



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Legal Affairs

2011/0137(COD)

26.1.2012

OPINION

of the Committee on Legal Affairs

for the Committee on the Internal Market and Consumer Protection

on the proposal for a Regulation of the European Parliament and of the Council concerning customs enforcement of intellectual property rights (COM(2011)0285 – C7-0139/2011 – 2011/0137(COD))

Rapporteur (*): Marielle Gallo

(*) Associated committee - Rule 50 of the Rules of Procedure

PA_Legam

SHORT JUSTIFICATION

Background

On 24 May 2011 the Commission adopted a communication entitled ‘A single market for intellectual property rights’ aimed at boosting creativity and innovation in Europe. This comprehensive and coherent strategy sets out a plan for a number of initiatives which the Commission intends to take by 2012 in various areas.

As part of these initiatives, the Commission also put forward a new regulation on customs enforcement of intellectual property rights, which will take the place of Regulation 1383/2003/EC.

The proposal takes account of the impact assessment carried out in 2010, based on 89 contributions, and the international context, particularly following the trade dispute between the European Union on one side and India and Brazil on the other regarding the transit of generic drugs.

The rapporteur considers the following points to be particularly important:

Considerations

First of all, as regards the *scope* of the proposal for a regulation, the rapporteur considers that it should be extended to cover trade names, topographies of semi-conductor products and utility models.

The rapporteur is also in favour of including offences arising from arrangements to circumvent technical measures and other infringements of rights already enforced by customs authorities.

On the other hand, she is not in favour of parallel imports being covered by the future regulation. This practice is obviously liable to cause serious economic harm to right-holders. However, the regulation must ensure that the action of customs authorities is effective and swift while limiting the risk of hampering legitimate trade. Right-holders will also be able to take the legal action provided for in the laws of each Member State in order to claim their rights.

The rapporteur endorses the Commission proposal which seeks to *bolster the rights of parties* who may be affected by a customs measure. She believes, however, that a distinction must be made between economic operators who regularly carry out customs formalities and the end consumer.

Operators who regularly carry out customs formalities have an excellent knowledge of customs procedures. It is therefore important to avoid setting up cumbersome administrative procedures that prevent swift and effective action from being taken by the relevant customs authority. End consumers, on the other hand, are not acquainted with customs formalities and

need more protection. They must therefore have the right to be heard before the decision is taken by a customs authority so as to have a chance to express their point of view.

The rapporteur is strongly in favour of introducing a specific procedure for the destruction of goods in *small consignments*. Postal service interceptions have increased significantly, from 15 000 in 2009 to over 43 000 in 2010. A simple and effective procedure should therefore be put in place to limit this practice while respecting the rights and interests of the end consumer.

Lastly, as regards data exchanges between Member States and the Commission, and in particular the establishment of a Commission central database, the provisions of Regulation 45/2001/EC, Directive 95/46/EC and the EPDS opinion of 12 October 2011¹ must be fully complied with.

AMENDMENTS

The Committee on Legal Affairs calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) The marketing of goods infringing intellectual property rights does considerable damage to right-holders, law-abiding manufacturers and traders. It is also deceiving consumers, and could in some cases endanger their health and safety. Such goods should, in so far as is possible, be kept off the market and measures should be adopted to deal with this unlawful activity without impeding legitimate trade.

Amendment

(2) The marketing of goods infringing intellectual property rights does considerable damage to right-holders, law-abiding manufacturers and traders. It is also deceiving consumers, and could in some cases endanger their health and safety. Such goods should, in so far as is possible, be ***prevented from entering the customs territory and be*** kept off the market and measures should be adopted to deal with this unlawful activity without impeding legitimate trade.

¹http://www.edps.europa.eu/EDPSWEB/webdav/site/mySite/shared/Documents/Consultation/Opinions/2011/11-10-12_Intellectual_property_rights_EN.pdf

Amendment 2

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) Regulation (EC) No 1383/2003 does not cover certain intellectual property rights and excludes certain infringements. In order to strengthen the enforcement of intellectual property rights, customs control should therefore be extended to other types of infringements, ***such as infringements resulting from parallel trade, as well as other infringements of rights already enforced by customs authorities but*** not covered by Regulation (EC) No 1383/2003. For ***the same*** purpose it is appropriate to include in the scope of this Regulation, in addition to the rights already covered by Regulation (EC) No 1383/2003, trade names in so far as they are protected as exclusive property rights under national law, topographies of semiconductor products, utility models and devices to circumvent technological measures, ***as well as any exclusive intellectual property right established by Union legislation.***

Amendment 3

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) In order to ensure the swift enforcement of intellectual property rights, it should be provided that, where the customs authorities suspect, on the basis of adequate ***evidence***, that goods under their supervision infringe intellectual property rights, those customs authorities may suspend the release or detain the goods whether at their own initiative or upon

Amendment

(5) Regulation (EC) No 1383/2003 does not cover certain intellectual property rights and excludes certain infringements. In order to strengthen the enforcement of intellectual property rights, customs control should therefore be extended to other types of infringements not covered by Regulation (EC) No 1383/2003. For ***this*** purpose it is appropriate to include in the scope of this Regulation, in addition to the rights already covered by Regulation (EC) No 1383/2003, trade names in so far as they are protected as exclusive property rights under national law, topographies of semiconductor products, utility models and devices to circumvent technological measures.

Amendment

(10) In order to ensure the swift enforcement of intellectual property rights, it should be provided that, where the customs authorities suspect, on the basis of adequate ***indications***, that goods under their supervision infringe intellectual property rights, those customs authorities may suspend the release or detain the goods whether at their own initiative or

application, in order to enable the persons entitled to submit an application for action of the customs authorities to initiate proceedings for determining whether an intellectual property right has been infringed.

upon application, in order to enable the persons entitled to submit an application for action of the customs authorities to initiate proceedings for determining whether an intellectual property right has been infringed.

Justification

Harmonisation with the terminology used by the Court of Justice in its judgment of 1 December 2011 in Joined Cases C-446/09 and C-495/09, Philips/Nokia (not yet published in the European Court Reports).

Amendment 4

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) Where goods suspected of infringing intellectual property rights are not counterfeit or pirated goods, it may be difficult to determine upon mere visual examination by customs authorities whether an intellectual property right might be infringed. It is therefore appropriate to provide that proceedings should be initiated, unless the parties concerned, namely the holder of the goods and the right-holder, agree to abandon the goods for destruction. It should be for the competent authorities dealing with such proceedings to determine whether an intellectual property right has been infringed and to take appropriate decisions concerning the infringements of intellectual property rights concerned.

Amendment

(11) Where goods suspected of infringing intellectual property rights are not counterfeit or pirated goods, it may be difficult to determine upon mere visual examination by customs authorities whether an intellectual property right might be infringed. It is therefore appropriate to provide that proceedings should be initiated, unless the parties concerned, namely *the declarant or* the holder of the goods and the right-holder, agree to abandon the goods for destruction. It should be for the competent authorities dealing with such proceedings to determine whether an intellectual property right has been infringed and to take appropriate decisions concerning the infringements of intellectual property rights concerned.

Amendment 5

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) In order to reduce to the minimum the

Amendment

(13) In order to reduce to the minimum the

administrative burden and costs, a specific procedure should be introduced for small consignments of counterfeit and pirated goods, which would allow for goods to be destroyed without the agreement of the right-holder. In order to establish the thresholds under which consignments are to be considered as small consignments, this Regulation should delegate to the Commission the power to adopt non-legislative acts of general application in accordance with Article 290 of the Treaty on the Functioning of the European Union. It is of importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level.

administrative burden and costs, ***without prejudice to the end-consumer's right to be duly informed within a reasonable time of the legal basis for the actions taken by the customs authorities***, a specific procedure should be introduced for small consignments of counterfeit and pirated goods, which would allow for goods to be destroyed without the agreement of the right-holder. In order to establish the thresholds under which consignments are to be considered as small consignments, this Regulation should delegate to the Commission the power to adopt non-legislative acts of general application in accordance with Article 290 of the Treaty on the Functioning of the European Union. It is of importance that the Commission carries out appropriate ***and public*** consultations during its preparatory work, including ***with consumer and civil rights organisations and*** at expert level.

Justification

Introducing a specific procedure for small consignments to reduce the administrative burden and costs must not undermine consumer confidence in electronic commerce, see recital 16 with justification.

Amendment 6

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) For further legal clarity and in order to protect the interests of legitimate traders from possible abuse of the border enforcement provisions, it is appropriate to modify the timelines for detaining goods suspected of infringing an intellectual property right, the conditions in which information about consignments is to be passed on to right-holders by customs authorities, the conditions for applying the procedure allowing for destruction of the

Amendment

(15) For further legal clarity and in order to protect the interests of legitimate traders from possible abuse of the border enforcement provisions, it is appropriate to modify the timelines for detaining goods suspected of infringing an intellectual property right, the conditions in which information about consignments is to be passed on to right-holders by customs authorities, the conditions for applying the procedure allowing for destruction of the

goods under customs control for suspected infringements of intellectual property rights other than for counterfeit and pirated goods ***and to introduce a provision allowing the holder of the goods to express his/her views before the customs administration takes a decision which would adversely affect him/her.***

goods under customs control for suspected infringements of intellectual property rights other than for counterfeit and pirated goods.

Amendment 7

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) Taking into account the provisional and preventive character of the measures adopted by the customs authorities in this field and the conflicting interests of the parties affected by the measures, some aspects of the procedures should be adapted to ensure a smooth application of the Regulation, whilst respecting the rights of the concerned parties. Thus, with respect to the various notifications envisaged by this Regulation, the customs authorities should notify the most appropriate person, on the basis of the documents concerning the customs treatment or of the situation in which the goods are placed. The periods laid down in this Regulation for the required notifications should be counted from the time those are sent by the customs authorities in order to align all periods of notifications sent to the concerned parties. ***The period allowing for a right to be heard before an adverse decision is taken should be three working days, given that the holders of decisions granting applications for action have voluntarily requested the customs authorities to take action and that the declarants or holders of the goods must be aware of the particular situation of their goods when placed under customs supervision.*** In the case of the specific procedure for small

Amendment

(16) Taking into account the provisional and preventive character of the measures adopted by the customs authorities in this field and the conflicting interests of the parties affected by the measures, some aspects of the procedures should be adapted to ensure a smooth application of the Regulation, whilst respecting the rights of the concerned parties. Thus, with respect to the various notifications envisaged by this Regulation, the customs authorities should notify the most appropriate person, on the basis of the documents concerning the customs treatment or of the situation in which the goods are placed. The periods laid down in this Regulation for the required notifications should be counted from the time those are sent by the customs authorities in order to align all periods of notifications sent to the concerned parties. In the case of the specific procedure for small consignments, where consumers are likely to be directly concerned and cannot be expected to have the same level of diligence as other economic operators usually involved in the accomplishment of customs formalities, ***the right to be heard before an adverse decision is taken by the customs authorities should be established.***

consignments, where consumers are likely to be directly concerned and cannot be expected to have the same level of diligence as other economic operators usually involved in the accomplishment of customs formalities, *that period should be significantly extended.*

Amendment 8

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) Under the "Declaration on the TRIPS Agreement and Public Health" adopted by the Doha WTO Ministerial Conference on 14 November 2001, the TRIPS Agreement can and should be interpreted and implemented in a manner supportive of WTO Members' right to protect public health and, in particular, to promote access to medicines for all. In particular with regard to medicines the passage of which across this territory of the European Union, with or without transshipment, warehousing, breaking bulk, or changes in the mode or means of transport, is only a portion of a complete journey beginning and terminating beyond the territory of the Union, customs authorities should, when assessing a risk of infringement of intellectual property rights, take account of any substantial likelihood of diversion of these goods onto the market of the Union.

Amendment

(17) Under the "Declaration on the TRIPS Agreement and Public Health" adopted by the Doha WTO Ministerial Conference on 14 November 2001, the TRIPS Agreement can and should be interpreted and implemented in a manner supportive of WTO Members' right to protect public health and, in particular, to promote access to medicines for all. In particular with regard to **generic** medicines the passage of which across this territory of the European Union, with or without transshipment, warehousing, breaking bulk, or changes in the mode or means of transport, is only a portion of a complete journey beginning and terminating beyond the territory of the Union, customs authorities should, when assessing a risk of infringement of intellectual property rights, take account of any substantial likelihood of diversion of these goods onto the market of the Union.

Amendment 9

Proposal for a regulation

Recital 20

Text proposed by the Commission

(20) Given that customs authorities take action upon prior application, it is

Amendment

(20) Given that customs authorities take action upon prior application, it is

appropriate to provide that the holder of the decision granting an application for action by the customs authorities should reimburse all the costs incurred by the customs authorities in taking action to enforce his/her intellectual property rights. Nevertheless, ***this should not preclude*** the holder of the decision ***from seeking*** compensation from the infringer or other persons that might be considered liable according to the legislation of the Member State concerned. Costs and damages incurred by persons other than customs administrations as a result of a customs action, where the goods are detained on the basis of a claim of a third party based on intellectual property, should be governed by the specific legislation in each particular case.

appropriate to provide that the holder of the decision granting an application for action by the customs authorities should reimburse all the costs incurred by the customs authorities in taking action to enforce his/her intellectual property rights. Nevertheless, the holder of the decision ***should have the right to seek*** compensation from the infringer or other persons that might be considered liable according to the legislation of the Member State concerned. Costs and damages incurred by persons other than customs administrations as a result of a customs action, where the goods are detained on the basis of a claim of a third party based on intellectual property, should be governed by the specific legislation in each particular case.

Amendment 10

Proposal for a regulation

Article 2 – point 1 – point 13

Text proposed by the Commission

1.13. any other right that is established as an exclusive intellectual property right by Union legislation;

Amendment

deleted

Amendment 11

Proposal for a regulation

Article 2 – point 5 – point 1

Text proposed by the Commission

5.1 goods which are subject of an action infringing a trade mark and bear without authorisation a trade mark identical to the trade mark validly registered in respect of the same type of goods, or which cannot be distinguished in its essential aspects from such a trade mark;

Amendment

5.1 goods which are subject of an action infringing a trade mark and bear without authorisation a trade mark identical to the trade mark validly registered in respect of the same type of goods, or which cannot be distinguished in its essential aspects from such a trade mark, ***as well as any trade mark sign, even if presented separately,***

and packaging bearing the trade marks of the counterfeit goods;

Amendment 12

Proposal for a regulation

Article 2 – point 7 – introductory part

Text proposed by the Commission

7. ‘goods suspected of infringing an intellectual property right’ means goods with regard to which there is adequate **evidence** to satisfy customs authorities that, in the Member State where these goods are found, are prima facie:

Amendment

7. ‘goods suspected of infringing an intellectual property right’ means goods with regard to which there is adequate **indication** to satisfy customs authorities that, in the Member State where these goods are found, are prima facie

Justification

Harmonisation with the terminology used by the Court of Justice in its judgment of 1 December 2011 in Joined Cases C-446/09 and C-495/09, Philips/Nokia (not yet published in the European Court Reports).

Amendment 13

Proposal for a regulation

Article 7 – paragraph 1

Text proposed by the Commission

1. Where, on receipt of an application, the competent customs department considers that it does not contain all the information required by Article 6(3), the competent customs department shall request the applicant to supply the missing information **within 10 working days of dispatch of the notification.**

In such cases, the time limit referred to in Article 8 first subparagraph shall be suspended until the relevant information is received.

Amendment

1. Where, on receipt of an application, the competent customs department considers that it does not contain all the information required by Article 6(3), the competent customs department shall request the applicant to supply the missing information.

(See amendment to Article 7.2)

Amendment 14

Proposal for a regulation Article 7 – paragraph 2

Text proposed by the Commission

2. Where the applicant does not provide the missing information ***within the period referred to in paragraph 1***, the competent customs department ***shall*** reject the application.

Amendment

2. Where the applicant does not provide the missing information, the competent customs department ***may*** reject the application.

(See amendment to Article 7.1)

Amendment 15

Proposal for a regulation Article 16 – paragraph 2

Text proposed by the Commission

2. Before adopting the decision of suspension of release or detention of the goods, the customs authorities may ask the holder of the decision granting the application to provide them with any relevant information. The customs authorities may also provide the holder of the decision with information about the actual or supposed number of items, their nature and ***images*** of those items as appropriate.

Amendment

2. Before adopting the decision of suspension of release or detention of the goods, the customs authorities may ask the holder of the decision granting the application to provide them with any relevant information. The customs authorities may also provide the holder of the decision with information about the actual or supposed number of items, their nature and ***photographs*** of those items as appropriate.

Amendment 16

Proposal for a regulation Article 16 – paragraph 3

Text proposed by the Commission

3. Before adopting a decision to suspend the release of the goods or to detain them, the customs authorities shall communicate their intention to the declarant or, in cases where goods are to be detained, to the holder of the goods.

Amendment

deleted

The declarant or the holder of the goods shall be given the opportunity to express his/her views within three working days of dispatch of that communication.

Amendment 17

Proposal for a regulation Article 16 – paragraph 5

Text proposed by the Commission

5. The customs authorities shall inform the holder of the decision granting the application and the declarant or holder of the goods of the actual or estimated quantity, the actual or supposed nature of the goods, including ***images*** of those items as appropriate, whose release has been suspended or which have been detained.

Amendment

5. The customs authorities shall inform the holder of the decision granting the application and the declarant or holder of the goods of the actual or estimated quantity, the actual or supposed nature of the goods, including ***photographs*** of those items as appropriate, whose release has been suspended or which have been detained.

Amendment 18

Proposal for a regulation Article 17 – paragraph 2

Text proposed by the Commission

2. Before adopting the decision of suspension of release or detention of the goods, the customs authorities may, without disclosing any information other than the actual or supposed number of items, their nature and ***images*** of those items as appropriate, request any person entitled to submit an application concerning the alleged infringement of intellectual property rights to provide them with any relevant information.

Amendment

2. Before adopting the decision of suspension of release or detention of the goods, the customs authorities may, without disclosing any information other than the actual or supposed number of items, their nature and ***photographs*** of those items as appropriate, request any person entitled to submit an application concerning the alleged infringement of intellectual property rights to provide them with any relevant information.

Amendment 19

Proposal for a regulation Article 17 – paragraph 3

Text proposed by the Commission

Amendment

3. Before adopting a decision to suspend the release of the goods or to detain them, the customs authorities shall communicate their intention to the declarant or, in cases where goods are to be detained, to the holder of the goods. The declarant or the holder of the goods shall be given the opportunity to express his/her views within three working days of dispatch of that communication.

deleted

Amendment 20

Proposal for a regulation Article 17 – paragraph 6

Text proposed by the Commission

Amendment

6. This Article shall not apply to perishable goods.

deleted

Amendment 21

Proposal for a regulation Article 18 – paragraph 2

Text proposed by the Commission

Amendment

2. The customs authorities may take samples and may provide samples to the holder of the decision granting the application, at his/her request, strictly for the purposes of analysis and to facilitate the subsequent procedure in relation to counterfeit and pirated goods. Any analysis of those samples shall be carried out under the sole responsibility of the holder of the decision granting the application.

2. The customs authorities may take samples **representative of the goods as a whole** and may provide **such** samples to the holder of the decision granting the application, at his/her request, strictly for the purposes of analysis and to facilitate the subsequent procedure in relation to counterfeit and pirated goods. Any analysis of those samples shall be carried out under the sole responsibility of the holder of the decision granting the application.

Amendment 22

Proposal for a regulation Article 20 – paragraph 2 – point b

Text proposed by the Commission

b) a written agreement between the holder of the decision granting the application and the holder of the goods to abandon the goods for destruction.

Amendment

b) a written agreement between the holder of the decision granting the application and the **declarant or** holder of the goods to abandon the goods for destruction.

Amendment 23

Proposal for a regulation Article 23 – paragraph 2 – subparagraph 1

Text proposed by the Commission

2. Where the declarant or holder of the goods has not confirmed his/her agreement to destruction within the periods set out in paragraph 1(b) nor notified his/her opposition to destruction to the customs authorities that adopted the decision to suspend the release of the goods or to detain them, the customs authorities **may** deem that the declarant or holder of the goods has agreed to their destruction.

Amendment

2. Where the declarant or holder of the goods has not confirmed his/her agreement to destruction within the periods set out in paragraph 1(b) nor notified his/her opposition to destruction to the customs authorities that adopted the decision to suspend the release of the goods or to detain them, the customs authorities **shall** deem that the declarant or holder of the goods has agreed to their destruction.

Amendment 24

Proposal for a regulation Article 23 – paragraph 3

Text proposed by the Commission

3. The destruction shall be carried out under customs control, at the expense and under the responsibility of the holder of the decision granting the application, unless otherwise specified in the legislation of the Member State where the goods are destroyed. Samples may be taken prior to

Amendment

3. The destruction shall be carried out under customs control, at the expense and under the responsibility of the holder of the decision granting the application, unless otherwise specified in the legislation of the Member State where the goods are destroyed. Samples **representative of the**

destruction.

goods as a whole may be taken prior to destruction.

Amendment 25

Proposal for a regulation Article 24 – paragraph 2

Text proposed by the Commission

2. Article 16(3), (4) and (5) and Article 18(2) shall not apply.

Amendment

2. Article 16(4) and (5) and Article 18(2) shall not apply.

Amendment 26

Proposal for a regulation Article 24 – paragraph 4

Text proposed by the Commission

4. The declarant or holder of the goods shall be given the opportunity to express his/her point of view within **20** working days of dispatch of the decision to suspend the release of the goods or to detain them.

Amendment

4. The declarant or holder of the goods shall be given the opportunity to express his/her point of view within **5** working days of dispatch of the decision to suspend the release of the goods or to detain them.

Amendment 27

Proposal for a regulation Article 24 – paragraph 5

Text proposed by the Commission

5. The goods concerned may be destroyed where, within **20** working days of dispatch of the decision to suspend the release of the goods or to detain them, the declarant or holder of the goods has confirmed to the customs authorities his/her agreement to the destruction of the goods.

Amendment

5. The goods concerned may be destroyed where, within **10** working days of dispatch of the decision to suspend the release of the goods or to detain them, the declarant or holder of the goods has confirmed to the customs authorities his/her agreement to the destruction of the goods.

Amendment 28

Proposal for a regulation Article 28 – paragraph 1

Text proposed by the Commission

The Member States shall **lay down** the rules on administrative sanctions **applicable** to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The administrative sanctions provided for must be effective, proportionate and dissuasive.

Amendment

Without prejudice to national law, the Member States shall **apply** the rules on administrative sanctions **relating** to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The administrative sanctions provided for must be effective, proportionate and dissuasive.

Amendment 29

Proposal for a regulation Article 31 – paragraph 1

Text proposed by the Commission

1. The competent customs departments shall notify the Commission of the following:

a) applications for action, **including** any photograph(s), image(s), brochure(s);

b) **decisions granting applications;**

c) any decisions extending the period during which the customs authorities are to take action or decisions revoking the decision granting the application or amending it;

d) any suspension of a decision granting the application.

Amendment

1. The competent customs departments shall notify the Commission of the **necessary information relating to the** following:

a) **decisions granting applications, including** applications for action **and** any photograph(s), image(s), brochure(s);

b) any decisions extending the period during which the customs authorities are to take action or decisions revoking the decision granting the application or amending it;

c) any suspension of a decision granting the application.

Amendment 30

Proposal for a regulation Article 31 – paragraph 3

Text proposed by the Commission

3. All information referred to in paragraphs 1 and 2 shall be stored in a central database of the Commission.

Amendment

3. All information referred to in paragraphs 1 and 2 shall be stored in a central database of the Commission ***for a length of time which may not exceed the time required for the achievement of the objectives of this Regulation.***

PROCEDURE

Title	Customs enforcement of intellectual property rights
References	COM(2011)0285 – C7-0139/2011 – 2011/0137(COD)
Committee responsible Date announced in plenary	IMCO 7.6.2011
Committee(s) asked for opinion(s) Date announced in plenary	JURI 7.6.2011
Associated committee(s) - date announced in plenary	17.11.2011
Discussed in committee	10.10.2011 20.12.2011
Date adopted	26.1.2012
Result of final vote	+: 20 -: 2 0: 1
Members present for the final vote	Raffaele Baldassarre, Sebastian Valentin Bodu, Françoise Castex, Marielle Gallo, Lidia Joanna Geringer de Oedenberg, Klaus-Heiner Lehne, Antonio Masip Hidalgo, Jiří Maštálka, Bernhard Rapkay, Evelyn Regner, Francesco Enrico Speroni, Dimitar Stoyanov, Alexandra Thein, Diana Wallis, Cecilia Wikström, Tadeusz Zwiefka
Substitute(s) present for the final vote	Jan Philipp Albrecht, Jean-Marie Cavada, Vytautas Landsbergis, Kurt Lechner, Eva Lichtenberger, Dagmar Roth-Behrendt
Substitute(s) under Rule 187(2) present for the final vote	Eva Ortiz Vilella