

THURSDAY, 17 JANUARY 2008

IN THE CHAIR: MR MARTÍNEZ MARTÍNEZ

Vice-President

1. Opening of the sitting

(The sitting was opened at 10 a.m.)

2. Documents received: see Minutes

3. The role of women in industry (debate)

President. – The next item is the report (A6-0519/2007) by Ilda Figueiredo, on behalf of the Committee on Women's Rights and Gender Equality, on the role of women in industry (2007/2197(INI)).

This report is very important and is likely to receive a great deal of media attention.

Ilda Figueiredo, rapporteur. – *(PT)* I must start by thanking the members and staff of the Committee on Women's Rights and Gender Equality and the draftsman of the opinion of the Committee on Industry, Research and Energy for their support and valuable contributions, particularly through their proposals on this report which enabled its unanimous approval. This work took several months and included a public hearing with valuable contributions being made by members of both parliamentary committees and external guests, particularly social organisations.

This report seeks to highlight the role of women in industry. On average, over 14% of women in employment in the European Union work in industry. In some countries this percentage exceeds 25%, such as in Bulgaria and the Czech Republic, and in others it is around 20%, such as in Portugal, Greece and Hungary.

We know that in some industrial sectors women represent the majority of workers, such as in textiles, garments and footwear, areas of the food industry, cork, cabling, and electrical and electronic equipment, whereas their participation in cutting-edge technology sectors is limited. This means that we need different approaches, but with one common goal of promoting the women working in these sectors, guaranteeing non-discriminatory practices in access to employment and contracting, wage equality, creation of career opportunities, vocational training, good working conditions and better pay, and respecting maternity and paternity as fundamental social values.

The need to guarantee employment with rights for women working in industry and to keep facilitating their access to jobs in this important sector of production also requires more attention to be paid to the situation in various industries in the European Union, to the challenges facing them and to the appropriate responses which must be found, including in international trade and in monitoring the situation of imports of sensitive products such as those in the textile sector.

Particular attention must be paid to the restructuring and relocation of multinationals which significantly affect the employment of women and increase their unemployment, particularly in regions where there is no alternative employment. The fight against the wage discrimination which still exists and which affects female workers, in particular indirect discrimination, requires us to look into establishing a methodology for analysing exactly what jobs entail, which will guarantee the right to equal pay for women and men, give proper recognition to individuals and occupations and, at the same time, establish work as a structural factor, with a view to increasing the productivity, competitiveness and quality of undertakings and improving the lives of workers, both women and men.

We must therefore encourage initiatives that contribute to the development in companies of positive measures and human resources policies promoting gender equality. We must also encourage information and training measures making it possible to promote, transfer and incorporate successful practices. I would highlight in this respect certain projects developed with the support of the EQUAL programme which I have had the opportunity to experience in Portugal. This programme deserves the European Commission's full attention to ensure its continuation and expansion.

As underlined in the report, negotiations and collective bargaining are vitally important in the fight to abolish discrimination against women, in particular with regard to access to employment, wages, occupational health and safety conditions, career progression, and vocational training. However, the Member States and the Commission have a particular responsibility and an important role to play in promoting equality and fighting all kinds of discrimination, in guaranteeing employment with rights and in combating the precariousness of work which particularly affects women.

We therefore call on them to act, whether by defining high standards for health protection at work that take account of the gender dimension, notably maternity protection, or through working time and organisation that respect family life, or by creating effective inspection mechanisms ensuring respect for employment rights and trade union freedom, or by guaranteeing comprehensive access to good public social security and affordable social services, in particular crèches, nurseries and support for elderly people.

Meglena Kuneva, *Member of the Commission*. – Mr President, the Commission warmly welcomes the motion for a resolution on the role of women in industry. I congratulate the rapporteur, Ms Figueiredo, on addressing this issue of the situation and role of women in industry, which is complex. One of the several reasons is that, as shown in the report, the gender equality challenges in industry are even more acute than in other sectors.

In industry, the problems of working conditions, the pay gap and the reconciliation of work and private life tend to be even more pronounced.

It is also a complex issue because it goes beyond equality policy to relate to the general situation in industry in Europe and the way Community policies can support industry and workers – both men and women – in the difficult context of globalisation. As you know, the adoption of the Roadmap for Gender Equality in 2006 underlined the Union's full commitment to do its utmost to make progress towards a situation of real equality between men and women.

The six priorities of the roadmap are linked to improving the situation of women on the labour market. The first is economic independence for women and men, the second is reconciliation of private and professional life, the third is equal representation in decision-making and the fourth is the elimination of stereotypes. The Commission welcomes the fact that Parliament's motion for a resolution highlights precisely these areas. Whilst the progress made in the area of gender equality is unquestionable, major challenges remain. The Commission shares the rapporteur's view that we must continue our efforts and consolidate what has been achieved.

As far as women's participation in industry is concerned, two issues should be tackled. Firstly, there are still very few women in industry compared to the services sector. Secondly, those women who work in industry tend to be in typically female sectors which are very labour-intensive and characterised by poor working conditions and low wages. The Commission is conducting various policies to meet these challenges. Combating stereotypes in education will, in the long term, lead to there being more highly skilled women in technical and scientific occupations and will also help to meet the needs of certain industrial sectors for manpower or womanpower. It is also important to support the careers of female engineers via networking, mentoring and measures to balance work and private life.

In order to diversify women's employment in industry, it is vital to provide every opportunity for training and retraining. The European Social Fund provides essential support in this area. It is also vital to improve the current situation of women working in industry. For example, there is still an unjustifiably large gap between women and men. In industry, this gap is as much as 30%.

For this reason, in July 2007 the Commission adopted a communication on tackling the pay gap between women and men. The communication examined all the resources that must be mobilised to achieve this aim. The involvement of enterprises is an important way of making progress in the areas of equality between men and women at work, the gender pay gap, training, work-life balance and career development. In addition to the laws on equal treatment, which all enterprises must obey, it is important to encourage them to adopt voluntary measures to promote equality, in particular in the context of corporate social responsibility.

Finally, the Commission will shortly relaunch an awareness-raising campaign for enterprises about gender stereotypes. The report on women in industry underlines the vital role of work-life balance in order to achieve real gender equality and the Commission shares this analysis. This point was mentioned during the adoption by Parliament of the Kauppi report in September 2007.

The Commission will report in 2008 on progress towards the Barcelona objectives in the area of childcare. The second phase of the consultation of social partners on work-life balance concluded in July. The Commission takes the view that this issue should be tackled using a combination of different instruments, including the amendment of current Community legislation in order to better take account of new challenges.

As I stressed, the issue of women in industry also reflects the general situation of industry in Europe. The Commission will continue to pursue all the necessary policies to face up to globalisation, ensure a future for industry in the Member States and help workers of both sexes when the companies for which they work are restructured.

European laws on employee information and consultation, social dialogue and the European Social Fund are all instruments designed to achieve this. The European Globalisation Adjustment Fund, launched in 2007, will provide assistance of up to EUR 500 million per year and its rules provide specifically for gender equality to be taken into account. The Commission is, therefore, responding to all the challenges identified by the report on the role of women in industry by taking measures of various kinds: improving equality, working conditions and the role of women in industry, combating stereotypes, creating better conditions for reconciling work and family life and providing general support for companies and workers in industrial sectors in difficulty.

I should like to make a personal statement: I sincerely support this way of tackling the difficulties in this specific area.

Den Dover, *Draftsman of the opinion of the Committee on Industry, Research and Energy*. – Mr President, I warmly welcome this report, which I fully support. The British Conservatives support it, as does the PPE-DE Group. If Europe is to play a leading part in a very competitive, a fiercely competitive, global world, we need all the resources available at the highest possible level.

Whilst I disagree that there should be quotas saying how many ladies there should be at various levels in companies – and I particularly disagree with any compulsion in that regard – what I do want to see is as many ladies as possible rise to the highest possible levels based on their ability. It often depends on what we define as ‘industry’, and industry is changing: everything is much more flexible nowadays, and I am delighted that ladies are playing their role in industry in their various positions.

I do not agree that there needs to be any handicap or under-representation in the new technologies, because ladies have the brains, the intelligence and the know-how to more than make their worth felt.

Firstly, I would endorse the view that we should always go for equal pay wherever possible. Regarding this report, I was extremely pleased that the rapporteur embraced the views of people from the various groups and that we reached unanimity. I wanted to see better facilities for pensions for ladies – for portability within pensions from one employer to another to make sure they get higher pensions as they get through their working lives, and more flexibility in terms of facilities so that ladies can balance their family lives with their working lives.

As I say, I fully support this report. It is a step forward. We need ladies at all levels and I wish them well. I welcome in particular our new Commissioner, who is very capable indeed.

Edit Bauer, *on behalf of the PPE-DE Group*. – (SK) I would like to say thank you for the work that has been done on this report by Mrs Figueiredo. The report to some extent lists the problems facing women employed in various sectors of industry.

Some of the problems seem to be perennial problems, such as the gender pay gap, the inadequate representation of women on company boards of directors or the inadequate reconciliation of work and family life. The report also brings up issues that are less frequently discussed, such as the insufficient attention given to specific requirements for the protection of women in the work place or the social problems that arise as a result of transfers of production to areas with lower production costs.

Some of the proposals in the report interfere with the principle of subsidiarity or lay down requirements that encroach on the competence of the social partners and the processes of collective bargaining. The PPE-DE Group will not support these proposals.

Despite the fact that the report is more or less a summary of problems that are reasonably well known, it points at the fact that changes in these areas are slow, as can be seen, for example, in the development of differences between the salaries of men and women. The research clearly indicates that the turning point

comes when children arrive: from that point the careers of men and women take different directions. Most difficult to break are the critical stereotypes, and this is the case even when we do not identify with them verbally any more. The report also highlights the issue of the transferability and flexibility of pension rights, which is becoming more and more sensitive with the progressive unification of the labour market, and with the requirement for higher mobility of the workforce. This, I think, is an issue that should be given appropriate attention.

Christa Prets, *on behalf of the PSE Group.* – (DE) Mr President, Commissioner, I would first also like to thank the rapporteur for her help and cooperation. We made the most of our opportunities to work together across political boundaries and I would like to express my warmest thanks for this.

I would begin by pointing out that we have already presented a large number of reports on this subject. The demand for equal pay for equal work goes back more than 30 years and we have still not been able to make it a reality. Of course we are taking small steps forward and we are producing paper after paper, but the situation of women in industry still remains a long way behind what we have been working towards all this time.

In the manufacturing industry, for example, 85% of the employees are women, and in the ICT sector the figure is 15%, and indeed women are very poorly represented in the high-technology industries. This does not imply that women are less educated, it only means – and this applies especially to rural areas – that there are simply no opportunities to take up other jobs.

Women continue to work in the low-wage sector and even here there is differentiation between male and female workers. There is still inequality and discrimination, and not just in respect of wage levels but working conditions too. We are therefore also appealing to the trade unions to do more to prevent this type of wage discrimination when taking part in pay negotiations.

Support for professional and vocational training programmes is still lacking or is woefully inadequate. Education and training is needed in order to provide female employees with career prospects, even in low-skill sectors. We also call on companies to apply family and women-friendly policies in their workforce management plans, which will work to everyone's advantage: when everyone has that feel-good feeling, business runs better and this also benefits the women who work in it.

Anneli Jäätteenmäki, *on behalf of the ALDE Group.* – (FI) Mr President, I would like to thank the rapporteur for her excellent report and levels of cooperation, and, in particular, for highlighting the way men and women are treated differently, despite the fact that we hardly ever get a sympathetic hearing.

The Member of the Commission is, I am sure, personally committed to the issue, but when I was listening to your official reply in which you said that the Roadmap had been adopted, and that there was commitment to it, afterwards one might naturally have expected to hear an account of what had actually happened. Unfortunately, we have to say that hardly anything has happened in matters of equality during this Commission's term. That is regrettable. It is perhaps not the sort of important issue the Commissioners or others could score points on; nevertheless, ladies and gentlemen, I would like to encourage us all to do more because we are responsible for the status of women in Europe.

I will give you one example. In Finland women got the right to vote when it was part of a very conservative Russia in 1905. That was amazing. Looking ahead now, I do not think it will be possible, now we are part of Europe, for women in the different Member States to earn the same pay and receive the same kind of treatment in the EU, even if the EU speaks of human rights and is progressive. I think the EU could take a look at the decisions that were taken in tsarist times and make bold decisions on equality of pay and equality in the workplace. The tsar had the courage to give women the vote, but the EU does not have the courage to do anything to bring about equality of pay in the Member States of the EU.

Wiesław Stefan Kuc, *on behalf of the UEN Group.* – (PL) Mr President, I have clear memories of the 1950s in Poland. We used to see many huge billboards with pictures of smiling girls driving tractors. These were girls from the so-called Polish Service organisation. We saw them shouldering pickaxes and spades and marching joyfully off to work. There were also women tending looms and lathes. Times have changed. We now see women working in design offices, on computers, or on the new production lines for electronic equipment, mobile telephones and televisions. We also see the tired faces of women hurrying home after many hours of hard work to undertake other daily tasks. Those were the images that came to my mind as I read Mrs Figueiredo's report on the role of women in industry.

For many years now, efforts have been made to protect women, reduce their workload and treat them in the same way as men are treated. Unfortunately, differences persist to this day. The list of expectations is very appropriate, though perhaps not complete. Differences still persist in the way men and women are treated at work, both regarding pay and career development as well as assessment of their work and qualifications. The most unfortunate thing of all is that it has not proved possible to create the conditions for women's hopes and aspirations to be realised, so that they can be sure of job stability and opportunities for career development.

Raül Romeva i Rueda, *on behalf of the Verts/ALDE Group*. – (ES) Mr President, the role of women in industry is clearly conditioned – this has already been stated, and I wish to remind you of it – as in many other cases, by a number of stereotypes, some of which are clearly pernicious.

We need to make headway on overcoming such stereotypes and that is precisely why I feel the Figueiredo report is a fundamental and important concept and, similarly, why it enjoys the support of our group.

There is much evidence to justify this report and the submission of a number of proposals, which we trust will be welcomed not only by the Community institutions, but by business itself, which, after all, has to adopt them and implement them.

One such piece of evidence is the fact that the European Union average in terms of women employed in industry is a mere 14%. It must nevertheless also be borne in mind that, of this percentage, 21% accounts for part-time employees; indeed, women account for 65% of part-time employees in the industrial sector. I feel that this is one of the key aspects, and by no means a minor issue in this debate.

The second piece of evidence is the fact that it is precisely women with precarious employment conditions, women working part-time, carrying out temporary employment in atypical conditions, that are most frequently affected by wage discrimination or, when they wish to take maternity leave, have fewer possibilities in terms of basic, permanent and vocational training.

Thus the proposals in this report include the proposal for urgent measures to be adopted for full and effective application of Directive 75/117 EEC on the principle of equal pay for men and women as a means of opposing wage discrimination. We have been calling for this for some time now, and hope to see it implemented as soon as possible.

Secondly, we want incentives to be provided for initiatives, positive courses of action and policies for human resources to promote equality. We want the Member States and the Commission to provide more and better tax breaks for companies in terms of compliance with codes of conduct and corporate social responsibility criteria in their day-to-day business. We want to see better working conditions, with particular emphasis on working hours, and maternity and paternity leave – here responsibility is shared on both sides by the couple or the family – thereby guaranteeing working men and women the opportunity to take up their posts again after such leave. Attention must also be paid to reconciling work and family life. Thus, for all this to be transformed into reality, the report calls for these rights to be implemented in legislation across the European Union.

Finally, I beg to differ with Mr Dover on the subject of quotas. For some of us, female and male, these constitute a necessary instrument, and thus we feel the point must be made that the European Union ought to follow the Norwegian example of applying measures to increase the numbers of female board members of public utilities to at least 40%, and use regulations to impose a 40% quota of female representation on boards of private companies.

It is obvious that this is not the solution, but I must insist that this is a path and a means that is proving useful in other aspects, which we would like to see copied within the European Union.

Věra Flasarová, *on behalf of the GUE/NGL Group*. – (CS) Mr Chairman, Commissioner, ladies and gentlemen, my committee colleague Ilda Figueiredo has, as always, done an excellent job. She has documented facts that I myself consider fundamental, in particular the fact that working women account for the dominant share of employment in the processing industry, where the majority of jobs require fewer qualifications, are manual and are badly paid. The stereotype that it is a woman's lot to do auxiliary work is well illustrated here. I had the opportunity to visit several production plants in the food industry in different countries. These plants are very similar, despite their geographical diversity. The men hold the managerial jobs and the unskilled work on the production line is done by women. They earn little, they work mechanically in a stupefying

rhythm, without any motivation for professional growth, and they work under unfavourable conditions. This is, of course, wrong.

A great deal of work is still needed to put an end to gender inequality. We must realise that this area is still not sufficiently covered by statistics and that the gender issue is a relatively new statistical phenomenon. In the real world, the disadvantages experienced by women in industry, compared with men, are even more noticeable. However, it is necessary to focus on the issues that the rapporteur rightly designated as priorities: the disadvantages facing women in terms of pay and the fact that there are few women in technical fields that are, in comparison to the significant processing industry, technologically more demanding and better paid. Women need to be able to gain access to higher education; professional qualifications are of relevance here. They should also be given the opportunity to return from maternity leave to the labour market, but also to further studies. This right, of course, applies to men who look after children too.

Some regions of the European Union, particularly in the East, are undergoing changes in the structure of their industries. These changes are enforcing greater workforce mobility and retraining. I know about these trends from my own experience, because I come from the industrial part of the Czech Republic, which has been industrialised, and I am aware of their impact, especially on working women.

Another related problem is the transfer of factories to countries outside the European Union, where the workforce is cheaper. Women's employment is also threatened by the influx of cheap goods from Asia, but also from other countries that produce high volumes of consumer goods for foreign markets, rather than supplying their own market, which does not have the purchasing power. All these factors have a noticeable influence on the employment of women in industry and their negative consequences should be gradually mitigated.

Urszula Krupa, *on behalf of the IND/DEM Group*. – (PL) Mr President, the statistics tell us that across the European Union there are more men than women in employment in every age group. This can be due to personal choice or to tradition, but is often the result of discrimination in the workplace. In addition, on average women earn less than men in every Member State of the European Union. It is therefore important to use legislative and regulatory means to remind entrepreneurs and employers of their duty to comply fully with the principle of equal treatment, and not just as regards pay.

The issue of the unequal participation of women in industry should be approached rationally, because the branches of industry defined as 'female' may involve less physical and mental effort. Women could be advised to consider them but that need not imply lower pay. It is difficult to imagine more men than women being employed in the embroidery industry or more women than men being employed in the smelting industry. Furthermore, the embroidery industry I referred to as an example may be better paid because of the artistic element involved than the food industry, for instance.

It is important to ensure that men and women receive equal pay across the different areas, and to eliminate exploitation and other unfair practices and conditions from the workplace. Opportunities for part-time work should be promoted, especially for women, alongside different types of flexibility facilitating retraining and learning.

In my speeches and in the amendments I have tabled I have repeatedly proposed not only that a return to one's job be guaranteed after maternity or parental leave, but also that such maternity or parental leave be classed as time at work, and the relevant monetary payment made in due course. This would pre-empt low retirement pensions and also help to reduce unemployment. Above all, it would ensure the proper upbringing and development of children, who are the future of every family and every nation and the future of the European Union.

Lydia Schenardi (NI). – (FR) Mr President, on reading this report one might be tempted to say 'All quiet on the western front': nothing new, in other words.

The panorama is always the same: the persistence of stereotypes in the choice of educational and professional guidelines, over-representation of women in certain sectors such as the textile industry, the pay gap, working conditions and career prospects. The recommendations never change, however: promoting equality between men and women in professional spheres in terms of pay, their presence on company boards, or developing structures for child care and employment flexibility.

This is fine, but what then? What exactly is this umpteenth report on women's rights going to change, within or outside the industrial sector? Despite coercive policies based on 'positive action' – a misleading formulation, since what it really means is compulsory quotas – gender mindsets have great difficulty moving forward.

It is not by imposing structures that may occasionally be unnatural, in the name of the principles of equality and non-discrimination, that women will more naturally take up their role within companies, whatever they may be. Women do not have such a severe handicap that they must be systematically imposed to be accepted. Incentive measures must not be coercion measures.

Moreover, when applying the Charter of Fundamental Rights we should not forget that we must also leave all entrepreneurs free to hire whomever they choose, as long as all employees are treated in the same manner, regardless of their sex.

Zita Pleštinová (PPE-DE). – (SK) A higher concentration of textile and clothing industries on which female employment depends is typical for some European regions, and the Prešov region in north-east Slovakia is among them.

If we want to preserve work opportunities for women specifically in these disadvantaged regions, where the textile and clothing industries have their own tradition, we must support these industries as a productive industrial sector through suitable measures: creating new programmes focusing, for example, on the presentation and advertising of new products at specialist and international fairs. The wider application of the Strategic Research Agenda of the European Technological Platform and the need to introduce innovative technology and new business models are, in my opinion, a contribution to the future of the textile and clothing industries.

We all know that despite an increase in the number of females studying technical and scientific subjects, the obstacles they encounter in the workplace result in women abandoning scientific careers in industry. Given the importance of maintaining a certain standard in education and knowledge, scientific work must be continuous. In some scientific institutions no provision is made for women to work for part of their working time at home unless they absolutely have to be in the workplace. The mentality surrounding overtime may be one of the specific barriers. Those are the reasons why we are registering below average representation of women in high-tech sectors.

Primary responsibility rests with the Member States. We would therefore ask the relevant national institutions to prepare and introduce policies aimed at reconciling work and private life, to facilitate greater flexibility in working time and to improve the general approach to childcare services. It is also important to encourage employers – especially of small and medium-sized companies – to make sure that they put these policies and procedures into practice, through effective technical measures and if possible financial support too.

In conclusion, I would like to thank the rapporteur, Ilda Figueiredo, for her work and our shadow rapporteur, Edit Bauer, through whom we were able to enrich the report by way of our opinions. I also value highly the opinion of my colleague Mr Dover from the ITRE Committee.

Mr Chairman, in conclusion I would like to bring up one technical issue. It is very cold in this House during the debates, including today's debate. The coldness of this Chamber does not create a good working environment for our work as Members and has serious consequences for our health. I would like to ask you to see to it that the conditions are improved.

Zita Gurmai (PSE). – (HU) Mr President, Commissioner, ladies and gentlemen, our policies for industrial development and the manufacturing sectors can help the European economy become a leader in competitiveness, knowledge and sustainability, in line with the Lisbon objectives.

Lisbon stands for growth in employment rates, significant increase in the employment of women, demand for the provision of proper conditions for the employment of female employees, and wide-ranging support for equal opportunities – over and above the positive role of women in the economy.

Equal opportunities must be underpinned in every area of industry: in employment, pay, promotion, the provision of vocational education and training, the availability and monitoring of different forms of flexible work, and the reconciliation of work and private life.

Overall, decent working conditions must be provided for women in industry and proper representation in the organisations whose job it is to safeguard their interests. These areas do not constitute an exception from

the requirements of ensuring gender equality and the principles and practice of gender mainstreaming must be applied consistently here too.

It is important that we have the right information about actual work relations in the many, essentially different sectors of industry and the differences between the sectors themselves. A wide range of statistical information is required for shaping and drafting strategies and concrete proposals. Innumerable international management research projects have shown that the special leadership qualities of women can make a big contribution to business success. Europe must not lose this opportunity. Thank you.

Lena Ek (ALDE). – Mr President, I congratulate the rapporteurs and those who have been working on this report on the excellent mapping of the current statistics and the current situation in Europe when it comes to women in industry. Still, one cannot avoid being disappointed, because documents like this have been produced since the 1950s and we still have very little change. This applies to women in industry, the health situation and health care for women, and to career opportunities, learning opportunities and opportunities to improve their skills, not to mention the situation of the work and family combination.

I would like, therefore, to spend half of my speaking time on questions to the Commission. Firstly, it is appalling that, after decades, we still have such a bad statistics situation. This is something where the Commission can really ask for an improvement when it comes to European statistics. I see that responsibility for this lies mainly with the Commission.

When I was a university teacher 25 years ago, I taught my students about the rules on equal pay deriving from Brussels and from the European Member States at the time. The cases from the Court (Danfoss I and II) happened more than 25 years ago. Is it not time for a new regulation with more teeth? This is also the responsibility of the Commission.

I would also like a mid-term health check when it comes to the roadmap for gender equality, which contains a lot of nice words, but no regulation so far on the horizon.

Fourthly, the Spring Summit will work with the Lisbon resolution. These issues should be mentioned in March. And fifthly, when the Commission – and Parliament – arrange seminars with high-level groups, we should apply the same rules as Norway for industrial boards, i.e. the 40:60 percentage.

Ewa Tomaszewska (UEN). – (PL) Mr President, the role of women in the economy is going to grow if only because of demographic problems. It is therefore worth giving careful consideration to this issue.

As a Pole, a woman, and a physicist by training, I can state that in my country the average level of education of women is higher than that of men. Women are also more involved in business in the SME sector. I have not observed any gender-based discrimination in the scientific world. Nonetheless, women earn between 15% and 20% less than men do and women's involvement at managerial level in companies is significantly lower than that of men. In addition, more women than men are in insecure employment. The result, therefore, is that although training and different ways of improving one's qualifications are important, they are not enough to reduce discrimination.

Female poverty is due not only to low pay, but also to the way pension schemes are devised. Following the reform of the Polish pension scheme, a provision was introduced whereby pension contributions for persons taking maternity leave and parental leave were financed from the State budget. This was a great help to women, as pension systems tend to penalise them heavily for motherhood. The report has noted the need to deal with the matter.

I also attach great importance to considering issues relating to health and safety from a gender-specific point of view, notably as regards burdening women with tasks causing musculoskeletal disorders. These issues have also been covered in the report.

Kathy Sinnott (IND/DEM). – Mr President, in 1996 an underwear company closed its factory in my constituency. It left 160 unemployed – almost all women – of middle age, with little or no skills outside the factory. Only 100 of these women managed ever to work again. The women who found work needed, after 30 years of service in this plant, to begin again at minimum wage, as they had not been given any continuous training and their previous experience went unrecognised. This factory moved to a less expensive area of the EU and has since moved to Asia.

Companies will continue to relocate for cheaper labour forces, and we need to protect women – particularly in areas like textiles – by offering the opportunity to upskill and by giving continuous education.

I also want to talk briefly about apprenticeships: in Ireland only 5% of women are in apprenticeships. It is a double problem. Are they encouraged to become plumbers and carpenters? Is there not also the problem that, in most areas, apprenticeships have now disappeared?

Apprenticeships themselves were a very good way to pass on information and skills and be recognised for them, and with the loss of apprenticeships we are denying many people – both men and women – the ability to pass on skills and be recognised.

Anna Záborská (PPE-DE). – (SK) I would like to stress three key points in relation to this issue.

Employers must learn not to put women in unsuitable jobs or jobs where their abilities are not sufficiently valued. The European Union institutions must keep an eye on those bodies that are receiving their help to make sure they respect the *acquis communautaire*. Even though different opinions exist, society should respect the fact that men and women are different, but at the same time complement each other. It is the basic principle of life and it should also be the basic principle of the policy on equal opportunities for women and men.

Diversity and compatibility in the job market and in society are fundamental. The report by Mrs Figueiredo outlines our responsibility in implementing the Lisbon Strategy, in Europe's 'demographic winter'. The report correctly underlines the health risks and various types of occupational diseases that can be different in men and women.

I fully support the rapporteur in her request for a full analysis of the existing situations and their consequences. Such analysis must also include the specific impact on motherhood. Nothing can justify, for the sake of future careers, future mothers being exposed to health risks that can have a negative influence on motherhood. Equally, it is the responsibility of the industrial sector not to punish women if they want to have children, and the sector should make it possible for them to be able to return to their original position after maternity leave.

Edite Estrela (PSE). – (PT) Mr President, the Beijing Platform for Action asserts that, without the active participation of women and the incorporation of women's perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved. Furthermore, to achieve the objectives of the Lisbon Strategy, the participation of women in the labour market needs to be increased. As women represent 59% of graduates, it is difficult to understand why the majority of new jobs for women are part-time, sometimes insecure and precarious, poorly paid and with few prospects of career progression.

This report by Mrs Figueiredo, whom I congratulate, contains two proposals that I must highlight: the first is the promotion of female entrepreneurship. Given that 61% of women take account of family circumstances when considering setting up a business, compared with only 49% of men, measures are needed to help reconcile professional with family and private life.

The other proposal concerns long working hours. It is essential for the Commission to carry out a study into the negative consequences of long working hours, namely the family, personal and social consequences, such as children being left alone for many hours, which often leads to failure at school and crime. The Member States should also be urged to improve the monitoring of undertakings that force their employees to work beyond the statutory working hours and to impose harsher penalties.

Petya Stavreva (PPE-DE). – (BG) Madam Commissioner, Mr. President, colleagues, equal participation of women and men on the labour market is a precondition for sustainable economic growth and harmonious social development.

Over the past decades Europe has made considerable progress in promoting gender equality. The report on the role of women in industry summarizes some of these achievements, while insisting for a stricter application of the principle of equality.

It can regrettably be noted, however, that despite the existing relevant legal framework, a number of EU directives and resolutions remain without proper implementation. The role of women in industry ought to be based on the principles of equal pay and equal involvement in decision-making.

The labour market situation in Member States shows that women are inconsistently represented in the various sectors. They account for a large percentage of those employed in the service sectors and are underrepresented in the high-tech area, for example.

Promoting decent jobs is an integral part of the European Union values and Member States need to take effective measures to ensure that standards are met and decent jobs are guaranteed in the various industry sectors.

I believe that we are all faced with the serious challenge of applying a set of policies with a focus of combining work, personal and family life. European citizens, both women and men, deserve to enjoy equal opportunities and should be equal not just on paper but in real terms. Thank you.

Britta Thomsen (PSE). – (DA) Mr President, I should very much like to thank the rapporteur for a very relevant report, which focuses on the growing gender inequality in the labour market at a time when we are all promising each other to combat wage discrimination and work towards genuine equality. Women currently hold the lowest-paid unskilled jobs in industry, and there is a risk that their conditions will deteriorate further if we do not immediately introduce targeted in-service training. We need to make it compulsory to compile gender-differentiated statistics on both wage levels and the gender balance in the individual sectors. It is totally unacceptable that we still have such a poor level of knowledge in these areas. How can we change things if we do not have a clear overview of what the *status quo* actually is?

We also need to develop an industrial policy that takes account of the gender dimension and the specific challenges women face in terms of pay, childbirth, job insecurity and monotonous, repetitive work. This should be done in cooperation with the social partners, and the latter must also ensure that women are sufficiently represented in their organisations.

Avril Doyle (PPE-DE). – Mr President, the proposal before us deals with a very important issue, one that continues to spark debate globally. The role of women in industry affects all facets of society and has wide-ranging implications for employment and welfare policy, family and child policy, not to mention economic policy. Yes, equality legislation ensures women get maternity leave, but all the evidence shows that they expose themselves to promotional and financial discrimination, albeit subtly (to comply with the law) but nonetheless pervasively in an inflexible business culture.

There was an outcry in Ireland in recent weeks when a media accountant made this very point and he was roundly handbagged. There is no point denying the blindly obvious. Perhaps this report before us should be subtitled, 'Motherhood and misogyny', as an editorial in the *Sunday Tribune* at home screamed last week.

We in the European Parliament must endorse the proposal before us – with which I largely agree – because, on the one hand, industry needs women at all levels and, on the other hand, society needs children. We all – including employers and industrialists – must respect maternity and paternity leave as fundamental social values. While I still baulk at compulsory quotas for women's participation, albeit in politics or business, my faith in a meritocracy is being sorely tested the older and, hopefully, the wiser I get.

I would like to congratulate the rapporteur. There might be one or two paragraphs that I have to think about, but I will be supporting her report, and I think it behoves all of us in the House to support a very good report on which an awful lot of work has been done.

Teresa Riera Madurell (PSE). – (ES) Mr President, I also wish to congratulate the rapporteur for her work and her open disposition, which has allowed us all to transform the general duty of companies in terms of respect for the principle of equality between working women and men into specific measures.

Her report includes measures to guarantee equal opportunities in terms of access to employment, training and professional promotion; measures to respect women's and men's employment rights, including – and this must be emphasised – protection against sexual harassment; and measures to enhance the reconciliation of personal and family life and employment relations.

Perhaps, however, the most novel contributions have been, firstly, power-sharing measures: this could, for example, produce a balanced number of women and men on company boards and in all decision-making posts in line with the new law introduced in my country, Spain.

Secondly, there is the recommendation that each company implement its own negotiated equality plan. This makes it a key report for a strategic sector for the European Union.

Roselyne Lefrançois (PSE). – (FR) Mr President, I welcome the fact that Parliament has taken the initiative of producing this report since, if the role of women in industry is utterly crucial, their professional situation overall remains much more precarious than that of men.

Thus the report points to a considerable number of discriminatory situations involving women that must be tackled immediately, especially their confinement to certain sectors and certain types of jobs with low pay and limited career prospects, their over-representation among atypical employees, particularly those subjected to part-time employment, or the difficulties they encounter in rejoining the labour market after maternity leave.

I feel that one of the courses of action mentioned to rectify this circumstance, the idea of a reward for companies encouraging reconciliation between professional life and family life, is quite interesting, and indeed the improvement of women's career prospects ought to be encouraged by enhancing life-long learning.

I must, however, voice certain regrets as to the format of the report. I feel that the text is too long and not properly structured, and this impairs its readability and effectiveness.

Gabriela Crețu (PSE). – (RO) The report may create the impression that we are talking about the absence of women in industry. This is indeed one of its topics. However, what the report emphasises is the presence of women in industry: women have low-paid jobs in low-paid industry branches, they are in the majority where there are no trade unions, and consequently no guarantees under collective agreements; women work in vulnerable industry branches, and they are the first to be laid off in the event of mass redundancy. Women are present at the workplace, but they are nowhere to be seen in management. They only get to do the work; they don't get to decide.

This report talks about what is missing, but it also talks about the things that women have. Women have an education, but hold no qualifications; they suffer from occupational diseases which are not recognised as such; they are willing to learn after they've turned forty, but they have no opportunity to do so. They are mothers, but there are no nurseries available. Men become parents and have no nurseries either, but they have their wives.

What is to be done? Existing regulations, our reports, the Commission's roadmap on gender mainstreaming, all these show that we know what should be done. What we and the Commission should remember, and most importantly what we should remind Member States of, is that citizens, especially women, do not judge our efficiency by the number of decisions we pass, but by our ability and will to enforce them. And the latter seem to be lacking.

IN THE CHAIR: MRS ROTHE

Vice-President

Lidia Joanna Geringer de Oedenberg (PSE). – (PL) Madam President, only between 14% and 25% of working women in the European Union are employed in industry. In addition, their participation in different sectors of industry is uneven, due to the stereotypes affecting educational and professional choices.

Women are employed mainly in the textile, clothing, footwear, food and food processing sectors, where pay is generally low. Women are significantly under-represented in the more highly-paid advanced technology sectors. The Member States should develop programmes aimed at educating women and fostering their entrepreneurial spirit. They should also offer financial support for such programmes. In addition, incentives should be provided for women working in industry to improve their qualifications on a regular basis.

Every Member State has a duty to comply with the principle of equal pay, to provide dignified working conditions and the opportunity to develop a professional career, while at the same time respecting social values such as motherhood and fatherhood. Compliance with social standards such as the right to safety, social protection and freedom of association will help to eliminate all forms of discrimination against women in the workplace.

Finally, I should like to congratulate Mrs Figueiredo on a very well-prepared report.

Ljudmila Novak (PPE-DE). – (SL) What we are saying about women in industry could equally be said of women in business and health care. By nature men and women have different physical abilities and therefore some work is more suited to women and some more suited to men. However, in cases where the quality of work and effectiveness are not dependent on physical strength, it is not permissible for women to be paid less than their male colleagues. Moreover, it is precisely female occupations that are automatically less well paid as it is, even though they are by no means easy and require a great deal of effort.

We have heard our fellow Member who said that we adopted similar reports on the inequalities of women 30 years ago. Why has nothing changed? Or why is change very slow? Or are businesses guilty of this? I believe that we must clearly identify the guilty parties and make a responsible and more decisive effort to ensure that the situation in this area finally takes a more positive direction for women.

Silvia-Adriana Țicău (PSE). – (RO) When talking about women in industry, we should also be talking about education, research, and entrepreneurship. In the Committee on Women's Rights we've had a presentation from the Committee on Industry, Research and Energy concerning the role of women in industry. 15% of people with higher education are women. In 2006, women made up 33% of the total number of European researchers and only 18% of researchers operating in the private sector. However, it should be emphasised that only 28% of women researchers have children. Wages are higher in industry, particularly in the oil and chemicals industries, transport, electricity, and the automotive industry.

However, throughout Europe there is a gender gap as far as payment is concerned (roughly 20% in corporate management and 19% in engineering/science). 34% of women working in industry have children and we should stress that only 20% of industrial entrepreneurs are women. Therefore, we should concern ourselves more with women's education and training and in particular with child-care facilities.

Meglena Kuneva, Member of the Commission. – Madam President, I wish to thank Members of for a very interesting discussion, and will take this opportunity to answer some of their questions.

In reply to Ms Figueiredo, it is true that the Equal programme finishes in 2008, but the European Social Fund Regulation for 2007-2013 incorporates gender equality as a horizontal priority.

In reply to Ms Bauer, we had the first reading of the important legislation issue you mentioned – the transferability of pension rights – in June 2007, and the EPSCO Council dealt with it in December 2007. We hope to make quick progress during 2008.

In reply to Ms Jäätteenmäki – I realise that she is not in the Chamber, but her question was very important, so I would like to answer it – the Commission adopted, in July 2007, the communication on 'Tackling the pay gap between men and women'. In that communication, the Commission announced that in 2008 it would examine the relevance of current legislation from the point of view of the relevance of legal instruments with regard to the causes of the pay gap and, where necessary, propose amendments to the Community legal framework. Following this examination the Commission could propose any necessary changes to the current legal framework.

In reply to Ms Romeva i Rueda, anti-discrimination and gender equality legislation does not preclude Member States from developing and implementing positive actions. The Commission supports there being a higher proportion of women in decision-making. We will create a network of women in decision-making posts, probably during 2008.

In reply to Ms Flasarová, we cannot prevent companies from delocalising, but we have instruments to tackle that issue. In 2007, the European Globalisation Fund was quite promptly set up for this purpose.

In reply to Ms Ek, concerning statistics, the Commission continues to cooperate with Eurostat to develop specific statistics on equality. The Dublin Foundation for the Improvement of Living and Working Conditions takes into account gender equality in its regular reports. In 2009, there will be a regular publication on the research statistics on women.

In reply to Mrs Doyle, concerning maternity leave, the Commission is to prepare an impact evaluation on possible legislative measures introducing new forms of leave – adoption leave, and leave to care for family members other than children.

Ilda Figueiredo, rapporteur. – (PT) Madam President, I firstly want to thank my fellow Members and also the Commissioner for their words today and for their contributions which have enabled this debate to assume even greater consequence.

However, as others have already done, I must also of course call for further practical measures to be taken. These proposals that we have made must be felt on the ground, in the lives of undertakings, female workers and families, because it is not acceptable, as various people have said here today, that 30 years after a directive provided for equal pay, we still have this clear disparity of 30% between the average wages of men and women working in industry. This figure is double the average wage difference in the European Union.

We cannot therefore allow this situation to continue for a further 30 years and that is why I call on the Commission, and also the Member States, to take concrete measures. These could be legislative or they could involve better monitoring, but they must ensure increased promotion of equal rights and opportunities and increased promotion of this objective which must be put into practice through education and training. We must also fight stereotyping, as highlighted here today, and we must ensure that the organisation of working hours, working time and jobs better responds to women's rights, and also to the right to maternity and paternity which are recognised as fundamental social values of the European Union.

President. – The debate is closed.

The vote will take place today.

Written statements (Rule 142)

Gyula Hegyi (PSE), in writing – (HU) I welcome this important report and would stress that women in particular suffer from occupational illnesses. One new study mentions that in the EU 1 40 000 people, three and a half percent in this context, die every year as a result of occupational illness, and one of the main causes is chemicals. And chemicals are implicated in 86% of cancer-related occupational illnesses.

An important point here is that women, who generally live longer than men, are, as a group, more sensitive to chemicals and more vulnerable, as chemicals gradually build up in their adipose tissue and can be transferred to their unborn children. So we need to have a properly thought out European strategy to minimise the occurrence of occupational illnesses and the number of deaths and give women maximum protection.

Véronique Mathieu (PPE-DE), in writing. – (FR) Although the report on the role of women in industry rightly emphasises the many difficulties facing women in the labour market and certain economic sectors, the proposals in the text raise two questions.

Firstly, the report appears to neglect the boundaries of the legislator's action. Europe's legal arsenal is currently one of the world's most lavish in terms of women's rights and gender equality. Therefore, it is up to the elected representatives and the citizens to ensure respect for the rights of women in the European Union. In consequence, the usefulness of an umpteenth declaration of intent is somewhat limited.

Secondly, the report contains one proposal that is, to say the least, curious indeed: suggesting that a quota of women on boards of private companies ought to be established by law points to a serious attack on individual liberties and does women little service. Treating women in a fashion that is closer to charity than equality tends to exclude them even more from certain sectors of society.

Our fellow citizens now expect us to support them by matching our words with actions.

Marianne Mikko (PSE), in writing. – The Lisbon targets set in 2000 will certainly not be achieved by 2010 as originally intended.

The current gender structures and attitudes play an important role in this failure. Europe is not adequately using the potential of the half of its population. Women do not have equal opportunities for achievement in the high-value-added industry.

Moreover, women are not adequately represented in social dialogue. Neither employers' organisations nor the trade unions and the public sector have enough women in high-level positions.

It is remarkable and alarming that the future of work and the future of society are decided by the half of the population which does not take equal responsibility for raising the children and maintaining the household.

Increasingly, antisocial measures such as increasing unreported overtime and uncompensated flexibility of workers are used to increase productivity. The price we pay for this illusory increase is too high.

The Member States should significantly increase the emphasis on gender equality in social dialogue. Simultaneously, many Member States should strengthen the role which social dialogue has in setting the policy.

Women have the highest potential to accelerate the development of our high-tech industry. Europe must use it.

4. Second Internet Governance Forum, held in Rio de Janeiro from 12 to 15 November 2007 (debate)

President. – The next item is the statement by the Commission on the results of the Internet Governance Forum held in Rio de Janeiro last November.

Meglena Kuneva, *Member of the Commission.* – Madam President, the idea of an Internet Governance Forum (IGF) was born at the World Summit on the Information Society in Tunis in November 2005 and defined as a non-binding forum for multi-stakeholder policy discussion.

The Commission supports the Forum in this form. Two meetings have been held so far: in 2006 in Athens and 2007 in Rio. The Commission welcomes the forum in each form. The Commission also welcomes the participation of Parliament at the forum and is grateful for the excellent cooperation on both meetings.

As in the previous year, the meeting in Rio provided an excellent framework for enriching exchanges which allowed the gathering of a range of views on the relevant issues.

Therefore, the Commission sees value in upholding the main characteristics of the forum, notably the participation of the various stakeholders and its non-binding nature.

I would like also to thank you very much for giving me the opportunity to say something more concrete on the IGF (we have adopted this abbreviation) which took place in November in Rio de Janeiro.

Firstly I would like to thank very much Ms Trautmann, Mr Harbour, Mr Badia i Cutchet and Mr Hökmark, who represented Parliament at this meeting, for their active participation and for the continuation of their excellent cooperation. This allowed us – this year again – together to highlight a number of European priorities such as freedom of speech, bridging the digital divide, security and child protection on-line.

It is important for Europe to bring such issues to the forefront of the international agenda on a constant basis. The Commission supports the IGF. This concept, elaborated during the World Summit on the Information Society, is still very valuable, and all the issues which have been mentioned are very much in favour of what we are trying to step up as actions in this particular field.

In fact, on a broad range of internet-relevant subjects, the number of participants – around 3 100 – clearly demonstrates that there is indeed interest in having such a place for discussions.

The fact that there is no negotiated text as an outcome of the Forum should be seen as a strength rather than as a weakness of the process. The Forum allows for open exchange, without the pressure of defending a particular outcome in a binding document.

This can serve as a basis for improving understanding of each other's concerns and can pave the way for finding common solutions. Dynamic coalitions stemming from the Forum are, in fact, one example that the IGF can work as a platform where people who share common interests can further cooperate.

Thus, the Rio Internet Governance Forum meeting again provided an excellent framework for enriching exchanges, which allowed a range of views on relevant issues to be gathered.

I would also like to thank once again Members and hope we will continue our excellent cooperation, because this is one of the most promising areas for our future work.

Gunnar Hökmark, *on behalf of the PPE-DE Group.* – Madam President, it is important to underline the rapid change that use of the internet and ICT has brought about, not only for individual societies, but also for the world. In all sectors of societies, the impact of the internet has changed patterns and opportunities. This is important in order to keep a perspective for the future, because the strength of the internet has been its independent nature, its opportunities and its ability to adapt to different opportunities and demands in societies, based on a number of different actors and operators.

It is important because, when we look to the future, we must ensure that it can be used in order to bridge rifts between countries and people, and help to fight poverty and support development – it is of crucial importance for the Millennium Goals, for example. The emergence of new technology should also be used to ensure that it is easier for more people to use the internet, in more societies.

We in the European Union have three important things to focus on. First of all, we should ensure we are committed to, and support, the IGF process and its independent and non-binding character. That is of deep

importance, because it is a good process which is much more dynamic when it is independent and non-binding.

Secondly, we should contribute to the preparations for the next IGF in New Delhi, and ensure that we hold discussions with parliamentarians and civil society in order to underline its independence, but also the opportunities. Thirdly, we should ensure that the internet is guaranteed freedom and freedom of expression.

Catherine Trautmann, *on behalf of the PSE Group*. – (FR) Madam President, Commissioner, ladies and gentlemen, the Second Internet Governance Forum was held in Rio from 12 to 15 November last year, and was attended by 2 100 people from all five continents representing interested Internet parties from all public and private sectors.

The forum provides a favourable context in which to seek solutions to future ICT problems. Through a common culture and a partnership format, it provides the decisions to be taken at future world summits on the information society, in addition to those to be taken by our own states.

It also provides the opportunity to hold an open reflection on the complex nature of the Internet and make timely provision for its technical, ethical and legal limitations, since there are major concerns in addition to the issues close to EU hearts: reducing the digital divide, freedom of expression on the web, cultural diversity and child protection. I could also RFID, radio frequency identification, in short, the formation of an Internet of things, the risks of network overload by 2010-2012, digitalisation, particularly of cultural goods, the consequences arising in terms of the protection of intellectual property and, above all, improvement of access to ICT for less developed countries.

Europe is certainly up to speed in terms of the legislative process. This is encouraging for us as Europeans, but we must not slacken off. Many of these legal or regulatory issues are likewise improved with the review of the Telecom Package.

In this respect, I would call for a new phase of targeted political and future-oriented work, notably through the creation of a European IGF involving the national parliaments and local authorities: a European forum implemented by 2009 and perhaps a world forum in Europe thanks to Lithuania's application for 2010.

As delegation head, I wish to thank all Members, colleagues and officials for their work and their availability. The resolution we will be voting on constitutes a roadmap. I am pleased it enjoys the support of all of the groups in Parliament. More parliamentary committees are welcome to lend their weight to this course of action, and I would like to thank the Commission and ask its Members to lend their support to Mrs Reding. Finally, I would like to ask the Council to include in its agenda relations with India and preparations for the New Delhi forum, and I would urge all Member States to participate in enhanced cooperation.

Toomas Savi, *on behalf of the ALDE Group*. – Madam President, among other items, the public service value of the internet was discussed in Rio de Janeiro on 13 November 2007. Nowadays, the most limited asset of European citizens is time, and it is vital for the governments of the Member States to introduce public services on the internet.

My home country, Estonia, has done much in this field: e-voting, e-tax declarations, e-government and e-registry office are only a few examples of successful 'e'-projects that could be implemented across Europe.

I know that it is much easier to reform a small country, where approximately 66% of the inhabitants use the internet. However, moving public services to the internet is worth the effort.

One of the prerequisites for the functioning of democracy is participation. 'E'-solutions provide the possibility of participation with minimal effort: there are no queues or officials exercising the right of discretion. The internet gives citizens more independence and ensures impartial administration of their affairs.

However, it is essential to start such education from an early stage in schools. On the other hand, computer literacy has succeeded where Esperanto failed – it has become the most universal language – and efforts should be made not only to bridge the digital gap at regional and global levels, but bearing in mind the different age groups and social strata.

Last but not least, the European Parliament often seems to occupy itself with producing immense volumes of paper. Why not upgrade our tools of democracy and implement paperless administration?

Ryszard Czarnecki, *on behalf of the UEN Group*. – (PL) Madam President, the Internet is rather like a knife. A knife may be used to slice our daily bread but it may also be used to kill. It is hard to imagine the

contemporary world without the Internet, and our working lives without the Internet, but the Internet is also abused, for example by paedophiles.

The European Union therefore acted wisely in setting child protection on the Internet as a priority for the last Internet Governance Forum held in Brazil two months ago. We should strive to combine openness and maximum access to the Internet with safety not only for children but anyone else who might be at risk as a result of Internet abuse.

It is significant that the next Internet Governance Forum will be held in Delhi, the capital of India. India is a country that has become a leader in information science, despite being relatively poor. It services global enterprises thus enabling hundreds of thousands of people to improve their standard of living.

Two proposals appear worthy of support: the first is for an Internet Governance Forum to be organised in two years' time in one of the new Member States, Poland for example, or perhaps Lithuania; the second is to consider creating an Internet Governance Forum of our own, I mean our own European forum, not a world forum. The European Parliament has a vital role to play in this regard. Clearly, Internet access in the Member States of the Union varies considerably. In my country, Poland, it is not very extensive, largely for financial reasons. The European Union should act to ensure that access is comparable, especially in rural areas.

Malcolm Harbour (PPE-DE). – Madam President, I would like to join with Ms Trautmann – and I think I am speaking for all my other colleagues as well – in expressing my gratitude to the Parliament Presidency for having enabled us to go as an official delegation.

This was a fact well noted by the many participants. We were the most active of all the political delegations there, and there were more European parliamentarians than any others. However, we are now seeing signs that other parliaments are looking at the Internet Governance Forum and realising they need to engage with it, because it addresses crucial public policy matters on which they need to be involved.

The speeches given by my colleagues have covered a number of the issues. I would just like to make some broad observations about how I see the process evolving, particularly because I am the only Member of this Parliament to have attended both the world summits on the information society, and have also been through the process from the very beginning. There is a feeling that the forum in Rio is now starting to come up with much more practical ideas, and people are beginning to realise the value of exchanging information and best practice from around the globe.

That is based on an understanding that it is not actually going to be formal, international, legal structures that are going to deliver many of the benefits we are looking for. In fact, we are going to have to deal with many of these matters through intergovernmental cooperation, and in many cases through cooperation between voluntary or non-governmental organisations.

In the case, for example, of child protection, which the previous speaker referred to, the most successful initiatives have been those carried out by voluntary-based organisations – such as, in my country – the Internet Watch Foundation. It was very important to actually talk to people about such organisations.

I will close by giving you a clear example, at a broader level, of the value of such interchanges. I participated in a workshop on consumer protection data breach notification, which is about to be discussed in Parliament as part of European legislation. I have a whole dossier on what has been done in other countries, and would say to the Commission that their proposal is currently extremely weak and would benefit greatly from its looking at that information. This is the sort of practical benefit we can derive from such forums, and I am sure we in this Parliament will be able to contribute to the development of the agenda for the next forum, to make it even more effective.

Francisca Pleguezuelos Aguilar (PSE). – (ES) Madam President, I feel that the Commissioner and all of us who have spoken today agree on the importance and the social and political impact of these forums, which are being attended in increasing numbers.

For this reason I feel we must congratulate ourselves on the commitment we are making in Europe. I also feel, however, that we ought to avail ourselves of the political opportunity at this time, as Mrs Trautmann said, to reflect on the new Telecommunications Package, and in that sense I think that both the Commission and Parliament must make every effort not just to offer the people of Europe access to the best digital services, but also to spearhead the extension of the information society as a social commodity to countries that are in need of European cooperation and leadership.

In this sense, I feel that what has been said here is extremely important: we must work on common problems such as sensitivity, freedom of expression on the Internet and protection, priority issues in my view.

At the present time I think it is vital – and I will end here, Madam President – that we make global issues compatible with local issues. I believe that this is a priority, and so the posture set out in the resolution we will be adopting today is relevant: I trust it will be sufficient incentive for the Commission to continue to include these priorities in its political agenda.

Lambert van Nistelrooij (PPE-DE). – (NL) Madam President, I was not in Rio, but I was at the first conference in Athens, and there I saw the importance of the formula of the forum. In this forum stakeholders can explore together the limits that are very important and that will probably be applied in global relations later and also translated into EU regulations.

There are some quite difficult issues behind this dialogue. I am thinking of the domain names, the icon and the American influence on this. The idea behind it is that we feel that it is extremely important that the world wide web should continue to have a genuinely global, unambiguous approach. That is why it is important to see that signals from this debate reappear again in the new approach to the icon and that the ideas of partners are taken on board.

Madam President, I would like to throw some light on one particular aspect today. I very much support a European forum, a European interpretation of the forum for internet governance for the future, ideally before the 2009 elections. What we have to do is to make sure that we also bring our national parliaments on board in the debates. From the initiatives in some countries, such as the United Kingdom, you can see that these are live issues; given their importance for the future, for employment and welfare, as well as for freedom of information and participation, it is essential that we bring the national parliaments on board with other stakeholders in a European approach.

I am appealing to the Commission: I read in the files that it does not have enough instruments or funds to support one thing and another, to choose a different line of approach. There is plenty of money. Look in i2010, look in the programmes for research, etc. I would really like to a very generous position to be adopted in order to establish the European view of these problems even more clearly before the 2009 elections.

Zita Pleštinšká (PPE-DE). – (SK) Thank you, Madam Chairman, for giving me the opportunity to contribute to this interesting debate.

I strongly support the idea to establish forums on Internet governance with the participation of Members of the European Parliament. The Internet is today an unavoidable component of the life of European citizens regardless of their age. However, in disadvantaged regions it is almost impossible to get a fast Internet connection. With envy I often watch advertisements in our Slovak public and private media for Internet with four times the speed and its advantages. Where I live we do not have this advantage and our real options are limited only to local sources with insufficient speed.

Commissioner Kuneva, what can the Commission do to make sure that the disadvantaged regions and the people who live there will not be forgotten, to make sure that these people have an equal opportunity to participate in the digital world?

Gunnar Hökmark (PPE-DE). – Madam President, I just wanted to say one thing. I would like to thank Ms Trautmann, who led the delegation to Rio and did it in a very good way. I did not mention that in my first intervention, but I think it is important to state. We all found her to be a very good leader. I would just like that to be noted.

Meglana Kuneva, Member of the Commission. – Madam President, let me start with the next steps, which are more concrete. Following the Rio meeting, consultations will be held in Geneva next month to collect views on the outcome of Rio and the preparation for the next meeting in New Delhi. The Commission participates in the advisory group which assists the UN Secretary-General in the preparation of the IGF. As has been our practice since the World Summit on the Information Society, we will of course inform Members of the outcome of this meeting. I would now like to answer some of the specific questions raised by MEPs, starting with Ms Trautmann.

We welcome the fact that Ms Trautmann addressed, in her speech at the opening session, the issue of the 'Internet of Things' and the possibility of bringing this up at the IGF next year. With regard to the second part of Ms Trautmann's speech, regional IGFs have emerged in a number of places, and this appears to be a

useful way to focus on questions of internet governance that are of particular importance for a specific region. The Commission strongly supports this idea.

Moving on to Mr Savi, we could not agree more with his statement, and this is why the Commission is committed to the development of the e-application with the broad programmes and legislation.

To Mr Czarnecki, the Commission is committed to all the initiatives on child protection. We promoted the item on the IGF agenda and we are about to propose a renewed programme on child protection on the internet.

President. – To conclude the debate, I have received one motion for a resolution, signed by six political groups, pursuant to Rule 103(2) of the Rules of Procedure.

The debate is closed.

The vote will take place today at 12 noon.

(The sitting was suspended at 11.40 a.m. and resumed at 12 noon.)

IN THE CHAIR: MR PÖTTERING

President

5. Calendar of part-sessions: see Minutes

6. Voting time

President. – We shall now proceed to the vote.

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

6.1. (A6-0514/2007, Michael Cashman) Multiannual framework for the Fundamental Rights Agency for 2007-2012 (vote)

6.2. (A6-0447/2007, Agustín Díaz de Mera García Consuegra) EUROPOL (vote)

– After the vote on Amendment 62:

Alexander Alvaro (ALDE). – (DE) Mr President, now that Parliament in its infinite wisdom has adopted compromise Amendment 62, Amendment 61 as proposed by the ALDE Group is now superfluous and is therefore withdrawn.

6.3. (A6-0516/2007, Lydie Polfer) A more effective EU policy for the South Caucasus (vote)

– Before the vote on Amendment 3:

Lydie Polfer, rapporteur. – (FR) Mr President, I just wanted to ask Mr Tannock if the addition he is proposing is in fact an addition, or whether his aim is to remove the section on violence and ill-treatment in police custody and penitentiary institutions. If his amendment is to be an addition, I can of course support it. If, however, he wishes part of the existing text to be deleted, I can only recommend that we vote against it.

Charles Tannock (PPE-DE). – (FR) It is an addition. Thank you.

– Before the vote on Amendment 7:

Lydie Polfer, rapporteur. – (FR) Mr President, in paragraph 32 we repeat the two conditions, i.e. territorial integrity and self-determination, even though they are already mentioned in paragraph 30. However, the author of the amendment has added 'self-determination of the people who live there'. I strongly recommend that we delete the words 'of the people who live there' because that would exclude the refugees and persons

displaced in their own country. Therefore, if the author of the amendment agrees to delete those few words, I will be able to support the amendment; otherwise, I recommend that we reject it.

Charles Tannock (PPE-DE). – Mr President, I have agreed to that change to the oral amendment.

(Parliament agreed to accept the oral amendment)

– Before the vote on Amendment 8/rev:

Charles Tannock (PPE-DE). – Mr President, as we agreed at the beginning of the session, it will be an addition now. In the actual text it says to replace the words ‘in the Baku-Tbilisi-Erzurum gas pipeline’ with the words ‘in the trans-Caspian energy corridor projects’. But by negotiation at the beginning of the voting session, I have already agreed this should be an addition rather than a replacement, so can we include the words ‘in the trans-Caspian energy corridor projects’.

(Parliament agreed to accept the oral amendment)

6.4. (A6-0510/2007, Roberta Alma Anastase) A Black Sea Regional Policy Approach (vote)

6.5. Kenya (vote)

– Before the vote:

Jan Mulder (ALDE). – Mr President, since we formulated this resolution, some important changes have taken place in Kenya. Yesterday, the newly-elected Parliament – and according to all observers the elections to the Parliament were pretty honest – elected a new speaker. The speaker is from the opposition.

We view that as an encouraging sign, and I would therefore like to propose an oral amendment, in the form of a new paragraph reading as follows: ‘Welcomes the fact that the newly-elected Parliament showed its independence by the election of Mr Kenneth Marende as its speaker, and underlines the decisive role to be played by that Parliament in restoring civil liberties in Kenya’.

(Parliament agreed to accept the oral amendment)

6.6. (A6-0519/2007, Ilda Figueiredo) The role of women in industry (vote)

– Before the vote on Amendment 39:

Ilda Figueiredo, rapporteur. – (PT) Mr President, this oral amendment is supported by female Members from five political groups and also by one male Member. It aims to amend the first part as follows: ‘Stresses the need to retrain those women who have had to stop their career, to enhance their employability’ and then continues ‘calls on the Member States to increase life-long learning possibilities’. This is the amendment that we are tabling.

(Parliament agreed to accept the oral amendment)

6.7. Second Internet Governance Forum, held in Rio de Janeiro from 12 to 15 November 2007 (vote)

7. Calendar of part-sessions: see Minutes

8. Explanations of vote

President. – I would like to make the following proposal for the voting: we shall begin with the explanations of vote and then suspend the sitting at 1 p.m.. Any explanations of vote not dealt with can then be presented this afternoon at the end of the debate and after all the votes have been taken.

(Loud applause)

(Parliament approved the proposal)

IN THE CHAIR: MR ONESTA

Vice-President

Explanations of vote

Cashman report (A6-0514/2007)

Roger Helmer (NI). – Mr President, I have to say that on this particular measure, I voted against. While Mr Cashman is a very charming gentleman, I must say that whenever I see anything with his name on it, I do look on it with some degree of scepticism.

The issue here is that we have a European Fundamental Rights Agency as if there were no such protection for human rights in the Member States. I question whether there is any need for this institution at European level. Is it not just a case of extending bureaucracy and creating new quangos, as we call them in Britain? This is a burden on the taxpayer which, in the view of many others, will not actually contribute to human rights.

Furthermore, in the absence of the constitution which we were promised, which you are now proposing to drive through without a referendum, there is no basis for it.

Derek Roland Clark (IND/DEM). – Mr President, I voted against this report because the United Kingdom already respects human rights. It is a signatory to many international agreements; it does not need to be told how to behave by an EU that has overridden the results of the French and the Dutch referendums, which were perfectly constitutional.

They rejected the Constitution. It has been replaced by an equivalent Treaty that has now been approved even before it has been seen in full by those who signed it.

The EU clearly has no respect for democratic rights and cannot therefore be considered a safe or reliable custodian of human rights.

Thomas Wise (IND/DEM). – Mr President, thank you for this opportunity to explain my vote. This is the first time I have done such a thing. I voted against this proposal because, whilst the committee in question may be called the Committee on Civil Liberties, Justice and Home Affairs, it does not offer liberties to civilians, it does not offer justice, and it interferes in home affairs. We in Britain were promised a referendum. We are not going to get one. What is the European Union going to do about that?

Syed Kamall (PPE-DE). – Mr President, thank you very much for giving me this opportunity to explain my vote on this important issue.

You may not be aware of this, but I represent the constituency of London, the greatest city in the world, capital of the greatest country in the world.

What one needs to understand is that London is actually a pretty diverse city. Let me explain: we already have 300 languages and 14 religions and, on the whole, we get along very well. So, the EU could actually learn a lot from London and how it has ensured human rights and that people's dignity is respected.

We do not need those issues to be resolved at EU level. What could London, the most diverse city in Europe – and perhaps even in the world – learn from this institution? What could it learn about human rights? What could it learn about fundamental rights? Absolutely nothing!

Let me add the following. The forthcoming ratification of the European Constitution, despite its rejection in two referendums, is undemocratic, cowardly...

(The President cut off the speaker)

Daniel Hannan (PPE-DE). – Mr President, on what legal basis are we constructing this agency? The Fundamental Rights Agency would have been given authority by the European Constitution. It would be given authority by the Lisbon Treaty. But the only legal base it has at the moment is a flimsy cat's cradle of communiqués, of press releases, of resolutions in Council.

The European Union does not have a problem with the systematic violation of human rights. It does have a problem with the systematic violation of democratic rights. The problem we have is that a human rights charter written down on paper is meaningless unless there are also mechanisms to hold leaders to account.

If you look at the constitutions of the former East Germany and of the Soviet Union, they were full of these wonderful promises of liberty. But, as the peoples of those unhappy countries found, it meant nothing without democracy.

That is why, if you want to impose this human rights charter, you should consult the people first in a referendum. *Pactio Olisipio censenda est!*

Jim Allister (NI). – Mr President, I too voted against this ludicrous proposal of an agency in respect of human rights in the EU.

We in the United Kingdom, like many other countries, are long-term signatories of the European Convention on Human Rights. Such rights as require external supervision are found there, and any court which is required is found in this city under that aegis, not under any aegis required by the EU.

So this is totally unnecessary, an utter waste of public money. Its primary intent is to provide another layer of apparatus of statehood to the EU so that it can parade itself as some sort of a superstate within a Europe that gives rights to its citizens, rights they already have.

If it wants to give rights, then let it recognise the fundamental right to vote on matters such as this: to say 'yes' or 'no' to a constitution.

Díaz de Mera García Consuegra report (A6-0447/2007)

Miroslav Mikolášik (PPE-DE). – (SK) Mr Chairman, since criminal activity is increasing continuously and the threat of terrorism is growing, Europol needs to become more flexible.

The three Protocols from 2000 to 2003 that amend and supplement the Europol Convention have still not taken effect. Surely an organisation that is promoting law cannot be effective if changes to its basic legislative instrument come into force only several years after a decision has been made to accept them. The proposal for a Council decision deals with this situation, which is why I voted for it.

One important change in relation to the present situation is the plan to finance Europol from the Community budget and give the staff the status of EU official. This will increase the European Parliament's involvement in the management of Europol and simplify budget and personnel management. In addition, the European Parliament's position will be strengthened as democratic control of Europol improves. Moreover, the Community's financial expenditure will be comparable to the current expenditure of the Member States.

Oldřich Vlasák (PPE-DE). – (CS) Mr Chairman, please allow me to explain why I did not take part in the vote on this report. Firstly, I think that Europol is functioning well on the basis of bilateral agreements and bilateral cooperation. Secondly, the Czech Republic has, together with other countries, joined the Schengen area. It is necessary first and foremost to get accustomed to this cooperation, analyse it and subsequently improve it. In addition, any further integration aimed at transforming Europol into a European police force will require ratification of the Lisbon Treaty. Only then we can talk about possible changes to Europol's legal basis.

Roger Helmer (NI). – Mr President, I was interested to note that you cut off the microphone of my colleague, Mr Kamall, on the instant of 60 seconds, whereas you are much more generous when people are saying things you find more palatable.

One of the errors we make in the European Union is to confuse 'cooperation' with 'supranationalism'. I am all in favour of police cooperation – any sensible person would be in this day and age. However, I am absolutely opposed to the creation of supranational authorities – such as EUROPOL is intended to be – which, as one of my colleagues said of the Fundamental Rights Agency, is one of the attributes of statehood that the European Union is claiming.

The trouble is that these organisations lack democratic legitimacy, and that is very dangerous. Both EUROPOL and the European Union will lack democratic legitimacy until you put the Lisbon Treaty to a referendum.

Derek Roland Clark (IND/DEM). – Mr President, I could not disagree more with this report. I voted against. Cooperation between police forces, yes; forced cooperation and obligation, no; especially when this police force will have within its ranks armed police that can be sent anywhere in the European Union.

We do not have armed police as a rule in the United Kingdom. We will not suffer armed police coming in at the behest of EUROPOL. We do not believe in it. We run our country in a different way!

I am particularly disappointed to see that Amendments 56 and 57 were voted down, because, if passed, they would have removed immunity from that police force. In the United Kingdom, we are used to a police force which, if it causes damage to property or violates the individual or arrests without good reason, can be charged with offences afterwards. But then, I would not be surprised, because, after all, you are prepared to ram through a constitution without asking anybody either.

Thomas Wise (IND/DEM). – Mr President, for the second time I rise to declare my vote opposing this motion.

In Britain, there is a simple philosophy: no man is above the law; not even the Queen, the monarch of England, is above the law. It will take due process. We have in this legislation created a situation where there are people outside the law, incapable of being pursued legitimately.

I have said in this House before: if the European Union is the answer, it must have been a bloody stupid question, and never was this so true as now.

I give you Kennedy's comments: 'Those who make peaceful protest impossible, make violent protest inevitable'.

Nirj Deva (PPE-DE). – Mr President, it is vital to cooperate across transnational boundaries on international crime, terrorism, drugs and so on. EUROPOL is doing that job right now with other police forces.

However, creating a European police office which increases central powers will not solve the problems that have arisen in local communities around Britain. My country, my party, has voted against this resolution today as loyal Conservatives.

My party has also requested that we have a referendum on the EU Constitutional Treaty. I have no place other than this House to protest at what Mr Brown is doing in reneging on a pledge he gave to hold such a referendum.

I would therefore ask that we request Mr Brown to give the British people that referendum.

Syed Kamall (PPE-DE). – Mr President, I understand that this proposal for a Council decision, as outlined in the report, provides for the conversion of EUROPOL into an EU agency.

We must recognise that this will have two consequences. First of all, funding will have to be provided from the Community budget, and EUROPOL staff will acquire the status of Community officials. The report also contains provisions for coordination, which we all welcome, and organisation and implementation of investigations and operational activities carried out in conjunction with the Member States' relevant authorities or by joint investigation teams.

The Conservatives favour open cooperation between police forces across the EU and beyond in the fight against crime. But we really do not accept that the EU has any role in centralising such cooperation. Thus, EUROPOL is an agency which is not necessary since other organisations already exist to fulfil this function at a global level.

It is for this reason that I would like to add that the coming ratification of the European Constitution, despite its rejection in two referendums, is undemocratic, cowardly and illegitimate.

Daniel Hannan (PPE-DE). – Mr President, I am glad to have this opportunity to make an explanation of vote. I put in for speaking time in the debate on this issue, but one of the consequences of my party's unhappy *mésalliance* with the European People's Party is that British Conservatives are systematically denied speaking time in important debates.

What I wanted to say was that this report is based on a conceptual misunderstanding. People say that, because we have cross-border crimes, and because crime is international, we need cross-border policing.

We already have it. The police forces of the nation states have for decades been collaborating to great effect. We have Interpol, we have the Hague Convention, we have extradition treaties, we recognise the time spent in another country's prison as constituting part of a sentence, and so on.

The difference is that these things are based on democratic decisions between independent states, whereas what is being proposed with EUROPOL is the federalisation of what ought to be a sensitive national issue – namely the policing of criminal law.

If we want to do that, we should first ask people in a referendum, which is why we need a referendum on the Lisbon Treaty.

Jim Allister (NI). – Mr President, some of the reasons propagated for this proposal on EUROPOL are quite bogus. It is suggested that we need to change the legal base; that we need to provide it with EU funding; that we need those it employs to be EU officials; that we need to expand its remit; and that we need an agency so that we can fight organised crime and terrorism. What utter nonsense! We have been fighting organised crime and terrorism quite effectively, through proper long-standing cooperation between police forces.

This is all about creating another aspect of the apparatus of EU statehood, so that it has an effective EU police force. That is what those officials will be, meddling in the internal affairs of Member States and – as has been pointed out – with immunity for their actions, beyond the reach even of judicial review in nation states. It is a preposterous proposal and utterly unnecessary.

Polfer report (A6-0516/2007)

Nirj Deva (PPE-DE). – Mr President, regarding the Polfer report, the Conservatives did vote with the rapporteur on the issue of the South Caucasus.

But it is again rather curious, is it not, that, while we are so anxious to protect the democratic freedoms and the rights of the people of the South Caucasus, and to ensure that they have a legitimacy and that they can express their self-determination, when it comes to the serious issue of the Constitutional Treaty of the European Union, Mr Brown of the Labour Party, who promised to give us a referendum, has now reneged on a referendum.

My party, the Conservative Party, is incensed that a promise has been reneged on and that is why I am standing here asking the Labour Government to give us a referendum on this important constitutional issue, just as we are concerned about what is happening in the South Caucasus.

Syed Kamall (PPE-DE). – Mr President, I understand that this report welcomes the inclusion of Armenia, Azerbaijan and Georgia into the European neighbourhood policy and the endorsement of bilateral European Neighbourhood Policy action plans.

I also understand that the rapporteur calls on the EU to develop a regional policy for the South Caucasus to be implemented jointly with the countries of the region. Of course, one of the watchwords that will appear in many of these reports is the word 'democracy'. I represent London – you may not be aware of this. I represent London, the greatest city in the world, capital of the greatest country in the world, and we happen to have a very diverse community in London, including many people from Armenia, Azerbaijan and Georgia.

One of the things that they welcome about living in London is democracy and the right to have their say on vital issues. They ask me all the time, 'Why is it that you are preaching to us about democracy, yet you deny that very right to your citizens in Britain when it comes to a referendum on the Constitution?'. So the Constitution, despite its rejection in two referendums, is undemocratic, cowardly and illegitimate.

Daniel Hannan (PPE-DE). – Mr President, may I thank you for the patience and good humour you are exhibiting in this session. May I also, as yesterday, extend my thanks to the services and the interpreters for humouring us.

The big issue in the South Caucasus region at the moment is the dispute over election results. The West more or less connived at the Saddam-like election victory of the current Georgian Government the first time around with its vote of well over 90%, and now, when it claims re-election, we are arguing about whether that vote was free and fair.

What kind of example do we in the European Union hold up to these struggling democracies when we show such contempt for our own democratic process here in the European Union? It seems periodically necessary

to remind this House that 55% of French voters and 62% of Dutch voters voted 'no' to the European Constitution, and yet we have the document coming back – this time without any referendums – as the Lisbon Treaty.

I say it again: it is necessary to give the people a referendum on the Lisbon Treaty. *Pactio Olisipio censenda est!*

President. – Mr Hannan, my good humour is matched only by yours. I always wonder how you manage to fit in a reference to a referendum. You succeed in doing so every time, no matter what topic we are discussing.

Anastase report (A6-0510/2007)

Roger Helmer (NI). – Mr President, I voted in favour of this measure not because it was my considered wish to do so, but because, as a loyal Conservative, I was following the whip.

Left to myself I would probably have abstained or perhaps voted against. I have to say that issues concerning the Black Sea are not the top priority for my electors in the East Midlands of the United Kingdom, and I suspect not the second or third priority either. Therefore, you could in a sense say that this was not a matter of the very greatest importance.

However, I do not believe that the European Union should have a common foreign and security policy. I believe that nation states should have their own foreign policies, and am perfectly happy for them to work together in cooperation when that is in their interests – be this with states in the European Union or with states outside it.

In any case, the common foreign and security policy can have no democratic legitimacy if there is to be no referendum on the Lisbon Treaty.

Derek Roland Clark (IND/DEM). – Mr President, without doubt this new policy is aimed at facilitating, amongst other things, the supply of oil and gas through that region to Western Europe.

That would be Russian gas and Russian oil, and you are now allowing yourselves to be possibly taken hostage. We all know that Russia cut off the supply of gas to Ukraine two Christmases ago; once they get an even bigger share of Western Europe gas supplies, perhaps they might do it to all of us at some time.

At least here in France they have got the right idea, generating at least 70% of their electricity by nuclear power, and it is about time the EU formulated a policy to promote that right across the Union.

But instead, of course, you go dabbling in the south Caucasus, around the Black Sea, with regimes that are not terribly stable; with regimes that may not want us there. But of course, you would rather do that than promote a referendum on the new constitution amongst your own people.

Syed Kamall (PPE-DE). – Mr President, I am pleased to say that I am still here, even if you and others may not share my pleasure at being here. I would like to thank you all for your patience.

I understand that this own-initiative report actually welcomes the Commission's communication 'Black Sea Synergy – a New Regional Cooperation Initiative', which aims to enhance cooperation with and within the Black Sea region by supplementing existing bilateral policies with a new regional approach. It considers that, in order to adopt such an approach, the communication has to be followed by further consistent steps on the part of the EU to encourage a genuine regional dimension tailored to this era.

What region are we talking about? Let me just clarify – the Black Sea region comprises the EU Member States Bulgaria, Greece and Romania, as well as Turkey and ENP partners Armenia, Azerbaijan, Georgia, the Republic of Moldova and Ukraine, as well as the Russian Federation. The great philosopher Brook Benton – followed and copied by the great philosopher Randy Crawford – once said, 'It's a rainy night in Georgia'. Indeed, when the people of Europe are denied their vote and the people of Britain are denied their vote in a referendum on the Constitution, it is a rainy night in the EU for democracy.

Daniel Hannan (PPE-DE). – Mr President, I appreciate your courtesy. I am glad to be able to speak on this report because it seems to me that the European Union, in its treatment of Turkey, is making a generational, a possibly epical mistake.

It now seems very clear that we are never going to admit Turkey to full membership. It is clear from the majorities in this House; it is clear from the promises of referendums in Austria and France, where there are majorities of 70% and 80% respectively against membership.

Had we said initially to Ankara that this was the case and we were going to work out some kind of alternative, we might have been able to go ahead in amity and partnership. Instead we are stringing the Turks along, imposing tens of thousands of pages of the *acquis communautaire* on them, making them grovel about Armenia, about Cyprus, about the treatment of their minorities and then, possibly 10 or even 15 years from now, after all of this, we will flick two fingers at them. In so doing, we risk creating the very thing we purport to fear: an Islamist state.

Turkey is more of a democracy than the European Union. It changed its government peaceably. I wish we would have the courage to consult our own people. *Pactio Olisipio censenda est!*

Miroslav Mikolášik (PPE-DE). – (SK) The Black Sea region, an area of production and transit, has a strategic significance for the diversification and security of energy supplies to the European Union. I am convinced that regional cooperation should, in addition to Turkey and Russia, include the EU Member States as equal partners too. That is why I have voted in favour of the report.

I am concerned about the continuing conflicts in this region, which are a threat to the stability and development of the area. I would therefore call on the European Union to play a more active role in the efforts to resolve the conflicts in this strategic area, in particular to get involved in the peace operations and to cooperate more closely with the Russian and Ukrainian Governments. There are obvious problems as regards the uneven development of the private sector in many countries around the Black Sea. It is necessary to improve the investment environment in the region, for local and international companies, through measures to improve the fight against corruption and fraud and promote market economy reforms.

President. – In accordance with the decision of this House, the explanations of vote will continue after this afternoon's votes.

Explanations of vote

Cashman report (A6-0514/2007)

Alessandro Battilocchio (PSE), in writing. – (IT) Mr President, ladies and gentlemen, I wish to express my full support for this report, the fruit of a lengthy and excellent job by our colleague Michael Cashman.

The European Monitoring Centre for Racism and Xenophobia was transformed into an Agency tasked with safeguarding and promoting human rights, the Agency being officially established on 1 March 2007. Ever since then, we must acknowledge, it has been wholly non-operational owing to the lack of a director and a multiannual framework.

In response to this sluggishness and bureaucratic inefficiency, the rapporteur proposes amending the multiannual framework in a minimum number of areas. He urges the Commission and Council to speed up the process of selecting candidates for the post of director so as to facilitate a rapid agreement among the EU institutions, thereby reactivating this vital tool to safeguard citizens' human rights.

I would call upon my fellow Members to support this report, since it represents an initial step towards making the Agency operational.

Support for EU human rights policies and their development cannot and must not be subject to considerations and delays of a political and economic nature.

Carlos Coelho (PPE-DE), in writing. – (PT) I obviously supported the creation in February 2007 of the European Union Agency for Fundamental Rights as I believe that this Agency could significantly help to increase the coherence and cohesion of EU policy on fundamental rights.

The Agency was officially established on 1 March 2007 but is still waiting for the basic elements so that it can become fully operational, in other words the appointment of its director and the approval of a multiannual framework.

This initiative aims to adopt this multiannual framework, which must guide the Agency's work over the next five years by defining the thematic areas in which it must act.

I therefore welcome the enormous effort made by the rapporteur, Mr Cashman, to facilitate the negotiations, and I hope, like him, that this encourages the Commission and the Council to conclude both the discussions on this multiannual framework and the process of selecting candidates for the position of director as soon as possible.

The people of Europe will not understand the reason for further delays preventing this Agency for Fundamental Rights from becoming fully operational.

Sylwester Chruszcz (NI), *in writing*. – (PL) I am opposed to the creation of a European Fundamental Rights Agency, and therefore I did not support the Multi-Annual Framework for 2007-2012.

I believe that the proposed creation of this agency and its functions are not only a waste of money but also a dangerous political initiative, whose long-term effects will be damaging to the Member States of the Union. The basic tasks assigned to this agency amount to a clear intrusion into the sovereignty of Member States. The agency's existence cannot be justified. There are already institutions charged with safeguarding democracy and protecting human rights in every European country.

In my view, this agency's activities will inevitably extend beyond the thematic areas for which it was established. For example, in the course of today's vote on Amendment 6 to the recitals, the question of defining a human being and establishing the point at which it acquires human rights arose.

I consider this type of action to be an outrageous attempt to covertly impose dangerous ideological notions in the framework of the European Union.

Glyn Ford (PSE), *in writing*. – I support this report, despite my opposition and disappointment that the former European Monitoring Centre on Racism and Xenophobia, set up following the recommendations of the Council of Ministers' Consultative Committee on Racism and Xenophobia, where I represented the European Parliament, has now been dissolved into a wider European Union Agency for Fundamental Rights.

The Monitoring Centre in Vienna did extremely valuable work on promoting best practice in combating racism, xenophobia and anti-Semitism and preventing their rise, as well as reporting on the current state of play across the Union and in applicant countries. The danger is that this will be lost, or at least diluted, in this new Agency. I will watch developments with care.

Patrick Gaubert (PPE-DE), *in writing*. – (FR) The PPE-DE Group's French delegation welcomes the adoption of the Cashman report on the adoption of a Multiannual Framework for the EU Agency for Fundamental Rights for 2007-2012.

Among other points, the text defines the precise thematic areas of the Agency's activity to enable it to fulfil its mission and objectives successfully.

The majority of the French delegation, following the group line, rejected the amendments by the Liberals aimed at extending its missions to homophobia and homophobic violence, and to racism against the Roma. They did so not in order to express their opposition to this legitimate and justifiable goal, but because these missions are already covered by the proposal for a decision, which includes in the Agency's thematic areas the issues of racism, xenophobia and related intolerance, in addition to discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation or against persons belonging to minorities.

We welcome the adoption of this report, which will allow the Agency to become fully operational, thus enabling it to accomplish its task and safeguard the rights of EU citizens.

Ambroise Guellec (PPE-DE), *in writing*. – (FR) The PPE-DE Group's French delegation welcomes the adoption of the Cashman report on the adoption of a Multiannual Framework for the EU Agency for Fundamental Rights for 2007-2012.

Among other points, the text defines the precise thematic areas of the Agency's activity to enable it to fulfil its mission and objectives successfully.

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We welcome the adoption of this report, which will allow the Agency to become fully operational, thus enabling it to accomplish its task and safeguard the rights of EU citizens.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) Leaving aside the aspects criticised, which we have already had the opportunity to highlight, once the European Union Agency for Fundamental Rights becomes operational in due course, its actual purpose will be clarified.

In the debate on the definition of the objectives and priorities for its Multiannual Framework for 2007-2012, its thematic areas were clearly restricted to the following was clear: racism, xenophobia and related intolerance; discrimination based on sex, racial or ethnic origin, religion or belief, disability or sexual orientation or of persons belonging to minorities; compensation of victims, prevention of crime and related aspects relevant to the security of citizens; protection of children, including the rights of the child; immigration and integration of migrants; asylum; visa and border control; participation in the Union's democratic functioning; human rights issues relating to the information society; and access to efficient and independent justice.

The European Parliament has added extreme poverty and social exclusion. However, social rights, including the rights of workers, have not been regarded as a priority, even at a time when fundamental social rights are being called into question by the policies promoted by the EU.

Elisabeth Morin (PPE-DE), in writing. – (FR) Like the French delegation in the PPE-DE Group, I welcome the adoption of the Cashman report on the adoption of a Multiannual Framework for the EU Agency for Fundamental Rights for 2007-2012.

Among other points, the text defines the precise thematic areas of the Agency's activity to enable it to fulfil its mission and objectives successfully.

Like the French delegation and the PPE-DE Group, I rejected the amendments by the Liberals aimed at extending its missions to homophobia and homophobic violence, and to racism against the Roma. In fact, these missions are already covered by the proposal for a decision, which includes in the Agency's thematic areas the issues of racism, xenophobia and related intolerance, in addition to discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation or against persons belonging to minorities.

I welcome the adoption of this report, which will allow the Agency to become fully operational, thus enabling it to accomplish its task and safeguard the rights of EU citizens.

Díaz de Mera García Consuegra report (A6-0447/2007)

Bairbre de Brún and Eva-Britt Svensson (GUE/NGL), in writing. – I voted in favour of the amended proposal because it contains improvements in data protection.

However, I do not agree with the increasing move of justice and home affairs issues from the Member States to the EU. For this reason, I voted against the legislative resolution.

Gérard Deprez (ALDE), in writing. – (FR) I strongly support the report by our excellent colleague Mr Díaz de Mera.

The transformation of Europol into a Community agency is a request I have always supported.

It means in fact that from now on Europol will be financed by the Community budget, and that the status of Community official will apply to Europol personnel. In both cases, the powers of our Parliament have been considerably enhanced.

Moreover, the Council decision substantially broadens Europol's scope and capacity for action, which I also support.

In short, making Europol more operational and subjecting it to genuine democratic control is a decision I support unreservedly.

Bruno Gollnisch (NI), in writing. – The Council's wangling has been entirely successfully: transforming the European Police Office, Europol, from its status as an intergovernmental agency financed by the budgets of the Member States into a European Union agency financed by the EU budget, and applying the status of Community official, all on the grounds of technical, not political, requirements.

Since Europol's missions have in fact been extended significantly to encompass areas other than organised crime, the Council feels that the new objectives will be better dealt with at EU level than at Member State level. Thus, in the name of the extremely questionable principle of subsidiarity, the Europeanist logic of

systematic elimination of competences of the Member State and deepening of the supranational model is applied.

This is exactly the philosophy and the approach of the reforms in the Lisbon Treaty, which European and national leaders as a body wish to impose on the peoples and nations against their will.

Europe is no longer listening to its peoples. Worse still, it is disregarding them and lying to them. Now that 26 European countries have already announced they will not ratify this Treaty by referendum, let us hope that the nations and peoples of Europe will be saved by a rejection of this ridiculous text by the Irish, the only people who are allowed to decide for themselves.

Genowefa Grabowska (PSE), in writing. – (PL) The Member States of the European Union created Europol as an institutional response through which to combat organised crime. We are today debating broadening Europol's competences and streamlining its operations, 12 years after it was established.

The rapporteur has made an accurate assessment of Europol's current legal and factual situation. He rightly criticises the overly complicated and lengthy procedure envisaged to change Europol's status and include it in the Union's organisational structure. The corrective measures proposed in the report are also worthy of consideration and support.

Earlier attempts to change Europol's competences show how difficult it is for countries to reach agreement when they are bound by the principle of unanimity. I therefore believe that only when the Treaty of Lisbon is ratified and comes into force in all 27 Member States will we be able to introduce procedural changes and improve this situation, as the Treaty will also reform the decision-making process within the EU.

In addition, bestowing the status of an EU agency on Europol, with all the consequences that involves, including financial, will enable the European Union as a whole to combat organised crime more effectively.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) As neither the Treaty proposal nor this proposal to adopt by qualified majority decisions on regulations relating to the structure, operations, field of action and tasks of Europol have been ratified, the EU institutions are already tiring of trying to convert the European Police Office into a European agency.

In addition to our fundamental criticism of this process, we are concerned that we are facing:

- the possibility that 'special categories of data concerning racial or ethnic origin, political opinions, religious or philosophical beliefs, party or trade union membership, sexual orientation or health' will not be excluded from processing;
- the failure to adopt safeguards for the protection of personal data processed in the field of police and judicial cooperation at EU level and in relations with third countries, particularly with the US (e.g. air passenger data);
- the failure to guarantee access by an individual to his data or even to be aware that his personal data is being processed by Europol;
- the failure to clarify the control by national parliaments.

This would be a flagrant breach of citizens' rights, freedoms and guarantees.

Antonio Masip Hidalgo (PSE), in writing. – (ES) I voted for the text agreed by consensus with the contributions of the groups. It is an issue that affects essential cooperation against crime. I must point out, however, as did my colleagues Mr Fava and Mr Moreno, that the lofty goals of the resolution are at odds with the recalcitrant attitude of the rapporteur, Mr Díaz de Mera, who was Director-General of the Spanish Police on 11 March 2004 and who refused to cooperate with the court that presided over the trial on Europe's largest ever terrorist bombing.

Moreover, the rapporteur is one of the major propagators or collaborators of the disgraceful theory that it was not Islamist cells, but ETA terrorists, that were responsible for this massacre. Mr Díaz de Mera and others who described themselves as '*peones negros*' (black pawns) attempted to mislead international public opinion and, even though their standpoint was in the end not treated as a crime (it was subjected only to a sanction and serious admonishment from the Court), this Parliament should be acquainted with all the facts. Their personal attacks reveal their lack of arguments. Finally, I wish to express my regret that Mr Díaz de Mera did not even have the dignity of his colleague Jaime Mayor, who at least removed his name from the terrorism text.

Luca Romagnoli (NI), *in writing*. – (IT) Mr President, ladies and gentlemen, I wish to vote in favour of the Díaz de Mera García Consuegra report on the establishment of the European Police Office (Europol). Changing circumstances within the European Union, new forms of criminal activity and new terrorist threats mean that the existing body is in need of reorganisation. I nevertheless feel that certain points should be clarified.

The transformation of Europol into an EU agency must not place an additional financial burden on Member States; above all, it must not consume any of the already insufficient state resources earmarked for national police forces. On the contrary, the investigative authorities and those responsible for law and order must be better looked after and reinforced. Indeed, Europol's activities must consist of supporting and coordinating the fundamental, irreplaceable work of the various Member States' police forces. I am therefore pleased that the proposal contains provisions for the coordination, organisation and conduct of investigations and operational activities in conjunction with the Member States' competent authorities or by joint investigative teams.

Polfer report (A6-0516/2007)

Pedro Guerreiro (GUE/NGL), *in writing*. – (PT) This own-initiative report reveals the true ambitions of the 'European Neighbourhood Policy', specifically for the South Caucasus.

These are to set out the geostrategic agenda in its political, economic and military aspects, in other words the EU's plan for intervention in this neuralgic area, with increased pressure being put on China and Russia.

This will result in more interference in, and manipulation of, the conflicts arising from the dismantling of the USSR, with the aim of ensuring that the EU's major powers and financial/economic groups gain control over this region, with the inter-capitalist rivalries also being clearly evident.

You only have to look at the 'recommendations', such as the incentive to conclude free trade agreements and the pursuit of further liberalisation or the clear appeal for interference through 'support' for the action of 'civil society', ensuring that 'the [Community!] funds are distributed ... without ... state interference'.

The approach to the energy issue is particularly significant as it highlights the importance of energy brokers who can bypass Russia and the control over energy infrastructures and sources.

Finally, we note the incoherence between 'its unconditional support for the territorial integrity and inviolability of the internationally recognised borders of Georgia' and the appeal to the principles of the United Nations Charter, when this is not being done for Serbia.

Anastase report (A6-0510/2007)

Pedro Guerreiro (GUE/NGL), *in writing*. – (PT) This is another own-initiative report which assumes the same logic as the report on the Southern Caucasus and the 'European Neighbourhood Policy': in other words, interference and pressure to guarantee access to (and control over) markets (particularly energy markets) and further liberalisation.

The report argues for the promotion of 'market economy reforms', encouraging 'harmonisation and further liberalisation measures' and supporting 'the creation of a free trade area in accordance with WTO principles'. This is a process in which the EU allegedly has 'a leading role to play' in 'encouraging the region to take the necessary steps'.

At the same time the report 'stresses the crucial importance of establishing and developing good neighbourly relations among the countries of the Black Sea region and with their neighbours, based on mutual respect, territorial integrity, non-interference in each others' internal affairs and the prohibition of the use of force or threats to use force, as fundamental principles for fostering regional cooperation' and yet it argues for the promotion of 'European values', 'irrespective of the degree of willingness shown by partner governments'. This is a clear contradiction/incoherence between what is recommended (for others) and what is done. The EU is demanding that others respect what it itself does not respect. What cynicism.

Motion for a resolution: Situation in Kenya (B6-0024/2008)

Karin Scheele (PSE), *in writing*. – (DE) Until a short while ago Kenya was a holiday paradise for many people. Visitors were well shielded from the massive corruption and terrible poverty in which a large majority of the population have to live. Since the events of late December and the fraudulent presidential elections, Kenya and its political problems have suddenly been on everyone's lips.

While the parliamentary elections were generally regarded as successful by the official observers, doubts were raised as to the accuracy of the results of the presidential election. In tabling today's motion for a resolution on Kenya, we are once again condemning the widespread irregularities and the conduct of the incumbent President Kibaki, who in rejecting the offer made by President John Kufuor to help resolve the crisis has seriously undermined the mediation efforts. We call on Kenya's political leaders to do everything in their power to prevent further violence in the country and to ensure respect for human rights. During the debate on this subject we again discussed and examined the question of the effectiveness of direct budgetary aid. This topic, like that of Kenya, is one that will continue to occupy us in the months ahead.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) This explanation of vote is intended to point out that, by recognising the mediation efforts begun by neighbouring countries, by the Southern African Development Community and by the African Union, we believe that the Kenyan people will be able to find and define their own path. It is up to the Kenyan people themselves to find the solutions to overcome the current situation in their country.

As a result, we regard as negative any attempt by the EU to interfere, as indicated and proposed in the resolution, particularly bearing in mind the objectives proclaimed by the EU in its 'Strategy for Africa' and the framework of inter-imperialist cooperation/rivalry concerning this continent that is also clearly evident and that is so deeply felt in this region.

Finally, I must highlight the omission from the resolution of a reference to the severe and deteriorating socio-economic situation in this country – which is at the root of the expression of popular discontent manifested in the elections – and the deep responsibility for this situation of the neo-liberal policies promoted, in particular, by the international financial institutions, major capitalist powers and their transnational companies.

Zuzana Roithová (PPE-DE), in writing. – (CS) I fully support our resolution on the situation in Kenya, which is based on an up-to-date investigation by the EU observer mission in Kenya at the start of the year.

We must ensure that the authorities in Kenya investigate, without delay, the circumstances surrounding the elections and prevent further violence. We must insist on the return of live broadcasting and on the adherence to basic human rights and the rights laid down by the African Charter. However, this resolution detract from the responsibility of the European Commission to resolve the issue of the transfer of € 400 million to the Congolese Government. I think that we shall be returning to this issue soon.

Figueiredo report (A6-0519/2007)

Edite Estrela (PSE), in writing. – (PT) I voted in favour of paragraph 20 of the report on the role of women in industry because it is essential that the Commission carries out a study into the negative consequences of long working hours on private, family and social life, such as children spending a lot of time alone, left to their own devices, which often leads to failure at school and crime. The Member States must improve monitoring of undertakings that force their employees to remain at work beyond the statutory working hours and they must impose harsh penalties on these undertakings.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) The European Parliament today adopted my report on the role of women in industry. This is very positive, although I do regret certain minor amendments.

However, the report recognises the important role of women in industry and it calls on the Commission and Member States to take the necessary measures, including effective monitoring, to combat stereotyping and discrimination, particularly wage discrimination. This situation is even more serious when you consider that women's wages are around 30% lower than men's wages in industry, whereas the average for other sectors is 15%, despite the Equal Pay Directive having been around for more than 30 years.

It stresses the importance of collective bargaining in the fight to abolish discrimination against women, in particular with regard to access to employment, wages, working conditions, careers and professional training.

It stresses the importance of Community programmes that encourage the creation of trademarks, the protection of products' designation of origin and the external promotion of Community products from industrial sectors where women predominate.

Finally, it is very important to ensure recognition of the right of female and male workers to take part in restructuring processes affecting industrial undertakings, by guaranteeing their structures, in particular the

European Works Councils, full access to information and the possibility of decisive intervention, including the right of veto.

Hélène Goudin and Nils Lundgren (IND/DEM), *in writing*. – (SV) This report deals with a number of aspects which, in themselves, are important but in respect of which the Member States retain the power to act and the responsibility to develop and improve their legislation. The gender ratio on company boards, the development of equality plans in large companies and the proportion of female members of company boards are not questions which are best and most effectively regulated at EU level. We have thus voted against the report in question.

Genowefa Grabowska (PSE), *in writing*. – (PL) Clearly, European industry is undergoing far-reaching change. It is therefore hard not to recognise its strategic importance for the development of all Member States of the European Union and their citizens, regardless of gender.

The role of women employed in European industry and the opportunities available to them depend not only on a country's level of economic development, but also on traditions regarding acceptance of equal opportunities and respect for human rights regulations. There is large-scale participation of women in industry and they make a substantial contribution in almost all sectors. Nonetheless, one has to agree with the rapporteur that the role of women in industries involving cutting-edge technologies, such as the aeronautical industry or the chemical industry, is very inadequate.

It is entirely appropriate, therefore, that the report highlights this aspect and focuses quite rightly on gender issues. The report also emphasises that women's involvement in industry cannot be limited to work in sectors that do not require qualifications, where women are the first to suffer when restructuring takes place.

The rapporteur calls for support, especially for SMEs, to enable the relatively high level of female employment to be retained, particularly in the case of women who find themselves in an unfortunate professional situation. This suggestion is worthy of support, as is the entire report, if only for this reason.

Marian Harkin (ALDE), *in writing*. – I support paragraph 33 because such proactive measures need to be taken - at least on an interim basis to ensure participation of women in the decision-making process at all levels. In addition to this I strongly support paragraph 20 as there is a real need for a full investigation into the impact that long working hours have on health, both physical and mental, as well as on family life. If we are to promote a work life balance and family friendly policies then we need such a study.

Mieczysław Edmund Janowski (UEN), *in writing* – (PL) Human rights are the foundation of democracy. These rights include the very important principle of equality between women and men, allowing of course for the circumstances arising out of the biological differences between them. One aspect of this issue concerns the employment and role of women in industry. It is simply impossible to apply an arithmetical division into equal halves.

Above all, what we are concerned with is equality of opportunity, which is conditional on access to education and professional training in technical and economic subjects. Another very important issue is providing assistance to mothers bringing up children and ensuring they are not discriminated against in the workplace. It is essential to introduce flexible provisions regarding pensions for women bringing up children. The period of so-called parental leave must be credited in full and added to the period considered as time in employment under pension rules.

In many of our countries women are still being paid significantly less than men for work of equal quality and quantity. There can be no justification for creating obstacles impeding women from undertaking managerial and supervisory roles on company boards of directors or boards of trustees. Action is needed to do away with stereotypes in this regard. The report tabled represents a step in that direction, which is why I voted in favour of it.

Astrid Lulling (PPE-DE), *in writing*. – (FR) In many recitals and paragraphs of this extremely long resolution, we are stating the obvious. We are calling for measures that were, fortunately, taken some time ago. It is true that certain directives on equal treatment and opportunities between women and men have been poorly applied, but if discrimination still remains in the areas covered by this set of measures, who is at fault? All these directives contain appeal mechanisms. Women who have experienced discrimination need only go to court, where they will win their case, as demonstrated in many cases in my country, thankfully.

Unfortunately, this report contains a number of incongruous claims that bear no relation to the role of women in industry.

Asking for a 40% quota of female representation on company boards is interference contrary to the principle of subsidiarity in issues reserved for Member States.

It is not for us to call for the 'monitoring' of company delocalisation. It is utopian to demand 'more choice in the workplace'. If my company is based in the city of Luxembourg and has no other branches, I cannot put in a request to work in Schiffange where I live.

I voted for this report in accordance with these observations.

Zuzana Roithová (PPE-DE), in writing. – (CS) I agree with many of the ideas in the report on women in industry. However, I am not happy that specific attention was not given to the regional unemployment among women who lost their jobs in European textile factories at the time when this was happening. I also think that no amount of quotas for the employment of women will solve the situation.

My second comment concerns the balanced division of time between work and family. This affects women as well as men. I do not think that the solution lies in resolutions. It lies in the implementation of the European concept of flexicurity. Holland is one example where an excellent legislative framework has been developed for part-time work. The result has been reduced unemployment, as well as giving men and women more time for family life. An effective use of shorter working hours also shows that it does not have to lead to a reduction in income.

Olle Schmidt (ALDE), in writing. – (SV) As a liberal and a member of the Liberal Party of Sweden, *Folkpartiet*, I always find reports from Parliament on equality somewhat tricky. The Swedish Liberal Party has over the years taken the view that the best way to proceed in these matters is on a voluntary basis but we also realise that this is not always enough. Sweden's positive engagement in this field has made us known as one of the world's most equal countries. So do we not want to disseminate our successes across the EU?

Of course we do! The question is merely by what methods. In the report in question I felt obliged to vote against a number of paragraphs whose spirit I support but whose scope and approach seem dubious. I think that both equality plans and measurable targets may be important tools for enterprises. On the other hand, I do not believe it is something that the EU should concern itself with as a primary issue. The same applies to the establishment of an EU-sponsored 'methodology for analysing exactly what jobs entail' that will 'guarantee' equal pay. The Global Adjustment Fund, about which I had severe misgivings from the beginning, also should not take special account of gender – that would be to perpetrate a double injustice.

One cannot expect every report to be written as though one had drafted it oneself, but there is much to find fault with here. Yet the subject is so important that, in the end, I voted in favour of it as a whole.

Andrzej Jan Szejna (PSE), in writing. – (PL) I voted in favour of the report by Mrs Figueiredo on the role of women in industry. I should like to congratulate the rapporteur on a very good and thorough report.

The issue of equal rights for men and women is a very important one and we must continue to give it as much attention as possible, since the European Union is based on the principle of non-discrimination. We should give priority to tackling all indications of failure to comply with this principle. This is particularly necessary because the nature of industry is changing as we strive to create a knowledge-based society. The sectors in which women were traditionally employed are linked to the processing industry, whereas the newest sectors of industry are based on the development of the latest technologies, such as information and communication technologies. We should make every effort to ensure that the principle of equal opportunity is complied with in these new sectors.

Motion for a resolution: results of the Internet Governance Forum

Cristiana Muscardini (UEN), in writing. – (IT) The resolution on which we are about to vote cannot fail to receive the support and vote of the UEN Group. We hope that there will soon be better regulation of the Internet aimed at protecting children and taking more effective measures against providers that host child pornography websites. Immediate action must be taken by all EU Member States to close down illegal sites, by means of better coordination among the police forces responsible.

In addition, we hope that it will be possible to tackle the sensitive issue of information exchanged by terrorist organisations thanks to the Internet, and that this matter might be the subject of future forums. There can be no freedom without rules and, most importantly, the Internet cannot and must not be an area of freedom for those who commit criminal acts and preach hatred and intolerance. An emergency must be tackled by

means of decisive, urgent measures and not improvised ones. The fight against terrorism and hatred between peoples must be a rule and a goal of the European Union and all free, democratic countries.

9. Corrections to votes and voting intentions: see Minutes

(The sitting was suspended at 1.05 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MRS KRATSA-TSAGAROPOULOU

Vice-President

10. Approval of Minutes of previous sitting: see Minutes

11. Debates on cases of breaches of human rights, democracy and the rule of law

11.1. Arrest of Chinese dissident Hu Jia (debate)

President. – The next item is the debate on five motions for resolutions on the arrest of the Chinese dissident Hu Jia⁽¹⁾.

Milan Horáček, author. – (DE) Madam President, our Group has nominated Hu Jia and his wife, Zeng Jinyan, for the Sakharov Prize. Because the couple are under house arrest they used a webcam link to take part in a hearing of the European Parliament on the human rights situation in China. The renewed arrest of Hu Jia has only served to demonstrate something that he himself warned of. Does China by its action wish to show its contempt for the opinion of the European Parliament?

Human rights must be firmly enshrined as an issue that cuts across all the relations that exist between the EU and China. We too must act in a coherent and consistent way and should not simply sacrifice our values on the altar of good economic relations.

We are therefore calling on the Council and the Commission not just to take up a position for Hu Jia but also to use the next EU-China summit to call for a commitment to human rights.

China has to put a stop to the systematic intimidation of human rights activists. If China does not change its conduct we will again need to raise the issue of our participation in the Olympic Games. Moreover, Russia is set to host the next Winter Olympics and that country also has a poor record when it comes to human rights.

(Applause)

Erik Meijer, author. – (NL) Madam President, the problem of human rights in China keeps coming up in these urgent debates, always with good reason. China's economic growth and increased international standing have still not resulted in any real difference in the approach to civil liberties, abuse of power by the authorities, room for opposition and independence of the judiciary.

Harsh penalties are still being imposed, including frequent use of the death penalty. China is not the only country that sentences people to death and executes them, but it is the champion in this. The only progress that we have seen is that more care is now taken to be certain of the perpetrator's guilt before the death penalty is carried out, so fewer people are being put to death who later turn out to be innocent.

Meanwhile, the international focus on the three great dramas in China has to a large extent disappeared. The bloodbath in Tiananmen Square in 1989, the persecution of the supporters of the Falun Gong movement and the changing of the composition of the populations of Tibet and East Turkestan are being given less and less attention.

All the attention is now going to economic growth, export opportunities to China, opportunities for cheap imports from China, the growing role of China in Africa and the coming Olympic Games in China. Under these circumstances the pressure to improve the human rights situation in China is dwindling. The Olympic

⁽¹⁾ See Minutes

Games have become an argument for pulling down residential areas and driving the residents away. Chinese ambassadors say that their national honour is violated when this is criticised from abroad.

The coming Olympic Games could have been an occasion for improvement. As things look at the moment, they will be good for tourism and good for the completion of major public works, but not good for improving human rights. In the Netherlands, meanwhile, a debate has started about the possibility of boycotting these Olympic Games.

A resolution about a single arrested human rights activist, Hu Jia, is necessary but it is not enough. The most important factor in the relations between Europe and China should not be economic self-interest but our concern about human rights in China.

Marcin Libicki, author. – (PL) I agree with Mr Meyer who said just now that we should boycott the Olympic Games because of the persecution to which the Chinese people are subject in China. Indeed, it is not only the Chinese who are constantly being persecuted in that country. The persecution of the Tibetan people and other national minorities has often been raised in this House. We are today referring to the illegal detention and persecution of an activist in the cause of freedom, a person who is fighting for freedom in China, namely the politician Hu Jia. His wife and family have shared his fate.

Ladies and gentlemen, I can remember when the Olympic Games hosted by the Soviet Union were boycotted several decades ago. That action contributed to the fall of the Communist regime. We cannot now allow ourselves to be dazzled by China's economic success. Congratulations are due to China on the latter, but we must not turn a blind eye to the persecution of so many people and the violation of their fundamental rights. As I mentioned earlier, it is not only the Chinese who are affected, but also other residents of what is known as China. After all, Tibet, whose cause has repeatedly been raised in this House, is not China. I appeal for a boycott of the Olympic Games.

Thomas Mann, author. – (DE) Madam President, seven months before the start of the Olympic Games, China is demonstrating how little account it takes of human rights. The hope that the IOC decision would help improve things in the Middle Kingdom has been an illusion.

In October and November 2007 the State Security Services abducted and maltreated the attorneys Gao Zhisheng and Li Heping. At the end of December they imprisoned the human rights activist and cyber dissident Hu Jia on the charge that he had used the Internet to incite subversion of State power.

On 10 October Hu Jia took part in a press conference on human rights, which was held at the European Parliament in Brussels. He was linked to us live from China by telephone. We must thank him for this courageous act. Last year he and his wife Zeng Jinyan were nominated by the European Parliament for the Sakharov Prize. In his Internet blog he reports on political prisoners and on the victims of land confiscations for the forthcoming Olympics.

In a letter he thanked Chancellor Angela Merkel for having received the Dalai Lama. This clearly was too much for official China. In an open letter some 57 Chinese intellectuals called for the release of Hu Jia. Our President, Hans-Gert Pöttering, endorsed this. It is a slap in the face when human rights activists are arrested, especially because of their contact with the European Parliament. We have to use all diplomatic means at our disposal to ensure that he is released from prison immediately.

China is promising the world the best Olympic Games ever seen. The price for this should not be censorship or contempt for the rule of law.

Filip Kaczmarek, on behalf of the PPE-DE Group. – (PL) Madam President, back in 2001 when it was decided that Beijing would host the Olympic Games, many of us believed that despite the controversy surrounding it, this decision would help to bring about political change in Communist China. We felt that the host country would be moved to put an end to widespread violations of human rights and increase the scope of fundamental freedoms on its territory. I agree with Mr Mann that with 7 months to go before the Games open, all those hopes have proved in vain. The opposite is actually the case: the rule of terror in China has intensified.

Human rights defenders like Hu Jia and his wife are imprisoned and held illegally without trial in unknown locations, harassed, terrorised and denied the right of defence. The Chinese authorities are sending out a different signal to the world, indicating that there is no democracy or openness in their country. At the same time, the Chinese Olympic Committee has determined that the Games' main slogan will be 'One world, one dream'. They maintain that this dream consists of a common aspiration to flourish and live in peace. One is

left wondering what kind of peace the Chinese have in mind and whether they really understand what the Olympic Games are all about.

Józef Pinior, *on behalf of the PSE Group*. – Madam President, the Chinese activist Mr Hu Jia was arrested two days after Christmas during the afternoon at his home. It is very sad news, particularly because China, a great country, a great global player in the contemporary world, is the organiser of the Olympic Games this year.

The European Parliament and all the European Union must stress that China must challenge six issues relating to human rights: China's failure to fully implement new regulations allowing greater press freedom; China's superficial commitments to upholding the rule of law; limited Chinese support for international efforts to promote civilian protection in Darfur, Sudan; limited Chinese support for international efforts to promote human rights in Burma; the absence of transparency in Chinese aid to abusive governments; and, in particular, the release from prison of all political prisoners in China.

Ewa Tomaszewska, *on behalf of the UEN Group*. – (PL) Madam President, Hu Jia and Zeng Jinyan have come to symbolise for us the fight for freedom of expression and human rights in China. Both husband and wife have been nominated by this House for the Sakharov Prize in recognition of their activities, whilst they are repressed in their own country because of those same activities. Hu Jia was arrested on 2 January.

In the 1980s, during the period of martial law in Poland, transparency served to protect against the most drastic forms of repression. The press and radio stations on the other side of the Iron Curtain named those imprisoned, which allowed us to hope we would be safe. I myself experienced what it meant to be helped in this way by people abroad who were not indifferent to our plight. That is why it is now so very important for me to ensure that our voice, the voice of the European Parliament, the voice of hundreds of Members from different European countries should be heard in China. The Chinese authorities must hear our appeal and stop repressing Hu Jia and the many other victims of persecution.

Raül Romeva i Rueda, *on behalf of the Verts/ALE Group*. – (ES) Mr President, the Olympic Games ought to be perceived by both the Chinese authorities and the rest of the world as a chance for China to change its international image, which has been particularly affected by continuous breaches of human rights, affecting very different groups, for very different reasons.

The arrest of Hu Jia, and many others, show that China is not taking up this opportunity as it should. It also serves once again as a reminder to those who saw China as a country that was prepared and sufficiently open-minded to organise an international event supposedly focusing on solidarity such as the Olympic Games.

China still has time to change that image, but to do this it must take issues such as freedom of expression and freedom of association more seriously, and put an end to its obsession with arresting, punishing and convicting Chinese men and women accused of an offence as difficult to justify as incitement to subvert state power.

Kathy Sinnott, *on behalf of the IND/DEM Group*. – Madam President, every Olympics draws our attention to the preservation of human dignity as stated in the Olympic Charter. The 2008 Beijing Olympics will specifically draw our attention to that preservation – or otherwise – in China. Hopefully, this will bring pressure on the Chinese Government to rethink actions like the arrest of Hu Jia. It is an opportunity for the country to improve its poor record in this area.

Instead, the Chinese Government seems determined to sweep human rights abuses under the rug, by arresting activists and protestors. Of concern is the purchase of Western high-tech security equipment by the Chinese authorities, obviously intended to step up security during the games. My concern is twofold. I fear that such security equipment will be used against the Chinese people this summer, and that it will remain in misuse after the summer. We must either use the Olympics to promote human rights in China, or boycott them, and one thing we cannot do is have a big celebration of China if human rights continue to be so flagrantly disregarded.

Desislav Chukolov (NI). – (BG) Colleagues, during the 20th century millions of people all over the world fell victims to communism. Regrettably, this extremely pernicious, misanthropic and mostly anti-Christian ideology continues to take its victims to this day and to have its representatives. Even here in this Chamber. I will give you an example to illustrate and make things somewhat clearer.

Currently Hu Jia is under house arrest in China because there are a sufficient number of people there who believe that he is a proponent of their ideas. This is what makes him dangerous for the Chinese regime. Here,

at the European Parliament, thank God, there is a sufficient number of Members elected by millions of citizens to represent their views, yet the powers that be in this European Union, which many compare to a 'pyramid', have their own priorities and a referendum on the Lisbon Treaty is not among those priorities.

This makes us, those Members, just as dangerous as Hu Jia is for the Chinese regime. We are not placed under house arrest but Mr. Pöttering, if he is honest and open enough, would admit that he might go that far. However, I assure him that an honourable representation of our voters counts more than that prospect. Thank you.

Tunne Kelam (PPE-DE). – Madam President, the case of Mr Hu Jia and his wife, unfortunately, is not an isolated one.

In order to have the privilege to host this year's Olympic Games in Beijing, the Chinese Government undertook additional commitments to meet internationally recognised human rights standards. Contrary to these expectations, Beijing sees the Olympic Games as a justification for increasing repression against human rights activists. So, by systematically violating its own commitments, the Chinese Government has demonstrated that it does not intend to respect the core values of the Olympic tradition. In fact, it is about to lose its credibility.

Therefore, the democratic states cannot limit their reaction to mere complaints. If the Chinese authorities do not make credible changes to the situation, then the democratic participants in the Games risk their own credibility with regard to the values they advocate.

Lidia Joanna Geringer de Oedenberg (PSE). – (PL) Madam President, in 2001 the Vice-President of the Beijing Organising Committee for the Games of the XXIX Olympiad, Liu Jingmin, stated that awarding the Olympic Games to Beijing would help to promote the development of human rights. In recent months, however, the Chinese authorities have been allowing themselves to violate freedom of expression more frequently than usual. They have also repressed journalists and activists. The arrest of Hu Jia, a leading human rights activist who was nominated for the Sakharov Prize in 2007 sent shock waves through society. Hu Jia was arrested on the pretext that he had been inciting others to overthrow the national government. He is still being denied the right to a lawyer and to medical care.

China must be forced to comply with international standards in human rights and to respect those rights. It must also put an end to exploitation of the Games as an excuse for the illegal detention of journalists and dissidents. We should remind the Chinese authorities of the idea inspiring the Olympic movement, namely linking sport with a vision of a peaceful society and the preservation of human dignity. At the same time we should call for the immediate release of Hu Jia and of all the other activists detained without trial, so that they can return to their families and access essential medical care.

Zbigniew Zaleski (PPE-DE). – (PL) Madam President, I simply wished to establish whether the 'catch-the-eye' strategy also works here. If so, I wished to state briefly that when in China one cannot detect any obvious signs of how the control system operates, but it does. The citizens feel strongly bound up in the oppressive regime imposed by the system. We believe we are called to make the rest of the world aware of the situation, as other Members have already stated. That is the only weapon at our disposal. We can respect the economic development achieved in China, but hardly anywhere else in the world have people become so permeated by fear and self-censorship. I am therefore full of admiration for those courageous individuals in China who are brave enough to risk their careers, their freedom and their very lives to draw attention to the situation. It is our moral duty to stand shoulder to shoulder with them. There is no other solution, no other way forward.

Ryszard Czarnecki (UEN). – (PL) Madam President, further to the comments of my fellow Member from Poland, I should like to pose the following question to Commissioner Kuneva, taking advantage of her presence in the House. Against the background of the last few years, can we really say that genuine respect for human rights is on the increase in the People's Republic of China? Have the Games due to take place this July in Beijing really meant that Chinese dissidents can now feel more secure, and that relations with Taiwan are on a more civilised footing? Has free access to the Internet increased over the last two or three years? I would be grateful for the Commissioner's reply. After all, the Bible tells us: 'Ask and ye shall receive'.

Meglena Kuneva, Member of the Commission. – Madam President, only a month ago my colleague, Commissioner Ferrero-Waldner, expressed in this Chamber the Commission's deep concern at the continuous and systematic repression of human rights' defenders in China. The Commission was, therefore, all the more concerned to learn about Mr Hu Jia's arbitrary detention and recalls that he has been subjected to repeated acts of harassment in the past due to human rights activities.

We also express our concern for Mr Hu Jia's health. He suffers from hepatitis B and must take daily medication. It is not clear whether daily access to the medical treatment he needs is guaranteed and whether he can count on doctors' assistance during his detention in the Beijing Municipal Detention Centre in Dougezhuang.

In the Commission's view, the detention of Mr Hu Jia places an obligation on the EU to act in a firm manner because of the clear inference that he was arrested as a consequence of speaking freely and honestly about the repression of human rights defenders via a telephone link to a meeting of the European Parliament's Subcommittee on Human Rights in November 2007.

As such, it has echoes of the case of Cao Dong, a Falun Gong petitioner, who was arrested and is still in prison after meeting the Vice-President of the European Parliament in Beijing in May 2006. The detention of Mr Hu Jia also calls for a reaction from the EU as an international actor for the protection of human rights defenders. Yesterday the EU troika carried out a firm *démarche* to the Chinese authorities asking for his immediate release. We sincerely hope that the Chinese authorities will understand that the issue of human rights defenders has an important impact on China's standing with the European public and will act accordingly.

I would like to reassure this Chamber that the EU will monitor very closely the evolution of Mr Hu Jia's case.

The Commission would like to use this opportunity to urge again the Chinese Government to permit expressions of all forms of opinion. This is an important factor in how the international public views China, especially this year, when the eyes of the world will be on China in the build-up to the Olympic Games. We are convinced that a far more stable society can be achieved by allowing freedom of expression.

Let me close by saying that the Commission will intensify its efforts to seek an improvement of the overall human rights situation in China. In this respect, we will continue to play an instrumental role within the troika in preparing the EU-China human rights dialogue and seminar so that discussions continue to become more target-focussed.

Despite the slow progress in the human rights situation in China, we firmly believe that the EU-China human rights dialogue remains one of the most effective ways of engaging China in frank and detailed discussions with a view to achieving human rights reforms on the ground.

President. – The debate is closed.

The vote will take place at the end of the debate.

11.2. Situation in the Democratic Republic of Congo and rape as a war crime (debate)

President. – The next item is the debate on six motions for resolutions on the situation in the Democratic Republic of Congo and rape as a war crime⁽²⁾.

Raül Romeva i Rueda, author. – (ES) Madam President, sexual violence and rape in particular as a weapon of war is not, regrettably, a new issue.

It is no minor issue that Articles 7 and 8 of the 1998 Rome Statute of the International Criminal Court provide that rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation or any other form of sexual violence are to be treated as crimes against humanity and war crimes, and will equal, in terms of treatment and persecution, torture or serious war crimes, whether or not they are committed during an armed conflict.

The war in the Democratic Republic of the Congo shows to what extent this issue merits much more attention than has been paid to date. There have been tens of thousands of reports of rape or sexual assault annually in the region. Many of these incidents, moreover, take place at camps for displaced persons or refugees, and are frequently perpetrated by government troops, rebel groups or other forces.

I thus consider it extremely important that this Parliament not only condemn these practices, but that it urge the authorities in the Democratic Republic of the Congo to put an immediate stop to these practices, investigate, bring them to trial and secure convictions, and guarantee protection for the victims, witnesses and family members.

⁽²⁾ See Minutes.

We must also remind our own institutions that United Nations Security Council Resolution 1325 emphasises the responsibility of Member States to put an end to impunity, and pursue those responsible for crimes against humanity and war crimes, including crimes relating to sexual violence or other kinds of specific violence against women.

Erik Meijer, author. – (NL) Madam President, European states brought tribes together in colonies in Africa that did not have good relations with each other, and divided other tribes by drawing boundaries right through the middle of their lands. The Democratic Republic of Congo, an enormous territory with a multitude of racial groups, was not given the opportunity to grow into independence by gradually building up self-rule during the Belgian colonisation before 1960. There was no preparation for decolonisation: it suddenly became inevitable after England and France had granted independence to their smaller neighbouring colonies at the end of the 1950s, partly as a consequence of the wars of liberation in Morocco, Tunisia, Algeria and Kenya.

Since then the Congo has been a permanent war zone. The early years were dominated by the conflict between Kasavubu from the west, Lumumba from the north-east and Tshombe in the south-east. They each represented different ideologies and interests but, more importantly, they were popular with limited sections of the Congolese population.

The harsh military dictatorship of the profiteer Mobutu kept the country united for years in apparent peace, but the differences were never bridged. The most recent elections also failed to produce unity or good cooperation. The country remains a conflict zone with flexible borders, where, just as in the 1960s, it is about the demarcation of ethnic territories and control of mining areas. Foreign companies have benefited from this. The conflict now seems to be about which group among this multitude of tribal groups will dominate the others. As things are now, the future of the Congo seems to be without prospects.

The atrocities to which the resolution refers, including the general lawlessness and frequent rape of women are all connected with this chaos. The 2006 law against sexual violence will not solve that problem, as long as the conflict continues and there are so many people without a permanent place to live.

The resolution rightly makes reference to the role of government representatives, peace forces, aid organisations; their people should do everything they can to prevent such atrocities without becoming drawn into them themselves. Recognition of rape, forced pregnancy, sexual exploitation and other forms of sexual violence as war crimes by the European Union and the United Nations is a prerequisite, but removing the breeding ground for this violence will have to happen on the ground.

Ryszard Czarnecki, author. – (PL) Madam President, I was in the Democratic Republic of Congo only three weeks ago, so my knowledge of the situation has not been gained exclusively from documents although the latter are very important.

This truly is an unfortunate country, which has experienced frequent name changes. It used to be called Congo, then it became Zaire and now it is known as the Democratic Republic of Congo. It has experienced mass movements of its population far more frequently than name changes, however. The documents before us state that last year alone 400 000 of its inhabitants were forced to leave their homes. The total number of people forced to do in recent years is four times greater, amounting to 1.5 million.

I should also refer to the use of rape as a weapon used deliberately for political purposes both by the partisans on the rebel side and by the police and the army on the government side. This is something unprecedented and the African Union is totally powerless to deal with it.

Tadeusz Zwiefka, author. – (PL) Madam President, it is my strong impression that the words 'Democratic Republic' that form part of the official name of Congo ring rather hollow nowadays, because it is precisely in that country that one the worst humanitarian crises of recent years is unfolding before our very eyes.

Over 650 000 people are constantly moving around the country. In just one province, Kivu, 80% of families have been displaced during the last five years, about 1 000 women a month are the victims of rape, and tens of thousands of children have become soldiers. In the Democratic Republic of Congo the passage of the armies is accompanied by all possible kinds of crime against the civilian population, such as rape, murder and pillage. Sexual violence is used to terrorise and punish the inhabitants of the Democratic Republic of Congo who supported the wrong side in the conflict. It is so widespread that, according to *Médecins sans Frontières*, 75% of all rapes in the world take place in the east of the Democratic Republic of Congo. Rape is

accompanied by barbaric torture such as beating with clubs and mutilation with knives. Many young women have been forced into sexual slavery.

We should recall that the largest UN peacekeeping force in the world, consisting of over 17 000 soldiers, is currently deployed in the Democratic Republic of Congo. What is the main method of preventing sexual violence? It is slogans on walls stating that rape is inhuman. The most alarming fact is that the UN soldiers themselves have become involved in this scandal. On more than one occasion, UN investigators have discovered that UN soldiers themselves have forced Congolese girls into prostitution. It has proved simply impossible to punish the soldiers concerned, however, because their unit leaders did all they could to impede the prosecution. The soldiers have perpetrated violence instead of protecting against it on more than one occasion, and these occasions are becoming more numerous. This can only be defined as a scandal.

I would like to appeal to the international community to support immediate determined action aimed at identifying and punishing those responsible for crimes of a sexual nature. I should also like to emphasise that the countries sending military units into the field under the auspices of the UN are responsible for carrying out a proper investigation of any allegations of criminal behaviour by personnel involved in peacekeeping missions.

I realise that the European Union's options regarding the resolution of conflicts of this type are limited. Nonetheless, I call for funds to be made available for the organisation of a peace conference in Kivu. European Union aid should also be channelled towards the provision of medical, legal and social assistance to all victims of sexual crimes.

I trust the European Union and the UN will formally recognise that all types of crime of a sexual nature are crimes against humanity.

Josep Borrell Fontelles, *author*. – (ES) Madam President, the description of sexual violence in Kivu, Congo, produces an unavoidable feeling of revulsion. Our fellow Members have described what is going on there, and I do not intend to repeat it. We must not merely agree to condemn it, since this could make us a voice crying in the wilderness: we have to do something to stop it, and what we can do is put pressure on the Congolese Government, because it is not just the rebels, but also its armed forces, who are carrying out these kinds of atrocities, aimed at humiliating women and undermining the moral foundations of the society in which they live.

We must make the United Nations and the European Union declare sexual violence a crime against humanity. We must ask the Commission to allocate development assistance funds to the Congo, fundamentally and as a priority as assistance for the victims: legal assistance, social assistance and medical assistance.

We must make United Nations personnel on the ground consider defence of the victims and the search for those responsible priority tasks, and to do so we must extend the mandate of the United Nations Mission in the Democratic Republic of the Congo to constitute a more direct link to the prevention of such occurrences.

Finally, we must call on those attending the Kivu Conference to produce a set of specific results demanding justice and acceptance of responsibility, because if, after all that has happened, rapists finally enjoy impunity wearing the uniforms of the official army of the Republic of the Congo, the victims will be humiliated twice – first during the rape itself, and again when they see it was carried out with impunity.

That is what we can and must do. I trust the Commission will take due note of this, and rechannel development assistance funds for the Congo, as I have requested, to assist victims and prevent the continuation of this savage butchery of the dignity of women.

Urszula Gacek, *on behalf of the PPE-DE Group*. – (PL) Madam President, the text of the resolution before us contains alarming data. We should keep in mind, however, that behind these statistics lie the tragedies of individual women.

I would like to tell the House the story of Lumo. She was the victim of a mass rape in 1994. The attack was so brutal that this young woman sustained permanent internal injuries. After years of treatment and four operations she has still not regained her health and will probably never fully recover. She has been rejected by her fiancé, by most of her family and by society. Her mother and the African charitable organisation HEAL Africa have been her only support. HEAL Africa runs a hospital in Goma, which is the rape capital of the Democratic Republic of Congo. The hospital specialises in treating the victims of brutal cases of sexual violence. The surgeons have been very successful, and so-called mothers provide psychological support for the victims.

The House should commend these people on their work, but commendation alone is not enough. We need to consider how we can provide them with practical assistance. We owe it to Lumo and to the thousands of her Congolese sisters to help.

(Applause)

Karin Scheele, *on behalf of the PSE Group.* – (DE) Madam President, with today's motion on the situation in the Democratic Republic of Congo and on rape and violation as a war crime, we are calling on the European Union and United Nations formally to recognise rape, forced impregnation, sexual slavery and other forms of sexual violence as a crime against humanity and as a form of torture. We are also calling for pressure to be put on the Congolese Government to bring an end to the situation in which these crimes are being committed with impunity. These measures are needed to improve the appalling situation in which hundreds of thousands of women find themselves.

The violence being suffered by women in the Democratic Republic of Congo is unimaginable. In the province of Kivu more than one third of all women have been subjected to rape, and many have been violated repeatedly over long periods. This has been going on for many years. Most of the perpetrators are soldiers from both sides, members of the Congolese security forces and the police. The UN special rapporteur on violence against women submitted her report last September.

The atrocities being committed by armed troops are of unimaginable brutality and are designed to ensure the complete physical and psychological destruction of women. The trauma of rape is aggravated by the fact that many of the victims then suffer social discrimination and ostracism by their families and communities. This is one of the reasons why only a fraction of the rapes actually committed are being reported.

Echoing what my colleague Mr Fontelles has just said, we therefore want to see the UN mandate extended to include the protection of civilians against sexual violence. Reports of sexual misconduct by members of the UN peacekeeping mission must be looked into in greater depth and those responsible must be brought before a court.

The Goma Conference on peace, security and development opened a few days ago. We urgently call on all the participants to tackle the problem of sexual violence against women and girls, to undertake to bring those responsible before a court and to end the current situation in which these acts can be committed with impunity.

Marcin Libicki, *on behalf of the UEN group.* – (PL) Madam President, we are today discussing rape as a war crime in the Democratic Republic of Congo. It is ironic that this country should be named the Democratic Republic of Congo. Nowadays it seems that the more democracy is referred to in names and in speeches, the less human rights are enjoyed by ordinary people.

I shall say once again that the only way to rein in African warlords who have been elevated to presidential office is on the one hand through economic sanctions, and on the other through armed intervention. Until the European Union creates a police force that would not, of course, intervene in every civil war but could at least supervise the camps, the so-called refugee camps where the very worst crimes are being committed in the Democratic Republic of Congo, all we will be able to do is continue debating the matter. People will continue to suffer and die whilst we debate endlessly.

Hiltrud Breyer, *on behalf of the Verts/ALE Group.* – (DE) Madam President, the appalling mass rapes taking place in the Congo are being systematically organised and this means they are also being used as a military strategy, and that is not just war but sexual terror against women. The brutal rapes are now being used by each of the warring factions in eastern Congo, whether they are local tribal militia or national army soldiers, as a symbol of power and as a means of intimidation.

It is precisely the weakest in society, namely women, children and even babies, who are being barbarously abused, deliberately injured, mutilated, infected with HIV and other infectious diseases and even killed. We know, and have heard, that the level of brutality exceeds the powers of human imagination and we now urgently need to see rape being condemned at long last as a crime against humanity, as a war crime and as a form of torture. Moreover, when the rape victims return traumatised and alone to their villages after painful operations – with many of the women losing all their genital organs – they find little or no shelter there.

I can therefore only support the remarks made by Mr Borrell and Mrs Scheele: we must also use European money to set up women's dormitories that can serve as a kind of refuge for those returning from their stay

in hospital, and where they can then try to build a new life. Indeed, in addition to the physical violence endured, the psychological violence that the victims have suffered is terrible beyond measure.

We know that most of these attacks have been carried out by rebels, but almost one fifth of the recorded incidents can be attributed to government troops and police, and it is indeed shameful that not a single culprit has yet been arrested or even charged. The time for empty talk is therefore past. We need political action from the UN and the European Union, for if we ...

(The President cut off the speaker)

Urszula Krupa, *on behalf of the IND/DEM Group*. – (PL) Madam President, when I took the floor recently in a debate on sexual slavery in Japan during the Second World War, I also expressed my opposition to the brutal violence against women currently being perpetrated in the Democratic Republic of Congo. According to *Médecins sans Frontières*, 75% of all rapes committed in the world take place in the Democratic Republic of Congo. This is all the more alarming because the violence is accompanied by particular cruelty. Even three-year-old girls are affected.

Armed groups use rape as a tactical method to break down resistance and punish ethnic groups. This is true not only of armed rebels but also of the Congolese army. Along with food shortages and disease, sexual violence and aggression on an unprecedented scale have contributed to turning that area into a hell on earth. We should remember that the inter-tribal rivalry stems from colonial times, when one tribe was favoured over the other.

Leopold Józef Rutowicz (UEN). – (PL) Madam President, the Democratic Republic of Congo is the largest country in Africa. It is rich in natural resources, such as water, tropical forests and agricultural land, but civilisation has long been in a state of collapse there. Over four million people have lost their lives in the Democratic Republic of Congo as a result of two civil wars, tribal conflicts, and the activities of armed groups and partisans. To compound the tragic situation of the people, there have also been mass deportations of citizens from their previous areas of residence, corrupt and inefficient governments, the AIDS epidemic and most recently the onslaught of the Ebola virus.

How can these people be helped? In addition to humanitarian aid and technical support, it is essential to deal with the leaders and organisers responsible for these horrific acts. They have been, and remain, unpunished and should now be excluded from Congolese society. Criminals responsible for genocide should be pursued by international special forces, so they can be tried before a court of law.

Zbigniew Zaleski (PPE-DE). – (PL) Madam President, I do not wish to repeat what has already been said so I will simply state that as far as we are concerned there can be no question that aid must be provided. Hopefully the aid will be as substantial and widespread as possible.

I would also like to say that when I was in the Democratic Republic of Congo during the elections, I was shocked to discover that boys as young as 13 and sometimes even younger are taught two things: how to fight and how to rape girls even younger than themselves. Such is the image of the so-called soldiers of the group supporting the opposition presidential candidate, Mr Bemba. That is no exception, however. The situation is similar in all factions. I therefore support Mr Borrell's statement that the funds and resources we have available should be directed to re-educating these young people, amongst other purposes. If these youngsters become set in their present ways, the only future they can look forward to is a life in gangs, committing rape and murder. Something has to be done with them. It seems we are being challenged to find a way to help these people change their attitude to life and to the opposite sex.

Meglena Kuneva, *Member of the Commission*. – Madam President, the Commission remains extremely worried about the deteriorating human rights situation – especially about the widespread sexual violence – in the eastern Democratic Republic of Congo, and strongly condemns all acts of violence against women.

In the prevailing climate of violence and insecurity all the armed groups present in the eastern Democratic Republic of Congo, including elements of the national armed forces, are to some extent involved in the dramatic rise of these types of acts. In this context, it is important to promote the fight against impunity, but also to address the root causes of the problem. It ought to be noted that sexual violence in the eastern part of the Democratic Republic of Congo is embedded within the context of persistent conflict and violence in the region.

Peace is needed for sustained security and stability, the two key elements linked to the prevalence of sexual violence in the Democratic Republic of Congo. This is why the Commission, together with the EU Member

States, has been continuously promoting a political solution for the crisis in the eastern Democratic Republic of Congo.

The ongoing conference on peace, security and development in the Kivus, coupled with the recent agreement reached between the Democratic Republic of Congo and Rwanda in Nairobi in November 2007, could indeed represent a significant step forward in the process, while acknowledging that there are still many challenges ahead before a sustainable peace in the Kivus can be reached.

However, these efforts are not enough and have to be complemented with active support to strengthen the capacity of the state in providing protection to its people. In this regard, the Commission works together with the Member States in strengthening the rule of law and the fight against impunity by supporting the security sector reform comprising the army, the police and the justice sector.

I would like to reflect on some of the questions from Members and try to answer them. The Commission addresses, in particular, the problem of sexual violence and criminality through a multi-donor justice and rehabilitation project in the eastern part of the Democratic Republic of Congo, focusing *inter alia* on building the capacity of judicial actors and reinforcing the provision of legal assistance to the victims of sexual violence.

In addition, the Commission provides significant humanitarian assistance – roughly EUR 40 million per year – to the Democratic Republic of Congo, especially to Uturi and the Kivus. Our humanitarian and health programmes take into consideration the gender violence they mentioned, both from a creative and awareness-raising perspective.

President. – The debate is closed.

The vote will take place at the end of the debate.

11.3. Egypt (debate)

President. – The next item is the debate on six motions for resolutions on Egypt⁽³⁾.

Raül Romeva i Rueda, author. – (ES) Madam President, I wish to begin by saying that this Parliament would be making a most serious mistake if it succumbed to pressure from those who prefer us not to discuss issues that could cause discomfort in certain countries, particularly when they denounce breaches of human rights.

We have privileged relations with certain countries, such as those covered by the European Neighbourhood Policy, with whom we must have a particularly clear dialogue and remind them that business cannot and must not ever be disassociated from respect for human rights, either here or there.

The situation in Egypt merited some reflection, and the relations between Egypt and the European Union also obliged such reflection. Thus it is more than legitimate to denounce, as we are doing in this resolution, the persecution of a number of non-governmental organisations, particularly human rights organisations, that is currently taking place in Egypt, and to lend support to the campaign for freedom of association led by a number of social movements in the country.

Paulo Casaca, author. – (PT) Madam President, I too must point out that there are of course no borders or sacred places where human rights are not a fundamental concern. However, we must take into account the fact that we had the opportunity to observe the willingness of Egypt's Foreign Minister who came on purpose to the European Parliament, to the Committee on Foreign Affairs, and who was ready to answer all the questions on human rights' infringements that were put to him. I was there and I put these questions to him and obtained some answers from the Minister.

In addition to certain negative factors, this motion for a resolution also highlights certain positive factors that I feel are important to stress, such as the undertaking to lift the state of emergency this year, in fact within the next few months, and the cooperation in the fight to end the arms smuggling in Gaza. However, in my opinion, the fundamental point is that we should take advantage of the willingness of the Egyptian authorities and encourage them to rectify certain serious infringements. I must highlight in this respect the continued imprisonment of the former candidate for the Presidency of the Republic of Egypt. I would repeat the call

⁽³⁾ See Minutes

for this situation to be brought to an end as this would be coherent with the basic principles of a country that defends human rights, as Egypt has repeatedly advocated and to which it is committed.

Erik Meijer, author. – (NL) Madam President, Egypt has no tradition of democracy. The young military men Nasser and Naguib, who overthrew the poorly performing regime of King Farouk over 50 years ago, brought hope for change and progress. Nasser gave his people pride and inspiration for the future; he was to put an end to their status as a backward and humiliated country. His successor, Sadat, gave them hope of permanent peace with their neighbour Israel, after a series of terrible wars.

The current president, Mr Mubarak, does not offer any hope at all. He has become the symbol of the stagnation. His only service has been to organise stability with a hard hand, so that he can be seen in the outside world as an ally against terrorism and Islamic fundamentalism. However, he has no progress and no democratisation to offer. Oppositions are permitted selectively, but they do not have the normal latitude that is customary in a parliamentary democracy. Consequently, he is cultivating a breeding ground for internal conflict from both fundamentalists and democrats.

Intolerance of religious minorities, including the large Coptic Christian minority who have been present in Egypt for centuries, is also on the increase. Long-term stability cannot be built on these foundations, where problems are not solved but covered up with violence. There is every reason for this critical resolution therefore.

Sabotage of non-governmental organisations, intimidation of opponents, discrimination against minorities, arrests and torture and all the other failings on record lead us to fear the worst for what will follow the Mubarak regime. Egypt seems in many respects to have stepped back into the backwardness of the reign of King Farouk, 60 years ago. European relations with Egypt ought to contribute to bringing this situation to an end as far as possible.

Ewa Tomaszewska, author. – (PL) Madam President, the progressive deterioration of the situation regarding respect for human rights in Egypt is causing increasing concern.

Changes to the constitution have facilitated violations of human rights. On the pretext of the need to provide protection against terrorist attacks and in connection with the alleged problem involving the smuggling of weapons into the Gaza Strip, additional powers have been vested in the Secret Service. It is now easier for the latter to evade responsibility for the use of torture. Repression on the grounds of religious belief, arrests and prolonged detention without proper trial are being resorted to ever more frequently.

Organisations like Amnesty International, which monitor respect for human rights, have drawn attention to the international community's indifference towards the situation. I call on the European Commission to consider effective methods of bringing pressure to bear on the Egyptian authorities in order to halt this process.

Jana Hybášková, author. – (CS) Madam Commissioner, ladies and gentlemen, Egypt is without doubt the most notable of the Arab countries. It is the cradle of ancient civilisation and it is the most important Arab state. Nobody in the European Union or in this Parliament doubts that Egypt is not only a key partner of the European Union, but also a dynamic partner, prepared and strong. These are the reasons why we consider a dialogue with this country very important and significant. New negotiations are starting next week on an action plan between the European Union and the Arab Republic of Egypt. It is good that our Parliament is unanimously and clearly expressing its support of these negotiations and that it is thus a player in international politics. We are stating clearly that a country that allows severe interference in the independence of an old democratic institution, i.e. the courts, that permits torture in prison and the killing of immigrants, that violates freedom of speech, blocks the Internet and sends members of parliament, such as the nephew of President Sadat, to a court martial, cannot be a partner of the European Union. Egypt is a key ally in the fight against terrorism, and it must remain a key ally notably in our struggle against the causes of terrorism and Islamic radicalisation. For that very reason, Egypt cannot act the way it did when it prohibited the registration of non-governmental organisations, it must not destroy freedom of speech and it must in particular defend the long-standing rule of law that has always existed in Egypt. We believe that Egypt can succeed in doing this and we believe, in particular, that our resolution will help the European Commission to establish a high-quality action plan with Egypt. Thank you for your support.

Bernd Posselt, on behalf of the PPE-DE Group. – (DE) Madam President, I am one of the few people here in this Chamber who was present when President Sadat gave his famous speech in the European Parliament.

This speech could be taken as a policy document for the Year of Intercultural Dialogue that has just begun. It was one of the greatest speeches ever made here in this House.

Down through the years President Mubarak too has been an important and reliable partner for the European Union, and this is of course in spite of the many failings and mistakes that we have seen in Egypt. I therefore simply cannot understand the speech that the President of the Egyptian Parliament made in reaction to this motion. We are simply saying in a reasonable and restrained way that we consider Egypt to be one of the most important partners in the Mediterranean area, but we are criticising by way of a number of specific points and using categorical facts that some things still have to change as Egypt moves forward towards democracy and the rule of law.

This is our commitment towards our own citizens and towards the people of Egypt. I certainly believe that breaking off relations, which is now being threatened, would be completely the wrong move. We need to keep talking to one another and for this reason I support this motion for a resolution, which has been drafted in reasonable language, and call on the Egyptians not to see this as a breakdown in the dialogue but as a clear signal for a more intensive dialogue to start: that is what we are trying to achieve with Egypt by way of this motion.

Bogusław Sonik (PPE-DE). – (PL) Madam President, I should like to refer to two issues in the course of today's debate on Egypt, and I am sure one of them will have been raised already in the House.

Whilst I believe that our relations with Egypt should be maintained and developed, and that Egypt should indeed become our main partner in that part of the world, I would like to begin by pointing out that Coptic Christians are second-class citizens in that country. This is true both of those who follow the Orthodox rite and those who follow the Catholic one, and should be borne in mind when making contact with Egypt. In addition, as I have already said on repeated occasions, we should study the situation of the religious minorities in that part of the world and prepare a report on the subject.

Secondly, there can be no talk of lasting peace, democracy and respect for human rights in the area in question until a solution is found to the conflict between Israel and Palestine in the Middle East. Therein lies the source of all that force, violence, terrorism and fanaticism that is also threatening Europe.

Marcin Libicki (UEN). – (PL) Madam President, I should like to express a degree of satisfaction, in that as we debate the case of Egypt today, we do not have to refer to regular crimes. In general, during the debates on human rights on Thursday afternoons, when I usually take the floor, we find ourselves discussing extremely serious and dangerous cases indeed. They tend to be cases of violation of human rights, murder and rape. Today, however, we can feel a certain satisfaction because in comparison to so many other cases, we are intervening in Egypt at a stage when crimes have not yet taken place, although fundamental freedoms are being infringed. There is a chance that this timely intervention will therefore be more effective and will pre-empt more serious consequences. The usual pattern is for the first stage to be restrictions on the media – in this case we are referring to the arrest of journalists – and restrictions on the right of association. We also have in mind the trade unions and persecution of religious minorities. The next stage is the criminal one. Fortunately that stage has not yet been reached in this instance.

Meglena Kuneva, Member of the Commission. – Madam President, the Commission is paying close attention to the democratic and human rights situation in Egypt, which is one of our partners in the European neighbourhood policy. It is following developments very closely through our delegation in Cairo, and in partnership with the Member States. It is also in regular contact with local and international NGOs dealing with human rights and democracy.

The Commission shares your concern at the apparent deterioration of the human rights situation in Egypt, and at the number of reported cases of human rights violations, particularly in relation to freedom of expression, torture and ill treatment, as well as respect for religious minorities.

It has called for greater political reform, and respect for human rights is an intrinsic part of the EU partnership with Egypt. The Commission is, therefore, using all the means at its disposal to encourage the Egyptian authorities to progress in this area.

As a member of the UN Human Rights Council, Egypt has committed itself to upholding 'the highest standards in the promotion and protection of human rights'. The EU consistently raises the importance of respecting human rights – notably on the basis of Article 2 of the Association Agreement – in its bilateral contacts with Egypt, including those at the highest level.

With the adoption of the joint EU-Egypt action plan, under the European neighbourhood policy, in March 2007, we now have another political tool to foster respect for human rights and fundamental freedoms in Egypt, based on what we understand to be shared values. The action plan provides for the establishment of a formal and regular dialogue on human rights and democracy in the context of the Subcommittee on Political Matters: Human Rights and Democracy, International and Regional Issues. That subcommittee aims to facilitate dialogue within a context of mutual understanding, and respect for the positions of both parties, on all aspects of human rights and democracy, international and regional issues, in a comprehensive and non-exclusive way. It will convene for the first time next week – 23 and 24 January 2007 – in Cairo, and will be a constructive way for Egypt to demonstrate commitment to shared values.

The Commission firmly believes that the dialogue with Egypt within the framework of the political arrangements set out in the Association Agreement and in the ENP action plan is the most effective way to impress upon the Egyptian Government the EU's concerns regarding respect for human rights and international law.

The Commission remains committed to contributing to Egypt's reform process through financial and technical assistance, and support for political reform, human rights and democracy remains a priority in the national indicative programme 2007-2010, and under the European Instrument for Democracy and Human Rights.

I am sure the European Parliament will be a strong ally in support of these efforts.

President. – The debate is closed.

We shall now proceed to the vote.

12. Voting time

President. – The next item is voting time.

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

12.1. Arrest of Chinese dissident Hu Jia (vote)

- After the vote:

Bernd Posselt (PPE-DE). – (DE) Madam President, can it be that those who in recent days have been calling persistently for roll-call votes have not been doing so this afternoon because most of them are absent?

(Applause)

President. – They had all been informed, Mr Posselt.

12.2. Situation in the Democratic Republic of Congo and rape as a war crime (vote)

12.3. Egypt (vote)

13. Explanations of vote (continuation)

President. – We shall now continue with the explanations of vote from midday.

Mrs Roithová, Mr Helmer, Mr Whittaker, Mr Clark, Mr Nattrass, Mr Wise, Mr Deva, Mr Hannan and Mr Kamall had asked to explain their vote on the remaining reports from this afternoon.

I note that these Members are not present, but they may, if they wish, submit explanations of vote in writing.

14. Membership of committees and delegations: see Minutes

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Paul Rübig (PPE-DE). – (DE) Madam President, I would like to thank you especially for having read out the names of those who this morning alleged that there was no democracy in this House because they have not had a chance to speak. If you look across to the benches of those who have been loudly demonstrating and complaining that there is no democracy you will see that they have not even taken the time to stay until the end of the sitting. They themselves are hardly a role model for Europe. I would ask that this be specifically recorded in the Minutes.

President. – Mr Rübig, your comment will be noted.

15. Decisions concerning certain documents: see Minutes**16. Written declarations for entry in the register (Rule 116): see Minutes****17. Forwarding of texts adopted during the sitting: see Minutes****18. Dates for next sittings: see Minutes****19. Adjournment of the session**

President. – I declare the session of the European Parliament adjourned.

(The sitting was closed at 4.20 p.m.)

ANNEX (Written answers)

QUESTIONS TO THE COUNCIL (The Presidency-in-Office of the Council of the European Union bears sole responsibility for these answers)

Question no 14 by Cristobal Montoro Romero (H-0991/07)

Subject: European responsibility for the appreciation of the euro

With regard to my oral question H-0806/07 of 11.10.2007 and the written reply of 14.11.2007, I would like to point out that according to what the European Parliament adopted in its resolution of 15 November 2007 on 'The European interest: succeeding in the age of globalisation' (P6_TA(2007)0533), the appreciation of the euro-exchange rate as the result of mounting imbalances in third countries and sluggish demand in the euro area.

In this connection, what role does the Council think that the EU should play in correcting this sluggish demand, which means both a lack of consumer demand and a lack of investment on the part of companies?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

As has already been said in the answer to question H-0806/07 of 14 November 2007, the EU is implementing the economic policies defined by the Lisbon Strategy in order to boost employment in the EU and strengthen economic efficiency.

It has been shown that domestic demand in the EU, which should compensate for slow growth in some other important economic areas, has actually increased in the last few months. This was helped by significant success in employment, which should facilitate strong domestic demand in the future too.

In the spring the Council, within the framework of the integrated guidelines, will update the Broader Economic Policy Guidelines (BEPG) for the Community and the Member States and, in accordance with Article 99(2) of the Treaty, will inform the European Parliament about its recommendation regarding BEPG. This recommendation will very clearly define measures for supporting the realisation of the Lisbon Strategy targets at Member States and EU level, including measures for stimulating consumer demand and promoting investment.

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Question no 15 by Danutė Budreikaitė (H-0993/07)

Subject: Implementation of the Nabucco project

In an attempt to reduce its dependence on the monopolistic supply of gas from Russia, the European Union has launched the Nabucco project. The project plans to connect the Caspian region, the Middle East and Europe. A pipeline would run from Iran, via Turkey, to Bulgaria, Romania and Hungary. One branch would be routed towards Austria, and another, via Slovakia to Poland. Joining Poland up to the EU's gas networks would help solve the problem of connecting the EU gas 'island' of Lithuania, Latvia, Estonia and Finland to the EU networks.

In the context of the Nabucco project, what is the Council's view of the agreement between the Italian company Eni and the Russian company Gazprom to set up a gas export company, South Stream, that would own a gas pipeline to southern Europe, with a branch to central Europe? When is it anticipated that the Nabucco will be implemented?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

Honourable Member, to start with I must mention that, in the guidelines for all-European energy networks, the Nabucco pipeline was granted the status of a project of European interest. It reflects the importance given to the Nabucco project by the Council and Parliament. However, the Council cannot comment on the actual agreement between Eni and Gazprom because of its private nature. It can, however, comment on the South Stream project, as can be seen in publicly available information, because, if it is realised according to plan, it will contribute to securing the diversity of energy supply lines in the European Union. In this regard the Council draws attention to the fact that the action plan Energy Policy for Europe, adopted by the European Council at the spring 2007 session, 'underlines the need to enhance security of supply for the EU as a whole, as well as for each Member State, by means of effective diversification of energy sources and transfer routes, which will also contribute to a more competitive internal energy market'.

Based on information from investors and the Commission's coordinator for the Nabucco project, the construction of the Nabucco pipeline will commence in 2009. The pipeline should be operational in 2012.

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Question no 16 by Dimitrios Papadimoulis (H-0997/07)**Subject: Proposal for creation of 'Mediterranean Union'**

On 26 November 2007, the French Minister for European Affairs presented to the Political Affairs Committee of the Euro-Mediterranean Parliamentary Assembly a plan, previously announced by the French President, to create a 'Mediterranean Union'. In his speech, Mr Jean-Pierre Jouyet stated that all efforts to revive the Barcelona Process had failed. The initiative had been fully taken on board by the Commission and the cooperating countries, whose reactions were positive.

What measures will the Council take to revive the Barcelona Process? What are its views on the proposal to create a 'Mediterranean Union'?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

In November 2007 the Ministers of Foreign Affairs had a very successful meeting in Lisbon. Among other things they approved an extensive work programme for 2008 and welcomed two new countries (Albania and Mauritania) to the Barcelona Process. An historic ministerial meeting on migration took place in Albufeira.

The Barcelona Process is and will remain a central element of relations between the EU and Mediterranean countries.

We welcome all initiatives that may contribute to improving the profile of the region and the living conditions of its population. The European Union will continue to search for the most effective ways of harmonising efforts to improve conditions in the region.

The Council is yet to discuss the French proposal to establish a 'Mediterranean Union', which is why we cannot make any comment on that question.

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Question no 17 by Philip Bushill-Matthews (H-0998/07)**Subject: People's Mujehadeen of Iran**

Following the outcome of the latest court case in the UK, how soon will the Council formally decide to implement the ruling of the ECJ that the EU's proscribing of the People's Mujehadeen of Iran (PMOI) as a terrorist organisation was unlawful?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

With regard to the UK Proscribed Organisations Appeal Commission – POAC – the Council has been informed that the United Kingdom Home Secretary intends to submit a complaint, but it is not in a position to comment on national procedures.

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Question no 18 by David Martin (H-1000/07)

Subject: Import tax on mobility scooters

In 2001, the EU ruled that motorised scooters (used by disabled people for transport) should be classified as a 'vehicle for transport' rather than a 'carriage for disabled persons'. This classification means that for the three Member States who import these vehicles, a 10% import tax would have to be applied. The decision to impose an import tax was based on a World Customs Organisation opinion which suggested that these motorised vehicles may be used for transport on a golf course. The US, on the other hand, dismissed the same opinion.

Would the Council be sympathetic to the elimination of import duty for motorised vehicles?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

It is true that 'motorised scooters' are classified as 'vehicles for transport' under tariff number EU 8703 10 18, to which 10% duty is applied.

This classification is based on regulations governing the internationally agreed clarifications of customs nomenclature which were included in the Community legislation. The duty levels pursuant to EU tariff regulations are the result of international negotiations within the World Trade Organisation and are a compromise among all interested parties. This also included the security of EU suppliers.

Mr Martin is surely aware that the rates of duty are determined by the Commission's regulation on the tariff and statistical nomenclature and on the Common Customs Tariff⁽⁴⁾ (adopted in accordance with Council Regulation (EEC) No 2658/87 of 23 July 1987).

The Council could only debate the lifting of autonomous duties for the products in question, under the common customs nomenclature, if proposed by the Commission.

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Question no 19 by Justas Vincas Paleckis (H-1001/07)

Subject: EU mission in Kosovo

There are increasing reports that Kosovo intends to declare independence in the near future and that it is not ruling out the possibility of doing so unilaterally. A single EU position on this question is essential. Unless it speaks with one voice, the EU will not be in a position to meet the greatest EU foreign policy challenge – successfully implementing an administration mission in an independent Kosovo.

What measures is the Council taking, and what measures does it intend to take, in order that EU Member States demonstrate unity over this question? How does the Council assess the EU's level of readiness to administer Kosovo? How, specifically, is it planned that this mission will be implemented?

⁽⁴⁾ OJ L 256, 7.9.1987, p. 1. Council Regulation (EC) No 580/2007 as last amended (OJ L 138, 30.5.2007, p. 1).

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

At the European Council meeting on 14 December 2007, the heads of state or government of the EU Member States agreed with the UN Secretary-General that the current situation in Kosovo was not acceptable, and they stressed that an agreement should be reached which would be of fundamental significance for the stability of the region.

The European Council also stressed the willingness of the EU:

to take over a leading role in strengthening regional stability and implementing an agreement on the future status of Kosovo;

to help Kosovo achieve lasting stability, including an ESDP mission (in respect of the above, the General Affairs and External Relations Council should determine the methods and the date the mission will start operating);

to help establish an International Civilian Office within the framework of international mediation.

To facilitate this, the EU sent two preparatory units to the area last year with the task of preparing the ground for a possible cooperation to resolve the Kosovo problem. The preparations are going well.

The unit for preparing the International Civilian Office (ICO/EUSR PT) began its operation in October 2006. Its task is to plan the next International Civilian Office, including the PPEU Office, and to prepare for the implementation of a possible agreement on the status of this region.

The unit for planning a possible mission in the area of a legal state (EUPT Kosovo) has been operating in Kosovo since May 2006. The planned mission within ESDP should provide mentoring, supervision and counselling in the wider area of a legal state. It should also have executive competences in some areas of police work, including the securing of public order and peace, and the judiciary and customs. The mission should employ about 1 800 international members.

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Question no 20 by Frank Vanhecke (H-1003/07)

Subject: Stepping up of sanctions against Zimbabwe

Council Common Position 2007/120/CFSP⁽⁵⁾ of 19 February 2007 extended sanctions against Zimbabwe - including a travel ban on Mugabe and his close colleagues - until 20 February 2008. The sanctions were introduced in 2002 in response to serious violations of human rights committed by Zimbabwe.

At the start of December 2007 the United States announced the stepping up of sanctions against Zimbabwe. In particular, the travel ban is to be extended to 38 persons. Five children of high-ranking members of the regime are to be banned from studying in the United States. Financial sanctions are also to be extended to certain persons.

Does the Council also intend to step up sanctions against Zimbabwe? If so, in what way? If not, for what reasons?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

The Council has yet to debate the question asked by the Honourable Member. However, the debate on this question is scheduled to take place shortly. The EU is closely following the events in Zimbabwe, especially in the light of the coming presidential elections planned for March 2008. The EU is supporting the efforts

⁽⁵⁾ OJ L 51, 20.2.2007, p. 25.

of the South African Development Community (SADC) to solve the situation in that country and is waiting for its report, which will be used to facilitate further decisions.

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Question no 21 by Robert Evans (H-1006/07)

Subject: Travel bans

Can the Council clarify the situation regarding international travel bans on individual politicians and organisations? Who decides on the content of this list, who is currently on it and when is it reviewed? How effective does the Council consider the relevant bans to have been?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

Entry limits are part of the limitation measures which the Council may use within the Common Foreign and Security Policy. Those measures must be in line with the CFSP targets defined in Article 11 of the Treaty on European Union.

The entry limits are always determined by the Council Common Position, which establishes a sanction, explains the reasons for adopting a measure and lists the measures used. All common positions are published in the Official Journal of the European Union.

The common positions usually apply for one year and are also reviewed for their effectiveness at least once every 12 months.

It should be pointed out that the common positions also contain provisions on appropriate exceptions to entry limits, which take into account the international obligations of the host countries and the humanitarian needs of the persons in question.

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Question no 22 by Brian Crowley (H-1010/07)

Subject: EU-America cooperation

Can the Council outline what specific measures it intends to pursue so as to promote a greater level of political and economic cooperation between Europe and America in the coming months?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

1. The EU and the USA cooperate in all the most important foreign policy challenges. Current issues include: close cooperation on questions concerning the Balkans, especially Kosovo; cooperation on the ground in Afghanistan, especially in the training of the police, where EUPOL is active; cooperation on issues concerning Iran – dual approach; cooperation on the Middle East peace process, especially within the Quartet; the EU and USA action plan for crisis management, adopted by the Council in December 2007.

The plan approves close cooperation and consultation between the EU and the USA in the areas of conflict prevention, stabilisation and renewal, and crisis management.

2. Economic cooperation was reinforced at the last EU-USA Summit, when the decision was adopted to set up a framework for strengthening the Transatlantic Economic Partnership and the Transatlantic Economic

Council (TEC). The first meeting of this Council has already taken place and the next is planned for spring this year, before the EU-USA Summit.

At the last EU-USA Summit an agreement was reached regarding special cooperation in other areas of the new framework for strengthening the Transatlantic Economic Partnership.

3. Climate change and energy policy: climate change is a priority for the EU, within the framework of its relations with the USA as well. Both parties were key participants at the Bali Conference on Climate Change in December last year, held within the United Nations Framework Convention on Climate Change (UNFCCC), and are cooperating in bilateral initiatives on climate change and energy policy.

At the summit in 2007 an agreement was reached on closer cooperation between the EU and the USA in three main areas: political and security matters, economic partnership, and climate change and energy policy.

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Question no 23 by Seán Ó Neachtain (H-1012/07)

Subject: Promoting peace between the Palestinian and Israeli peoples

Can the Council state what initiatives it is pursuing or intends to pursue in the future so as to help bring about a peaceful agreement based on mutual respect and co-existence between the Palestinian and Israeli peoples?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

A political dialogue between Israel and the Palestinians was established last year and culminated in meetings between Prime Minister Olmert and President Abbas. The EU Council praised both parties' efforts, which resulted in the Annapolis Conference on 26 and 27 November 2007. At the meeting on 14 December 2007, the European Council stated that it fully supported the negotiations between the Palestinians and Israel which started at the Annapolis Conference and continued at the Donor Conference in Paris. The EU welcomed the participation of many Arab partners at both conferences and called on them to continue their constructive cooperation.

Regarding the role of the EU, especially the role of the Council, in the matter mentioned in the question by Mr Ó Neachtain, the Secretary-General/High Representative, working closely with the Commission, has prepared the 'EU Action Strategy', which aims to study all EU activities in order to find additional support for both parties in the current negotiations and in the implementation period to follow. At the Paris Donor Conference on 17 December 2007, the EU expressed its support for the Palestinian reform and development plan presented by President Fayyad. It has committed itself to continuing to offer the Palestinian government considerable support in the peace process initiated by the Annapolis Conference. At the meeting of the Quartet on 17 December 2007, the EU reiterated its commitment to continuing its close cooperation with, and support for, both parties in their efforts to reach a peace agreement before the end of 2008. The Quartet decided to meet regularly in 2008 in order to review progress and support both parties' efforts. On 17 December 2007 the leaders of the Quartet also met the Arab Foreign Ministers and discussed the way forward. In cooperation with the representative of the Quartet, Tony Blair, the EU intends to reinforce its programmes that support the shaping of the institutions, good governance, contributions by civilian society and development of the Palestinian economy.

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Question no 24 by Diamanto Manolakou (H-1032/07)

Subject: Disastrous consequences of the blockade imposed by Israel for several months on the Gaza Strip

The United Nations Office for the Coordination of Humanitarian Affairs has recently warned of the disastrous consequences of the blockade imposed by Israel for several months on the Gaza Strip, a measure compounded by tactical armed incursions. A UN representative has observed that the blockade is likely to cause irreparable

damage to the local economy, making the populace even more dependent on foreign aid, adding that extremely low food reserves, price increases, growing unemployment and loss of revenue are already taking a heavy toll. The International Committee of the Red Cross and a large number of other international organisations are also levelling criticism at the Israel authorities for their blockade of the Palestinian people.

Does the Council intend to take specific measures to induce the Israeli authorities to suspend their 'reprisals' which are paralysing the Gaza Strip and West Bank with disastrous consequences for all Palestinians living in these areas?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

The EU Council has frequently stressed its concern for the humanitarian situation in Gaza and appealed for a further guarantee of basic services. For humanitarian and economic reasons, all conflicting parties were invited to work on the opening of crossings into Gaza. The EU has welcomed the first step, namely the recent opening of the crossing for exporting farm produce. Such measures will contribute to progress in the political sphere. On 14 December 2007 the European Council expressed its full support for the negotiations between the Palestinians and the Israelis which started at the Annapolis Conference and continued at the Donor Conference in Paris.

With respect to the role played in this matter by the EU and the Council, mentioned in the question by the Honourable Member, the High Representative, with the full cooperation of the Commission, prepared the EU Action Strategy 'State-building for Peace in the Middle East'. In accordance with this strategy, all EU activities will be considered in order to ensure support for both parties in the current negotiations and in the implementation period to follow.

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Question no 25 by Eoin Ryan (H-1014/07)

Subject: Economic Partnership Agreements for Africa

Can the Council state how many economic partnership agreements have been put in place by the European Union and African countries for the period commencing January 2008 and outline what are the clear benefits of these EPAs for African states?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

For the sake of greater clarity in this field, it is advisable to differentiate between full economic partnership agreements (EPAs) and interim agreements that are followed by an EPA decision.

Economic partnership agreements remain the aim of the negotiations and will have a wide regional and sectorial coverage. In view of the arrangements among the signatories, in addition to provisions on goods trading and provisions for developmental cooperation, these agreements should include services and trade-related provisions. In the opinion of the EU, such full agreements should be the most effective means of implementing the Cotonou Agreement and should guarantee maximum effectiveness in the development of EPAs. In May 2007, at the last meeting of the ACP-EC Council, both parties confirmed their commitment to EPAs. At the end of 2007 a full EPA with the CARIFORUM region was initialled, but other regions will need more time to fully and successfully complete this complex process.

After 31 December 2007 it was necessary to look for a solution which was compatible with the rules of the World Trade Organisation (WTO) in order to avoid obstructing trade with ACP countries which are not classified as least developed countries. In other words, the preferential trade regime of the Cotonou Agreement, approved by the WTO in accordance with the waiver, ceased to be in force after that date. Interim agreements are one such solution because they are compatible with the WTO rules. These agreements include goods trading and all other aspects on which the signatories have reached an accord, and are a interim phase that

will be followed by the conclusion of full EPAs. Interim agreements that will be followed by the conclusion of EPAs were initialled by all interested ACP partners, including the majority of African countries which are not classified as least developed countries, as well as many African countries from the group of least developed countries. Such agreements, that is to say their effect on the regulations on goods trading between EU and ACP countries, have been incorporated into EU legislation through the regulation on market access.

Interim agreements, which do not yet have the developmental potential of full EPAs, are already an improvement on the Cotonou system and bring direct benefits to our ACP partners. Firstly, all ACP signatory countries are guaranteed full access to the EU market free of customs and quotas (transitional periods are envisaged for sugar and rice markets). Pursuant to the 'Everything But Arms' regulation, access is currently available only to least developed countries. Secondly, interim agreements also include more favourable rules of origin. They will enable ACP countries to take full advantage of access to the EU market. These new rules of origin are more beneficial than those offered by the 'Everything But Arms' system, which is why interim agreements are of interest to least developed countries as well.

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Question no 26 by Johan Van Hecke (H-1025/07)

Subject: Somaliland

In May 2007 the European Parliament called upon the Council and Commission to investigate Somaliland's request for independence. This northern part of Somalia already declared itself independent in 1991. Somaliland is making an effort to pursue good governance and stability. The parliamentary elections in 2005 were relatively orderly and transparent, and the region presents itself as a young and active democracy. However, there are still a few human rights problems, and the Government of Somaliland also recently blotted its copybook with regard to the protection of refugees from Somalia.

Has the Council considered this matter?

It was recently reported in the press that growing numbers of members of the Bush administration are in favour of independence for Somaliland. In military circles in particular, the view is said to be held that there is not enough support for the Transitional Government of Somalia and that it would be better to apply a strategy of containment for Somalia. Recognition of an independent Somaliland is essential for this purpose.

Will the EU continue to await recognition of Somaliland by countries in the region and/or by the Somali Transitional Government before recognising Somaliland's independence, or could a change in the US position lead to a review of the European position?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

The Council has repeatedly stated that it is supporting Somalia's Transitional Federal Government and the implementation of measures in accordance with the Transitional Federal Charter. As expressed in its decisions of 10 December 2007, the Council attaches great importance to the respect of human rights in the whole territory of Somalia.

The EU is a member of the International Somalia Contact Group. The Council will continue consulting other international partners in this group, including the USA, about events in Somalia.

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Question no 27 by Athanasios Pafilis (H-1028/07)

Subject: Iran's nuclear programme

Concerning Iran's nuclear programme, a recent report has come to public attention in which the 16 American intelligence agencies admit that, since as long ago as 2003 at least, Iran has not been seeking to develop nuclear weapons and does not pose a threat. This comes in addition to a statement made a short time previously by the Director-General of the International Atomic Energy Agency, Dr El Baradei, to the effect

that Iran had cooperated to the full with its investigations. However, the USA and certain other countries, pointedly ignoring this, are insisting on sanctions being imposed on Iran by the UN General Assembly.

Further to my Oral Question H-0937/07⁽⁶⁾, does the Council consider that Iran has a legitimate right to use nuclear energy for peaceful purposes? Will it put an end to attempts to impose sanctions on Iran on the pretext that it is failing to respect its commitments to the International Atomic Energy Agency? Has it weighed up the consequences of possible withdrawal by Iran from the international Treaty on the Non-Proliferation of Nuclear Weapons in response to the unjust and unacceptable political interventions by the USA and its Allies?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

The latest assessment by US intelligence agencies does not contextually change the EU assessment of the situation. The report states that until 2003 Iran had been involved in a build-up of armaments. That in itself is a violation of the Nuclear Proliferation Treaty (NPT). If Iran decides to give up and not merely temporarily suspend its efforts, it will have to disclose all its activities in this area and invite the International Atomic Energy Agency (IAEA) to confirm that development of this programme has been completely halted. There are still two other reasons for concern – uranium enrichment and the ballistic missile programme – and Iran is not complying with the IAEA Committee or the United Nations Security Council requirements.

Therefore, on 14 December 2007 the European Council repeated its apprehension regarding the Iranian nuclear programme and emphasised that it would be unacceptable for Iran to obtain a nuclear military capability. In that respect it expressed its regret that Iran had not fulfilled its international obligations, laid down in United Nations Security Council resolutions Nos 1696, 1737 and 1747, to stop all activities connected with uranium enrichment and uranium processing, this being a condition for establishing confidence in the fact that the development of the programme is solely for peaceful purposes. The European Council therefore invited Iran to respond fully, clearly and convincingly to all questions asked by the IAEA regarding past and present nuclear activities. The Council fully supported the work of the United Nations Security Council in adopting further measures within the framework of Chapter 7, Article 41, of the United Nations Charter.

The EU has always maintained that Iran has the right to peaceful use of nuclear energy. Iran must cease sensitive activities involving the nuclear fuel cycle until international confidence has been restored. Let me remind you that the offer made in June 2006 by the EU High Representative for Common Foreign and Security Affairs still stands and should enable Iran to develop a civilian nuclear programme to satisfy its needs.

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Question no 28 by Georgios Toussas (H-1029/07)

Subject: Reactionary attempts by the USA and its allies to undermine the Bolivian Government

All emerging evidence points to the fact that once again the USA with the complicity of similar reactionary forces in Europe is at the forefront of a strategy designed to overthrow President Evo Morales so as to prevent the adoption of the new Bolivian Constitution and the progressive changes being sought by the national Government, which was elected by a large majority in 2005. Violent incidents in Sucre and other areas, leading to bloodshed, have been sparked off by armed reactionary groups no compunction in targeting civilians. The Bolivian Communist Party, the Movement towards Socialism (MAS) and other progressive forces have provided documentary evidence of reactionary initiatives by the USA and their allies in Bolivia.

Does the Council condemn these reactionary attempts by the USA and its allies to undermine President Evo Morales and the democratically elected Bolivian Government? Will the wishes of the Bolivian people for the progressive changes necessary to satisfy workers' present-day needs be respected?

⁽⁶⁾ Written reply of 12.12.2007.

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

The Council would like to point out to Mr Toussas that everyone, especially President Morales (something he expressed in recent meetings and discussions with EU representatives), greatly values the proactive role of the EU, and of the leaders of EU missions in particular, in maintaining and encouraging dialogue among all the partners in Bolivia. The Bolivian Minister for Foreign Affairs, David Choquehuanca, also welcomed EU mediation when he recently visited some European capitals.

We also welcome the talks which President Morales recently held with the prefects in the spirit of cooperation and with the aim of re-establishing national dialogue.

The EU will continue in its role of promoter if it is the wish of all the partners in Bolivia.

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Question no 29 by Olle Schmidt (H-1034/07)**Subject: Sovereign wealth funds**

Sovereign wealth funds (SWF) are a new type of investment vehicle, with the very significant difference that they are owned by states, and often by undemocratic ones. New, more active investment strategies have caused concern in some Member States, especially when investing in companies seen as being of national strategic importance.

Examples of recent investments by SWF are the investment in Citigroup by Abu Dhabi Investment Authority, but also the bid on OMX by the Bourse Dubai, and of course the Russian interest in energy infrastructure in Europe.

In Brazil the Government is planning to set up an SWF to offset the appreciation of the real, thus directly intervening in the financial market.

I urge the Council to defend the openness of the financial system, but at the same time demand transparency from state-controlled funds, to ensure that any investment strategies are carried out with economic and not strategic goals in mind.

How does the Council plan to act on the issue of SWF? There have been a number of proposals from the Commission concerning SWFs, such as European golden shares, guidelines, and transparency initiatives. Which route would the Council like to see?

And finally, does the Council have any plans to monitor the development of the sovereign wealth funds on the European markets?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

The Council has not debated the case and therefore does not have an opinion.

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Question no 30 by Laima Liucija Andrikienė (H-1037/07)**Subject: Liberalisation of the energy market**

As was announced, one of the key priorities for the Slovenian Presidency's six-month term of office will be energy policy.

How does the Presidency plan to boost further the liberalisation of the energy market? How does the Presidency intend to balance the liberalisation of the energy market and implementation of the EU common energy

policy? What challenges and obstacles does the Council foresee in this field and how does it plan to overcome them?

Answer

This answer, which has been drawn up by the Presidency and is not binding on the Council or the Member States, was not delivered orally during Question Time to the Council at the 2008 January I part-session of the European Parliament in Strasbourg.

In the decisions of March 2007, the European Council agreed that one of the priority tasks of the energy policy was 'the internal electricity and natural gas market'. The European Council adopted a number of guideline policies in this field aimed at boosting competitiveness, securing effective legal regulations and encouraging investments of benefit to consumers.

In September 2007 the Commission, in response to a decision by the Council, submitted five proposals for legislation. Detailed debates of these proposals led to a progress report, which received the support of the TTE Council on 3 December 2007. Principles and provisions which have wide support have been reviewed within the framework of this debate, together with issues, areas and possibilities which, in the opinion of some Member States, are in need of further discussion and additional guidance on 'principles'.

The TTE Council is planning two meetings in the first half of 2008 with the aim of reaching political agreement on the total package or just part of the package. Therefore it is essential that the European Parliament submit its opinion on the package in good time before the June meeting of the TTE Council.

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QUESTIONS TO THE COMMISSION

Question no 37 by Maria Badia i Cutchet (H-1027/07)

Subject: Commission competences in respect of deceptive sales of airline tickets

On 30 October 2007, I submitted to the Commission a question on irregularities and false advertising on websites selling airline tickets online (E-5538/07), in which I respectfully asked whether any specific measures would be taken to prevent online advertising fraud and to protect the rights of European consumers.

One week later, I read in the press that the Commission was to publish the names of airline companies that practiced deception on the internet, and that it would close down their websites unless, within four months, they had resolved those irregularities, which basically relate to the failure to include airport taxes or credit card payment charges, the advertising of offers that are not actually available and unfair contractual conditions – such as the text of the contract not being available in the language of the user.

In this respect, can the Commission state what steps it will take, besides publishing the names of the airlines and closing down their websites, if those companies fail to conform to the law within the set time limit? Bearing in mind that it is the national or – in the case of Spain – regional governments that have competence for imposing penalties, is the Commission in a position to require that compensation be paid to any consumers affected?

Furthermore, since a European cooperation network exists for cross-border cases, how much room for manoeuvre does the Commission have in this field?

Answer

As the Honourable Member is aware, the Commission is using all available instruments to make sure that consumer rights are effectively implemented across the Union.

The Consumer Protection Cooperation Regulation provides a framework for a wide cooperation enabling national authorities to combine efforts, for instance in joint market surveillance and enforcement exercises and to share experience as well as best practices.

The Commission promotes these cooperative actions by providing EU-funding and through the coordination of joint market surveillance and enforcement activities.

Concerning the specific follow up of the 'sweep' on air ticket on-line sales of September 2007, the competent authorities of the Member States are at present investigating the sites and in cases of confirmed irregularities, taking appropriate follow-up actions. These may vary according to the legal framework of each Member State. The Commission's role was to coordinate Member States' 'sweep' actions and the monitoring of the follow-up.

Once the ongoing proceedings have been completed, the Commission will present the results of the follow-up given by the Member States to the 'sweep'. This is expected in early 2008.

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Question no 38 by Sharon Bowles (H-0981/07)

Subject: Collective redress

Referring to the Commission's plans on collective redress, will the Commission state how this ties in with the Commission's forthcoming White Paper on Damages Actions? Will the Commission also state how it will defend against US style class actions that are financially stifling companies in the US?

Answer

Regarding the question on the Commission's plans on collective redress:

The Commission's forthcoming White Paper on Damages actions for infringements of EC competition law will contain a section related to collective redress for the harm suffered due to infringements of competition law.

The Commission is currently also examining whether and if so what type of wider collective redress initiative is necessary at EU level for the harm suffered by consumers.

The Commission services dealing with consumer policy and competition are working very closely together in order to ensure that their work on collective redress produces synergies.

Regarding the question on United States (US)-style class actions:

The Commission does not believe that a class action system such as currently exists in the US should be introduced in the EU.

The Commission cannot interfere with the judicial system of a third country.

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Question no 39 by Bernd Posselt (H-0983/07)

Subject: Protecting consumers against double prices

What possibilities does the Commission see for protecting consumers from the discriminatory practice of charging tourists and locals different prices – in restaurants, for access to cultural monuments and in shops?

Answer

The EC Treaty prohibits any discrimination by Member States based on nationality grounds (e.g. Articles 12, 43 and 49). Accordingly, the Member States may not introduce or maintain unjustified restrictions to intra-Community economic activities.

The practice of double pricing by traders may sometimes have valid economic justifications: e.g. in order to enter new markets or establish their position where they are already present.

However, unjustified double pricing such as charging tourists and locals different prices can deprive consumers of the benefits of the internal market and as such cannot be accepted.

In that respect, discrimination based on nationality applying to access to cultural monuments has been explicitly recognised by the Court as being prohibited under Articles 12 and 49 of the EC Treaty⁽⁷⁾. The

⁽⁷⁾ Judgement of 15 March 1994, Commission v Spain, C-45/93.

freedom to provide services set out in Article 49 of the EC Treaty also covers the freedom for recipients of services, including tourists, to go to another Member State in order to enjoy those services under the same conditions as nationals of that Member State. The Court has confirmed that, since visiting museums is one of the determining reasons for which tourists, as recipients of services, decide to go to another Member State, there is a close link between the freedom of movement which they enjoy under the EC Treaty and museum admission conditions. The discrimination with regard to admission to museums may have an effect on the conditions under which services are provided, including the price thereof, and may therefore influence the decision of some persons to visit the country.

However, in the absence of any specific indication of constant practices contrary to these principles in Member States, the Commission has not had the necessity to go further into this question.

In the future, it will be possible to tackle discrimination against recipients of services also on the basis of the Services Directive⁽⁸⁾ and, in particular of its Article 20 which prohibits discrimination based on the nationality or the place of residence of recipients of services. The Services Directive will have to be implemented by Member States by end of 2009 at the latest.

Unjustified price discrimination may be also assessed under the Unfair Commercial Practices Directive, which must be applicable in the Member States by 12 December 2007.

This Directive contains a general clause prohibiting unfair commercial practices. It can not be excluded that, at a certain moment, national courts, and ultimately the European Court of Justice, will have to evaluate whether charging higher prices from tourists in restaurants and shops on nationality grounds is in conformity with professional diligence. For the moment, the Commission would be tempted to think that this is the case.

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Question no 40 by Brian Crowley (H-1011/07)

Subject: Safety standards for toys sold in Europe

Can the Commission give an up-to-date assessment outlining all the key measures that it has implemented in recent times and that it intends to implement in the near future so as to ensure that the highest safety standards apply to all toys sold within the European Union?

Answer

After the "summer of recalls" many people in Europe are asking this simple question: "what measures are in place or will be in place to ensure the highest safety standards for toys"?

Most of the answers can be found in the stocktaking exercise on product safety, whose results were released in November 2007.

The stocktaking exercise highlights the 3 key "E's" to toys and product safety in general: "Engagement", "Enforcement" and "Engineering":

- Engagement: Economic operators must take the full responsibilities for the products they produce and make available to consumers. Reputable businesses are making significant efforts to ensure the safety of their products. But all the actors involved must raise their game, because there is still a significant stream of unsafe toys circulating in Europe. Industry has agreed to work with the Commission over the next months on a number of measures to rebuild the confidence of consumers, including a "Safety Pact" and a thorough evaluation of measures adopted by business in the toys supply chain. This evaluation will be completed in the first quarter of 2008.

- Enforcement: Market surveillance authorities in the Member States have dug deep over the last months, but the stocktaking exercise has identified that there is still scope for improvement. The Commission is assisting the Member States' market surveillance authorities to identify and share best practices towards more targeted and risk-based controls. Traceability of products will be reinforced: the Commission has already included in the proposed Package on the Internal Market for Goods a provision requiring economic operators to have available the identity of their supplier and thus ensure the transparency and continuity of

⁽⁸⁾ Directive 123/2006/EC on Services in the Internal Market.

the supply chain. Peer pressure will be put on the national authorities, since the Commission intends to publish comparative enforcement capacity data in the Consumer Scoreboard in 2008. The market surveillance capacity of the Member States will be also strengthened, since the Commission will continue financing well-designed joint market surveillance projects (in 2007, €1,3 million Community funding). In addition to these actions to improve protection within the EU, various actions are underway to strengthen protection at borders. Recent major changes to the EU Customs legislation will assist in identifying high risk consignments for controls. Secure Customs exchange mechanisms will also enable rapid action to be taken when information becomes available on new types of dangerous products. These mechanisms are used to distribute relevant information available in the Rapid Exchange System for dangerous goods (RAPEX) system in order to alert the competent Customs authorities of specific, potentially dangerous cargo. On the international scene, co-operation with our major trading partners, the US and China, will be deepened and expanded. With China, in particular, the existing co-operation has already yielded tangible results in terms of controls and measures taken against unsafe products of Chinese origin found in Europe. Next to this, the Commission is assisting the Chinese authorities in setting up a domestic alarm system, similar to the European RAPEX, to better track substandard and dangerous products, especially toys.

- Engineering: Toys must be born safe. Safety is not an "add-on" or an optional, but should be built in the toy, since the very early stages of its production process. For this we need clear rules of law that set stringent safety requirements. In this respect, the forthcoming Commission's proposal for revising the Toys Directive contains reinforced safety prescriptions to address physical, mechanical and chemical risks in toys. The Commission is also preparing a temporary measure to require warnings on magnetic toys, pending the revision of the relevant standard to address the risks that these toys could pose.

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Question no 45 by Dimitrios Papadimoulis (H-0992/07)

Subject: Operation of free study centres in Greece

Article 50, paragraph 3, of Directive 2005/36/EC⁽⁹⁾ on the recognition of professional qualifications, which is based on freedom of movement for individuals and services, provides that 'where evidence of formal qualifications, ... , has been issued by a competent authority in a Member State and includes training received in whole or in part in an establishment legally established in the territory of another Member State, the host Member State shall be entitled to verify with the competent body in the Member State of origin of the award: (a) whether the training course at the establishment which gave the training has been formally certified by the educational establishment based in the Member State of origin of the award'.

In which Member States are there post-secondary educational establishments (free study centres) which give training which has been formally certified by the educational establishment based in the Member State of origin of the award? Do Member States have the right (Article 149 of the EC Treaty) to prohibit the operation of educational establishments using the method of certification by educational establishments based in another Member State?

Answer

The Commission is aware of the existence of educational establishments giving training which has been formally certified by the educational establishment based in the Member State of origin of the award in the following Member States: Greece, Italy, Germany and Spain. However, it is not excluded that educational institutions of the same kind also exist in other Member States.

Under Article 149 of the EC Treaty, Member States are fully responsible for the content and organisation of their education system and vocational training. However, education delivered through agreements described under Article 50.3 of Directive 2005/36/EC is not part of the education system of the Member State where the institution which gives the training is located. This kind of education is part of the education system of the Member State in which the university certifying the education and delivering the diploma is established. Therefore, Member States may not, on the basis of Article 149 of the EC Treaty, prohibit in their territory the operation of institutions which deliver training on the basis of an agreement concluded with a university established in another Member State.

⁽⁹⁾ OJ L 255, 30.9.2005, p. 22.

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Question no 46 by Esko Seppänen (H-1022/07)**Subject: Viking Line and Laval cases**

The European Court of Justice has issued its judgments in the Viking Line and Laval cases. Commissioner McCreevy strongly supported the view of the employers' side, particularly in the Viking Line case.

What effect does the Commission consider the above-mentioned court rulings have on the right of trade unions to take sympathetic strike action?

Answer

In the Viking Line case, a British Court referred several questions to the European Court of Justice about the impact of Article 43 of the EC Treaty, on freedom of establishment, on trade union actions while the Laval case was about the interpretation of the Posting of Workers' Directive and also Article 49 of the EC Treaty on the freedom to provide services.

Although the cases are different, the European Court of Justice has provided, in both cases, some clarifications on the issue referred to by the Honourable Member. Most importantly, the Court has ruled that the right to take industrial action must be recognised as a fundamental right which forms an integral part of the general principles of Community law.

At the same time, the Court has clearly stated that this does not mean that this right to take industrial action falls outside the scope of Community law, or in other words, that it renders Community law inapplicable. The exercise of this right may be subject to certain limitations. This very much reflects the situation in national legal orders: both in Finland and in Sweden, as in other Member States, where this right enjoys constitutional protection, it may not be exercised without any limitation.

Taking into account the Court's rulings, workers and employers will continue to have the right to take action to defend their interests, including sympathetic strike actions on the workers' side. However, when taking action against undertakings established in another Member State which post workers on their territory, or against an undertaking wanting to establish in another Member State, they will have to respect Community law.

In other words, when collective action restricts the freedom of establishment or the free movement of services, it needs to be justified by a legitimate aim, compatible with the Treaty; furthermore it has to be appropriate to attain such an aim and be proportionate. The Court has provided useful guidance and the Commission is convinced that the social partners will continue to be able to defend their rights and will do so in a fully responsible manner.

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Question no 47 by Milan Gaľa (H-1023/07)**Subject: Copyright levy reform**

I asked the Commission for an explanation regarding its decision to delay copyright levy reform and its intention of returning to the matter (H-0147/07). In its written answer of 13 March 2007, the Commission replied that it would 'closely monitor future developments' and 'continue to evaluate how levies interact with digital services and the information technology sector in general'.

Eight months have passed and, to my disappointment, I have not seen any movement on the issue of copyright levy reform by the Commission. I am concerned that the Commission is not giving copyright levy reform the priority it deserves.

I would therefore like to know what the tangible results of the Commission's monitoring and evaluation efforts announced in its reply of March 2007 have been to date. What will the next concrete steps be and when can we expect the Commission to take specific action to address this very pressing issue of copyright levy reform?

Answer

The Commission would like to thank the Parliament for the interest it takes in the ongoing efforts at reforming private copying levies.

The current levy systems are, as we all know, both complex and controversial. Not alone are there huge differences in rates applying to the same or similar equipment used for private copying – there is no uniformity among Member States in setting levies for identical digital equipment. The result is a huge array of different levies imposed on the same products across Europe – with differences in levies of up to 1 500% applied to identical products.

Against this background, the Commission is studying how private copying levies affect both the Internal Market and the livelihood of authors and performers. Culture and cultural diversity are, as you know, the core objectives behind all initiatives the Commission pursues in the field of copyright. The policy follows the double objective of making sure that levy-based schemes have little or no negative effect on the Internal Market for digital equipment and blank media carriers while ensuring that creators suffer no economic harm from the widespread practice of private home copying.

Consumers do not like restrictions on how and when they consume copyright-protected material. As a poll published by the Spanish newspaper El País on 20 December 2007 indicates 94% of the respondents support the elimination of private copying levies.

A reasonable compromise between consumers liberty and artists compensation for private copying has to be found. Any reform of this sensitive issue has to be approached with diligence and the utmost care.

Until we see the issues clearer, it is not productive to speculate as to the form of future action.

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Question no 48 by Bogusław Sonik (H-1031/07)

Subject: Uniform treatment of guides in the EU Member States

I would like to draw attention to a problem that has arisen following the adoption of Directive 2005/36/EC⁽¹⁰⁾. In the Directive, legislators did not distinguish between the work of tour leaders in charge of tourist groups on trips and that of guides. A guide's duties involve not only the successful organisation of trips but also the provision of factual information about the history, traditions and value of works of art or historical buildings. For this reason, guides also take specialised courses, at the end of which they are assessed by examination, prior to entering the occupation. The high level of courses and examinations ensures that a good quality of service is provided. It should be noted that in many European Union Member States, including Poland, the profession of guide is regulated. Documents attesting to the completion of courses and training are required to obtain qualifications. Equating tour leaders with guides will reduce the quality of the services provided for tourists. In order to prevent this from happening, an examination system should be introduced throughout Europe that will certify guides' proficiency.

Does the Commission envisage developing a system of courses and examinations for guides throughout Europe, the substance and organisation of which would be adapted accordingly by the individual Member States?

Answer

The Commission does not envisage developing an EU wide system of courses and examinations for tourist guides.

Within the limits set by the EC Treaty, Member States are free to regulate the access to and the exercise of professions, therefore also for the tourist guide and the tour escort profession. Any proposal for a legislative instrument at EU level by which education and training requirements for either of the professions would be harmonised requires under the current Treaty a vote of unanimity by all EU Member States. Until today the Commission has not received convincing evidence of problems in relation to the cross-border provision of tourist guide services which would justify the adoption of a proposal for a Directive harmonising this profession.

⁽¹⁰⁾ OJ L 255, 30.9.2005, p. 22.

The Commission is informed and in favour of non-legislative initiatives at European level such as the works for a CEN⁽¹¹⁾ standard introducing basic requirements on qualification schemes for tourist guides (EN 15565) which was carried out by the European committee for standardization and has been approved on 1st January 2008. Although not legally binding, such self-regulatory instruments are a most effective starting point for marking a level of knowledge and skills which qualified professionals should have obtained for the exercise of a profession.

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Question no 49 by Olle Schmidt (H-1035/07)

Subject: Sovereign wealth funds

Sovereign wealth funds (SWF) are a new type of investment vehicle, with the very significant difference that they are owned by states, and often by undemocratic ones. New, more active investment strategies have caused concern in some Member States, especially when investing in companies seen as being of national strategic importance.

Examples of recent investments by SWF are the investment in Citigroup by Abu Dhabi Investment Authority, but also the bid on OMX by the Bourse Dubai, and of course the Russian interest in energy infrastructure in Europe.

In Brazil the Government is planning to set up an SWF to offset the appreciation of the real, thus directly intervening in the financial market.

I urge the Commission to defend the openness of the financial system, but at the same time demand transparency from state-controlled funds, to ensure that any investment strategies are carried out with economic and not strategic goals in mind.

How does the Commission plan to act on the issue of SWF? There have been a number of proposals from the Commissioners concerning SWFs, such as European golden shares, guidelines, and transparency initiatives. Which route will the Commission take?

And finally, does the Commission have any plans to monitor the development of the sovereign wealth funds on the European markets?

Answer

The Commission is fully committed to defending the openness of the financial system in Europe. Besides, the Commission fully concurs with the principle that investment should take place on the basis of economic rather than political or other strategic criteria. The Commission notes the concerns that have been expressed about sovereign wealth fund recently but also wishes to stress that a number of such funds have been operating for decades providing the EU economy with valuable investment. The Commission also urges third countries to offer proportionate level of openness to EU investors.

The Commission holds the question under close review. At this stage, it does not favour the option of producing new legislative instruments, but there are good reasons to develop a common approach within the EU to present a coordinated position in the Single Market with regards to the activities of Sovereign Wealth Funds (SWFs). Some guidelines to increase the transparency and governance of SWFs might be required. Last October 2007, the G7 asked the International Monetary Fund (IMF) and the Organisation for Economic Cooperation and Development (OECD) to study the possibility of transparency guidelines or a code of conduct for Sovereign Wealth Funds and recipient countries. In the Transatlantic Economic Council last 9th November 2007, the Commission had the opportunity to exchange views on these matters with the United States (US) administration and concurred with it on the utility of having these rules developed at an international level.

In summary, the Commission is working internally and in international fora to develop suitable and effective instruments that can dispel the concerns that the activities of these investors may raise. It intends to develop a common EU position on this that preserves the fundamental freedoms set out in the Treaty. Member State initiatives in the area of Sovereign Wealth Funds must also be assessed in this context. It is in this context

⁽¹¹⁾ European Committee for Standardization

that monitoring the activities of SWFs becomes particularly important. The Commission monitors developments closely and in cooperation with international organisations (OECD, IMF). Separately, the US-EU Investment dialogue and the Financial Services Regulatory dialogue offer the Commission an opportunity to review SWFs matters in close cooperation with the US Treasury and other US departments.

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Question no 50 by Laima Liucija Andrikienė (H-1038/07)

Subject: Integration of retail financial services

Retail consumers are essential in the single market of financial services. Retail services, including products such as current accounts and consumer credit, are a key pillar of the EC financial services action plan launched in 1999. Since then the integration of financial markets is lagging behind, and there are still many discrepancies between EU Member States' financial services, e.g. fees for financial transactions between banking institutions of different Member States, fees on credit cards, etc. For example, transaction fees from Lithuanian to Belgian banks are four times higher than those from Belgian to Lithuanian banks.

What action does the Commission plan to take to increase the pace of integration in retail financial markets? How will retail consumers benefit from those actions taken by the Commission?

Answer

Significant progress has been made in delivering a Single Market for retail financial services. However, retail financial services integration has not yet reached its full potential and competition in some markets is insufficient, particularly in areas like payments and retail banking. This leaves EU consumers unable to take full advantage of the benefits of the Single Market. Against this background and in the context of the Single Market Review, the Commission adopted a Green Paper on Retail Financial Services in the Single Market⁽¹²⁾. The Green Paper built on the Commission's White Paper on Financial Services 2005–2010⁽¹³⁾, the results of the Commission's sector inquiry into retail banking⁽¹⁴⁾ and the interim report on business insurance⁽¹⁵⁾. It also set out the Commission's overarching objective to develop integration in EU retail financial services markets by: ensuring that properly regulated open markets and strong competition deliver products that meet consumers' needs; enhancing consumer confidence by ensuring that consumers are properly protected and that providers are financially sound and trustworthy; empowering consumers to make the right decisions for their financial circumstances through improved financial literacy, clear, appropriate and timely information and high-quality advice. The publication of the Green Paper launched a public consultation on the Commission's retail financial services strategy which received almost 190 responses. The public hearing held on 19 September 2007 was also well attended with over 300 participants.

On 20 November 2007, alongside the Commission Communication on a Single Market for 21st Century Europe⁽¹⁶⁾, a Staff Working Paper on Initiatives in the area of retail financial services⁽¹⁷⁾ was published. It proposes a number of targeted initiatives designed to: improve customer choice and mobility, in particular for bank accounts, a financial product used by the vast majority of European citizens; help retail insurance markets work better, for instance by designing a "scoreboard" for car insurance premiums in Europe; investigate the need for a more coherent approach to product disclosures and distribution requirements for retail investment products (such as investment funds, unit-linked life insurance, etc.); and promote financial education, financial inclusion (e.g. access for all to a basic bank account) and adequate redress for consumers.

The Commission seeks to bring concrete benefits to European consumers in terms of lower prices and wider choice by improving the competitiveness and efficiency of retail financial services markets. For these reasons, the Commission strongly supports the Single Euro Payments Area (SEPA) project, a banking industry initiative to create an integrated and more competitive market for euro payments which is planned to become fully

⁽¹²⁾ COM(2007) 226, 30.4.2007.

⁽¹³⁾ COM(2005) 629, 1.12.2005.

⁽¹⁴⁾ COM(2007) 33, 31.1.2007 and SEC(2007) 106, 31.1.2007.

⁽¹⁵⁾ COM(2007) 226, 30.4.2007.

⁽¹⁶⁾ COM(2007) 724, 20.11.2007.

⁽¹⁷⁾ SEC(2007) 1520, 20.11.2007.

operational by the end of 2010. The Payment Services Directive, which must be implemented into national law by November 2009, should also generate more competition in the provision of payments services and thus lead to lower prices. It also includes provisions improving transparency and enabling the free termination of framework contracts after a period of 12 months which will facilitate customer mobility and promote competition.

Referring to the specific issue of bank accounts, as part of the Single Market Review package, the Commission announced its policy plans to facilitate customer mobility in relation to bank accounts thereby also promoting competition and efficiency. The Commission will encourage the development by industry, by mid-2008, of a Code of Conduct, which would contain a switching service, to be made available to customers within each EU Member State, which should make the switching process from one bank account to another easier. The Commission has also made clear to industry that there should be no discrimination against customers on the basis of nationality or residence when opening bank accounts cross-border. It should be easy for customers to open bank accounts in other Member States.

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Question no 51 by Manuel Medina Ortega (H-0964/07)

Subject: Frontex budgetary provision

Are the budgetary appropriations currently earmarked for Frontex in 2008 sufficient to allow it to discharge its responsibilities in respect of controls on illegal immigration?

Answer

Following the second reading by the Budgetary Committee, an amendment was voted by the Parliament whereby an additional € 30 million were added to the budget of the Frontex Agency in 2008. Most of the amount will be for operational expenditure of the Agency.

This amendment represents an increase of 79% when compared to the original Preliminary Draft Budget. This increase results in a total EC subsidy of €68 million, therefore considerably strengthening the Agency's financial resources and thereby contributing to enhancing its capacity to implement its tasks in relation to illegal immigration.

Frontex has adapted its work programme for 2008 on the basis of the increased budget. The revised work programme foresees a substantial increase in the duration of joint operations at those sections of the external borders most exposed to irregular migratory pressure.

On this basis the Commission is confident that the impact of operations coordinated by Frontex will be substantially enhanced compared to 2007.

In the course of 2008 the Commission shall monitor closely the situation with regard to the expenditure and financial needs of the Agency.

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Question no 52 by Marie Panayotopoulos-Cassiotou (H-0968/07)

Subject: Family businesses and very small undertakings within the internal market

Bearing in mind that 99.8% of European businesses are small and medium-sized undertakings which therefore are Europe's economic mainstay and principal source of employment, and that, in many Member States, many of them are family businesses and very small undertakings, what measures does the Commission intend to take to enable them to remain competitive, take better advantage of the opportunities offered by the internal market and comply with their obligations under European legislation without needing to incur excessive costs?

Furthermore, what measures does the Commission intend to take to support these undertakings and encourage new undertakings able to compete with the large multinational undertakings and chain stores operating throughout the Union? Does the Commission consider that the introduction of internal market monitoring centres in each Member State will reduce the risk of family businesses and very small undertakings disappearing?

Answer

Small and medium sized firms (SMEs) indeed play a significant role in the European economy providing two-thirds of total private employment. Consequently they are key players to achieve the targets set in the Lisbon strategy for growth and jobs.

The Commission has been active for many years promoting entrepreneurship and improving the business environment for SMEs, in particular for small enterprises which constitute 90 % of SMEs. In 2000 the European Council has endorsed the Charter for Small Enterprises, aiming at improving their business environment. The Charter is today the reference frame for 44 countries and several regions.

Since the adoption of the Modern Small and Medium Enterprise (SME) policy in November 2005 the Commission follows closely actions in five key areas: promoting entrepreneurship, reducing administrative burdens, supporting SMEs' access to markets, supporting SMEs' growth and reinforcing the dialogue with SME stakeholders. The Mid-term review, adopted in October 2007, has shown that the SME dimension is increasingly taken into account in the community programmes and policies. However, this does not go far enough yet, and the Commission has decided to put SMEs even higher on the political agenda when, based on its assessment of the first 3-year cycle of the reviewed growth & jobs strategy, it announced the adoption of the "Small Business Act" for Europe for 2008. Preparation of this new initiative is ongoing and an extensive consultation will take place in the coming weeks.

Some of the measures undertaken by the Commission specifically aim at helping SMEs to benefit from the possibilities offered by the internal market. Improving their access to the public procurement market is one example. The Commission is currently conducting an impact assessment to prepare the proposal for a European Private Company Statute (2008) to facilitate cross-border operations for SMEs. The Commission has also been helping small enterprises since 20 years via a support network, which will be strengthened in 2008 to further raise awareness on EU policies and programmes and to advise, mentor and listen to SMEs.

Concerning the costs for SMEs to apply European legislation, small enterprises spend relatively up to 10 times more to meet the administrative requirements than large enterprises⁽¹⁸⁾. For this reason the Commission is committed to simplifying the administrative burdens and considers the better regulation process one of its key priorities. It envisages cutting administrative burdens of Community origin by 25% by 2012 and also encourages Member States to actively contribute to this process. Through the "Think Small First" principle SME specific provisions are introduced in new proposals whenever appropriate, for instance in simplified reporting requirements, for instance for smaller food companies in the field of hygiene.

The application of standards and EU legislation is another difficulty for SMEs. That is why the Commission will substantially increase its support to better involve SMEs in the European and national standardisation processes, to facilitate their access to standards and further offers assistance to SMEs a community assistance programme in the field of EU environmental legislation.

As far as family businesses are concerned, most small firms are family businesses and are targeted by the initiatives in favour of small businesses. However, the Commission is currently analysing potential specific difficulties they may be confronted with.

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Question no 53 by Avril Doyle (H-0976/07)

Subject: Importance of tax competition for the internal market

On 10 November 2005 at a speech to the European Business Initiative on Taxation, Commissioner McCreevy said: 'I didn't come to the Berlaymont to tiptoe about in my slippers.' He added that 'taxation harmonisation is not on the agenda, nor will it be'. Moreover, this May the Commissioner said that a common consolidated corporate tax base (CCCTB) proposal: 'would undermine competition, undermine small and emerging markets, undermine inward investment and undermine the long term growth and employment prospects of the Union.'

⁽¹⁸⁾ Report of the Expert group on Models to reduce the disproportionate regulatory burden on SMEs
http://ec.europa.eu/enterprise/entrepreneurship/support_measures/regmod/index.htm

In the light of the importance of ratifying the Lisbon Treaty in Ireland, can the Commission confirm that the present CCCTB proposal will be taken off the agenda? That the Commission will not 'tiptoe about' but will robustly defend Member State competence in matters of taxation and tax competition in the corporate taxation area?

Answer

The Commission follows the ratification process of the Lisbon Treaty in all Member States with the utmost attention. The Commission's position on a CCCTB⁽¹⁹⁾ is set out in the Commission's Legislative and Work Programme 2008⁽²⁰⁾. An impact assessment has been launched to examine the options and their implications.

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Question no 54 by Alain Hutchinson (H-0987/07)

Subject: Budgetisation of the EDF

At present, aid granted to ACP countries by the EU comes from two different sources: the Community budget and the European Development Fund. For the part which falls outside the budget, cooperation with the ACP countries is therefore not entirely subject to public scrutiny by the European Parliament, thus excluding it from one of the most important decision-making procedures of the Union. If aid to ACP countries were incorporated into the EU budget, this would enhance the legitimacy of this aid. It would also make it possible to ensure genuine transparency and greater efficiency, which is a major concern in development cooperation.

What stage has been reached with the Commission proposal to incorporate into the EU budget aid to ACP countries under the EDF and what initiatives does the Commission intend to take to make this incorporation of the EDF into the general Community budget a reality?

Answer

For a considerable time now the Commission has been calling for the incorporation of the financing of geographical cooperation with the African, Caribbean and Pacific states (ACP) into the Community budget. This request is based on the grounds of efficiency and harmonisation of Community development assistance instruments, and on the coherence and political visibility of our external activities in the field of development.

During the preparations for the period after the 9th European Development Fund (EDF), the Commission had drawn up a detailed outline of its position in the communication entitled 'Towards the full integration of cooperation with ACP countries in the EU budget'⁽²¹⁾. The meeting of the European Council on 15-16 December 2005 finally opted (para. 70) to keep the financing of geographical cooperation with ACP countries within the EDF intergovernmental framework. It also established the 10th EDF period, aligning it with the timescale of the financial perspective (2013), and the level of contribution of each Member State to the 10th EDF. These contributions are generally midway between the contributions to the 9th EDF and the Member States' contributions to the Community budget.

The Commission firmly intends to raise the matter of EDF budgeting again whenever appropriate:

at the December 2005 European Council the Commission was invited to submit a review of the budget in 2008-2009. The Commission hopes to resume the debate on incorporation of the EDF into the budget within this context, particularly in the light of the reform of the Treaty adopted by the European Council in December 2007, which, in the area of external activities, extends the codecision procedure to the entire Community budget and strengthens the role of Parliament;

⁽¹⁹⁾ Common Consolidated Corporate Tax Base

⁽²⁰⁾ COM(2007)640

⁽²¹⁾ COM(2003)590, 8.10.2003.

Article 1(10) of the Internal Agreement on the 10th EDF⁽²²⁾ stipulates that in 2010 the Commission will prepare a performance review, which will contribute to a decision on the amount of financial cooperation after 2013. A parallel discussion shall run within the framework of the debate arising from the Green Paper on relations between the European Union and the Overseas Countries and Territories (OCTs) and the review of the Association Agreement with the OCTs required for 2011.

The Commission feels that much progress has already been made in terms of facilitating a decision on the incorporation of the EDF into the budget and will continue to pursue this objective within the framework of the period following the 10th EDF. It would emphasise, however, that the decision on this issue lies with the Member States.

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Question no 55 by Bill Newton Dunn (H-0988/07)

Subject: French health changes

Is the Commission aware of, and is the Commission able to do anything about, the announcement by the French Government that, from 5 January 2008, 'according to European Directive 2004/38/EC⁽²³⁾, French health care is to be withdrawn from, and private health insurance must be purchased by, all non-French EU citizens residing in France?

Previously it was illegal for them to hold private health insurance in France because EU citizens coming to live in France were forced to terminate their existing insurance policies and to join the state system instead. Now, the French Government is acting retrospectively, and the rule is being reversed.

A particular problem this will create is that sufferers with existing medical conditions will be caught in a trap: their previous pre-condition private insurance had to be cancelled, but now with the condition they will be unable to buy new private insurance.

Retrospective legislation is always to be deplored. What can the Commission do to correct this injustice?

Answer

The Commission has received letters from several British nationals residing in France who have been informed by the relevant French authorities that they will not be able to continue benefiting from the universal sickness coverage (*couverture maladie universelle*, CMU) on the basis of the corresponding contribution.

According to the information available to the Commission, the CMU introduced by Law 99-641 of 27 July 1999, guarantees membership of the general sickness insurance scheme for all stable and regular residents who do not have sickness insurance cover under a basic scheme. Consequently, under the law all persons residing in France in a stable and regular manner, whatever their nationality, must join the CMU if they are not covered by any other legal sickness insurance regime in France or another country.

Directive 2004/38/CE provides that the right of residence of non active Union citizens is subject to the condition that they have sufficient resources not to become a burden on the social assistance system of the host Member State during their period of residence and have comprehensive sickness insurance cover. The Directive also provides that once the Union citizen has acquired the right of permanent residence normally after five years of legal and continuous residence, this right is no longer submitted to the abovementioned conditions.

In addition, Article 24 of the Directive provides that subject to such specific provisions as are expressly provided in the Treaty and secondary law, all Union citizens residing on the basis of the Directive in the territory of the host Member State shall enjoy equal treatment with the nationals of that Member State within the scope of the Treaty. In the framework of the Directive, equal treatment is subject to compliance with the conditions of residence.

⁽²²⁾ Decision of 17.7.2006 of the Representatives of the Governments of the Member States, meeting within the Council, OJ L 247, 9.9.2006.

⁽²³⁾ OJ L 158, 30.4.2004, p. 77.

Community law in the field of social security, contained in Regulation (EC) No 1408/71⁽²⁴⁾ aims at coordinating the social security schemes of the Member States so that the application of the different national legislations does not adversely affect persons exercising their right to free movement within the European Union. Each Member State is therefore free to determine the details of its own social security systems, including which benefits shall be provided, the conditions of eligibility and how many contributions should be paid. Nevertheless, the Member States must comply with Community law when exercising that power. Regulation (EEC) No 1408/71 establishes common rules and principles which must be observed by all national authorities when applying national law.

Under this Regulation, workers and pensioners, as well as the members of their family, residing in a Member State other than the one in which they work or which pays their pension, are entitled to sickness benefits in the Member State of residence under the same conditions as a national of this Member State, but on behalf of the Member State where they work or which pays their pension. In order to benefit from this health care, the persons concerned have to register with the sickness insurance institution of the Member State of residence on the basis of an E106 form (workers) or an E121 form (pensioners).

In order to complete the examination of the compatibility of the exclusion from the French CMU regime of inactive Union citizens regularly residing in France with Community law, the Commission has taken contact with the French authorities on this issue and is waiting for a reply.

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Question no 56 by Maria Carlshamre (H-0989/07)

Subject: The European Commission expert group on human trafficking

I would like to know whether the mandate for the new European Commission expert group on human trafficking has been approved, and if so, I would like to access the document.

I would also like to know the process and time frames for Member States and NGOs to propose potential new members to the European Commission expert group on human trafficking.

Answer

Since its appointment in 2003, the Experts Group on Trafficking in Human beings has provided the Commission with opinions and views about many important subjects. In 2004 it issued its Report, which still constitutes a source of inspiration for further activities.

The Decision setting up a new Group of Experts and specifying its mandate was adopted on 17 October 2007⁽²⁵⁾. The Decision takes into account the necessary changes deriving from enlargement, and the need to ensure specific expertise especially in the field of labour exploitation.

The Group of Experts will be composed of 21 members, out of whom up to 11 members from administrations of the Member States, up to 5 members from inter-governmental, international and non-governmental organisations, up to 4 members from social partners and employers' associations, 1 member from Europol⁽²⁶⁾, up to 2 members from universities or other research institutes.

The call for application will be published shortly in the Official Journal and on the website of the Directorate-General for Justice, Freedom and Security with an application deadline of mid-February 2008.

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⁽²⁴⁾ Regulation (EC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community, OJ L 149, 5.7.1971.

⁽²⁵⁾ 2007/675/EC: Commission Decision of 17 October 2007 setting up the Group of Experts on Trafficking in Human Beings, OJ L 277, 19.10.2007.

⁽²⁶⁾ European Police Office

Question no 57 by Danutė Budreikaitė (H-0994/07)**Subject: Third energy package**

In autumn 2007, the Commission published the third energy package, which sets out the EU's future energy policy objectives, including liberalising the energy market through legal and functional unbundling and/or ownership unbundling of production and distribution networks in the electricity and gas sectors.

The gas supplier Gazprom, which enjoys a monopoly in the EU, is a shareholder in many European gas distribution networks.

Can the Commission indicate in which of the largest European gas distribution networks Gazprom is a shareholder? What effect will implementation of the third energy package have on Gazprom? How many EU companies hold shares in Russian gas distribution networks, and what proportion of the shares do they hold?

Answer

The Commission's internal energy market package of 19 September 2007 proposes ownership unbundling of the transmission systems and transmission system operators or, alternatively, the establishment of independent system operators (ISOs) responsible for the management and development of the transmission system. With respect to the distribution systems, the third package does not alter the current legal requirements which consist in the legal and functional unbundling of large distribution system owners and which entered into force only on 1 July 2007. The third country clause (Article 7a in the proposed Gas Directive) applies also only to transmission system operators.

Annex VIII of the impact assessment of the third package proposals⁽²⁷⁾ gives details about the non-EU ownership in transmission systems. With respect to the three Baltic States, for example, Gazprom holds shares of about one third in each of the national gas transmission and distribution companies, which in all three Member States operate and own both the transmission and distribution networks. With respect to the share of EU companies in Russian gas distribution networks, such information is unfortunately not available to the Commission as the underlying agreements are usually treated as business secrets.

As regards the proposed provisions on unbundling, the effect on Gazprom is identical to the effect on any other EU or non-EU company: Any supply or production company active anywhere in the EU must separate the operator of its transmission system in any Member State of the EU in the manner proposed by the Commission. The package contains safeguards to ensure that in the event that companies from third countries wish to acquire a significant interest or even control over an EU network, they will have to demonstrably and unequivocally comply with the same unbundling requirements as EU companies. Moreover, the Commission has proposed a requirement that third country individuals and companies cannot acquire control over a Community transmission system or transmission system operator unless this is permitted by an agreement between the EU and the third country. The aim is to guarantee that companies from third countries respect the same rules that apply to EU based undertakings.

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Question no 58 by Maria Eleni Koppa (H-0995/07)**Subject: Kosovo**

Faced with the prospect of a unilateral declaration of independence by Kosovo, fears have been voiced in several quarters that recognition of the new state by the international community will also send a positive signal to other separatist movements around the world, particularly in Europe.

What does the Commission propose to do in the event of Kosovo taking such a step? What initiatives will it take to prevent the proliferation of such movements contrary to decisions taken by the international community?

⁽²⁷⁾ SEC(2007)1179

Answer

The United Nations Security Council Resolution (UNSCR) 1244 adopted in the aftermath of the Kosovo conflict of 1999 envisaged a UN-led interim civilian administration to ensure the development of provisional institutions for democratic and autonomous self-government pending a political settlement.

The UN Secretary General launched the process for defining Kosovo's final status with the appointment of a Special Envoy, former President Ahtisaari, in November 2005. After 14 months of engagement of both parties, Mr Ahtisaari tabled a Comprehensive Proposal for the Kosovo Status Settlement in March 2007 that was discussed in the UN Security Council during several months without agreement.

In this context, the UN Secretary General agreed to a 120-day process of further engagement under the auspices of a troika composed of the EU, Russia and US to give another further opportunity to both parties to come to an understanding.

The European Union has done everything possible to achieve a negotiated solution. We deeply regret that no such solution was reached between Belgrade and Pristina in the process led by the international Troika.

The European Union has consistently underlined the special character of the Kosovo issue without any precedent function for other regions in the world. Most recently, the 2007 December European Council has underlined its conviction that resolving the pending status of Kosovo constitutes a sui generis case that does not set any precedent.

It is in the European Union and the western Balkans region best interest that Kosovo's status is urgently resolved to secure peace and stability. This is also the ultimate objective of the UNSCR 1244. This is why this process has nothing in common with, what the Honourable Member calls, "other separatist movements around the world".

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Question no 59 by Nikolaos Vakalis (H-0996/07)

Subject: Nuclear programme in Belene

At a press conference held on 26 November 2007, Dr Georgi Katsiev, who has been director of the Bulgarian Atomic Energy Commission for many years, appealed to the Commission to put an immediate stop to the nuclear programme at Belene because of the lack of qualified staff experienced in the running and monitoring of the reactor, as well as the fact that the region is highly prone to earthquakes. Is the Commission aware of these matters and how will it take them into account when assessing the Belene nuclear programme? What immediate measures will the Commission take? What can be done to protect neighbouring countries from the possible risk of an accident?

Answer

On 7 December 2007 the Commission gave its opinion on the establishment of a new nuclear power plant at Belene in the form of Point of View and communicated it to the Bulgarian authorities.

The Commission took the view, that in the light of the assessment under the Euratom Treaty and discussion with the nuclear operator, Natsionalna Elektricheska Kompania (NEK), all the aspects of the investment in question are in line with the objectives of the Euratom Treaty. It has to be noted, that the assessment has been carried out under the provisions of the Euratom Treaty, without prejudice to any additional assessments to be carried out, the case being, under the EC Treaty and the obligations stemming from it and from secondary legislation, such as the provisions on competition or on environment, including the environmental impact assessment.

The Commission, in its opinion, took into account the information from the investor that the chosen design at Belene includes various passive safety systems as well as improved protection against external hazards, such as earthquakes and air crashes.

Seismic risks and emergency planning will be furthermore assessed by the Commission in the framework of radiation protection according to Article 37 of the Euratom Treaty. It includes also the assessment of the possible consequences of unplanned discharges on other Member States, and bilateral or multilateral arrangements to facilitate emergency response.

In addition, the Commission drew special attention to the need for Bulgaria to develop plans for the long-term management of the radioactive waste arising from the operation and later decommissioning of the plant, in particular as regards High Level Waste.

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Question no 60 by Dimitar Stoyanov (H-0999/07)

Subject: Implementation in Bulgaria of Regulation (EEC) No 1408/71

Under Article 22 of Regulation (EEC) No 1408/71⁽²⁸⁾, all insured persons who are unable to obtain appropriate treatment on the territory of their Member State of residence shall be authorised to travel to another Member State in order to obtain this treatment. However, the Bulgarian national sickness insurance fund is refusing to issue the requisite E112 form to Mr Maxime Vaniov Petkov, who suffers from spasmodic torticollis, despite the fact that he is unable to obtain appropriate treatment for his condition in Bulgaria. Furthermore, this is not the first time that the organisation in question is unjustifiably refusing to comply with Regulation (EEC) No 1408/71.

What pressure will the Commission bring to bear in order to end the infringements of the above regulation?

Answer

The Commission wishes to point out that, in accordance with the case-law of the Court of Justice, authorisation must be granted when the treatment required cannot be provided in the state of residence within an acceptable period of time in medical terms, taking into account the person's current state of health and the likely progression of the illness. This implies that there are grounds for taking account of the patient's medical condition and not related administrative considerations, for example the existence of waiting lists. In any case, a refusal to grant authorisation cannot be permitted without the grounds being justified.

In due consideration of the above, the Commission intends to seek an explanation from the Bulgarian authorities in order to ascertain whether the criteria laid down by Community law for authorisation to be granted have been met in the case referred to by the honourable Member.

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Question no 61 by Paul Rübig (H-1002/07)

Subject: Commission's communication strategy for Austria

When the referendum was held, two-thirds of citizens entitled to vote were in favour of Austria's accession to the EU. For several years since, Austria has been languishing near the bottom of the table in the standard Eurobarometer survey. In spring 2007, 25% of Austrians said that membership of the EU was 'a bad thing' (second from last in the table), and 43% saw disadvantages in EU membership (making Austria one of the most EU-critical Member States).

This can certainly be attributed in part to a lack of knowledge about the European Union among the general public. What strategies is the Commission following in order better to bring across the impact of European legislation, the workings of the institutions and the possibilities that membership offers for individual citizens in social, cultural and economic terms in Austria?

Answer

The Commission is fully committed to facilitating public understanding and debate on European issues by adapting communication on Europe to the national, regional and local environment. The Commission Representation in Austria promotes communication on the European agenda and priorities with Austrian citizens, the media, politicians and other stakeholders.

Dialogue with citizens is top priority for the Commission. In the framework of Plan D, the Commission Representation organizes events to stimulate debate on EU policies, including in cooperation with the Information Office of the Parliament in Vienna. Cooperation of the Commission Representation with stakeholders at national, regional and local levels is also a crucial element of our approach. The work of the

⁽²⁸⁾ OJ L 149, 5.7.1971, p. 2.

Representation in the regions is complemented by 11 Europe Direct information relays in the Länder as well as 9 European Documentation Centres and 27 members of Team Europe, a highly qualified panel of speakers on EU issues.

Improving knowledge about the EU is key to encouraging citizens' participation in the EU integration process. Therefore, focusing particularly on younger students, the Commission Representation in Austria regularly organises "Open Days" for schools on its premises. In 2007, the Representation hosted 46 such events with approximately 1000 participants overall.

Secondly, in its media work, the Commission Representation continues its pro-active approach to set national issues in a broader European context. In order to ensure high visibility of EU topics as well as wide media coverage, the Representation works closely with the media, including on Commissioners' visits to Austria, where they are frequently involved in public debates (20 in 2007). 11 information visits to Brussels for journalists and multipliers were carried out in 2007, offering them the opportunity to receive first hand information and to discuss EU issues with experts and policy decision-makers. To allow better access to the broader public, the Commission develops its activity on the web, including by using innovative tools such as web-streaming.

Finally, all of this activity should be strengthened in the framework of a management partnership agreement between the Commission, the Parliament and the Austrian Government, which the Commission hopes to set up from 2008. This partnership, co-financed by the Commission, would enable both partners to better liaise and coordinate their communication strategies and plan common activities, thus improving public perception on the EU. Special focus will be on explaining institutional issues as well as energy and climate change.

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Question no 62 by Frank Vanhecke (H-1004/07)

Subject: European campaign of dissuasion in Africa

According to some media outlets, the EU and Switzerland have launched a campaign in a few countries in Africa to dissuade Africans from coming to Europe.

Are the reports true? Is this a joint initiative by the EU and Switzerland? Who or which institution has taken this initiative? In which countries is the campaign taking place, and how is it taking place and with what resources? Is the Commission considering extending the campaign to other African states? How much is the campaign costing?

Answer

The Commission is funding information campaigns in West African countries such as Mauritania, Senegal, Niger, Mali, Ghana, Nigeria, Congo and Cameroon on the risks of irregular migration. These campaigns are prepared and implemented by the International Organisation for Migration, within the framework of a project supported by the 2004 budget of the AENEAS⁽²⁹⁾ programme. The project - selected for funding through a Call for Proposals in 2004 - started to be implemented during 2005.

In some of the countries targeted by the project, the International Organisation for Migration cooperated with other donors and organisations, so as to establish synergies and avoid duplication or sending contradictory messages. In the case of Senegal, for instance, the information campaign funded by the EU was supported by Spain. The campaign in Nigeria and Cameroon was promoted also by the Swiss federal Migration Office.

The cost of the information campaigns under the project run by the International Organisation for Migration amounts to €265.000.

The AENEAS programme and its successor, the Thematic Programme for the cooperation with third countries in the areas of migration and asylum, support information campaigns to raise awareness of the risks linked to irregular migration, and which in many cases lead to death, extreme conditions, detention, trafficking, exploitation, and forced repatriation.

⁽²⁹⁾ Programme on asylum and migration in relations with third countries

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Question no 63 by Georgios Toussas (H-1005/07)

Subject: Government measures in favour of banks prejudicial to workers' insurance funds

In pursuit of their anti-working class policies, the EU and the Member States' governments have taken provocative and unjust measures to release banking groups from their contractual obligations, thereby gifting the banks billions of euro owed to workers' insurance funds and burdening the public purse, i.e. the workers, by increasing taxation. By making legislative provision to incorporate the workers' fund of the former Credit Bank into the Single Insurance Fund for Bank Employees (ETAT), the New Democracy government is furthering a policy previously introduced by the PASOK government when it gifted the Alpha Bank 600 million euro by incorporating the Personnel Insurance Fund of the Ionian and Popular Bank of Greece into the Social Insurance Institute (IKA). These anti-working class policies have given the green light to monopoly banking groups to make predatory raids on workers' insurance fund assets.

What is the Commission's position on the measures taken by New Democracy to release Alpha Bank from fulfilling its contractual obligations relating to workers' insurance funds?

Answer

With respect to the transfer of pension obligations, the Commission can, as a preliminary remark, refer to Decision 597/2006 of 10 October 2007 on the reform of the organisation of the supplementary pension regime in the Greek banking sector. In this decision the Commission concluded that the transfer of first pillar pension obligations from a special regime to the general social security regime did not involve State Aid within the meaning of Article 87(1) of the EC Treaty.

The Commission is currently examining a complaint in relation to the situation referred to by the Honourable Member alleging a violation of Directive 2002/14/EC⁽³⁰⁾. It has addressed a letter to the Greek authorities requesting further information in this regard. Moreover, the Commission is currently examining the possible State Aid issues that may arise in this particular situation referred to by the complainant.

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Question no 64 by Robert Evans (H-1007/07)

Subject: Aid to Bangladesh

In the wake of Cyclone Sihr on 15 November the European Union was one of the first organisations actually to deliver financial assistance to Bangladesh. Could the Commission detail what aid has been given since and what long-term plans are being considered?

Answer

Within hours of the cyclone striking, the Commission released € 1.5 million to address the most urgent needs of the victims, thus being among the first donors to commit funds to this humanitarian crisis. The four Non-Governmental Organisation (NGO) partners in this initial operation started their distributions of food and basic non-food items within a week of the cyclone striking. Early warning and evacuations programs (about 3,200,000 people evacuated) were triggered 24 hours before the cyclone hit, which greatly limited the number of casualties compared to other cyclones that had hit Bangladesh in the past decades.

Based on further information from the field describing considerable emergency humanitarian needs, the Commission approved a further emergency decision of € 5 million on 3 December 2007. This will be completed by a new emergency decision of € 1,925,000 under the 2007 budget, bringing the total allocation to the cyclone victims to more than € 8.4 million. The new funds are meeting vital needs for water, food, shelter, basic household items, emergency health care, improvement of water and sanitation conditions to avoid the spreading of water-born diseases, and to support livelihoods and early rehabilitation. Activities will be as usual implemented by the Commission's Humanitarian Aid Department's partners: NGOs, United Nations (UN) agencies and the Red Cross and Red Crescent Movement.

⁽³⁰⁾ Directive 2002/14/EC establishing a general framework for informing and consulting employees in the European Community, OJ L 80 of 23.3.2002.

The 4 NGOs contracted under the primary Emergency Decision of € 1.5 million have completed their operations. They have reached 278 000 persons with food, non-food items and improvement of water supplies. This aid had a tremendous impact on the local population.

However, the devastation brought by Cyclone Sidr is considerable with more than 8.5 million people affected including more than 2.6 million still needing emergency assistance; more than half a million houses have been destroyed as well as public infrastructure; crops and livestock destruction are also twice as large as initially estimated.

On 3 December 2007, at a meeting of the Head of Government of Bangladesh with the International Community, the longer-term reconstruction needs were confirmed at around USD⁽³¹⁾ 1 billion, mainly for infrastructure: coastal embankments, additional cyclone shelters, schools, roads and bridges as well as reforestation in the Sunderbans mangrove forest World Heritage Site.

The Commission remains fully mobilised through its Delegation in Dhaka working in a coordinated manner with the Government, and other aid agencies. A joint EC-World Bank-UN post-disaster damage and needs assessment, is to be undertaken by the end of 2007 or the beginning of 2008.

Under these circumstances, the Commission is looking into the possibility of allocating additional assistance to Bangladesh including additional humanitarian assistance. The Commission is also considering the use of the Instrument for Stability to support early recovery efforts. Another option may be to redirect or intensify ongoing activities in the 9 districts most affected by the cyclone in particular from current EC funded programmes in education, health and food security.

It is clear that Bangladesh – the most densely populated and one of the poorest countries in the world – will require sustained support for several years in order to address effectively the impact of Sidr and to further enhance preparedness for natural disasters in the context of the threat posed by climate change.

The Commission is the main donor in disaster preparedness in Bangladesh. € 5.9 million have been committed since 1994 in community-based projects in the framework of Disaster preparedness interventions (DIPECHO programme), which aim at strengthening the response capacities of the populations at risk. The Commission is contributing (€ 9 million) to the Government of Bangladesh's Comprehensive Disaster Management Programme.

This should soon be complemented by another contribution on climate change and disaster preparedness.

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Question no 65 by Jens Holm (H-1008/07)

Subject: Negotiations with the Community of Andean Nations (CAN)

The Commission is currently negotiating an association agreement with the CAN. According to the Latin-American negotiators, the Commission is insisting on the Andean countries signing a free-trade agreement that goes further in terms of liberalisation than the WTO and than the agreement with Chile in respect of, for example, intellectual property rights. At the same time, for the European negotiators, fulfilling the obligation to give special and differentiated treatment to all developing countries requiring such treatment means no more than giving the poor five or seven years to catch up.

Can the Commission say what qualitative measures it intends to take with a view to fulfilling this obligation to give developing countries special and differentiated treatment?

Can it confirm that it will not include the Singapore issues and the question of services in the negotiations?

Would it not agree that, if Chile and Mexico were unable to implement some sections of the agreement, countries such as Peru and Bolivia are hardly likely to be able to do so?

Answer

In accordance with the Negotiating Directives approved by the Council in April 2007, the Commission is currently negotiating an Association Agreement (AA) with the Andean Community of Nations (CAN), which

⁽³¹⁾ United States Dollar

will cover political dialogue, cooperation and trade relations. The latter part should aim to progressive and reciprocal liberalization, by means of an ambitious, comprehensive and balanced Free Trade Area, fully compliant with the rules and obligations of the World Trade Organisation (WTO) while going beyond the WTO's basic rules.

As a general principle, the Commission and the CAN have agreed that the AA, and particularly its trade part, will include asymmetries and special and differential treatment (SDT), both on a region to region basis where necessary and inside the CAN although limiting to a minimum differentiation of commitments between its countries. The precise content of this principle in each chapter of the future agreement is part of the negotiation, and has not yet been specified, but the Commission does not necessarily limit its scope to the calendar for trade in goods liberalization. The Commission is ready to examine any further suggestions from the CAN on the asymmetries and SDT which are compatible with the general objectives of trade liberalization and with WTO rules and obligations.

The Commission can confirm that trade in services and the so-called Singapore issues (trade facilitation, investment, government procurement and competition) are included in the negotiations, in accordance with the Council Directives and in full agreement with the CAN. The Commission is convinced that these issues are of utmost importance for the EU but also for the CAN regional integration process and the sustainable development of its members.

The Commission considers that the EU-Chile and EU-Mexico Agreements have been implemented successfully by its partners in all areas covered, and does not see any reason a priori why this should not be possible for the member countries of the CAN in a future Association Agreement. Of course, appropriate support and cooperation will be provided, particularly in terms of institutional and technical capacities.

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Question no 66 by Anne E. Jensen (H-1009/07)

Subject: Interpretation of VAT Directive

The Court of Justice has ordered Denmark (Case C-382/02) to amend its legislation concerning VAT on the sale of aircraft, fuel supplies for aircraft and supplies to flying schools. The grounds for the decision are that the Danish rules are contrary to Article 15, paragraphs 6, 7 and 9 of Council Directive 77/388/EEC⁽³²⁾.

The UK, however, continues to have VAT-free supplies to aircraft and exemption from VAT on the sale of aircraft to private individuals.

Will the Commission say on what basis in Community law a country, such as the UK, may grant VAT exemption on sales of aircraft to private individuals and on supplies to airlines which primarily operate domestic routes?

Answer

Article 148 of Directive 2006/112/EC⁽³³⁾ ("the VAT Directive"), in connection with Article 169(b) thereof, provides for an exemption with deductibility of the VAT paid at the preceding stage ("zero rate") for, inter alia, the supply of aircraft "used by airlines operating for reward chiefly on international routes". It is clear that on the basis of this provision no Member State is allowed to grant a zero rate to supplies of aircraft made to private individuals and/or to airlines operating chiefly on domestic routes.

Other transitional provisions of the VAT Directive (such as, for instance, Article 110 or Article 371, in connection with category (11) of Annex X, Part (B) thereof) do not seem capable either of covering as wide an application of the zero rate as the one allegedly taking place in the United Kingdom. For this reason, the Commission intends to contact the United Kingdom authorities as regards their present VAT treatment of aircraft.

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⁽³²⁾ OJ L 145, 13.6.1977, p. 1.

⁽³³⁾ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax, OJ L 347 of 11.12.2006. This Directive has recast and abolished the Sixth VAT Directive as of 1 January 2007.

Question no 67 by Seán Ó Neachtain (H-1013/07)**Subject: Promoting aquaculture in Europe**

Can the Commission state what new initiatives it intends to pursue this year so as to promote a greater level of economic activity in the field of aquaculture in Europe?

Answer

The Commission is of the view that aquaculture, as a high quality food industry, is of strategic importance if the increasing demand for healthy seafood is to be met. Therefore, as already announced in its Legislative and Work Programme for 2008⁽³⁴⁾, the Commission intends to adopt in 2008 a Communication on Sustainable Development of Community Aquaculture as a priority initiative.

Given that the growth objectives of the 2002 strategy for aquaculture⁽³⁵⁾ have not been fully met, the primary aim of this Communication will be to identify and address the main challenges hampering sustainable growth of this economic activity. Based on a wide consultation that began in 2007, it will seek to assess which role should be played by all actors concerned, in particular by public authorities, to promote and provide an adequate business and regulatory framework to encourage entrepreneurship and innovation and ensure compliance with high environmental and public health standards. It is however too early to say which precise actions may be identified in this context.

In 2008, the Commission also intends to adopt implementing rules for two important Council Regulations that were adopted in 2007 on the use of alien and locally absent species in aquaculture⁽³⁶⁾ and on the organic production and labelling of organic products, including aquaculture products⁽³⁷⁾.

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Question no 68 by Eoin Ryan (H-1015/07)**Subject: Regulatory controls in Europe**

Can the Commission state what mechanisms it has in place so as to ensure and guarantee that the Commission does not bring forward unnecessary or unwarranted proposals to regulate the operation of the European economy?

Answer

The Commission wishes to reassure the Honourable Member of its strong commitment to the full implementation of its Better Regulation strategy. Transparency and high quality analysis are key components of the Commission's impact assessment system which constitutes a fundamental instrument for developing sound legislative proposals. Its aim is to ensure that only such proposals that bring added value and comply with the subsidiarity principle are put forward and tailored to meet the policy objective most effectively. If those criteria are met, further checks and balances exist to ensure that all proposals are proportionate and effective in addressing the identified problem. For example, since March 2006 the Impact Assessment Guidelines request the use of the Standard Cost Model for identifying any impacts related to possible administrative burdens.

The Commission is committed to produce, in principle, impact assessments for every initiative on its Legislative and Work Programme. Moreover, an increasing number of other initiatives are accompanied by an analysis proportionate to their impacts. Impact assessment allows the Commission to carefully assess different policy options by drawing on the results of stakeholder input. Public consultations are always compliant with the Commission's Minimum Standards for Consultation which include a proactive approach to ensuring that stakeholders are given the opportunity to share their expert opinions. Furthermore, the newly established Impact Assessment Board provides independent quality support and control for impact

⁽³⁴⁾ COM(2007)640

⁽³⁵⁾ COM(2002)511

⁽³⁶⁾ Council Regulation (EC) N° 708/2007

⁽³⁷⁾ Council Regulation (EC) N° 834/2007

assessments prepared by the Commission. In some cases, the impact assessment has led to a decision not to put forward an EU policy initiative.

It is important to underline that the aim of an impact assessment is to provide political decision-makers with a full and objective picture of all potential impacts and to highlight any trade-offs and synergies. The final decision remains of course a political one and is taken in the normal inter-institutional process. As part of this process, the Commission, the Parliament and the Council agreed an inter-institutional Common Approach to Impact Assessment.

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Question no 69 by Liam Aylward (H-1017/07)

Subject: CAP payments to Irish and European farmers

Does the Commission not recognise that EU leaders gave clear guarantees to Irish and European farmers concerning the level of CAP payments farmers would receive for the period 2007 - 2013?

Is it not the case then that the Commission should not be allowed to re-open the financial commitments given to Irish and European farmers for the period 2007 - 2013 in the context of the CAP Health Check 2008?

Answer

The European Council in October 2002 set a ceiling, which ensured a financial resource perspective for the Common Agricultural Policy's (CAP) First Pillar (market measures and direct aids expenditure) for the period 2007-2013. The 2003 CAP Reform was adopted by the Agriculture Council in June 2003 in full respect of that financial framework. At the European Council in December 2005 that agreed ceiling for First Pillar remained untouched, with the exception of the integration of expenditure for Bulgaria and Romania (phasing in) under the ceiling, while the net effect on Second Pillar funding was a reduction.

The Commission considers that the new challenges stemming from the issues identified in the Communication "Preparing for the Health Check of the CAP Reform"⁽³⁸⁾ make a further strengthening of the Second Pillar (rural development measures) necessary within the current financial perspectives, in particular in the light of the current constraints that Member States are facing. Reinforcement is also necessary in order to respond to the need for increased efforts in innovation to address those new competitive and environmental challenges. With the CAP budget now fixed until 2013, a strengthening of Pillar II funds could only be achieved through increased compulsory modulation.

During 2008 the Commission will further develop its approach to the budgetary review 2008/2009 as set in the Communication "Reforming the budget, changing Europe"⁽³⁹⁾. The "Health Check" of the CAP contributes to the discussion on future priorities in the field of agriculture and aims to prepare EU agriculture to adapt better to a rapidly changing environment. It therefore does not represent a re-opening of the financial commitments regarding the CAP and does not prejudice the outcome of the budget review.

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Question no 70 by Pilar del Castillo Vera (H-1018/07)

Subject: EU-Africa Summit

In the context of the EU-Africa summit and the pledges of cooperation to use science and investment to tackle water-related challenges, which practical science-based joint measures does the Commission envisage to address the need for greater water security and higher standards of hygiene and to positively impact upon climate change?

⁽³⁸⁾ COM(2007) 722

⁽³⁹⁾ SEC(2007) 1188

Answer

Water research has been a major component of successive EU environmental research programmes for over three decades. Research activities with a strong international co-operation component have been funded under the 6th Research and Technological Development (RTD) Framework Programme (FP6) to support the objectives of the EU Water Initiative and the water related Millennium Development Goals (MDGs) and World Summit on Sustainable Development (WSSD) targets. They address, through integrated research approaches, the multi-dimensionality of water governance (participatory approaches, socio-economic and gender aspects, institutional frameworks...), promote capacity building through on-the-job training and awareness and better knowledge and innovation management in developing countries. Furthermore, regarding impact of climate change, some FP6 research projects analyse, quantify and predict the components of current and future global water cycle, evaluating uncertainties and clarifying the overall vulnerability for water resources. Stakeholders and public at large are part of research planning and implementation right from the start in most of these projects to ensure applicability and uptake of the research results.

For instance, the NEWATER project⁽⁴⁰⁾ addresses the transition from currently prevailing regimes of river basin water management into more integrated and adaptive regimes to global changes in the future. NEWATER is focussing its work in seven international transboundary catchments (two of them being in Africa) giving special attention to the EU Water Initiative. The ANTINOMOS project⁽⁴¹⁾ devotes attention to link state-of-the-art technological advancement in water supply and sanitation with local resources and grassroots innovations. The NETSSAF project⁽⁴²⁾ aims to develop a participative multi-stakeholder sanitation management support tool aimed for the end-users to be able to apply large scale sanitation concepts and technologies adapted to the different conditions prevailing in Africa. Through the TECHNEAU project⁽⁴³⁾, the development and application of innovative and cost effective European strategies and technologies for safe drinking water supply is going to be stimulated. Based on experiences and trends in different representative European regions and in sub-saharan Africa, TECHNEAU addresses the tremendous challenges that face the water supply sector worldwide (climate change, new emerging contaminants, aging infrastructures, shortage of good quality and readily treatable resources and more demanding regulators and consumers needs) with emphasis on adaptive strategies, novel technologies and operational practices. The SWITCH project⁽⁴⁴⁾ addresses the problems that increasing global change pressures, escalating costs and other risks inherent to conventional urban water management, are causing to major cities in the world (two of them situated in Africa). The SWITCH program is centred around the concept of city based learning alliances and demand driven research and demonstrations. Learning alliances aims to link up stakeholders at city and global level to interact productively and to create win-win solutions along the water chain, foster a new form of "demand-driven" research through close collaboration with local stakeholders, improve the communication between water sector institutions in the demonstration cities, increase the transparency and scientific basis for decision making processes, help to break down the political barriers to solving global urban and water issues, allow better representation of all stakeholders in the decision making processes and show to other sectors (public health management, agriculture, spatial planning, etc.) that using the learning alliance approach is feasible and results in more rapid adoption. Finally, the ROSA project⁽⁴⁵⁾ promotes resource-oriented sanitation concepts as a route to sustainable and ecologically sound sanitation in order to meet the Millennium Development Goals. These concepts are applied in four cities in East-Africa.

The Research Component of the EU Water Initiative provides a platform for pooling together research activities interlinked both at EU level, through continued support by the Directorate General Research Framework Programme, and at the Member States level, through the European Research Area Network

⁽⁴⁰⁾ New approaches to adaptive water management under uncertainty (<http://www.newater.info>)

⁽⁴¹⁾ A knowledge Network for solving real-life water problems in developing countries:

Bridging contrasts

(http://cordis.europa.eu/fetch?CALLER=FP6_PROJ&ACTION=D&DOC=1&CAT=PROJ&QUERY=1199795693014&RCN=81285)

⁽⁴²⁾ Network for the development of sustainable approaches for large scale implementation of sanitation in Africa (<http://www.netssaf.net>)

⁽⁴³⁾ Technology enabled universal access to safe water (<http://www.techneau.org>)

⁽⁴⁴⁾ Sustainable Water management Improves Tomorrow's Cities' Health (<http://www.switchurbanwater.eu>)

⁽⁴⁵⁾ Resource-oriented sanitation concepts for pre-urban areas in Africa (<http://rosa.boku.ac.at/>)

(ERA-NET) scheme. The AFRICAN WATER project⁽⁴⁶⁾ helped several EU Member States to establish a framework for the long term improvement in the involvement of African researchers in water research and fulfil their political commitments to strengthen African water research capacity. This leads to a successful ERA-NET project (SPLASH)⁽⁴⁷⁾ which was funded under FP6. The ERA-NET consortium comprises 15 research programme owners/managers from 11 countries and aims to improve communication, collaboration and coordination of national research programmes in order to increase their reduce duplication and repetition and enhance synergies between EU-funded RTD and national research programmes by Member States.

Efforts continue under the 7th Framework Programme (FP7). In this process, FP7 places important emphasis progressing on the analysis of impacts of global change on water resources and its availability in quantitative and qualitative terms. Moreover, actions addressing water security are contemplated in different aspects.

As example, in the 1st call of FP7 research projects are already under negotiation in this field. Some of these are; i) assessing climatic change and impacts on the quantity and quality of water specifically in vulnerable mountain regions, ii) bridging the gap between adaptation strategies of climate change impacts and European water policies, and iii) assessing research needs and policy choices in areas of drought.

Furthermore, for the coming years there are planned activities exploring changes in extreme hydrological events in Europe and associated impacts on the water cycle (including related global threats on regional/global water security).

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Question no 71 by Giorgos Dimitrakopoulos (H-1019/07)

Subject: European air transport policy and Ryanair's company policy

Will the Commission explain to what extent Ryanair's ticket price policy is having a detrimental impact on healthy competition in the air transport sector? To what extent is it endangering passenger safety by using - according to the company's own press releases of 8 November 2007, 22 November 2007 and 28 November 2007, for example - 'regional and secondary airports' whose safety standards are under investigation? In the light of these points, does the Commission consider that the company is in a position to meet safety standards in general?

Answer

According to the applicable legislation to the Air Transport Single market, in particular on fares, airlines are free to decide on the fares they apply. It does not appear that Ryanair's ticket price policy is having a detrimental impact on healthy competition in the air transport sector. The business model it applies is well-known and based on reducing at a maximum the costs for the airline and targeting a very high load factor on point to point routes.

The Commission is not aware of allegedly lower safety standards of regional and secondary airports and related investigations.

With regard to the air safety of the carrier "Ryanair" it must be noted that the operator's license and the Air Operator Certificate of that company is issued by the State of Ireland which executes the related oversight.

Based on the data available today, to include the results of Ramp Inspections performed in the scope of the European SAFA⁽⁴⁸⁾ programme, the Commission received no indication of adverse air safety aspects by the operator in question.

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⁽⁴⁶⁾ Action to promote involvement of African water researchers in the Framework Programme (<http://www.africanwater.net>)

⁽⁴⁷⁾ Coordinating European water research for poverty reduction (<http://www.splash-era.net>)

⁽⁴⁸⁾ Safety Assessment of Foreign Aircraft Programme.

Question no 72 by Athanasios Pafilis (H-1020/07)**Subject: Concentration of hexavalent chromium in drinking water**

The answers given to my questions H-0663/07⁽⁴⁹⁾ and H-0775/07⁽⁵⁰⁾ on hexavalent chromium in drinking water are not entirely clear. What is the Commission's definitive opinion on the use of drinking water containing 1-50 mg/l of hexavalent chromium? The Commission also states that the results of several studies carried out in the USA into the ingestion of hexavalent chromium are pending. However, the document 'Toxicological Profile for Chromium' (US Department of Health and Human Services, September 2000, p. 329) quotes the figure of 0.05 mg/l of hexavalent chromium as the European standard for drinking water with reference to WHO publications (1970, 2nd ed. Geneva 33, 'European Standard for Drinking Water' and 1988, ed. Geneva 197, 'Environmental Health Criteria: Chromium 6'). In Regulation (EC) No. 1907/2006⁽⁵¹⁾ (REACH), hexavalent chromium and its compounds are classified as PBTs in Annex XVII.

In the light of this additional data, does the Commission persist in refusing to recognise the limit of 0.05 mg/l for hexavalent chromium in drinking water? Does it consider it necessary to take exceptional measures with regard to the distribution and consumption of drinking water containing 8-15 or 50 mg/l of hexavalent chromium, as in the case of the River Asopos?

Answer

The Commission does recognise the maximum concentration of 0.05 mg/l of chromium in drinking water. The Drinking Water Directive⁽⁵²⁾ specifies that the limit value for chromium (all valences confounded) in drinking water is 50 µg/l, which is identical to 0.05 mg/l. The current Drinking Water Directive parameter value for chromium is based on the World Health Organisation (WHO) Guidelines of 1992, and the WHO 2004 Guidelines did not introduce changes in relation to chromium.

The Drinking Water Directive's limit value applies to drinking water as it is delivered to the consumers (at the tap) and not to river water.

As regards the presumed pollution of the Asopos River, the Commission launched an own initiative investigation with the purpose of verifying whether Greece complies with its obligations under EC environmental law. The Commission has addressed a letter to the Greek authorities requesting to be informed in detail on the actions taken. The Commission is assessing all information available and will take all necessary measures, including, if appropriate, the initiation of an infringement procedure, to ensure that EC environmental legislation is complied with.

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Question no 73 by Jacky Hénin (H-1021/07)**Subject: Dangers of self-declaration for dangerous goods**

Flows of dangerous goods transported through the European Union are constantly increasing. In the period 1990-2002, there was a rise of 13%, with an increase in particular in dangerous goods carried by road (+27.4%) and also in waterway and maritime transport of goods (+11.1%). Transport operators are pressing for self-declaration for dangerous goods to become the norm. That would increase the risk of disasters occurring. The European Union has a responsibility here. It must take all necessary preventive measures.

Does the Commission not intend to ban all forms of self-declaration for dangerous goods carried on Union territory, soundly applying the precautionary principle?

Answer

The European legislation on the transport of dangerous goods does not contain the concept of 'auto-declaration'. It does, however, impose on consignors and transport operators the obligation to transport dangerous goods in full respect of the rules which include classification, packaging, labelling, documentation

⁽⁴⁹⁾ Written answer of 25.9.2007.

⁽⁵⁰⁾ Written answer of 23.10.2007.

⁽⁵¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽⁵²⁾ Council Directive 98/83/EC, OJ L 330 of 5.12.1998.

and vehicle construction requirements. Respect of these rules is controlled by the national authorities. Regarding roadside controls, it is worth mentioning a recent Commission report⁽⁵³⁾.

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Question no 74 by Mikel Irujo Amezaga (H-1024/07)

Subject: Transposition in Spain of the Directive on the re-use of public sector information

Spain transposed Directive 2003/98/EC⁽⁵⁴⁾ belatedly through Law 37/2007. Article 7(3) of this Law states that if a public sector authority or body re-uses documents as a basis for commercial activities unrelated to the duties assigned to it, the provision of documents for these activities should be subject to the same public fees and conditions applicable to other users.

Does the Commission consider this paragraph to be in line with the Directive?

Moreover, does the Commission not consider that the Directive could be applied by some Member States in such a way as to render services that have thus far been free of charge subject to payment? Is the Commission aware of this having occurred in any of the Member States?

Answer

National legislation implementing the Directive in Spain was adopted on 16 November 2007 and will enter into force on 17 January 2008.

The Commission would first like to underline the main objectives of the public sector information Directive. The Directive aims at making public sector information widely available for re-use in the information economy. This is the case for example in mapping and car navigation services. Key aspects are facilitating cross-border re-use of public sector information and limiting distortions of competition. The Directive's core provisions regulate in particular non-discrimination, upper limits for charging, transparency and practical tools to easily find and re-use public documents.

The first part of the question concerns essentially the implementation into national law of Article 10 (2) of the Directive. This Article precludes cross-subsidies in situations where public sector bodies exercise, in addition to their public tasks, purely commercial activities. As an example one could mention a public sector body that produces basic data and that also sells added-value products in competition with other economic operators. This is the case in several Member States in sectors such as geographic or meteorological information. To avoid a distortion of fair competition, the competitors should be able to re-use the basic data under the same conditions as the commercial branch of the public sector body.

The Spanish implementation law addresses the above described cross-subsidy issue regulated by Article 10 (2) of the Directive in terms close to those of the Directive.

The second part of the question refers to the possibility that Member States apply the Directive in a way that renders services that so far have been free of charge subject to payment. The Commission is not aware of concrete situations where this would have happened and it is certainly not intended by the Directive. Indeed, the Directive calls upon Member States to promote a wide re-use of public sector documents. In its Preamble it encourages Member States to make documents available at marginal costs or at no charges at all. For situations where charges are made, the Directive fixes conditions and an upper ceiling to admissible charges.

The Commission services are carefully following the implementation and application of the Directive in the Member States. There are encouraging examples where re-use of public sector information has increased and new innovative services have been created, for the benefit of European businesses and citizens alike. The Commission will carry out, in accordance with article 13 of the Directive, a review of its application in 2008.

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⁽⁵³⁾ COM(2007)0795 – Report from the Commission to the European Parliament and the Council on the application by the Member States of Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road.

⁽⁵⁴⁾ OJ L 345, 31.12.2003, p.90.

Question no 75 by Johan Van Hecke (H-1026/07)**Subject: A new European radio station**

There are plans for a European Radio Station which, as from April 2008, will broadcast programmes from a European point of view. Initially, it is expected to broadcast half an hour of political news each day, report on major European cultural events and also broadcast a weekly background magazine.

Although a pan-European radio station is a most laudable initiative, the Commission is allocating rather a lot of money to it. The new station is to receive € 5.8 m per annum in subsidy for five years. That is equivalent to some € 15 890 per day.

Does the Commission consider this sum justified, and can it explain the fact that in return for this money the station will not be broadcasting in the languages of all the countries? Dutch would only be added in 2009, although both a Dutch and a Belgian station are members of the consortium of radio stations which is organising the project.

Answer

On 14 December 2007, the Commission signed a one year service contract (renewable 4 times) with a consortium of 16 European radios (and 7 associated members).

In the first year, the amount allocated to the consortium will permit the 16 radios to broadcast 45 minutes of EU information per day. This put the hourly broadcasting cost to €1,377, probably the lowest cost on the radio market. The consortium will produce and broadcast 4,200 hours of programmes on EU affairs in 10 EU languages. Full editorial independence is guaranteed in the contract.

The estimated daily outreach of these programmes will be 19 million Europeans and 50 million people in the rest of the world. The radio broadcasting will be complemented by a multilingual Internet portal, with sound, pod-casting and other technical facilities and information services to the auditors available on demand. The webpages are expected to be viewed approximately 60-80 million times a month.

The consortium will have an open character, with new members accepted, if fulfilling the admission criteria defined by contract. The aim is to attract at least one radio operator by EU Member State and as many associated members as possible. Thus the number of languages covered will increase each year to cover all the 23 EU official languages in 2012. In parallel, the number of hours broadcast should grow regularly as members and associated stations will increase the adaptation of programmes in their respective languages.

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Question no 76 by Stavros Arnautakis (H-1030/07)**Subject: Difficulties in incorporating island communities into the European Union single market**

The single market is a fundamental economic instrument at the service of European Union citizens and regions. Today it is being called upon to give fresh impetus to Europe, helping it to meet the challenges of globalisation, contribute to development and employment, ensure fair prices for manufacturers and consumers and deal with social and environmental problems.

In the context of its comprehensive internal market review, how does the Commission intend to respond to the continued exclusion of EU islands (in particular small and medium-sized islands) and the residents thereof, including both producers and consumers, thereby denying them access to European markets?

Answer

The 4th Report on Economic and Social Cohesion⁽⁵⁵⁾ – adopted by the Commission on 30 May 2007 – confirms the importance the Commission attaches to achieving greater territorial cohesion in Europe and to the particular difficulties certain territories are facing. Among other things, the report draws attention to the challenges and opportunities arising in the territories with specific natural handicaps.

Already, the Cohesion Report has raised a series of questions as a basis on which to launch the discussion on the future of the policy. Among the questions, the Commission asks "How can cohesion policy better

⁽⁵⁵⁾ COM (2007)0273 final.

promote harmonious, balanced and sustainable development taking into account the diversity of EU territories, such as least favoured areas, islands, rural and coastal areas but also cities, declining industrial regions, other areas with particular geographic characteristics?”. The Commission is looking forward to receiving many responses to this important question and will report on the results in the context of the 5th Progress Report on Cohesion due for spring 2008.

The new regulations for 2007-2013 and the Community Strategic Guidelines contain explicit provisions for areas with geographical and natural handicaps; they thus provide the basis for progress in addressing territorial specificities in programming documents. During the informal ministerial meeting which took place in Leipzig at the end of May 2007, the Commissioner in charge of Regional Policy presented a document which assesses the way in which national strategies for 2007-2013 propose to tackle territorial issues. One of her observations was that only a few Member States set clear and explicit interventions for specific types of territories (i.e. mountainous, coastal, insular, sparsely populated areas). The Ministers present at the meeting requested the Commission to develop this analysis and to present a report on territorial cohesion in 2008.

The Commission thus will present in September 2008 a Green Paper on territorial cohesion will seek to provide an overall and coherent view of territorial challenges, including those specific to mountains, islands and other areas facing geographical difficulties. In that context, the Commission intends to look at how different sector policies such as transport address the issue of territorial cohesion. A comprehensive approach is needed in order to offer a sound basis for Community policies, and cohesion policy in particular, and to provide the appropriate answers to the need for harmonious and balanced development of the Union. This common vision is essential for avoiding the fragmentation of European policies while taking into account the specificities of the concerned areas.

The Green Paper will firstly provide an updated analysis on disparities in the European territory and on specific territorial features. It will discuss the definition and use of concept at the European and the Member States level (legal matters, implementation issues as linked to a survey sent to the Member States, as well as the territorial dimension of the National Strategic Reference Framework Operational Programmes). It will finally propose some questions for debate. Islands and mountain areas will have an appropriate place in this work.

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Question no 77 by Diamanto Manolakou (H-1033/07)

Subject: Plans to incinerate refuse derived fuels (RDF) a public health hazard

Plans by AFET-LAFARGE to operate a system for incinerating standardised refuse and factory waste (RDF), following a favourable opinion from the Greek Government, have met with total opposition from the inhabitants of Aliverion. The combustion process is to be supplemented by soap oil, tyres, waste from Psytalia and other materials. Scientific bodies and studies underscore the risks to public health and the environment ensuing from the pollutant gases produced by the incineration of waste (carcinogens, contribution to the greenhouse effect).

Does the Commission know whether environmental impact studies have been carried out with a view to AFET-LAFARGE operating an RDF system and, if so, whether they are consistent with Community legislation? Does it consider such an activity to be compatible with the endeavour to reduce greenhouse gas emissions and has it been asked to co-finance the programme concerned?

Answer

The co-incineration of waste in cement plants is covered by the Waste Incineration Directive 2000/76/EC⁽⁵⁶⁾. The aim of this Directive is to prevent or to limit negative effects on the environment and the resulting risks to human health from the incineration and co-incineration of waste. In order to achieve this aim, the Directive includes stringent operational conditions and technical requirements, as well as emission limit values and monitoring requirements for such plants. The requirements set for co-incineration plants ensure that an equivalent level of environmental protection is achieved as for dedicated waste incinerators.

⁽⁵⁶⁾ OJ L 332, 28.12.2000

In addition to the requirements of the Waste Incineration Directive, all cement kilns with a production capacity exceeding 500 tonnes per day are also subject to Directive 96/61/EC⁽⁵⁷⁾ concerning integrated pollution prevention and control (IPPC).

The AFET-LAFARGE installation falls within the scope of the IPPC Directive and must therefore comply with all of its requirements. It should be stressed that the installation disposes of an environmental permit issued on the basis of the national legislation transposing the IPPC Directive and Directive 85/337/EEC on the environmental impact assessment⁽⁵⁸⁾. In addition, it should be mentioned that the Decision approving environmental conditions⁽⁵⁹⁾ for the operation of the waste water treatment plant of Psitalleia⁽⁶⁰⁾ provides for possible ways of dealing with the dried sludge produced, including incineration.

The competent authorities have to ensure that these installations are operated in such a way that all the appropriate preventive measures are taken against pollution, in particular through the application of the Best Available Techniques (BAT).

The permits for IPPC installations should include emission limit values for all relevant polluting substances, based on the BAT. These limit values may be more stringent than those required under the Waste Incineration Directive and may be set for further polluting substances. The BAT are determined at EU level through an information exchange between experts, leading to the adoption by the Commission of the BAT reference documents, better known as the BREFs. The 31 BREF documents are publicly available on the website of the European IPPC Bureau.

The BREF on the manufacture of cement was the first one to be adopted in 2001. This BREF document is currently under revision and the updated version will in particular contain new information on the use of waste in cement kilns. It will also include new conclusions on the BAT for this activity.

The co-incineration of waste in cement kilns, when operated in compliance with EU environmental legislation, will not lead to an overall increase of greenhouse gas emissions. The use of waste derived fuels reduces the need to burn conventional fossil fuels in these installations, which, in the case of biomass waste, will also reduce the CO₂ emissions.

The Commission has not been asked to co-finance the programme for co-incineration of RDF⁽⁶¹⁾ at the AFET-LAFARGE installation.

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Question no 78 by Ivo Belet (H-1036/07)

Subject: Ijzeren Rijn

In accordance with the Community guidelines for the development of a trans-European transport network which were adopted in 2004, the Ijzeren Rijn project is part of a priority project: to be specific, it forms part of Priority Project No 24 (Lyon/Genoa-Basel-Duisburg - Rotterdam/Antwerp railway line).

The list of projects selected for financing in the period 2007-2013 which the Commission announced on 21 November does not include the Ijzeren Rijn project.

Although the implementation of a project depends on a sovereign decision by the Member States concerned, the Commission has committed itself to 'doing everything in its power to ensure that the project is implemented in accordance with the guidelines' (reply to Question H-0759/06⁽⁶²⁾). What further action will the Commission take on its earlier commitment?

⁽⁵⁷⁾ OJ L 257, 10.10.1996

⁽⁵⁸⁾ OJ L 175, 5.7.1985

⁽⁵⁹⁾ Decision approving environmental conditions

⁽⁶⁰⁾ 133725/7.8.2003, as modified by the Decisions 147363/18.8.2005 and 125982/27.2.2007

⁽⁶¹⁾ Refuse Derived Fuels

⁽⁶²⁾ Written answer of 26.9.2006.

Is the Commission also considering appointing a coordinator for this project who will facilitate dialogue among the Member States concerned and can thus ensure that the work is carried out?

Is there now no longer any prospect that the IJzeren Rijn project will receive any European funding for the period 2007-2013?

Answer

Contrary to the honourable Member's claim, the IJzeren Rijn project is in fact included in the list of projects selected for Community financing as part of the trans-European networks for the period 2007-2013, presented to the Member States by the Commission on 28 November 2007. The list of projects was also announced by the Vice-President responsible for transport at a joint meeting of Parliament's Committee on Budgets (BUDG) and Committee on Transport and Tourism (TRAN) on 21 November 2007.

The Commission's decision, which will be adopted once Parliament has exercised its right of scrutiny, is due at the beginning of 2008.

Financing totalling €7.29 million, which corresponds to 50% of the eligible costs of the studies proposed, appears in this list as project number EU-24090.

Priority Project 24 (Lyon/Genoa-Basel-Duisburg-Rotterdam/Antwerp railway line) is also monitored by Mr Vinck, the European coordinator for the European Rail Traffic Management System (ERTMS).

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Question no 79 by Saïd El Khadraoui (H-1039/07)

Subject: Complaints concerning Regulation (EC) No 261/2004 on air travellers' rights

On 4 April 2007 the Commission published a progress report (COM(2007)0168) on the implementation of Regulation (EC) No 261/2004⁽⁶³⁾ on the rights of air travellers. It is clear from the report that implementation of the Regulation in the Member States leaves a lot to be desired. The Commission announced in the report that it would be taking measures to reinforce compliance with the rules. In the meantime, figures from various quarters have been published on the number of complaints by passengers. According to answer P-1880/06 to a written question by myself, there was a total of 3 488 complaints to the Commission in 2005. The Commission's progress report (COM(2007)0168) reported 18 288 complaints collected by the Member States.

In a report of 6 December 2007, the European Consumer Centre Network noted an increase from 1 521 to 2 979 complaints, i.e. almost a doubling of the number. I therefore wish to ask the Commission how far it has come with the measures to strengthen compliance with Regulation (EC) No 261/2004 announced in the progress report. Does it plan legislative initiatives in this connection? What is the number, and the nature, of the complaints received by the Commission and the Member States? Has the Commission collated the fragmentary information currently held about complaints? What measures does the Commission intend to take in the short term to enforce better compliance with Regulation (EC) No 261/2004 by the Member States?

Answer

On the complaints received by the Member States, Regulation 261/2004 does not require Member States to give data on complaint handling to the Commission. The Commission therefore has no information on the number of complaints received by National Enforcement Bodies in 2007.

On the complaints received by the Commission, the Directorate General for Energy and Transport received 3819 in 2006, and in 2007 had received 2180 until the end of November.

On 4 April 2007⁽⁶⁴⁾, the Commission concluded in its Communication that improvement of the level of application by airlines and enforcement by the National Enforcement Bodies is necessary. Difficulties are due to a lack of harmonised procedures for enforcement and some unclear parts of the Regulation, such as

⁽⁶³⁾ OJ L 46, 17.2.2004, p. 1.

⁽⁶⁴⁾ COM(2007)0168.

on delays and cancellation, departures from non-EU countries, downgrading and information provision to volunteers for denied boarding.

To rectify these weaknesses, the Commission organised six meetings with the National Enforcement Bodies and airline industry in 2007. These resulted in:

agreement on who is responsible for what when it comes to complaint handling and exchanging information, clarification of parts of the relevant legislation where possibilities for different interpretations exist.

In addition, the Commission is analysing national measures introduced to enforce Community law on air passenger rights to check that appropriate measures are in place.

At the same time in cooperation with National Enforcement Bodies and the airline industry a standard EU Air Passenger Complaint Form has been created. This will be available to the public in early 2008. Information material for passengers on their rights has been redesigned, allowing further clarification.

The outcome of cases concerning the definition of long delays and cancellation currently before the European Court of Justice should also help to give a clear interpretation of the relevant texts.

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Question no 80 by David Martin (H-1040/07)

Subject: Fresh chicken

Is the Commission aware that supermarket chicken is often months old? Does the Commission agree that a tighter definition of 'fresh chicken' is necessary?

Answer

Poultry meat is the only meat for which detailed "marketing standards" as such exist.

Marketing standards provide a clear and strict definition⁽⁶⁵⁾ of "fresh poultry meat". According to it, fresh poultry meat is to "be kept at a temperature not below -2°C and not higher than 4°C at any time."

Therefore it is not permitted to defrost poultry meat and then sell it as "fresh".

However, the Commission acknowledges that a rewording of the definition would be useful in the future to guarantee that it is not subject to different interpretations in different Member States.

In this respect, the Commission is currently preparing a modification of the poultry meat marketing standards regulations.

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⁽⁶⁵⁾ See Article 2 (5) Council Regulation (EEC) No 1906/90 of 26 June 1990, OJ L173, 6.7.1990.