



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Civil Liberties, Justice and Home Affairs

LIBE_PV(2012)0326

MINUTES

Meeting of 26 March 2012, from 15.00 to 18.30,

and 27 March 2012, from 9.00 to 12.30

BRUSSELS

The meeting opened at 15.10 hours on Monday 26 March 2012, with Kinga Gál (Vice-Chair) presiding.

1. Adoption of agenda

LIBE_OJ 89916, PE485.906v01-00

The agenda was adopted.

2. Chair's announcements

The Chair reminded of the electronic vote of the next day.

3. Anti-Counterfeiting Trade Agreement between the EU and its Member States, Australia, Canada, Japan, the Republic of Korea, Mexico, Morocco, New Zealand, Singapore, Switzerland and the USA

LIBE/7/08659

*** 2011/0167(NLE) 12195/2011 – C7-0027/2012

Rapporteur for Dimitrios Droutsas (S&D)

the opinion:

Responsible: INTA – David Martin (S&D)

- Exchange of views

The Chair introduced the point. The Rapporteur for the opinion, Dimitrios Droutsas took the floor. Anders Jenssen of the Commission took the floor.

The Members Renate Weber, Carl Schlyter, Simon Busutil, Sophia in 't Veld, Georgios Papanikolaou, Tanja Fajon, Ioan Enciu and Dimitrios Droutsas took part in the debate.

4. Recent political developments in Hungary

LIBE/7/09110

- First exchange of views

The Chair introduced the point.

The Rapporteur for the own-initiative report, Rui Tavares, took the floor.

The Members Tanja Fajon, Renate Weber, Krisztina Morvai, Frank Engel, Sophia in 't Veld, Anthea McIntyre, Cornelia Ernst and Rui Tavares took part in the debate.

5. Freezing and confiscation of proceeds of crime in the European Union

LIBE/7/09120

***I 2012/0036(COD) COM(2012)0085 – C7-0075/2012

Responsible: LIBE –

- Presentation by the Commission

Reinhard Priebe, Director, European Commission made a presentation on the proposal.

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At 16.44 hours the meeting was suspended and resumed at 17.12 hours.

6. The European Investigation Order in criminal matters

LIBE/7/03538

***I 2010/0817(COD) 09288/2010 – C7-0185/2010

Rapporteur: Nuno Melo (PPE)

PR – PE478.493v02-00

AM – PE480.869v01-00

DT – PE478.536v01-00

DT – PE478.537v01-00

Responsible: LIBE –

- Consideration of amendments

The Chair introduced the point.

The Rapporteur Nuno Melo presented the tabled amendments. Jessika Heltberg Auken representing the Danish Presidency of the Council and Oliver Tell of the Commission took the floor.

The Members Jan Philipp Albrecht, Renate Weber, Cornelis de Jong, Anna Hedh and Nuno Melo took part in the debate.

7. Amendment of Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

LIBE/7/06107

***I 2011/0138(COD) COM(2011)0290 – C7-0135/2011

Rapporteur: Agustín Díaz de Mera García Consuegra
(PPE)

PR – PE475.760v01-00
AM – PE478.421v01-00

Responsible: LIBE –

Opinions: AFET – Andrey Kovatchev (PPE)

AD – PE474.076v02-00
AM – PE475.888v01-00

- Presentation of the opinion of the EP Legal Service

Antonio Caiola of the Parliament Legal Service made the presentation.

Agustín Díaz de Mera García Consuegra, Tanja Fajon, Alexander Alvaro, Ioan Enciu, Tatjana Ždanoka took part in the debate.

The meeting was adjourned at 18.41 hours and continued the following day at 09.11 hours with the hearing with Juan Fernando López Aguilar (Chair) presiding.

8. Hearing

LIBE_OJ 89882, PE4492.786v01-00

"What is new on the alleged CIA illegal detention and transfers of prisoners in Europe?"

The Chair introduced the point.

Hélène Flautre, Rapporteur for the own-initiative report, made the opening remarks and presented a working document.

Julia Hall, Expert on counter-terrorism and human rights in Europe, Amnesty International and Dr. Crofton Black, Investigator, Secret Prisons and Extraordinary Renditions, Reprieve, made their presentations on overview on new developments.

Sophia in 't Veld, Krisztina Morvai, Ana Gomes, Barbara Lochbihler, Marek Henryk Migalski, Michèle Striffler, Hélène Flautre, Jacek Protasiewicz and Tanja Fajon took part in the debate.

Julia Hall and Dr. Crofton Black responded to the questions of the Members.

Presentations of case studies were made. Amanda Jacobsen, US Counsel for Abu Zubaydah, presented the case of victim of CIA secret detention in Europe. Adam Bodnar, Vice-President of Helsinki Foundation for Human Rights, made a presentation on the situation in Poland, and Amrit Singh, Senior Legal Officer, National Security and Counterterrorism, Open Society Justice Initiative, presented the cases of El-Masri and Al-Nashiri, victims of rendition and secret detention in Europe.

The Chair announced that in the initial programme, the third session on "National Inquiries"

was dedicated to the interventions of national representatives of Denmark, Poland, Lithuania, Romania and the United Kingdom at governmental, parliamentary and judicial level, and that the five speakers contacted informed LIBE of the reasons of their non-participation. The Chair summarised their responses.

Renate Weber, Carlos Coelho, Ana Gomes, Mirosław Piotrowski and Ioan Enciu took part in the debate.

Adam Bodnar and Amrit Singh responded to the questions of the Members.

Sarah Ludford, Rapporteur for opinion for the AFET Committee, took the floor followed by Hélène Flautre, Rapporteur for the own-initiative report.

The Chair announced that there was going to be a follow-up of this hearing in the DROI Subcommittee on 12 April.

9. Conclusion of the Agreement between the USA and the EU on the use and transfer of PNR to the US Department of Homeland Security

LIBE/7/07876

*** 2011/0382(NLE) 17433/2011 – C7-0511/2011

Rapporteur: Sophia in 't Veld (ALDE)

PR – PE480.773v01-00

Responsible LIBE –

e:

Opinions: AFET – Traian Ungureanu (PPE)

AD – PE480.856v02-00

AM – PE483.531v01-00

TRAN – Decision: no opinion

- Adoption of draft recommendation

The draft recommendation was rejected with 23 votes in favour, 31 against and 1 abstention.

10. Amendment of Schengen border code and Convention implementing the Schengen Agreement

LIBE/7/05621

***I 2011/0051(COD) COM(2011)0118 – C7-0070/2011

Rapporteur: Georgios Papanikolaou (PPE)

PR – PE478.678v01-00

AM – PE480.876v03-00

Responsible LIBE –

e:

Opinions: AFET – Decision: no opinion

DEVE – Decision: no opinion

- Orientation vote

An orientation vote was held and an initial position of the Committee in view of negotiations was adopted with 51 votes in favour, 3 against and 2 abstentions.

Amendments adopted: .1, 2, 3, 5, 6, 7 (linguistic amendment), 8, 9, 10, 11, 13, 14, 15, 16, 18, 20, 21, 22, 23, 24, 25, 27, 29, 31, 32, 35, 37, 38, 39, 40, 41, 42, 44, 48, 50, 52, 58 1st part, 59, 60, 74, 75, 76, 78, 80. *Compromise amendments:* 1, 2, 3, 4.

Amendments rejected: 26, 30, 33, 34, 36 (points 1.1.4.1 to 1.1.4.3), 43, 45, 46, 49, 51, 53, 54,

PE486.162v01-00

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55, 56, 57, 58 2nd part, 68, 77, 79, 81.

Amendments lapsed/fallen: 4, 12, 17, 28, 36 (point 1.1.4.4 subparagraph 1), 36 (point 1.1.4.4 subparagraph 2), 47, 61, 62, 70, 71, 72, 73.

Amendments withdrawn: 19, 63, 64, 65, 66, 67, 69.

11. Attacks against information systems and repealing Council Framework Decision 2005/222/JHA

LIBE/7/04091

***I 2010/0273(COD) COM(2010)0517 – C7-0293/2010

Rapporteur: Monika Hohlmeier (PPE)

PR – PE476.089v01-00

AM – PE480.665v01-00

Responsible LIBE –

e:

Opinions: AFET – Kristiina Ojuland (ALDE)

AD – PE469.848v02-00

AM – PE473.863v01-00

BUDG – Decision: no opinion

ITRE – Christian Ehler (PPE)

AD – PE472.192v02-00

AM – PE473.808v01-00

- Orientation vote

An orientation vote was held and an initial position of the Committee in view of negotiations was adopted with 51 votes in favour, 3 against and 1 abstention.

Amendments adopted: 3, 4, 5, 6, 8, 15, 16, 19, 22, 23, 24, 25, 26, 32, 33, 38, 44, 48, 58, 70, 82, 102, 118 (1st part), 120, 127, *Compromise amendments:* 1- 21.

AFET: 5, 6, 10, 12, 15, 16, 20.

ITRE: 2, 4, 5, 6, 8, 12, 13, 14, 19, 20, 21, 23.

Amendments rejected: 68, 71, 88, 89, 93, 95, 96, 97, 118 (2nd part), 119, 121, 128.

AFET: 21.

Amendments lapsed/fallen: 1, 2, 9, 13, 14, 18, 21, 27, 28, 29, 30, 31, 34, 35, 36, 37, 39, 40, 41, 42, 43, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59, 60, 61, 62, 63, 65, 67, 69, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 83, 84, 85, 86, 87, 90, 92, 94, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 123, 124, 125, 126.

Amendments withdrawn: 7, 10, 11, 12, 17, 20, 122.

12. Any other business

None

13. Next meeting(s)

- 27 March 2012, 17.00 – 18.30 (Brussels), Joint committee meeting (Rule 51) of LIBE and FEMM committees

14. Next meeting(s)

- 12 April 2012, 9.00 – 12.30 (Brussels)

The meeting closed at 12.42 hours.

**ПРИСЪСТВЕН ЛИСТ/LISTA DE ASISTENCIA/PREZENČNÍ LISTINA/DELTAGERLISTE/
ANWESENHEITSLISTE/KOHALOLIJATE NIMEKIRI/KATAΣΤΑΣΗ ΠΑΡΟΝΤΩΝ/RECORD OF ATTENDANCE/
LISTE DE PRÉSENCE/ELENCO DI PRESENZA/APMEKLĒJUMU REĢISTRĀS/DALYVIŲ SARAŠAS/JELENLÉTI ÍV/
REĢISTRU TA' ATTENDENZA/PRESENTIELIJST/LISTA OBECNOŚCI/LISTA DE PRESENÇAS/LISTÁ DE PREZENTĀ/
PREZENČNÁ LISTINA/SEZNAM NAVZOČIH/LÄSNÄOLOLISTA/DELTAGARLISTA**

Биоро/Mesa/Předsednictvo/Formandskabet/Vorstand/Juhatus/Проεдрео/Bureau/Ufficio di presidenza/Prezidijs/Biuras/Elnökség/ Prezydium/Birou/Predsednictvo/Predsedstvo/Puheenjohtajisto/Presidiet (*)
Juan Fernando López Aguilar (P) (2), Kinga Gál (VP) (1,2), Sophia in 't Veld (VP) (1, 2), Salvatore Iacolino (VP) (2), Kinga Göncz (VP) (1, 2)
Членове/Diputados/Poslanci/Medlemmer/Mitglieder/Parlamendiliikmed/Mέλη/Members/Députés/Deputati/Deputāti/Nariai/Képviselők/ Membri/Leden/Posłowie/Deputados/Deputati/Jäsenet/Ledamöter
Jan Philipp Albrecht (1,2), Roberta Angelilli (1), Edit Bauer (1,2), Mario Borghezio (2), Rita Borsellino (2), Emine Bozkurt (2), Simon Busuttil (1,2), Philip Claeys (1,2), Carlos Coelho (1,2), Rosario Crocetta (2), Agustín Díaz de Mera García Consuegra(1,2), Ioan Enciu (1,2), Frank Engel (1,2), Cornelius Ernst (1,2), Tanja Fajon (1,2), Monika Flášiková Beňová (2), Hélène Flautre (2), Nathalie Griesbeck (2), Sylvie Guillaume (2), Ágnes Hankiss (2), Anna Hedh (1,2), Lívia Járóka (1,2), Teresa Jiménez-Becerril Barrio (2), Sarah Ludford (2), Anthea McIntyre (1,2), Monica Luisa Macovei (2), Svetoslav Hristov Malinov (2), Véronique Mathieu (2), Nuno Melo (1,2), Louis Michel (2), Claude Moraes (2), Jan Mulder (2), Antigoni Papadopoulou (2), Georgios Papanikolaou (1,2), Jacek Protasiewicz (2), Carmen Romero López (2), Judith Sargentini (1), Birgit Sippel (2), Csaba Sógor (2), Rui Tavares (1,2), Kyriacos Triantaphyllides (2), Axel Voss (2), Renate Weber (1,2), Josef Weidenholzer (2), Cecilia Wikström (2), Tatjana Ždanoka (1,2), Auke Zijlstra (2)
Заместници/Suplentes/Náhradníci/Stedfortrædere/Stellvertreter/Asendusliikmed/Αναπληρωτές/Substitutes/Suppléants/Supplenti/ Aizstājēji/Pavaduojantys nariai/Póttagok/Sostituti/Plaatsvervangers/Zastępcy/Membros suplementes/Supleantų/Náhradníci/Namestniki/ Varajäsenet/Suppleanter
Alexander Alvaro (1), Elena Oana Antonescu (2), Michael Cashman (2), Cornelis de Jong (1), Dimitrios Droutras (1,2), Ana Gomes (2), Monika Hohlmeier (2), Iliana Malinova Iotova (2), Franziska Keller (1), Jean Lambert (2), Ulrike Lunacek (2), Marian-Jean Marinescu (1,2), Marek Henryk Migalski (2), Krisztina Morvai (1,2), Hubert Pirker (2), Zuzana Roithová (2), Kārlis Šadurskis (2), Carl Schlyter (1), Bogusław Sonik (2), Michèle Striffler (2), Janusz Wojciechowski (1)
187 (2)
Julie Girling (2), Esther Herranz García(2), Vincenzo Iovine (2), David Martin (1), Marina Yannakoudakis (2)
193 (3)
Frieda Brepoels (2), Barbara Lochbihler (2), Mirosław Piotrowski (2)
49 (6) (Точка от дневния ред/Punto del orden del día/Bod pořadu jednání (OJ)/Punkt på dagsordenen/Tagesordnungspunkt/Päevakorra punkt/Ημερήσια Διάταξη Σημείο/Agenda item/Point OJ/Punto all'ordine del giorno/Darba kārtības punkts/Darbotvarkēs punktas/ Napirendi pont/Punt fuq l-agenda/Agendapunt/Punkt porządku dzennego/Ponto OD/Punct de pe ordinea de zi/Bod programu schôdze/ Točka UL/Esityslistan kohta/Föredragningslista punkt)
Наблюдатели/Observadores/Pozorovatelé/Observatører/Beobachter/Vaatlejad/Παρατηρητές/Observers/Observateurs/Osservatori/ Novērotāji/Stebētojai/Megfigyelők/Osservaturi/Waarnemers/Obserwatorzy/Observadores/Observatori/Pozorovatelia/Opazovalci/ Tarkkailijat/Observatörer

Приসъствал на/Presente el/Přítomný dne/Til stede den/Anwesend am/Viibis(id) kohal/Παρόν στις/Present on/Présent le/Presente il/Piedalijās/
Dalyvauja/Jelen volt/Prezenti fi/Aanwezig op/Obecny dnia/Presente em/Prezent/Přítomný dňa/Navzoči dne/Läsnä/Närvarande den:

(1) 26.3.2012
(2) 27.3.2012

По покана на председателя/Por invitación del presidente/Na pozvání předsedy/Efter indbydelse fra formanden/Auf Einladung des Vorsitzenden/Esimehe kutsel/Mε πρόσκληση του Προέδρου/At the invitation of the Chair(wo)man/Sur l'invitation du président/Su invito del presidente/Pēc priekšsēdētāja uzaicinājuma/Pirmininkui pakvietus/Az elnök meghívására/Fuq stedina tal-President/Op uitnodiging van de voorzitter/Na zaproszenie Przewodniczącego/A convite do Presidente/La invitația președintelui/Na pozvanie predsedu/Na povabilo predsednika/Puheenjohtajan kutsusta/På ordförandens inbjudan

Съвет/Consejo/Rada/Rådet/Rat/Nōukogu/Συμβούλιο/Council/Conseil/Consiglio/Padome/Taryba/Tanács/Kunsill/Raad/Conselho/Consiliu/Svet/Neuvosto/Rådet (*)

Helberg Auken (DK Pres.), M-C. Van Lamsweerde (S-G), Van Vlierberge (P.R. BE), Fadier (P.R. FR), Csaba (P.R. HU), Chrobot (P.R. PL), Martins (P.R. PT), J. Mater (R.P. RO), Simonsson Brodén (P.R. SV), Knott, Marais (P.R. UK)

Комисия/Comisión/Komise/Komissionen/Kommission/Euroopa Komisjon/Επιτροπή/Commission/Commissione/Komisija/Bizottság/Kummissjoni/Commissie/Komisja/Comissão/Comisie/Komisia/Komissio/Kommissionen (*)

Brown, Buchet, Debien, Deka, Jenssen, Priebe, Smalskyte, Soares, Tell

Други институции/Otras instituciones/Ostatní orgány a instituce/Andre institutioner/Andere Organe/Muud institutsioonid/>Alla θεσμικά όργανα/Other institutions/Autres institutions/Altre istituzioni/Citas iestādes/Kitos institucijos/Más intézmények/Istituzzjonijiet oħra/Andere instellingen/Inne instytucje/Outras Instituições/Alte instituīji/Iné inštitúcie/Druge institucije/Muut toimielimet/Andra institutioner/organ

	M. Van Auerbeke (U.S. Mission to the EU)
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Други участници/Otros participantes/Ostatní účastníci/Endvidere deltog/Andere Teilnehmer/Muud osalejad/Επίσης Παρόντες/Other participants/Autres participants/Altri partecipanti/Citi klátesošie/Kiti dalyviai/Más résztvevők/Partecipanti oħra/Andere aanwezigen/Inni uczestnicy/Outros participantes/Alți participanți/Iní účastníci/Drugi udeleženci/Muut osallistujat/Övriga deltagare

Chanizaras, Hernandex, Jouken, Jirsa, Lorenz, Meyer, Panagotis, Piri, Stasinopoulou, (EP), Crofton Black, Adam Bodnar, Brodi, Julia Hall, Amanda Jacobsen, Amrit Singh, Stok

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PPE	Alvargonzalez Figaredo, Speiser, Laera
S&D	Lemarchal, Sisättö
ALDE	Glatigny, Marzocchi
ECR	Wild
Verts/ALE	Sidenius, Tsaklanganos, Van Ballegooij
GUE/NGL	Tamburini, Winants
EFD	Mazzotti
NI	Verreycken

Кабинет на председателя/Gabinete del Presidente/Kancelár pôrsedsy/Formandens Kabinet/Kabinett des Präsidenten/Presidendi kantslej/Grafeio Proéðoro/President's Office/Cabinet du Président/Gabinetto del Presidente/Priekšsēdētāja kabinets/Pirmininko kabinetas/Elnöki hivatal/Kabinet tal-President/Kabinet van de Voorzitter/Gabinet Przewodniczącego/Gabinete do Presidente/Cabinet Președinte/Kancelária predsedu/Urad predsednika/Puhemiehen kabinetti/Talmannens kansli	
Dirrig	
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DG PRES	Hartmann
DG IPOL	Troszczynska Van Genderen
DG EXPO	Chatin, Da Silva, Ibar Penaba
DG COMM	
DG PERS	
DG INLO	
DG TRAD	
DG INTE	
DG FINS	
DG ITEC	
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Auersperger Matic, Caiola, Dean	
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Cahen, Ciuche, Erbeznik, Gandolfo, Gualtieri, Punkstins, Vasiliu	
Сътрудник/Asistente/Asistent/Assistent/Assistenz/Boŋθóć/Assistant/Assistente/Pałigs/Padéjējas/Asszisztens/Asystent/Pomočník/Avustaja/Assistenter	
Lazarova, Götz	

* (P) = Председател/Presidente/Předseda/Formand/Vorsitzender/Esimees/Πρόεδρος/Chair(wo)man/Präsident/Priekšsēdētājs/Pirmininkas/Elnök/President/Voorzitter/Przewodniczący/Prezidente/Predseda/Predsednik/Puheenjohtaja/Ordförande
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 (M) = Член/Miembro/Člen/Medlem./Mitglied/Parlamentiliige/Méλος/Member/Membre/Membro/Deputāts/Narys/Képviselő/Memburu/Lid/Członek/Membro/Člen/Poslanec/Jäsen/Ledamot
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