole European Union that should be aware of immigration policy, including regions with constitutional powers, for example the Canary Islands. The Government of the Canary Islands should have had something to say in the recent crisis in this part of the world. I would like to remark that today is the 300th anniversary of the Battle of Almansa, when the country of Valencia was defeated and the end of the Catalan nation began. I think the regions, the stateless nations and all the political bodies in the European Union have something to say on issues of this kind.

As I said, I think that the report is complete, very good and very interesting. We have some fears, perhaps from a sense of responsibility, including one that the teams' actions might prevent people from seeking protection, thereby denying them the right to asylum under international conventions. We saw it when we were talking to migrants who had illegally entered the Canary Islands. It is not easy for these people to ask for asylum when they really want to, because information does not flow appropriately and because of other circumstances.

The Verts/ALE Group's position is that the Rapid Border Intervention Teams form part of the toolbox developed under the Frontex Regulation and are to be used in particular to meet more urgent support requirements at external borders. So it could be argued that the pros and cons are closely linked to the group's position on the operations of Frontex. We see the regulation as an instrument for immediate action in this sense.

Giusto Catania, *on behalf of the GUE/NGL Group.* – (IT) Mr President, ladies and gentlemen, I should like to thank Mr Deprez for the work he has done, which is enabling us to adopt his report at first reading. That demonstrates his ability to mediate with the political groups, the Council and the Commission.

I want to thank him even though I maintain all my reservations about this regulation, because I think that in reality its only purpose is to attribute a function to FRONTEX, that useless little agency set up by the Community institutions, which did not perform any function at all until yesterday. I believe that setting up Rapid Border Intervention Teams is merely a propaganda exercise, because it is quite clear that in reality the EU's illegal immigration crisis is not coming from southern Europe or from the boats that arrive by sea. That is amply demonstrated by all the available data and statistics. Even the Commission says that only 14% of the illegal immigrants living in Europe arrive by sea.

I therefore do not understand the need to set up these rapid intervention teams. The same also applies to the southern European countries – Italy, Spain and also Malta, a country that we ought to help. Mr Borg certainly realises better than I do that we ought to try and help Malta, probably by amending the Dublin II regulation, and not by calling for rapid intervention teams that will find it difficult to intervene in that sea area and to tell whether they are in Italian or Maltese waters.

I believe, therefore, that we should try to implement a consistent, serious policy on this matter, probably by taking a different approach entirely. That is why I repeat that the only serious function that these rapid intervention teams can have is to save lives at sea.

Mr Deprez, the question is not whether policemen are good or bad. It has been amply demonstrated in recent years that disasters at sea are on the increase. There are statistics that show beyond a shadow of a doubt that thousands and thousands of people have drowned in the Mediterranean and the Atlantic. I

therefore believe that there is a purpose for rapid intervention teams whose priority it is to rescue all the men and women that are trying to reach Europe.

It would not be superfluous, in my view, to stress that need in the report we are examining, and I therefore call on the House and Mr Deprez to support my amendment, which unequivocally states that one of the primary functions of these teams should be sea rescue.

I think that if we choose this way of thinking we can seriously help to make immigration policy and external border control a joint activity that is useful to the European Union.

Johannes Blokland, on behalf of the IND/DEM Group. – (NL) Mr President, first of all, I should like to congratulate the rapporteur on the rapid handling of his report, which bodes well for the rapid intervention teams.

Last year, I was fortunate enough to join Mr Deprez and others on a visit to the Frontex agency in Warsaw, and this turned out to be a particularly valuable experience. The agency was still in its infancy and work was gathering pace, with high expectations of it on the part of the public and politicians, something that can lead to disappointing results. After all, the Frontex mandate is limited. For the deployment of rapid intervention teams, the agency relies on the Member States working together.

Although I am concerned about the proposal's implementation on two scores, Commissioner Borg may be able to respond and allay my concern in this connection. My first concern is about the availability of manpower and equipment. The Member States that are signed up to Frontex have committed to cooperation, and only in exceptional cases can they back out of that. I should like to hear from the Commissioner what exceptions the Member States have managed to secure. Also, has this been described in sufficient detail, so that Frontex can have the people and equipment available within the prescribed time?

My second concern is about coordination in the Member States. After all, Frontex requires specifically trained people. Moreover, particularly in the Mediterranean region, sea-worthy equipment is essential. It strikes me that it is mainly the defence organisation of the Member States that is able to make these people and this equipment available, while justice ministers make pledges at Council level in this area. Accordingly, in my country, the justice minister has to consult the defence and home affairs ministers about the commitment of persons and equipment. Each minister is fighting his own corner in this respect. Can the Commissioner indicate whether this coordination problem also occurs in other Member States and to what extent the defence organisations are affected?

Giuseppe Castiglione (PPE-DE). – (IT) Mr President, Commissioner, ladies and gentlemen, I should first of all like to thank Mr Deprez for the hard work he has put into this report and to offer him my heartiest congratulations on having reached a compromise with the Council in such a short time on such an important and urgent subject.

The waves of illegal immigration such as were seen last summer on the EU's southern borders do not affect only the Member States directly involved, but rather all the Member States in the Union. In Sicily, as Mr Catania knows only too well, one can see how urgent it is to address and resolve the problem.

In the coming months, as happens every year, illegal immigrants will be landing on Lampedusa and other islands relentlessly, day and night, in terrible weather and in extremely unsafe conditions. The effective management of our external borders therefore requires realistic prevention policies for internal security and policies to combat illegal entry and people trafficking.

Setting up Rapid Border Intervention Teams is an initial, practical, joint-reaction measure, based on solidarity, respect for human rights and mutual assistance among the Member States, which are called on to take part in them by contributing financial and human resources. Our national police forces can no longer be left on their own to carry out the massive task of defending our borders and also, more importantly, of receiving and aiding illegal immigrants.

Our citizens cannot go on living with this lack of security and stability and are constantly asking us for concrete measures to combat the organised criminal gangs that run the business of moving people illegally and all too often supply the clandestine work and prostitution market. In order to meet these requests, I hope that the members of the rapid intervention teams can start work straight away this summer.

At the same time, we must continue our efforts on this front and go on seeking the best solutions to the immigration issue. The Italian Government's bill is not, in my view, a step in this direction; rather than conducting a serious fight against illegal immigration alongside us, that government has chosen to go ahead with contradictory, improvised policies that are bound to cause serious repercussions throughout the European Union.

Commissioner, since there is a pressing need to ensure continuity between the European Union and its Member States, I urge you to devote the utmost attention to this burning issue, so that our overriding commitment to help the weak can be increasingly combined with our growing need for security.

Wolfgang Kreissl-Dörfler (PSE). – *(DE)* Mr President, Commissioner, ladies and gentlemen, I too would like to thank Mr Deprez most sincerely for his work on this subject and in other areas; as usual, it was outstanding.

This project has taken us a step forward. Solidarity between Member States is strengthened and responsibility shared. We cannot allow countries like Spain, Malta or Italy to be left on their own with this problem. We must also look at the green border, however. There is large-scale immigration there, too.

For us socialists, however, it is also crucial that all aspects of human rights should be more than just on paper, that there should be no discrimination and that we in Parliament should check how this is translated into practice. What happens to the people who are sent back? Will they be handed back to these governments, some of which are corrupt? We have seen the disaster in Morocco, when the people who were sent back were simply taken out into the Sahara and they would have preferred to let them die of thirst there without any water. We must also include these matters and give them equal consideration.

We must not see FRONTEX and the Intervention Team as a panacea. They are an instrument, but not the solution to the problem. We need a common migration policy, not just a common deportation policy. We do not need a new defensive wall for Europe, or an iron curtain in the Atlantic or the Mediterranean, what we need to do is to tackle the problem head on. And that includes pressing on with solving the problems in the countries from which the migrants come.

Let me tell you something. If climate change gets worse, if the governments in the countries of origin become even more corrupt and remain corrupt, then we will have to expect an even greater influx. Because we would do no differently, we would also seek our fortune somewhere else instead of dying of hunger or in poverty.

My congratulations again on the report. I am glad we have done it. We as Parliament must then also keep an eye on how things progress.

Athanasios Pafilis (GUE/NGL). – *(EL)* Mr President, is it really necessary that we use rapid border intervention teams with state-of-the-art equipment, who have the right to make arrests, bear arms, have the right to use their weapons in the name of self-defence, use violence and act like special forces with advanced technological equipment, that is act as a military force, in order to deal with ragged immigrants or save those battling the seas in an attempt to find a better life? Do you really want us to believe that these forces will be used for these reasons?

We consider that this Regulation and report reveals the true nature of your policy, which is aggressive: you are creating rapid intervention teams for external operations; rapid intervention teams which can be used to deal with any type of crisis, even turn against their own people. We disagree.

I think that your arguments that these teams will combat the mafia, underestimate common sense. If the political will exists, all these smugglers will be found and the mafia will be dealt with. How is it possible that these illegal immigrants can find them when various police agencies fail to do so? But no such political will exists because the mafia is the one supplying European capital with cheap 'meat', cheap labour, immigrants that is. If you are really trying to save illegal immigrants, why do you not give more money to create national agencies that will intervene and save the lives of these people? We do not agree. We find this anti-democratic, it is moving towards the direction of suppression of the masses, as is your entire policy.

Carlos Coelho (PPE-DE). – *(PT)* Mr President, Commissioner, ladies and gentlemen, I should like to begin by agreeing with Mr Díaz de Mera and Mr Castiglione, both from my group, in their praise for the rapporteur Mr Deprez, who has provided us with a characteristically excellent report. Mr Deprez

made strenuous efforts to reach a compromise between all of the political groups and the Council, with a view to obtaining agreement at first reading.

This is a most welcome initiative at a time when Europe is enduring the most significant migratory crisis in its history. The massive influx of illegal immigrants to European shores has made it imperative for us to adopt measures as a matter of urgency. Although the regions most directly affected are those of southern Europe, this problem cannot be viewed as exclusive to those Member States and regions. Irregular mass immigration and the humanitarian tragedy that it represents have consequences for security and cohesion throughout the European Community.

I applaud the various operational measures relating to the management of our external maritime borders to the south, such as the establishment of an operational control centre to coordinate a patrol network for the Mediterranean coastline and the setting up of a central register of available technical equipment for use in control and monitoring of the external borders, whereby the necessary resources – for example boats, helicopters and aeroplanes – will be supplied for use in joint operations. I also warmly welcome the creation of rapid border intervention teams, which will offer rapid technical and operational assistance to those Member States that may require it.

This will be a way of enhancing solidarity and mutual assistance between Member States. This regulation concerns the deployment of rapid border intervention teams in order to provide rapid assistance in the event of a repetition of previous situations, for example in the Canary Islands. I agree that assistance must be provided for a limited period, in exceptional situations or emergencies, and following a request by the Member State concerned.

Mr President, the European agency Frontex should play a crucial role in coordinating this assistance, which it should do promptly and effectively. Within five days, a decision is made, and a plan drawn up, specifying the duration, geographical location, the mission to be undertaken, the composition, number and profile of experts that each Member State is to supply to the team. All of us – in Parliament, the Commission and the Council – have to deliver the necessary human and financial resources at institutional level for the mission to proceed effectively.

Ryszard Czarnecki (UEN). – (PL) Mr President, thank you very much for your patience. Just today Polish MEPs from various political groups met the head of the Polish Border Guards who is also the communications officer at our embassy in Belgium. He informed us in detail about the severity of the problem we are discussing today.

I am a representative of Poland, which after Finland has the European Union's longest external land border. This makes the issue of effectively managing the external borders through control and protection and by combating illegal emigration and human trafficking a very relevant one to us.

The groups we are discussing today will become all the more necessary as the EU becomes an increasingly attractive economic haven for migrants from several continents, as well as the former Soviet Union. I agree with Mr Coelho's statements about the vast impending crisis that awaits us. The only condition for setting up the Rapid Border Intervention Teams is our full agreement with the motion of the Member State whose borders are affected by the problem.

Hubert Pirker (PPE-DE). – (DE) Mr President, Commissioner, illegal immigration has come to assume epidemic proportions. Conservative estimates put the number of illegal immigrants in Europe at about 15 million. You need only compare the figures for 2005 and 2006 to see that their number has multiplied sixfold.

Smuggling people into the EU has become big business and is part of the phenomenon of organised crime. In this situation, many Member States are quite simply overburdened. They cannot be left in the lurch; they need help. That is where the EU scheme comes in.

I welcome the fact that Frontex has been created, all the more so in view of the imminent establishment of a functioning instrument, in the form of the Rapid Border Intervention Teams, that can provide assistance within a particular area for a limited period of time at the request of Member States, and I also welcome the clear indication that, as Mr Díaz de Mera García Consuegra emphasised, responsibility for guarding borders will remain in the hands of the Member States. The RABITs will render short-term assistance – we must be clear about that. For the medium and long term we need additional measures. I expect a cooperation agreement to materialise between Frontex and Europe so that the crime of human

smuggling can be more effectively combated; I also expect illegal residence to have consequences – we need to think about repatriation aid in this context – and I expect an immediate end to mass legalisation, for that invariably creates a knock-on effect and shifts the problems to other countries.

Moreover, we also need education campaigns as a preventive measure, so that potential migrants can learn how legal immigration works, what the consequences of illegal immigration are and what risks it entails. We also need stabilisation and aid programmes in migrants' countries of origin. With these RABITs, we in the European Union are certainly demonstrating that we are on the way towards a security union and that we are reflecting at the same time on how we can solve migration problems, and especially the problem of illegal immigration, in the medium and long term.

Let me close by thanking the rapporteur for his excellent coordination.

Simon Busuttil (PPE-DE). – Mr President, I first wish to join with my colleagues in thanking Mr Deprez the rapporteur for his excellent work and in particular for completing this report in time for first reading.

I warmly welcome this law because it is a solidarity instrument. Coming from a southern Member State I welcome it even more, because I appreciate that solidarity does not come easy and it does not come cheap.

This law means that Member States are now binding themselves to assist other countries that face difficulty. As Mr Deprez said, this solidarity is compulsory and not optional. This makes it *real* solidarity. It is not charity, because charity is voluntary. This is a binding commitment. Thanks to this law, countries facing emergency situations on immigration will *finally* start to feel that they are no longer completely on their own.

Therefore this law is a good step forward. However, on its own it is not enough to overcome the challenge of illegal immigration. We must, therefore, avoid raising public expectations that this law will solve everything: it will not. Therefore we must also do more to strengthen the southern borders of the Union. Last November the European Commission issued a communication on strengthening the southern maritime borders and I call on the Commission to press on with the initiatives listed in this communication. Let us not forget that external border control is in the interests of all Member States and not just the countries facing difficulties and once it is in everybody's interest, it must also be everybody's responsibility – a shared responsibility.

President. – Thank you very much, Mr Busuttil. Thank you, too, for your understanding. I know that you would have liked to have spoken in Maltese this evening, but unfortunately our teams were unavailable, and I would thank you for your flexibility.

Francesco Musotto (PPE-DE). – *(IT)* Mr President, Commissioner, ladies and gentlemen, I think we have achieved an important objective this evening, because the agreement on Rapid Border Intervention Teams has shown that all the EU institutions have realised that illegal immigration is a serious problem that cannot be faced alone by the regions exposed to massive migratory flows on account of their geographical location.

As we pointed out in the report on islands that was adopted in this Chamber, Europe cannot remain indifferent to the ongoing emergency situation in regions like my own, Sicily, with its peak in Lampedusa, or in the Canaries or Malta, which are unsustainably burdened by the arrival of illegal immigrants. It cannot remain indifferent to the human tragedy of the makeshift boats that sink in the Mediterranean, or to the organised crime that takes advantage of those people's desperation. With the opening-up of our internal borders, our external borders have become our common frontier and, therefore, suitable, long-term solutions to the immigration issue can only be found at a European level.

The creation of rapid intervention teams is certainly only a start. Europe needs to move quickly towards approving a legal immigration policy, since such an important issue cannot be left just in the hands of governments. The Italian Government has just passed a law that changes and amends previous legislation, but these cannot be seen as permanent solutions that can lead to reception and the building of a better future.

Europe as a whole must do the opposite. It must draw up a legal immigration policy that can manage all immigration, which, like the wind, cannot be stopped but must be controlled.

Barbara Kudrycka (PPE-DE). – *(PL)* Mr President, Rapid intervention teams have the opportunity of becoming an effective tool for the Member States and FRONTEX, although incidentally this is nothing new for FRONTEX. We have already been involved in joint operations before. We need rapid intervention teams, but provided that they are not used as a way of shifting responsibility for patrolling one's own border, which according to the present treaties is the responsibility of the Member States. It is therefore important that these teams be reserved for real crisis situations falling beyond the scope of previous risk analyses. Only then will the Member States have the right and the obligation to implement the mechanisms of European solidarity.

I am well aware that the burden of controlling the EU's external borders is distributed unevenly among the Member States. There are southern states with difficult sea borders, and countries with long land borders. The teams, together with other elements in an integrated border management system, which I mention here as an important resource for our external borders, will contribute to improved cooperation and coordination of efforts and will help to combat illegal migration and people trafficking. However, I do expect FRONTEX and RABITS to have consideration for the rights and needs of people crossing the border in good faith. For this reason we also need to improve coordination as regards border services for this kind of traveller. As regards RABITS I would like to point out the need for public information explaining the rapid intervention teams, and what the rights and duties of ordinary people are when they encounter these teams in order to avoid misunderstandings and unclear situations. This will require information campaigns. Finally, I would like to express my pleasure at the consensus we have found as regards setting up these teams and congratulate Mr Deprez on his excellent report.

Joe Borg, Member of the Commission. Mr President, as I mentioned earlier, the Commission strongly welcomes the compromise reached between the three institutions on this file. It is an important step in the cooperation between Member States and is an excellent example of solidarity in dealing with border controls.

With regard to the points raised during the debate, in particular by Mr Blokland, let me state that at the Justice and Home Affairs Council last week most Member States had already put technical equipment, etc. at the disposal of Frontex for joint operations. In addition, Vice-President Frattini invited those Member States which have not already done so to consider making contributions.

On the other point concerning coordination, let me clarify that Frontex will coordinate operations involving the competent authorities of the many Member States concerned.

I should like to conclude by congratulating Mr Deprez the rapporteur on his hard work, and I welcome the agreement reached between the institutions on the Rapid Border Intervention Teams Regulation. I repeat that it is an excellent example of solidarity and operational cooperation.

President. – Thank you, Commissioner.

The debate is closed.

The vote will take place tomorrow, Thursday, at 12 noon.

Written statements (Rule 142)

Louis Grech (PSE), in writing. – Existing external border control surveillance lacks the appropriate and sufficient resources to effectively combat illegal immigration and trafficking of human beings. This problem does not pertain to one country or one region but to all Member States.

In this context Mr Deprez's report highlights the various shortcomings and addresses on the real issues surrounding the deployment of the Rapid Border Intervention Teams. Admittedly the creation of this Rapid Intervention Team is a positive step in the right direction and therefore all the appropriate funds should be allocated in order to make this project function in a viable manner.

The effective management of external border control only resolves a small part of this fundamental issue. Unfortunately I feel the institutions, especially the Council, are not tackling this tragic problem with the necessary commitment and urgency it deserves. The serious application of the principle of burden-sharing is far from been implemented in a concrete and tangible manner.

Andrzej Jan Szejna (PSE), in writing. – *(PL)* Mr President, in the eyes of EU law, Member States themselves, including Poland, are responsible for controlling their external borders.

Unfortunately we have to say that the aid currently provided at a European level for responses at the external borders, and the protection of these borders is not enough. It is an issue that cannot be ignored because controlling the external borders of the European Union is really about combating people trafficking and illegal immigration on the one hand, and on the other averting threats to the internal security of Member States, public order, public health and international relations. Border controls are therefore not just in the interest of the Member State that has the border, but it is equally important for all Member States that have removed controls on their internal borders.

The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) has already been set up by order of the Council. We now need to take the next step, which is to create rapid intervention teams that would be sent to the territory of a Member State needing such assistance, but which would not be designed to provide long-term support. However, coordinating the composition, training and dispatch of such rapid intervention teams to borders should be the mandate of the Agency.

This approach will increase solidarity and mutual assistance among Member States.

Luca Romagnoli (ITS), in writing. – (IT) Mr President, ladies and gentlemen, immigration is all too often hailed as a resource, even a vital resource, but that underestimates the terrible effects on those who really have to suffer it. The ones who leave their peoples and countries are often not the poorest, but qualified young people and also – leaving aside any demagoguery – people who are a potential workforce for organised crime in the host countries.

The need to establish common rules on the duties of border guards and rapid intervention teams is justified by the waves of individuals pushing at the Union's borders. These migratory flows supply the hateful traffic in human beings, in tragic and well-known circumstances, and I hold politicians to be morally complicit in this if they claim that it is right and appropriate or even our duty to receive these people, without taking account of their reasons or of whether they can be received. Italy has even decided to accept everyone who turns up on its borders, without anyone having to guarantee that they will provide work and hospitality.

In such a situation, I wonder what the measures that have been announced are good for. In Italy, they will only serve to provide assistance, and they will help the illegal arrival of people who will then go and fill the coffers of the NGOs. What use is a European agency to manage cooperation on our external borders if the Member States' immigration policies are so different? It is no use at all, unless it is to spend more taxpayers' money and to play at demagoguery, which only results in social unrest and disorder.

20. Public Finances in the EMU 2006 (debate)

President. – The next item is the report (A6-0076/2007) by Mr Lauk, on behalf of the Committee on Economic and Monetary Affairs, on Public Finances in EMU 2006 (2007/2004(INI)).

I would point out that Mr Schwab is standing in for the rapporteur.

Andreas Schwab (PPE-DE), deputy rapporteur. – (DE) Mr President, Commissioner, at this late hour, I am pleased that we are speaking about the economic and monetary union of the EU. The European Parliament, in this report presented on its own initiative, expresses itself for the first time on the revised version of the Stability and Growth Pact, adopted by the Heads of State or Government in March 2005. The revision concerned both the preventive and the remedial elements of the Pact.

The aim of the Pact was and remains the avoidance of an excessive deficit and the achievement in the medium and long term of a balanced budget and sound public finances. The present report is an appraisal based on one year. The reference period, in other words, is very short – too short, in fact; moreover, it covers the year 2006, a year characterised by very favourable economic trends. These trends had a beneficial impact on the fiscal policies of the Member States. It goes without saying that an assessment based entirely on this brief period cannot be the last word. The real endurance test for the revised Pact awaits us in the coming years.

The report is an appraisal of the current situation. The rapporteur, Kurt Joachim Lauk, who unfortunately cannot be with us this evening, has deliberately avoided naming the various Member States and assessing their individual levels of performance. The point of this report was not to award exam marks; the

rapporteur saw no value in that approach. What the report can usefully do is to make a general assessment of achievements to date.

The Committee on Economic and Monetary Affairs has dealt in great depth with this report, and our exchanges were highly constructive and fruitful. On behalf of Mr Lauk, may I offer a special word of thanks to Mr Rosati, shadow rapporteur for the Socialists, and to his Liberal counterpart, Mrs in 't Veld, for their close and constructive cooperation. The report was adopted by an overwhelming majority in committee.

I only intend to deal briefly with the main points. The statistical surveys show that the spread in deficit and growth levels is too wide as well as demonstrating a correlation between high deficits and low growth rates. The figures for 2006 show that the 21 Member States with low deficits or even slight surpluses also had high growth rates. This substantiates the view that reducing deficits stimulates activity and improves economic output, thereby cutting unemployment.

Against this backdrop, the report highlighted three key points. Firstly, the Committee on Economic and Monetary Affairs argues strenuously in this report that the economic good times should be used to put public budgets on a sound structural footing. The Member States must take advantage of the economic upturn, and particularly of increases in tax revenue, to reduce their public debts. We must keep reminding ourselves that a stimulation of growth leads to higher demand and higher employment levels. On a critical note, it must be said that the Member States are not making sufficient use of the favourable cyclical climate to consolidate their budgets.

Secondly, we call on the Member States to declare new public debt unconstitutional or unlawful by 2015, as has already been done by certain states and regions in the European Union. The amendment to paragraph 20 tabled by the rapporteur, Kurt Joachim Lauk, is designed to clarify the scope of this call. It states that what is being proposed is a binding obligation on the Member States within the euro zone alone, not on all 27 Member States of the European Union. This seems logical, and may I ask you on behalf of the rapporteur to approve this amendment, tabled on behalf of the PPE_DE Group.

Thirdly, the report calls for the Member States' debts and deficits to be calculated in such a way as to make the figures comparable. This is an important point, because a common basis for assessing the actual level of debt is essential in the context of increasing convergence within the framework of European economic and monetary union.

Allow me, in these last twenty seconds, to make two final remarks. By and large, the revised Stability and Growth Pact worked well in 2006. It remains a rule-based framework. Since it was revised, all deficits equivalent to more than 3% of GDP have been regarded as excessive. Nevertheless, the slow pace at which the level of public debt is being reduced in all Member States is a source of concern.

In the short term, then, the Stability and Growth Pact has worked. Whether it will work in the long term remains to be seen. The real test of its resilience will come in the next few years. We expect the Member States to do whatever it takes to make the Pact succeed.

Joe Borg, *Member of the Commission*. Mr President, the Commission warmly welcomes Mr Lauk's report and is grateful for the high-quality work of Parliament's Committee on Economic and Monetary Affairs. With a strong economic recovery currently under way in Europe and in the euro area, Member States have an outstanding opportunity to improve their public finances and to prepare for future challenges, such as the ageing population. In this context, Mr Lauk's report is a very timely one.

The Commission clearly agrees with the report's statement that the revised Stability and Growth Pact is so far working as it should. In particular, many Member States have made considerable efforts to meet their obligations under the Pact. Since the reform of the Pact, both the corrective and preventative arms have been fully applied in accordance with the reform's provisions. In addition, it is clear that there has been no leniency in the enforcement of the reformed Pact.

Last year, a significant improvement in the general government deficit in the euro area, and in the individual Member States, was accomplished. For the euro area, the improvement was 0.9%, in nominal terms, and hence also appears likely to be higher in structural terms than the 0.3% expected by the Commission last autumn.

The overall economic prospects for 2007 are equally encouraging. The ongoing presence of cyclically favourable conditions in the euro area calls for further fiscal consolidation efforts in 2007 and beyond.

Adjustment towards the medium-term budgetary objectives should be stepped up and pro-cyclical budgetary policies ought to be avoided.

Euro-area Finance Ministers confirmed last week their commitment to make full use of current economic growth and better-than-expected tax revenues to pursue sound fiscal policies, as well as to use unexpected extra revenues for deficit and debt reduction.

The Commission also shares Parliament's concerns regarding the long-term sustainability of public finances and is putting increased emphasis on its assessment. In this respect, a new report on the long-term sustainability of public finances in the European Union was issued by the Commission in October 2006. That report is based on EU common ageing-related expenditure projections. It confirms the importance of addressing the sustainability challenge with a combination of fiscal consolidation and structural reforms.

The Commission has continued its work on incorporating sustainability considerations in setting the medium-term budgetary objectives. Indeed, the improvement of fiscal balances in the medium term contributes to meeting the long-term sustainability implications.

Another key development is the emphasis on improving the quality of public spending, in line with the Lisbon Strategy. That policy guideline is indeed part of the integrated guidelines adopted by the European Council in March this year. The Commission is also grateful for the report's recognition of the efforts made to improve statistical governance. The Commission recently reported to Parliament and to the Council on the quality of the data submitted by Member States.

Finally, while the corrective arm of the Stability and Growth Pact has delivered the expected results, the picture is more mixed regarding the preventative arm. National fiscal rules and institutions can play an important role in this respect. Progress was made last year in this field, and the Commission is currently working on further improving the effectiveness of the Pact's preventative arm. In this context, I fully appreciate Parliament's support for this approach.

José Manuel García-Margallo y Marfil, *on behalf of the PPE-DE Group*. – (ES) Mr President, Commissioner, Mr Schwab's defence of Mr Lauk's report was so brilliant and so accurate that I am going to continue broadly in the same vein as him.

I share Mr Schwab's concern with regard to the progress of public debt. We grew much more last year than in previous years, we have come closer to our growth potential, but public debt remains below the limits that we ourselves set in the Treaty of Maastricht.

According to all of the indicators, we will have good growth next year, but we will grow less than last year, and that means that public debt will continue to cause concern.

I would once again agree with the rapporteur and the Commissioner in saying that this concern is all the more urgent if we take account of the projections on the development of the population, what is known as the ageing of the population, which may be one of the great challenges of the century we have just begun.

Life expectancy is increasing, birth rates are still extremely low, and that means that the working-age population will be smaller and that, therefore, sooner or later, the labour market will contract and, as a result, we will have far more beneficiaries of the system and far fewer people contributing to the social security coffers.

Neither I nor Mr Schwab, who is a Christian Democrat like me, believe that the viability of the social protection system can be called into question. We need to seek foundations to strengthen it, which make it possible for us to fulfil our social obligations.

There are certain recommendations in Mr Lauk's report that I would like to stress, and I shall add a few of my own.

I agree that we should establish comparable bases for the budgets so that we can make comparisons homogeneous, but I would like us to borrow an accounting technique from the private sector, a form of budget forecasting, in order to take account of the obligations of which we are aware.

It seems to me to be obvious that we should take advantage of good times to reduce public debt further, but we are not doing so, or we are not doing so sufficiently.

Thirdly, I believe that we must rethink our entire system of public spending and revenue in order to make our economies more productive, so that we have more resources, amongst other things in order to meet social welfare spending needs. I believe that we should stop looking at the retirement age as something that represents an obligation and think in terms of a right that opens up the possibility of retiring and orient public finances, since we are talking about public finances, in a way that encourages people to remain in work for longer.

Finally, I believe that we should consider replacing social security contributions, as a fundamental core – practically the only one – of social protection systems, with a system of taxes, essentially value-added tax, which the presidential candidate Sarkozy has brilliantly described as ‘social VAT’ in the debate that is taking place in that country.

I would like once again to congratulate the rapporteur, who is not here today, the person representing him and the Commissioner on having taken up the majority of our positions.

Dariusz Rosati, *on behalf of the PSE Group*. – (PL) Mr President, healthy public finances are the mainstay of sustainable economic development. I am pleased to see that in the past year there has been a significant improvement in the European Union in this regard. However, the current positive economic situation is an opportunity to reduce debts and deficits even further. That is why in this year’s report by Mr Lauk, the European Parliament encourages Member States to make use of the favourable market situation to adjust their public finances as necessary and to speed up structural reforms such as labour market and service sector reforms, or reducing red tape for business.

I congratulate Mr Lauk on his excellent report and also thank him for his cooperation. There are four matters to which I would like to draw your attention.

Firstly, in point 26, this year’s report encourages the European Commission to explore the advantages of establishing independent national bodies in charge of determining the annual level of deficit consistently with the medium-term objective of a balanced budget. However, through the intercession of Mr Borg, I appeal to Commissioner Almunia to investigate whether fiscal policy councils, independent of political pressure, would be an effective instrument in fighting for a lower deficit. This relates in particular to the better use of periods of economic boom to improve the situation in public finances. I believe that on this matter I agree with my colleagues who have just taken the floor. As numerous studies have shown, governments have a tendency to excessive deficits, and only implement reforms when there is a crisis.

Secondly, I should like to point out that we cannot agree with point 20, rendering a new public debt as unconstitutional. Every government has the right to act within the framework set out by the Maastricht Treaty, which allows a public debt level of up to sixty percent. Obviously any debt which exceeds this level can be deemed unconstitutional, which is why I would support the amendment put forward by the ALDE Group, to define the limit in this way.

Thirdly, the report stresses that the revised Stability and Growth Pact is a key instrument for maintaining budgetary discipline in the Member States. I agree with the rapporteur that reforming the pact increased both its flexibility and its effectiveness. For this reason we appeal to the Commission to exercise close control of the way Member States observe the Pact.

Fourthly and finally, this House recommends a study on the feasibility of introducing a uniform budgetary procedure for all Member States. Such a procedure would incorporate both a uniform calendar for budgetary procedures and uniform assumptions regarding basic macroeconomic parameters, to be assessed in a standard way across the European Union. In my view these changes would not only make it possible to strengthen budgetary discipline in the Member States, but would also improve the coordination of fiscal policy at EU level.

Wojciech Roszkowski, *on behalf of the UEN Group*. – (PL) Mr President, Mr Lauk’s report is an accurate description of the current situation, and is undoubtedly a lesson for the countries that have not yet joined the EMU. Mr Lauk rightly underlined the main threats to the European Union, which are persistently high budget deficits and uncontrolled growth in budgetary expenditure because of the ageing populations in the EU. It also says that increasing growth rates will make it possible to avoid disaster. However, the report fails to answer the fundamental question of how this growth is to be achieved when the economies of the Member States are less competitive than world leaders, and there is no active policy to encourage families in any EU country. Mr Lauk’s report clearly shows that the EMU, which

is in effect a private members' club for the EU, lacks any prescription as to how the impending threat could be avoided. I have given two examples of how to avoid the main challenge facing the EU countries. In EU debates, for example, delocalisation is not regarded as an opportunity, but a threat to jobs in countries where production costs are higher than in countries where they are lower. These debates very frequently mention the 'demographic challenges', as if nobody realises that they are the result of a dramatic fall in the birth rate. A great deal is said about avoiding pregnancy, the right to abortion, and numerous debates have been held on homophobia – today we have just had the third such debate in two years. But what I would like to know is where is the debate on an active policy of encouraging childbirth in the EU? Only by increasing the birth rate can we avoid the deterioration of the mysterious 'demographic challenge'. The representatives of the Member States may debate on the maturity or otherwise of other countries, but for the countries that have adopted the euro, this is undoubtedly an important lesson.

Sahra Wagenknecht, *on behalf of the GUE/NGL Group.* – (DE) Mr President, ladies and gentlemen, in our opinion, this report takes us in quite the wrong direction. It squanders the opportunity to support an urgently essential change of course. It levels not a word of criticism at the policy of the European Central Bank, which is geared exclusively to price stability and thereby curbs and strangles the growth potential of the EU. The report merely recommends to the authors of the Member States' budgetary policies that they make spending cuts in order to lower their deficits. Not a word does it say about the ruinous tax competition in the European Union that has been further fuelled by more cuts in business taxes. In Germany we are currently experiencing another round in these dumping stakes.

It is perfectly obvious that public finances in the Member States would be far healthier if people of wealth and property, and above all the multinational corporations with their huge profits, were finally required to pay their fair share instead of receiving more and more tax breaks.

There is no shortage, on the other hand, of proposals in the report for a neo-liberal approach to regulatory policy. For example, it calls for a restructuring of public expenditure with the aid of new public-private partnerships, even in the education sector. Come hell or high water, another key area of our services of public interest is to be sacrificed to the profit motive.

The report calls on Member States to declare new public debt unconstitutional or unlawful by 2015; this, too, is downright foolhardy. If such a ban were enforced, it would strangle any attempt to pursue a budgetary policy.

This report represents a wasted opportunity to support a European policy for development based on social justice and solidarity. For this reason, my group will be voting against it.

John Whittaker, *on behalf of the IND/DEM Group.* – Mr President, the rapporteur accepts that government finances in several euro zone countries are still not in good shape. Sovereign debts in Italy and Greece have not fallen significantly, and although deficits have been falling, this is a result of some higher economic growth helped by global recovery. It is not evidence that the Stability Pact is working.

However, this week's news from Spain has shown that weak government finances are not the only threat to the functioning of the euro. Spain has an awful trade deficit of 9.5% of GDP, and its construction asset price boom, which has driven domestic demand, is now definitely over. The boom was driven by euro interest rates which had been far too low but are now too high. Spain can now look forward to serious economic difficulties, with rising unemployment and deteriorating government finances. The normal solution to this dilemma would be for Spain to lower its interest rates and devalue, but neither of these options is available as it shares the single currency.

There are therefore three possible outcomes. The first: to forestall a crisis, the European Central Bank reduces the euro interest rate. Germany would not like this, as it would lead to rising inflation; it would also mean the European Central Bank losing its hard-won reputation for holding down inflation expectations.

The second possible outcome is that Spain leaves the euro zone and re-establishes its own currency, enabling it to devalue and have suitably low interest rates. Yes, we have come to the point when this may no longer be unthinkable. It would lead to serious problems of private and public sector debt default that would spill over across the whole euro zone.

Other countries would not want this, which makes the third possible outcome maybe the most likely, and that is large-scale bailout by other countries, despite Maastricht rules against this, and this would be accompanied by centralisation of control over Spanish public finances.

I do not know which of these outcomes will take place, but it is time we faced up to the circumstances: Spain is a large country and the European Union would not find it easy to stand idle while it suffers in recession.

Zsolt László Becsey (PPE-DE). – (HU) I would like personally to congratulate Mr Lauk for the excellent report, which takes a clear position regarding the lack of sustainability in public finances within the euro zone. For my part, I consider it important to have similar analyses not only of deficits in public finances but also, for instance, of the performance of Member States as regards compliance with the criteria on inflation. Moreover, there is room here, too, for implementing an excessive procedure.

I would like to stress five points. First: it is impossible to analyse the annual and cumulative deficits in static fashion, independently of economic growth, since the most important task of the new Member States striving to join the euro zone is to catch up to the others. Stimulating this is the aim of the Structural and Cohesion Funds, and as a result, higher growth can temporarily be accompanied by an annual deficit in excess of 3%. Examples of this are the 2005 performance of the Czech Republic and the 2006 performance of Slovakia. If the cumulative debt can be reduced, this may be considered the sign of a healthy trend.

Second: we must be especially careful that individual Member States do not attempt to conceal one-off privatised or PPP constructions and count these in the reduction of the deficit. This practice and its danger have been clearly outlined by the rapporteur. For those Member States that do so encourage undertakings with economically dubious results and reduce transparency. With regard to this matter, the instruments available to the European Commission for detecting such tricks must be strengthened. Let us see how each Member really stands; assessment considerations should only come into the picture in the event of excessive deficit procedures. This is important not only for the stability of the euro zone, but also because deficits that are identified only afterwards, or that have been covered up, reduce the credibility of EU institutions in the Member State concerned. This is what happened most recently in Hungary, where, with the Commission looking on, a Member State that had been performing well ended up on the brink of national bankruptcy. This question – the political role of the Commission – should be the subject of a separate debate.

Third: in my view, the fact that the criteria for entering the euro zone are higher than those that apply to the behaviour of its existing members is a political double standard, and therefore must be changed. This practice has never been sanctioned, yet refusing a country entry into the euro zone is itself clearly a sanction. One could point to the French, German or Italian performance by way of an example, for in fact not a hair on anyone's head was harmed as a result, nor did even a single euro have to be paid by way of a deposit.

Fourth: from the perspective of the stability of the euro zone, I am in favour of building into national legislation a ban on further indebtedness. Although every Member State has to resolve this problem for itself, and the situation of each is different, a minimum requirement of those in the euro area ought to be a positive primary balance.

Fifth: the main goal is to achieve the Lisbon Strategy and to improve fiscal policy, for instance with an appropriate response to the challenges presented by our aging population. In this regard, the most important indicator is the rate of employment, which is more revealing, and gives a better measure of the sustainability of public finances, than the unemployment rate. Therefore we should ask for this figure more frequently from the Member States that are at risk. In addition, reducing the tax burden is also an important objective, since a good number of Member States boasts a redistribution rate in excess of 50%, while their traditions do not suggest the Scandinavian model.

Pervenche Berès (PSE). – (FR) Mr President, Commissioner, I should like simply to say to the previous speaker that this report clearly does not relate to the issue of enlargement of the euro zone but indeed to the state of public finances within the European Union.

As such, I should like to warn this House against a temptation introduced by the rapporteur and unfortunately validated by our committee, which is to totally throw out of kilter the reform of the Stability and Growth Pact in the form in which it has been carried out, for the report proposes nothing less than

for us to regard the public deficit as unconstitutional. I hope that this House will have the wisdom to censure or put right this assessment, which I feel is completely at odds with the optimal use of public finances, which must obviously contribute to financial stability and make it possible for future generations not to have to fund our debt. However, I also feel that, if we want to be consistent with our strategy – which requires long-term investment – the idea of regarding any public deficit as unconstitutional is a narrow-minded way of thinking, to say the least.

I should also like to emphasise that the contribution of this report to the greater coordination of economic policies and the dynamic vision of Mr Juncker and of Commissioner Almunia will enable us to progress slowly – too slowly, but safely, I hope – on the path to coordinating budgetary timetables and to taking better account of consistent macroeconomic data for the euro zone as a whole. I have great hopes that what has just taken place at the Eurogroup, namely a dynamic discussion before each Member State launches into the definition of its own budgetary strategies, will become the rule, at the very least within the euro zone.

Allow me, on behalf of the Committee on Economic and Monetary Affairs, to state that, if this were to become the rule, it would obviously be important for the parliamentary dimension of such an anticipation of national budgetary strategies to be strengthened, and that would depend on constructive cooperation being established or enhanced between the European Parliament and the national parliaments.

Dariusz Maciej Grabowski (UEN). – *(PL)* Mr President, the rapporteur deserves our thanks for raising such an important issue and drawing attention to the challenge Member States face in the form of their ageing populations. These words of thanks go to the rapporteur for his diagnosis and his prognosis for the disease.

However, what does arouse total opposition is the suggested cure, which is to restrict the budget deficits of the Member States, and to standardise their financial policies. It is paradoxical that the cure is suggested by a Member representing Germany, a country that has not kept within the budget deficit limits, and which is increasing taxation, such as VAT.

The rapporteur's proposed cure arouses disagreement on many points. Because of the time restrictions, I will only mention the two I regard as being the most important. Firstly, only an active strategy of supporting business, reducing red tape and a radical increase in infrastructure investments, abandoning the costly policy of farming subsidies and re-allocating the money to research and development and regional development can solve the dilemma of funding pensions.

Secondly, a uniform budget and tax policy is an attempt to strait-jacket the finances of the new Member States, ignoring their specific development needs, and thereby preventing them from eliminating any development gaps.

We therefore disagree with the rapporteur's findings and take the opposite position. The European Union needs greater freedom of budgetary and fiscal policy for its members, and only this would make it possible to eliminate the dilemma of a poor society.

Othmar Karas (PPE-DE). – *(DE)* Mr President, Commissioner, ladies and gentlemen, the report and the debate show clearly that the Stability and Growth Pact has been a success. It is a success because this type of public debate about government finances would never have been conducted in either the Member States or the European framework if there were no Stability and Growth Pact. It is a success because it creates clarity and certainty and defines the same objectives for everyone. It is a success because it establishes a regulatory structure for national budgetary policies. The Stability and Growth Pact is the European political complement to the single currency, and the single currency is our most important and successful response to globalisation.

The success of the Stability and Growth Pact is also reflected in the percentage decrease in total indebtedness and in the annual amount of new debt. We are still far from the finishing line, however, and we now have an opportunity to speed up the process. The economic climate provides a tailwind that can help us to remove structural defects, to step up the liberalisation drive and to rise boldly to the challenges posed by demographic trends. Incurring debt to service debt rather than to invest in the future saddles the young people of our nations with a heavy burden. Incurring debt to service debt means selling our future down the river. We need the annual surplus to reduce the government deficit in every Member State and to increase our scope for future action. May the report give us fresh impetus for the pursuit of these goals.

Donata Gottardi (PSE). – *(IT)* Mr President, ladies and gentlemen, having sustainable public finances in the countries of the Union is of vital importance not as an aim in itself, but as a means to implement the European social model, which is characterised by research, investment, innovation and competitiveness, social cohesion, and environmental and energy sustainability.

The new, revised Stability and Growth Pact should not be seen as the only instrument for coordinating economic policies in the European Union, but it must be used in conjunction with the integrated growth and employment guidelines and with the goal of political and economic coordination of the euro zone.

The more the text we approve results in uniform procedures, common shared parameters and a joint debate on budget projections, the more significant it will be. That does not mean, however, that we want a purely accountancy-based approach. Ensuring that the deficit and public debt are reduced will require the implementation of strict measures, but proactive measures aiming at sustainable economic and social development are also needed.

I too should like to point out the fact that calling for the Member States to declare an excessive deficit as being nationally unconstitutional is highly debatable, not least from the legal standpoint of the formulation of relations of subsidiarity between the Union and the Member States.

To conclude, I think it is important to emphasise what role we want to play, that is to say, to lay the foundations for a sustainable European public finance system aimed at growth.

Zbigniew Krzysztof Kuźmiuk (UEN). – *(PL)* Mr President, in my contribution to the debate on the report on public finances in the EMU countries for 2006, I would like to make a few observations.

Firstly, while it is true that the public finances of the majority of EU countries improved significantly in 2006, I have serious doubts as to whether this is a result of the reform of the Stability and Development Pact as the Commission makes out. In my view it is more likely the result of a good economic climate.

Secondly, despite these improvements I do not regard the public finance situation in individual Member States as satisfactory. In spite of the good economic climate, only three of the countries in the euro zone returned budget surpluses. Over half of the countries in the zone have a public deficit in excess of 60% of GDP.

Thirdly, I should point out that the state of public finances in the new Member States is better than in the old members, for example, the average public debt in the euro zone was over 63% in the old fifteen, while it does not exceed the 60% threshold in the new twelve.

And fourthly, I would like to state that despite the revision of the Pact, the Commission's favouritism towards the largest Member States has not changed. It continues to tolerate significant deficits, and even public debt among these countries, which contrasts with its strict attitude to the smaller Member States, and in particular the newly accepted members.

Joe Borg, Member of the Commission. Mr President, on behalf of Commissioner Almunia, I would like to thank you for this very constructive debate. He sends his apologies for not being here today owing to other unavoidable work engagements.

As mentioned by Members, the strong economic recovery currently under way in Europe and in the euro area presents Member States with an opportunity to improve public finances to prepare for future challenges such as the ageing population. As a result of this, the Commission published its report on the long-term sustainability of public finances in October 2006 and emphasises the importance of addressing the sustainability challenge in the context of ageing-related expenditure.

The Commission considers the idea of setting a uniform calendar for budgetary procedures across the EU an interesting one. We need, however, to be prudent, since it would need the support of the Member States. Furthermore, its practical implementation would be somewhat complicated. Having said that, last Friday the Ecofin informal meeting dealt with the medium-term review of stability objectives ahead of the Member States' preparation of national budgets. This is an important step towards a more consistent and coordinated way of establishing national budgets.

President. – Thank you very much, Commissioner.

The debate is closed.

The vote on this item will take place tomorrow, at 12 noon.

Written statements (Rule 142)

Gábor Harangozó (PSE), in writing. – The worsening budget deficit in some of the new Member States calls for determined and sustained action to implement, through adjusted convergence programmes, a viable fiscal consolidation strategy. Nevertheless, arbitrariness in the implementation of the Stability and Growth Pact is likely to reduce incentives for fiscal adjustment in these Member States. This report on Public Finances in EMU 2006 is therefore an opportunity to raise concerns about too rigid an approach when it comes to deal with the management of excessive public deficits. To avoid the regular infringements by Member States facing difficulties in balancing their public finances, the SGP should remain an incentive to induce fiscal adjustment in EU members and thus the revision should avoid the emergence of an increased arbitrariness in the implementation of the SGP.

Of course, fiscal discipline is a key element in the convergence of the income levels of new Member States with the EU-15. However, increased implementation transparency avoiding rigid and arbitrary procedures, as well as better comparability and reliability of data are necessary not only to facilitate new Member States' entry into the single currency, but also for the prospect of genuinely enhancing growth and competitiveness in these countries.

21. Strengthening European legislation in the field of information and consultation of workers (debate)

President. – The next item is the Commission statement: Strengthening European legislation in the field of information and consultation of workers.

Vladimír Špidla, Member of the Commission. (CS) Mr President, honourable Members, keeping workers informed and consulting with them is a significant element of the European Social Model's response to the challenges posed by globalisation, economic competition and technological change. Included in that response is change management, the anticipation of change and social dialogue.

I do not have to remind the House of the importance the Commission attaches to European Works Councils. They enable us to reduce the imbalance arising from inadequate representation, in other words due to the fact that a growing number of decisions are taken at supranational level, whereas the law on informing employees and problem resolution is implemented mainly at national level.

They provide support for the social partners in each country and facilitate general understanding of the strategic problems of businesses and the search for solutions. In particular they allow for the anticipation and management of change. In the era of globalisation, Europe must address a number of economic and social problems.

We are well aware that business restructuring is something feared not only by the employees affected but also by other citizens. We also know that when it comes to addressing this phenomenon there is only one possible approach, and that is to be decisive, proactive and dynamic. The EU must contribute towards preparing for the changes brought about by restructuring and towards managing them in a responsible way – whether by means of the structural funds, in particular the European Social Fund or through political dialogue in the context of the restructuring forums introduced by the Commission – and towards the implementation of the Community's regulatory framework for the information and consultation of workers.

The recent situation in the VW car works demonstrated in particular the need to inform and consult with workers in the decision-making process at the earliest opportunity, so that they are prepared for restructuring and so that this is carried out in everyone's best interests. European Works Councils must be capable of carrying out this function in the context of supranational operations. How to achieve this goal? First and foremost, is essential to ensure compliance with Community legislation when it comes to informing and consulting with employees. I would emphasise, though, that the task of upholding Community legislation falls primarily to the Member States.

Questions should also be asked about the review of the Directive on European Works Councils. I am well aware of how sensitive this issue is. As you know, the Commission initiated the process of reviewing the Directive on European Works Councils in 2004. In the context of the 2005 communication on

restructuring and employment the Commission encouraged the European social partners to enter negotiations on this issue. The social partners have incorporated support and evaluation of the joint texts relating to European Works Councils and restructuring into their working programmes for 2006 to 2008. We await the results of this work with great interest.

I know that the social partners have different approaches to the issue of European Works Councils. Everyone agrees that there is an increasing need for social dialogue at a national level, and many are aware that the work of the European Works Councils is often overlooked or underestimated. The question is whether a review of the European legal framework will improve the way they function or whether it would be enough to step up the exchange of tried and tested approaches between the social partners. We welcome all proposals contributing to the development of the legal framework. It appears that this development will prove useful in guaranteeing greater cohesion and effectiveness when it comes to informing and consulting with workers, reducing legal uncertainty in cases involving major changes to the size of businesses, and clarifying the extent of the process of informing and consulting with employees at European and national level and the role it has to play.

It is clear that the Commission's initiative takes account of actions initiated by the social partners with a view to supporting the use of proven approaches. It also takes account of the requirements of the Economic and Social Committee. The Commission will support the search for solutions arising from the partnership and linking up the economic, social and environmental aspects. This approach is also backed in the 2005 Commission communication on restructuring and employment and the 2006 communication on corporate responsibility. The Commission awaits with interest Parliament's resolution on the issue, which will play an important role regarding the Commission's next steps. The Commission is ready to discuss the issue of informing and consulting with workers with Parliament. Thank you.

Gabriele Stauner, *on behalf of the PPE-DE Group*. – (DE) Mr President, Commissioner, ladies and gentlemen, let me begin with a special word of thanks to Commissioner Špidla for his remarks on the subject of information and consultation of workers. We all know how much importance attaches to workers' participatory rights as a source of good industrial relations and as the basis of a contented and motivated workforce. That is why these rights are also, and indeed particularly, in the interests of companies and employers.

We in Europe can be proud of our tradition of worker participation. These rights feature prominently among our economic success factors. Although consultation rights vary between Member States of the EU – in the country I come from, for instance, worker participation extends to a right of codetermination in the realm of business management – information and consultation rights are undoubtedly part of what we call the European social model.

The European Works Council Directive of 1994 is acknowledged as the pinnacle of Community legislation in this field.

By common accord, it has proved its worth too; one token of its necessity was the fact that some companies with operations in several countries had voluntarily established works councils even before the Directive entered into force.

I also believe that now, in 2007, the time has come to revise the Directive. The 1994 Directive had actually designated 1999 as the revision date. There have been many changes since the Directive was enacted. Corporate economic structures have changed, and globalisation has made further advances, but the expectations of employees and those who represent their interests have grown too.

As representatives of the people in Europe, we shall gladly play our part in adapting the rules to the changes in the world of business and employment, for we all know that the only successful employers of the future will be those who act responsibly and with due regard to the rights and welfare of their employees, while well-informed employees who are involved in corporate decision-making processes will give of their best and be committed to the success of their company.

Stephen Hughes, *on behalf of the PSE Group*. – Mr President, Airbus, Alcatel, Lucent and Delphi Systems are just the latest in a never-ending stream of instances of major restructuring that have led delegations of workers to come to us complaining of breaches of EU information and consultation laws, not just the Works Council Directive, but others too: directives on collective redundancies and transfers dating from the 1970s, and the Directive establishing a General Framework for Information and Consultation of Workers.

We have quite a body of information on consultation laws, but the inconsistencies and contradictions between them and the loopholes in them mean that they are often avoided altogether. There is often no attempt at meaningful information or consultation in good time in avoiding or mitigating job losses.

We urgently need a clear definition of the concepts of information and consultation in EU law. We have different definitions in several different directives. The Works Council Directive does not define either notion clearly, while the later directives on a company statute and the general framework have different definitions. This is an open door to abuse and avoidance. The need for a revision to the Works Council Directive is now glaringly obvious: it was due for revision eight years ago.

The deficiencies and loopholes are well known: failure to provide timely information and consultation, to fully recognise the role of trade unions, to provide expert support, the inadequacy of sanctions, the misuse of confidentiality rules to withhold information and so on. These deficiencies must now be addressed to give workers the effective tools they need.

I know there is a view that a revision should not be launched because we might end up with a weaker, not a stronger, instrument. The view of my group is that the avoidance and abuse of this legislation is now of such scale and breadth that we have nothing to lose in insisting on a revision. I urge the Commissioner to bring that provision forward as a matter of urgency.

Ilda Figueiredo, on behalf of the GUE/NGL Group. – (PT) At a time when we are celebrating the 33rd anniversary of the April Revolution in my country, Portugal, it is with particular pleasure that I am here in this Chamber talking about strengthening the legislation on the information and consultation of workers.

As we all know, the directives on the information and consultation of workers and the European Works Councils lay down that information should be made available regarding the development of economic and social aspects of the company and regarding decisions that cause substantial change as regards the organisation of work and work contracts. Experience has shown, however, that this is not enough and does not address the increasingly serious problems of company restructuring and relocations, which have serious economic and social repercussions.

Workers from various companies continue to report such problems in the hi-tech industry, in the cases of Alcatel-Lucent, Delphi and Yasak, footwear, for example Rodhe, the car industry and the textiles sector. Community legislation therefore needs to go much further.

Workers' organisations must be kept fully informed and must play a central role throughout the process, in the European Works Councils, including the right of veto.

Flexi-insecurity, the liberalisation of redundancies and the unacceptable attack on the rights gained by the workers down the years must not be allowed to flourish.

I hope that you will be able to answer the questions you face, Commissioner.

President. – If it means celebrating the Carnation Revolution, I am sure, Mrs Figueiredo, that he will reply to you.

Ieke van den Burg (PSE). – (NL) Mr President, I shall try to make my statement in one minute; it mainly has to do with the financial markets and what is happening there at the moment in the area of private equity and hedge funds which, via shareholders' rights, are gaining influence in businesses. It is very disappointing, in my view, that the present Commission has failed to table any proposals on employees' rights, particularly in those large transnational businesses, while everything possible is being done to improve shareholders' rights. We adopted a report on this very subject in February last. There is clearly an enormous imbalance between what is being done for shareholders in order to gain more influence in businesses – which they can do purely from their financial perspective – while no consideration is being given to the repercussions on employment, on the quality of work or on employees' rights. As I see it, the balance should be restored in that area at the earliest opportunity, and it may be advisable to revisit the fifth Company Law Directive and to ensure that, when monitoring businesses, a better balance is struck between the interests of shareholders and those of employees.

Harald Ettl (PSE). – (DE) Mr President, Commissioner, recent events in the European Union have shown that information and consultation within the framework of the European Works Council function only in a highly inadequate manner. We are now at the stage where worker representation bodies in

different countries – France, Germany and so on – are being played off one against the other, yet this is not some sort of international sports match. Consultation and information within the framework of the committee of the European Works Council simply no longer exist. For that reason there is a need for a change in this regard. I would point out that the first revision was supposed to have taken place back in 1999. The subject was brought up again in 2004 and now we are at the stage where we are recognising the need for revision.

I am very pleased that it was Mrs Stauner of the Group of the European People's Party (Christian Democrats) and European Democrats who prepared this subject for us, as it was former German Chancellor Kohl who, when the European Works Council Directive came into the world, was first in line in the delivery room. At that time, though, our industries were still in a quite different condition to the one they are in today; there have been a lot of changes. Business organisations have got smaller, methods of communication have changed. There is much in this sector that has to be changed. All I can do is call on us to seize the opportunity currently before us to undertake this revision. Let us bring the European Works Council up to date! Let us update the regulations and bring them into line with reality! It is tremendously important, from the point of view of democratic politics, for this to work within companies, because if it does not work there is an enormous potential for conflict, and that is what has to be prevented.

All I can do, then, Commissioner, is to entreat you to get this under way quickly and to push the Council as necessary in order to make this happen.

Kader Arif (PSE). – *(FR)* Mr President, Commissioner, ladies and gentlemen, 13 years after the adoption of the European Works Councils Directive, much remains to be done if this legislation is fully to achieve its objectives.

Over the last few months, many companies have carried out major restructuring projects, without consultation and regardless of this directive and of other European laws and without any of these companies having ever been punished. The crises that Airbus is going through now, that Alcatel and Volkswagen went through in the past and that Peugeot will perhaps go through in the future, are harsh examples of just what is lacking in European social dialogue.

In the case of Airbus, the trade unionists and workers that we met in Parliament or in our respective countries rightly deplored the absence of any prior consultation or true cooperation with regard to the Power 8 restructuring plan. Although we know that managerial errors are at the root of the current difficulties being experienced by Airbus and, at the same time, that it is the skills of its employees that have made it a success, the employees are the last to be informed but the first to be affected – and the most tragically affected – by this plan. As for the managers, they are shielded, because they are covered by the millions of euros of their gilded parachute. We can no longer tolerate a situation in which employees learn through the press that they are being made redundant. We need to act urgently if we are to ensure greater transparency.

For several years now, we in the Socialist Group in the European Parliament have been calling for these texts to be revised in a bid to ensure that information and consultation of workers early on, at regular intervals and at all levels of decision making will enable them genuinely to make their presence felt in the decision-making process. Thus, employee representatives ought to be able to sit on the management board of companies. This is a crucial element when it comes to workers being informed about, and monitoring, strategic decisions. This is what would make it possible, too, to ensure that these restructuring measures were really crucial to the business and not just linked to managerial errors or to the quest for immediate profit.

We also think it crucial to ensure that companies within the Union assume their social and financial responsibilities and act in accordance with a method of governance that is responsible and fair towards all of the parties involved – workers, trade unions, local and regional authorities and communities in the area in which they are based. The Commission must make a commitment to induce companies to act responsibly, including by considering legislation on their social responsibility.

It seems to me that, in a globalised setting and in an ever-changing economic situation, it is our duty today, as it was 13 years ago, to ensure that the existing directives are applied in full, including by means of sanctions against irresponsible companies but, even more so, to ensure that the existing directives are revised so that they go further with regard to information and consultation of workers, and to works

councils. By doing so, we will make it clear that we are strongly attached to a socially responsible Europe.

Inés Ayala Sender (PSE). – *(ES)* I would like to thank the Commissioner for his fine words, although we would like more details on the timetable and the measures to increase the transparency and good governance of companies.

The participation of workers is required if we are to maintain the competitiveness and quality of European industry in flagship projects such as Airbus and others that are less well-known, but crucial if we are to turn Europe into the competitive economy that we want to see. Delphi is a painful wound in my country in this regard.

It is not right to attribute the problems we are experiencing exclusively to globalisation, since if we look carefully, we will see that the books of both Airbus and Boeing are full of orders, and therefore more workers are needed rather than fewer, both here in Europe and in other places.

I would like to call upon the Commission, in addition to the worker participation that we are demanding, now to consider new measures to ensure transparency in the activities and decisions of executives who, with their armour-plated contracts and exorbitant salaries, allow negligence, lack of transparency and criminal errors to take place for which the European Community does not currently have a sufficient instrument.

Commissioner, does the Commission intend to create instruments to restrict this irresponsible power within the context of the so-called social responsibility of companies and their codes of conduct, which so far are not obligatory? Could measures be implemented to oblige executives to manage in a more transparent way, firstly for the sake of the workers and also for the sake of society? If we are talking about good European governance in companies, we cannot continue to resign ourselves to this situation.

Matthias Grootte (PSE). – *(DE)* Mr President, Commissioner, ladies and gentlemen, it seems that something bad must always happen before the Commission advances an opinion on a subject as important as strengthening the rights of workers in the area of information and consultation.

Airbus's Power8 restructuring programme and the consequent threat of job losses and sales of factories shook European Airbus employees to the core. In the discussion with the works councils of the areas affected, Varel and Nordenham, and at a meeting of trade union representatives from all over Europe that took place in Brussels recently, the workers pointed out time and again the inadequate supply of information to and consultation with Airbus employees. For this reason, the rights of European works councils must, first of all, at long last be fully implemented and then extended and given greater depth.

It is indefensible for workers not to be provided with comprehensive information and consultation if their companies are being restructured or if there are possible job losses. This indefensible situation can be remedied only by finally getting the long-overdue revision of the European Works Council Directive under way. So far, I have not heard of a single company anywhere in Europe that has got into difficulties because of its works council. On the contrary, in fact, consultation and providing early information to workers could definitely have saved large numbers of companies and jobs in Europe and fixed management mistakes.

After 13 years it is time for this legislation to be fully brought to bear in order to ensure social peace in Europe.

Alejandro Cercas (PSE). – *(ES)* Mr President, Commissioner, it is true, thirteen years ago now, on reading the texts, it was pointed out that, in our primary law, we had to incorporate social dialogue as the European social model's distinguishing mark. That was why the Directive was drawn up.

It was pointed out thirteen years ago that the internal market had a transnational dimension and that that could lead to problems amongst workers in companies of a transnational nature, since they should take decisions in consultation with everybody without prejudicing a few or prejudicing everybody. Given what we have seen in Delphi, in Renault and in Airbus, we are now much more acutely aware of the need to improve these mechanisms.

Europe is in danger of appearing to lack legitimacy amongst the workers, because they are seeing two very dangerous things simultaneously, Commissioner. Firstly, they see that we do not have any

instruments, but at the same time they hear us in Europe saying that we are with them, that we are not going to abandon them in the face of globalisation and restructuring.

The revision of the Directive, therefore, though not sufficient, is nevertheless necessary, because it is an instrument that is showing itself to be neither used nor useful in dealing with the extremely serious problems that we are seeing on the ground and which are turning a very significant proportion of the European population against each other and against Brussels.

This is urgent, Commissioner. We must continue to move forward. We shall support you fully if you tackle such a difficult and risky situation.

Karin Jöns (PSE). – *(DE)* Mr President, Commissioner, ladies and gentlemen, uncertainty is always a bad thing, especially when it relates to the future of jobs. The sword of Damocles that being laid off represents has been hanging over the heads of thousands of Airbus employees since January. That is an intolerable situation. It is no way to treat human beings. In my constituency there was talk, with the advent of Power8, first of 1 200 job losses, then of 700, then of job losses solely amongst temporary workers and now we hear that Airbus actually wants to start hiring again! All of this cannot fail to make one dizzy.

The approach taken by the top management at EADS is, as we all know, no longer an isolated incident. We have heard this a number of times today. The fact that something like this occurs despite the European Works Council Directive is simply scandalous and makes it glaringly evident that action is needed. For that reason, there is an urgent need to introduce specific measures to provide a stronger reminder to employers of their obligations in terms of informing and consulting with their employees. We must ensure, above all, that sanctions against contravention of the directive are rigorously enforced right across the EU and also that employees and their representatives are represented on the supervisory boards.

Commissioner Špidla, I genuinely expect the Commission finally to get on with the long overdue task of updating this directive, for, as is well known, the EU's competitiveness and productivity stand and fall by good, safe jobs.

Vladimír Špidla, Member of the Commission. *(CS)* Mr President, honourable Members, firstly, a number of cases were mentioned in which the directive on information and consultation of workers was not applied appropriately. This did indeed happen, the Commission took action in each case and in some cases there was a clear improvement in the situation.

I should like to emphasise, however, that the directive is not as weak as would appear from some of the opinions expressed. How it is applied is ultimately a matter of national discretion. I should like to point out that a number of companies have been brought before the French and Belgian courts recently for not upholding the directive and that in some cases, for example British Airways, the restructuring process has been put on hold until the law on consultation and information has been implemented in full. There are therefore possibilities for a relatively effective approach, which is something that in my opinion we should bear in mind.

The second question mentioned was that of the prospective review of the directive. I would point out that the Commission has launched a review of this directive and that our aim is in any event to contribute to a solution leading to stable, effective social dialogue and consultation and the right to consultation with workers and for them to be informed. This is the Commission's goal and I am sure that we will achieve it during this legislative period.

President. – Thank you very much, Commissioner.

The debate is closed.

The vote on the motions for resolutions tabled at the end of the debate⁽⁶⁾ will take place during the next part-session, in Brussels, on Thursday 10 May.

Written statements (Rule 142)

⁽⁶⁾ See Minutes

Glyn Ford (PSE), *in writing*. – The reason for this statement and next month's resolution is the appalling situation regarding Airbus in Europe. A combination of mismanagement, unfair competition and poor judgement has threatened the success of this most vital of European industries. I find it inconceivable that the US with Boeing should totally dominate the world market for medium- and larger-scale aircraft. Boeing has its civilian sales and R&D underpinned by military contracts and military R&D: a sad indictment of Europe's lack of a common defence and security policy.

Nevertheless, the key problem here is that despite massive EU and national governments loans to Airbus, it was run like some kind of Edwardian corner shop with minimum consultation with the workforce. Workers possess one of the most important resources for any industrial enterprise – craft knowledge and experience. It may well be that by focusing on that, management could have avoided some of its worst mistakes. Now a minimum of 10 000 families face the prospect of suffering job losses.

If this company in the vanguard of European industry pays so little attention to its most important asset, its workforce, it can only be time for the Commission to strengthen and reinforce legislation that is clearly not strong enough.

22. Directives concerning the protection of health and safety of workers: simplifying and rationalising practical implementation reports (debate)

President. – The next item is the report (A6-0059/2007) by Mrs Figueiredo, on behalf of the Committee on Employment and Social Affairs, on the proposal for a directive of the European Parliament and of the Council amending Council Directive 89/391/EEC, its individual Directives and Council Directives 83/477/EEC, 91/383/EEC, 92/29/EEC and 94/33/EC with a view to simplifying and rationalising the reports on practical implementation (COM(2006)0390 – C6-0242/2006 – 2006/0127(COD)).

Vladimír Špidla, *Member of the Commission*. (CS) Madam President, Mrs Figueiredo, honourable Members, I should first like to thank Parliament and the Council for their efforts in reaching agreement so quickly on this proposal. I also welcome the Figueiredo report, which kick-started the constructive dialogue chaired by the Council, where the foundations were laid for the adoption of the proposed directive at first reading.

The Commission's proposed directive forms part of the process of simplifying the legal environment. The purpose of this proposal is to simplify and rationalise the responsibilities of the Member States and the Commission as regards reports on the implementation of directives relating to worker health and safety, without backsliding on the principle of protection. This is a fundamental condition. The new text harmonises the timeframes for delivering national reports that will be published once every five years, and this obligation is extended to all existing directives. The plan is for only one report, including a general section dealing with the general principles of the framework directive, supplemented by special chapters on aspects relating to the individual directives. This will allow for a general overview of practical implementation.

The simplification will apply to the national bodies, which will draw up only one report every five years, the Commission, which will draw up only one national report per Member State instead of the current 500 reports, and the social partners, which will also contribute one report every five years. The Commission, in close cooperation with the consultative committee on health and safety at work, will set up a body charged with helping the Member States to draw up coherent reports. The Commission is ready to adopt the amendments for which you voted. I will strengthen the role of the tripartite advisory committee on health and safety at work in defining the structure of the reports, in clearly establishing the content of the reports and in setting deadlines for the Member States and the Commission to draw up the reports. Thank you.

Ilda Figueiredo (GUE/NGL), *rapporteur*. (PT) Issues of workers' health and working conditions, the organisation of health, hygiene and safety services in the workplace and the list of occupational diseases were first debated in Community circles in 1989 with the publication of Framework Directive 89/391.

Since then, other directives have been adopted covering workers' health, the organisation of occupational health services, working conditions, young workers, temporary workers, and those manning ships, thereby fulfilling the International Labour Organisation Conventions.

Almost all of these and other directives stipulate that the Member States should submit a report to the Commission on their practical implementation and the points of view of the social partners. The truth is that some Member States have not done so.

With the proposal before us, it is hoped that greater attention will be paid to the effective implementation of the directives concerned and to working conditions. It is an attempt to reduce the millions of accidents at work per year and thousands of deaths and injuries leading to permanent incapacity across the EU.

As I have said, the drafting of practical implementation reports by the Member States, is laid down in several different directives, but required at different intervals, some every four years, some every five, and others without any specific timeframe.

Now, as the Commissioner has just told us, the Commission is proposing that one single report be drawn up every five years. In order that the proposal for one report every five years meets the needs of safeguarding health and safety at work, the specific aspects of each directive must not in any way be watered down or underplayed, and this is something that this report seeks to address.

We have accordingly tabled a number of proposals, of which I should like to highlight those that refer to the structure of the report itself, which should include a specific questionnaire.

The report should accordingly include a general section dealing with the common principles and aspects applicable to all the directives and other specific chapters regarding the implementation of each of the particular characteristics of each directive, with the inclusion of specific indicators, when available.

The five-yearly report will provide a practical assessment of the various directives and, where appropriate and available, separate data by gender on equality between men and women. It will also include relevant information on the prevention measures taken by the Member States in order to make a suitable assessment of how the legislation is working in practice.

We strongly believe that there needs to be a policy of genuinely improving the practices of the various Member States. The Commission must also, as a matter of urgency, submit a more thorough report on the current situation in the Member States in the various areas of workers' safety and health in the workplace.

Lastly, I should like to highlight the close cooperation that was possible with the MEPs from the different political groups in the Committee on Employment and Social Affairs, with the Executive Committee and with the Council. This cooperation will certainly enable us to obtain agreement at first reading. I thank you all for the work that has been done.

Mihael Brejc, on behalf of the PPE-DE Group. – (SL) First of all, I would like to express satisfaction with this report on behalf of the Group of the European People's Party (Christian Democrats) and European Democrats, because it constitutes one of the first steps towards a significant relaxation of the burden imposed on Member States with regard to various administrative tasks. At the same time, this directive will contribute to the simplification and clarification of the work of the Commission. In the PPE-DE Group we are very pleased to note that the agreement with the rapporteur has worked and that we have been able to secure such a broad consensus within our committee. If I remember rightly, we adopted this report with only one vote against.

In terms of its contents, the report sends yet another clear message to the European public that the Commission, the Council and Parliament are taking decisions to rationalise procedures and to improve communication between the Member States and EU institutions so that everyone can reap the benefits of such action.

This directive and the single report will in no respect lead to any watering down of standards relating to health and safety at work. My political group considers this report in its entirety, that is the directive, as an important step forward, but, of course, we would like to see similar initiatives being taken in other fields and by other commissioners. Let me mention just one example: in the field of terrorism, for instance, the European Parliament has adopted around 60 different documents, directives, regulations etc. Things are quite hard to fathom out, for instance the Schengen Treaty, the single market and a host of other examples. In a nutshell, this report is a fine example of how we can secure broad consensus within political groups about regulating our common concerns in the future.

I would also like to thank Commissioner Špidla for his participation.

Harald Ettl, *on behalf of the PSE Group*. – (DE) Mr President, ladies and gentlemen, I would like to thank Mrs Figueiredo for her work. She worked closely with the shadow rapporteur and produced a sound draft report for the Committee on Employment and Social Affairs.

The Commission proposal aims towards systematisation and a uniform model for the directives on worker protection. In a single implementation report to be submitted every five years and for which we have been waiting quite a long time already, the Member States are to report to the Commission on the practical application of the directives in question. This plan will certainly provide the single-state authorities – which is the truth of the matter – with a better overview.

Comprehensive and effective worker protection is a basic prerequisite for ensuring and maintaining the health of workers. 4 500 employees die in the EU every year as a result of accidents in the workplace, while over 4 million people are affected by accidents at work each year. A summary report of this nature can provide us with important information with regard to what preventive measures we need to implement and make a contribution to improving the quality of worker protection in the EU.

Leopold Józef Rutowicz, *on behalf of the UEN Group*. – (PL) Mr President, the report on simplifying and rationalising reports and the practical implementation of directives is extremely important for employment policy. The emerging common jobs market requires constant health and safety monitoring for our citizens in EU countries.

Different conditions in individual countries require constant monitoring to ensure that the directives are adhered to, and five-yearly analyses of their suitability, effectiveness, transparency, costs and effects are needed. These analyses, based on clear and transparent guidelines, should help to improve the legal situation and common policy as regards health and safety.

There is also a need to continuously monitor health and safety directives, and the effect of these directives on the health and safety strategy within the Member States. In this regard, the European Agency for Health and Safety at Work and the European Foundation for the Improvement of Living and Working Conditions have an important role to play.

I thank Mrs Ilda Figueiredo for her report.

Andreas Mölzer, *on behalf of the ITS Group*. – (DE) Mr President, the modern working world has brought with it new phenomena, ranging from the growth of psychiatric problems, via the taking of more and more sick leave and increasing burn-out to new forms of aggression such as workplace bullying.

It almost seems to be good form in the working environment to put workers under permanent time pressure and to impose on them unplanned extra burdens and tight deadlines. Anyone who succumbs to the long-term negative impact of this on their health has to explain themselves in interviews when they return to work after a period of sick leave, the idea being that illness is a result of personal misconduct. Older workers are being pushed off into early retirement *en masse*, and younger ones labelled as unproductive.

Initiatives such as *Move Europe* which relate to workplace health management are, of course, to be welcomed. However, such health promotion programmes are often run in companies that are organised in such a way that illness is simply not permitted. It is pressure within companies, in combination with the fear of losing their jobs, that ensures that employees struggle into work against the advice of their doctors. Moreover, short-term contracted activities and part-time work bring with them the constant fear of not having a job and financial worries which are then reflected in psychological problems. Absenteeism and unfitness for work, however, not only generate high costs within the companies concerned, but also burden public health budgets.

Against this backdrop we should not be surprised about the rising numbers of those suffering from eating disorders, obesity and mental illness, nor about falling birth rates. As long as work means permanent stress and children represent a poverty trap, the demographic change that is resulting in a lack of children and an overaging of the population will continue.

With this in mind, we must ensure more job security. It must be possible for a sole breadwinner to feed a family and it must be possible for a woman to decide to have children without that meaning impoverishment. Those who are sick must be allowed to get better. If we could achieve that then we would surely have taken a big step forwards on the road to meeting the Lisbon objectives.

Marie Panayotopoulos-Cassiotou (PPE-DE). – *(EL)* Mr President, with regard to all the previous directives we are given the impression that we exerted insufficient control, which did not help with their comprehensive implementation. Even the directive's explicit provision regarding the submission of reports by Member States on their state legislative provisions, which includes opinions of social partners, has not helped solve the problem, to date. Therefore, I too applaud your proposal Commissioner, considering that it complies with the goals of other European Union policies, especially with regard to the improvement of the regulatory framework on increasing corporate competitiveness.

The present proposal has added value, considering that it allows – through a single report every five years – for a better evaluation of the consequences and community provisions in the fields of health and safety at work as well as hygiene services; the need for a reduction in accidents at work is urgent and work-related diseases must be combated in order for workers, corporations and society in general, to benefit.

I congratulate the rapporteur because she cooperated with the political groups, reached a consensus within the Council and managed to include in the recitals one of my amendments referring to the utilisation of the work of both the European Agency for Safety and Health at Work (Bilbao) and the European Foundation for the Improvement of Living and Working Conditions (Dublin), in the context of the results from the evaluation of national policies on health and safety at work.

It is important that the European Commission takes into consideration the findings of the two aforementioned institutions, in order to draft the basic questionnaire for the Member States, which will substitute the multiple reports. The question is whether a reduction in quantity can bring about an improvement in quality. We certainly hope so.

Vladimír Špidla, Member of the Commission. *(CS)* Honourable Members, I should like, once again, to thank you for the work you have done on this proposal.

I am sure that the vote will pave the way for us to agree on the proposal, which will lead to a substantial simplification of the administrative process, a reduction in unnecessary, bureaucratic obstacles and most importantly to a more effective implementation of the directive on health and safety at work.

I should like, if I may, to make one further remark, because some speeches did not directly relate solely to the subject of this directive, but to health and safety at work in general. Obviously, the figure of 4 500 fatal accidents per year seems relatively low in comparison to the 250 million workers, but we are talking about 4 500 human lives. From this perspective, the figure is excessively high and it is up to us to do all we can to bring that figure down. Thank you.

President. – The debate is closed.

The vote will take place tomorrow at 12 noon.

23. Agenda for next sitting: see Minutes

24. Closure of sitting

(The sitting was closed at 11.25 p.m.)