

MONDAY, 20 SEPTEMBER 2010

IN THE CHAIR: Jerzy BUZEK

President

(The sitting was opened at 17:00)

1. Resumption of the session

President. – I declare resumed the session of the European Parliament adjourned on Thursday, 9 September 2010.

2. Tribute

President. – First of all, I regret to have to inform Parliament of the death of Mr Egon Klepsch, the President of the European Parliament from 1992 to 1994. Mr Klepsch spent most of his professional life working towards a united Europe. He was a Member of this House for over two decades, or, in other words, nearly five parliamentary terms. I would like to ask you for a minute's silence in memory of Mr Klepsch.

(The House rose and observed a minute's silence)

I would also like to inform you that there is a book of condolence available where you may write your messages of condolence.

3. Announcement by the President

President. – As you know, a large number of French trade unions have officially announced their intention to strike on Thursday, namely, on 23 September 2010. The strike action will include public transport workers and will begin on Wednesday, 22 September, at 22:00. We have also received information that the strike may even start two hours earlier, namely at 20:00. The Conference of Presidents has decided that Parliament will follow its normal work schedule and that this month's part-session will end, as planned, after the vote on Thursday.

The strike will have an impact on air and rail services, as well as public transport services, including buses and trams, in France. It may, therefore, become impossible to ensure the same access to transport that we have enjoyed to date. However, we have taken all the necessary measures to provide you with transport which will enable you to return home. The first arrangements have been made, although there are more to come.

The initial arrangements are as follows. The chartered Thalys train will circulate as usual, and the bus shuttle service between the European Parliament and the train station will be guaranteed. That has already been arranged. Travel to various airports outside of French territory will be provided by our services. The College of Quaestors has already issued a communication containing details of additional resources to allow the current travel restriction of 20 km for vehicles used on official business to be lifted, in order to facilitate travel to airports in Switzerland and Germany. The 20 km limit which applies to the European Parliament's official vehicles will therefore be lifted. You will be able to travel further in those vehicles. The Strasbourg municipal authorities will make an announcement this week and will keep MEPs up to date on all alternative means of transport.

The Bureau of the European Parliament will meet today at 18:30. We will discuss, step by step and in detail, how we can best ensure that Members can travel from the European Parliament in Strasbourg to their homes. You will receive an e-mail containing information on this issue tomorrow morning. If we receive any new information, I will contact you again on Wednesday morning. The first in-depth information will be sent to you by e-mail before noon tomorrow and you may receive additional information on Wednesday morning. If we receive any information from the Strasbourg municipal authorities, I will also pass it on to you immediately. We will continue to monitor the situation in order to ensure that you get home without difficulties. I would like to remind you that this information is preliminary. We will provide you with further information tomorrow and the following day.

John Bufton (EFD). – Mr President, thank you for the announcement you made today. People across the whole of Europe and, in particular, in my country, the United Kingdom, will be appalled at what a mess we are in. We come to Strasbourg once a month – twice this month – to sit, which is a complete and utter farce. The voting could take place quite easily in Brussels when we are there. The extra cost every time we come is millions and millions of euros, throughout a period of time. Surely the time has now come for us to wake up – for you to wake up, and for this Parliament to wake up – to the fact that we should not meet in this place at all.

(Applause)

President. – I would like to point out to my fellow Member that the matter is unrelated to today's discussion. We are discussing technical matters, namely how to reach our destinations on Thursday. The issue you have raised is an entirely different problem. It relates to the treaties, to agreements within the European Union, and has no bearing on the matter at hand.

Francesco Enrico Speroni (EFD). – *(IT)* Mr President, ladies and gentlemen, I would just like to add that Strasbourg, in comparison to Brussels, has the advantage that it borders Germany and therefore it is much easier to find alternative means of transport than in Brussels.

President. – That completes this item. I would like to repeat that further information on this subject will be provided on Tuesday and Wednesday.

4. Approval of the minutes of the previous sitting

President. – The Minutes of 9 September 2010 have been distributed. Are there any comments?

Bruno Gollnisch (NI). – *(FR)* Mr President, I should like to speak under Rule 172 with regard to point 5.2 of the minutes of the 9 September sitting and, at the same time, although I will combine both elements of my speech, under Rule 145, to make a personal statement.

Mr President, a very important resolution condemning the French Government for its policy of destroying illegal travellers' camps has been voted on. Despite the importance of this vote, those groups that were able to fulfil the obligation of requesting a roll-call vote rather strangely chose not to do so.

Now, it so happens that, while my colleagues and I are clearly part of the minority which voted against this resolution condemning the French Government – we numbered amongst

the minority of 245 Members who voted against – some Members, in particular, Mr Audy and Mrs Mathieu, claimed that we voted in favour. What might have been a simple mistake became an official lie when it was repeated by the Secretary of State for European Affairs, Mr Pierre Lellouche, and by the Chair of the UMP Group in the French National Assembly, Mr Jean-François Copé.

However, my speech in the debate, my explanation of vote, my attempt to oppose Mr Swoboda's socialist amendment, was perfectly clear. Why was there no roll-call vote? Ignoring all our usual customs, it was clearly an attempt on the part of the Group of the European People's Party (Christian Democrats) to hide – I have almost finished, Mr President – the defections in its own ranks and discredit an opponent whose votes it covets. This is pathetic political manoeuvring.

President. – I understand your comment related to the Minutes, but that was also a personal remark. That is how I intend to treat it. You were referring to your personal statement. Are there any other comments on the Minutes?

(The Minutes of the previous sitting were approved)

5. Composition of Parliament: see Minutes

6. Signature of acts adopted under the ordinary legislative procedure: see Minutes

7. Composition of committees: see Minutes

8. Oral questions and written declarations (submission): see Minutes

9. Lapsed written declarations: see Minutes

10. Petitions: see Minutes

11. Action taken on Parliament's positions and resolutions: see Minutes

12. Texts of agreements forwarded by the Council: see Minutes

13. Transfers of appropriations: see Minutes

14. Corrigendum to the minutes of the sitting of 5 May 2010: see Minutes

15. Documents received: see Minutes

16. Order of business

President. – The final version of the draft agenda as drawn up by the Conference of Presidents at its meeting of Friday, 17 September 2009, pursuant to Rules 130 and 131 of the Rules of Procedure, has been distributed.

Monday:

The Group of the Progressive Alliance of Socialists and Democrats in the European Parliament has made a request to remove from the agenda the short presentation of Mrs Gallo's report on enforcement of intellectual property rights in the internal market.

Martin Schulz, *on behalf of the S&D Group*. – (DE) Mr President, our group already pointed out in the Conference of Presidents last week that the Gallo report – an own-initiative report that is very controversial in this House – ought to be reassessed in terms of our continued debating of it. The fact of the matter is that, under the new Rules of Procedure, this report was introduced and voted on very quickly. However, we already have several alternative resolutions that are also being put to the vote. The situation as we see it today is a very confusing one. I would even dare to predict that none of the specified drafts that are to be put to the vote here will ultimately receive a majority vote. That is my first point.

The second is that, in the meantime, we have discovered that the Commission's initiatives in the area of copyright will be presented in the next few days. The Commission has decided on a legislative approach and there will be draft directives in the legislative pipeline. This means that, at a time when we are drawing up legislation, we will be voting on an own-initiative report that will surely be overtaken by this legislation.

Therefore, we are requesting that this item be removed from the agenda.

Marielle Gallo, *rapporteur*. – (FR) Mr President, we cannot accept a further request for a postponement of the vote on this report.

With regard to substance, it is wrong to say that there is no consensus, because this report is the result of numerous compromises which have been debated and discussed over a period of several months.

With regard to form, I should like to remind the Chamber that it was voted on in the Committee on Legal Affairs at the beginning of June and that further discussions took place when the three postponements were agreed. This time, there is no reason why the vote on this report should be postponed other than to simply allow certain parties, certain political groups, to reach a consensus. However, this is not in the general interest.

The general interest is precisely that we take a position on this own-initiative report, which will never contradict any future legislative provisions, since it merely calls for existing legislative texts to be applied and not to be rejected.

President. – Mrs Gallo supports keeping this item on the agenda, but I was asking for somebody who would like to support Mr Martin Schulz and his proposal.

Daniel Cohn-Bendit, *on behalf of the Verts/ALE Group*. – (FR) Mr President, Mrs Gallo, ladies and gentlemen, I think that my fellow Member, Mr Schulz, has said exactly what needed to be said, which is that you do not have a majority. Furthermore, the liberal group will vote against your report. I do not see any point today in proving that none of the reports has a majority.

Discussions need to be held in virtually all the groups. I know that in your group, you are unanimous – I doubt this, but let us imagine that you are unanimous – but in the other groups, discussions are still taking place, and there is no clear majority on one side or the other. I therefore think that, for once, Mr Schulz is being extremely sensible in calling for this initiative to be postponed.

(Parliament rejected the request)

Thursday:

President. – I have received a request from the European Conservatives and Reformists to postpone the vote on motions for resolutions on failures in protection of human rights and justice in the Democratic Republic of Congo.

Philip Bradbourn, on behalf of the ECR Group. – Mr President, yes, on behalf of the ECR Group, I would like formally to move postponement of the vote on Thursday. I want to make it clear it is only the vote that we are referring to, and not the rest of the order of business.

I do so because, as you yourself described in detail at the outset of this meeting, Members will face potential problems on Thursday travelling back to their home countries; indeed, I know of many Members from across the House who are actually planning to leave Strasbourg on Wednesday. It is therefore perfectly reasonable to ask for a delay of what will be about two weeks in taking the vote on this particular item, and for it to be deferred to the mini-plenary session in Brussels.

Rebecca Harms, on behalf of the Verts/ALE Group. – (DE) Mr President, although this is an unusual form of cooperation, my group already proposed last week that we should not have any votes on Thursday because we had no intention whatsoever of undermining the right of the French to strike, as Mr Daul feared, but we would like to ensure that a great number of workers from France or Germany are not used to provide very expensive transport for staff, in particular, of the European Parliament, thus bypassing the strike. As far as I can see, there is definite support in the European Parliament for this sensible approach. My group is also in favour of postponing this vote.

Francesco Enrico Speroni, on behalf of the EFD Group. – (IT) Mr President, ladies and gentlemen, it will not be a vote on a legislative act, so, in my opinion, it has a different level of importance.

I think this strike will affect all the political forces present in Parliament roughly equally. It is not the case that it will primarily affect those on the left or those on the right, so in any case, there will be representativeness – though possibly reduced – and so we can vote with confidence.

(Parliament agreed to the request)

(The order of business was thus adopted)

Joseph Daul (PPE). – (FR) Mr President, I did not understand the situation with regard to the vote.

Did we vote for or against the agenda that was decided on at the Conference of Presidents?

Against? So there will be no sitting on Thursday?

There is no vote? So you want to sign in and be paid without voting? Very well.

President. – Mr Daul, we have adopted only one item, namely, that there will be no vote on one specific issue on Thursday. The rest remains unchanged. There will be no vote on failures in protection of human rights and justice in the Democratic Republic of Congo. There will be a debate on that issue, and all other items remain unchanged. It is only that vote which will not take place.

17. Investigation and prevention of accidents and incidents in civil aviation (debate)

President. – The next item is the report by Mrs De Veyrac, on behalf of the Committee on Transport and Tourism, on the proposal for a regulation of the European Parliament and of the Council on investigation and prevention of accidents and incidents in civil aviation (COM(2009)0611 – C7-0259/2009 – 2009/0170(COD)) (A7-0195/2010).

Christine De Veyrac, rapporteur. – (FR) Mr President, EU transport policy is not just a set of economic objectives; it is also and, above all, the will to guarantee the highest possible passenger safety standards.

This is an objective which we have come close to over the last few years, and we must therefore continue our efforts in order to ensure an optimum level of air safety. This is the context in which we are today discussing the proposal for a regulation on the investigation and prevention of accidents and incidents in civil aviation.

Following several weeks of difficult negotiations, by summer, we managed to reach a first-reading agreement with the Council guaranteeing real progress in the areas of accident investigations and prevention and of support for victims' families. If the text is adopted tomorrow, it will mean that the measures set out in this text will be able to come into force at the end of 2010.

(Noise in the Chamber – the President called for silence)

What are the measures set out in this report? Firstly, this regulation strengthens the independence of safety investigations and investigators. The latter will have guaranteed access to evidence and be given the resources necessary to determine the causes of an accident.

The second important point: this text also clarifies the role of the European Aviation Safety Agency (EASA) in the event of an air accident; it is clearly stated that the Agency, as the body responsible for certification ...

(More noise in the Chamber)

Well, nobody seems to be interested. I can stop if you want. I cannot even hear myself speak.

(The President invited the speaker to continue)

It is clearly stated that the Agency, as the body responsible for certification, should not, under any circumstances, investigate accidents, because it cannot be both judge and party. However, it must be able to access the information necessary for its certification duties, and offer the safety investigation the benefit of its expertise. This is why the regulation stipulates that, pursuant to Annex 13 of the Chicago Convention, the EASA will participate in investigations as an adviser.

The third advance in the regulation: the creation of a network of safety investigation authorities, which formalises and strengthens the cooperation which already exists between Member States. This network, as well as having a flexible structure, without independent legal status, will help improve the quality of safety investigations due, in particular, to increased cooperation between Member States, the sharing of good practice and improved investigator training.

Furthermore, this regulation also deals with the relationships between judicial inquiries and technical safety investigations, and here too, it represents real progress, despite the diversity of legal systems in Member States, primarily by ensuring that safety investigators have immediate unrestricted access to evidence, and then by establishing prior agreements between judicial authorities and investigation offices.

Finally, and this is what I deemed the most important aspect: the protection of victims and their families. The text stipulates that a list of all the persons on board an aircraft must be made available within two hours of the notification of the occurrence of an accident to that aircraft, which will reduce the distressing waiting period for families.

Furthermore, this regulation establishes a whole series of measures intended for victims' families. They include the option, when reserving seats, to name a contact person to be notified in the event of an accident; an obligation to notify families of the progress of an investigation before it is made public; confidentiality with regard to the names of people on board the aircraft, if their families so request; the appointment of a contact person to liaise with the victims' families throughout the entire investigation; the obligation for Member States to have an accident emergency plan; the obligation for all airline companies established in Europe to have a crisis response plan, incorporating, among other things, psychological support for families; and, finally, a reminder of the obligation of all airlines operating in the EU to have minimum insurance cover to compensate victims' families.

The final important point in the regulation is the issue of occurrence reports, and this is a major advance in the area of accident prevention, because the text stipulates that the EASA and the competent authorities of the Member States must have access to the central repository for air incidents. This repository will be analysed so that preventive measures can be taken and accidents therefore prevented.

These are the main thrusts of the compromise. I should like to offer my warm thanks to the shadow rapporteurs, with whom we have had an excellent working relationship, and who have enabled us to achieve this outcome.

Jörg Leichtfried (S&D). – (DE) Mr President, I did not want to ask to speak earlier and so interrupt the rapporteur yet again. I completely agree with you: what happened at the start of this debate is outrageous. This debate is about air accidents, it is about people's lives and how we can protect people and prevent such accidents from occurring. I think that is at least as important as debates about points of order. We ought to consider how, in future, we can prevent this sort of chaos at the start of a debate on important matters.

(Applause)

President. – That is something I would ask all Members. It is very important that they leave the Chamber as quickly as possible if they want to hold this debate. They can start it outside the Chamber, if anyone wants to listen. Mr Leichtfried, I agree with you absolutely.

Cecilia Malmström, Member of the Commission. – Mr President, honourable Members, I would like to thank the rapporteur, Madame De Veyrac, and the shadow rapporteurs very much for their work here, and for their constant commitment in supporting the Commission in the legislative proposal that has led to this new and very important regulation on air safety in Europe.

As the rapporteur said, it has not been an easy file. On the contrary, it contains issues that have required very delicate and sensitive negotiations in order to reach a balance between

the prerogatives of independent safety investigations and those of justice authorities – between the need, on the one hand, to conduct investigative work and the need to protect the anonymity of those who are affected by the investigation, on the other.

We have done this because we want to learn the right lessons from that work and ultimately provide good and modern rules which will help us investigate professionally and prevent future accidents and incidents, and which will guarantee a high level of air safety for European citizens. It was therefore so important that both the Council and Parliament were ready to make the necessary compromises. I would like to thank you all for that.

I would also like to underline that the Commission shares the assessment of the rapporteur. The agreed text represents a good and fair balance between the different interests involved. Of course, at the end of the day, the biggest winner today is the European passenger. Aviation safety and protection of passengers is a priority for the Commission and has been the primary concern of all of us around the negotiating table. We should therefore feel proud today.

I invite all Members of the European Parliament to support the compromise text, as negotiated by the rapporteur.

Werner Kuhn, *on behalf of the PPE Group*. – (DE) Mr President, Mrs Malmström, ladies and gentlemen, following a long period of negotiations, Mrs De Veyrac has presented us with an excellent report. However, in the introductory remarks earlier, it was rightly said that this is about human life, and we really need to consider the fact that this investigation and prevention of accidents in civil aviation is currently based on a directive from 1994. Since then, we have created a common aviation market and the European Open Sky has become a reality. In the last 15 years, air traffic in Europe has more than doubled, and it goes without saying that our combined efforts are going into making continual improvements to aviation safety. It is essential that we investigate and review every incident and every air accident very meticulously, and that has also once again been emphasised here by Mrs De Veyrac, including in terms of the balancing act between the judicial authorities and the independent investigation agencies. The European Aviation Safety Agency will, in future, play a crucial role in this and we also need to strengthen this agency in this regard.

However, we must also utilise the national competences that we have in this particular area – as we have in Germany with the German Federal Aviation Authority, and as has also happened in other countries – in order to be able to present accurate and very precise results of investigations from which we can learn, but also – as we have also been rebuked for wasting money on new agencies – which we can use to save money and improve our cooperation.

(The President cut off the speaker)

Brian Simpson, *on behalf of the S&D Group*. – Mr President, I wish to thank our rapporteur for her hard work on this important dossier. I want to concentrate on two issues contained in the report: firstly, on how to improve the investigation of air accidents and, secondly, on the issue of the rights of victims and relatives of those involved in such accidents.

The Transport Committee has, I believe, strengthened a number of provisions initially proposed by the Commission. In particular, we have, as our rapporteur has said, clarified the role of EASA in air accident investigations to ensure that accident investigation is independent and above interference. We cannot allow the regulator also to be an

investigator. Hence, the clear definition of EASA's role as an adviser, as defined by the ICAO in Annex 13.

We have also extended our support to the establishment of a European network of investigation authorities and the need for data to be analysed on a Europe-wide basis so as to help improve the quality of air accident investigations across the whole of Europe.

It is also crucial to point out the need for an effective occurrence reporting system and the sharing of relevant information arising from incidents, as well as for payment of adequate compensation.

Parliament has also, in this revision, raised an opportunity to revisit the area of protecting the rights of victims and relatives by insisting that assistance and information be made available within two hours.

Finally, I would point out to the Commission the need to revise the occurrence reporting directive so that the two directives can complement each other.

I believe this to be an excellent piece of work and I congratulate our rapporteurs and the shadows for their efforts.

Jelko Kacin, *on behalf of the ALDE Group*. – (SL) I am proud of this document, which was prepared after successful trilateral negotiations with the Council and the Commission, and on behalf of the Group of the Alliance of Liberals and Democrats for Europe, I wish to congratulate the Commissioner for her achievement, persistence and political courage.

We have created a framework which brings many benefits to passengers, to people employed in the aviation industry and to the general public, and which sets an international example. In spring this year, after a constructive debate, the Committee on Transport and Tourism drafted a document which formed a good basis for a successful dialogue with the Council and the Commission. I would also like to thank the Association of Pilots and Air Traffic Controllers for their help and cooperation.

In the final stage, Parliament played a decisive role in the subsequent amendments made to the regulatory framework, because we had prevented the possibility of amendments with so-called delegated acts.

If we want to prevent accidents, we must investigate their causes. In order for such an investigation to be thorough and transparent, it is necessary that we protect the key parties involved from any hasty judgments. Precise determination of the role of judicial investigation is key in the investigation of accidents. Parliament has insisted that, in order to ensure the independence of investigations into the causes of aviation accidents, we need to protect the technical investigation from interference from the judicial investigation. We also need to report and investigate all incidents, and I mean all, not just those which might have resulted in a tragic outcome. However, an investigation is possible only when we find out that the incident has occurred.

Another product of the drafting of this regulation is the Commission's assurance that it will shortly revise the directive on the reporting of incidents. The European Aviation Safety Agency (EASA) must be involved in investigations and we have determined its role. A regulator is not an investigator, but it should have access to certain information and be able to perform an advisory role.

During the negotiations, the Commissioner devoted special attention to the rights of the victims of accidents and succeeded in retaining all the essential elements.

Eva Lichtenberger, *on behalf of the Verts/ALE Group.* – (DE) Mr President, ladies and gentlemen, the importance of this report cannot be overestimated, as it will now bring together information at European level which, although it was originally available in separate places, did not previously allow for an overall picture because we had no sufficiently good means of interlinking the information.

At a time of enormous competitive pressure in aviation, it is also very necessary and essential that people who pass on the information – particularly regarding technical sources of error – are also protected against pressure from competing airlines or from their own airline. In this regard, we really must ensure that this information, which we urgently need for the prevention of accidents, is also protected and that there is a clear process for finding a balance between the legal investigations that are necessary in these cases and those of a technical nature, which operate for the purpose of prevention, so that it does not result in overlaps.

I would like to offer my most sincere thanks to the rapporteur. We worked extremely well together and we have taken a very important step forward on this issue.

Peter van Dalen, *on behalf of the ECR Group.* – (NL) I should just like to start by raising a point of order. Our shadow rapporteur, Mrs Foster, has just informed me that she is unable to attend. She will be arriving later on this evening, and so I should like to use her speaking time.

Firstly, I wish to offer the rapporteur sincere thanks for the excellent work she has done. Both this regulation itself and its quality will benefit air traffic in Europe and also air traffic safety.

However, if we really want to draw lessons from accidents, investigations must be completely free from interference: interference in the airlines by consumer organisations and, above all, interference by judicial authorities. If public administrations are able to interfere in independent investigations, the independence of those investigations is at risk. This would be like the butcher retaining influence over the inspection of his own meat, and that cannot be our aim.

Therefore, the best thing would have been for us to introduce the ‘Canadian model’. This would have meant having a completely independent investigating authority that invited the judicial authorities to participate in an investigation on the basis of objective criteria where a crime had been committed. That is the system we use in the Netherlands, where we have an independent investigation board that functions excellently. This investigation board regularly reprimands even public administrations in no uncertain terms. That is the best system, and now the text we have agreed with the Council offers the opportunity of introducing independent investigations of this kind.

Nevertheless, the overall package represents a real step forward. The provision of information on passengers involved in an accident, in particular, is a great improvement, and for this reason, we shall not be abstaining from voting tomorrow but shall instead be supporting the rapporteur by voting in favour.

Jacky Hénin, *on behalf of the GUE/NGL Group.* – (FR) Mr President, air transport is the safest mode of transport and also the one that has achieved the most spectacular results in terms

of CO₂ emissions reduction. Every effort must therefore be made to ensure that it continues along these lines.

The establishment of a network of Safety Investigation Authorities in Member States is a good idea, provided that each authority continues to be publicly accountable and does not fall victim to the destructive notion of maximum immediate profitability. The relocation of maintenance work to non-EU countries, the counterfeiting of spare parts, the employment of poorly paid crews, and the privatisation of air traffic control, which still happens occasionally, pose major threats to safety.

The EU must intervene and take responsibility in this area. It cannot content itself with publishing blacklists and organising crash investigations. It must hit the shareholders of airlines that do not ensure optimum safety conditions where it hurts. Some accidents are, of course, the result of human errors, but these errors, time and time again, highlight the failings of certain airlines in terms of work organisation, working conditions, ergonomics, training and qualifications.

Luis de Grandes Pascual (PPE). – (ES) Mr President, Commissioner, I would like to congratulate Mrs De Veyrac on her report, which has enabled an agreement to be reached at first reading. I must, however, make three critical observations that imply the need to make concessions whenever there are negotiations of this type.

Firstly, the individual identification of victims has been dropped: when DNA allows such identification to take place, it is natural for families to demand that they be given not just any bodies but the bodies of the victims to whom they are related.

Secondly, the term ‘causes’ has not been replaced by ‘concurrent factors’. This is going to be a source of litigation, and I believe it is a serious error – and if not, time will tell – as the technical investigation needs to be separated from the legal investigation.

Finally, we find it deeply regrettable that the Spanish delegation may ultimately have to abstain, regardless of its favourable opinion on the subject. This is, quite simply, because the relationship with Gibraltar Airport, which is now governed by the Ministerial Statement agreed in Cordoba in 2006, has been mentioned since 1987. Previously, the legislation was suspended and reference was made to the differences between the United Kingdom and Spain, and now three references are made to those legal differences, and nothing more.

This, of course, means that we will have to abstain, regardless – I repeat – of our favourable opinion of the report and of the work done by Mrs De Veyrac. Once again, I would like to praise her for a good report that will be fundamentally positive.

Janusz Władysław Zemke (S&D). – (PL) I think that we need to state very clearly, right from the outset, that aviation safety standards in Europe are, fortunately, continuously improving. Although air disasters and incidents do occur, there is generally quite a high level of safety. Unfortunately, aviation safety is not something which, once achieved, lasts forever. Occasionally, incidents and accidents do occur. They need to be very thoroughly investigated, in a completely independent and professional manner. Such steps are necessary in order to draw up the most competent recommendations possible, prepared on the basis of the aforementioned investigations, which will help to prevent future accidents and incidents.

At the moment, the air accident investigation system for the civil aviation industry in the European Union is operating at below optimum capacity. That is why I think that this

regulation, a product of work carried out in Parliament, provides an opportunity to improve that situation. Mrs De Veyrac's team appear to have prepared a very competent draft. However, I would also like to draw your attention to one rather significant factor. Several dozen comments and amendments have been added to the draft. Given that it was the product of a compromise, it seems to me that we ought to vote in favour of what was jointly negotiated by Parliament, the Commission and the Council. In my opinion, other proposals, which may seem justified from a particularistic perspective, should be rejected.

Gesine Meissner (ALDE). – (DE) Mr President, Commissioner, I would like to start by addressing a matter that our shadow rapporteur, Mr Kacin, was unable to mention due to a lack of time, but which he nevertheless feels is very important. It is imperative, in this connection, not only to investigate the causes of accidents but also to protect victims and their families. My group, in particular, has spoken out very strongly in favour of information regarding the circumstances of accidents being provided quickly, at least to the relatives, and in favour of this information also being provided in the case of same-sex partnerships.

In general, we have already noted that the report drawn up by the rapporteur is indeed a groundbreaking one. We cannot praise it enough. The fact of the matter is that the previous directive is 16 years old. Many technical developments have been made in the meantime and we need better aviation safety. In order to be able to investigate accidents, we need information that can be independently assessed. The United States has had an independent investigation agency of this kind for a long time, as well as the guarantee of protection if someone gives evidence that could later be used against that person as a party involved. We have now achieved this. I would like to thank Mrs De Veyrac most sincerely for her excellent work.

Marian-Jean Marinescu (PPE). – (RO) The steady increase in air traffic has made it necessary to adapt the legislative framework for investigating air accidents.

Mrs De Veyrac has achieved an excellent final compromise. Establishing a network of national investigation offices will encourage the exchange of information, training for investigators and the creation of a register of good practice, as well as help devise a European accident investigation methodology. It will also reduce disparities between Member States, improve the investigation systems in these countries, and increase the level of air safety.

The necessary legal framework has been set up for the EASA to participate in safety investigations. The new legislative framework also provides the necessary balance between the independence of the investigators and that of the judicial authorities in terms of access to sensitive information and the way in which investigations are coordinated.

The rights of and provision of assistance to victims and their families are guaranteed. Member States are obliged to draw up a national plan for providing assistance to victims.

Member States must use the network to pass on information about civil aviation occurrences, which can be analysed and clarified by EASA, in order to increase air transport safety for our citizens.

Jim Higgins (PPE). – Mr President, it is quite clear that the 1994 directive served its purpose, but it is now totally outdated. As has been said repeatedly, the huge explosion in air travel means that we do need updated safety measures, we do need more coordination, we do need more inspection and we do need more cooperation. What I like about this report is that it clearly defines the role of the competent authorities.

I support the proposal already alluded to by Brian Simpson and by the rapporteur that the European Aviation Safety Authority should not, in any circumstances, have any role in safety investigation. Their job – and they do an excellent job – is certifying aircraft, but not investigating the whole situation in relation to an accident.

In relation to the network of safety officers – again, I welcome this. Training courses are crucially important, because what we need to do is to reduce the current differences between the different standards applicable in the different Member States.

Concerning the passenger list, one of the major traumas in the wake of an accident is the delay in getting the passenger list. The fact that it must now be produced within one hour is extremely welcome. It is rather gruesome to have to give the name of someone when you are booking a flight, but the fact that you will now, hopefully, be in a position to furnish the name of a person to be contacted in the event of an accident, if somebody dies, is very important as well, because the trauma of waiting is almost unbearable.

I take the point in relation to DNA, but if we do this – if we give the name of somebody who is to be contacted – then the DNA can follow later. A lot of sensible proposals have been made. I commend the rapporteur and the shadow rapporteurs. They have done an excellent job.

Artur Zasada (PPE). – *(PL)* Today, we are discussing a document which will have a real impact on over 800 million passengers who travel by air across European Union territory each year. It is a significant text, in that the relevant regulations have remained unchanged for 16 years, and date back to a time when the volume of air traffic was a lot lower. The safety of those 800 million passengers is at stake here, and their safety cannot be guaranteed without a voluntary reporting system for pilots and air crews. Only when crew members and pilots feel safe writing about or reporting on accidents or events on board will we be able to ensure passenger safety. We will not achieve that goal if the institutions which investigate aviation incidents and accidents feel under pressure from the public prosecutor's office, the justice system and the media to produce reports immediately. We have to guarantee the safety of EU citizens, especially given the fact that the annals of air safety have been written in the blood of victims of air traffic accidents. That is why I feel an even greater level of responsibility with regard to the vote this week.

IN THE CHAIR: **Silvana KOCH-MEHRIN**

Vice-President

Gabriel Mato Adrover (PPE). – *(ES)* Madam President, it is two years and one month today since the air accident that claimed 154 victims at Barajas Airport, Madrid, and tore apart many families, most of which were in the Canary Islands. All Members share their pain.

Unfortunately, today, two years later, the technical investigation has not been concluded. The victims' families are still wondering what happened and they have no answers.

I find this state of affairs regrettable for two fundamental reasons: firstly, because the victims' families do not deserve it, and secondly, because important information that would be fundamental for air safety and could be essential to preventing further incidents is not coming to light.

I trust that this regulation that we will adopt tomorrow will at least, among other things, help to speed up the technical investigation processes and to ensure that these situations are not repeated.

I share the concerns expressed by my colleague, Mr de Grandes, and I congratulate the rapporteur on achieving an agreement at first reading, but I hope that we have not given in on too many things in order to satisfy certain interests: it is the victims that are important here and they come first.

Jörg Leichtfried (S&D). – (DE) Madam President, I think the worst thing that can happen is to be a relative of a passenger when an aircraft has taken off and you hear that there has been an accident, it has crashed, and you do not know what is happening. I think this report – and I would like to congratulate the rapporteur, Mrs De Veyrac, most sincerely on it – remedies this situation to a certain extent. The option to provide the name of someone who is to be contacted and the obligation of the airlines to issue the list of passengers within two hours are things that, in my view, are extremely important in order to be able to resolve this uncertainty and to help those who do not know what has happened.

Secondly, a good solution has been found with regard to the balance between the internal and the external investigation systems that is always so hard to find, in order, on the one hand, to protect those who want to give evidence, while, on the other, also safeguarding the interests of the public in finding out what happened. Therefore, this report is a very good one. I would like to congratulate the rapporteur once again. She has produced a fine piece of work.

Izaskun Bilbao Barandica (ALDE). – (ES) Madam President, I share the view that the sole objective of this regulation is to prevent future accidents without prejudging blame or responsibility. I am pleased that it guarantees the independence of the investigation and improves coordination with the network established therein. It protects victims and family members through various measures and it protects sensitive information that requires complete confidentiality and must not be used for purposes other than the investigation. We are talking about voice recordings and images. I think, however, that the principle of just culture should also have been incorporated. The professionals were also hoping for this as they are sometimes tried by the media before the investigation has even taken place.

Finally, I wanted to say that I welcome the fact that companies are required to have minimum insurance for the victims' families, who will be protected, which is currently not the case.

Angelika Werthmann (NI). – (DE) Madam President, air traffic is increasing all the time. As far as I am concerned, safety has priority over all other considerations. We therefore need an independent body to investigate any shortcomings and to enable corrective measures to be taken, thereby helping to optimise flight safety for everyone.

I, too, would like to offer my congratulations on this report.

José Manuel Fernandes (PPE). – (PT) Madam President, air transport is becoming crucial to people's mobility and in the dynamics of an increasingly globalised world economy.

Current European legislation governing the investigation of aviation accidents is out of step with changes in this area and the appearance of new players such as the European Aviation Safety Agency.

The ability of Member States to carry out civil aviation accident investigations therefore needs to be harmonised. Priority must be given, however, to accident prevention, and investigation should always work as an aid to prevention.

It should be noted that strong pressure to reduce costs favours greater risk in terms of safety. Financial savings cannot, however, be placed above people, and we cannot allow proposals such as the abolition of the co-pilot or opening up the possibility of allowing standing passengers.

Investigation is important, but prevention and quality service must come first.

Silvia-Adriana Țicău (S&D). – (RO) I congratulate the rapporteur for reaching agreement at first reading regarding the regulation on investigation and prevention of accidents and incidents in civil aviation.

It is Member States' duty to ensure that all airlines established on their territory have a plan for providing assistance to victims and their families. However, I think that the period of two hours during which airlines have to obtain the passenger list is far too long. I would also like to mention that we welcome the proposal to make airlines which provide services in the European Union apply the provisions of the Montreal Convention for the Unification of Certain Rules for International Carriage, even in the event that the state where they are established has not ratified that convention.

I wish to end by highlighting the fact that it is vital for the European Union to sign the civil aviation safety agreement with non-EU states as well in order to prevent incidents and help investigate air accidents.

Jelko Kacin (ALDE). – (SL) I would like to add something about the notification of relatives, something I did not have enough time for earlier on.

Relatives must be treated equally and must not be discriminated against. The definition of what constitutes 'family' varies considerably from one Member State to another. Parliament was keen to protect same-sex partnerships as well, as they are recognised in some countries, but not in others. My political group proposed a compromise solution, which was adopted by the Council and the Commission, so now we are operating with the definition of family as applicable in the country of the victim, that is, the country of the victim's nationality. That is an important achievement and an important compromise.

Another thing that I would like to point out is that, instead of inventing new institutions, we have relied on the network of national investigating authorities whose operations we had already linked up together.

Cecilia Malmström, Member of the Commission. – Madam President, the fact that there is such a high level of consensus in this plenary sends a very powerful message to passengers and their families. This should be seen as proof of the fine work that has been done by the rapporteur and the shadow rapporteurs.

I look forward to the very important work that we have before us in setting up the European Network of Civil Aviation Safety Investigation Authorities. This represents an important step towards improving the quality of safety investigations, strengthening their independence and encouraging high standards in investigation methods and training.

It is important that the new rules reflect the advances achieved in safety with the European Aviation Safety Agency which can, from now on, contribute to safety investigations with

its expertise and experience in the areas of its competence. I would like to underline – as did many of the speakers – that it will only participate as a technical adviser, sharing its experience and taking part in assessment. It will not investigate accidents itself.

The Commission is committed to working expeditiously to complete the new rules with proposals to modernise the system of occurrence reporting for aviation incidents and accidents so that, at the end of the day, we can have the best tools effectively to do our work, which is to protect the lives of European travellers.

Thank you very much for a very constructive debate.

Christine De Veyrac, *rapporteur*. – (FR) Madam President, thank you for all your contributions regarding this text and, as I did not do so earlier, I should also like to say a big thank you to the Commission, which has been a true facilitator in this agreement.

I should like to reassure Mr Zemke: tomorrow, there will be only one amendment. This is quite simply a material error due to the fact that the Council had forgotten one paragraph in the text. We therefore had to find the best way to restore it, and this was an amendment, but there will be only one.

Mr Higgins – perhaps he did not hear me, but there was so much noise at the start that this is excusable, and Mrs Malmström reiterated it – it is clearly stated that, as the Agency's role will be one of pure certification, it cannot, under any circumstances, carry out any accident investigations, because it cannot be both judge and party. However, it must be able to access the information necessary for it to undertake certification tasks and offer the benefit of its expertise to the safety investigation.

Mr Mato Adrover, I am sorry – if I have understood it correctly – that your delegation is abstaining on this text, because it greatly improves what you quite rightly criticise: the lack of information and the uncertainty faced by families. As regards our giving in at first reading, the shadow rapporteurs will be able to tell you the same thing as me: I should like to tell you that Parliament did not give way on anything whatsoever; Parliament's views have prevailed on all the issues in the text.

I am very pleased that a consensus has been reached amongst the political groups on this text, which – as Mr Kühn said – concerns human lives. Moreover, I hope that this will translate tomorrow into a large vote in favour of this report. We will then be able to confirm Parliament's leading role in matters concerning the protection of its citizens, and thus have an EU which offers protection.

President. – The debate is closed.

The vote will take place on Tuesday, 21 September, at 12:00.

Written statements (Rule 149)

Debora Serracchiani (S&D), *in writing*. – (IT) Unfortunately, due to the constant increase in air traffic, the number of victims of civil aviation accidents has increased notably. Suffice it to say that in 2005, there were 1 454, an increase of some 90% compared to 2004.

We therefore need new legislation which reduces discrepancies in the investigation abilities of the Member States and which creates a 'network' between the various national investigation authorities, with the aim of rationalising skills, personnel and resources. Therefore, I am in favour of this proposal for a regulation which, on the one hand, will

ensure the absolute independence of investigations into accidents and, on the other, will oblige airline companies to guarantee the rights of victims and their relatives in the event of an accident.

18. Agreement between the EC and Pakistan on readmission - Community readmission agreements with third countries (debate)

President. – The next item is the joint debate on:

– the recommendation by Csaba Sógor, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a Council decision on the conclusion of the Agreement between the European Union and the Islamic Republic of Pakistan on the readmission of persons residing without authorisation (COM(2009)0106 – C7-0264/2009 – 2009/0036(NLE)) (A7-0231/2010),

– the oral question to the Commission (O-0104/2010) by Sylvie Guillaume and Claude Moraes, on behalf of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, Hélène Flautre and Judith Sargentini, on behalf of the Group of the Greens/European Free Alliance, Cornelia Ernst, Rui Tavares and Marie-Christine Vergiat, on behalf of the Confederal Group of the European United Left – Nordic Green Left, and Malika Benarab-Attou, on Community readmission agreements with third countries (B7-0453/2010) and

– the oral question to the Commission (O-0116/2010) by Nathalie Griesbeck and Renate Weber, on behalf of the Group of the Alliance of Liberals and Democrats for Europe, on EU readmission agreements with third countries (B7-0461/2010).

Csaba Sógor, rapporteur. – (HU) Since the Treaty of Lisbon entered into force, this is the first readmission agreement which also requires the consent of the European Parliament. On 18 September 2000, the Council authorised the European Commission to negotiate the readmission agreements to be concluded between the European Community and Pakistan. Following several rounds of negotiations, almost 10 years later, the European Community and Pakistan signed the agreement in Brussels on 26 October 2009.

As a result of the entry into force of the Treaty of Lisbon, the EU has become the legal successor of the European Community, which means that since the entry into force of the Treaty of Lisbon, the European Parliament is also to grant its consent to the proposed agreement. The Committee on Foreign Affairs evaluated the proposed agreement positively, and the Committee on Civil Liberties, Justice and Home Affairs approved it.

The aim of this agreement is to improve cooperation between the administrative bodies of the requesting and requested states in order to speed up the readmission process. In this respect, the agreement sets forth the obligation of readmission of own nationals, third country nationals and stateless persons based on the principle of full reciprocity, and also contains the technical provisions required for the readmission procedure. The aim of the agreement is to act as an important instrument in combating illegal immigration to the European Union and increase the security of citizens within the EU. Pakistan is an important source or transit country for immigrants who do not or no longer fulfil the relevant conditions of entry, stay, or residence in the territory of an EU Member State.

The agreement concluded with Pakistan has a regional significance as well, as it will support the EU's endeavours to step up cooperation with other countries in the region. The

agreement includes a non-affected clause as regards international legislation and data protection regulation. The physical return of persons remains, in its entirety, the task of the competent Member State or Pakistani authority. Accordingly, they must comply with the provisions of international laws. The agreement calls for a joint readmission committee to be set up which can approve its rules of procedure. Taking into account the fact that only one European institution, namely, the European Commission, will participate in the joint readmission committee, the European Parliament calls on the Commission to provide information on the joint committee's activities at regular intervals. The agreement will enter into force on the first day of the second month following the day on which the parties notified each other of the conclusion of the ratification procedures.

I would like to thank the Commission for its statement and my fellow Members for their critical remarks. I trust that based on what has been said, the House will approve this agreement.

Claude Moraes, *author*. – Madam President, I wish to thank Mr Sógor for his work. However, the S&D voted against this agreement in committee for two very basic reasons, both based on the protection of human rights.

We believe that respect for international conventions is not fully guaranteed in this agreement. In particular, Pakistan is not a signatory to the 1951 Geneva Refugee Convention, and this creates an unstable situation. It seems logical to us and our group that signing basic international conventions such as these should be a necessary precursor to signing readmission agreements. The EU is currently a signatory to 11 readmission agreements; it has entered into negotiations on seven more, two of which – Pakistan and Georgia – are on the point of being concluded and one, Turkey, is to be signed very shortly.

Therefore, this is not something that Parliament will have to consider only once, on this occasion. With its consent powers, Parliament's concerns about human rights need to be considered by the Commission when it is negotiating these agreements. We cannot be expected to rubber stamp agreements when fundamental rights are still in question. So for our group, it is vital that, before giving consent to such agreements, Parliament is in full possession of the facts. However, despite that first such agreement entering into force in 2004, there has been no evidence-based evaluation of the effectiveness of such instruments and the consequences of their implementation.

For that reason, the S&D Group calls on the Commissioner to carry out such an evaluation as soon as possible. We believe in these readmission agreements, but they must be based on fundamental human rights and safeguards. Pakistan is one of the few countries which have not signed the Geneva Refugee Convention, and that, for us, creates a difficult situation.

Hélène Flautre, *author*. – (FR) Madam President, I actually find our rapporteur very unwise in asking us MEPs to ratify and approve an agreement which really is highly problematic. First of all, it concerns Pakistan, which is not just any old country. Pakistan already admits more refugees than any other country in the world. And what are we mainly going to ask it to do? Readmit Pakistanis, of course, but also the Afghans who are here in Europe fleeing a war that we are waging in Afghanistan. I think we are starting to border on something like indecency here.

It is a fact that Pakistan has not ratified the Geneva Convention, and it is a fact that the Parliamentary Assembly of the Council of Europe asks us to ratify readmission agreements

only with countries that offer a number of guarantees in terms of the right of asylum and international protection, which is not the case in Pakistan.

Furthermore, there is a huge number of questions. If I had to say 'Yes' tomorrow, I do not even know what I am saying 'Yes' to. If you look closely at these various articles, the impact of this article may be anything from 20, may be anything from 100 to 20 000, and perhaps more. Why? Because nobody is saying what the responses will be to everything that is decided in the Readmission Committee. Who is responsible for proving that an individual arrived after the agreement had been ratified?

Who will be responsible for proving that that individual arrived in the EU directly from Pakistan? What is going to happen at the end of the thirty day period if Pakistan does not respond and does not issue travel documents? Are we, as Members of the Commission suggest, going to accept this strange EU 'pass' instrument?

I do not have any answers, and neither do you, Mrs Malmström; I know that you will be unable to provide me with any answers. I asked the Pakistani Ambassador, and he does not have any answers. All of that will be buried in the Readmission Committee.

As we are incapable of saying what the actual impact of this agreement will be, I cannot say that I accept it. Everything depends on the answers provided to these questions.

I think that we should say 'No' tomorrow.

Rui Tavares, *author.* – (PT) Madam President, concerning this readmission agreement with Pakistan, I believe that there are a number of different areas of analysis that should be considered at this time.

Firstly, since it is the first agreement of this kind on which Parliament has voted since the Treaty of Lisbon, I feel it could set a precedent. I therefore believe that when this sort of agreement is on the table, it must be subject to much more detailed and in-depth parliamentary scrutiny.

I am therefore of the opinion that Parliament would be well advised to voice its doubts and, in particular, to hope for much greater clarification. It is also to be hoped that, when future agreements similar to those currently on the table come to be adopted by Parliament, they will include far greater provision for monitoring and verifying the burden of proof, which must fall on the right people: the authorities, and not immigrants, the poor or refugees.

I also have serious doubts about this agreement, owing to the fact that it is with Pakistan. Firstly, there is the question of this being an agreement not on the readmission of Pakistanis, but rather an agreement for the readmission of Afghans by the back door. As some of my colleagues have already mentioned, this is clearly a country that is not a signatory to the 1951 Geneva Refugee Convention and the European Union cannot be of two minds on this subject. Either, by complying with the conventions we have signed, we respect human rights 100%, or we do not respect them in 90% or 80% of cases, deputising people who may not respect human rights.

There are many cases of deportation and persecution of Pakistani women and religious and ethnic minorities and we certainly cannot work with the Pakistani authorities' lack of transparency on this subject.

Lastly, I would like to summarise by recalling that only two weeks ago, we were discussing the floods in Pakistan. They have caused the displacement of 21 million people, including refugees and the injured, as well as many thousands of dead. I believe that the European Parliament is demonstrating a certain indifference when, just two weeks later, it is about to adopt an agreement which basically entails sending back to Pakistan people who have fled a situation as serious as that currently being experienced there.

Nathalie Griesbeck, *author*. – (FR) Madam President, Commissioner, first of all, I should like to confirm, on behalf of the Group of the Alliance of Liberals and Democrats for Europe, that we are, of course, in favour of readmission agreements as important instruments in the fight against illegal immigration. They also appear to be much more effective than a proliferation of bilateral agreements.

I should like to emphasise three points. In this new legal framework which we now have, Parliament ought to be systematically and regularly informed of the negotiations on and implementation of these agreements, since we are joint decision makers.

Secondly, 11 agreements have so far been adopted, and we have entered into negotiations on seven others. However, the agreements have never been assessed, and I would have thought it essential for the previous agreements to be assessed before any further agreements are concluded.

Finally, my third point concerns human rights and the brilliant point made just now by my fellow Members: what guarantee can the Commission give in the specific case of third countries that are not signatories to the Geneva Convention?

I repeat: while I personally, together with my group, am in favour of a readmission agreement with Pakistan, there are still a large number of grey areas that have not been cleared up, even though Mrs Malmström – whom I thank – has, with her declaration, provided guarantees in terms of monitoring and in terms of hard negotiations with Pakistan to get it to sign the fundamental international instruments which it has not yet signed, and even though she has provided a guarantee that non-governmental humanitarian organisations would be able to participate in the monitoring committee on the ground.

The fact remains that we should make this agreement conditional upon Pakistan's signing of the Geneva Convention, because we must be very careful not to lose sight of the necessary balance that must be found between our collective safety and respect for and protection of human rights, no matter which part of the world is affected. This is the foundation of our values in the EU.

Cecilia Malmström, *Member of the Commission*. – Madam President, honourable Members, Pakistan has indeed been very much in the limelight in the last month and, of course, we all deplored the horrible loss of life and the many displaced persons. As you know, both the Commission and the Council are very much engaged in trying to alleviate the situation by finding ways to increase trade, as well as ways of rebuilding the country and helping it to prevent further disasters. This was also discussed at the Council meeting last week.

Turning to today's item, I want to thank the Committee on Civil Liberties, Justice and Home Affairs (LIBE) and the rapporteur, Mr Sógor, for their very constructive work on this, and for the support given to the Commission when you adopted your opinion in July.

The readmission agreement has been, for many years now, an important tool in managing migration flows, and the Lisbon Treaty explicitly mentions readmission agreements.

If we want migration and asylum policy to be credible to European citizens, it must be based on the principle that those who do not have a legal right to remain in the territory are returned. This is where readmission agreements come in. They facilitate the return of persons staying irregularly in the country of origin or transit and they are agreements between administrations stipulating the procedures to be followed.

Over the course of time, admission agreements have also become linked to visa policy. In a series of readmission agreements, they have become an indispensable element when negotiating a visa facilitation agreement.

The Commission is committed to pursuing these negotiations under current or future mandates.

Let me address a few of the concerns raised by speakers in the form of oral questions. The Commission is committed to giving full effect to its obligation under Article 218 in the treaty to immediately and fully inform Parliament at all stages of the negotiations and of the conclusion of EU readmission agreements. We will implement these obligations, taking full account of Parliament's role in the adoption procedure, namely, the requirement that it give its consent to the conclusion of future readmission agreements.

We will provide all the necessary information, subject to measures ensuring confidentiality in the case of ongoing negotiations, and in accordance with precise arrangements within the future framework of relations between Parliament and the Commission.

In the meantime, the Director-General, Mr Manservici, has already given you, *in camera* with the LIBE Committee on 12 July, the first general update on the ongoing negotiations. Mrs Griesbeck also mentioned the declaration made by the Commission and, of course, we will follow that very closely and report to you accordingly. We should also explore together how to further optimise this cooperation.

Turning to agreements with countries not signatories of the Geneva Convention, we would, of course, like Pakistan to sign this, and we are heavily involved in trying to convince them and in trying to pursue these negotiations, because the Commission is — as are you all — very attached to the values of international instruments on human rights and international protection, and a proper application of those instruments must be at the core of EU policy.

For this reason, we have developed the European Union *acquis* on international protection — the Qualification and Asylum Procedures Directives — which also includes human rights safeguards in its return policy, namely, the Returns Directive. In addition, all Member States of the European Union are bound by the Geneva Convention Relating to the Status of Refugees and the European Convention on Human Rights.

These standards guarantee that no person may be removed from any Member State, or subjected to readmission procedures, before the risk that, once returned, that person may be subject to persecution, or torture, or inhumane or degrading punishment, has been fully evaluated and excluded.

In particular, the EU's asylum instrument requires that Member States assess each application for asylum individually, guaranteeing that the applicant remain on the territory until the authorities have taken a decision on the said application, and then they must provide for an effective remedy before a court or a tribunal.

These standards are vital for the respect of the non-refoulement principle and are, by no means, limited by any readmission agreement, which is a very, very important point.

All EU readmission agreements contain the non-affectation clause explicitly requiring that these standards be respected. We should also not forget that these readmission agreements can play an important role in undermining the activities of migrant-smuggling networks. A report earlier this year from the United Nations Office on Drugs and Crime, assessing criminal assisted migration from Pakistan, estimated that the annual revenue of this so-called industry amounted to 1.25 billion dollars. The report recommended, *inter alia*, that Pakistan initiate operation and cooperation agreements with key partners, including general agreements for mutual legal assistance and extradition.

With regard to visa facilitation agreements, no list of prerequisite criteria for deciding to open such negotiations exists, but the European Union takes into account the conclusion of, or active negotiations on, readmission agreements, external relations objectives, implementation records of existing bilateral agreements and progress on related areas in the field of justice and home affairs – including fundamental rights.

It should be noted that, for all countries with which the EU has concluded visa facilitation agreements, the Commission has presented a draft negotiating mandate to the Council as a follow-up to Council conclusions which envisage the promotion of people-to-people contact with the country concerned.

Readmission agreements are monitored by the Joint Readmission Committees. These are set up under each agreement. Furthermore, we gather any relevant information about the implementation of the agreements in force. So far, no major problems have been reported, not even by NGOs who are active in these fields, despite the fact that some of the countries where such agreements are fully operational have been very sensitive.

In any case, under a readmission agreement, no one shall be returned if this would entail the risk that the person concerned would be subject to persecution, torture or inhumane or degrading punishment.

Should that happen, this is not a consequence of the readmission agreement, but of an illegal decision taken by the Member State concerned, which should be subject to judicial review by the national courts. Furthermore, as requested by the European Council in the Stockholm Programme, the Commission will, by the end of this year, present a full evaluation of the EU readmission agreements in the form of a communication to Parliament and the Council. The Commission will consider, in the framework of the abovementioned evaluation, your suggestion that the possibility of assistance with reintegration for those readmitted be explicitly mentioned. In any case, we are already providing support for different projects and the return fund offers possibilities for immediate reception in the country of return upon arrival.

There are ways to support this: we will undertake evaluations; we have directives in place. The Commission will monitor the situation very closely and I will keep you informed as much as possible, as stated in the general agreement between us and also in the communication adopted by the LIBE Committee in July. With this, I hope that you can adopt the agreement.

Gabriele Albertini, *rapporteur for the opinion of the Committee on Foreign Affairs*. – (IT) Madam President, ladies and gentlemen, eight years after the start of negotiations between the European Commission and Pakistan, an agreement has finally been reached on a readmission procedure for persons residing in the European Union without authorisation.

The Committee on Foreign Affairs asked permission to draft an opinion on this very important agreement, particularly bearing in mind developments in the region around Pakistan and the issue of human rights.

We had a lengthy debate in committee and several concerns were raised: the unstable situation and continual violations of human rights in Pakistan, as well as the fact that negotiations held with Pakistan did not guarantee the rights and safety of persons sent back to Pakistan. Also, we were worried that no evaluation of the 11 readmission agreements already in force has yet been made.

In the end, the members of the Committee on Foreign Affairs concluded that a clear framework for cooperation on readmission with Pakistan was preferable to a situation where there is a risk that Member States proceed to expel illegal immigrants from Pakistan on an ad hoc basis and without supervision based on the respect for human rights.

Article 16 will ensure that the EU can carry out this supervision, so I reiterate the request of the Committee on Foreign Affairs for an evaluation of the agreements concluded thus far and I support its adoption.

Manfred Weber, *on behalf of the PPE Group*. – (DE) Madam President, Commissioner, ladies and gentlemen, firstly, on the subject of Pakistan: we are debating this at a difficult time for Pakistan, and all of us, I believe, support complete solidarity with the people there who have suffered this disaster. Mr Sógor has already talked specifically about the agreement. Therefore, I would like to make a few comments on the questions relating to European Union readmission agreements with third countries in general.

Firstly, these agreements make sense and they are necessary, because we have legislation in Europe that governs immigration. However, if we have legislation that governs immigration then there will also be people who are residing here illegally. It then follows logically that we also need to have repatriation. With regard to many of the principles I have just stated, the Left – the Socialists – are often on our side, but when it comes to specific decisions regarding the actual conclusion of such an agreement, they then refuse to give their consent. I therefore believe that, despite this, we need to remain consistent.

Secondly, standard human rights must be respected. The alternative to such an agreement is not, of course, that we have better human rights standards. Anyone who rejects this agreement accepts the fact that we will have 27 different legal standards in the European Union which are not monitored as closely as would be the case at European level.

The third, and for me the most important, question is: how can we actually make partnership with third countries attractive in future? I would ask the Commission to work in a more interconnected way in future. If we open up European markets in the world trade negotiations, the third countries must also give us the opportunity to talk about repatriation or, with regard to the question of legal immigration, third countries must be in a position to grant us concessions in connection with repatriation. In other words, a more interconnected way of working is important here.

Sylvie Guillaume, *on behalf of the S&D Group*. – (FR) Madam President, ladies and gentlemen, the catastrophic humanitarian situation which Pakistan is currently experiencing has obliged us to postpone the vote on the readmission agreement between the EU and that country by a fortnight, which, I must admit, is of little consolation.

Our choice is now critical. How can we actually approve this agreement when so many questions remain unanswered and when so many concerns still remain? It is pointless to review in detail Pakistan's sad record in relation to respect for human rights, but I should still like to echo what other Members have already said: that country is a signatory to neither the Convention relating to the Status of Refugees, signed in Geneva, nor the Convention relating to the Status of Stateless Persons.

This situation is all the more worrying because this agreement is primarily and clearly aimed at Afghans, and the statements from the Commission, which are confined to asking Pakistan to sign the Convention relating to the Status of Refugees, do nothing to change the situation. This is why we must declare a clear prior position: the signing of the Convention relating to the Status of Refugees and other texts relating to the protection of fundamental rights is a *sine qua non* of any negotiation.

This situation is combined with a chronic lack of precision surrounding the implementation of the agreement we are debating today, the scope, structure, objectives and technical arrangements of which, both with regard to the readmission procedure itself and to the exchange of personal data, I can only describe as vague. It is not only the implementation of this agreement which is the problem; it is also the entire negotiation process and readmission agreements in general.

We have asked the Commission on numerous occasions to provide an assessment of the agreements concluded so far. We have not received this, and what you are telling us today is insufficient. How could we reasonably and in all conscience approve this agreement if we have not seen any assessment? I would add that this is also the finding of the study requested by the Committee on Civil Liberties, Justice and Home Affairs, which has been passed on to us. Parliament will not be able to fully exercise its powers if it is not duly informed during the process of negotiating and implementing these agreements.

As Parliament is now a colegislator, it must affirm its position. I would therefore emphasise that tomorrow's vote will be of great symbolic significance for its role. At a time when partnership agreements are being negotiated with states such as Libya, for example, our role is to reject this agreement, thereby demonstrating Parliament's concern for human rights and desire for greater transparency in negotiations.

Cecilia Wikström, *on behalf of the ALDE Group*. – (SV) Madam President, Commissioner, as many of my fellow Members have said, I think that, after the disastrous floods in August, this could be perceived as not the best time to debate the agreement between the EU and Pakistan on readmission. We all still have the terrible images of the victims in our minds and we share their suffering.

However, let us not fall into the trap of mixing up different issues. The agreement on readmission is quite simply a way of clarifying the legal aspects between the EU and Pakistan. I believe that the agreement should be seen in a wider context, one in which we are acting to encourage lawful migration, while, at the same time, controlling illegal migration. I would like to thank the Commission for the guarantees that it has given with regard to the monitoring of the agreement. The Commissioner said that pressure will be exerted on Pakistan to sign the Geneva Convention and that the Commission is committed to informing Parliament of the results of the implementation at all stages.

The Group of the Alliance of Liberals and Democrats for Europe, which I am representing today, supports the report on the readmission agreement and we would also like to call

on the Commission to give us a positive response to the question regarding the introduction of an evaluation mechanism for all readmission agreements as soon as possible. The fact that Pakistan has not signed the Geneva Convention is certainly a complicating factor, but let us remember that all of our Member States are bound by the Convention and by EU treaties and would be committing a serious infringement of these if they were to send people back to countries where there is a risk of their rights being violated. This is what is referred to as the principle of non-refoulement and it applies irrespective of whether or not Pakistan has acceded to the Geneva Convention. Indirect non-refoulement also exists, and I would just like to say very briefly that this agreement is essential, as it governs our cooperation with Pakistan.

Judith Sargentini, *on behalf of the Verts/ALE Group.* – (NL) It is a fact that a humane asylum policy requires a deportation policy. Asylum seekers whose applications have been rejected need to go somewhere else. Yet that is not the same as juggling with people. Somehow, Europe has dreamt up the idea that, if a person cannot be deported to his or her country of origin, we simply take the nearest country or the country through which the person travelled before his or her arrival in Europe. That is what I call juggling with people.

We are already going so far as to attempt to pack people off to Libya, and as to wash our hands of it if Libya seeks to send people back to Eritrea. We are evidently attempting to pass the buck when it comes to people from other countries – in this case, Afghans being deported to Pakistan. I have heard one of my fellow Members from the Group of the European People's Party (Christian Democrats) saying words to the effect of: 'How can we make these readmission agreements more attractive to those other countries?' This does not strike me as a humane way of treating people, nor does it strike me as the right way to achieve a good European asylum policy.

Indeed, a good European asylum policy is what we all stand for. Passing people on to a country such as Turkey, for example – through which, after all, a great many asylum seekers travel – means that these people cannot start a new life because they are neither where they want to be nor where they are welcome; and no amount of money can change that.

Cornelis de Jong, *on behalf of the GUE/NGL Group.* – (NL) The Confederal Group of the European United Left – Nordic Green Left opposes the proposed readmission agreement with Pakistan. It is the wrong instrument at the wrong time.

According to the United Nations, Pakistan's infrastructure – roads, railway lines, bridges and so on – has been so severely affected by the flooding as to revert to the condition it was in decades ago. In Pakistan, millions of people are fleeing the water or are finding on their return that nothing remains of what they once owned. One would have thought that, under these circumstances, Europe's main concern would be to help people. Therefore, I find it distasteful to note that, now of all times, we are being required to take a decision on a readmission agreement that will inevitably mean that Europe is able to send back to Pakistan illegal asylum seekers and those whose applications have been rejected. Is this an example of the community of values on which the European Union prides itself?

In addition, the agreement lacks sufficient human rights safeguards. Pakistan is not a stable country at present. Therefore, my question to the Commission, and indeed also to the Council, is as follows. What is the basis for your confidence that Pakistan – which has not, in fact, ratified the Geneva Convention but nevertheless welcomes large numbers of refugees – will really offer refugees protection under the present circumstances?

One would expect the agreement to contain safeguards that do justice to the responsibilities countries take on when deporting a person to another country. The only thing we have really heard about this is that the European Commission is to ensure that Member States meet their obligations under the European Convention on Human Rights and the Geneva Convention.

Yet my question to the Commissioner is as follows. How does the Commission intend to do this? Will you send officials along to Pakistan when people are put on an aeroplane, and how long will you continue to monitor the fate of these people – or will you just present us with a report when it is already too late for them? The agreement contains too few safeguards, and comes at exactly the wrong time. Therefore, the verdict of my group is that this should be swept off the table.

Philip Claeys (NI). – (NL) I should like to draw attention to the problem we have with Turkey. As you know, the European Commission has been endeavouring to conclude a readmission agreement with Turkey for many years now, but has found its efforts systematically opposed by that country.

The situation is unacceptable for two reasons. Firstly, a candidate country might be expected to show cooperation instead of opposition. Secondly, Turkey is not simply a neighbour of the European Union; it also shares a very long border with us. Furthermore, Turkey is one of the largest and most important countries of origin and transit of illegal immigrants. I can also refer in this connection to a recent memorandum from Europol, Eurojust and Frontex, which described Turkey as one of the main transit countries for the heroin trade from Afghanistan, Pakistan and the Balkans. The issue here is not only the drugs trade but also organised crime in general.

Reportedly, the negotiations on the readmission agreement with Turkey have been going rather better than in recent years, and yet we note that the Turkish Government is now starting to impose certain conditions that are totally unacceptable. Where the EU talks about 'visa facilitation', the Turkish Government is starting to speak about opening up borders and about free movement of persons for people from Turkey – which, of course, only exacerbates the problem instead of offering any solution to the existing problems.

Carlos Coelho (PPE). – (PT) Madam President, I would congratulate my colleague, Mr Sógor, on the report that he has presented. The importance of this report and of the negotiations undertaken is well illustrated by the fact that it has taken 10 years to reach an agreement.

This agreement is important not only for Pakistan, but also for our relations with other countries in the region. These agreements are a positive factor in the fight against illegal immigration, but the return of any illegal immigrant can only occur based on an individual decision and in full compliance with the obligations and responsibilities of international law, with special emphasis on the principle of *non-refoulement*.

Pakistan is, without doubt, an important country of origin or transit for illegal emigrants. However, it is regrettable that it has not yet gone ahead with ratifying either the International Covenant on Civil and Political Rights or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. This raises serious doubts about whether returns there will be safe, especially because the agreement does not include strict safeguards and mechanisms for the protection of fundamental rights.

Despite falling far short of what is desirable, it is nevertheless positive to eliminate the risk of Member States yielding to repatriations on an *ad hoc* basis. It is also positive that a clear framework for cooperation with Pakistan will be created allowing supervision of human rights by the European Union.

Monika Flašíková Beňová (S&D). – (SK) We are talking here about readmission agreements and many of us are bothered by a fundamental question: How to ensure protection of the rights and safety of deported persons?

Experience suggests that readmission agreements do not adequately reflect this issue. It is normally assumed that if two states conclude an agreement, they will monitor the objective specified by the agreement. However, it does not always work that way, and readmission agreements are a good example of that. States often conclude them within the context of a broader framework of cooperation which includes other and – for the parties concerned at least – more important areas, such as energy security, for example, or the fight against terrorism, police cooperation or trade. Readmission agreements therefore form only a small part of pragmatic bilateral relations.

Let us be honest, ladies and gentlemen. For more advanced countries, readmission agreements also represent a more elegant way of officially getting rid of illegal immigrants with the consent of the less advanced country of origin which, in return, will be compensated, for example, through the signing of a strategic trade partnership.

Let us now get down to basics: the mere consent of the less advanced country of origin does not indicate in the slightest that it has the political will or the legal or institutional resources to handle an influx of its citizens, never mind protecting their human rights. For us Members who are involved in human rights protection, it is vital to acknowledge this hidden context of readmission agreements, and so we must insist that human rights and transparency are a priority when concluding readmission agreements.

Nicole Kiil-Nielsen (Verts/ALE). – (FR) Madam President, the Commission wrote in 2005 that, ‘individual expulsion decisions [taken by Member States’ competent authorities] have to comply with the 1951 Geneva Convention, the 1967 Protocol and international treaties. No one may be removed, expelled or extradited to a State where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment’.

The fact is, serious human rights violations do take place in Pakistan: the death penalty, torture, death while in custody, forced disappearances, honour crimes. As has already been said, there are several international agreements that it has not signed. How can we be sure that the rights of readmitted individuals and their safety will be protected?

There are no guarantees for ethnic or religious minorities or for women. There is no mention of the consequences of the agreement for Afghan refugees, nor are there any plans for the implementation of the agreement to be monitored by the EU Agency for Fundamental Rights. In the name of human rights and human dignity, Parliament must reject this agreement.

Andrew Henry William Brons (NI). – Madam President, the case for returning illegal Pakistani immigrants to their country of origin is self-evidently valid. The main question to be asked is why there should have to be an agreement with Pakistan for them to be allowed to enter their own country. I ought to be surprised, but I am not.

There are those who object to their being returned even with Pakistan's permission. Their objection appears to be that Pakistan does not comply with the relevant human rights standards. That is quite true. But it is also true of most third world countries – and indeed some European ones. Are they suggesting that all illegal immigrants from countries with flawed human rights standards should be allowed to stay? If they really believe that, we must ask why they are content for the remaining populations of those dangerous countries to remain in them. Should we not be inviting the entire populations of Pakistan, China, Afghanistan, the Middle East, Latin America and Africa to move to the European Union? That is the logical absurdity of their position.

Ernst Strasser (PPE). – (DE) Madam President, Commissioner, ladies and gentlemen, this agreement is right and it is necessary, and it is thanks to the Commission that we now have a result. Consideration of minimum humanitarian standards in the country of origin is, of course, a fundamental part of any readmission agreement. That is a prerequisite for any agreement of this kind to be concluded at all.

It is not about asylum seekers – and I am addressing that comment to the Greens and the Left. Read the agreement! It is not about those in need of protection; it is about people who are residing here illegally. That is the group we are talking about here. Asylum seekers and the deportation of people in need of protection are not something we can include in a readmission agreement.

What we need now is to ensure – and in this regard, I am grateful for the evaluation that you have just provided in your statement – that return decisions will also be implemented, as the number of actual returns is considerably lower than the number of return decisions. I have here the figures from 2008, according to which there were 609 000 illegal residents and 608 000 return decisions, and 214 000 people were actually returned. We need a common European strategy here, but in order to implement it, we also need a common strategy with the third countries.

Rita Borsellino (S&D). – (IT) Madam President, Commissioner, ladies and gentlemen, today's debate on readmission agreements cannot escape the now thorny issue of the agreement between the European Union and Libya.

We know that one part of the agreement centres on the fight against illegal immigration. We are worried because so far, the Commission has said little to us on the issue, despite the fact that the Treaty of Lisbon obliges the Commission to provide Parliament with information promptly.

As we know, Libya is not a signatory to the Geneva Convention on Human Rights, nor has it so far shown that it has adopted standards of behaviour in line with international law. I am thinking of the case of the Eritrean immigrants held in inhumane conditions in the Libyan centre of Brak, as well as the closure of the offices of the United Nations High Commissioner for Refugees. Above all, however, I am thinking about the events of last week, when a Libyan patrol boat opened fire on an Italian fishing boat from the Mazara del Vallo fleet in international waters, claiming that there were illegal immigrants on board. This is an extremely worrying explanation that brings to mind the agreement signed between Libya and Italy. Among other things, this provides for the refoulement of immigrants to Libya without any provisions on the right to request asylum or individual, case-by-case assessments of each situation, whilst it also permits the use of firearms to stop immigrants.

Given that part of the agreement is secret in this case too, I wonder if the Commission is aware of its content and whether, in the case in question, it thinks it necessary to request explanations regarding the Libyan authorities' ability to open fire on boats if they suspect that they are carrying illegal immigrants. Because if this was the case ...

(The President cut off the speaker)

Agustín Díaz de Mera García Consuegra (PPE). – (ES) Madam President, asylum is a precise and defined legal concept that has nothing to do with a readmission agreement.

The agreement with Pakistan is an EU instrument that is part of the fight against illegal immigration, not of international protection or asylum.

There is no room for doubt regarding the purpose of the agreement: the readmission of any Pakistani citizens that do not fulfil or no longer fulfil the current requirements for entering, being in or residing in a Member State, or of nationals from third countries or stateless persons who have a visa or a residence permit issued by Pakistani authorities and have illegally entered a Member State directly from Pakistan.

Respect for fundamental human rights during the repatriation process must be guaranteed by requiring that international law be complied with, especially the principle of *non-refoulement* and the European Convention on Human Rights.

In short, the measures in the agreement shall only apply to persons who are in the EU illegally and shall not affect others who have been granted asylum or whose application for international protection is in progress.

Therefore, in my opinion, we cannot and must not confuse different issues that could prevent an agreement being reached that is fundamental in the development of the common European Union immigration policy.

We therefore support the agreement but demand guarantees from Pakistan.

Emine Bozkurt (S&D). – (NL) The flooding in Pakistan is the most severe in 80 years and at present, there is no end in sight. Millions of people have been affected. Many have been left homeless and famine is looming. Are we going to send people back on the same aeroplane used to send humanitarian aid to Pakistan?

An agreement between the European Union and the Islamic Republic of Pakistan would be irresponsible. We cannot disregard the human rights situation in Pakistan, which leaves much to be desired. Pakistan has not even signed the Geneva Convention relating to the Status of Refugees. We should be concluding agreements under appropriate conditions, such as requirements for the signing of the Geneva Convention or other agreements safeguarding fundamental rights.

Therefore, I am also very curious about the agreements the European Union is negotiating with other countries. The important thing is that we have access to these, so that we can ensure that the agreements are sound. For example, what is the situation with the readmission agreement with Turkey? Reportedly, the negotiations are virtually complete. A few Member States still have some objections to the final text.

Could the Commissioner tell us the nature of the sticking-point in the negotiations? What is the European Commission doing to achieve a favourable outcome? Also, when the agreement has been concluded, will the Commission take the next step at long last? Will Turkish businesspeople and students be able to enjoy visa-free travel to Europe at long

last? After all, it is outrageous for the European Union to conduct a visa-free policy with the most diverse countries but not with one of its candidate countries.

Birgit Sippel (S&D). – (DE) Madam President, in his introduction, the rapporteur said that Parliament now has to support the agreement. Perhaps that was a mistranslation, but I will nevertheless make it very clear that I do not have to support this agreement and I most definitely will not support it.

This first agreement following the entry into force of the Treaty of Lisbon will, in particular, send out a particularly important signal. However, what sort of signal are we sending out to the EU and beyond? Looking at the supporters of the agreement I can, above all, see a biblical principle at work: we wash our hands in innocence – after all, we have a treaty. However, we have absolutely no idea what happens to the people in these countries when we send them back. I would have liked to have seen a greater sensitivity to the issue of the treatment of refugees and of respect for human rights. The adoption of this agreement will severely jeopardise our credibility in matters of democracy and human rights. I would therefore ask all my fellow Members once again not to support this agreement.

IN THE CHAIR: Libor ROUČEK

Vice-President

Andreas Mölzer (NI). – (DE) Mr President, the combination of restrictive EU external border protection measures and strict application of readmission agreements can stem the tide of illegal immigrants. The Lampedusa example is, in my opinion, an impressive demonstration of this. Whereas, up to 2008, there were tens of thousands storming Italy's coast each year, now the overly full reception camps are noticeably emptying. Parliament should therefore support the Commission in the swift negotiation of further agreements, with Turkey, for example.

In this regard, however, absurd demands, such as that from the Libyan Head of State, Colonel Gaddafi, according to which the European Union should pay Africa at least EUR 5 billion a year to combat illegal immigration, must be firmly rejected. Instead, the numerous financial subsidies provided by the EU, such as development aid, must be linked to the willingness of the states to genuinely cooperate with the European Union in combating illegal immigration. We also need to combat the abuse of the asylum system and bogus asylum seekers throughout the EU and strengthen the border protection agency Frontex in a genuinely effective way.

Georgios Papanikolaou (PPE). – (EL) Mr President, ladies and gentlemen, approximately 80% of illegal immigrants found on the external borders of the European Union are found in Greece. Approximately 126 000 illegal immigrants were arrested in Greece in 2009. Of these, approximately 5 000 (4 852 to be precise) were from Pakistan and 36 472 were from Turkey.

From this, I draw the following conclusion: the agreement with Pakistan is very important and has, in fact, taken a very long time: 8 years have now passed. Article 16 makes provision for protection for human rights and we expect a lot from this agreement.

I would remind the House that Spain, Malta and Italy have limited numbers of illegal immigrants thanks to such agreements. I trust that the agreement with Turkey will not take another 8 years, Commissioner. You have told us numerous times now that we are

in the final stage. However, no announcement has been made. I trust that there will be no further delays. We have no time to waste.

Franziska Keller (Verts/ALE). – Mr President, one point of clarification that does not seem to be very clear here is that people who have the status of being illegal have not necessarily entered the European Union illegally. They might very well be asylum seekers whose claims have been rejected, or people who came with a tourist visa and overstayed, so they are not like those people who have entered via criminal efforts in a very illegal way.

Ms Malmström, you said that you want to meet the expectations of European citizens. What our citizens expect us to have is a European Union of human rights and respect for human beings. Those expectations should also be met. I wonder how you will be able to monitor people who are sent back, to ensure that they are not persecuted and tortured. How will you look into this? What will this look like in practical terms?

Franz Obermayr (NI). – (DE) Mr President, the large degree of euphoria surrounding the democratic progress made by Turkey as a result of the most recent referendum needs to be put into perspective, because Turkey has so far not managed to cooperate with the EU with regard to the return of refugees and migrants. In this regard, Turkey is not only a country of origin, but it is also often a transit country for refugees from the Middle East, from Iraq and Iran. Cooperation in our joint defence against refugees is, however, essential. Although Frontex is available to help with technological matters, it does not, of course, mean that the EU has to bear the general costs of Turkish border protection. The EU cannot be Ankara's cash cow and, in any case, the pre-accession aid is extremely generous. Turkey must therefore comply with the Geneva Convention Relating to the Status of Refugees, and fundamental rights deficiencies must not be used as an excuse to refuse to return refugees. It is not acceptable for Ankara, on the one hand, to push for closer relations with Brussels but, on the other, to liberally direct refugees into the supposed Eldorado of the EU. A readmission agreement must therefore be concluded as quickly as possible.

Elena Băsescu (PPE). – (RO) I would like to mention, as part of this debate, the case of one of the third countries, specifically, the Republic of Moldova.

In 2007, the European Parliament ratified the readmission agreement between the Republic of Moldova and the European Community. However, this policy has some shortcomings. There was too little assessment carried out of its impact on the Republic of Moldova, while the agreement's negotiation and implementation procedures were not sufficiently transparent. While the Communist administration was in power, from 2001 until 2009, more than 600 000 people migrated from the Republic of Moldova to the EU. One of the reasons was the disregard for human rights. The large number of statements made in the ECHR condemning Moldova is one example of this.

To resolve these issues, the EU needs to provide suitable commercial policies and more assistance for development. With this in mind, I think that the EU initiative for providing financial aid to Moldova must be continued.

Harlem Désir (S&D). – (FR) Mr President, Commissioner, ladies and gentlemen, tomorrow, for the first time, Parliament will be called on to give its assent to a readmission agreement. This is a very important responsibility which I believe Parliament must exercise seriously, since it involves the safety of the people concerned.

Pakistan is a state which has neither signed nor ratified the Geneva Refugee Convention or the Convention relating to the Status of Stateless Persons. This agreement could affect

not only Pakistani nationals but also citizens of other countries fleeing war and disturbances, and here, I am thinking, in particular, of Afghans who could well find themselves, as a result of this agreement, being sent to a state that offers no guarantees whatsoever.

Therefore, Parliament's first – and, I think, most legitimate – request is that we be given an assessment of the previous readmission agreements, since this was, after all, what the Commission promised.

Secondly, we call for Pakistan to sign these Geneva Conventions before any agreement is envisaged.

Thirdly – and this is the very least we expect – we ask that Parliament be able to take part in the Joint Readmission Committee; in other words, that it also is able to monitor the terms on which any future agreement is implemented.

As the situation stands at the moment, I do not think we should give our assent tomorrow.

Cecilia Malmström, *Member of the Commission*. – Mr President, honourable Members, I would gladly discuss Turkey, Libya and Moldova with you, but we are running out of time, so I will stick to the subject of the debate. However, I would be happy to come back and discuss these issues with you at some other time.

As regards Pakistan, as some speakers mentioned, we have been discussing this readmission agreement with them for many years. I think you all agree that it is much better to have a European agreement with Pakistan instead of several more or less obscure bilateral agreements. As a European agreement, it can be monitored, it can be subject to control, it is much more transparent, we can discuss it here in plenary, we have greater leverage on issues such as fundamental rights and human rights, and we have greater legal clarity.

I would like to underline what I have already said in my introductory remarks, namely, that the EU asylum acquis requires Member States to grant a third country national or stateless person international protection where it is established, following an individual examination of the asylum application, that he or she is in need of international protection. The Asylum Qualification Directive – and you all know that I want to strengthen this directive and negotiations are ongoing – specifies relative criteria in that respect and no readmission agreement can release Member States from that fundamental obligation and duty.

The declaration that we have agreed among us on reporting to Parliament and on increased transparency is very important and the Commission can firmly commit to following it. As I said, there will be an evaluation of all readmission agreements. This evaluation will form the basis for a future strategy on future readmission and I will be happy to discuss this with you.

As regards the question of how we can check what happens to these people, of course, the Commission has no way of checking on all these individuals. Member States do not have the obligation to do that. They do not have the obligation to report to the Commission, but we will, in the light of the upcoming evaluation, look at this issue and see how we can cooperate further – Member States, NGOs, people working on the ground – in order to bring that forward.

So, this evaluation is very important. It will define the future readmission policy, but that should not stop us from making progress in the agreement that we have before us.

This agreement is important for us to manage our migration policy properly and, with the promise to come back to you as soon as possible with the evaluation, I would urge you to vote in favour of the admission agreement tomorrow.

Csaba Sógor, *rapporteur*. – (HU) Mr President, I hope you will not be too strict with me, as I only used up three minutes and twenty seconds of my first four minutes. Please forgive me if I happen to take a little longer this time.

We were deeply moved by what happened in Pakistan during the floods and we are still very concerned about all human rights violations which take place either in Pakistan or elsewhere in the world. However, we are even more concerned when human rights are violated even in countries which have signed the Geneva Convention on the Status of Refugees. And we are even more concerned that some of the fellow Members supporting the people of Pakistan – with good reason – and speaking out against human rights violations may not acknowledge national minorities in their own Member State.

I would like to repeat what I have already said in the debate: while the issue of human rights is indeed important, this agreement is not primarily about human rights issues. It is also about EU citizens and Member States turning to us for security. Allow me to tell you about a case that took place in May 2010 in the UK. Two Pakistani students, Abid Nasser and Ahmad Faraz Khan, were arrested on suspicion of terrorism. The British court ruled that returning the two students to Pakistan could endanger their lives, and they were allowed to remain in the UK. For this reason, when we talk about returning people, we obviously have every right to call to account Pakistan over human rights violations, but we should primarily trust in the judges and courts of our Member States, and we can perhaps make sure that the human rights of individuals are not violated.

Pakistan does not meet the criteria in many respects, but we should not forget that it has had a ministry for minorities since 2004 and this year, perhaps also as a result of your critical comments, it ratified two international agreements, namely the International Covenant on Civil and Political Rights and the 1984 United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. I have to say that they may have changed it because you were critical towards this agreement and ratified it, but perhaps I can also say that if you vote no tomorrow, your vote will mean that you do not trust the courts of your own Member States. I therefore urge everybody to give Pakistan a chance to continue on this road after almost ten years of negotiations and agreements, and hopefully it will sign the Geneva Convention as well.

President. – The debate is closed.

The vote will take place tomorrow (Tuesday, 21 September 2010) at 12:00.

Written statements (Rule 149)

Krzysztof Lisek (PPE), *in writing*. – (PL) Ladies and gentlemen, as part of the debate on the Agreement between the EC and Pakistan on readmission - Community readmission agreements with third countries, I would like to draw attention to questions related to work on the subject of an agreement between the European Union and Georgia on the readmission of persons residing illegally. On this matter, we are guided principally by the desire to strengthen cooperation between the EU and Georgia to enable a more effective fight against illegal immigration, and so, on a reciprocal basis, we are concentrating on the construction of suitably rapid and effective procedures which will allow establishment of identity and ensure the safe return and transit, in conformity with legal requirements, of

persons who do not, or who no longer fulfil the conditions for entry to, presence in, or residence on the territory of Georgia or of an EU Member State. I am of the opinion that such an agreement should be brought into force as quickly as possible, because we are not dealing, here, with numerous controversial matters as we are in the case of Pakistan. Quite the opposite – Georgia respects human rights – it is a signatory to the Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950 and the Convention Relating to the Status of Refugees of 28 July 1951, as amended by the Protocol Relating to the Status of Refugees of 31 January 1967. Furthermore, it is also a Member State of the Council of Europe.

Cristian Dan Preda (PPE), *in writing*. – (RO) I want to begin by stressing the symbolic significance of this first readmission agreement signed by the European Union as an entity. Moreover, Pakistan is an important partner of the EU, especially in the fight against terrorism. The general consensus is that the EU must improve its strategy and become more involved with this country. I believe that a clear, well-structured cooperation framework is required with Pakistan on the issue of readmission. Without this agreement, we leave ourselves exposed to the risk that Member States will go ahead and return illegal immigrants to this country outside any European legal framework and on an ad hoc basis. Based on this assumption, the EU would have no say in anything and, in particular, it would not have the chance to ask for guarantees regarding respect for fundamental rights. It must be stressed that the EU will be represented in the Joint Readmission Committee set up in accordance with Article 16 of the agreement, which will allow it to monitor respect for fundamental rights as part of readmission. Furthermore, the non-affected clause under Article 15 addresses the concerns about respect for human rights in Pakistan.

19. Trade and economic relations with Turkey (debate)

President. – The next item is the report by Metin Kazak, on behalf of the Committee on International Trade, on trade and economic relations with Turkey (A7-0238/2010).

Metin Kazak, *rapporteur*. – (BG) Mr President, Commissioner, ladies and gentlemen, the main reason for this report is that Turkey is among the European Union's most important trading partners. Official statistics show that Turkey is the world's 17th largest, and Europe's sixth largest, economy, as well as the European Union's seventh largest trading partner. In 2008, trade between the European Union and Turkey reached its highest point of EUR 100 billion per annum.

In this context, we can summarise the main accents and guidelines for action set out in the report of the Commission on External Trade in several points:

First, although the customs union, which has been in place since 1996, has been an undisputable success for economic and trade integration between the European Union and Turkey, non-tariff restrictions remain in place, as do excessive red tape and complex bureaucratic procedures which Turkey should act promptly to address.

Second, the Commission should continue its engagement and dialogue with Turkey in the field of trade, particularly in the framework of the Joint Consultative Committee and the Customs Union Joint Committee. More effective use needs to be made of these platforms if we are to resolve outstanding problems soon.

Turkey needs to stop its discriminatory practices against foreign enterprises by means of the 15 percent bias given to Turkish bidders in public procurement tenders.

The European Union has free trade agreements with third countries with which Turkey has not yet managed to conclude such agreements. This has a negative effect on the Turkish economy, as it gives European Union partners one-sided, privileged access to the Turkish market.

Whilst acknowledging the difficulties confronting Turkey in making such agreements, we call upon the Commission and the Council to ensure that Turkey is included in the impact assessment of the forthcoming free trade agreements with third countries, and that information on the European Union's position and on the state of negotiations on these agreements is transferred.

Fifth, counterfeit goods are a serious problem in bilateral trade relations. They make Turkey less attractive to direct foreign investment, and Turkey therefore needs to effectively apply its new legislation regarding intellectual property rights.

Sixth, Turkey is an influential regional power and plays an extremely important role in the Black Sea and Caucasus regions, the Mediterranean, the Middle East and Central Asia. The European Union could benefit greatly from these regional platforms, as they give access to new markets and provide new opportunities which will contribute to strengthening economic ties between those regions and the European Union.

Seventh, we should point out the main challenge which Turkey's labour market faces, which is the low level of participation by women, who tend to be employed in the grey sector. Turkey therefore needs to put women's employment at the centre of its economic and social policy.

The Commission and the Council need to review visa procedures which hamper the movement of Turkish businessmen and truck drivers and are an obstacle to trade. At the same time, the Commission needs to verify whether Member States are complying with the rulings of the European Court of Justice on this matter.

There are other aspects in the report where the political groups in the European Parliament reached a compromise, but in addition to that, I took it upon myself to table two amendments related to updating the statistics on poverty and unemployment in Turkey, and a short comment on the referendum on constitutional reform which is expected to promote the democratisation process in Turkey and lead to the more effective implementation of free market principles.

Ladies and gentlemen, I hope that the forthcoming debate in the plenary session will reflect the same spirit of cooperation and constructiveness we witnessed during the discussions in the Committee on International Trade.

Karel De Gucht, *Member of the Commission*. – Mr President, honourable Members of Parliament, I would like to thank Mr Kazak for having prepared this balanced and fair report on trade and economic relations with Turkey. I also wish to thank the members of the International Trade Committee for their valuable contributions to this report.

While the mainstay of this report is the EU-Turkey customs union, other issues are covered – such as road transport, quotas and visas – which I prefer not to dwell upon as Trade Commissioner.

I do not have to remind this Assembly that Turkey is a very important economic and political counterpart for the EU. Indeed, Turkey is the EU's seventh trade partner and the EU is the main trade partner for Turkey. Moreover, Turkey is the sole country with a sizeable

trade with which the EU has a customs union. In addition to this, Turkey is a candidate country. All of this accounts for a truly unique bilateral relationship.

The legal framework of EU-Turkey trade relations is the customs union. As noted in the report, the customs union has been instrumental in developing our bilateral trade for the benefit of both parties. However, a number of difficulties remain, many of which result from Turkey's failure to properly and fully implement the customs union, thereby causing major and increasing trade problems which have remained unresolved for many years. In contrast, the European Union has fully implemented the customs union.

Some years ago, the Commission offered Turkey the opportunity to deepen the customs union and to conclude additional agreements that would cover, *inter alia*, services and public procurements, but our offer was not accepted by Turkey.

The Commission is ready to make the necessary moves to continue to enhance bilateral trade relations with Turkey. I am ready to further consider with Turkey ways to address Turkish concerns relating to the free trade agreements concluded by the EU with third countries. At a technical level, significant work is being done to provide our Turkish partners with information on progress in negotiations on trade agreements with other countries. We have also included a reference to the EU-Turkey customs union in the relevant impact assessment studies. We regularly encourage Turkey to inform us, in a timely manner, of its sensitivities and concerns. Furthermore, we inform our free trade agreement (FTA) partners of the EU-Turkey customs union and insist that they also conclude an FTA with Turkey. This commitment by the EU-FTA partner is generally included in the relevant agreement, either as a full article or as a declaration.

It is true that we are facing problems with some Member States that are reluctant to see the inclusion of such language in our FTAs. I regret this situation, but I can assure you that I will continue to do my best to ensure that the EU-Turkey customs union continues to function well.

Let me say very clearly that we are facing some resistance and unwillingness from Turkey to implement fully the customs union. The report clearly highlights those areas and measures taken by Turkey that are not in line with the customs union. I trust that this report will help motivate Turkey to take the necessary positive steps to improve the overall functioning of the customs union and to come forward to negotiate additional agreements that would strengthen our bilateral trade and economic relationship.

I would also like to take this opportunity to inform you that I am personally committed to enhancing trade relations between Turkey and the EU. In June this year, the Turkish State Minister for Foreign Trade paid me a call and we agreed to stay in touch regularly. He recently invited me for a meeting in Ankara in the coming months – an invitation I will accept in the hope that we will make progress in resolving quickly, sustainably and in a friendly way, the continuing trade problems.

Thank you for your attention.

Godelieve Quisthoudt-Rowohl, *on behalf of the PPE Group.* – (DE) Mr President, Commissioner, ladies and gentlemen, the European Union has a strong trade partner in Turkey and vice versa. Although Turkey has greatly diversified its trade in recent years, we, as the European Union, are still Turkey's largest trade partner. However, good things can always still be improved upon, and that is the purpose of this report.

Thus, we are calling on Turkey to reduce its high tariffs, for example, on agricultural products, and to remove the remaining non-tariff barriers to the free movement of goods. Simplification of procedures and reduced bureaucracy would also improve trade. Turkey has, of course, also succeeded in making some improvements recently, as the Commissioner mentioned. Nevertheless, there would be a greater flow of foreign investment if it were possible to improve the laws relating to intellectual property and if Turkey actually complied with the regulations in this regard, too. The laws have not been effectively implemented in Turkey. We also need to call on Turkey to fully implement the Additional Protocol to the Association Agreement. There are still barriers to the free movement of goods that need to be removed.

Whenever we discuss Turkey in this Parliament – including in the Committee on International Trade – the debate is very often highly emotional. I would therefore especially like to thank the rapporteur for succeeding, in his very open and excellent cooperation with all of the shadow rapporteurs, in drawing up this text in such a way as to reflect the views of all of us, something that was also evident in the vote in committee. Thank you very much, Mr Kazak.

Francesca Balzani, *on behalf of the S&D Group*. – (IT) Mr President, ladies and gentlemen, the European Union and Turkey have strong trade links. The customs union has made it possible for the volume of trade between the European Union and Turkey to reach the significant figure of EUR 100 billion per year.

Above all, the geopolitical position of Turkey makes it an important link between the Mediterranean area, the Middle East, Asia, and the Caucasus and Black Sea regions. Turkey is also a country which is at odds with Europe in that it has completely different demographic dynamics, is a young country, and one which first tackled the crisis and the challenging reforms which these dynamics required.

So it is a complementary country because it is different to the European Union from many points of view and therefore there is a great degree of reciprocal potential: it is this that we must concentrate on. We must be careful not to waste this potential, but turn it into fruitful investments.

It is true that the European Union is an important trading partner, but Turkey is looking ever more to Russia, Africa and the Middle East. Also, the customs union still does not apply to public procurement or services and there are still major obstacles to international trade.

We must therefore work to remove the obstacles to this potential – and I believe the report that we are discussing today, and upon which we will vote in the next few days, is moving in this direction – because there are areas in which we must really make this potential grow: energy, the environment, services networks and infrastructure. This report therefore represents an important step and I think the work of Mr Kazak should be supported and I would like to thank him for it.

Niccolò Rinaldi, *on behalf of the ALDE Group*. – (IT) Mr President, Commissioner, ladies and gentlemen, I welcome Mr Kazak's report which basically tells us that the European Union has a remarkable instrument in its hands to further develop its relations, including its political relations, with Turkey: the commercial policy.

The crucial geo-strategic position of Turkey for the Mediterranean, the Middle East, Central Asia and the Caucasus has already been noted. There is a beautiful poem by the Turkish

poet Nâzım Hikmet which goes: 'this country shaped like the head of a mare coming full gallop from far off Asia to stretch into the Mediterranean'. We would like the mare that is Turkey to be a true fulcrum of the relations with these regions, of which Turkey is one of their centres.

However, to make this happen, political and trade relations with Armenia need to be stabilised, the Cyprus question needs to be closed, and I would highlight paragraph 11 of Mr Kazak's report on the actuation and application of the customs union with regard to the part of Cyprus occupied by Turkey. So not everything is perfect. Mrs Balzani also pointed out that there are some problems, especially in the areas of counterfeiting, the defence and protection of intellectual property, and the application of the customs union to the services sector and to procurement.

I would like to thank Mr Kazak. The Mediterranean is destined to change and we want to change it together with Turkey, which, according to the International Monetary Fund, is expected to experience growth of some 37% between now and 2020, which tells us all we need to know.

Franziska Keller, *on behalf of the Verts/ALE Group*. – Mr President, I, too, would like to congratulate the rapporteur on this very good report, which also shows how important a trade partner Turkey is for the EU and vice versa, and how important the customs union is.

There are still lots of problems which we have to tackle on both sides, in Turkey and the EU. In Turkey, there is a great need to strengthen, among other things, workers' rights. But there are also problems we need to address here in the European Union, with one being visa liberalisation: we should liberalise visas not only for lorry drivers and business people, but also for students, tourists and other people, in order to strengthen cooperation not only between states, but also between people. As for the free trade agreements, we need to involve Turkey fully at the negotiating table since it, too, is very much affected by the free trade agreements.

In general, our relationship with Turkey should be guided by fairness, and that includes the very clear statement that the EU is committed to its promises and will welcome Turkey as an EU member as soon as the Copenhagen criteria are fulfilled.

Kyriacos Triantaphyllides, *on behalf of the GUE/NGL Group*. – (EL) Mr President, the referendum on constitutional reform in Turkey had a positive outcome, but it is just a small step towards the development of universal personal, political and trade union freedoms.

A section of the Kurds and many others abstained from the vote or voted against the referendum, precisely because they want more far-reaching improvements and self-evident rights. It is regrettable that there is still no legislation in accordance with International Labour Organisation standards which would introduce full respect for the rights of trade union organisations, collective bargaining and the right to strike.

As a political group, we want to emphasise that progress cannot be measured merely by the trade and economic relations of a country. We welcome the fact that the European Parliament has also used this report to send Turkey a consistent message. The selective application – or rather non-application – of the Additional Protocol to the EU/Turkey Association Agreement, without any serious repercussions on accession negotiations, is unacceptable.

That is why, if Turkey wants trade between the Turkish Cypriot community and the EU, instead of looking for indirect ways of recognising an entity which, based on international law and UN resolutions, is illegal, let it accept the proposal by the President of the Republic of Cyprus, Demetris Christofias, for Famagusta to be returned, through the UN, to its legitimate inhabitants and for trade in the town's port to be placed under the aegis of the European Union.

This proposal, which has no ulterior motive, could help substantially in strengthening the economy of the Turkish Cypriot community and, at the same time, could be the starting point for more extensive efforts to reconcile the two communities on the island.

William (The Earl of) Dartmouth, *on behalf of the EFD Group*. – Mr President, the report describes Turkey as having the sixth biggest economy in Europe. Well, as a question of fact, the total land area of the country that is Turkey is over 300 000 square miles, and of that, just three and a half percent – less than 10 000 square miles – is actually in Europe. Only the EU could categorise Turkey as a European country!

The EU has had this customs union with Turkey since 1995. That is highly unusual. Indeed, Monaco and Andorra are the only other such countries. Let me make a key point. The existence, and indeed success, of the customs union makes Turkish membership of the EU, leading to full political union – with all the far-reaching consequences that follow therefrom – wholly and totally unnecessary. That is something which will be argued about in Europe for some time to come.

Laurence J.A.J. Stassen (NI). – (NL) Mr President, we have before us the report on free trade and economic relations with Turkey. Since the establishment of the customs union with the country in 1996, trade between Turkey and the countries of Europe has experienced strong growth.

The Dutch Party for Freedom (PVV) regards free trade as something to be welcomed, and we support the proposals for removing technical barriers to trade and bureaucratic obstacles. Free trade benefits all of us, both Turkey and the countries of Europe. At the same time, let it be clear that cooperation with Turkey is to be confined to trade relations. The PVV opposes the accession of the country to the European Union. Europe can do business with the whole world, with countries such as the United States, Israel and Japan, but that does not mean that these countries should also become members of the European Union.

Free trade with Turkey is by no means to be regarded as a stepping stone to Turkish membership of the EU. The PVV has no objections whatsoever to Turkey being a trading partner of the European Union, but categorically rejects far-reaching European integration and Turkey's membership of the EU.

Ria Oomen-Ruijten (PPE). – (NL) As Parliament's rapporteur on Turkey, I should like to congratulate the author of this report on the clarity of his proposals. I agree with him: the customs union has been of great benefit, to both Turkish and European entrepreneurs.

However, as the Commissioner also said, this customs union has yet to be completed, and on a number of points, is far from perfect. The opportunities and challenges for our trade relations with Turkey are obvious. The remaining barriers to trade and technical barriers must be dismantled without delay, and proceeding with the *acquis communautaire* will also enable further harmonisation. In addition, it is particularly important that we take up the fight against counterfeit products, as this is a huge thorn in the side of many European

brand manufacturers, and counterfeit products, including toys, can be genuinely dangerous, not least to Turkish citizens.

A number of things also need to be said on the subject of the social economy, particularly regarding trade union rights. If we want this social economy, a small step forward has been taken, at least. With regard to energy, we have common interests in this field, and so we should focus on these. Then there is visa travel. Too often, I have seen people in Turkey experiencing difficulties on account of their being treated differently, and I should like to draw another case to the Commissioner's attention.

It remains crucial that Turkey fully implement the Additional Protocol to the Association Agreement. Its ratification would remove a huge obstacle to further trade relations, from which both Turkey and Europe could benefit. It is good that we now have this report, and we shall be raising all the political questions and answers once more in the forthcoming report to be drawn up by the Committee on Foreign Affairs.

Kader Arif (S&D). – (FR) Mr President, Commissioner, ladies and gentlemen, first of all, please allow me to make a general remark about this report which, in my opinion, is a reflection of our relationship with Turkey. Although I must congratulate the rapporteur and the shadow rapporteurs for their work, what I mean to say is that it is ambiguous. It reflects our indecision with regard to that country.

As, one by one, the amendments were adopted, or otherwise, within the Committee on International Trade, an underlying – almost subliminal – issue, but one which was largely outside the scope of economic and commercial relations with Turkey, kept emerging: are we for or against that country's accession to the EU?

They reflect a kind of hesitation, which has not been taken on board: should Turkey be regarded as just another third country with which commercial relations might well be developed, or as an accession candidate, which thus imposes particular obligations which must be fulfilled by both parties?

It is indeed difficult to say today whether this report accurately reflects the reality of our relations with that country, and especially whether it actually defines an EU strategy in this regard. It depends on which side of the fence we stand: do we simply want a privileged partnership, or do we want Turkey to actually accede?

I should simply like to warn against the contradictory signals we are sending out. We cannot maintain an ambiguous approach with regard to our common destiny while, at the same time, worrying that Turkey seems to be distancing itself from the EU. A partnership requires frankness but it also requires trust. It requires frankness, because Turkey does, in fact, still need to make a great deal of effort to ensure root and branch reform and fulfil its undertakings. However, it also requires trust, which itself requires us to provide encouragement and send out positive signals.

When the Turks voted to reform their constitution a few days ago, they also did what the EU is asking of them: they are gradually bringing their legislation into conformity with our standards so that they can become a fully fledged Member State. There is still a long way to go and a great deal of effort to be made, but let us refrain from creating additional obstacles and diverting our relationship from its aim, which is membership.

(The speaker agreed to take a blue card question under Rule 149(8))

William (The Earl of) Dartmouth (EFD). – Mr President, has it occurred to the speaker that the reformed constitution to which he referred also had the effect of significantly undermining the independence of the judiciary, and is that something of which he approves?

Kader Arif (S&D). – (FR) Mr President, I can still only see good things emerging from a reform such as this, which is always highly complex. The signal indicating that the army is less powerful and that democracy is moving forward is, for me, an important signal sent out to the EU.

One can always criticise and believe that certain things have not been done, but a step forward is still a step forward. I am not a pessimist by nature, and I think that all the actions taken by Turkey are along the right lines and that it is expressing a desire to accede. Let us therefore try to support it.

Anneli Jäätteenmäki (ALDE). – (FI) Mr President, I wish to congratulate the rapporteur, Mr Kazak. This is an excellent report and, unlike the previous speaker, Mr Arif, I do not think that this should be about everything in heaven and earth, because this is specifically a report on trade and economic relations. The EU's one problem is that, when a report is produced, it lists everything that is possible and does not say anything about anything. Here, the issues relevant to the report are clearly set out, and for that I wish to thank Mr Kazak.

The customs union concluded in 1996 between the EU and Turkey has anchored Turkey to European markets, and the country is a strong trading partner for all the European countries and the EU. It is nevertheless regrettable that the customs union still seems to be beset by all sorts of problems. The Turkish authorities often require permits and licenses on imported goods, which is contrary to the agreement. We know, of course, that the EU countries are also guilty of that. This calls for action on both sides to sort this out.

Here, the rapporteur mentioned counterfeit products. That will take a lot more work. Turkey's one big problem is, obviously, its grey economy. It is worth as much as 5070% of the country's entire economy, and that, of course, has an effect on trade and the economy, and is something that Turkey needs to work on.

In the future, special attention must be focused on trade and economic relations between Turkey and the EU, and the customs union needs to be made more workable at all levels. Turkey needs the EU, but the EU needs Turkey too.

Niki Tzavela (EFD). – (EL) Mr President, I, too, should like to congratulate Mr Kazak on his objective report. Allow me, however, to make two realistic comments.

The first concerns paragraph 26 on energy supply. I believe that both the Commission and the European Parliament have overestimated the importance of Turkey in the energy sector. Turkey does not produce energy. Turkey is an exceptional channel for energy networks. It does not resolve any particular problems for us; there are other networks via which energy can be transmitted.

We should be realistic and we should see that, in the energy sector, everything we are discussing (Nabucco and so forth) are exercises on paper, because the country itself cannot supply us with energy. On the contrary, it is a country with a great deal of industry which needs energy and it is from this angle that we should be examining it.

The second point on which I wish to comment concerns trade: we cannot talk about opening up trade with Turkey when the market in imitation European goods is booming

in that country. Wherever you go, you will see what are, admittedly, very good imitation European goods in shop windows, in open air markets and in the Turkish bazaars. Moreover, Turkey is a country of entry for imitations from the Far East. Unless we resolve our trade problems with Turkey, problems which harm the European market, we shall not be able to progress in other areas of discussion.

Georgios Papastamkos (PPE). – (EL) Mr President, we recognise the importance of trade relations between the EU and Turkey. The Group of the European People's Party (Christian Democrats) maintained a responsible position, thereby helping, as far as possible, to bring balance to the initial text of the report we are debating.

We call on Turkey to implement fully and without delay all its obligations deriving from the Additional Protocol to the EU/Turkey Association Agreement in a non-discriminatory way and recall that failure to do so may further seriously affect the negotiating process.

I, too, should like to join Mr Rinaldi and Mrs Tzavela in highlighting the fact that Turkey is one of the leading countries which produces imitation goods seized in the EU – I repeat, one of the leading countries – and that it does not effectively apply the rules governing the protection of intellectual property.

The external action of the EU, including the common trade policy, is intended to safeguard democratic principles and respect for the principles of the UN founding charter and of international law, and to build partnerships with third countries which share these values.

This fundamental declaratory principle of the Treaty of Lisbon must be applied to the letter. We must always bear in mind that the European Union is not negotiating with Turkey; Turkey is negotiating its accession with the European Union. The burden of adaptation rests with Turkey itself. *Quod erat demonstrandum.*

George Sabin Cutaş (S&D). – (RO) Turkey is the European Union's seventh largest trading partner and is the only EU candidate country which benefits from a customs union with the EU.

As a result, Turkey and the European Union maintain a special relationship where trade and economic interaction play an important role. Against this background, both partners need to work together to align their trade policies, particularly with regard to signing free trade agreements with third countries.

The customs union also needs to be strengthened by including in the agreement agricultural products, services and public procurement, as well as by resolving the visa issue for Turkish traders wishing to enter the European Union.

At a time when the effects of the economic crisis are still being felt, this makes closer cooperation between the two regional powers at economic and commercial level all the more necessary. The European Union must give Turkey a clearer signal so that it can successfully pass on Europe's fundamental values to this country.

Jaroslav Paška (EFD). – (SK) Turkey is a country that has been negotiating accession to the European Union for a long time. The negotiations have been lengthy and complicated, partly because the cultural traditions of Turkey are very remote indeed from the civilised values of today's Europe.

A proper trade partnership can help the development of cooperation in areas where Turkish citizens and Turkish society find common ground with Europeans, creating mutually

advantageous work or trade links. On the basis of such good relations, it is then possible to develop better interpersonal relations and to build up mutual trust. It is therefore necessary to talk openly with our Turkish friends about all questions which concern us Europeans as neighbours and trading partners of Turkey. For example, we should explain to them in no uncertain terms that anyone who places counterfeit goods on the market is a common thief who crudely preys on owners of copyrights, patents or other intellectual property rights. It is also necessary to explain to them that in a customs union, there is no place for subterfuge or the creation of any kind of technical or customs barrier against a trading partner. I therefore firmly believe that in these commercial matters, there is also still a need to patiently encourage our Turkish friends to behave in a civilised and correct manner.

Jarosław Leszek Wałęsa (PPE). – *(PL)* First of all, I would like to thank the rapporteur, Mr Kazak, for his good intentions and his endeavours to write an objective report on trade relations with Turkey. The report covers the most controversial issues relating to the negative aspects of the bilateral relationship, and that is why I think that the report has merit.

The most important point is to ensure that Turkey continues to adapt its economic legislation to European Union standards. Practices such as a 15% price preference for domestic bidders in public tenders discriminate against foreign investors. Complicated procedures and formalities, obstacles to the free movement of goods or tariff barriers, and ongoing delays regarding implementation of the Additional Protocol impede dialogue. Only the full implementation of all the adopted agreements will further the development of positive trade relations and facilitate the process of joining the European Union. I trust that Turkey will succeed in this task and I wish it every success in implementing further reforms.

Mara Bizzotto (EFD). – *(IT)* Mr President, ladies and gentlemen, in economic terms, it is a good thing for Europe to deepen its commercial relations with fast-growing nearby countries. However the European Union has, at least theoretically, always conducted a commercial policy with third countries that takes social and humanitarian aspects into account.

We therefore need these clauses to be firmly implemented for Turkey, a country which is becoming more Islamic again, where the condition of women is progressively worsening with more than 1 500 women killed in episodes of domestic violence in 2009, and where Christians live in fear of attacks by Islamic extremists. Just think of the brutal murder of Monsignor Padovese.

In the report, Parliament encourages Turkey to take a leading role in promoting open and fair trade. One thing is clear: we must be concerned by the leading political role that Turkey is seeking to carve out in the Arab world, and of the friendship that Turkey is cultivating with Iran and terrorist groups such as Hamas.

In any case, if there must be a commercial policy, then so be it. However, this must not turn into a Trojan horse to facilitate Turkey's entrance into Europe.

Elisabeth Köstinger (PPE). – *(DE)* Mr President, the European Union and Turkey have very good economic relations and, of course, it is important to develop trade with Turkey further and so bring about sustainable economic growth for the European Union on the one hand, and for Turkey on the other. Against this background, I welcome the

own-initiative report, which deals with current developments in trade relations, even if the developments are not solely positive ones. In this regard, I would like to mention matters such as the combating of counterfeiting, import restrictions on pharmaceutical products, but also inconsistencies in the area of public procurement, which we need to take a critical look at.

However, I would like, in particular, to mention the protectionist measures taken by Turkey in the area of trade in agricultural products that run counter to the provisions of the customs union. In the agricultural sector, Turkey has a level of employment of over 26%. It is therefore understandable for particular importance to be attached to the agricultural sector and the farmers it employs. This must not, under any circumstances, be to the detriment of European agricultural holdings or be contrary to the customs union guidelines. Existing barriers and protectionist measures in Turkey must be eliminated as quickly as possible within the framework of the existing agreements. The export of high quality agricultural products from the European Union must not be prevented by unfair measures that obstruct trade. It is important to make that absolutely clear in this context.

Danuta Jazłowiecka (PPE). – (PL) Relations between the European Union and Turkey go back nearly 50 years and have involved many ups and downs, with periods of both close cooperation and of crisis. For over a decade, Turkey and the European Union have been linked by a customs union, which provides the basis for mutual trade and economic cooperation and which, as Mr Kazak's report indicates, has yet to be fully implemented. There are obstacles on both sides and we must call on both Turkey and the Member States to remove these impediments.

Turkey is slowly becoming the main player in what we consider to be a key region, and without it, efforts to diversify sources or supplies of gas, or to achieve stability in the Middle East, will never bear fruit. Close cooperation with Turkey will become increasingly important to us. China has a growing interest in Turkey's role as the gateway to the Middle East and the Caucasus. If we fail to overcome obstacles to mutual trade relations, we may yet lose Turkey, just as we lost Africa.

We are slowly seeing signs that people are growing tired of the repeated postponement of the decision on Turkey's accession, and of ambiguous statements. Turkish society is losing interest in joining the European Union, as recent public opinion polls indicate. A full customs union could become a tool for establishing closer relations, and would create strong trade and economic ties, especially in view of the difficulty of defining a precise time frame for Turkey's accession to the European Union.

Ioan Mircea Pașcu (S&D). – Mr President, EU trade and economic relations with Turkey are a matter of political significance, too. However, in spite of recognising this fact, the EU finds it increasingly difficult to avoid the impression that it is playing a game of 'who blinks first' with Turkey. Not willing to pay the price of interrupting the admission negotiations, it expects the Turks to do so, exhausted by their length and complexity.

The good news is that, according to the latest data, the Turks are increasingly dissatisfied with the EU, and in spite of the latter's leading position as Turkey's major economic partner, other partners like Russia, China, United Arab Emirates, the US and Iran are catching up fast. Therefore, success in our commercial relations with Turkey should not obscure the need to finally make up our minds on whether or not to accept Turkey into the EU, given the impact of that decision on the international position of the EU.

Oreste Rossi (EFD). – (IT) Mr President, ladies and gentlemen, we certainly cannot be in favour of a measure which further liberalises trade between the European Union and Turkey, particularly in the agriculture sector.

Over there, the cost of labour is much lower than ours, so opening our borders to their products would mean damaging European businesses; it would mean unfair competition. The idea that you are favouring Turkey's entrance into the European Union, and therefore simplifying trade, is mistaken.

We believe that their political, administrative and social system is too far removed from our own. From the point of view of respect for religious freedom, we are also light years apart. In Turkey, being a Christian means being different. Religious intolerance, present in the capital and in the big cities alike, is becoming the rule in suburbs and rural areas. Therefore, we refuse to disadvantage our businesses by gifting Turkey simplified trading with our countries.

Andreas Mölzer (NI). – (DE) Mr President, when we talk here in this House about viable trade relations and improvement of the customs union with Turkey, this naturally needs to be viewed as part of the process of convergence of the country with the European Union and also as part of the process which, in the view of broad sections of this House, is to lead to Turkey's accession to the European Union. We also know that those who are critical of this accession are always talking about a privileged partnership, which has to be an alternative to this accession, and I have to say that Turkey essentially already has such a privileged partnership via an existing customs union, one that it will, of course, also need to earn on other – political – levels. If we consider the resistance that we are still experiencing from Turkey with regard to recognition of the Armenian genocide, if we consider the fact that Turkey is still not willing to resolve the Cyprus issue for the sake of Europe, and if we consider the fact that the Kurdish people are still discriminated against, we will then realise that an improvement in trade relations alone will not enable the Europeanisation of Turkey.

Elena Băsescu (PPE). – (RO) I would like to begin by welcoming the positive outcome of the constitutional referendum held on 12 September. This highlights the Turkish population's commitment to the democratic system, which is the only acceptable option in Europe.

The content of this report reaffirms the need to harmonise the trade policies of Turkey and the EU. Implementing effective measures aimed at removing the remaining technical barriers under the customs union would support Turkey on its European path. This country has shown tremendous recovery potential in the context of the economic crisis. While global demand has fallen, its foreign trade volume has doubled and its rate of economic growth is estimated at 7% in the coming years.

I must emphasise that relations between Romania and Turkey have expanded significantly in recent years. Both countries are the largest trading partners in the Balkans region, with an annual trade volume in excess of USD 7 billion. Turkey also has a key involvement in implementing the energy infrastructure development projects of the EU as a whole, such as Nabucco.

Antigoni Papadopoulou (S&D). – (EL) Mr President, Turkey has benefited from its long-standing customs union with the EU. However, in order for a customs union to be even more functional, numerous outstanding issues need to be addressed without delay.

Turkey must do more to align its trade policies and regional trade: it must reduce bureaucracy, imitation products and infringements of the human rights of trade unions and minorities; it must address the low level of participation of women in the labour market; and it must promote youth employment.

More importantly, however, it must implement fully the Additional Protocol to the Association Agreement, lift the embargo on Cypriot ships and aircraft, recognise the Republic of Cyprus, harmonise with the Community acquis and respect the conventions of the International Labour Organisation with respect to trade unions, the right to strike and collective bargaining.

Georgios Koumoutsakos (PPE). – (EL) Mr President, I, too, should like to congratulate Mr Kazak on his very good and objective report.

In fact, trade relations between the European Union and Turkey are exceptionally important, which is why we must approach them with a great deal of caution. However, we must also highlight the points which need to be improved.

I should like to refer to two of these points: we reviewed the question and the debate continues as to whether Turkey is a European or non-European country. We certainly want Turkey to be a European country so that, at some point, it can become a member of the European family. However, as far as pirated products, imitation products and the lack of protection for intellectual property are concerned, Turkey is certainly more of an Asian than a European country.

The second point on which I wish to comment concerns customs union: customs union lies at the heart of the European endeavour, of the endeavour to achieve European unification. It is unthinkable for a candidate country not to fully apply a customs union and for there to be a Member State with which Turkey refuses to accede to a customs union, as it has done in the case of the Republic of Cyprus.

IN THE CHAIR: Stavros LAMBRINIDIS

Vice-President

Karel De Gucht, Member of the Commission. – Mr President, it is clear from what has been said that there is great consensus around this report. I would just like to say a couple of words on the following subjects: the problems faced by Turkey in concluding free trade agreements with Europe's partners; the visa issue; and intellectual property rights (IPR) enforcement.

To begin with the last point, IPR enforcement and counterfeiting have been mentioned repeatedly during the debate. I am also concerned and the Commission will continue to press on these issues. After more than two years of repeated requests, Turkey finally accepted recently to set up a working group to discuss IPR issues. This is a positive first step and I hope that this working group will help in making progress on these important issues.

Secondly, on the problems faced by Turkey in concluding free trade agreements, Turkey has been saying for years that it is suffering negative effects because of the difficulties of entering into FTAs with some of the EU's FTA partners. However, it should be highlighted that the number of critical FTA difficulties is very limited. Furthermore, despite repeated requests made by the Commission services, Turkey has failed to submit relevant data that demonstrate the alleged negative effects on the Turkish economy.

Moreover, it should be noted that the Commission has been acting fully within the customs union agreement and has even been going beyond its obligations already by helping Turkey in starting FTA negotiations with its FTA partners. We are ready to further reflect with Turkey on ways to address Turkish concerns in this respect; whether that would involve the Turkish Government being invited to the table of the European Commission in negotiating FTA agreements with third countries is, of course, a strictly different matter.

As for visa issues, these are not covered by the customs union. The Commission is considering modalities to engage in a process to further simplify the mobility of people between the EU and Turkey, in particular, by a swift implementation of the new EU visa code, which will provide practical improvements for Turkish visa applicants. The Commission will also underline that it is committed to engage in a dialogue that may lead to further improvement of mobility once the Council has given its green light to do so. However, having the EU-Turkey readmission agreement finalised will be a requirement for this.

Metin Kazak, *rapporteur*. – Mr President, I would like to thank all colleagues, shadow rapporteurs and Commissioner De Gucht for the exceptionally positive recommendations and views which helped the debate on the report on trade and economic relations with Turkey.

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From the discussion, I believe, we can conclude that relations between Turkey and the European Union really are truly important to both sides, and that there is no doubt regarding the necessity of building on these. I believe that on the question tabled by some colleagues as to whether these relations are linked to Turkey's eventual membership of the European Union, my position is that the deeper and more successful trade and economic relations develop, the more successful Turkish membership negotiations will advance.

Turkey and the European Union clearly have much more work to do before the provisions of the customs union have been truly and fully implemented and applied, but here I believe that the main requirement is goodwill and honesty in equal amounts, both on the part of the European Union and on the part of Turkey.

I would like once again to thank all those who contributed to this discussion, and believe that the issues that were raised will be carefully considered by the Committee and that they will give a real impetus, a new dimension and a new spirit to all outstanding issues in the consultative mechanism of the customs union to enable their resolution in the near future.

President. – The debate is closed.

The vote will take place tomorrow, Tuesday, 21 September, at 12:00.

Written statements (Rule 149)

Ioan Enciu (S&D), *in writing*. – I strongly support the report on trade and economic relations with Turkey. Furthering the EU and Turkey's interconnectedness through strengthened trade and economic ties will be of great benefit to both sides. The severity of the youth unemployment crisis in Turkey has been highlighted; the removal of unnecessary barriers to trade and burdensome procedures will lead to increased trade volumes which will, in turn, positively impact on employment levels. Efforts taken to complete the customs union should be supported, and especially its deepening to include agricultural products. Such a development would be a sign of Turkish commitment to completing necessary

reforms. The resolution also calls for steps that would infuse an element of welcome dynamism into EU-Turkey relations.

20. EU legislation aiming at the conservation of biodiversity (debate)

President. – The next item is the report by Esther de Lange, on behalf of the Committee on the Environment, Public Health and Food Safety, on the implementation of EU legislation aiming at the conservation of biodiversity [2009/2108(INI)] (A7-0241/2010).

Esther de Lange, rapporteur. – (NL) By means of this own-initiative report, the European Parliament is sounding the alarm about our biodiversity: our species richness and our ecosystems. The species extinction rate is higher than ever before: 30% of amphibians, over 40% of mammals, birds, butterflies and reptiles, and even over 50% of freshwater fish are threatened with extinction. This is, of course, unacceptable, and not just from a purely biological or ecological point of view. As I see it, we also have an ethical duty to leave the earth in such a condition that our children and grandchildren, too, are still able to enjoy it.

Finally, it is also in our economic interest to invest in biodiversity. Healthy ecosystems fix CO₂, provide clean water and ensure better harvests and more raw materials, among other things. The degradation of these ecosystems costs us EUR 50 billion per year worldwide, and that bill is only set to rise. We, the European Union and the Member States, have failed dismally in this field. Our objective to halt the decline in biodiversity by 2010 is a long way from being achieved.

The key question now, therefore, is how to make sure we do achieve the new objective we have set ourselves for 2020. First of all, of course, this is a matter of political will, but my report also makes a number of specific suggestions. For example, there must be an end to the parochial attitude. Nature policy and budgets are still too isolated from each other. This has to change, in the form of an integral approach. Biodiversity should form part of not only European nature policy but also other policies, such as fisheries, agriculture and regional policy. The first steps have been taken in this direction, I know, but we need to go further. The reform of the common agricultural policy, for example, offers opportunities in this regard, for instance, by providing remuneration for social services or compensating farmers for sustainable production in or near nature reserves.

My second point is that we need to create win-win situations in which economy and ecology can go hand in hand: this also offers opportunities for European green jobs.

Another point is that we should ensure better cooperation between, and interconnection of, Natura 2000 sites. A cross-border approach is mostly lacking at present, even though animals and plants pay no heed whatsoever to national borders. In addition, we call on the Commission to show more leadership and provide more clarity. After all, the differences between Member States when it comes to implementing Natura 2000, for example, are very great.

All in all, we support the European Commission's proposals and ambition when it comes to halting the decline in biodiversity by 2020; indeed, that is an absolute minimum level of ambition. Yet our ambition should also include the restoration of biodiversity. In addition, of course, attention to biodiversity at international level needs to be increased. To this end, Europe needs to speak out loud and clear and with one voice at next month's Nagoya conference.

When it comes to new plans, impact assessments are very important, in terms of both the ecological and the socio-economic effects – and not as a delay tactic, not as an excuse, but in order to provide clarity.

Finally, we also call for new policy from the European Commission, for example, on invasive alien species. After all, the protection of one species may require active management of another. Without action to tackle the grey squirrel, there is little prospect for the native red squirrel in the United Kingdom. Also, the release of thousands of wild hamsters in South Limburg has proved to have little effect when a single fox can eat three hundred in a year. In short, ambition and realism are what are expected of us in the next few years.

I should like to conclude by thanking the shadow rapporteurs for the constructive cooperation that resulted in the unanimous adoption of this report in the Committee on the Environment, Public Health and Food Safety, and also by thanking Commissioner Potočnik, who cannot be here today as he is in New York, on biodiversity business. I trust, however, that Commissioner De Gucht, who has even been able to listen to this speech in his mother tongue, will repeat it faithfully to his colleague.

Karel De Gucht, *Member of the Commission*. – Mr President, honourable Members, as we speak, Commissioner Potočnik is in New York for the United Nations discussions on the International Year of Biodiversity, so I am sure you will understand that he is unable to be here in person today.

It therefore falls to me on behalf of the Commission to thank Mrs de Lange for having prepared this very timely report on the protection of biodiversity and the implementation of EU nature legislation. I would like to highlight the word ‘timely’, as the EU is now at a political crossroads concerning its policy on biodiversity and nature protection.

The Commission shares MEPs’ deep concern about the extremely fast pace of human-induced biodiversity loss. The Commission is aware of, and alarmed at, the huge degradation of the ecosystem services which biodiversity provides, and on which we all depend for our survival.

Since the 2010 target was adopted, we in the EU have accomplished a number of things of which we can be proud. The EU’s Natura 2000 network of protected areas has expanded to cover almost 20% of the EU’s territory, and is still expanding both on land and at sea. Despite this, however, we have failed to achieve our previous EU target of halting biodiversity loss by 2010. In spite of this failure, and in spite of difficult discussions on an unprecedented economic crisis in Europe, the Spring European Council endorsed a new biodiversity vision and target.

Our new target reflects a high level of ambition. It calls on the EU to halve the loss of biodiversity and the degradation of ecosystem services by 2020 and restore them, where feasible, while stepping up the EU contribution to averting global biodiversity loss. In his speech on the state of the Union, President Barroso recently declared his commitment to this course, an issue to which he attaches the greatest importance and that needs to be tackled urgently.

We know what the main challenges to meeting the targets have been. One of the key problems is the very nature of biodiversity policy itself. Biodiversity is complex and cross-cutting. Ownership of the problem is widely spread, and this diffusion has been a handicap, because in the end, it boils down to the usual problem that when everyone is guilty, no one is to blame.

This is a time of metamorphosis in the EU and many policies which have a very significant impact on biodiversity are in the process of being reviewed. This is the case of the common agricultural policy, the common fisheries policy and the cohesion policy. We are thus at a very important crossroads, where we can follow the right road by fully mainstreaming biodiversity in those policies and reach our 'safe way home', or we can make the mistake of taking another road and never reaching our final point – the agreed 2020 target – and face irreversible biodiversity loss and potentially catastrophic consequences.

Much is said in the resolution about the very worrying trends of biodiversity loss in Europe and globally, the huge pressures exerted on species and ecosystems, the possible solutions, the value of ecosystem services and their very strong links with the Millennium Development Goals and the fight against climate change.

We have an enormous task ahead to preserve life on our planet, but we should not be discouraged by the magnitude of the challenge. The Commission is certainly not discouraged and we will be developing a new EU strategy to deliver on the 2020 biodiversity target.

The Commission is also working on a communication on financing the Natura 2000 network of protected areas. A better use of the available funding will certainly provide higher biodiversity and nature conservation benefits.

We fully agree with the very strong emphasis included in the report on the crucial need to fully implement nature legislation, without which we will never be able to meet our new target.

We look forward to the discussions with the Members of Parliament with a view to working together to shape the package of measures that will allow us to attain our new biodiversity target. I should like to take this opportunity to welcome the very valued contribution to this debate provided by Mrs de Lange's report.

Isabella Lövin, *rapporteur for the opinion of the Committee on Fisheries*. – (SV) Mr President, my thanks to Mrs de Lange for her work on this report. I am very pleased that the Committee on Fisheries is supporting a view that stresses the enormous importance of having conformity between our various policy areas. Between 70 and 90% of all large predatory fish in the world's oceans will have been overfished in 50 years' time, and this is something that the EU really must take very seriously, as it will impair the resilience of the ecosystems in our seas that we currently desperately need in order to be able to absorb carbon dioxide and so form part of our solution for preventing climate change.

The EU must be at the forefront on this issue in Nagoya in the autumn and also when it comes to the reform of the common fisheries policy. The Committee on Fisheries is very pleased to highlight the need for Maritime Spatial Planning and for an integrated maritime policy. We can no longer allow the different sectors to work independently as if the natural world was not interconnected, and the targets that we have set in order to stem the loss of biodiversity are something that we must take seriously in our fisheries policy, too.

Richard Seeber, *on behalf of the PPE Group*. – (DE) Mr President, I would like to congratulate Mrs de Lange on her excellent report and also the shadow rapporteurs on their excellent cooperation. The facts and figures are on the table. They are contained in this report, and it is clear that we have a moral obligation to preserve biodiversity, but we have an environmental and an economic obligation, too.

It would be foolish of us not to be more successful at this in future. There is just one problem that I can see and that is acceptance by the citizens. When we talk about the Natura 2000 network in particular, we can see that in some states, we have been very successful in establishing these networks and in their implementation, but less so in other states. The Commission really ought to pay greater attention to ensuring that, in this case too, the same standards are applied everywhere. Many citizens do not mind biodiversity being protected; they understand that. What they do not understand, however, is the fact that in some states, this is dealt with in a very half-hearted manner, while in others, it is excessively stringent. If we could create a level playing field here, we would gain the political acceptance of the people, which is a *conditio sine qua non* for this policy being successful in the long term.

I would therefore appeal to the Commission to come up with guidelines that will at last give us uniform directives in this area. You of all people, Mr President, are very familiar with a country where, in this very area of biodiversity, some things are handled very carelessly, and Europe is always being accused of being incapable of judging everyone by the same standards.

Jo Leinen, *on behalf of the S&D Group*. – (DE) Mr President, Commissioner, ladies and gentlemen, I am not going to point the finger at any particular country, but I believe the finger is pointing back at all of us, because the EU strategy for 2010 has not worked and we need to think of new approaches for the new decade leading up to 2020. In a few weeks, the UN Conference of the Parties to the Convention on Biological Diversity will take place in Nagoya, and I hope that it will not be a similar disappointment to the UN Climate Change Conference in Copenhagen. At such an important global nature conservation conference, there simply must not be another failure, and the EU must play a major role in ensuring that is the case. We need to push for an ambitious global programme for the preservation of biodiversity. We must show solidarity in the financing of these measures, and the EU must speak with one voice and not 27 different ones.

The Economics of Ecosystems and Biodiversity (TEEB) study has been mentioned. EUR 50 billion is lost each year as a result of species decline. In this case, 0.2% of financial resources from the EU budget for nature conservation is very meagre and paltry. In the medium-term financial programme, we simply must be provided with more money for the conservation of species. As far as the solidarity of the EU with the rest of the world is concerned, we also need an instrument that we can use to provide something in return for the species that we remove, particularly for medicinal plants. Developing countries need compensation.

I also believe that the key to success lies in viewing biodiversity as a cross-cutting task. Agriculture, forestry, fisheries, marine exploitation – these now all need to be viewed from a species perspective. A soil protection directive will also gain a new importance. The soil is a buffer for CO₂, and changes to the soil represent a very negative scenario.

Parliament will stand up for biodiversity. Congratulations to the rapporteur.

Gerben-Jan Gerbrandy, *on behalf of the ALDE Group*. – (NL) I, too, wish to thank the rapporteur for her work on this report, one occasioned by the sad fact of the failure of our own European biodiversity strategy. This strategy, from 2000, was supposed to halt the loss of biodiversity. It has proved to be not so much a failure as an utter fiasco. After all, we have not even managed to slow the pace of decline. Like human locusts, we continue to strip our planet bare, and our hunger seems insatiable.

Is nothing being done? Of course it is. Natura 2000 has seen major successes in many Member States. Results have been achieved, but these have been far too limited. This is clear from the steadily growing list of endangered animal species. Many fine statements have been made, by the European Council, for example – another will certainly be added tomorrow at the General Assembly of the United Nations – but when the chips are down, the same people look the other way. When the shoe pinches and real choices have to be made, all at once, fishermen are considered more important than the survival of the many species of fish, a particular farmer is permitted to enlarge his or her holding at the expense of a sensitive natural site, or the timber industry is considered more important than the conservation of woodland.

We know from influential studies that, in the long term, these wrong choices are costing us 7% of the annual gross national product, which amounts to EUR 14 trillion – that is 12 zeros – each year! It is hard to imagine a bigger stick. In the coming months, we have the opportunity to show that we mean business – and not even with the definition of the new biodiversity strategy, but with the definition of the new agricultural policy, with the new fisheries policy, with new trade agreements. Indeed, it is in other fields that the fate of our flora and fauna will be decided.

Let those same ministers make their fine statements, and on those occasions keep their heads held high and show courage by making the right choices. Otherwise, the new biodiversity strategy will be as much of a paper tiger as the last one. I know one thing for sure and that is that, unlike real tigers, paper tigers will never die out – more than enough of them are being produced by the human race.

Sandrine Bélier, *on behalf of the Verts/ALE Group*. – (FR) Mr President, ladies and gentlemen, as has already been mentioned, it is the International Year of Biodiversity and, this year, we are being asked to commit ourselves to resolving a triple crisis. The three interconnected elements require a consistent and integrated approach if we are to tackle them and emerge from an ecological crisis that has direct repercussions for our economy and our social model.

This triple crisis involves food security, climate change and loss of biodiversity. I should like to remind you that biodiversity has no price attached, but its loss, its decline and its destruction do have a cost which contributes to the increase in poverty and which engenders inequalities and considerable losses in economic, welfare and cultural terms.

As has already been mentioned – and we now know it for sure – 40% of our world economy depends directly on services provided by nature, and 60% of these are in sharp decline. Europe has lost 30% of its biodiversity over the past 40 years. This loss is currently valued at 1% of the EU's GDP – EUR 50 billion per year – and it might reach EUR 14 000 billion in 2050 if we do not take action, since the decline is accelerating and the causes of the failure of previous EU policies in this area are well known and are clearly set out in the report. The measures to be taken are also set out in the report. We are therefore hoping for a large vote in its favour, and we should like to thank Mrs de Lange for her work.

We now have to move from words and intentions to deeds; from objectives to means. I find it difficult to hide several regrets: the lack of responsiveness on the part of the Council and of the Commission despite the need for urgent action; the regret that Soil Directive IV is still being blocked by the Council; the regret that bio-conditionality of all public financing was rejected by just one vote in the Committee on the Environment, Public Health and Food Safety; and the regret that the challenges associated with biodiversity have not been

more extensively incorporated in the EU 2020 strategy, so as to ensure a sustainable exit from the crisis through the greening of our economic model.

There is a need for consistency. There is still time to understand and to commit ourselves to ensuring that our natural capital is preserved and enhanced. This is a winning investment for the future.

Peter van Dalen, *on behalf of the ECR Group.* – (NL) We have noted with regret that, now of all times – in 2010, the International Year of Biodiversity – the objectives are far from being achieved. Biodiversity in Europe and worldwide is declining rapidly, which is very alarming. Biodiversity is at the heart of God's creation and is the world's natural capital. It forms the basis of our food and of the raw materials we use, and also guarantees a stable climate.

Therefore, it is time to stop talking – including in this House – and start taking tangible action together in earnest. The Commission, the Member States and this House must speak with one voice if the ambitious 2020 objective is to be achieved, namely, a halt to biodiversity loss plus a global vision to guarantee that ecosystems are protected, valued and restored.

João Ferreira, *on behalf of the GUE/NGL Group.* – (PT) The defining of a consistent ecological network at European level, bringing together important and representative habitats – many of them under threat – is an important condition for guaranteeing the preservation of biodiversity, but is not enough in itself.

Sufficient funds must be made available for managing this network, to enable not only the monitoring of threat factors and the preservation of existing areas, but also the restoration and reclassification of degraded areas. It is therefore regrettable that the creation of the Natura 2000 network has not been accompanied by the creation of specific financial instruments aimed at managing the areas included within it, a fact which has done much and continues to do much to jeopardise its effectiveness. The cuts made to the EU Financial Instrument for the Environment in the 2010 budget – the same budget that saw military spending increase – are also regrettable.

However, effective preservation of biodiversity in all its myriad aspects also requires its inclusion in a series of important sectoral policies and it is here that the policies being followed by the European Union, from agricultural to trade, urgently need to be profoundly reshaped. I am making use of the fact that the Commissioner responsible for this portfolio is currently here. There is much to be done and invested in the policies of the European Union for the good of our biodiversity.

Anna Rosbach, *on behalf of the EFD Group.* – (DA) Mr President, it is indeed lamentable that we have here today a report on biodiversity that states that we must take care of our planet. That ought to be self-evident. However, as we are clearly not able to take care of the land, water, mountains, plants and animals ourselves, we now have a thorough and comprehensive report that takes a critical view of the daily loss of biodiversity. I therefore agree with the rapporteur that the common fisheries policy must safeguard biodiversity. It will require amendments, but these are necessary.

The same applies to agriculture. It is no good continuing along the old pesticide path. Here, too, the preservation of biodiversity must be incorporated so as to become a natural part of the industry.

Industry is an important player. It is difficult to be competitive at a global level while, at the same time, taking account of Parliament's wishes. However, I would say to those involved in industry, agriculture and fisheries that they are also inhabitants of this world and that their children, too, should be able to hear the birds sing. The most important thing, however, is that all EU citizens put all of these fine words about regard for nature into action every day.

Cristina Gutiérrez-Cortines (PPE). – (ES) Mr President, I think that in the Year of Biodiversity, we have talked a great deal about the disaster that is happening, but very little about solutions. I think that society needs solutions and new ways of approaching the problem.

Firstly, the division of Europe into bio-geographical areas should be translated into a specific policy because the problems in the different areas of Europe are not the same. We should therefore have a micro-policy on biodiversity, because biodiversity is a local issue.

Secondly, it is terrible that we should be turning our back on all action regarding soil and the abandonment of agricultural soil when the trophic cycles of animals require a detailed study of each area. This has not been done. It is not well known that in many areas, by planting certain trees, there will be more birds and by planting certain plants, there will also be more insects. Experts acknowledge that the lack of insects is the great tragedy of the loss of biodiversity, especially with regard to birds. Nothing is being said about the problems with soil, insects and the organic richness of soil. It appears to be a crime to talk about soil in Europe.

Finally, I would like to say that the landowners are essential. An amendment on stakeholders that I tabled in committee was rejected. However, if we have birds or animals, will the farmers who plant the plants that they come to eat not have something to say? Will the owner of their habitat not have something to say? Will farmers not have something to say? I think that this method of imposing ideological dictatorships needs to come to an end in Europe if we want to achieve better biodiversity.

Andres Perello Rodriguez (S&D). – (ES) Mr President, Mrs de Lange says that the alarm bell is ringing and she is right. Another thing that we are hearing is frustration, for example, in the speeches in Parliament, at not having achieved the Millennium Development Goals.

The truth is that there is a great deal at stake. Our natural environment is so fragile that if one day, the big fish decided that it was not going to continue eating the little fish, we would have to pay for it using our health and welfare as currency.

The European Union is currently a leader in the fight against climate change and has been a leader for some time in pioneering measures and conservation. However, as the unmet targets show, it seems that there has been a lack of will, not only for the implementation and coordination which have also been mentioned here, but also for expanding beyond our extremely limited special conservation areas.

Of course, biodiversity is not a museum piece that can be enclosed in a ghetto and just checked up on now and again, as sometimes appears to be the case. Biodiversity is living and has no borders, so it covers the whole planet with a domino effect that means that if one domino falls, all the rest fall too.

I also want to draw attention to the need for a global and more Union-oriented will, especially in relation to soil, because using subsidiarity as the only method for managing

soil or woodland could be one of the new, fearsome enemies of biodiversity. This is why I am drawing attention to paragraph 67, and the possible result of the vote, and I ask you to reject the second part because I am convinced that a common policy on soil would help to conserve the whole of Europe's territory, which – for better or for worse – is so diverse, so lacking in political will on the part of the Member States and so much in need of a greater level of European Union involvement in the broadest sense of the word: more Union for the soil as well.

Bas Eickhout (Verts/ALE). – (NL) Mr President, I should like to thank my fellow Member, Mrs de Lange, for her report on European biodiversity. After all, Europe is just not managing to halt biodiversity loss. This is a serious matter that requires attention, and indeed Mrs de Lange is rightly calling for such attention.

We, Parliament, support the Commission in its endeavours to at least halt biodiversity loss by 2020. This does mean something, however, as otherwise, we shall have to conclude once more in 2020 that the objective has not been achieved. It means changing our agricultural policy and the way in which we spend money on our fisheries policy; it means changing our infrastructure policy and also our approach to regional development.

All of these things will be discussed in the financial perspectives for the coming period, and I am assuming that Mrs de Lange and also Mr van Dalen, who have spoken such fine words about biodiversity, will give shape to their words in our discussions on these financial perspectives. After all, the important thing is that we – Europe – really strengthen and protect our biodiversity policy. Otherwise, it will remain yet another hollow shell.

James Nicholson (ECR). – Mr President, this report very wisely recognised the role of farmers in conserving biodiversity, and their contribution to good environmental practices in general.

As we discuss the imminent reform of the common agricultural policy, one of the main arguments in the debate is beginning to focus on the responsibility of farmers in this regard and how they should be compensated for these environmental benefits or public goods which they deliver.

I do think that we have to change our approach to this issue. I want to see farmers encouraged to engage in agri-environmental measures rather than being subject to stringent cross-compliance rules.

In this regard, I am an advocate of the carrot rather than the stick. Ms de Lange's report mentions the idea of an extra direct top-up payment, which I believe is a very interesting idea and would encourage farmers to do more to help protect the environment.

I do not agree with those who say we need a soil directive. I do not believe we need that. We have enough tools in the box. We need to take up the challenges facing us at the present time in this area, and I have no doubt we will be able to do that in the reforms.

Elena Oana Antonescu (PPE). – (RO) I, too, would like to congratulate the rapporteur, Mrs de Lange, for all her efforts in compiling and managing this dossier.

Whether it involves maintaining the natural ecosystem, climate regulation, water and air, soil fertility or the production of food, fuel, fibre and medicines, it all depends on biodiversity. The European Commission, and Member States in particular, must actively commit to the conservation of the natural assets required for the sustainable development of communities, through the provision of renewable resources and by ensuring scenic and

recreation value, protection, and the ecological balances required to preserve a healthy environment.

An increase in the resources allocated to the EU Financial Instrument for the Environment would be welcome news, even if it still accounts for a small part of the EU budget. We need additional investment programmes and we must find ways of encouraging investments which are conducive to biodiversity, while, on the other hand, discouraging investments which affect biodiversity, both in the public and private sector. We need to establish good practices in terms of effectiveness and added value for projects.

I also share the view of the rapporteur in asking the Commission to consider all factors relevant to the sustainability of projects and to introduce systematic monitoring of these projects.

Kathleen Van Brempt (S&D). – (NL) Mr President, listening to my fellow Members here in this House, one notes a broad consensus concerning the urgency of this matter. This is true, of course, but in that case, we do need the courage to really get to the heart of the matter.

The United Nations Environment Programme has calculated that investment in biodiversity can pay dividends: each euro spent can be recovered three to 75 times over. That means that investment in biodiversity can also represent considerable economic added value. That being the case, however, we do need the courage to follow this approach consistently in all our sectors, including fisheries, agriculture and our Structural Funds. Although we have made a great deal of progress over the last 10 or 15 years in the field of agriculture, our ultimate objective actually remains a very long way off.

Agriculture can, if desired, help promote biodiversity instead of destroying it. Therefore, the challenge we need to take up throughout the EU is, in fact, not only to make use of the Financial Instrument for the Environment (LIFE) but also to follow this approach consistently in all possible sectors.

Maria Da Graça Carvalho (PPE). – (PT) Mr President, Commissioner, the importance of this report reflects the need to intensify efforts concerning biodiversity. It is regrettable that the EU goal agreed at Gothenburg in 2001, of stabilising biodiversity loss by 2010, has not been achieved. The consequences of biodiversity loss jeopardise our future and our well-being, and have direct economic repercussions. Correct application of the legislation on the Natura 2000 network plays an important role in the realisation of goals concerning biodiversity.

In this context, I exhort the Member States to give the highest priority to the application of the Natura 2000 network. It is also important that the Commission ensures greater integration of biodiversity issues in other policies, such as agriculture, fisheries, regional policy, tourism and development. The budget for scientific research on environment and biodiversity must be increased in the Eighth Framework Programme for this to be commensurate with the challenges. For these reasons a new central goal for 2020 must be set, aimed at preventing biodiversity loss in the EU and at a global level.

Seán Kelly (PPE). – Mr President, a song says that ‘All God’s creatures have a place in the choir, some sing high and some sing low, and some just clap their hands’. Unfortunately, we are seeing that a lot of God’s creatures are beginning to become extinct, mainly because of the activities of man, *homo sapiens*. It is time we brought some sense to this whole question.

I agree totally with Ms de Lange and other speakers that the time for action is well upon us. The economic arguments are irrefutable: a EUR 50 billion loss now, 1% of GDP, rising in 2050 to EUR 14 trillion if not averted.

This can be a win-win situation for us, but two things are needed. I agree with Mr Nicholson: the carrot, certainly, when it comes to fishermen and farmers, but also education, in particular, where young people are concerned.

Bogusław Sonik (PPE). – (PL) The United Nations General Assembly declared 2010 the International Year of Biodiversity. The associated celebrations provide an opportunity to implement a global campaign to raise society's awareness of biodiversity. According to Eurobarometer data from April 2010, only 38% of people surveyed knew the definition of biodiversity. We need to raise awareness of the significance of biodiversity in relation to the quality of human life and highlight achievements to date in the field of protection of natural resources, as well as encourage additional, more intensive efforts to combat biodiversity loss.

Heritage days, which generally celebrate historic or architectural heritage, or what the French call '*patrimoine*', are very successful. I think that the Commission could implement a similar initiative and establish days celebrating our natural heritage, in order to increase the visibility and importance of biodiversity. I also think, and I would like to make an appeal in this regard, that in light of the forthcoming conference in Nagoya of the Parties to the Convention on Biological Diversity, it is vital for the European Union to state its position on biodiversity strategy after 2020 in terms of its financial policy and consensus among Member States regarding measures which they would need to incorporate into national legislation in future.

Christa Kläß (PPE). – (DE) Mr President, we must treat the great gift of nature in a sustainable and responsible manner. In this regard, I also think that nature can be conserved through management. Management of the land and the preservation of biodiversity are not contradictory concepts. On the contrary, integrated management creates habitats.

We see this in my country, for example, and the effects are amplified in the unmanaged areas where vineyards have closed down. The Apollo, a rare species of butterfly, is returning to these areas. It lives in walls that are kept clear, rather than in scrub. The introduction of integrated plant protection and the possibility of focusing plant protection on individual pathogens are particularly beneficial for biodiversity. For special services, agriculture also needs special remuneration. It is important that we ensure that they get this in future by means of a good common European agricultural policy.

We have already initiated numerous statutory regulations. Some of these definitely still need to be tested. We also note that European regulations are not implemented to the same extent in all Member States. In this regard, we need greater obligations for compliance as well as uniform controls in connection with implementation. As regards protection of the soil, Member States can already make a start now. They do not all need to wait for a European directive.

Csaba Sándor Tabajdi (S&D). – (HU) I am very grateful to Mrs de Lange, as I can relate my own personal experience regarding this topic. Numerous Hungarian farmers have contacted me in the past year to complain about the reduction of pasture allowances in the framework of the common agricultural policy if indigenous trees and shrubs are not removed. There was a clear clash between agricultural support and biodiversity. On the

one hand, we pay farmers to put up artificial bird boxes while, on the other, we encourage them to destroy the natural habitat of birds and other animals. There is a Hungarian saying that sums this up: the right hand does not know what the left hand is doing. This is why it is very important that biodiversity is given priority in the review of the Natura 2000 programme next year, the CAP reform and the development of the new water policy in 2011-2012.

Rovana Plumb (S&D). – (RO) I wish to congratulate the rapporteur on an important report. I must mention the EU's key instrument for protecting biodiversity and ecosystems, which is the Natura 2000 network, covering 18% of the EU's land area and 17.84% in the case of Romania.

According to the Commission's financial estimates, the annual cost of managing the Natura 2000 network is rising to EUR 6.1 billion and, in the case of Romania, to EUR 342 million. Given that we have this goal to achieve in terms of protecting biodiversity, I believe that the Commission needs to top up the funds allocated to protecting biodiversity in the new multiannual financial framework, starting in 2014, and carry out a mid-term assessment of the current budgetary framework, especially as the target for halting the loss of biodiversity by 2010 has not been achieved.

Barbara Matera (PPE). – (IT) Mr President, Commissioner, ladies and gentlemen, the conservation of biodiversity is an important and topical issue, though unfortunately, it is undervalued by many.

A good many of the citizens of the 27 Member States do not understand the serious risk of biodiversity loss, nor the repercussions which this could have for the climate, environment and economy of our countries.

I am sure that it is up to us to fully and effectively implement the European legislation in force, integrate the sources of financing with policies for preserving biodiversity in Europe, and simplify the rules for accessing financing for projects at a local level. I am talking about the LIFE programme, which Mrs Antonescu mentioned.

In addition, the preservation of both terrestrial and marine habitats must be a priority on the European agenda, but also of all the Member States which must work to harmonise their interventions. At all local levels, the conservation of biodiversity needs to be made a criterion.

I conclude by pointing out that Parliament is responsible for giving a strong signal to Europe in terms of improving the quality of our lives but, above all, of those of future generations.

Rareș-Lucian Niculescu (PPE). – (RO) I would like to sound an alarm bell about a worrying situation, against the background of this report. Following a number of studies carried out recently, an unprecedented rise in fish mortality has been observed in the Black Sea. The biggest polluters affecting marine biodiversity in this area are the rivers Dnepr, Don, Dniester and Danube, which are responsible for pouring 600 000 tonnes of phosphorus and 340 tonnes of inorganic nitrogen into the Black Sea every year. A group of experts has estimated that marine life could disappear altogether from the Black Sea in around 30 years due to hydrogen sulphide.

I think that these issues should be given top priority on the European agenda. This is why I welcome the report which has been debated in Parliament today and also congratulate the rapporteur on it.

Janusz Wojciechowski (ECR). – (PL) I would like to congratulate Mrs de Lange on her excellent report. Our debate on biodiversity is extremely important, but it seems that our discussions have failed to cover a very significant issue, namely genetically modified crops. These crops pose a serious threat to biodiversity. In Europe, few genetically modified crops are grown yet, but we are under pressure to allow further cultivation of such crops. That is a very dangerous prospect. It is a vision of farming that poses a serious threat to biodiversity.

The loss of biodiversity is precisely the price we would pay if we were to permit large-scale monocultures of genetically modified crops. Therefore, the European Union should take action to prevent that from happening. While it is true that, politically speaking – as I can see from the positions adopted by the various groups – an EU-wide ban is not currently possible, we should certainly consider withdrawing European Union subsidies from areas which grow genetically modified crops, as they should not be funded using European Union money.

Angelika Werthmann (NI). – (DE) Mr President, ladies and gentlemen, biodiversity concerns us all. Uniform directives are essential, as the problems of the destruction of ecosystems with the loss of biodiversity do not stop at borders. I therefore endorse the call for the Commission and the Member States to improve many aspects of their decision-making structures and compliance with the regulations.

Oreste Rossi (EFD). – (IT) Mr President, ladies and gentlemen, biodiversity indicates a measure of the variety of animal and plant species in the biosphere: it is the result of long evolutionary processes.

Evolution is the mechanism which, for over 3 billion years, has allowed life to adapt to changing conditions on the Earth and which must continue to function so that it can support forms of life in the future. It should be understood not only as the result of evolutionary processes, but also as the reserve tank upon which evolution draws in order to bring about all the genetic and morphological changes which give rise to new living species.

Biodiversity is the life insurance policy for our planet, so its conservation must be pursued without limits since it amounts to a universal heritage which can offer immediate advantages for mankind, such as the maintenance of climatic balances, both in local and planetary terms, as a source of material to be studied which allows us to gain fundamental knowledge in order to understand biological mechanisms which are similar in humans, or the sustainable use of flora and fauna for food and medicinal purposes.

Quite rightly, its conservation is one of the European objectives after 2010, the year of biodiversity.

Karel De Gucht, Member of the Commission. – Mr President, let me first try to answer a couple of topical questions and then make some closing remarks.

First, on common rules on biodiversity, the Commission is working with the Member States and stakeholders on developing guidelines on key sectors affecting nature, for

example, wind energy, ports and estuaries. We are also planning a communication campaign on Natura 2000.

The new biodiversity strategy will focus very sharply on strengthening integration with key EU policies affecting biodiversity, agriculture, fisheries and regional development. It aims to develop measurable ambitions and achievable targets to prioritise action up to 2020. This will be set out in a new strategy of action by the Commission.

On soil protection, the Commission's proposal for a framework directive on the table is blocked. We see this as a key gap in our policies for resource use and sustainability. We very much share your concerns on soil degradation and its environmental consequences. Rest assured that we are working hard to achieve some forward movement in the Council on this.

Finally, it is comforting to see that the Commission and Members of Parliament have the same views on the urgency and importance of halting biodiversity loss and restoring ecosystem services. We also seem to concur on the reasons that, regretfully, led to our failure to reach our EU 2010 biodiversity target. The appeal of the resolution is clear and unambiguous: we cannot fail again. We cannot face EU citizens in 2020 admitting that the EU did not exhaust all its options in attempting to stop biodiversity from being lost in Europe.

I will just finish by sharing with Members of Parliament the slogan of our EU-wide campaign for biodiversity, launched this year, which, in this Year of Biodiversity, is 'We are all in this together'. Only together will we be able to make the difference between mass extinction or a planet that is rich and full of the diversity of life.

I will pass all your comments to the Commissioner responsible for this issue, Mr Potočník. As you all know, he is in New York for a major conference on this very topic.

Esther de Lange, *rapporteur*. – (NL) Mr President, I should like to thank my fellow Members for their contributions from a variety of angles. At all events, all of these contributions have indicated the importance of an integral approach, or mainstreaming. I welcome the European Commissioner's stated intention to take this into account and give it heavy emphasis in his strategy. I hope, therefore, that this strategy provides the clarity we need with regard to the large differences between Member States, for example – something to which Mr Seeber drew attention.

With regard to mainstreaming, all the necessary remarks have been made about agricultural policy. At all events, a sector that manages more than 50% of the countryside has a role to play in finding a solution to this challenge. Fisheries and structural policy have also been mentioned and, to reply to Mr Eickhout straight away, yes, this mainstreaming naturally also relates to financing, and it makes very little difference to me which fund that financing comes from or whether a spade is called a spade, just whether it is effective. Where, in the past, we used to kill one bird with one stone, namely achieve one policy objective with one financial outlay, in our future policy, we shall have to kill many more – three – birds with one stone. One outlay in this field will have to achieve the policy objectives not only in the particular sector concerned but also in another, and preferably in a third too. Win-win situations are what this is all about, not least in financial terms.

The importance of an international approach and success in Nagoya next month has been touched on. There is one more thing I should like to say on the subject of soil. Mr Perello Rodriguez said that a uniform approach to soil policy in Europe is very important.

That is the last thing we want, given that the soil is totally different across Europe. He is most welcome to come and take a look at where I live, three meters below sea level. I believe that the problems with the soil there are completely different from those on the Iberian Peninsula. The report underlines the importance of soil policy, and calls on Member States to shoulder their responsibility, but uniformity in this field strikes me as very dangerous.

One final remark: we have now been talking only about public intervention, tasks of public authority and public financing. What we have not discussed is Corporate Social Responsibility (CSR), however, yet that also needs to be included in this discussion. After all, only when consumers are prepared to pay a fair price for sustainable, fairly produced goods will progress be possible in this discussion.

IN THE CHAIR: Edward McMILLAN-SCOTT

Vice-President

President. – The debate is closed.

The vote will take place tomorrow (Tuesday, 21 September 2010).

Written statements (Rule 149)

János Áder (PPE), in writing. – (HU) Mr President, unfortunately, we must all recognise the fact that the objective of halting biodiversity loss by 2010 has not been met. According to some estimates, the biodiversity rate indicator fell by 30% over the past 40 years, while the causes of this excessive decline in biodiversity have not diminished. In view of these facts, our first task is to find a solution to the causes of biodiversity loss within sectoral policies as soon as possible. This poses a great challenge to politicians, since there are many other important economic and social interests which run counter to efforts aimed at preserving biodiversity. We must bear in mind, however, that in the process of maintaining our own well-being and economic development, we cannot deprive future generations of the benefits of biodiversity. I think it is important to emphasise the part of the report that calls for a halt in the loss of genetic diversity and native species. What would the Hungarian landscape be worth without the grey cattle, the Mangalitza pig, the Hungarian piebald cattle or the speckled Hungarian chicken? I could go on to mention Törökbálint apples, Milota walnuts or Beszterce plums. The preservation of genetic diversity in agriculture and animal husbandry is of crucial interest to numerous European countries, in view of the economic, social, environmental and, last but not least, food safety value of indigenous domestic species. Finally, as regards LIFE+, I suggest that the Commission carefully consider increasing the EU's cofinancing rate, since the extraordinarily high contribution required from Member States results in a low uptake of the programme.

Liam Aylward (ALDE), in writing. – (GA) It is vital to conserve biodiversity. It is estimated that the global rate of extinction is between 50 and 1 000 times higher than the usual natural rate. In the EU, 42% of mammals, 43% of birds and 52% of freshwater fish are in danger of extinction. It is estimated that the rate of loss will be ten times greater by 2050. It must be ensured that the decline in biodiversity does not continue at the current severe rate.

As I told the Council during the last session, it is a major cause of concern that the EU targets, set out in Gothenburg in 2001, in relation to ending the decline in biodiversity by 2010, have not been achieved. If substantial environmental, ecological and economic losses are to be avoided, proper attention must be paid to the core value of biodiversity.

I commend the long-term vision of restoring the biodiversity of the EU by 2050, but to achieve that, it must be on top of the agenda in the negotiations on the future of agriculture and the environment currently under way, and concrete measures must be implemented to achieve definite results.

Vasilica Viorica Dăncilă (S&D), *in writing*. – (RO) Cross-compliance is part of the common agricultural policy and entails many implications for soil conservation. It also provides a control and sanction mechanism for reducing direct support in the event of a failure to meet the established standards covering not only environmental protection, public health, flora and fauna, but also animal welfare. Cross-compliance relates to the requirement to keep land in good agricultural and environmental condition. I believe that cross-compliance must be applied to direct support payments for incomes and to the majority of environmental payments granted as part of rural development. Member States must also establish this practice at national or regional level, in keeping with an existing common EU framework.

Robert Dušek (S&D), *in writing*. – (CS) The loss of biodiversity is continuing at an extreme rate. The extinction level of certain species is 50 – 1 000 times the natural level. It must become a priority for us to halt biodiversity loss, firstly for ethical reasons, as we ought to preserve a sustainable planet for future generations, and secondly for environmental reasons, as a range of interactions between species of living organisms is essential for ensuring the habitability of our planet. Thirdly, biodiversity loss must be halted for economic reasons, as nature and its original diversity provide us with the fundamental resources for life – food, water, fuel and fibres – and replenish the fertility of the soil as well as ensuring the pollination of plants. Maintaining biodiversity is also essential for us in terms of reducing the manifestations and consequences of climate change, as terrestrial and marine systems absorb CO₂ and are the only natural mechanism for capturing and storing carbon. The directive on the environment will make possible the implementation of measures adapted to local situations. However, it is necessary to ensure that there are no great differences between Member States in relation to protecting biodiversity. It is necessary to set out principles of protection which must always be complied with. It is also necessary to expand protection of biodiversity in the area of fisheries. Farmers have a special role in the effective protection of biodiversity. As regards population growth, it will be necessary to increase production while simultaneously supporting life in rural areas and maintaining biodiversity in such a way as to keep these three aspects in equilibrium.

José Manuel Fernandes (PPE), *in writing*. – (PT) The United Nations has declared 2010 the International Year of Biodiversity. Unfortunately, the EU will not achieve its biodiversity target for 2010. The loss of biodiversity is continuing at an alarming rate. It is calculated that the rate of loss is accelerating towards a level that will be tenfold greater by 2050 than it is at present. In the EU, 42% of mammals, 43% of birds, 45% of butterflies, 30% of amphibians, 45% of reptiles and 52% of freshwater fish are under threat of extinction. In its mid-term review of the implementation of the Community Action Plan on Biodiversity in 2008, the Commission noted that 50% of species and up to 80% of the habitats whose conservation is a matter of European interest are in a poor state of conservation. This loss of biodiversity is unacceptable, not only from an ethical point of view, but also from an ecological and economic standpoint, since we are depriving future generations of the opportunity to benefit from a healthy biodiversity. European policies on protecting biodiversity need to be coordinated and integrated with other sectoral policies, particularly

those relating to farming, forestry and fisheries, and policies on the prevention of natural disasters, in order to ensure maximum protection of biodiversity.

Véronique Mathieu (PPE), *in writing*. – (FR) The incorporation of biodiversity in the activities covered by EU legislation must be recognised for its economic value. I wanted to contribute to this report by emphasising the remuneration of additional services fostering biodiversity that are provided by farmers. This should take the form of ‘bonus’ cross-compliance, where actions implemented in addition to obligations are rewarded. We also quite rightly highlight the need to promote genetic diversity by using traditional agricultural varieties specific to certain regions.

This issue is important and one of which I am very aware because a traditional dairy cattle breed in the Vosges, my native region, will disappear if no external support is provided in time. I also very much wanted to point out that projects financed under Life+ must be carried out from the point of view of sustainability since, we unfortunately note, some projects are not maintained once their financing stops.

Finally, I share the view that data collection cannot be ignored, and I should like to welcome the creation of the National Game Observatory in France. The Observatory is working on the migration and over-wintering of creatures that migrate over land, thanks, in particular, to the surveys carried out by hunters, which proves – if proof were needed – that hunters are actively committed to the protection of biodiversity.

Alajos Mészáros (PPE), *in writing*. – (HU) The preservation of biodiversity and ecosystems is invaluable to society. According to the concept of our commitment, we must preserve our planet in a condition that will provide a liveable environment for the next generation as well. Unfortunately, the current situation is not encouraging. Biodiversity is decreasing drastically. The current extinction rate of species across the world could be as high as 1 000-fold the natural rate. If we do not do anything, researchers say this value could increase tenfold by 2050. The destruction of ecosystems can also result in the emission of significant amounts of greenhouse gases, which can lead to further increases in global warming and a decrease in the Earth’s ability to bind carbon dioxide. The most important instrument the Union has for the preservation of biodiversity is the Natura 2000 network, which consists of special areas of conservation (SAC) designated by Member States. Its most important objective is to contribute to biodiversity through the conservation of natural habitats and wild fauna and flora. However, for this agreement to operate effectively, an urgent harmonisation of laws is required, including concerted and unequivocal measures broken down to Member State level.

Andreas Mölzer (NI), *in writing*. – (DE) The huge loss of bees that we have seen in recent years, where it is not yet clear whether this is due to a reduction in biodiversity or to genetically-modified plants, shows us, above all, that there is still a great deal that we do not know. Not only are the effects of biodiversity on the stability of ecosystems still largely unknown; we do not even know at a regional level how much variability there is in a particular area. The Year of Biodiversity 2010 ought therefore to be used to obtain the knowledge that we are lacking and also to raise awareness – on the one hand, so that countries and local authorities can take biodiversity into account in their sustainable development as well as in the protection of moorland and water bodies and in connection with renaturalisation, and, on the other, so that the average citizen can play a part in this. You only need to think of Japanese Knotweed, for example, which started as an ornamental plant in gardens, but which has now overgrown and displaced native vegetation and whose

root systems cause a great deal of damage to bank reinforcement structures. Under no circumstances must we be cursed with agricultural or forestry monocultures. The agricultural reform can be used to move away from mass production towards more sustainability and the promotion of landscape conservation. We also need strategies so that climate protection in the form of energy plantations and biodiversity no longer compete for the same growing area.

Pavel Poc (S&D), in writing. – (CS) I welcome this report and I believe that it suggests certain steps in the right direction. On the other hand, I feel it lacks a substantially critical approach to current activities in this area and a more ambitious stance as regards the future. The actual state of affairs must finally be recognised. The European Union has failed to meet its targets for halting biodiversity loss by 2010. Both the European legislation and the general approach to this issue still focus on the protection of species. It is necessary to progress to the protection of ecosystems, including the planetary ecosystem. It is necessary to realise, without religious or ideological bias, that man is part of the planetary biosphere and that humans cannot exist without the planetary ecosystem. Current urgent problems, including the problem of greenhouse gases, soil destruction, threats to marine ecosystems, food shortages and others, can be summarised under a single common denominator, namely, population pressure from *homo sapiens*. Unless we look at the whole problem from the perspective of the ecology of our own species, going far beyond into the social, economic and political spheres, we will find out in 2020 that we have again failed to meet our targets for halting biodiversity loss and, what is worse, we will find out that the planetary ecosystem is even further down the road to a non-sustainable state in terms of the continuing existence of our own species.

21. One-minute speeches on matters of political importance

President. – The next item is the one-minute speeches on matters of political importance.

Carlos José Iturgaiz Angulo (PPE). – (ES) Mr President, ladies and gentlemen, I would like to pass on a message to you all from Oswaldo Payá, who was awarded the Sakharov Prize by Parliament.

‘Dear friends, the people of Cuba want change, they want to enter peacefully into a new phase of their lives, leaving behind anything that involves hate, violence, repression, lies and fear, opening themselves up to reconciliation and ready to take the path of progress in every respect.

These changes, which are being imposed on us by law, are already present in the hearts and minds of the Cuban people, but the civil and political rights of the people need to be respected. There need to be free and democratic elections, and freedom to travel, work and participate in the economic, political and cultural life of the country.

Changes are rights, and those rights are lacking in Cuba, where many people are still being persecuted for promoting the rights of the Cuban people and also imprisoned for that cause.

The European common position is focused on solidarity and that position should be maintained. You should know that although the Cuban Government is not initiating the changes that many Cubans who are supporting the Varela Project and other civil initiatives desire, there are people working to achieve these peaceful changes at the moment. These

are the initiatives that you must support, while remaining consistent with the common position so that it is also a joint approach.'

Monika Flašíková Beňová (S&D). – (SK) Protecting human rights, respecting differences between people and demonstrating this respect are as important in a democratic society as the fight against violence.

If a person occupying a high position in society, a person whom people naturally respect, fails to accept these principles in his public speeches, or even makes fun of them, this can encourage or support aggressive behaviour in society. If the Head of Government of a European Union Member State makes jokes at a public gathering about Hitler and his atrocities, and gives them a positive context, such behaviour must therefore be publicly condemned, because any failure to condemn it may lead to the general social acceptance of such behaviour. I therefore call on Silvio Berlusconi to reconsider not only his idiotic jokes about Hitler, but also his tasteless and – I might add – stupid recommendations to young women, which are perhaps the result either of a partial loss of judgment, or of a lack of decency and respect for women.

Sonia Alfano (ALDE). – (IT) Mr President, ladies and gentlemen, on Saturday, the Italian newspaper *Il fatto quotidiano* published a document signed by the Mafioso former mayor of Palermo, Vito Ciancimino, in which he wrote that Marcello Dell'Utri and Silvio Berlusconi were cut from the same cloth as him; that they belonged to the same mafia-dominated political system.

This news comes to the attention of the magistracy as the truth emerges about the mafia massacres of 1992, which saw the deaths of judges Falcone and Borsellino, namely, the State negotiated with the mafia for the end of the 'season of bombs' and this favoured, as appears to be the case, the establishment of the Prime Minister's party, *Forza Italia*, which was indeed founded with the help of Dell'Utri, sentenced to seven years for mafia association and still a senator in the Italian Parliament.

In the light of this and in the light of the recent murder of Mayor Angelo Vassallo by the Camorra, I reiterate the importance of the request made by the Group of the Alliance of Liberals and Democrats for Europe which, as a result of my continual pressure, has once again asked the Committee on Civil Liberties, Justice and Home Affairs for a report on organised crime at European Union level.

Europe cannot continue to turn the other cheek for fear of tackling a problem which is no longer local but globalised, and which right now closely affects the government of a Member State.

Michail Tremopoulos (Verts/ALE). – (EL) Mr President, as you know, green spaces are of vital importance to the urban environment. In fact, specialists insist on 7 to 10 square metres per inhabitant, which is the same as the European average. However, large Greek towns are suffocating nowadays, with just 25-35% of this requirement and urgently need far more green spaces.

One obvious solution would be for existing public spaces to be used at least for green spaces. These would include the many army barracks trapped within towns and the former Hellenikon Airport in Athens.

The memorandum between the Greek Government and the Commission and the International Monetary Fund makes provision on page 28 for the possibility of using public

property to pay off the public debt to be re-examined. If limited land reserves are ultimately used for this purpose, this will drastically tip the environmental balance in Greek towns, the cost of which will be paid for by generations to come.

Every European policy on the urban environment is cancelled out by just a few words in a document imposed on a Member State by the Commission itself. I ask: are the European institutions willing to accept this?

Ryszard Czarnecki (ECR). – (PL) In Poland, the public is concerned about delays to the inquiry into the crash of the Polish President's plane near Smolensk on 10 April. It is unacceptable to be in a situation where the Russian side fails to pass on documents, or does so very slowly, clearly playing for time. I think that the inquiry should become an international matter so that the European Union, including the European Parliament, may use its influence to speed up the investigation and to exert more international pressure on Russia. I am afraid that without international pressure and without pressure from the European Parliament and the European Union, the matter will never be clarified. That is why I appeal for a certain level of solidarity with Poland in this matter.

João Ferreira (GUE/NGL). – (PT) After the disaster caused by unchecked financial speculation, after months of inaction and promises about the measures to be imposed on the financial markets, confirmation reached us this week from the European Commission. Basically, everything will continue as before. Financial speculation will continue, its principal instruments will continue: derivatives, unsecured sales, swaps or CDS (credit default swaps); there is to be no end to the toxic rubbish. Tax havens, about which there is now a deathly silence after all the fuss and empty promises that a stop would be put to them, will continue to exist.

All this in contrast to the profound violence with which heavy sacrifices were imposed on the workers and the people, called on to support the abuses of financial capital. The response to the fact that the European Union clearly has no idea what it is doing about the consequences of a crisis that it helped create is here, in Portugal, France, Greece, Spain and all over Europe as people rise up and fight against the profound social regression that the European Union wants to impose upon them.

President. – The next speaker is Mr Batten, who has the distinction of being the first politician in history to wear his party colours.

Gerard Batten (EFD). – Mr President, it seems that Nick Clegg, the UK Deputy Prime Minister, will soon announce the coalition government's decision to comply with the ruling of the European Court of Human Rights and grant the vote to inmates of Her Majesty's prisons.

A spokesman for Mr David Cameron, the Prime Minister, has reportedly said that it would be 'unfortunate' if the blanket ban was lifted entirely. He did not go on to explain why a partial ban might be more acceptable morally and why a thug, burglar or thief should have the vote rather than a murderer, rapist or paedophile.

It is an insult to the law-abiding and the victims of crime that those who break the law should also have the right to elect lawmakers. I can say one thing with absolute certainty, which is that in the next manifesto of the UK Independence Party, there will be a commitment to repeal any such law.

President. – Depending on who is the leader of UKIP.

Andreas Mölzer (NI). – (DE) Mr President, today, I would like once again to mention the cross-border, central European Alps Adriatic Region, consisting of Friuli-Venezia Giulia, Slovenia and Carinthia. This region reflects the linguistic and cultural diversity of Europe and demonstrates how serious historical differences can be overcome. For example, the Carinthian Consensus Group has been working for many years to maintain the peaceful coexistence of the German majority population and Slovenian minority in Carinthia and was also awarded the European Citizens' Prize by this Parliament for its work.

However, it was detrimental to this peaceful cooperation for Slovenia to claim, ahead of the referendum on the border agreement with Croatia in Ljubljana, that Slovenian Carinthia, Trieste and Gorizia had been taken, even though the people from south Carinthia decided to become part of Austria in a fully democratic referendum in 1920, in other words, exactly 90 years ago. Moreover, Slovenia is in no way the legal successor of the former Yugoslavia and therefore a signatory power to the Austrian State Treaty. At most, it is following in Yugoslavia's footsteps with the retention, contrary to international law, of the AVNOJ Decisions, and that is not a good thing.

Rareș-Lucian Niculescu (PPE). – (RO) I would like to highlight an extremely urgent issue prevalent in Romania at the moment, but which I believe exists in all EU Member States in certain forms. I am talking about a serious situation affecting small businesses and destroying their chances of growing and recovering after the economic crisis.

The National Council for Small and Medium-Sized Enterprises estimates that 8 out of 10 companies which have received European funding drop out of projects due to a lack of cofinancing. This situation applies to all the programmes involving European funding. I believe that in these circumstances, the EU, on the one hand, and Member States, on the other, are obliged to identify and implement new measures to support small businesses, bearing in mind in particular that 70% of the workforce employed across the EU work in these companies.

Silvia-Adriana Țicău (S&D). – (RO) We will soon be starting the mid-term review for the 2007-2013 multiannual financial framework, which must be based on interinstitutional cooperation and offer concrete solutions for alleviating the impact of the economic and financial crisis. In addition, the entry into force of the Treaty of Lisbon and the EU 2020 strategy offer a new perspective on the mid-term review of the current financial outlook.

I call on the Commission to demonstrate flexibility and promptness when a Member State intends to request, in accordance with the ERDF regulation, a review of the operational programmes or of the National Strategic Reference Framework.

The current economic crisis could bring about some changes to budget priorities, specifically to ensure adequate funding for priority areas. Against this background, I call for the promotion of solidarity and efficiency in the area of energy resources, as well as in the area of transport infrastructure and agriculture and broadband infrastructure in rural zones, all priority areas which can help create jobs.

Antonia Parvanova (ALDE). – I would like to draw your attention to an instance of gross violation of the human rights of a Bulgarian citizen accused of a criminal offence. Mario Abdel Gani el Makusi, the son of a Palestinian, is a pharmacology student who was arrested on June 7 in his home in Sofia and taken to the local police station for – in the opinion of the police – assault.

According to two witnesses, at the time of the incident, Mario had been at home and also had been shopping in a grocery store, which has been backed up by 6 CCTV recordings from the shop. He was put under an indefinite detention order which has now been in effect for 70 days. In all this time, the police have refused to view the CCTV footage or to interview the witnesses who had been with him in his home at that time, far from the scene of the incident.

I believe that the entire case against this young man and his family is unprecedented, but incidents of this kind have become commonplace over the past year in Bulgaria. I would therefore like to state the view that arresting a man who is innocent until proven guilty, and his detention by the police with no incontrovertible evidence for 70 days, cannot be justified.

I call for more transparency in the way the Ministry of the Interior and the public prosecution work.

Catherine Grèze (Verts/ALE). – (FR) Mr President, 32 Mapuche prisoners have now been on hunger strike for 70 days and may die. They have been joined today by Members of the Chilean Parliament.

They are on hunger strike to demand the application of common law and their right to access land. Indigenous peoples must have access to collective property on their ancestral lands; Parliament has already defended this principle and it is laid down in the relevant international conventions.

This right, which has never been recognised in Chile, has resulted in a proliferation of measures that have an unfairly disproportionate impact on the Mapuche people, who nonetheless make up 5% of the population.

If the Mapuche community, condemned to live without land or resources, is to be saved, Chile will have to find the courage to recognise its rights and accept its demands.

It is also important for us here in the European Parliament, and for the UN and every other international institution too, to fight for the rights of indigenous populations to be respected. Mr President, what do you intend to do about this issue?

Miguel Portas (GUE/NGL). – (PT) Two years ago, the collapse of Lehman Brothers triggered the crash on the financial markets and subsequently the economic and social crisis still being experienced by our people today. The response must be balanced. The European Union has been quick, merciless and intransigent in the austerity programmes it has applied, and extremely slow or even remiss in everything else that could bring justice to the economy.

Parliament is only this week adopting the first measures relating to supervision of the financial system; only over the next nine years will the banking system apply the rules defined for their own capital and all the other demands from the public, namely combating speculative capital, an end to tax havens or a tax on financial transactions. All this has been postponed, and this is why the European Day of Action on 29 September is so necessary and so important across Europe.

Krisztina Morvai (NI). – (HU) Ladies and gentlemen, can you envisage a group of crime victims who suffer the most violent forms of physical violence, beatings, harassment, sexual assault, mental cruelty, threats and terror day after day? I am referring to the victims of violence against women, particularly violence in the family or relationships. One of their brave and strong groups contacted me last week and complained that this very large group

of people is still not supported or helped in any way in Hungary. If they turn to the police, they are told that this is a private matter and they will not get involved; if they go to the child welfare agency or child protection, they are told to do something about it, or their child will be taken away from them. I would like to call upon all Members of the European Parliament to stand together on this issue, hold a dedicated hearing for the victims of violence against women, and represent their rights in all possible forums.

Nuno Teixeira (PPE). – (PT) Mr President, all summer, Portugal was once again ravaged by a spate of fires which devastated forests and farmland, destroyed homes and private infrastructure and constantly threatened people, who lived in fear of being affected by the fires that raged without letup.

More than 9 000 fires were recorded in Portugal in August alone, the highest number on record since 2006. Given the seriousness of this situation, it is crucial to look not only at the causes, but also at solutions. For the latter, I am referring not only to the necessary planning and provision of effective material and human resources for combating the fires, but also to the need for the reforestation of the many areas and support for the people affected by them.

In the Autonomous Region of Madeira, where I come from, a number of municipalities were affected by the fires. Following last February's natural disaster, the fires in August exacerbated the difficulties experienced by Madeirans, who are hoping that they can count on the aid and solidarity of everyone in helping to restore their lives, especially after the severe ordeals that they have undergone over the last year.

Alan Kelly (S&D). – Mr President, it does not give me any pleasure to know that, as I stand here tonight in front of you, the EU is watching the economic developments in my home country of Ireland extremely carefully.

Today, Irish bonds hit an interest rate high of 6.5% and the situation in Ireland is very challenging. The cost of borrowing is, in fact, the most expensive it has ever been for my country. People back home in my constituency are asking how we got to that point. The simple answer is pure greed.

I was happy that Commissioner Almunia recently effectively insisted on closing Ireland's ultimate zombie bank, Anglo Irish. The Commission had to take action as this bank was endangering the future of my very country. Anglo was to cost us EUR 2 billion, then 5 billion, then 10 billion. Will we find out next month that Anglo is going to cost us north of EUR 30 billion?

The Irish are a resilient race. We will get through this, but only with the help of the ECB and through political stability that would be helped by an immediate change of administration back home.

Jelko Kacin (ALDE). – (SL) This weekend, Slovenia was hit by heavy rain which has caused major flooding and serious economic damage. In many places, river levels were higher than they have been for hundreds of years. We also have fatalities, although I should add that all those who drowned lost their lives at the wheel, in cars that were trapped in underpasses. In the capital Ljubljana alone, we still have more than 1 200 residential properties under water. Transport routes and utilities have also been hard hit.

Slovenia is a small country, but we could compare the consequences of these floods with the catastrophic consequences of the floods that affected some Central European countries

at the beginning of the summer. I have taken this opportunity to inform you of the situation in my country because I believe that, in this House too, we have a great deal of work ahead of us to deal with the consequences.

Søren Bo Søndergaard (GUE/NGL). – (DA) Mr President, since our last meeting, more than 50 Kurdish mayors in Turkey have received their final sentence. What was it that these mayors had done? Well, they took the liberty of writing an open letter to the then Danish Prime Minister. So absurd is the situation in the EU candidate country Turkey that mayors are punished for writing letters to Heads of State in an EU Member State. The absurdities are continuing, too. On Monday, 18 October, 151 Kurdish politicians and lawyers will be tried in court, including the mayor of Diyarbakir, Osman Baydemir, and Muharrem Erbey, who is Vice-President of Turkey's human rights organisation, IHD. The charges may result in life imprisonment. I would call on the President to ensure that the European Parliament is present to observe these trials.

Anna Záborská (PPE). – (SK) The deportations of Roma from France are a sign of not knowing what to do, just like, for example, the regulations expelling homeless people from city centres.

The problem of the Roma masks a further problem of extreme poverty and social exclusion. Those who live in conditions of extreme poverty need solidarity and assistance: mothers with children, the old or infirm and isolated communities; people who have fallen into such difficult circumstances that they can no longer help themselves. It is not just a matter of money, but of starting to behave like a society which cares about all of these people, for the good of each and for the good of all. Let us therefore look for ways to involve as many volunteers as possible in assisting socially deprived groups. Let us look for ways to make it easier and simpler for volunteers to use existing financial resources. Failing this, we will continue going round in circles.

Vilija Blinkevičiūtė (S&D). – (LT) Ladies and gentlemen, when my country's Parliament rejected the law's amendments banning any violence against children, including corporal punishment, once again, this only demonstrated that contemporary society is dominated by intolerance towards the opinions of its youngest and weakest members, as well as an unwillingness and inability to comprehend the importance of children's rights and their interests. Once again, this demonstrated the fact that we urgently need to debate the issue of the protection of children's rights and combating violence against them.

However, many in my country consider the smacking of children to be a form of cultural heritage or an effective method of education. I completely disagree with this and would like to stress that a lack of emotional control and the resulting justification for aggression, calling this education, is wrong and unjustifiable.

I would like to point out that violence poses a serious threat to children's physical and mental health and their personal and social development. Given that children are the most vulnerable group in society, I call on the Commission and the Council to strengthen measures for combating violence against children by establishing compulsory standards in all EU Member States and cooperating more actively with Member States and non-governmental organisations to stop violence against children.

I also call on Member States to take the necessary action and preventative measures to combat violence against children.

Kyriacos Triantaphyllides (GUE/NGL). – (EL) Mr President, I should like to draw your attention to an initiative which many of you are aware of, but which needs more support from us: the so-called ‘Model European Council’. This initiative, and the virtual plenary session in Strasbourg, are being used by many young Europeans trying to gain a better understanding of how the European Union works.

It is important, at times of poor turnout by voters and general apathy, for us to support and help anyone who is interested in and wishes to contribute to the process of integration of the European Union. That is why, in light of this year’s report on the ‘Model European Council’, I call on you to meet the members of your national delegations so that we can give them a real taste of how we work. The more we promote this initiative, the more it will gain in value for the future of the Europe we are building here.

Nuno Melo (PPE). – (PT) Mr President, the recent Council decision to open the EU market to textiles and clothing products from Pakistan is a mistake. Textiles and clothing make up 20% of the manufacturing industry in Portugal, with 200 000 workers and 7 000 businesses. It is a key activity in my country, like the automotive industry in Italy, Germany or France.

This means that these businesses will now come into direct competition with Pakistani businesses, which do not have to pay for the social protection of their workers, have no environmental protection costs, are not required to take particular care with the use of certain raw materials, and where unfortunately, even child labour is a common reality, as we know.

What I am trying to say, Mr President, is not that European businesses are afraid to compete with those from elsewhere, but that they cannot work with the subversion of normal market rules.

I would therefore like to voice my protest here, Mr President. Besides protesting, I am also offering my observations on the situation. It is important for Parliament to discuss this issue, which is crucial for the European textile and clothing industry, at the first opportunity.

George Sabin Cutaş (S&D). – (RO) Social Europe is at a delicate juncture where the response to the austerity measures is being shown through various strikes.

We have workers from the education, transport, justice, administration and industry sectors striking in France, transport workers striking in Greece, and trade unionists on strike in Romania. This social discontent will certainly increase in the coming months. This is why I think that our priority must be to target economic growth, however, in close correlation with creating new jobs and protecting existing ones.

We share responsibility for exiting the crisis. Solidarity must be at the heart of European economic and social policies. Indeed, increased assistance must be given to Member States encountering difficulties in implementing economic recovery measures in order to prevent the divide between Member States’ economies from widening and soften the painful social impact.

Tanja Fajon (S&D). – (SL) Bitterness, anger and disappointment are the words I could use to sum up the feelings of most Slovenians about the first appointments to senior diplomatic positions in the European Union. This is not merely because Slovenia was dropped from the first round of nominations, but mainly because, out of the 29 leading positions, only four will go to representatives from the newly acceded Member States.

I do not believe that there are no suitable candidates in these Member States. On the contrary, I firmly believe that drive and ambition are increasingly present in the younger Member States. However, in the European institutions, the most senior positions are still, by and large, held by representatives of the largest Member States.

I am strongly against such a European policy, because it has no sympathy for the interests of the younger, newly acceded Member States. We are all part of the Union in order to make decisions together. Let this be a criticism of, and a reminder to, our governments. Now is not a good time for new divisions and a breakdown in trust. People will believe in us only if we are firm and united from within, and only if our voice is the common voice of the 27 Member States and not just that of a handful of Member States.

Gabriel Mato Adrover (PPE). – (ES) Mr President, once again, we are going to talk about free trade agreements between the European Union and third countries. I have already spoken about the agreements with Colombia and Peru, which are extremely damaging to the banana industry in the Canary Islands, and today, I wish to talk about Morocco.

On 16 September, the Commission adopted its proposal on a new agricultural chapter of the association agreement with Morocco: a proposal that increases the tomato quotas, maintains the October to May period instead of extending it to the whole year, and does not revise the entry price system which has been proven to be fraudulent, as recognised by The European Anti-Fraud Office itself.

This agreement is lethal for EU producers, essentially in Andalusia, Murcia, Valencia and the Canary Islands, and the Commission is perfectly aware of that. The Commission cannot look the other way and propose a fresh agreement with no guarantees when the current agreement is being violated without any measures being taken.

There needs to be an urgent review of the entry price system and I ask the Commission to undertake one without further delay. The Commission has an obligation to defend farmers, so defend them!

Rovana Plumb (S&D). – (RO) The issue I am raising is to do with respect for the rule of law and for professionalism in administration in Romania.

In early 2009, there was a change of prefects and subprefects. The text of the decisions appointing them stated that they would carry out the relevant functions on a temporary basis until the competition was organised to make permanent appointments. At the end of September 2009, the executive organised these competitions and the results were announced in early October. The government was to issue the decisions on the permanent appointment of those who were accepted, but it has still not done this. Given this situation, I would like to draw the European Parliament's attention to the abuse being committed by the Romanian Government and ask the Romanian Government to respect the principles of the rule of law and promote professionalism in administration.

András Gyürk (PPE). – (HU) The fact that the European External Action Service will soon start to operate can be attributed to the initial success of the common foreign policy. However, we are less pleased about the principle of geographical balance still not being applied in the appointment of the leadership team. Having reviewed the list of names made public last week, we noticed that only four of the close to thirty Heads of Mission come from new Member States. We find this unacceptable. We do not believe that professional eligibility depends on nationality. Appointments should take into account both competence and the principle of proportionate representation. In view of the above, we call on Mrs

Ashton to ensure proper regional proportionality in further appointments. This also applies to both Heads of Mission and other officials until the principle of geographical balance is met. The approval of the European Parliament cannot be considered to be a mere formality.

Eduard Kukan (PPE). – (SK) European Union expansion continues to be a topical theme. The expected accession of Iceland and Croatia will give heart to all those who support the process of expansion and want it to continue.

It will certainly give heart to the countries of the western Balkans, and particularly today, with a situation of economic crisis and growing uncertainty in the region. The recent compromise achieved between Serbia and the countries of the European Union over adoption of the UN General Assembly resolution on the advisory opinion of the International Court of Justice in the matter of the Kosovo declaration of independence confirmed the potential of the EU when it comes to solving thorny issues in the region

The EU has undertaken to support dialogue between Serbia and Kosovo. We must not forget that not only the long-term stability of the region but also the credibility of the EU and its foreign policy depend on the success of this dialogue.

Jarosław Leszek Wałęsa (PPE). – (PL) Thank you for giving me the floor. I would like to take this opportunity to denounce the Burmese *junta* and the electoral commission acting on its orders, which last week announced the dissolution of the National League for Democracy, as well as of nine other political organisations. The leader of the National League for Democracy, Mrs Aung San Suu Kyi, is a laureate of the Sakharov Prize awarded by the European Parliament. She supports dialogue between the *junta* and the opposition, as she proved in 2000 when she negotiated with generals on the gradual withdrawal of the military from political life. Unfortunately, the talks did not lead to a breakthrough.

The elections due to take place in Burma in November will be the first since 1990, when the military *junta* refused to accept the crushing victory of the opposition and placed Mrs Aung San Suu Kyi under house arrest. The European Parliament should clearly signal our opposition to the military regime, the violations of human rights and the lack of respect for fundamental civil liberties in Burma.

Petru Constantin Luhan (PPE). – (RO) The EU 2020 objectives definitely give pride of place to education and skills development.

During the current programming period, achieving economic, social and territorial cohesion is the main objective which creates the framework for developing education and skills so that local resources can be used.

Every region can have its profile raised by providing a regional aspect to education and vocational training. There are trades which are still being practised only in certain areas and which are in danger of disappearing, simply because they no longer get the chance to be included in national vocational training programmes. The same also applies to certain local resources which survive only in oral history.

I maintain that the regions need to receive financial aid through suitable programmes and encouragement to develop a regional aspect to education and vocational training. This is where European funds can come in useful because, otherwise, many trades will be lost.

Maria do Céu Patrão Neves (PPE). – (PT) Mr President, according to the European Forest Fire Information System (EFFIS), 70% of the area that was burnt this year within the EU is

Portuguese, with about 115 000 hectares burnt up to 3 September, 13 000 of which are in protected areas of high environmental value, and with a socio-economic impact of EUR 385 million.

We know that the destruction of forests results in serious socio-economic and environmental damage, and that prevention is more important than cure, because recovery is slow, difficult and expensive. The issue of fires crops up every year in speeches in Parliament, and if they do not concern Portugal, they are about another country.

In view of this, I urge the European Commission to carefully consider the successive resolutions that Parliament has issued since 1995 on fire protection and fire fighting, especially the resolution of 16 September last year, and the mechanism for preventing natural and manmade disasters, for which I had the honour of being the shadow rapporteur for the Committee on Agriculture. These were implemented only partially, and sometimes patchily and ineffectively. Maybe if this is done, we will avoid having to revisit the issue of forest fires in September 2012.

President. – That concludes the item.

22. Completing the internal market for e-commerce (short presentation)

President. – The next item is the report by Pablo Arias Echeverría, on behalf of the Committee on the Internal Market and Consumer Protection, on completing the internal market for e-commerce (A7-0226/2010).

Pablo Arias Echeverría, rapporteur. – (ES) Mr President, as you all know, the Internet and new technologies represent an unprecedented revolution that means that we need to modernise the mechanisms that regulate e-commerce in our economy in order to be able to tackle the challenges that we are facing.

Just a few years ago, the new systems for trade over the Internet, and the new technologies and opportunities we have available to us now, did not exist. They are now a fact, however, and soon they will be an essential tool.

As legislators, we need to be broad-minded enough to create tools for the public that solve the problems of today, but which foresee and can be adapted to the problems of tomorrow. This is a commitment that we must make and a responsibility that we are obliged to take on.

We must prepare the way for what is to come and for those who are to come, and this means we need to overcome the obstacles to achieving that goal.

E-commerce is a tool available to us with enormous potential for relaunching and improving the competitiveness of our economy and also for strengthening the internal market. It is a tool that can create a great deal of added value and offer great opportunities to the European people and businesses in this time of crisis.

It is vital that the leaders of the European Union implement the necessary measures to overcome the existing barriers to cross-border e-commerce in Europe and that we generate confidence in this medium, simplify it and make the rules governing it transparent.

That is the only way to ensure that the public and businesses will be able to reap the rewards of its enormous potential. That is the only way that we can be competitive in a global

market that waits for no one. Either we take the necessary measures energetically, decisively and with leadership, or our competitors will leave us behind.

The report that I am presenting today proposes measures for overcoming the barriers to cross-border trade. We have the opportunity not only to prepare the internal market for e-commerce, but also to help to complement the internal market through e-commerce.

The measures that I propose in the report are aimed at improving the quality of access to the Internet in Europe, improving consumer confidence by creating a European quality mark, increasing monitoring and supervision of the network and conducting information campaigns so that users are aware of their rights and know how and where to complain if they have problems. They are also aimed at protecting the private property and personal data of users, promoting the development of initiatives that incentivise businesses to sell their products online, improving payment systems and simplifying the rules regarding the payment of taxes, among other measures.

Finally, in this plan, I felt I needed to highlight the need to improve protection for minors using the Internet.

I believe that all these measures are essential for promoting e-commerce and for adapting the rules that currently govern it to a future in which we are already living. We have an obligation to offer mechanisms to the market that make our businesses more competitive and strengthen our economies. This plan is undoubtedly a platform on which we can continue to build without any obstacles or hindrances.

For these reasons, I would like to ask this House for its support to move forward with this initiative.

Zuzana Roithová (PPE). – (CS) I am delighted that the rapporteur has also drawn on my report on consumer confidence in the digital environment, which was passed by the European Parliament in the last session. Even though online commerce is showing growth levels of 50%, there is minimal exploitation of its potential within the European economy. Among other things, up to a third of online retailers or distributors refuse to deal with customers from other Member States. The causes of this are, on the one hand, the attempts by certain companies to artificially create separate national markets in order to apply different prices, and also persistent legislative obstacles which have still not been overcome at European level. I applaud the fact that the Member also presents proposals in his report today for greater Internet safety for children and young people, warning of the main dangers, which are pornography, the anonymous purchasing of tobacco or alcohol, gambling and communicating with strangers via social networks. I hope that the Commission will be more successful than it has been previously in supporting e-commerce, at least insofar as protecting children from dangerous Internet content is concerned.

Silvia-Adriana Țicău (S&D). – (RO) E-commerce is only in its infancy and increasing user confidence in transaction security is vital to its development and contribution to achieving a better functioning internal market.

The report stresses the importance of digital signatures and the public key infrastructure in terms of ensuring secure pan-European e-government services and the security of e-commerce. I believe that action is required to speed up the creation of a European Validation Authorities Gateway to ensure cross-border interoperability for electronic signatures. We also call on the Commission to come up with concrete measures to support

the e-invoice initiative with a view to ensuring Europe-wide use of electronic invoices by 2020.

Finally, I hope that by 2015, at least 50% of all public procurement procedures will be conducted electronically, in accordance with the action plan agreed by the Ministerial Conference on e-Government, held in Manchester in 2005.

Ilda Figueiredo (GUE/NGL). – (PT) Mr President, in this debate on e-commerce, I would like to highlight three issues that I believe are important to clarify.

The first relates to the need to reconcile consumer rights and copyright. The second relates to the protection of children's rights and the security of e-commerce. We cannot jeopardise children's rights, and we need to ensure the security of e-commerce. However, the third issue is about the objectives set by the Commission for broadband, particularly the aim of achieving basic broadband for everyone in the European Union by 2013.

At present, knowing that approximately 30% of families, at least, do not even have access to the Internet, and that 20% of people within the EU live in poverty, how does the European Commission intend to ensure this objective of broadband for everyone by 2013?

Jaroslav Paška (EFD). – (SK) The submitted report deals with formal measures for improving electronic commerce, but pays scant regard to the specific social and cultural customs of individual countries.

Certain pharmaceutical products are sold freely in some countries, while in others, their sale is strictly regulated. Soft drugs or various erotic goods are freely available in some countries, while in others, the authorities set strict limits regarding access to such products. The liberal approach to opening up the electronic market must therefore also pay heed to protecting the regulations of individual countries regarding these specific types of goods, especially when it comes to protecting young people.

Seán Kelly (PPE). – Mr President, e-commerce has been tremendously beneficial to both businesses and consumers. There is one aspect, however, that I am not happy about and I want to draw attention to: e-ticketing. Tickets, particularly for big concerts and sporting events, are being sold at exorbitant prices. That is not acceptable.

In my own country, at the weekend, we had the All-Ireland football finals. It is an amateur organisation, but the maximum price for tickets was EUR 70. No club or self-respecting individual would sell those tickets for more than that. If touts were caught selling them in the street, they would be arrested. Yet they were freely available on the Internet at anything between EUR 350 and EUR 500. You may say that they could not sell them unless there was demand for them, but at the same time, I think this is a practice that is unsporting, unfair and unhelpful. It is the downside of e-commerce, which is largely beneficial to consumers.

Karel De Gucht, Member of the Commission. – Mr President, firstly, I would like to thank the rapporteur, Mr Arias Echeverría, and Parliament as a whole for this wide-ranging appraisal of the European e-commerce market.

This report serves as a timely reminder that the e-commerce market is not yet a reality for many businesses and consumers. A fragmented market for e-commerce is also a worrying symptom of the missing links within the wider internal market. Most consumers have first-hand experience of the internal market when shopping online. It brings them into

contact with sellers from all over Europe. Many sellers, especially SMEs, are keen to develop new markets thanks to the opportunities opened up by the Internet.

Addressing the obstacles that citizens face in the online world can go a long way towards turning the promise of an integrated internal market into a reality. So what can we do to fill the gaps in the internal market and make e-commerce work better?

The Commission will reflect carefully on its response to the report. Many of the points raised are addressed in various policy domains, including the digital agenda. In short, the report sketches out two avenues that we should explore. First, we need to make life easier and simpler for both consumers and businesses. We can do this by harmonising rules, for example, on consumer contracts, and we can streamline procedures to make them less costly for businesses conducting cross-border transactions, for example, concerning waste management fees, copyright levies, VAT reporting obligations and invoicing.

In this context, the Commission welcomes the report's support for a consumers' rights directive, which is currently being considered in the Committee on the Internal Market and Consumer Protection. We will make consumers' lives easier by enforcing EU legislation, in particular, in relation to the Services Directive, which prohibits geographical discrimination against consumers. Improving delivery and payments issues will also be a key factor if we want to develop e-commerce. We can also make it easier for citizens and companies to interact with national administrations by setting up one-stop-shops.

The Commission has set up a dedicated group of Commissioners for the digital agenda to ensure a joined-up approach to policy making on digital issues. It is also committed to fostering self-regulatory solutions by looking at the possibility of setting up an EU trust mark for e-commerce to complement a code of online rights.

Second, we need to better enforce rules and monitor the internal market: rights that are not enforced in practice are worthless. Alternative dispute resolution, as mentioned in the report, can provide low-cost, simple and quick redress for consumers shopping on the Internet. We will explore how best to improve ADR in the EU and come forward with a proposal for an EU-wide online dispute resolution system for e-commerce transactions by 2012.

We also intend to ensure that consumers in mass-claim situations across the EU are able to obtain compensation. Proposals for ADR and collective redress are also planned for the end of 2011. Knowing that public authorities are working together to keep a close watch on the internal market is a foundation for creating confidence. As part of the consumer protection committee, national authorities regularly cooperate to stamp out unlawful practices on the Internet.

The Commission also monitors the e-commerce market through its yearly consumer markets scoreboard. Earlier this month, we launched an in-depth study of e-commerce. At the beginning of 2011, a communication will be dedicated to the evaluation of the application of the e-Commerce Directive and will reflect on its better enforcement.

Finally, I should like once again to thank everyone who has been involved with this very useful and inspiring report. Let me also apologise on behalf of Mr Dalli, who is unable to be here for personal reasons.

President. – That concludes the item.

The vote will take place tomorrow (Tuesday, 21 September 2010) at 12:00.

Written statements (Rule 149)

António Fernando Correia De Campos (S&D), *in writing*. – (PT) Mr President, as Mr Monti said, the point at which the European Union has most need of the single market is the point at which it is least popular. We must find ways of improving and strengthening it and, above all, ensuring that it works with transparency, reliability and quality.

One such way is e-commerce. The digital market can potentially generate employment and trade, but it needs to overcome legal fragmentation in order to spread beyond borders, ensuring rights for consumers and increasing public confidence. For this reason, we need clear rules on contracts, coordinating VAT, intellectual property, payment systems and postal delivery at fair, competitive prices, or rapid methods for settling disputes. We need to ensure that Article 20 of the Services Directive is fulfilled and that there is no discrimination based on the origin of the consumer. The Single Market Act represents an excellent opportunity to set goals. I would like to thank Mr Arias for the openness that he has shown from the outset to reaching a comprehensive and consensual text.

Petru Constantin Luhan (PPE), *in writing*. – (RO) The European Union has prospered down the years thanks to trade, as it exports and imports everything from raw materials to finished products worldwide. In order to guide the single market towards fulfilling the Europe 2020 strategy objectives, we need to have efficiently operating, well connected markets which will allow competition and consumer access to boost growth and innovation. As is borne out by the surveys, there are large discrepancies between e-commerce at national and cross-border level, due largely to the obstacles encountered by the internal market. The results from the test carried out specifically with online stores are worrying as roughly 61% of all cross-border transactions failed for a variety of reasons. In view of this, I think that common European standards need to be drawn up immediately for this area which will eliminate the discrepancies between laws in Member States. We need to focus our efforts on regulating this kind of commerce and capitalise fully on its potential as part of our drive to boost the European Union's competitiveness globally.

23. Enforcement of intellectual property rights in the internal market (short presentation)

President. – The next item is the report by Marielle Gallo, on behalf of the Committee on Legal Affairs, on the enforcement of intellectual property rights in the internal market (COM(2009)0467 - 2009/2178(INI)) (A7-0175/2010).

Marielle Gallo, *rapporteur*. – (FR) Mr President, ladies and gentlemen, Parliament must seize the opportunity of the vote on this own-initiative report, which is not my report but the fruit of numerous compromises, to open up a major debate. For almost 10 years, we have been repeatedly saying in all our texts that the European economy must be a knowledge-based economy. The explosion of the digital era means that we must now rise to this globalised challenge.

The creative and innovative industries currently provide 7% of the EU's GDP and 14 million jobs. Faced with severe competition, they are, and must remain, the key asset of the European economy. We therefore have to protect them, or else they will disappear.

What apparatus can protect them? What apparatus encourages creators to innovate? What apparatus ensures European cultural diversity and its global spread? What apparatus ensures that our researchers, creators, artists, engineers and intellectuals are remunerated? What

apparatus enables the economic sector of the creative and innovative industries to function and develop? What apparatus encourages SMEs and young creators to be enterprising and transform the European economy for the year 2020?

The answer to each of these questions is obvious: intellectual property law. Everybody agrees on intellectual property law in relation to physical assets. However, some of us have not yet woken up to what has been happening since the arrival of the Internet. They have not yet understood that all digital assets – music, films, books, video games, software – also need to be protected.

We must not be scared of the Internet. It is an extraordinary opportunity which we can welcome. We guarantee access to the Internet for all EU citizens; it is a right. However, we must also subject the Internet to legislation which protects intellectual property, because that is also the law. If we do not do so, it will be a jungle, and the law of the jungle will apply.

Is this really what we want? Do we want to destroy the creative and innovative industries sector by wantonly sacrificing it? Are we European legislators going to give in and resort to demagoguery and populism, or can we reflect on matters and assume our responsibilities?

I ask you this question because the purpose of this report is to send out a signal to the Commission so that we can combine our efforts and find appropriate solutions. Let us get rid of crowd-pleasing responses. Let us try to overcome our petty political disagreements so that we can work in the general interest. Let us not allow the Commission free rein. The fate of the creative and innovative industries, and of the people who depend on them, is in our hands. Let us not fall at this hurdle; the debate is only just beginning.

Piotr Borys (PPE). – (PL) First of all, I would like to thank Mrs Gallo for a good and well-balanced report. The report confirms the fact that the European Union upholds intellectual property rights and copyright, and protects the most creative sector in Europe. This challenge ties in well with the European Commission's communication on the European Digital Agenda, which also refers to matters such as orphan works or works that are out of print.

I would like to say that today's report is a balanced and carefully considered text. It does not take a particularly restrictive approach to the problem of piracy and counterfeit goods, as it primarily introduces a prevention-based system, in order to raise awareness among citizens, who frequently unwittingly break the law, that copyright is a fundamental and important issue. I would like to say that today – and here I am also referring to Mr Echeverría's report – we need a good business model, which would protect copyright and intellectual property rights, while also allowing works of literature or film to be purchased at a reasonable price.

I think that the report should serve as a point of departure for further discussions, but I would like to thank the rapporteur for very successfully highlighting in her report the issue of protecting both copyright and a system which maintains the highest level of creativity.

Ioan Enciu (S&D). – (RO) I welcome the report being debated, which is part of the European Parliament's general initiative to strengthen the enforcement of intellectual property rights. I very greatly appreciate the work done by the rapporteur, Mrs Gallo.

However, I would like to highlight a few points of principle which ought to have been included in the report. Firstly, a clear differentiation needs to be made about the

socio-economic impact which copyright infringement can have. It is unacceptable for serious infringements, with a possible major impact on the individual's health and integrity, to be included in the same category as those with a limited financial impact. Last but not least, there needs to be a provision whereby Internet service providers are not held liable for the actions of their customers and are not obliged to get involved in monitoring and filtering the traffic on their own networks.

Toine Manders (ALDE). – (NL) I should like to thank the rapporteur for the nature of our cooperation. Indeed, Mrs Gallo, all parties came together in the Committee on Legal Affairs and reached a compromise. This ultimately led to a tremendously diffuse and emotional discussion, which I also faced within my own group. In the end, we submitted an alternative resolution as a middle course between the supporters and opponents of the report.

I hope that this resolution makes it through tomorrow, but it is a shame that the discussion has been so protracted and that a solution is yet to be found. We all want more innovation, more e-commerce and an internal market, and yet we do not want protection of intellectual property rights, which ultimately forms the basis of our innovation. I think this a great shame, and so I would call on everyone to vote the right way tomorrow – which I would venture to say is the alternative resolution tabled by the Group of the Alliance of Liberals and Democrats for Europe.

A European approach is needed, and I would also call on Commissioner Barnier to come forward with the proposals for an EU legal framework for intellectual property rights, as there is a huge need for multi-territory licensing, for example. This is currently impossible, thereby impeding the development of the internal market.

Eva Lichtenberger (Verts/ALE). – (DE) Mr President, ladies and gentlemen, it is no coincidence that we are not finding it easy to agree on this matter here because we are combining two incompatible issues. If we had concentrated on trademark protection, we would probably have been able to reach a good agreement. However, mixing this with the subject of the Internet is also substantially incorrect, because different and newer strategies are required here compared with those required in substantive law. It is not easy to transfer these strategies from the one to the other.

We also need to be clear in our own minds that we will pay for every prosecution on the Internet with infringements of civil rights, because we cannot see or find these things out automatically.

Thirdly, it is abundantly clear to me that if I place cultural enjoyment on the Internet under the threat of punishment, so that I virtually risk being sent to prison every time I view the Internet, I will not be able to make use of the opportunities that the Internet also provides for art, culture and creativity. I would therefore urge us to discuss this matter further. That would be a more intelligent approach.

Martin Ehrenhauser (NI). – (DE) Mr President, naturally, the fight against counterfeit goods has top priority, including here in this House. Nevertheless, I have to say that I clearly cannot support this report by my fellow Member on Wednesday, as, among other things, I share the concern of very many young people and citizens that an attempt is being made here – for example in Article 22 – to make Internet blocks respectable again through the back door.

It is also deplorable that the terms piracy and counterfeiting have been used as synonyms by the Commission and also here in this report. That will create additional legal uncertainty.

The term piracy is not appropriate for the use of non-commercial Internet exchange services. This would de facto turn many millions of citizens into criminals, as is quite rightly pointed out in the alternative report tabled by the Group of the Greens/European Free Alliance and the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament.

I am also very definitely against the establishment of a new authority. I believe that the structures currently in place will be able to deal with this matter very economically.

Paul Rübzig (PPE). – (DE) Mr President, property – whether intellectual or physical – is a cornerstone of the market economy. It is therefore important that we consider how we regulate this matter with a high degree of mutual consensus. In any case, we need a one-stop shop. It must become easier for consumers, the self-employed and small and medium-sized enterprises to acquire corresponding licences in this regard.

The availability of EU-wide licences for intellectual property rights is particularly important. We need an internal market for intellectual property. Above all, we also need the original language to be available throughout the whole of Europe. Every language is an important cultural product and it ought to be possible for licences that are granted for one language to apply throughout Europe and therefore be capable of being used by all citizens. We need interoperability and technical neutrality in order to be able to use this intellectual property accordingly. Above all, we also need sanctions for those who violate competition and commercial law.

Christian Engström (Verts/ALE). – Mr President, there are several problems with this report, but I will highlight one fundamental problem: inconsistency. It starts out by saying that we do not have the facts and figures necessary to legislate, so therefore we should have this IP Observatory to get those facts and figures. Then the report goes on to criticise the Commission for not having proposed legislation. It goes on to propose non-legislative measures, etc.

I agree with what was said at the outset: we do not have the facts and figures available to us as policy makers; that is the fundamental problem and is the reason why the European institutions have been unsuccessful in finding a good policy for these matters. I therefore recommend the Verts/ALE, S&D and GUE/NGL resolution, which states that we should by all means get the facts and figures, then consider what to do, and then we can legislate.

Peter Jahr (PPE). – (DE) Mr President, the different regulations in the Member States in the area of intellectual property prevent this intellectual property from being protected everywhere to the same high degree. That has a detrimental effect on the freedom of the internal market and hinders innovation and investment in this area. Infringements of intellectual property rights are also occurring more and more frequently in connection with organised crime. Unfortunately, the Internet provides an easy-to-use platform for this purpose.

A uniformly high level of protection can therefore only be achieved by means of a targeted common approach by the European Union. Harmonisation of national regulations is therefore to be welcomed and it is a necessary prerequisite for the functioning of the internal market.

Many thanks to the rapporteur, who has taken up an important subject here. I am sure that we will be debating this subject many more times in this House.

Zuzana Roithová (PPE). – (CS) As rapporteur for the opinion of the IMCO committee, I am disappointed that my colleague, Mrs Gallo, has not stuck to the text of our recommendations. In the meantime, of course, in response to my question, the European Commission has confirmed that it will address the proposal to create European protection for registered trademarks as early as next year. Thank you, Commissioner. We must combat counterfeits, particularly from Asia, with all of the available resources which the Gallo report rightly proposes. I am, of course, sorry that such an unbridgeable gap has opened up between Members in relation to the fight against the downloading of copyright works from the Internet. The mass communication of copyright works on the Internet must be regulated, but it should be done through balanced measures, and not by criminalising high school students. Copyright law is not properly set up in Europe, and it does not provide modern rules to support authors and the broad use of their works by the public. On the contrary, it rather gives precedence to the interests of copyright holders and collective administrators at the expense of the actual authors and users of works. It worries me that this report does not even have the ambition to formulate a much-needed balance for copyright law in the digital world.

President. – I am sure the Commission can satisfy everybody. Mr Barnier, you have the floor.

Michel Barnier, Member of the Commission. – (FR) Mr President, I always listen very carefully to what the Members of the European Parliament say. The Commission cannot know everything and always has need of these analyses and proposals. This is why I should like to offer my very sincere thanks to Mrs Gallo and to Parliament for the interest it continues to show – this report is additional evidence of this – in the improvement and strengthening of respect for intellectual property rights.

I know that this report has been debated on numerous occasions, and this is quite normal. However, I think that it offers a good balance between all the interests at stake. I should like to say once again, in particular, echoing the comments of Mr Borys and Mr Rübig, that effective protection of intellectual property actually fosters creativity and innovation and safeguards jobs in France.

Let me add, however, that, when we talk about protection and fair remuneration for creation, we are referring not only to cultural or industrial creation but to a particular notion of democracy as well. Here I am thinking of the work of journalists in the written press, which also deserves to be protected and properly remunerated. Then – I think it was Mr Borys who referred to health problems – we also know what the risks associated with counterfeiting generally involve.

I should like to highlight, ladies and gentlemen, the Commission's commitment to working very closely with all the parliamentary groups over the coming months in order to step up the fight against counterfeiting and piracy, which Mrs Roithová has just mentioned. The Commission is going to continue its battle against breaches of intellectual property, using both legislative and non-legislative measures. I also think that any fight must necessarily be combined with positive measures, such as the promotion and development of legal products.

I should like to emphasise the need, as it appears to me, to increase awareness amongst citizens and, of course, amongst young people – but not only young people – of these phenomena using – and I should here like to echo the request from Mr Engström – indisputable statistical information on the consequences and the extent of counterfeiting

and piracy, and also an analysis, which must be as fair as possible, of their impact on society and the economy. This is a point which Mr Enciu mentioned a moment ago.

The Commission will pay particular attention to the development of the Observatory and of the other measures announced in our communication of September 2009 relating to administrative cooperation and inter-industrial dialogue.

Next autumn, ladies and gentlemen, I shall present an action plan dealing with all these counterfeiting issues and all aspects of counterfeiting and piracy. This action plan will be specifically based, in terms of communication, research and the training of border control personnel in each of our countries, on the work and expertise of the Observatory that we are going to establish in a very credible and very concrete manner.

We shall also pay particular attention to improving the legislative framework relating to respect for intellectual property and – of course, I am addressing this to Mr Jahr – a European framework. The solution will be based on a balanced, proportionate approach that respects the fundamental rights of citizens. Moreover, I should like to say to Mrs Lichtenberger that, as I have also said before your committees, we do not intend to criminalise certain behaviour in any way, in particular, that of young people. That is not what this is about.

The Commission is preparing a report on Directive 2004/48/EC on the enforcement of intellectual property rights for the autumn. I therefore wish to confirm to Mr Manders, who was asking me about this issue, but, in particular, to say to your rapporteur, Mrs Gallo, who highlighted this point, that it is on the basis of this report that we will table – as I believe will be necessary – some amendments to this text to improve the enforcement of intellectual property rights in Europe.

President. – Thank you, Commissioner. That was very well received.

That concludes the item.

The vote will take place tomorrow (Tuesday, 21 September 2010) at 12:00.

Written statements (Rule 149)

Proinsias De Rossa (S&D), in writing. – I opposed the Gallo Report as a regressive and unworkable proposal going against the openness of the Internet and fundamental rights and leaving many issues in a legal grey zone. Not least, it confuses counterfeiting with file-sharing. The S&D Group tabled an alternative resolution focusing on the need to protect the rights and interests of the artists and workers of the creative industries and, at the same time, on the need to ensure broad access to cultural goods and services for European consumers. It is a constructive and progressive vision on IPR enforcement seeking the development of a fair, balanced and forward-looking framework for Intellectual Property Rights in Europe to the benefit of both creators and consumers. Importantly, it distinguished between how commercial and non-commercial file-sharing is dealt with, opposing the criminalisation of the latter. The alternative resolution also sought to guarantee net neutrality, protect personal data and other fundamental rights, ensure judicial redress; oppose non-judicial measures of enforcing copyrights; reject the three strikes law (Hadopi) being introduced Europe-wide; and proposed the creation of innovative alternative business models. Note, this is a non-legislative Report. The Commission is due to bring forward legislative proposals shortly.

Adam Gierek (S&D), in writing. – (PL) Intellectual property is a broad concept which covers patent law, trademarks and logos, as well as copyright. The report restricts itself to

addressing the issue of piracy involving the infringement of copyright, which generally means another party's trademark. The report deals with the enforcement of intellectual property rights through the creation of the Observatory, the implementation of administrative procedures, and the relevant international agreements. Trademarks are used to distinguish goods or services belonging to different economic operators. Entities engaged in unfair trade practices may try to exploit the reputation of a certain product or service on the market. All the proposed methods of combating piracy involve developing a kind of policing system, funded by the taxpayer. What we, in fact, need are efforts to strengthen customs authorities, mainly in order to improve the detection of threats such as harmful plant protection products, counterfeit medication, harmful food products and animal feeds. The liberals are, on the one hand, attempting to weaken any state which produces cheap products while, on the other, they are forcing it into protecting monopolies. These matters could be left to sectoral associations to resolve. The state's only role should be to settle possible disputes. In order to achieve this goal, the European Union needs to draw up and implement legislation on patents, utility models and trademarks registered to date, as well as copyright legislation. We also need to improve the monitoring of the European Union's external borders, the excessive influx of goods from third countries, which compete with EU products, and the quality of those goods.

Jiří Maštálka (GUE/NGL), in writing. – (CS) Enforcement of intellectual property rights in the internal market (Mario Gallo, A7-0169/2010). This report, while containing a number of valuable ideas and conclusions, is unfortunately a typical example of the lack of planning and even indecision in the area of intellectual property rights at Community level. Of course, an even more striking example of this kind would be the Commission communication entitled 'Enhancing the enforcement of intellectual property rights in the internal market' (COM 2009(467), to which the report, among other things, refers. I consider it particularly alarming that the Commission has still not managed to conduct a thorough analysis of the effects of Directive 2004/48/EC of 29 April 2004 on the field of intellectual property rights. The continuing lack of a Community patent is a major barrier to the construction of an effective Community system for protecting intellectual property rights. The final comment relates to the proposal to create a European centre for monitoring counterfeits and piracy. There is no need for further bodies, bureaucracy and costs. The Commission has sufficient resources to handle the tasks that are to be assigned to the centre itself.

Iosif Matula (PPE), in writing. – (RO) I welcome the drafting of this resolution, the provisions of which largely relate to the spheres of culture and education, which is a committee I sit on. It is widely acknowledged that not only scientific and technical innovation, but also cultural activities make a vital contribution to the European economy's competitiveness. European education and development policy must be based on passing on knowledge, disseminating information and facilitating access for the widest possible audience to technological progress and the products of cultural creativity. To achieve this, better conditions need to be provided in terms of cost to the consumer, including access to services with an unlimited subscription or at a low cost, especially in educational, cultural and non-commercial institutions. I would therefore like to make a helpful distinction between use for educational purposes and use for commercial purposes, which would obviously help boost innovation at European level. At the same time, it is important for us to educate our young public so that they understand the issues involved with intellectual property. Another key aspect is protecting the incomes of the authors of works. This measure requires strict rules regulating the use of these products or services by third parties. Last but not

least, greater attention must be focused on orphan works, a point which does not feature in the draft resolution.

Sirpa Pietikäinen (PPE), in writing. – (FI) Theft is always theft. Stealing a recoding online is like stealing the same content from a record shop. Nevertheless, attitudes to Internet piracy, or theft, are still a lot laxer and more lenient than those to shoplifting. We need to take a serious view of Internet piracy. The information networks are a practical, effective and natural means of disseminating digital content, but that does not mean that their creative content must be freely available to everyone, without any sort of payment being made. Unfortunately, some of those opposing this report seem to think it does. The future of the creative sector, and it is the same for any sector, depends on whether people are paid for the work they do or not. When the fees of musicians, actors or film directors fall into the clutches of pirates, the result is cultural impoverishment, as professional artists are unable to make a living. Is that what we want? Another option which the report, to its credit, proposes is to evolve fair rules for the information networks to protect copyright. They would be based on an old precept, for which the law has existed from time immemorial: do not steal.

24. Prevention of natural and man-made disasters (short presentation)

President. – The next item is the report by João Ferreira, on behalf of the Committee on the Environment, Public Health and Food Safety, on the Commission communication: A Community approach on the prevention of natural and man-made disasters (COM(2009)0082 - 2009/2151(INI)) (A7-0227/2010).

João Ferreira, rapporteur. – (PT) Mr President, Commissioner, ladies and gentlemen, several times over the last year, headlines and news slots have been filled with storms, floods, heat waves, fires and other disasters, with serious consequences for the public, the land, the economy and the environment.

Yet this was not the only year when this has happened. Over the first six years of the EU Solidarity Fund, the Commission received 62 requests for financial support from 21 different countries. Of these, approximately one third come under the category of major disasters. Other disasters did not result in requests to deploy the fund, although they had considerable and, in many cases, long-lasting, impacts on the affected populations, the environment and the economy.

Disasters are deeply unfair. They almost always have the greatest effect on those who are least able to protect themselves, be they people or states. For this reason, the report states that a Community approach towards disaster prevention should have as its central concern a reduction in the current disparities between regions and Member States in this matter, especially helping to improve prevention in regions and Member States with a high risk exposure and low economic capacity.

Natural disasters and, by extension, man-made disasters, can and should be prevented.

Often, disasters are compounded by policies that create an unequal relationship between mankind and the surrounding environment.

This report recognises that some of the EU's sectoral policies, such as the common agricultural policy, to take an example, have contributed to increased risk exposure for

certain regions and their inhabitants, in this case, by encouraging the abandonment of production and the resulting desertification.

It is therefore important to move towards remedying and reversing the situation. Promoting sensible utilisation of land and economic and social development in balance with nature is a vital factor in disaster prevention.

This report is full of guidelines and recommendations; the debate which took place within the various committees, the discussion with the shadow rapporteurs and the rapporteurs regarding the differing points of view, and the proposals which all parties made in relation to the final version of the report, have greatly contributed to this. I would like to thank everyone for their input and the interest that they have shown, along with their openness to a discussion that ended up being deep and enriching.

I would like to briefly highlight a few of the recommendations made in the report as follows: the creation of a suitable financial framework for disaster prevention which strengthens and articulates the existing financial instruments; the definition of a set of actions to be targeted for special support on the part of the Member States with a view to remedying risk situations; the reinforcement of early-warning systems in the Member States, and establishing and strengthening links between the different warning systems; the creation of a public agricultural insurance scheme; the creation of a European Drought and Desertification Monitoring Centre; and the launch of a special initiative on forests and fire prevention.

Finally, following on from prevention, and bearing in mind the experience gained during recent disasters, it is becoming imperative to revise the regulations for the Solidarity Fund to allow for more flexible and timely mobilisation of this instrument.

Mr President, Commissioner, the issue of disasters has already been the subject of resolutions in Parliament on many occasions. Some of the recommendations in this report were already included in these earlier resolutions. This only heightens their urgency. These recommendations need to be followed up and put into practice. Unfortunately, very little has been done in this area and the Commission bears particular responsibility for this delay.

I urge the Commission to see the broad consensus that the report attracted when it was voted upon and discussed in committee – and which I hope will be confirmed when it is voted upon in this sitting – as a clear sign that this resolution is to be taken seriously, and that the measures set out within it are worth putting into practice.

Maria do Céu Patrão Neves (PPE). – (PT) Mr President, Commissioner, this report is of great importance, especially at present, when natural and man-made disasters are occurring ever more frequently and with ever-increasing human, socio-economic and environmental costs. It is therefore vital to act quickly and effectively, especially in terms of prevention, which is the main focus of this report.

I had the honour of being the rapporteur for the opinion of the Committee on Agriculture and Rural Development on this matter, and I would like to take this opportunity to congratulate Mr Ferreira, who made it possible to produce a profitable piece of work in terms of integrating elements of the opinion of the Committee on Agriculture and Rural Development into this report by the Committee on the Environment, Public Health and Food Safety.

Our main concerns in the Committee on Agriculture and Rural Development relate to the impact which floods, droughts and fires, in particular, have on agricultural production and forestry.

We recall how Portugal was buffeted this year by such events, with floods in Madeira causing material damage worth EUR 1.3 billion, and forest fires in the summer causing damage estimated at EUR 385 million.

In view of this, we believe that it is urgent to put in place not only the prevention methods outlined in this report, but also, in terms of intervention, a common and compulsory European system of insurance and mutual funds for agriculture and the reform of the EU Solidarity Fund.

Petru Constantin Luhan (PPE). – (RO) The European Union has seen a significant rise in the number and severity of natural disasters. The floods and forest fires which occurred this summer are proof of this. Apart from the losses of human life, these disasters have caused considerable damage in many Member States, with an impact on areas such as infrastructure, economic objectives, agricultural land, as well as on natural and cultural assets.

I wish to emphasise the particularly important role played by the cohesion policy in preventing the risk of natural disasters. I think that we need to strive to narrow the existing disparities between European regions, especially by helping improve prevention in the regions and Member States which are vulnerable to risk and have fewer financial resources. EU funding is the only solution to enable these states to cope with the damage inflicted by disasters.

Seán Kelly (PPE). – Mr President, it has been said that natural and man-made disasters have grown exponentially in recent years, causing huge loss to property and, indeed, to life. Last year was the worst year ever for flooding in my country; I want to thank Commissioner Barnier and the Commission for the flexibility they have shown in making funds from the Solidarity Fund available to us – EUR 13 million.

Sadly, some of the Irish authorities have not shown the same flexibility. In Bandon, for instance, it has been generally agreed that interim measures need to be put in place immediately by dredging the river to ensure that if there is a similar flood this year, the same damage will not be done; but the inland fisheries authority has objected, so they now seem to be at risk again if another flood occurs.

This all goes to show the need, as the rapporteur has said, for the Commission to use its muscle and its power and its influence to ensure that measures are taken to alleviate these disasters in future. Hopefully, they will not reoccur.

President. – The message is: ‘do not abandon Bandon’!

Miroslav Mikolášik (PPE). – (SK) Over the course of the past year, many Member States have been badly affected by a range of natural disasters which have caused not only serious material damage but also loss of human life, which cannot be calculated in financial terms.

In view of the fact that natural disasters exceed the capabilities of single states to deal with the damage caused, I would again like to emphasise the need to modernise the solidarity fund. In specific terms, it is a matter of increasing the transparency and adapting the criteria, as well as enabling the more rapid mobilisation of resources. In revising the conditions for

drawing down from the solidarity fund in particular, we must also take account of the regional aspect so that financial assistance is not paradoxically excluded from those regions that need it most. Since the natural elements do not respect national borders, I would also like to mention the need to share experience and improve coordination and cooperation, particularly in the border regions.

Peter Jahr (PPE). – (DE) Mr President, I would like to point out that my comments should be seen as supplementing those of the previous speaker. In addition to the financial prerequisites that we need in order to eradicate flood damage and to take preventative action, in my home region – the Free State of Saxony – where we last experienced floods, we also found that, above all, we need to significantly improve cooperation between the Member States. This is simply a matter of us agreeing on preventative measures. It is no use everything being fine along the lower part of the river if it has not been possible to properly implement the flood protection measures along the top part of the river. It is also important to ensure that our communication is effective.

The main focus must therefore be on cross-border cooperation, as natural disasters do not stop at national borders. Only together will we succeed in contending with these disasters effectively.

Antigoni Papadopoulou (S&D). – (EL) Mr President, as rapporteur for the Committee on Civil Liberties, Justice and Home Affairs, I should like to add what we wrote in our opinion to what has been said.

Our contribution lies in the fact that, over and above what has been said about early warning systems, solidarity funds and operational cooperation, we set particular store by the fact that, when it comes to aid provision, the principle of non-discrimination must be applied.

In other words, assistance should be provided to damaged areas on the basis of need, without discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status of recipients who are victims of such man-made or natural disasters.

We also recall that essential human rights are in jeopardy in disaster and emergency situations and must be protected.

President. – Thank you very much. We are grateful to you also for the Greek word ‘catastrophe’.

Michel Barnier, Member of the Commission. – (FR) Mr President, on behalf of my colleague and friend, Kristalina Georgieva, who is unable to be here this evening, I should like to thank Mr Ferreira for the quality and the very comprehensive and very balanced nature of this timely report.

As you have all said, and as Mr Mikolášik, in particular, said a moment ago, we have seen an increase in the number of disasters outside Europe – in Pakistan in particular, but also in Haiti – and at home as well, on European territory, in particular, in Central Europe. In your speeches, you mentioned Madeira, Ireland, Portugal and, Mr Jahr, the floods in Saxony. However, I have not forgotten the 2002 floods, which prompted me, when I was Commissioner in charge of regional policy, to conceive and ultimately propose, with the support of Mr Prodi, the creation of the Solidarity Fund, which has been frequently used since its establishment.

These events are a reminder that we must not become complacent but must constantly improve our procedures, strengthen our capacity to respond to disasters, and foster a prevention policy – prevention is always better than cure – in order to minimise the tragic consequences of these disasters.

The Commission is committed to maintaining this balanced approach in order to cover the three elements of prevention, preparation and response. Mr Ferreira, you stress the importance of EU financial instruments to support the actions of Member States in the area of prevention.

Mr Luhan mentioned the regional funds, which can also support national prevention measures. There is the Solidarity Fund, the importance of which Mr Kelly mentioned, and which I think I can say, Mrs Papadopoulou, is managed objectively, although one can always assess the rules on its use. This Solidarity Fund, with which I am quite familiar, also supports emergency actions to compensate the public for damage.

The Commission is currently assessing the effectiveness of all these existing instruments. We are working on a range of preventive measures which Member States could adopt if EU funding is sought. Our aim is also to increase the level of take-up of funds, which is what I think Mrs Patrão Neves called for.

Investing in prevention is necessary because it is another means of minimising repair and reconstruction costs. As you have pointed out, Mr Ferreira, we must develop a methodology for risk mapping.

We are working on establishing guidelines based on existing national initiatives and the adoption of best practice so that a common EU approach to specific risks can be established. I am thinking about forest fires, which have affected Greece, Portugal and Spain in recent years, and about extreme climatic disasters. Between now and the end of 2012, we will be encouraging Member States to adopt prevention measures based on good practice.

This year, we have also adopted a Green Paper on the protection of forests, and we are establishing an observatory to analyse the droughts that affect the EU.

Finally, numerous initiatives are under way to increase our knowledge of disasters and their impact. We will therefore be able to better debate these issues in the future.

As you know, the Commission – and its President who, in 2004, in the wake of and as part of the analysis of the consequences of the tsunami and other disasters, asked me to work on this idea of a European Civil Protection Force – will soon be presenting proposals, under the authority of Mrs Georgieva, to strengthen the EU's ability to react in the event of a disaster.

We are also going to continue to work on proposals to improve prevention. This is why I think that what the Commission is going to do, what it is going to propose to you, and what it will propose to the Member States, will alleviate the concerns which your report, Mr Ferreira, very usefully and very effectively highlights, in the wake of all these disasters.

President. – That concludes the item.

The vote will take place tomorrow (Tuesday, 21 September 2010) at 12:00.

Written statements (Rule 149)

Luís Paulo Alves (S&D), in writing. – (PT) I support this report as I consider it a matter of prime importance, particularly for the people of countries such as Portugal, or for regions like Madeira and the Azores, where I come from, which are often affected by catastrophic fires, storms and earthquakes. For the inhabitants of such regions, the possibility of being better protected through a better insurance framework, better aided by a permanent European force, and better supported by greater flexibility in the Solidarity Fund, marks an immensely significant step forward.

A set of prevention measures should also be increased and receive special support, covering areas such as forests, the coastline or agricultural activities in areas affected by depopulation and at risk of natural disasters. I therefore call upon the Commission to present legislative initiatives for forest protection, and the prevention of forest fires and earthquakes, as well as to create a European agricultural public insurance scheme which is accessible to farmers. It is also necessary to review and make more flexible the rules for the EU Solidarity Fund for the benefit of regions which are facing additional difficulties, such as the outermost regions, as was amply demonstrated in the tragic case of Madeira.

Edite Estrela (S&D), in writing. – (PT) The report on the prevention of natural or man-made disasters, for which I was the shadow rapporteur, reflects a broad consensus on the need for a proactive and comprehensive approach by many different sectors and individuals involved in preventing natural disasters. It also provides for the exchange of best practices and greater cooperation, in accordance with the principle of solidarity. Despite the fact that the responsibility for preventing natural disasters falls primarily upon the Member States, the report sets out a range of basic measures, some of which were already included in my report, previously adopted by Parliament, such as setting out risk maps, reinforcing and articulating financial tools, revising the rules for the Solidarity Fund, researching and developing early warning systems, and creating the European Drought and Desertification Monitoring Centre. I would also like to stress the importance of the proposals presented by the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, which sets out, among other things, a draft directive encouraging the adoption of an EU policy on water shortages, droughts and adapting to climate change, along with legislative proposals on forest protection and fire prevention.

Rovana Plumb (S&D), in writing. – (RO) In recent years, EU Member States have fallen victim to a considerable number of disasters, resulting in 62 requests for financial support from 21 different countries. The damage is almost always hard to gauge, mainly due to the loss of human life. Member States are primarily and chiefly responsible for the protection of their citizens and for disaster prevention. This is why increased cooperation in the area of prevention is fully justified, as are improved coordination of efforts, enhanced solidarity and mutual assistance, especially as disasters tend to affect, to a greater extent, those in the greatest need, who do not have the resources available to protect themselves, their families and their assets.

I am in favour of cooperation being established between national, regional and local authorities, based on assuming responsibilities for disaster management, spatial planning and risk mapping and management, as well as on creating a network providing a forum for exchanging experiences and prevention measures, with the involvement of civil society. At the same time, it is relevant and necessary to create a suitable financial framework at EU level for the prevention of natural and man-made disasters which will consolidate and link existing instruments, including those in the cohesion, regional and rural development policy areas.

Georgios Stavrakakis (S&D), *in writing*. – (EL) I should like to start by congratulating Mr Ferreira on his exceptional report. The extensive references to the vital role played by local and regional authorities in the disaster management cycle are extremely important, because it is they that bear the brunt when disaster strikes. I should also like to welcome the specific reference to the needs of mountain and island regions and the need to reduce inequalities between regions in terms of their ability to protect their inhabitants. We must not forget that experience and initiatives in this sector have been acquired and developed at all levels: local, regional, national and European. What we now need is to step up cooperation between agencies and coordinate policies. Within this framework, and as I said in the amendments which I tabled in the Committee on Regional Development, if prevention is to be improved, we need to:

- make use of the valuable experience acquired under the Community's INTERREG Initiative;
- strengthen and build on transnational, cross-border and inter-regional cooperation;
- make full use of the European single emergency telephone line '112';
- simplify management rules and make the EU Solidarity Fund more flexible. We all need to accept our responsibility in putting the report's proposals into practice.

Dominique Vlasto (PPE), *in writing*. – (FR) Natural and man-made disasters have become more frequent and intense over the last few years in Europe, causing considerable human and material damage. The European prevention system must therefore be improved. In particular, it is crucial to identify, as quickly as possible, which areas are at risk, in order to know the likelihood of flooding, the people liable to be hit and the potential damage. This approach, laid down in the Floods Directive, will mean that we are more effective during the disaster management cycle. The storms that hit the département of Var on 15 June 2010 serve as a reminder that we need to further strengthen the EU's emergency response capabilities. I am thinking, in particular, of the instrument for helping the victims of natural disasters – the EU Solidarity Fund – which is extremely inflexible and unresponsive. The thresholds to be reached before it can be activated are high and very strict, so much so that the damage assessment leaves stricken populations in a state of uncertainty, or even deprives them of essential aid. It is vital to establish the conditions for European solidarity to be exercised as quickly and as extensively as possible, for the benefit of stricken populations and regions.

25. Poverty reduction and job creation in developing countries (short presentation)

President. – The next item is the report by Eleni Theocharous, on behalf of the Committee on Development, on poverty reduction and job creation in developing countries: the way forward (2009/2171(INI) (A7-0192/2010).

Eleni Theocharous, *rapporteur*. – (EL) Mr President, we all know that both Africa, in particular, and other regions of the world crippled by both poverty and democratic deficits are the soft underbelly of the international system.

I agreed to draft this report, obviously with the help of all the political groups, in the firm belief that the European Union can help to combat poverty in numerous ways, mainly by creating jobs. Of course, the European Union needs to help about half the population of the planet who are living below the poverty line.

Bearing in mind the lack of trust and suspicion on the part of the peoples of underdeveloped countries towards developed countries and the possible reaction on the part of the peoples of Europe to the constant drain on resources to fund the poor, we have tried to clarify from the start that developing the third world will have significant benefits for the European Union itself in every way: for example, developing jobs may help to address uncontrolled migration and, at the same time, reduce instability in poor countries.

Of course, also bearing in mind that the basic precondition to development is the establishment, restoration and improvement of democracy and democratic institutions and the operation of democratising institutions and, of course, the safeguarding of human rights and the rights of the child and action and involvement by civil society, we included this as a particularly important factor.

We set particular store on improving education and the free choice of scientists and other skilled workers to remain in their country.

Particular account was taken of the AIDS pandemic and its consequences as particularly aggravating factors which help to sustain the vicious circle of poverty, and so we set out the measures which need to be taken to address these factors so that they do not slow down development and action on poverty.

Finally, we took account of the numerous efforts undertaken, without success, on the part of the global community and all the international conventions being used to address poverty. Ninety-seven amendments were tabled and we managed to agree on proposals on many of them.

That left a number of amendments of a more ideological nature on which we have not reached full agreement and a number of formal issues. However, I do not think that they are of any particular practical importance if we really want to address poverty.

Elena Băsescu (PPE). – (RO) Against the backdrop of the current economic crisis, resulting, by extension, in increased food and fuel prices, millions of people have been forced to face poverty. This poses a major challenge for developing countries. Although the EU is the largest donor in the world, the progress made in the fight against poverty remains fairly slow. It is imperative to rethink development aid policies, implement innovative funding methods and combat tax evasion in these countries.

I hope that the Millennium Development Goals Summit, which is taking place at the moment, will devise effective mechanisms for accelerating the process of reducing poverty.

As an EU Member State, Romania has become a development aid donor. In April, my country granted the Republic of Moldova non-refundable aid amounting to EUR 100 million.

Peter Jahr (PPE). – (DE) Mr President, I would like to present an additional view from the perspective of agriculture. Agriculture plays a crucial role in alleviating poverty in the world and in supplying the population with food. However, in order to develop sustainable and stable agriculture, we need appropriate prices for agricultural products on the global market. Appropriate prices are an important economic prerequisite for the establishment of functional agriculture in developing countries. Secondly, it is, of course, also necessary for there to be a stable political situation and a lack of corruption there. This is an opportunity to combat hunger, create jobs and reduce poverty.

I have one more comment regarding export subsidies. The European Union has made mistakes in this regard in the past. However, we recognised the problems and rectified them. Reproaching European agricultural policy once again for these export subsidies is quite simply wrong.

Miroslav Mikolášik (PPE). – (SK) Investments in healthcare and education generally lead to an increase in the well-being of citizens of developing countries and are a prerequisite for the sustainable development of all levels of society. It is, in my opinion, very sad that the national budgets of these countries, not to mention the development aid of the European Union, fail to take sufficient account of this fact, and fail to allocate even a minimal 20% of their expenditure to health and basic education.

I fully support the demand for basic education and public health to become the cornerstone of development policies so as to ensure that there is no reduction in domestic expenditure or international assistance in these areas. The Commission must ensure that financial resources are spent effectively on achieving these goals in the planned target locations and for the specified, most affected groups of recipients.

João Ferreira (GUE/NGL). – (PT) Mr President, reducing poverty and creating jobs in developing countries requires a cooperation and development aid policy that is guided by genuine solidarity and contributes to the affirmation of autonomous and sovereign development in these countries.

The predictable failure to achieve the Millennium Development Goals on time has made it all the more urgent to remedy weaknesses and inconsistencies at this level.

Without education systems and universal, free, good quality healthcare, and without prioritising development in the agricultural sector as well as food sovereignty and security, there will be no reduction in poverty. Without diversification of the economy, support for local production, or fair and equitable trade relations, which are incompatible with the imposition of free and deregulated trade, there cannot be any creation of sustainable and lasting jobs with rights.

I would like to conclude by saying that it is unfortunate that the constraints imposed on less-developed countries by external debt and debt service continue to be ignored. Cancelling this debt is simply a matter of justice.

Michel Barnier, Member of the Commission. – (FR) Mr President, still on behalf of my colleague, Mrs Georgieva, I should like to thank Mrs Theocharous for this very comprehensive and balanced report on a topical issue, since it is one of the issues being discussed at the highest level amongst world leaders right now at the UN. Your work rightly highlights a fundamental concern of our international cooperation: poverty reduction and job creation. This issue is all the more urgent at the present time, given the economic and financial crisis and the extremely sharp rise in the prices of oil, of raw materials and – as you yourself have said, Mrs Băsescu – of certain foodstuffs.

As the person in charge of financial services, I am also personally concerned by this speculation, this hyperspeculation on raw materials. Indeed, I raised this issue this morning with my colleague, Mr Cioloş, in a debate in Brussels, and we committed ourselves – in addition to what I have already presented this week on the regulation of derivatives – to the introduction of instruments to manage and reduce the speculation – which I personally find scandalous – on commodities, particularly agricultural commodities, to the detriment of countries which are least able to meet their own food needs.

Job creation and social protection have proved to be effective policies for reducing poverty in general, and particularly for combating the negative impact of the crisis on the social sphere. In April 2009, the Commission adopted a communication on the commitment to help developing countries overcome the crisis, and the Council also lent its support to this initiative. This shows our commitment to employment and to advances in social protection for the most vulnerable. Nevertheless, we must not simply react defensively when crises occur; we must also act for the long term. I think that this is the crux of your speech, Mr Ferreira; we must take action in support of these countries, particularly the weakest ones, in the long term.

The European ministers also confirmed their commitment to the Millennium Development Goals in the Council conclusions adopted this week and, as you are aware, a summit is being held at this very moment in New York. Employment promotion and social protection policies, which Mr Mikolášik mentioned, are described in the Council conclusions as an important element of the Millennium Development Goals. The Commission is convinced that it is quite simply impossible to combat poverty without taking account of these two aspects and, as you point out to great effect, Mrs Theoharous, the most vulnerable must be placed at the heart of our development efforts.

Of course, our policies are useless if they are not implemented, if they do not get beyond the debating stage. The introduction of an ad hoc 'Vulnerability FLEX' mechanism is a good example of the way in which donors can help maintain the level of expenditure in the social sector. I would also cite the EU's Food Facility, through which social assistance is given to the most vulnerable. Mr Jahr quite rightly highlighted the issue of farming production capacity to support the sovereignty and autonomy – I say autonomy rather than self-sufficiency – of these countries at regional level. These are also efforts which my colleague, Mr Piebalgs, very actively supports in the context of development policy.

Mrs Theoharous, your report rightly highlights the importance of the UN's Decent Work Agenda, the Global Jobs Pact. We support these initiatives, and I fully agree with you when I say that we must create a European vision in support of social protection. The Commission has begun some preparatory work which will lead to the creation of this common vision. The first step can be seen in the 2010 edition of the European Report on Development, which specifically deals with social protection in the least developed countries.

We must also find innovative solutions. I think that social economy organisations are precisely the entities that can, in part, provide these innovative solutions.

Finally, I should like to thank you for drawing our attention to the important role of gender equality in poverty reduction. The Commission and the Member States are completely in agreement with you on this point. Moreover, this is why, on 14 June, the Council adopted an action plan to support gender equality at European level which is annexed to the conclusions on the Millennium Development Goals.

President. – That concludes the item.

The vote will take place tomorrow (Tuesday, 21 September 2010) at 12:00.

Written statements (Rule 149)

Corina Crețu (S&D), in writing. – (RO) The vote on the report on poverty reduction and job creation in developing countries has coincided with the 10th anniversary of the launch of the Millennium Development Goals. In spite of the progress which has been made, there

is obviously a need to step up the pace of action in order to be able to fulfil these challenges successfully by 2015. For the first time in history, there are a billion people affected by hunger. This year alone, a further 64 million people have joined the ranks of those who were already suffering from extreme hunger. This reality compels us to focus on job creation in developing countries as this is the most effective way of beating poverty and social exclusion. With this in mind, more consistent assistance is required to support the education process and halt the exodus of workers with good qualifications. The recent food price crisis has highlighted the tension caused by the lack of food security in poor countries. Therefore, greater attention needs to be focused on agriculture at a time when it offers the only means of subsistence for the majority of the population in developing countries, 75% of which is concentrated in rural areas.

26. Agenda for next sitting: see Minutes

27. Closure of the sitting

(The sitting was closed at 23:00)