

## MONDAY, 10 SEPTEMBER 2012

### IN THE CHAIR: MARTIN SCHULZ

*President*

*(The sitting opened at 17.00)*

#### 1. Resumption of the session

**President.** – I declare resumed the session adjourned on Thursday, 5 July 2012.

#### 2. Approval of the minutes of the previous sitting

**President.** – Ladies and gentlemen, it gives me great pleasure to welcome you all back to our first plenary sitting after the summer break. I hope that you have all had a good break, as the next few months will certainly be full of intensive work, and may even be dramatic. You are all aware that, on Wednesday morning, the President of the Commission, Mr Barroso, will be giving us his State of the Union address. He will then speak and answer questions in an intensive debate. I expect that you will make great use of this opportunity in order to help the President of the Commission understand the positions taken by the House and its political groups.

#### 3. Tribute

**President.** – However, as we return to our work, I do have a couple of pieces of sad news to which I need to draw the attention of the House. The news relates to deaths which, as a result of the summer break, can only now be announced to the House. We mourn our fellow Member, Jiří Havel, a highly respected and much-loved Member, a superb politician whose work in the Committees on Industry, Research and Energy and on Budgets was characterised by high levels of expertise. Mr Havel was a passionate European, an extraordinary man, who will live on in all of our memories and who – I can report this from my own experience – dedicated his whole life to the service of others.

Parliament also mourns the loss of Edith Mastenbroek, whose startling death at the age of 37 has left us deeply shocked. She leaves behind a young son, who will now have to grow up without her.

We mourn for our former Members, Alexander Falconer and Paddy Lane. These were fellow Members who we got to know during previous parliamentary terms, who passed away over the summer.

In July, Sakharov Prize-winner Oswaldo Payá and his fellow campaigner, Harold Cepero, lost their lives in an accident in Cuba. Mr Payá's dedication inspired a whole generation of Cuban activists – he inspired them to struggle for freedom and human rights. The thought of arguing, of struggling, for democracy, freedom and human rights, was what Mr Payá lived for, and that is why we awarded him the Sakharov Prize. We will continue to preserve his legacy here in this House.

Ladies and gentlemen, I would like to ask you to stand for a minute's silence in honour of our deceased former Members and the late Sakharov Prize-winner and his companion.

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

#### **4. Statement by the President**

**President.** – Ladies and gentlemen, in two weeks' time, there will be parliamentary elections in Belarus. Parliament has, for a long time, been following developments in that country closely and with great concern. It is with the same great concern that we are watching the continued violations of human rights, the rule of law and democratic values. There are a number of developments that I find particularly alarming, and these include the travel ban imposed on opposition politicians and human rights activists based on laws that expand the powers of the secret police, the KGB, while I am also worried by the recent expelling of the Swedish ambassador.

All of us in this House call on the dictator to implement reforms and political change. I want to clearly state at this juncture – and this is also a signal to Belarus – that the first step must be the immediate and unconditional release of all political prisoners and their complete rehabilitation. The ongoing detention of Ales Bialiatski, Mikola Statkevich, Pavel Sevyarynets, Syarhey Kavalenka, Dmitry Dashkevich and numerous other political prisoners is unacceptable. I tell you this, because these people should know that we, in the European Parliament, have not forgotten them. There is an institution that is fighting for you, and this is it. We call on the government to ensure that international standards are met in the parliamentary elections, that all the candidates have a fair chance, and that the Organisation for Security and Cooperation in Europe (OSCE) monitors are able to carry out their work unhindered.

In addition, I would like to inform you that, on 30 August, I wrote a letter to the President of the Republic of The Gambia in response to the execution of nine people. There was a moratorium on the use of the death penalty in The Gambia for a quarter of a century. The cooperation between the European Union and The Gambia is based on the commitment to respect human rights. In my letter, I called, on behalf of the European Parliament, on the government of The Gambia to refrain from further executions and to reinstitute the moratorium on the use of the death penalty.

In a state that sets itself up as judge of life and death, there is no justice, but vengeance. That is our deep conviction and that is why we, the elected representatives of the European people, will continue to fight for the abolition of the death penalty around the globe.

On behalf of the House, I would like to congratulate our erstwhile fellow Member and Vice-President, Stavros Lambrinidis, on his appointment as the European Union's first Special Representative for Human Rights, and indeed I have already done so in writing.

*(Applause)*

You all know Mr Lambrinidis as not just someone who ran votes efficiently in this House. With his experience, his training as a lawyer, his wide-ranging knowledge and his winning personality, he is the right man for the job. I would like to thank you all for expressing, through your applause, the fact that Mr Lambrinidis can count on the support of the Members of this House.

#### **5. Composition of Parliament: see Minutes**

#### **6. Verification of credentials: see Minutes**

7. Request for the waiver of parliamentary immunity: see Minutes
8. Request for the defence of parliamentary immunity: see Minutes
9. Composition of committees and delegations: see Minutes
10. Composition of political groups: see Minutes
11. Corrigendum (Rule 216): see Minutes
12. Delegated acts (Rule 87a(6)): see Minutes
13. Signature of acts adopted under the ordinary legislative procedure: see Minutes
14. Action taken on Parliament's resolutions: see Minutes
15. Texts of agreements forwarded by the Council: see Minutes
16. Oral questions and written declarations (submission): see Minutes
17. Transfers of appropriations: see Minutes
18. Documents received: see Minutes
19. Petitions: see Minutes
20. Order of business

**President.** – The final version of the draft agenda for this sitting, as drawn up by the Conference of Presidents at its meeting of Thursday, 6 September 2012, pursuant to Rule 137 of the Rules of Procedure, has been distributed. The following changes have been proposed:

*Monday, Tuesday, Wednesday: no changes.*

*Thursday:*

The Group of the Alliance of Liberals and Democrats for Europe has requested that the Bowles report on the European system of national and regional accounts in the European Union, on which we were due to vote on Thursday, be removed from the agenda.

**Sharon Bowles, rapporteur.** – Mr President, as rapporteur for this dossier, which we had scheduled for a vote on Thursday, I would like to say that we are prepared to defer it for another month because we believe we may now be able to reach a first reading compromise.

The situation was that four Member States – France, Germany, Italy and Portugal – were not prepared for certain statistical data to have to be submitted compulsorily. That was the situation – the impasse – we reached at the end of the Danish Presidency. There has been a lot of coverage about this in the media, and the new Presidency has been able to exert a little more pressure. There is a potential provisional agreement, and I think that I have to wait for it to be submitted.

Obviously, this is a matter of urgency, because how we collect statistical data – and particularly from regions, which is what this relates to – is very important in being able to prove that there are no surprises in accounts. I am sure that, in terms of economic governance and everything else to do with that, the House will agree with me. All the political groups in the committee agree with this proposal to postpone.

*(Parliament approved the motion)*

*(The order of business was thus established)*

## **21. European standardisation (debate)**

**President.** – The next item is the debate on the report by Lara Comi, on behalf of the Committee on the Internal Market and Consumer Protection, on the proposal for a regulation of the European Parliament and of the Council on European Standardisation and amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/105/EC and 2009/23/EC of the European Parliament and of the Council (COM(2011)0315 – C7-0150/2011 – 2011/0150(COD)) (A7-0069/2012).

**Lara Comi, rapporteur.** – *(IT)* Mr President, ladies and gentlemen, we have finally arrived at the closing debate and the definitive approval of this important regulation.

I should first of all like to tell you that I am personally extremely satisfied with the work of the shadow rapporteurs and all those who have contributed to the debate, whether they are from the Commission or the Council. Together, we have achieved this outcome. What is more, within the space of a year, we have managed to approve one of the two most important dossiers for the internal market, and secured the approval itself at first reading, thereby making the legislative process simpler.

I believe I can clearly declare that this is a real achievement for Parliament, which has played a significant part in arriving at the definitive text of the regulation. As a consequence, Parliament's role has clearly been reinforced and my wish is that this important institution, which is the one that actually represents the people of Europe, can, in future, have an ever greater impetus and greater involvement.

Mr President, I shall now briefly go on to highlight a certain particular aspect of the regulation and bring out the importance of these changes.

First of all, when this regulation takes effect, the system will continue to be based on principles that have now been reinforced; it will therefore be voluntary, private and based on the principle of national delegation. In fact, our intention was not to upset a system that was working and had worked quite well. Rather, it was to identify the adjustments needed to make it more democratic and competitive at the European and international level.

In addition, we have ensured that stakeholders – that is to say, interested parties – who also have public importance both in the consultation phase, before the mandate is drawn up, and subsequently, can participate more actively and effectively. This is a very important point because it reinforces the democratic nature of the process and the consensus around a standard on the part of all the parties involved, whether they are market players or public players and of public importance. In order to ensure that this consultation takes place in all phases of the process, Parliament has asked the European Commission to create a

notification system that will enable stakeholders to register and thereby receive information automatically.

Thus, just as it is proper to ensure that businesses and representatives of the public interest may participate in the system, it is equally important to ensure the presence of authorities and public bodies exercising legislative or administrative functions.

Another particularly important point is the protection afforded to small and medium-sized enterprises (SMEs) and making their participation in the process simpler. This is something that I personally quite forcefully wanted to include in the regulation, particularly at the national level, because SMEs, either due to their relative size or linguistic difficulties, find it very difficult to take an active part in the system, even though they in fact constitute the economic base on which our European system rests.

The European level must play its part in ensuring this element of representation, which must, however, take the bottom level as its starting point. This is why we have chosen a bottom-up structure. The system that will take effect will be more coordinated between the different levels involved, from the national level to the European level, and will also be better connected with the international level; this is one of our great ongoing objectives, because it is essential that the European Union promotes and extends its own standards worldwide, so that they become universal standards.

An important dialogue has been opened with the United States, particularly via the mission that we sent to Washington together with the Committee on the Internal Market and Consumer Protection, and we are proceeding down that particular road.

Parliament has, however, rejected the Council's request to have implementing acts on technical specifications in the field of ICT, that is to say, for information and communication technologies, because it would have added a tremendous burden to the work of the Commission and slowed down the entire process. Nevertheless, Parliament has ensured that there will be a consultation phase before the Commission can decide whether or not to single out a particular technology.

In conclusion, I believe I can confirm that the regulation will simplify the entire system in both administrative and financial terms and ensure a higher level of transparency. For example, we have seen to it that the list of harmonised standards that have been subject to a formal objection decision is published on the Commission's website.

I shall not go on talking any further, if only because there are a great number of important issues and I would risk straying too far into the technical aspects of a very complex dossier. I shall therefore leave space for the debate and remain at your disposal for any clarification.

#### IN THE CHAIR: ROBERTA ANGELILLI

*Vice-President*

**Viviane Reding,** *Vice-President of the Commission.* – Madam President, honourable Members, first let me congratulate the rapporteur, Lara Comi, and the members of the Committee on the Internal Market and Consumer Protection – in particular, its Chair, Malcolm Harbour – for the excellent work which they have completed.

You all know that standardisation is one of the major instruments underpinning the European economy. The cooperation between industry users, public authorities and the

standardisation organisations in drawing up standards has contributed decisively to what I think you will all agree is one of Europe's greatest achievements: the internal market.

Standards play a vital role in enhancing the competitiveness of European enterprises; they assist access to today's globalised markets and ensure interoperability, which is vital for competition and developing new products and services. For SMEs, standards are a key tool to help them retain and attract consumers. The reduced risk and increased trust and satisfaction flowing from the use of standards opens markets for them in a secure environment.

Precisely because of this importance, standardisation must adapt to the new societal changes that we face: the globalised economy, the need for sustainable development, the convergence of technologies protecting the consumer and improving accessibility and inclusion for disabled and elderly people. To address these issues, the Commission adopted the Standardisation Package in June 2011, and I am glad to see that the European Parliament is now discussing the adoption of the final piece of that package: the regulation on European standardisation. This regulation would help to address and solve three problems.

First, the speed of mandated standardisation. The planning and transparency of Commission mandates asking the European standardisation organisations to draw up standards in support of the legislation and policies will be improved through the annual work programme and by means of financial support.

Second, the inclusiveness of European standardisation. The opinion of relevant societal stakeholders is today not sufficiently integrated in the process, and this regulation will improve this representation of SMEs and societal stakeholders at both European and national level.

The third element concerns public procurement. You know that many information and communication technology standards ensuring interoperability are elaborated not by the European standardisation organisations but by global forums and consortiums, and these specifications do not then fit into our categories of standards to which public authorities may refer in their calls for tender.

This regulation will provide an evaluation procedure, after which public authorities will be able to use such ICT specifications in public procurement provided they comply with a set of criteria based on the World Trade Organisation principles for the standardisation process. The regulation also affirms the existing possibility for the Union to use service standardisation as a policy tool within harmonised service sectors.

Like so many in Parliament, the Commission regrets the Council's determination to impose bureaucratic comitology procedures on mandates which we think are both unjustified and will undermine the efficiency of the system due to their time-consuming nature. This is why we are going to make full use of the review clause inserted – thankfully – by Parliament to evaluate the impact of comitology on mandates, with a view to making possible new proposals within two years. Nevertheless, given that most of the key elements of the original proposal have been accepted, and in a spirit of compromise and in order to facilitate a first-reading agreement, the Commission is willing to accept the text as agreed between Parliament and the Council.

**Adam Gierek**, *rapporteur for the opinion of the Committee on Industry, Research and Energy*. – (PL) Madam President, normative requirements concerning products, services and processes help to standardise production and to achieve economies of scale. They also

improve quality and facilitate the protection of consumer health and safety. However, technological developments are moving faster than the processes for defining standards, which creates market conflicts. When European standards are defined adequately and quickly, and I emphasise the word 'quickly', this creates a more civilised single market, reduces the costs of manufacturing and services, facilitates interoperability and consequently boosts competitiveness. It is very important to abolish barriers to the trading of goods and provision of services between Member States, and gives rise to the need for harmonisation. Standardisation is a process where national standardisation bodies must play a part, alongside the European body. Unfortunately, however, the national bodies are largely neglected in the Commission's proposal, and there are no improved mechanisms which would generate adequate feedback between the EU centre and Member States.

**Andreas Schwab**, *on behalf of the PPE Group*. – (DE) Madam President, Ms Reding, ladies and gentlemen, the proposal on European standardisation has been under discussion in this House for some time now. I believe that, at the end of this process, despite all the legitimate objections from Ms Reding, we will be able to say that, from Parliament's point of view, a good result overall has been achieved with this measure, which is now in the hands of Commissioner Barnier in connection with the Single Market Act.

Ladies and gentlemen, I am also happy to tell you why I believe that we can congratulate the rapporteur, Ms Comi, on this result. First of all, we managed to achieve a situation where something that we have frequently demanded in the past – namely, that we need more regulations, which are directly applicable, rather than directives, which have to be transposed – could finally become a reality.

Secondly, we managed – and this is, after all, also always important for a dossier adopted at first reading at the end of the trilogue – to strengthen Parliament's rights. In the past, the situation was that the Council was the only institution that could block standardisation proposals. Under the proposal before you today, which we are debating and on which we will be voting tomorrow, Parliament, too, has the ability to block proposals on standardisation by means of a resolution of this House, where, for example, proposals were brought forward again to regulate crime prevention measures in the establishment of development plans in one form or another under standardisation law, something which gave rise to some criticism from the Member States a few years back.

It is clear to us, however, that this proposal for a regulation accommodates economic policy goals for the whole of Europe. For one thing, it ensures that harmonised standards must remain market-oriented. We believe it is very important that we have ensured greater involvement of special interest groups, but that, at the same time, these groups can only assist with the actual standardisation process. We also believe it is very important that we have ensured, through the introduction of a notification system for third parties, that standards must also prove themselves in society, be supervised by society, and be accepted by society. Through this proposal, we can ensure that stakeholders, including the authorities, have full access to the European standardisation process. We can also ensure – and this is very important to us across group lines – that small and medium-sized enterprises have full access here and that the European standardisation landscape takes account of their special interests. Unfortunately, that was not always the case in the past.

Ladies and gentlemen, overall, it is true that this measure only consists of 12 key measures – levers – from the first Single Market Act. We must therefore avoid giving the impression that we have reached a milestone for small and medium-sized enterprises. It is one element,

a building block of a strategy, that we absolutely need to consolidate in the Single Market Act II. I hope that we also gain the approval of the House for the Single Market Act II and all the measures that we will be adopting here in relation to small and medium-sized enterprises.

**Christel Schaldemose**, *on behalf of the S&D Group*. – (DA) Madam President, when I tell voters in Denmark about the work on standardisation, they actually find it hard to understand what it is all about. When it comes down to it, you could say that the EU's standards and standardisation work are really one of the hidden successes of European cooperation. Without standardisation, our everyday lives would be much more difficult. It ensures, for example, that we can use our USB memory sticks in any PC we like. It also ensures that the thread on our light bulbs is standardised, so that we can buy any light fitting we like and still be sure of finding a bulb that fits.

There are also standards that are there generally to make the products on the European market safer, for everything from toys to house building, and there are standards that help to ensure that we can test our food and that the environment is protected. That is why it is also very important that we have been able to look at our legislation and have been able to revise the existing standardisation legislation at European level. We can thereby make it even easier to be a consumer, even safer to be a worker and, moreover, we can make it even easier to be a business that produces goods for the internal market.

I would like to highlight three things in the proposal that we have now negotiated which I think are good. First and foremost, it is essential that we have made the political mandate-giving process more transparent; that must be the case when we make political decisions on the mandates that are to be given. Secondly, it is also very important that we have secured broader participation in the standardisation work, and it was important to us in the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament to ensure that consumers, workers, environmental organisations, etc. are involved to a greater extent in the decision making in respect of standards. That was very important to us.

Finally, I would like to say that it was also important for us to ensure that we did not create an almost open back door when it comes to giving political mandates in the area of services. We wanted to stick to the principle that the Member States retain their powers in all matters that relate to defining the fundamental principles of social conditions, social security, health systems, etc. The amendments that Parliament has managed to push through have ensured that we make no changes to the Member States' powers in this area. You could say that we have achieved a win-win situation. Workers, consumers, environmental organisations and businesses will gain a lot from this revision of the legislation on standardisation, which will mean that we can produce standards more easily, better and more quickly. In reality, all that is left is to say congratulations. Congratulations to European businesses, congratulations to European consumers and congratulations to European workers on legislation that makes it safer to be a citizen in the EU.

**Heide Rühle**, *on behalf of the Verts/ALE Group*. – (DE) Madam President, I will keep this short and concentrate on what is important. Standards are an important and proven tool. They facilitate a common technical language, a common technical basis within Europe's internal market, and they are a useful tool for promoting innovation and sustainable development. The European approach has proven itself and, in times of economic crises, existing tools should be carefully modernised without jeopardising their substance.



We have succeeded in doing that with standardisation. We have bolstered the participation of small and medium-sized enterprises and important social groups, and thus improved the acceptance of standardisation, but without jeopardising its structure, which is based on the voluntary cooperation of the business sector, which also bears the main part of the costs. I take the view that the participation rights of small and medium-sized enterprises, consumer and environmental associations and the trade unions could have been even greater, but I accept the compromise in this area.

We have extended standardisation to the services sector. Industry-oriented services and the IT sector, in particular, represent a significant area for standardisation. At the same time, however, it was important not to jeopardise the professions, and their creative potential. Standardisation is also a cost factor in industries such as the craft industries. Standardisation should therefore only be rolled out where there is actually market relevance in it. A multi-stakeholder platform will ensure this, and will ensure that the relevant consultations take place.

Last, but not least, we thought it important that a clear separation should be maintained between standardisation and legislation. The signal from Parliament is clear: we do not want legislation by the back door. All in all, we have achieved a good compromise, and our group will be giving it our backing in the vote tomorrow.

**Edvard Kožušník**, *on behalf of the ECR Group.* – (CS) Madam President, Commissioner, the standardisation package debated today represents a starting point for European standardisation to succeed in global competition. I would therefore like to thank the rapporteur for her success in moderating the legislative process for adopting such an important standard.

The speed at which standards are produced is now one of the decisive factors influencing market development. The accessibility and openness of standards, including the opportunity to participate in the creation of standards, is a key element for the competitiveness of businesses and their success in the market environment.

Neither can we forget the role of the newly proposed technical specifications for the area of information and communication technology (ICT). I firmly believe that the proposed technical specifications instrument will be an effective way of supporting innovation in the area of ICT.

The standardisation of services should play a key role in creating a genuinely functional and very fluid internal market, as envisaged by the Services Directive.

The fact that the rapporteur has managed to incorporate into the report all of the very important elements that were mentioned is, in my view, a significant success for the further development of European standardisation.

**Jaroslav Paška**, *on behalf of the EFD Group.* – (SK) Madam President, while I very much appreciate the Commission's declared intention in the draft regulation of improving our commercial and business environment by updating the EU's standardisation rules, I would like to point out that the current system works quite well. It is therefore necessary to evaluate all of the consequences of the proposed changes on economic life in Europe very sensitively.

The Commission regulation lacks a reference to an elementary principle of international standardisation, which is the principle of national representation. It also lacks properly reworked provisions regulating the principles and mechanisms for halting proceedings.

Many of the provisions are formulated in very general terms, and this leaves considerable room for varying interpretations, particularly in relation to the changes to the current system and its consistency.

I therefore firmly believe that we must broadly accept the amendments proposed by the Committee on Industry, Research and Energy and the Committee on International Trade. The draft will, of course, look rather better with these changes.

**Regina Bastos (PPE).** – (PT) Madam President, I would like to begin by congratulating the rapporteur, Ms Comi, on the excellent work that she has done in relation to this report, which is vitally important for the future of Europe.

In this world, and in a society that is undergoing rapid transformation, Europe needs a comprehensive, integrating, effective and up-to-date system of standardisation. This system should ensure the correct functioning of the internal market and improve the protection of consumers and their lives. It is also essential to protect the environment. In addition, more innovation and social inclusion is very important, as is interaction and communication between networks and systems, in particular, in the area of new information and communication technologies, as has already been stressed.

As Professor Monti states in his report entitled 'A new strategy for the single market', European standardisation is essential for the governance of the internal market, with emphasis on the need to revise the European standardisation process, maintaining the advantages of the current system and finding the right balance between the European and national dimensions.

In view of this, the report that we are discussing here today supports and defends these objectives, which are right and appropriate: to put an end to the slowness and fragmentation that currently exists and which leads to companies incurring transaction costs and higher unit costs; to strengthen the participation of small and medium-sized enterprises in standardisation activities, in particular, at national level, as well as facilitating their access to those standards, while also strengthening the participation of parties that represent the interests of society, such as consumers, environmental groups, workers and people with disabilities, while maintaining financial support for European organisations that have been established to represent public interests.

I would like to finish by saying that the adoption of this report will contribute to the revival of the European project, to European innovation, and to the strengthening and competitiveness of our companies.

**Evelyne Gebhardt (S&D).** – (DE) Madam President, ladies and gentlemen, to take Ms Schaldemose's example, if we imagine that we had a USB stick and every computer had a different access port, we would all have to buy different adaptors. This example alone shows how important standardisation is and the great extent to which it can make life easier for citizens. This is a very important issue that we have to debate here. We, in Parliament, have also succeeded in adding many improvements to the Commission's text. I would therefore like to offer my sincere thanks to the rapporteur and to our shadow rapporteur for their outstanding work.

There were, however, two points – to single out just a couple of topics, for time reasons – that were particularly close to our hearts. First of all, we had the support for small and medium-sized enterprises (SMEs) – which was a very important point for us – and ensuring that standardisation is not only the realm of large companies, but also respects the needs

of SMEs. In cases like this, the risk is, of course, always very large that the large companies will go ahead and implement and the small companies will have to catch up, which can be a cost-intensive exercise. We have also managed to ensure that the support and the funding in this area have been safeguarded.

The second area that was important to us was the removal of a section of the services that have recently been incorporated into this process, in particular, the removal of services of common economic interest and those of major importance to the professions. In this area, standardisation could be very dangerous, as these are fields that depend on creativity and the flexibility of service providers, and these must be safeguarded. We have reached a satisfactory compromise in this regard, and one in favour of which we, as a group, feel able to vote. As I said, though, there was a lot of work to do and I hope that things will be somewhat easier from here on in.

**Ildikó Gáll-Pelcz (PPE).** – (HU) Madam President, Commissioner, I would first of all like to congratulate the rapporteur on her outstanding work, and on successfully bringing this extremely long process to a close. I fully agree with the elaboration of standards, and even more so with the acceleration of standardisation. However, I would like to note that this process should by no means come at the cost of quality. I therefore think that we should primarily aim to speed up the process in terms of administration; measures in this regard should be implemented jointly by the standardisation bodies and the Commission, while, of course, maintaining a consensus-based approach and publicity.

I believe that there is much the Commission can do to further this end, for example, by accelerating the initial and closing work phases, including the signing of contracts, performance certification and the facilitation of payments. I agree with the rapporteur that we can and should build upon the existing system, as it offers several opportunities for development. I agree that the issue of access to standards should not be confined to addressing the prices of standards, and I welcome the fact that we issued a call to the national standardisation bodies. This call concerns the reduction of costs through the application of special rates, for example, by providing bundles of standards at reduced prices.

I find the involvement of SMEs and other interest representatives in the standardisation process to be extremely important and worth supporting. As an aside, I would like to point out that there have been no substantial obstacles to their participation in the past. I believe that their passivity is due to other reasons, for example, their very limited financial resources, and I find that sometimes, their special expertise is also lacking. I am therefore of the opinion that when supporting them, we should focus primarily on these areas and aim at finding ways to boost their motivation. All things considered, the rapporteur managed to draft a report that can support European competitiveness, innovation and sustainable development at the same time. In the light of all this, and also on the basis of the rapporteur's excellent work, I recommend the adoption of the report, and support it myself.

**Barbara Weiler (S&D).** – (DE) Madam President, ladies and gentlemen, I would like to thank the rapporteur and, above all, the whole team of shadow rapporteurs, for producing these proposals, which we will adopt tomorrow. Much has already been said about the benefits of standards. I would like to mention two further examples that we think are self-evident: the universal charger for mobile phones and, in future, the realisation of electromobility. Without standards, these things would absolutely not be possible.

Unfortunately, not all of society knows how standards are produced. It is not this House – and nor will it be in future – it is national, European and international institutes like CEN

and CENELEC that produce standards. The last 25 years has been a good period, but there were also a number of shortcomings, which we have now tidied up. The creation of standards was far too slow, far too expensive, too opaque and too unilateral in terms of participation. We have now rectified that with this proposal, and we will make access cheaper for small and medium-sized enterprises, too, we will involve the trade unions and the social partners, the consumer organisations, and we will link up with national, international and European bodies. I am also pleased about the sensible involvement in procurement.

As a final point, I will deal with acceptance. This is something that we will still have to test out and check the state thereof. Germany's DIN institute had serious concerns at the start of the debate about the direction that acceptance was moving in. I believe those concerns have since been resolved. The SME sector in Hesse, for example, has already provided me with feedback. I found out that it is pleased with this compromise, with this proposal from the rapporteur and the Committee on the Internal Market and Consumer Protection, and that it sees a series of improvements for the future.

*Catch-the-eye procedure*

**Zofija Mazej Kukovič (PPE).** – (SL) Madam President, I would like to thank the rapporteur and all the members who were involved in this process of upgrading standardisation.

I know from personal experience what it means to standardise processes for a medium-sized company and how difficult it is, and that is why I can safely say that this is the biggest contribution we have ever made to small and medium-sized enterprises.

When it comes to ICT, we should remember Bill Gates who, as far back as ten years ago, wrote and also said that with each solution, he first thinks about how to standardise it. And that is how Microsoft built and upgraded all of its solutions.

I would like to particularly draw your attention to services which require a special focus, obviously at a European level, although we might work on them together with India, Russia and other emerging markets in the future.

**Silvia-Adriana Țicău (S&D).** – (RO) Madam President, European standardisation strengthens the competitiveness of the business sector when it is in keeping with the international standardisation system. The standards are an important instrument for business competitiveness, particularly for small and medium sized enterprises, whose participation in the standardisation process is vital for technological progress.

The standardisation rules must encourage SMEs to contribute actively, through innovative technological solutions, to the push towards standardisation by enhancing their participation at the national level where they can be more effective due to lower costs and the absence of linguistic barriers. Granting SMEs effective membership of the European Standards Organisation, including voting rights, will have a positive impact on the involvement and participation of SMEs in standardisation.

The Committee on Industry, Research and Energy requested a distinct pricing system and the application of special rates and a standards package at a reduced price, particularly for SMEs, micro-enterprises and artisan businesses.

**Sergio Gaetano Cofferati (S&D).** – (IT) Madam President, ladies and gentlemen, I should like briefly to address the Commissioner, who congratulated the rapporteur on her excellent

work, with which I concur. I consider that the committees have contributed to enriching the initial proposal and updating it.

There are undeniably new elements in the final text such as, for example, stakeholder participation in the decision-making process, access to standards for small and medium-sized enterprises, the introduction of the social clause (something that was not foreseen but is of great importance) and the very recognition of the multi-stakeholder platform. All these are components that add value and quality to the final outcome.

As far as services are concerned, while I appreciate and approve the balance that was achieved, I nevertheless consider that it is also necessary to include for the future a new provision for a harmonisation process, without its being penalising for citizens or an element of unfair competition between economic systems.

The work done was demanding and very sound, but, perhaps, we must already begin thinking about the next phase.

**Malcolm Harbour (ECR).** – Madam President, as the Chair of the committee, I want to congratulate all the Members of the committee who worked so hard to achieve what I think is an outstanding result, a real improvement to a crucial piece of the single market. It is worth recording tonight – and I am sure the Commissioner would want to mark this – that this is actually the first piece of the major legislative commitments in the Single Market Act that has been put through, and we vote on it tomorrow.

I also want to record the fact – given the importance of this whole topic and the intense interest among the thousands of people around the European Union who are engaged in the standardisation process – that we took a decision with the wisdom of all the coordinators involved to do an important preparatory piece of work on this, which was led by my colleague, Mr Kožušník, who spoke earlier. We drew up a strategic report on standards some 18 months ago, which shaped our view on the topic, and enabled us to consult before we got the legislation before us.

I think that has really contributed to the quality of the work, and it is something that I know many of the other committees are looking at. I am delighted that my colleagues from the Committee on International Trade and the Committee on the Environment, Public Health and Food Safety are here this evening, which I am sure reflects the importance and interest that they attach to the whole of this standardisation dossier.

I am sure that tomorrow, this proposal will have the major confidence of the whole House, but it is a reflection of the real importance of this subject that so many of the political groups and Members have been engaged in getting an excellent result.

*End of the catch-the-eye procedure*

**Toine Manders,** *on behalf of the ALDE Group.* – (NL) Madam President, I apologise for running a little late. I had some traffic problems and I had to drive a couple of hundred kilometres to get here to Brussels. Unfortunately, as yet, we have no European standard for traffic. I would very much like to thank Ms Comi for her cooperation. As Mr Harbour said, cooperation was excellent.

I believe that standardisation is good for industry, for our economy and, ultimately, for the consumer. As Europe, we are in a better position to establish a world standard, which will make this continent really count as an economic power in the world. Therefore, it is good that we are making standardisation easier with this directive.

It is clear that this will be on a voluntary basis and that it can work. Indeed, a few years ago, together with Commissioner Verheugen, I set up a plan to standardise the plugs for phone chargers and, in 2014, the plugs for iPad chargers. In general, this standard will make it easier for industry to bring new products to market and it will also create a lot of consumer satisfaction. Once again, Ms Comi, thank you for your hard work.

**Viviane Reding**, *Vice-President of the Commission*. – Madam President, there were two specific questions.

On the latter question, from Mr Manders, there is a voluntary agreement between the European Union and industry for harmonisation of chargers, and this will be of very great importance for consumers.

There was another question on service standardisation, and I would like to tell the honourable Member that the regulation reaffirms the possibility for the Union to use service standardisation as a policy tool within harmonised service sectors.

Having said that, I could not agree more with what Mr Harbour said. This is indeed the first of 12 levers to boost growth and strengthen confidence in the Single Market Act adopted by the Commission in April 2011. This is good for industry, for consumers, and for the economy at large, but it is also – and I think many Members have underlined this – an evolution, not a revolution.

So the regulation builds on the main pillars of the current, successful system, and the improvement it brings will provide Europe with a single, transparent and comprehensive instrument which will not only support the implementation of policies here in Europe, but will also help promote the competitiveness of European enterprises throughout the world.

So I hope this House will adopt by a massive majority this very important piece of legislation.

**Lara Comi**, *rapporteur*. – (IT) Madam President, ladies and gentlemen, I am very pleased with this debate, by means of which we have showcased the regulation to the greatest possible extent and drawn out its most salient points.

This regulation will ensure that national markets and the European market will be able to interact better and ensure greater competitiveness, something that Europe is absolutely in need of.

Improving the whole system of setting standards facilitates and simplifies the work of our businesses and makes it more efficient. Standards have a direct impact on citizens, Ms Schaldemose is quite right on this, improving their lives, and we must also make our fellow Members understand this, so that this knowledge can be spread over the whole of our territory. At the same time, it was right to guarantee greater competitiveness on the national level for the European system.

I also concur with Mr Schwab that what we need are more regulations and fewer directives if we really want an internal market, as Professor Monti and Commissioner Barnier have suggested. This is the right way to arrive at a Union that is not only economic but also political, so that we can finally call it 'European'.

**President**. – The debate is closed.

The vote will take place on Tuesday, 11 September.

## 22. Electronic identification of bovine animals (debate)

**President.** – The next item is the report by Sophie Auconie, on behalf of the Committee on the Environment, Public Health and Food Safety, on the amended proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1760/2000 as regards electronic identification of bovine animals and deleting the provisions on voluntary beef labelling (COM(2012)0162 - C7-0114/2012 - 2011/0229(COD)) (A7-0199/2012).

**Sophie Auconie, rapporteur.** – (FR) Madam President, ladies and gentlemen, this text is important because its two objectives are, on the one hand, the progressive and harmonious development of the electronic identification of bovine animals, with a five-year review clause for a possible transition to mandatory electronic identification and, on the other hand, the simplification of administrative procedures regarding the addition of voluntary indications that may be put on beef labels.

My reason for bringing this matter up in plenary is to correct inconsistencies attributable to the Commission services which arose when the vote was taken in the Committee on the Environment, Public Health and Food Safety (ENVI).

Therefore, after consulting a number of parliamentary experts, I propose, today, the adoption of three amendments, the sole objective of which is to correct these inconsistencies and clarify the text.

Amendments 45 and 47 are therefore simple technical corrections. Amendment 46 proposes that the simplification of the voluntary labelling procedure should not enter into force until 1 January 2014.

Let me remind you that these voluntary indications must be objective, verifiable by the relevant authorities, and comprehensible to consumers.

To avoid any unfounded fear, I have also specified once again that the relevant authority should verify the truth of these indications and ensure that the sanctions referred to in Article 22(4a) are applied. We are talking here about voluntary indications and not mandatory indications relating to the origin of the meat. We are therefore talking about commercial information used by operators, the rules for which need to be simplified. Clearly, we are all in agreement on the need to move towards the electronic identification of bovine animals. We are not advocating forcing the agricultural sector to implement electronic identification immediately. I am a legislator and I believe that we are responsible for the laws we adopt which have an economic impact.

The meat industry in Europe and the beef industry in particular are suffering at present and we, as legislators, cannot subject them to even more expenditure. This is not a public health problem. The idea is to put in place electronic identification to ensure better traceability of bovine animals, which the sector will adopt over time. We will see in five years' time whether, in fact, the technology is sound and whether or not the industries are ready. Perhaps the economic climate will be better.

As regards the second part, the labelling of bovine animals, what are we talking about? We are not talking about questioning voluntary labelling: we are not doing away with it, just to be clear. We are talking about simplifying the system and simplifying the procedure. I

will explain it very simply: meat labelling is carried out in the same way for all meat. For the beef industry, for beef, mad cow disease has made the procedure more complex. Let us keep the voluntary system, but let us simplify it, because we are responsible for the administrative burden that is characteristic of our procedures in Europe. We must do everything in our power to simplify them for our citizens.

**Viviane Reding**, *Vice-President of the Commission*. – Madam President, the Commission is grateful to Parliament for the support received as regards the proposal to facilitate the electronic identification of bovine animals and to simplify voluntary beef labelling. I would like to express particular thanks to the rapporteur, Ms Auconie, for her commitment to this cause. I hope that her dedicated work will pave the way for an agreement to be reached at first reading.

This would be particularly welcome because the proposed new rules amount to an opportunity to enhance growth and competitiveness for many stakeholders. We all recognise that the current system of traceability is effective in terms of consumer protection.

Electronic identification will, however, make the system more accurate and faster. It will improve the tracing of animals and food products for enhanced food safety and better management of disease outbreaks. It will also reduce administrative burdens by simplifying the current procedures. Modern technology is literally just a click away for European farmers, and our duty is to adopt legislation to allow them to embrace and profit from this progress.

As regards voluntary beef labelling, horizontal EU legislation has already been developed. This legislation covers beef in the same way as any other meat. There is, therefore, no need to maintain a specific authorisation procedure for voluntary beef labels. Operators respecting the existing horizontal provisions would, of course, be free to provide additional information on their labels. Any such information should not mislead consumers and should be verifiable by the competent authorities.

We must also keep in mind that current rules on bovine identification and voluntary beef labelling were described as ‘burdens’ imposed on business in the communication from the Commission on the action programme for reducing administrative burdens in the EU. There has been much talk about reducing these burdens, and now we are acting on it.

I thank Parliament for helping us take the right action.

**Julie Girling (ECR)**. – Madam President, I would just like to clarify that Mr Nicholson, the rapporteur of the opinion in the AGRI Committee, has been delayed by travel problems. He will be here with us imminently, so I would like to thank you and your services for allowing me to speak now, but I am delivering the speech I was going to make later on in the process.

I want to make a contribution to this debate because of my recent experience with EID on sheep, and I am going to confine my remarks to how that system works technically.

This system has been imposed on farmers in my constituency, despite strong opposition, and has now been around long enough for us to know that it does not work efficiently. That is not to say that some farmers do not find it useful. They do – particularly for internal flock management – but it is not sufficiently reliable to be used as a primary system for stock movements.



The unreliability of the technology has been acknowledged by the Commission through their granting of more time, for example, to the UK to bed the system in. Why would we want to embark on an extension of this system to bovines before we get these things sorted? And why would we want to extend it at all – and I mean here specifically on a mandatory basis – unless we are clear that there are benefits to be gained?

I frequently meet farmers who are terrified by the prospect of failing to achieve cross-compliance and thereby suffering the punitive withdrawal of their single farm payments. Our job is to make regulations that help both farmers and the authorities to work smarter. Let us take the opportunity to do that when we vote on this report.

**Pilar Ayuso**, *on behalf of the PPE Group*. – (ES) Madam President, Commissioner, I would like to begin by thanking Ms Auconie for her hard work and efforts to reach a consensus.

With regard to the two issues at hand, I must say that I entirely agree with the Commission's proposal on the electronic identification of beef. However, I cannot say the same for the voluntary beef labelling system. The Commission's proposal to delete this provision is neither appropriate nor correct. Specifically, this labelling system has played a very important role in restoring European consumers' confidence in beef and products derived from beef.

In my view, the argument being put forward by the Commission regarding a heavy administrative burden is not valid at present, as the operational mechanism is perfectly familiar to the authorities and the sector. Proof that the mechanism is working very well can be found in the fact that in my country, for example, 180 requests for beef labelling have been approved, as opposed to just 32 for goat meat and 55 for poultry and eggs.

Voluntary labelling is a highly effective tool for making a distinction between varieties of a product, and consumers want to be informed about what they are buying and consuming. However, consumers do not distinguish between voluntary and mandatory labelling, and they often consider voluntary labelling to be more important and more relevant than mandatory labelling. All of this information combined is what enables them to make informed choices.

Regulation (EC) No 1760/2000 is by no means perfect, but it is nevertheless much better than the legal vacuum that could be created if Articles 16, 17 and 18 are deleted, because we would be faced with a new system with no prior warning and no mandatory external control. One possible solution to improve the system would be to establish specific sectoral standards for beef, as already exist for other products, such as those in the chicken and poultry sector. I believe the Commission is in the process of doing so.

Lastly, I would like to point out that labelling plays a vital role in consumer decision making, and this is precisely what we have defended in Parliament. It is therefore very hard to understand why we should now want to abolish it.

**Dagmar Roth-Behrendt**, *on behalf of the S&D Group*. – (DE) Madam President, ladies and gentlemen, if we had been this timid during the BSE crisis fifteen years ago, when I was the chair of a committee, we would not have safe beef on which we can now rely. Fifteen years ago, it was self-evident that we would introduce an animal passport and that two ear tags would be mandatory.

Today, we are once again hesitant. Do we really need crises in order to make the right decisions? The rapporteur said that this is not about public health, but that is precisely

what this is about. This is about health policy, it is about public health. I admit that the introduction of a mandatory electronic identification system does, of course, involve a certain amount of expenditure and effort. I therefore proposed in committee that we should put forward a transitional period of 10 years. Even that, however, was too much for the majority of the committee. Do you want to face your electors earnestly and tell them that you take public health seriously? Not a single farmer would say that they could not achieve this given ten years.

Let us turn now to voluntary labelling. In this connection, we have repeatedly said that what we want to do is to urge farmers to connect better with consumers and provide information in which consumers are interested. How old are the animals? How have they lived? How have they been fed? How were they reared? We are providing this option with the voluntary system. It is used in every Member State. The rapporteur is now proposing that we should remove the essential characteristics that provide conditions for how the system is to be operated. That would mean that there would be a system, but no conditions within it. Who seriously believes that something like that can actually work? Not a single national authority would be able to monitor these elements. No one can manage that. In other words, the aim is to destroy an existing system.

Fortunately, the majority of the Committee on the Environment, Public Health and Food Safety – and the rapporteur must represent that committee here, after all – decided to retain this voluntary system as it is. I would like to ask all my fellow Members to vote in favour of the amendments tabled by that committee when we vote on this tomorrow.

Ladies and gentlemen, I do believe, however, that we could consider whether we can simplify this system from an administrative point of view. Then, however, we would have to simplify the system and remove the administrative obstacles and hurdles. We need to help the authorities, but the way proposed here is the wrong way to go. Ladies and gentlemen, I ask you urgently, including in the interests of the consumers and of the farmers of the European Union, to follow the lead of the decisions of the Committee on the Environment, Public Health and Food Safety when it comes to voluntary labelling.

**Riikka Manner,** *on behalf of the ALDE Group.* – (FI) Madam President, Commissioner, I would like to thank Ms Auconie for the excellent work that she has undertaken regarding what is a very technical, though controversial, subject.

Food safety is certainly an issue that we must do everything we can to address. We definitely do not want to see the kind of situation that existed in the 1990s in connection with the BSE crisis.

An essential factor in the traceability of the entire food chain is the identification of bovine animals. Every animal on every holding must be registered. Identification and traceability, however, must also constantly be improved. Electronic identifiers are not acknowledged in current EU legislation: instead, there have to be two ear tags serving as the identifier. I myself have received a lot of feedback from producers on the present ear tag system, so there is certainly much room for improvement in that area. Technology has developed, and we should recognise electronic identifiers as an official means of identifying animals.

The Commission has taken an important step in this respect, and I am pleased with its proposal and with the report by the Committee on the Environment, Public Health and Food Safety, inasmuch as cautious progress is now being made. Electronic identifiers are

recognised under the law, but their use is not being made compulsory. Instead, holdings are being allowed to switch to these systems in their own good time.

I also feel that it is necessary to develop a voluntary system for beef and beef products. There have been shortcomings with the voluntary labelling system, and practices have differed widely among the various Member States. Some have not adopted the system at all, so, for this reason, the system needs to be clarified, so that consumers are sure that they are getting accurate information.

**Janusz Wojciechowski**, *on behalf of the ECR Group*. – (PL) Madam President, the European Conservatives and Reformists Group endorse the report. We congratulate the rapporteur on her good work. We support the idea of the electronic identification system being voluntary rather than mandatory. We need to remember that the introduction of such a system is difficult and costly, particularly for small farms and minor producers. The principle of voluntary participation must be upheld. I, along with my political group, support the position expressed on the matter by the Committee on Agriculture and Rural Development.

As for the labelling of beef, let me draw your attention to an important amendment regarding the need to provide information and marking for meat derived from cloned animals. It is important that such information is provided to consumers. This is a marginal issue at the moment, but if such products are marketed in future – something I oppose – clear and appropriate labelling should be mandatory.

**Oreste Rossi**, *on behalf of the EFD Group*. – (IT) Madam President, ladies and gentlemen, as other honourable Members have already stated, if this proposal for a directive is not amended, we shall express our strong opposition, since, on the one hand, the Commission allows breeders the facility to use electronic identification on a voluntary basis, which enables more reliable data to be gathered and strengthens the system of traceability and food safety, but, on the other hand, wishes to prohibit voluntary labelling.

We believe it is absurd for labels not to carry a range of information in addition to obligatory information, such as the breed and sex of the animal, the type of feed used, the age of the cattle or other indicators that could clearly distinguish one type of beef from another.

It is not clear to us why the Commission intends to delete a labelling system that is voluntary on the pretext of alleged and inexplicable administrative burdens, given that all breeders can choose whether or not to adopt it, since they can freely decide whether they wish to apply this methodology. We believe that abolition of this possibility will instead benefit less transparent producers and will not provide consumers with information.

**Nick Griffin (NI)**. – Madam President, the voluntary system proposed would have very little effect on Britain because the British system is already very effective. But I have heard from a number of constituents who are concerned that anything involved in the transportation of live animals can, in the end, be used to facilitate the transport of animals for slaughter over a long distance. This is something that is clearly unnecessary in an era of modern refrigeration, and which needs to be phased out.

On the question of labelling, the great concern of everyone concerned with animal welfare is that all meat originating from animals suffering ritual slaughter should be labelled: consumers have the right to know and to reject it.

**Horst Schnellhardt (PPE)**. – (DE) Madam President, ladies and gentlemen, it has already been pointed out that we introduced measures during the BSE crisis many years ago

involving both mandatory and voluntary information that led to us winning back the confidence of consumers in beef. When it comes to the voluntary information, a system has developed – which has also led to competition in the marketplace – such that I would not like to do without this information. I therefore believe it would be a mistake for the Commission to remove this voluntary information.

It goes without saying that we need to mention cutting red tape. The rapporteur put forward a proposal for how we can integrate this into the proposed food information regulation. Article 7 prohibits misleading statements and the like. I would like to ask the Commission whether it is possible for us to introduce monitoring via this food information regulation that could operate that precisely? Would it, instead, be better to leave this up to the Member States? This is an absolutely crucial point. The voluntary information must be retained; it represents an important part of the consumer system.

When it comes to the marking of the animals, I would have liked to have seen a little bit more courage. If the conclusion is that the electronic system does not work, there is then no need to introduce it; it should be removed from the legislation straight away, and it should be left up to the technicians to see what they make of it then. However, having the two systems in parallel in the internal market is something that I view as way off the mark. Things cannot work like that. We need a system for trade and commerce and, in my view, that can only be an electronic system. If the farmers complain that they are punished in cross-compliance if an ear tag falls out, that is much worse. The electronic tags never fall out – they are inside the animals. They therefore provide much greater certainty.

**Kriton Arsenis (S&D).** – (EL) Madam President, Commissioner, ladies and gentlemen, it is with regret that I have again witnessed Parliament reject an amendment on labelling of products from cattle fed with genetically modified feed, this time in the Committee on the Environment, Public Health and Food Safety. I wonder who it is who does not want the public to know what they are eating, who it is who does not want the public to be able to make choices, who is supporting corporate interests or what companies think is in their interest, by which I mean their operating under wraps. The same applies to traceability. This is a very important issue because, with proper traceability and electronic labelling, we really can prevent death, loss of life from disease and epidemics. I should like to congratulate the socialist rapporteur Ms Roth-Behrendt on her excellent work. I trust that the vote in plenary will reverse the unsatisfactory outcome in the Committee on the Environment, Public Health and Food Safety and that it will act in a way that provides real protection for the rights of European citizens and public health in Europe.

**Britta Reimers (ALDE).** – (DE) Madam President, Commissioner, ladies and gentlemen, we need to take note of the fact that we are discussing two subjects here. I will not, at this point, say anything about the voluntary labelling of the meat; I will stick mainly to the electronic identification of the animals. In that connection, Mr Schnellhardt, I need to disagree with you quite stridently. Sheep farmers are telling us very clearly that they have major problems with electronic identification, as there are technical shortcomings with it. The tags are not coming out of the animals, but the technology is malfunctioning. The fault that occurs as a result is blamed on the farmers. That is not acceptable, and it is a situation that we must avoid in the case of cattle. It is therefore right that we should leave this system as voluntary in cattle in future, too, until the system has matured.

As a farmer, I am not saying that the system should not be developed or introduced, but allowing something to mature takes time. Moreover, it is important – for public health in

particular – to call electronic identification into question if it does not work. As regards public health, it is quite clear that we need certainty. As long as that certainty is not in place, we should stick to a voluntary system.

**John Bufton (EFD).** – Madam President, I have serious concerns with regard to the bovine EID proposal. I have stood before this Parliament many times to decry sheep EID. I hope the Commission has learned from their incompetent handling of electronic ID tags in the past, with which there are still many problems.

It is essential that, if the scheme is introduced, it must be on a voluntary basis and is not, as some Members of this Parliament urge, subject to a report in five years to consider compulsory EID of bovine animals. The UK cattle ID system works perfectly well, so the choice to upgrade should be an individual decision based on working preferences. It should be made without fear of penalty under cross-compliance if equipment is subject to error.

Sheep tagging brought a host of problems that persecuted British farmers whose equipment was especially vulnerable to the elements. Cattle in the UK are often out to grass for at least six months, so tag loss is inevitable. There is a crisis in the dairy industry in the UK, while the beef market is only just seeing a small recovery after years of being in the red. Both are subject to pressures from rising feed cost and cheaper foreign imports. If the Commission makes a shambles of bovine tagging, the industry will be brought to its knees.

**José Manuel Fernandes (PPE).** – (PT) Madam President, food security is one of the European public's concerns and we have to guarantee it. Consumer information should be clear and objective, and the result of a simple, unbureaucratic process. The labelling of beef is clearly important and should prevent the proliferation of erroneous information given to consumers about sensitive issues such as the breed of the animals and the way in which they were created, as well as the way in which the meat is processed. The regulation of information given to the consumer must address these issues.

Beef is an extremely sensitive product in relation to the EU market, and it is highly subject to pressure from third countries, which have less stringent requirements in terms of animal well-being and systems of production. The same provisions must apply to imported products.

I believe that the labelling system should be improved, but with concrete rules and a clear and fair monitoring system for all of the Member States. This should be done within an EU system that is able to prevent different levels of performance, which supports distortions in competitiveness. I also consider that this system should be made obligatory for all of the Member States, similar to the current system for poultry meat and eggs.

**Claudiu Ciprian Tănăsescu (S&D).** – (RO) Madam President, I want to point out that although the electronic identification of cattle may represent an economic burden for small businesses, the importance of this process from a food security perspective must not be ignored. As a result, I believe that, regardless of whether EID remains voluntary or becomes compulsory, it should be compulsory for Member States to make it easier for small farmers to incorporate this system and to offer the financial support required, whether that be via State aid or the existing rural development programme.

I believe that, if technological progress allows a greater control of animals' state of health, facilitating the improvement of databases and increasing the ability to respond in the event of a disease outbreak, we have the responsibility to do everything possible to ensure that Member States adapt current legislation to the new existing technology.

Let us not forget that the use of these technologies will enable the improved management of direct payments to farmers, granted per animal, through better control and there being a reduced risk of payment errors. Moreover, the quantity and transparency of information granted to consumers can be much improved, provided the voluntary labelling of beef and veal is maintained to reduce the risk of fake and counterfeit products on the market.

**Mara Bizzotto (EFD).** – (IT) Madam President, ladies and gentlemen, abolishing voluntary beef labelling is a decision that makes no sense and is counterproductive for both consumers and breeders.

Europe seems, at least judging by its words, to wish to protect consumers and ensure transparency, but is, in fact, taking exactly the opposite tack, by eliminating a labelling system that guarantees consumers can make a genuine and informed purchase. This measure makes the market more opaque and benefits anonymous and counterfeit producers to the cost of breeders who aim for quality.

In Italy, one steak in two is imported and, very often, we do not even know from where exactly. For this, it is essential to know the origin, breed and diet of the animal. Finally, we do not understand why the Commission wishes to abolish a labelling system which is, moreover, voluntary, and which works effectively. Citizens have the sacrosanct right to know what they are buying and what they are eating: this is the road that Europe must take.

In the report that we shall be voting on tomorrow, ladies and gentlemen, we therefore bear a great responsibility.

**Peter Liese (PPE).** – (DE) Madam President, Commissioner, ladies and gentlemen, first of all, I would like to thank Ms Auconie, who worked very hard in this area. Given the differing views held, it was no easy job in committee, and it is certainly no secret that there were different focuses even within the group. This is, however, a good basis for the negotiations with the Council.

For us, it is important that consumer protection has top priority. We have learnt the lessons of the BSE crisis. At the same time, however, we have made it clear to our farmers that we need to pay closer attention, when it comes to imports, too, to ensuring that rules that we put in place together are also complied with. We do not want any unnecessary bureaucracy. The trick now lies in finding out the point at which we have the maximum possible level of consumer protection without causing unnecessary bureaucracy. After intensive discussions within the group, we therefore introduced another refinement of Article 1 point 14 that envisages that the information that has thus far fallen within the scope of voluntary labelling under this system could soon be covered by food labelling rules. However, we also want to see that monitored.

Mr Schnellhardt asked the Commission the right question, namely, how can we ensure that there will be no deception of consumers? Our point of view is that the competent authorities must monitor this and that penalties must also be imposed in the event of violations. After the vote tomorrow, we will be entering into negotiations with the Council. All sides will have to be flexible so that we can achieve our common goal. Perhaps there will also still be new insights during the negotiations with the Council that we could then also allow to flow through into the final result.

**Mario Pirillo (S&D).** – (IT) Madam President, ladies and gentlemen, the amendment of Regulation (EC) No 1760/2000 as regards electronic identification of bovine animals and

deleting the provisions on voluntary beef labelling is of fundamental importance for the defence of quality rearing, the protection of consumer information and food safety.

By proposing the abolition of voluntary labelling, the Commission is weakening these aspects and preventing the consumer from having access to additional information, such as the sex, age and diet of bovine animals – elements I consider fundamental for two reasons: because they can help the consumer to make a more informed purchase and because they give added value to the product.

The criticisms the Commission has made of the voluntary labelling system are based on heavy administrative burdens not offset by sufficient advantages. I should like to know on what basis this assertion is founded, given that the simulations provided by independent associations instead show that these costs are contained, and therefore justified in order to guarantee information that protects and benefits the consumer.

For these reasons, I do not agree with the repeal of Articles 16, 17 and 18 in the Commission's proposal.

**Daciana Octavia Sârbu (S&D).** – (RO) Madam President, in Romania, a third of the population works in agriculture, the majority being small producers. I would like to point out that we must address in a very responsible manner the effects that the new legislation will have on this type of farmer. For these producers, European policies are, in very many cases, impossible to implement or excessively bureaucratic. It goes without saying that we cannot make compromises in terms of food safety, yet neither must we adopt measures in its name which will affect the most vulnerable food producers.

With regard to the compulsory electronic identification of cattle, this cost must not be supported by small farmers. I believe that for them in particular, the electronic identification of animals should be optional. This type of farmer must enjoy protection and support, particularly at a time when, in most cases, they produce the healthiest food without the environmental impact.

**James Nicholson,** *rapporteur for the opinion of the Committee on Agriculture and Rural Development.* – Madam President, I would like to thank the rapporteur for the good cooperation that we have had during the debate on this particular issue. I can say in the end that we share the same view on bovine EID and voluntary beef labelling. I thank her for the hard work she did on the dossier.

I support the introduction of electronic identification for bovine animals on a voluntary basis because this is the best way forward at this time. Maybe at some time in the future, we can return and revisit this, but at this time, this is the way we should go, and not on a mandatory basis, as some have suggested.

I am in favour, however, of the principle of EID for cattle because it could be a good thing in the long term. We did see the problems we faced when it was mandatory in the sheep sector, which is still leaving many sheep farmers with massive problems, especially in the UK and the Republic of Ireland, and I am sure in other countries as well.

This was not perfected so I certainly look forward to it improving with cattle. We have to adopt the right technology to compete with those outside the European Union if we are going to be competitive in the world market.

**Diane Dodds (NI).** – Madam President, in relation to bovine EID, I am supportive of the need for a voluntary-led approach, which means that duplication of management systems

will be removed. In theory, this should lessen the administrative burden on farmers and managing authorities. Member States should have the flexibility to decide the system which best suits their own farmers, livestock markets and processors. In the United Kingdom, the majority of farmers do not use electronic management systems, and it would be unfair to make EID compulsory, given the impact on farmers but also the lack of tangible benefits for the consumer and taxpayer.

Sheep EID has proved to be nothing short of more unnecessary bureaucracy from the Commission. A 100% accuracy rate has not been possible, given the failings in technology, and unless the Commission takes a more pragmatic view here, farmers in Northern Ireland, the United Kingdom and throughout Europe will be unduly penalised under cross-compliance rules. It is important, therefore, that the Commission tackle the problems within the sheep sector before imposing other unnecessary rules on beef and dairy.

As we move forward, we must have an approach that allows for flexibility, does not prove bureaucratic for farmers and processors, improves competitiveness in the market and gives consumers valuable information to make informed choices. This is a huge task indeed for negotiation with Council.

*Catch-the-eye procedure*

**Rareș-Lucian Niculescu (PPE).** – (RO) Madam President, I share the sentiments of my fellow Members who so far have welcomed the Commission's proposal to introduce electronic cattle identification on a voluntary basis. This technology will bring indisputable benefits to those who want to use it, and will be particularly advantageous in terms of traceability.

The use of electronic identification must remain optional. Member States must have the option of making it compulsory in their territory, without, however, imposing excessive burdens on small farmers. I support the simplification, but not the elimination of the optional labelling of beef. Consumers must be able to make informed choices, but this system must be clear, simple and not overly bureaucratic. This is why I am going to vote in favour of the amendment which supports this provision being preserved.

**Peter Jahr (PPE).** – (DE) Madam President, I would like to offer my sincere thanks to the rapporteur. It goes without saying that we favour simplification. We want red tape to be cut, and we want it to take up less time and effort. As a second point, we do not want to destroy the working electronic origin identification systems in the Member States. For that reason, then, and this is my third point, we need to acknowledge that the state of implementation varies widely between the Member States. This quite rightly leads us to the political compromise of, firstly, not banning the electronic identification of cattle and, secondly, developing it further on a voluntary basis.

Fourthly, I assume that the industry will voluntarily introduce a system of origin identification for bovine animals. For that reason, too, the compromise, which is based on voluntary labelling, is the right way to go.

As a fifth point, we will put this regulation forward again in the foreseeable future, and not in ten years' time. There is, you see, one thing that we need to keep in mind, and that is that we farmers have been scarred by the problems with the introduction of the electronic labelling of sheep. We do not want to repeat the same mistakes with cattle.



**Giancarlo Scottà (EFD).** – (IT) Madam President, ladies and gentlemen, as a substitute member of the Committee on the Environment, Public Health and Food Safety and a full member of the Committee on Agriculture and Rural Development, I have had the occasion to work on this dossier.

I have the impression that, on this issue, the Commission is not taking the real protagonists of the event – the breeders and the producers – into consideration.

The aim of the proposals is to introduce a ban on voluntary labelling – a measure that is precisely not obligatory – which allows producers who choose to do so to provide additional information on the label. Since the same organisations representing breeders and producers have asked for this measure to continue to be provided, it is paradoxical not to concede this possibility.

On the contrary, within the Committee on Agriculture and Rural Development, work is being carried out in order that our farmers can provide data relating to the products that they sell in as transparent a way as possible. It therefore seems counterproductive to work, on the one hand, to protect the provision of information to consumers and make it transparent while, on the other hand, abolishing measures, voluntary measures even, that go in the same direction.

It is clear that these are choices to be made if the intention is to lower the quality and the standards of agricultural products. There is no other explanation of a comparable measure against breeders committed to providing indications of quality, such as the choice of one type of feed rather than another. For these reasons, I will be voting against certain amendments.

**Andreas Mölzer (NI).** – (DE) Madam President, in the wake of the food scandals that have rocked consumer confidence on a regular basis, anything that makes it possible to rebuild that confidence is to be welcomed, provided that the measures in question do not involve enormous costs for local farmers. It is a well-known fact that, over recent years, input costs have risen disproportionately in relation to agricultural earnings. In an environment of rising rents for forage land, rising feed and fuel prices and other similar developments, official regulations, including where they would be welcome in principle – for environmental protection reasons or for consumer confidence and food safety – will tip small farmers in particular over the edge, right across Europe.

With that in mind, the European Union has, in my view, drawn the right conclusions from the consultation, namely, that compulsory electronic identification would have entailed economic disadvantages for some farmers, and that is something that we do not want to see.

*End of the catch-the-eye procedure*

**Viviane Reding,** *Vice-President of the Commission.* – Madam President, the debate was very interesting and I have listened very carefully to the different opinions that were expressed in this House. The Commission considers that its proposal would be beneficial for animal health, public health and food safety, and that it would reduce the administrative burden in bovine farming and the related meat sector. Let me remind you that it was this Parliament that adopted a resolution calling on the Commission to reduce administrative burdens, and it was endorsed by this entire House.

Concerning the specific problems, there is no need to maintain a specific authorisation procedure for voluntary beef labelling as horizontal provisions on labelling of meat would apply. It is also important to note that voluntary beef labelling contains information related to quality and not necessarily to health. Health and traceability are ensured by mandatory beef labelling and not by voluntary beef labelling.

That is why it would be very important that Parliament gives its agreement, so that it can start with the necessary negotiations, and that this will result in the development of electronic identification through use in practice by those who want to take it up. Of course, this will also reduce the vulnerability of the systems and their cost for smaller farmers.

**Sophie Auconie**, *rapporteur*. – (FR) Madam President, Commissioner, ladies and gentlemen, I would first of all like to thank the shadow rapporteurs who worked on this project in a constructive spirit. I would like to say to you just how important public health, the health of our citizens, of European citizens is to me. There is absolutely no doubt about that.

Identification of bovine animals exists. It is not electronic, but it exists. It allows for very high-quality traceability. That is not the issue at all. It is simply that, as Mr Bufton, Ms Reimers and Ms Girling have said, the technology for the electronic identification of bovine animals does not appear to be totally reliable. Therefore, let us wait until we can be sure that the system for the electronic identification of bovine animals is reliable before we decide to make it mandatory.

Furthermore, in reaching my compromises, I accepted without any difficulty that we would consider reviewing the issue in five years' time to see whether the technology had progressed and was able to guarantee high-quality electronic identification.

This problem is also economic. I do not think that I am putting the health of European citizens at risk when I say that we must leave our agricultural sector and the beef industry sufficient time to adopt this new technology naturally. For farmers, there is a cost: an electronic chip costs EUR 1 for each animal in a herd. In addition to that, however, there is the whole system of automated reading and so on, which is very costly, and I would remind you that our farmers are suffering from the recession and a lack of competitiveness.

Secondly, I would like to say to Ms Bizzotto, for example, that I am not doing away with and do not wish to do away with voluntary labelling, not at all. As the Commissioner has said, it is not a question of doing away with voluntary labelling but of simplifying the system and the procedure.

All aspects of the public health of our citizens are indicated in mandatory labelling. There is absolutely no question of abandoning labelling information.

Lastly, in response to one of my fellow Members, I would like to reaffirm that there will not be a legal loophole in relation to labelling. We must ensure compliance with Regulation (EU) No 1169/2011 on the provision of food information to consumers. This is the horizontal legislation you spoke about, Commissioner, which concerns all types of meat. Beef will therefore be treated in the same way as all other types of meat. Furthermore, all the compromise amendments submitted to the Committee on the Environment, Public Health and Food Safety (ENVI) have been adopted. I therefore call on my fellow Members to take my lead in tomorrow's vote and I should like to thank them most sincerely in advance.

I would just like to clarify that we are still aiming for an agreement at first reading. This means that tomorrow, under Article 57 of Parliament's Rules of Procedure, I will ask for the final vote on the resolution to be postponed. I propose that we then move directly to the trialogue, and that we subsequently reconvene in plenary to put the result of the negotiation at first reading to the vote in Parliament.

**President.** – The debate is closed.

The vote will take place on Tuesday, 11 September.

**Written statements (Rule 149)**

**Liam Aylward (ALDE),** *in writing.* – (GA) Firstly, I would like to thank the rapporteur for her excellent work.

The identification system is a matter of serious concern for European farmers. The Commission is well aware that there were significant problems, which caused terrible difficulties for farmers, with the mandatory system for electronic identification (EID) of sheep. Many farmers have contacted me because of illness, strain, injury or infection among their sheep as a result of the identification technology.

Faulty technology and a lack of realism and flexibility on the part of the authorities have led to fines being imposed on farmers and a pointless increase in bureaucracy. The electronic identification of animals ought to be an optional scheme and one run by the Member States.

Clearly, there is no advantage in having a compulsory scheme. In an optional scheme, small farmers – who would benefit little from the scheme – would not be obliged to implement electronic identification and would not have to shoulder unfair administrative and financial burdens. In an optional scheme, only those farmers who would derive immediate, significant benefit from the EID would implement it.

**Sergio Berlato (PPE),** *in writing.* – (IT) Food safety is among the main problems perceived by European citizens. European legislation is committed to ensuring them the highest level of protection by means of measures adapted to the changeable requirements of the market. Although I agree with the Commission's overall objective of achieving more clarity in the application of the legislation on the identification and traceability of bovine animals, I strongly disagree with the proposal to delete the provisions on voluntary labelling of beef, apparently justified by the heavy administrative burden that is not offset by sufficient advantages. Given that it seems to be a contradiction in terms to delete a provision that is, in itself, 'voluntary', if this proposal were to be approved, it would create a legal black hole as regards voluntary labelling which, instead, proves to be valuable because it provides useful information that helps both to increase the information available to consumers and the value-added of the products. The best way to market their products is a determining factor for farmers and approval by the competent authority guarantees that the information featured on the labels is reliable. In the absence of such approval, consumers cannot rely on the labelling of the product. For the above reasons, I support keeping the present system of voluntary beef labelling in place.

**Elisabetta Gardini (PPE),** *in writing.* – (IT) Voting in favour of the abolition of voluntary labelling means voting in favour of the quality and traceability of our beef. The reasons in terms of costs that have led to the proposal to simplify the system of beef labelling seem to be understandable. Nevertheless, they are disproportionate in terms of the losses or

rather the harm that it would cause, above all, in terms of quality, transparency and protection as regards consumers. In any case, I hope that it is clear to everyone that the proposal to abolish the voluntary labelling system would prejudice the competitiveness of the product. In my country, Italy, breeders always invest in quality, traceability and food safety, and, in voluntary labelling, they have found a useful means of improving information and adding to the value of products for sale.

### **23. Alleged transportation and illegal detention of prisoners in European countries by the CIA (debate)**

**President.** – The next item is the report by Hélène Flautre, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the alleged transportation and illegal detention of prisoners in European countries by the CIA: Follow-up of the European Parliament TDIP Committee report (2012/2033(INI)) (A7-0266/2012).

**Hélène Flautre, rapporteur.** – (FR) Madam President, during those nine months of work, with the confidence and valuable support of all key players, including – and I say this most emphatically – MEPs, who never gave up the fight for truth and justice, we were able to gain an awareness of the extent of the elements incriminating Europe and the Member States in the implementation of the CIA's secret programme.

All these key players are categorical and all the elements, that is to say, the research carried out by the Council of Europe, the special UN rapporteurs, the Red Cross, national and international human rights organisations, investigative journalists, the testimony of the victims, of their lawyers and of CIA agents, concur: the Member States have to answer for their active or passive complicity in crimes of torture, secret detention and enforced disappearance.

For nine months, I was able to see the patently obvious limitations of the investigative steps taken by the Member States and their stubborn determination to conceal the truth: lack of political will, prevalence of national interests, narrow remits for investigations, abuse of state secrecy, lack of transparency, restriction of the rights of victims and of their lawyers. The imagination of national authorities knows no bounds.

In putting this report to the vote, Parliament aims to take a decisive step towards putting an end to the denial of reality, and hence of justice, which has characterised the strategy of the EU Member States for 11 years now.

Through its recommendations to the Member States, the Council and the Commission, the report expresses a simple and clear will: every effort must be made to ensure that rigorous, independent and transparent investigations, capable of determining responsibilities and obtaining justice for the victims, are concluded.

The European Union and the Member States owe it, first and foremost, to the victims, but they also owe it to Europe's citizens, who are entitled to demand from our institutions, from their institutions, respect for democratic values and the rule of law on which they are based. To be effective, we had to be concrete and specific and to stay abreast of the issue so that we could identify the best levers to help justice move forward.

We therefore chose to focus on the issue of secret prisons on EU territory. Thanks to the excellent cooperation of Eurocontrol, which I thank, and to the visits and meetings of the Members of the Committee on Civil Liberties, Justice and Home Affairs (LIBE) (rapporteur,

shadow rapporteurs), today there are grounds for the report to adopt recommendations of relevance to Poland, Lithuania and Romania in particular. These three countries are now before the European Court of Human Rights facing allegations of torture, secret detention and failure to investigate effectively.

Your rapporteur is convinced, more than ever, that only a coordinated European approach aimed at supporting Member States can break the code of silence.

The challenge for the Council is to take the matter in hand officially and to put it on its work agenda, to acknowledge its responsibility and, finally, to apologise.

The Commission, while having taken note of the facts, has still not mobilised all its justice and human rights resources and instruments to ensure that Member States comply with their fundamental obligations. It must take initiatives to uphold the principle of mutual assistance and solidarity.

Commissioner Reding, the report invites us, you, the Council, the victims and all those who seek the truth to return to this House in a year's time.

Last week, Murat Kurnaz, a Turkish citizen resident in Germany who had been detained without trial for five years at Guantánamo, again came to Parliament to speak about his ordeal, still very current, and to seek justice for the victims.

Commissioner Reding, if Mr Kurnaz has the strength to come back in a year's time, will we be able to tell him that facts have been established, that responsibilities have been acknowledged, and that we can, finally, apologise to him on behalf of the European Union?

(Applause)

### IN THE CHAIR: GEORGIOS PAPASTAMKOS

*Vice-President*

**Viviane Reding.** *Vice-President of the Commission.* – (FR) Mr President, I, too, would like to thank the rapporteur, Ms Flautre, for her commitment and for having the courage to take this matter in hand. It is a very delicate matter, but it is also one that concerns values we hold dear.

The Commission has constantly repeated that the practices which are referred to as renditions constitute a serious violation of several fundamental rights: unlawful arrest, arbitrary detention, torture and ill-treatment. The fight against terrorism cannot justify such unacceptable practices. The full respect of human rights is not negotiable.

The Commission has always stressed that it is up to the Member States concerned not only to commence but also to continue in-depth, independent and impartial investigations to establish the truth. This is a positive obligation deriving from the European Convention on Human Rights in order to establish responsibilities and enable the victims to obtain compensation for such damage. That is also why you have quoted the Court, which is putting these questions on the table.

Since 2005, when the allegations were first raised, the Commission has been in contact with those Member States that were said to have hosted secret detention sites. As regards aviation policy, the Commission drew the necessary conclusions in the context of its communication on civil and business aviation of January 2008, and new rules on the procedures applicable to flight plans for the Single European Sky entered into force on

1 January 2009. They provide an additional means of monitoring the actual movement of aircraft, and I have heard with great interest that the contacts with the institution on this subject are very positive.

The report also refers to the necessity of reinforcing the human rights compliance of judicial cooperation in criminal matters. On this subject, the Commission is determined to ensure that Member States actually do so when they apply the EU instruments for judicial cooperation in criminal matters and that Member States comply with the Charter of Fundamental Rights when they implement those instruments. As I have often said before this Parliament, it is when European law is applied that the Charter automatically applies, so in these cases, the Charter does apply. This concerns not only the internal aspects of judicial cooperation but also its external aspects.

In this regard, the Commission underlines the importance of the entry into force on 1 February 2010 of the two EU-USA agreements on extradition and mutual legal assistance. Both clarify and unify the legal framework of judicial cooperation in criminal matters with the USA, and they clearly refer to the need to fully respect fundamental rights.

As regards the national and institutional deficiencies underlined by the report, let me recall that the current treaties do not empower the European Union to establish a general mechanism addressing human rights violations. However, I can assure you that the Commission is vigilant in ensuring that the Charter applies within the scope of EU law, as I explained on the question of judicial cooperation in criminal matters.

As regards the oversight of intelligence and security services, you are well aware that this is a very sensitive area which comes under the responsibility of the Member States. The Commission has repeatedly recalled that cooperation between the intelligence services must not in any way go against or overrule the relevant EU instruments in the field of police cooperation and judicial cooperation in criminal matters. No cooperation between intelligence services can undermine the full respect for fundamental rights and the rule of law. I think Parliament is in agreement with me that the only way to fight efficiently against terrorism is to apply our basic rules on which the European Union has built its very being.

The Commission is ready to cooperate actively with Parliament to ensure that what happened within the framework of the so-called CIA rendition programme will never occur again.

**Sarah Ludford**, *rapporteur for the opinion of the Committee on Foreign Affairs*. – Mr President, given the EU's well-publicised commitment to democracy, human rights and the rule of law, the fact of highly credible allegations of complicity and CIA abduction, disappearance, rendition and torture after 9/11 is already bad enough, but the continuing refusal to investigate properly is compounding the original failings. Delays and deliberate obstructions to independent and transparent national inquiries are an affront to liberty and justice. It is a travesty to claim state secrecy in order to perpetuate impunity.

The EU, without being obstructed by the niceties, must have the guts and self-respect to enforce accountability for its own Members' involvement in human rights abuses. We have just appointed our first human rights chief in Stavros Lambrinidis, but the EU's credibility in urging respect for fundamental rights throughout the world is badly undermined by the justified suspicion that some of our Member States rode roughshod over international law and civil liberties, so we must clean house in order to advocate and promote the values that we espouse in our external partnerships.

This is not only principled but necessary. Look at the situation in Libya. People allegedly subject to rendition and torture with the collusion of Western governments and intelligence services are now senior in the post-Gaddafi administration. Tony Blair has a hell of a lot to answer for. So, of course, does George Bush, the instigator, with his advisers, of the dismal decade of Guantánamo legal black holes and torture.

The Democrat presidents have not sufficiently respected the law either. President Obama has disappointed in his failure to close Guantánamo or shine a light on the past, and in his persistence with unfair military commissions, which could impose the death penalty, as well as his practice of assassinations by drone strikes.

I firmly believe the truth will eventually out, even if it takes decades, but justice delayed is justice denied. The Council and Commission must join Parliament in forcing some light to be shed on this terrible period, for example, by supporting the UN special rapporteurs.

**Michèle Striffler**, *on behalf of the PPE Group*. – (FR) Mr President, Commissioner, ladies and gentlemen, every day in Parliament, we make every effort to enable the European Union to become an area of freedom, security and justice that is even more effective, closer to, and serving, Europe's citizens.

The European Union is an area in which the rule of law must prevail and human rights must be protected, defended and respected. These are the values that motivate my commitment and to which the Group of the European People's Party (Christian Democrats) is politically and firmly committed.

Mr President, tomorrow, at a time when we will be commemorating the 11th anniversary of the attack on the World Trade Center, it is more necessary than ever to recall that Europe is still living under the threat posed by terrorist groups. This tragic date reminds us that we cannot let up in our efforts to ensure the security of 500 million European citizens.

I believe that freedom and security must be the two pillars on which our anti-terrorist policies must be based. In this regard, I should like to remind you that effective measures to counter terrorism and the protection of human rights are complementary and mutually reinforcing goals.

Mr President, secret detentions without charge or trial are contrary to our values and, in future, it must quite simply be impossible for them to take place on EU territory. No one shall be deprived of access to justice or of the right to a fair trial, and all citizens must be guaranteed the right to due process.

**Tanja Fajon**, *on behalf of the S&D Group*. – (SL) Mr President, if anyone here is still wondering why, after all these years, Parliament is still dealing with the issue of illegal kidnappings, detention and torture of prisoners by the CIA on European soil, may I remind you that contempt for, and violation of, human rights never become outdated.

Our work has not been easy. Member States have been reluctant to disclose information under the mantle of state secrecy. Tomorrow, when we proceed with the vote, we will have to give a voice and satisfaction to people whose warnings have been rudely ignored for more than a decade.

We will remember the victims of a tragic event. I call upon you to remember all those victims who have suffered and who are still suffering because of a policy that was created in response to the events of 11 years ago. Likewise, I would like us to remember that, so

far, no Member State has fulfilled its obligations in terms of protecting, upholding and respecting international human rights and preventing their further violation.

We therefore call on the Commission to support and monitor national procedures for the establishment of the responsibility of Member States. That is the only way we will be able to restore our reputation as the guardian and defender of universal human rights standards and that is the only way we will be able to demand, with a straight face, that candidate countries and neighbouring countries respect high standards of protection of human rights and the democratic legal order.

**Sophia in 't Veld**, *on behalf of the ALDE Group*. – Mr President, I will start by noting that, as so often during these difficult debates, the Council is absent. Apparently, it has no interest in cases of human rights violations that took part partly in its name.

First of all, I would like to congratulate the rapporteur, who has done an excellent job. It is, unfortunately, not the first time and probably also not the last time we will be debating this. The Member States are in denial, and if I listen to my esteemed PPE colleague, the PPE Group is also in denial.

What has happened cannot be justified. If the same acts had been committed by other countries – for example, Arab countries – we would have a full room here; the Council would be here and we would be very quick to condemn those actions. But because they have been committed with the support of European countries, we do not feel that we have to answer to the world.

We have lost moral authority and credibility, and I think there is a bitter irony in the fact that we help to unseat dictators like Gaddafi, like Mubarak, like Mr Assad (who is still there) who, not so long ago, were our allies in shipping people to those same countries – to the country of Mr Assad – because he and his friends are so very good at torturing and getting us the information that we want. It is an absolute disgrace that the governments of Europe still refuse to answer, to tell people about their responsibility, and to offer their apologies.

Colleagues, this is not about one country or another: we have here a collective responsibility. This is not about Romania or Lithuania or any other European country; it is about a community of values, and we have a duty – we as the European Parliament – we will not forget. We will keep raising this issue until people have been held to account over human rights violations that were committed in our name.

**Frieda Brepoels**, *on behalf of the Verts/ALE Group*. – (NL) Mr President, previously, I was a member of the temporary committee investigating allegations surrounding the CIA's involvement in the kidnapping and illegal detention of prisoners within the EU in this Parliament. Looking back, we can only be thrilled with this new report and so, on behalf of our group, I would like to warmly congratulate the rapporteur, Ms Flautre, as this follow-up report finally sees the light of day.

At the time of the Fava report, members were still struggling to discover hard facts due to the lack of information on the covert CIA detention programme. Based on a number of specific indicators, for me, the strength of the report was found mainly in the formulation of a number of recommendations, such as the drafting of a comprehensive definition of terrorism and imposing adequate democratic control of intelligence services. The purpose of those recommendations was to ensure that illegal practices such as forced disappearances and arbitrary detentions do not happen again.



However, what do we find five years on? Those recommendations have remained dead in the water and no single European country has provided an explanation why. The European Union and its Member States are continuing to feign deafness in response to the many calls for openness about their involvement in the CIA programme, despite all the evidence gathered by Parliament itself, as well as by the Council of Europe, the United Nations, the media and organisations such as Amnesty International.

Following this report, I certainly hope that Parliament will continue to exert pressure until we finally get some clarification and all the recommendations have been implemented. This is absolutely necessary because arbitrary detention continues to be a practice of the United States in particular. In addition, Guantánamo has still not been closed down, despite all the promises. Of course, combating terrorism is necessary, but the balance between the protection of society and violations of personal freedoms should be appropriate. Respect for human rights is an absolute precondition for ensuring the effectiveness of any anti-terrorism policy, and hence also the European anti-terrorism policy, especially in order to maintain the confidence of citizens in the democratic order of the EU.

By cooperating with the CIA programme without criticism, the EU has grossly violated this confidence. The use of unconditional diplomatic assurances, the systematic invocation of state secrecy and the way in which intelligence services took on the role of judge are contrary to the values on which Europe is built, namely, the rule of law, human rights and respect for human dignity. My group has therefore worked hard for a strong text which condemns these practices. It is only in this way that Europe can maintain moral control in the world.

**Timothy Kirkhope**, *on behalf of the ECR Group*. – Mr President, Commissioner, I, too, believe that the seriousness of this issue cannot be ignored. The allegations of some Member States' involvement must be treated with nothing but the fullest seriousness and thoroughness that it warrants. As a lawyer, a democrat and a former interior minister, I believe that any such investigations must be through an established process, and that process is for fully independent, judicial inquiries to be held and investigated at Member State level.

These inquiries are already under way in those countries that have been named in connection with these matters. Public confidence is being eroded in the very services that are here to protect us, and until we have an opportunity to draw a line under the accusations and provide real proof one way or the other, reports such as this are actually feeding terrorists and extremist propaganda. My own country, the United Kingdom, is one of the countries at whom these allegations are being levelled, a country that has long-established principles of freedom, fairness and the rule of law.

I welcome the opportunity of an investigation in order to reinstate the reputation of our security services, currently tarnished with allegations of our alleged involvement. Other Member States are also put in the dock, accused but not convicted. Is that fair? Of course, it is important to move forward in a way that encourages cooperation and a good working method in finding a resolution. Unfortunately, I do not think that the content of this report, its language or its approach helps us achieve either of these things.

Mr President, I come from a country where you are innocent until proven guilty but, unfortunately, this does not seem to be enough for this Parliament.

**Marie-Christine Vergiat**, *on behalf of the GUE/NGL Group*. – (FR) Mr President, we cannot but feel proud that Parliament is examining this report today.

As the press and the NGOs have stressed a great many times, the secret operations carried out by the CIA in the aftermath of the 11 September attack involved approximately 60 countries around the world, including at least 10 EU Member States. Abduction, detention without trial, disappearance and torture kept pace with the transportation of alleged suspects, in particular, to Guantánamo, yet to be closed. Human rights violations reached an all-time high.

The Member States concerned did, and some are still doing, their utmost to prevent the sad truth from getting out. I would, therefore, like to extend my warmest and most sincere thanks to our rapporteurs, in particular, to Ms Flautre, for pressing on with this marvellous work on our behalf despite the pressure exerted by a number of Member States and their representatives here in this House. I shall not mention any names, but they know who they are.

I will just say that it is never acceptable to change one's perspective depending on whether or not one feels close to a government. Human rights violations are always intolerable, particularly when they are committed by EU Member States that want to give lessons in this area to the whole world. No state, whether it is the United States of America, or whether it is an EU Member State, can shirk its responsibilities, including when it is combating terrorism. Yes, the credibility of the European Union is at stake. Yes, we are collectively responsible towards EU citizens. Move forward, then! Let us move forward. Indeed, the Union must start by cleaning up its own backyard. The sooner the better.

**Andreas Mölzer (NI)**. – (DE) Mr President, respecting human rights is something that the European Union regularly demands in far-away lands all over the world on pain of sanctions. Human rights, as is generally known, are those rights, the respect of which all potential candidate states for EU accession must commit to, through the European Convention on Human Rights (ECHR) for instance, as we all know.

Given these facts, it is scandalous that all the necessary steps resulting from the illegal transport of prisoners and the CIA's secret prisons on European soil, in some cases not only with the knowledge, but even with the aiding and abetting of national governments, have still not been put in place. As if this violation of the ECHR were not shameful enough on its own, the investigations continue to drag on, with no end in sight. It is high time that action was finally taken and closure given to these disreputable events.

If we are to talk about human rights now, however, it needs to be clear that, specifically in respect of the ongoing accession negotiations with Turkey, the EU can no longer turn a blind eye to the fact that human rights in that country largely exist only on paper. The incompatibility with the Copenhagen criteria alone should, in my opinion, be enough to stop the accession talks and instead launch talks on a privileged partnership. If the European Union is serious about human rights, it needs to finally repeal historical unlawful legislation such as the regulations of the Anti-Fascist Council of the People's Liberation of Yugoslavia (AVNOJ) in Slovenia and the Beneš decrees in the Czech Republic.

**Carlos Coelho (PPE)**. – (PT) Mr President, ladies and gentlemen, Vice-President Reding, your predecessor, Mr Frattini, declared in this House in February 2007 that, and I quote, 'security cannot be at any price'. I could not agree more, just as I can only agree with what you said in your speech today, when you spoke about the values of the rule of law, the

presumption of innocence, and the right to a fair trial before an independent tribunal. All of this has been denied to those detained in Guantánamo, the closure of which has been promised, but has not been implemented.

We would draw attention to the importance of international law and the need for the uncompromising defence of human rights. In the report we adopted on 14 February 2007, following the committee which I chaired, we evaluated the facts, identified misconduct, pointed out omissions and proposed more than 40 recommendations aimed at preventing the same things from happening again, or at least preventing them from happening with such ease.

The question that must be asked today is: what will happen if the same things happen again now? What measures have we actually taken to ensure that history will not repeat itself? As I see it, in essence, nothing has been done. There is certainly greater public opinion on this matter, so that parliaments would not refrain from becoming more involved than they did in the past, while the judicial authorities in certain Member States would be more vigilant and would react more rapidly. However, most of the European institutions and the governments of the Member States have done nothing to comply with our recommendations.

I welcome the work of Ms Flautre and the excellent report that she has put before us. I agree with most of its recommendations and would like to emphasise that state secrets may be an exceptional form of defence used by democracies, but they cannot constitute a pretext for hiding the arbitration and violation of human rights. However, I would repeat the question: are we better placed today to assure our fellow citizens that the same thing cannot happen again, or at least that it cannot be repeated with impunity? I believe that we have to carry out rigorous work in close collaboration with the national parliaments in order to identify what is being done with regard to each of the recommendations that we adopted. I am even willing to accept that some of the recommendations may be difficult or controversial to apply, but I wish to understand why they have been overwhelmingly ignored by the governments of the Member States and the EU institutions up until now.

**Sylvie Guillaume (S&D).** – (FR) Mr President, I, like my colleagues, would like to thank Ms Flautre and Ms Ludford for the excellent work done in this report and for the efforts made to hold the authorities to account in a case with very nebulous contours.

In several countries, we find ourselves in a situation concerning human rights violations which have taken place on European soil and which have raised more questions than provided answers.

The fight against terrorism certainly cannot justify everything, otherwise it would lose any legitimacy. In this regard, I would particularly like to emphasise the trend towards abuse of state secrecy and national security, which is an obstacle to parliamentary and judicial scrutiny. Transparency on the part of the Member States and the EU institutions is, however, an essential condition for ensuring that public action fully retains its legitimacy and credibility in the fight against terrorism and cross-border crime, in complete respect of fundamental rights and human dignity.

The fact remains that, while some countries have been named in particular, the European Union has a collective responsibility, and we are expecting the Council to take a clear position on proven facts instead of being satisfied with simple allegations of cases of human rights violations, which can no longer be ignored.

The Commission, for its part, must also assess the facts, taking account of the Treaties, and do everything it can to help shed light on this matter. I would also like to take this opportunity to thank the many citizens who have mobilised around this report, the vote on which they are impatiently waiting for, to finally get things moving.

Therefore, I hope that it will get the overwhelming support of the House tomorrow.

**Konrad Szymański (ECR).** – (PL) Mr President, half of the EU's Member States have sanctioned the use of their air space for secret CIA operations within the European Union. Does that mean that half of Europe's countries – Finland, Germany, Portugal, Spain and Poland – did that out of disrespect for the humanitarian achievements of international law or international standards of human rights? That would be an absurd conclusion. I think these countries were making very difficult decisions in very difficult times, when attacks were being made in New York, London and Madrid.

Undoubtedly, mistakes were made, but it is highly hypocritical to accuse all those countries today – as I said, half of the EU's Member States – without presenting an alternative method for dealing with the leaders of international terrorist movements in compliance with the law. The suggestion made in the report about giving those leaders all the legal privileges enjoyed by suspects in our own criminal procedure is hard to take seriously. Interestingly enough, President Obama used that argument three or four years ago to convince Americans to vote for him in national elections. However, the Guantánamo detention camp is still in operation today, and President Obama returned to using military tribunals just a few months ago to try people suspected of terrorism. Unfortunately, the European Parliament does not understand this and, for this reason, the report does not warrant endorsement.

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

**Sophia in 't Veld (ALDE),** *Blue-card question.* – Mr Szymański, it may be the translation, but did I really hear you say that people who are suspected of – maybe – committing terrorist acts cannot have the same rights as other citizens?

Does that mean that you reject the principle that human rights are universal and indivisible? If so, does that also mean that you do not subscribe to all the values that we have enshrined in our Treaties?

**Konrad Szymański (ECR),** *Blue-card answer.* – (PL) I do share the view that human rights are universal, but I also see that the situation of an ordinary criminal is different from that of someone who blows himself up alongside the USS Cole aircraft carrier. This situation more closely resembles one of a war than of a common crime, which is why all EU Member States have both a criminal procedure and a military procedure in place. I am not saying that those people should be treated as if they were prisoners of war. What I am saying is that the acts committed by those people do not resemble ordinary crimes. They are positioned somewhere between ordinary crime and warfare, which is why I assert that international law does not fully address the phenomenon of international terrorism and we are therefore dealing with a gap in legislation.

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

**Sarah Ludford (ALDE),** *Blue-card question.* – Mr Szymański, you have just reinforced my worry about your original remark. I insist to you that terrorist acts are crimes and should be treated like other crimes, with an attempt to put people on trial in fair trials. We have done that with international crimes through ICTY and the International Criminal Court.

Clearly, there are certain challenges but, unfortunately, the attempt to do so – would you not agree – was blown away in the immediate reaction after 9/11. We should have cooperated to reinforce international law and practice on putting terrorists on trial. Do you agree?

**Konrad Szymański (ECR),** *Blue-card answer.* – (PL) I agree that the justice system is the only mechanism that should issue judgments with regard to people, whether common criminals, war criminals or soldiers on the battlefield. However, what I suggest is that we note that the ordinary criminal procedure is highly flawed when used to fight a phenomenon such as an ‘international terrorist network’, which resembles a dispersed, asymmetrical army. I think that the Geneva Conventions, written 60 years ago, also fail to address this challenge fully, and it is a humanitarian challenge which is definitely not fully addressed by criminal procedures in our Member States.

**Inês Cristina Zuber (GUE/NGL).** – (PT) Mr President, the increasingly clear evidence regarding the transportation and illegal detention of prisoners in EU countries by the CIA perfectly demonstrates what is actually meant by policies to prevent terrorism, which are so prevalent in the NATO lexicon, and which have led to the adoption of resolutions for expanding the so-called fight against terrorism through the support of its Member States for countries that are allegedly under terrorist threat. This concept by NATO, a strategic partner organisation of the EU, has legitimised numerous violations of human rights, the evidence for which is recognised and documented in the report by Ms Flautre. These NATO partnerships are aimed wholly at destroying the framework of dialogue and peaceful coexistence that has been consolidated through the creation of the Charter of the United Nations since 1945.

We consider the overall content of this report to be positive as it can contribute to clarifying the imperialist policies of the US and its illegal methods, whether through the CIA or through NATO. However, we believe that it is for the national institutions of the Member States to make investigations, evaluate the evidence and judge the activities that have compromised political structures through acts that may be illegal. As for us in Portugal, we have done everything we can to open a political inquiry to ascertain governmental accountability for the passage of secret CIA flights through our country. Unfortunately, that process has been blocked by the national parties that belong to the majority in this Parliament.

The Parliament, the Council and the Commission can play an important role in the exchange of information, thus helping to clarify the facts, while always acting with respect for the sovereignty of the Member States and their legal systems.

**Elena Băsescu (PPE).** – (RO) Mr President, I would like to begin by thanking the rapporteurs, Ms Flautre and Baroness Ludford, for their effective cooperation during these negotiations.

As shadow rapporteur for the PPE Group for the Committee on Foreign Affairs, I have also made a small contribution to the drafting of this report. I have followed closely the achievement of an objective and balanced final document, which highlights new elements that have emerged in the last five years, where applicable. At the same time, I advocated throughout the process that the report must not turn into an indictment against Member States and that the European Parliament must not substitute national or international inquiry mechanisms and, above all, must not render a verdict or establish guilt. With this in mind, I have submitted amendments within both the Committee on Foreign Affairs and

the Committee on Civil Liberties, Justice and Home Affairs, and I believe that they contributed to a more balanced reflection of the situation in Member States, including in Romania.

I welcome the fact that the final report makes reference to the parliamentary inquiry carried out in my country in 2008 and the conclusions that came out of it, since this inquiry was omitted from the initial draft, thereby generating a representation divorced from reality. At the same time, clarifications were required relating to the new elements that have emerged in recent years. For example, it was important to specify that certain information that appeared in the press was not confirmed by the inquiry or by the authorities. This is why I have supported the assertion that any requests for new inquiries must have a solid foundation.

I believe that light must be shed on the possible involvement of EU States in the transfer or illegal detention of prisoners by the CIA, and the presumption of innocence must be respected. The purpose of the process remains the discovery of the truth and not the establishment of guilt at all costs.

**Ioan Enciu (S&D).** – (RO) Mr President, I support the need for this report intended to help bring clarification to the situation regarding alleged CIA prisons and flights in the European Union. Nevertheless, there are references in this document which may cause confusion. The report should be objective and its aim must be the investigation of potential violations of human rights. Unfortunately, the formulation of direct charges against certain Member States, without the existence of any concrete evidence, makes me unable to support it entirely.

I cannot fail to note that in this document, it is inferred that the European Parliament already knows what happened in the case of these alleged secret actions of the CIA and has already reached the verdict, thus substituting the judicial authorities. Our role as representatives of Europe's citizens is not to replace the law enforcement authorities, but to monitor that these authorities are meeting their obligations in the correct manner, thereby ensuring that those who have done wrong will pay for it, and such actions will not be repeated in the future.

**Sajjad Karim (ECR).** – Mr President, I recall standing in this very Chamber some seven years ago – when my country had the Presidency and Douglas Alexander was here – and putting a question to him specifically about these allegations which were coming to light. I experienced his wrath and the wrath of our interior minister at the time. I was practically laughed out of this Chamber.

Today, Mr President, we ought to be proud of this flag, but I am afraid that in this instance, we cannot be. There are only two institutions that are represented here today: the Council's seats are still empty, showing that there is a complete lack of recognition or commitment from our national governments. Had it been a third country that had these allegations levelled against it, I wonder what our response would have been.

Of course, in the United Kingdom, we have now taken a very different step of having our own internal investigations, rejecting what may have been done before, but that is not enough. When terrorists carry out actions, we are not weak by sticking to our principles. They cannot destroy us through their actions, but they can take away so much more from us through our reactions.

What I say to Mr Szymański when he makes the sort of national-sentiment comments that he makes and then leaves the Chamber is simply this: there is one non-EU country of which we can be proud and from which we can learn so much more, and that is Norway. When it faced the most terrible of criminal offences, including bombings and death, it did not react by taking away the rights of its citizens; it delivered every right and it delivered justice. Today, we should salute Norway for doing that.

*Catch-the-eye procedure*

**Monika Flašíková Beňová (S&D).** – (SK) Mr President, the CIA programme includes repeated violations of human rights, including illegal and arbitrary detention, torture and forced disappearances. In order to examine this question, a special committee was set up, which documented the use of our airspace and territory by the CIA.

Since these findings, Parliament has repeatedly requested a full investigation of the cooperation of national governments and agencies with the CIA programme.

The EU is based on respect for democracy, the principles of the rule of law, human rights and fundamental freedoms, respect for human dignity and compliance with international laws, not only within the framework of internal politics, but also externally. Our essential responsibility is to maintain the trust of citizens in the democratic institutions of the EU, the effective protection and support of human rights and the securing of legitimate and effective security policies.

The human rights violations resulting from the CIA programme continue. Member States, however, have failed in their obligation to investigate the serious cases related to the CIA programme properly. This means the obligation to investigate cases of human rights violations.

**Paul Murphy (GUE/NGL).** – Mr President, the EU and its Member States often like to talk about democratic values and respect for human rights. The involvement of a broad range of European states in a practice that flagrantly breaches the most basic democratic rights reveals this to be hollow rhetoric. These states are accomplices to state kidnapping, extrajudicial incarceration and torture. All of this is documented and known to the governments involved.

Guantánamo Bay and all of the secret centres in Europe should be shut down immediately. All of the prisoners should face a fair trial or else be released. Last year, 20 000 US troops travelled through Shannon airport in Ireland and there is not much doubt that, at the very least, the airport facilitated rendition flights. I call for the use of Shannon airport by the US military to be ended immediately. I also call for the immediate inspection of all military aircraft going through Shannon airport and I remind Eamonn Gilmore and the Labour Party of their support for this call when they were in opposition.

**Jaroslav Paška (EFD).** – (SK) Mr President, the illegal interrogation and imprisonment of foreign citizens in EU countries within the framework of a US intelligence service programme is a disturbing element in Europe-US relations.

The findings of independent journalists and investigators from Poland and Lithuania have confirmed the secret stopovers of US aircraft at military airfields in north-eastern Poland, and the subsequent escorting of the persons under transport from these aircraft to secret intelligence service facilities in Lithuania.

It is surely clear to all of us that such activities of the CIA in Poland, Lithuania or Romania could not have taken place without the knowledge and consent of official structures in these countries. I therefore firmly believe that if the top state officials collaborating in these illegal activities continue to be protected in their roles by the political leaders of these countries, it will be difficult to make any progress in investigating the illegal activities of the CIA in Europe.

However, there is only one conclusion for our citizens from this: the security services of many EU states are no different from those of Franco or Pinochet in their working methods.

**Andrew Henry William Brons (NI).** – Mr President, illegal detention is not only wrong in itself, but its illegality, together with a lack of official records, facilitates the ill-treatment of the detained.

I hope that it should not be necessary to say that torture can never be justified morally. However, if people are not persuaded by moral arguments, we should point out that torture is ineffective because it produces unreliable information. Furthermore, the propaganda value to terrorists of proven cases of ill-treatment is immense.

Political leaders in many European countries have to account for their actions, and some seem to have a case to answer. However they, like the detained suspects of terrorism, have the right to the presumption of innocence in any judicial process.

I am convinced that full judicial inquiries should be conducted in the relevant European countries. However, I would oppose the legislation that the resolution calls for to give the European Parliament a general power to place Member States' security services under scrutiny. That is the role of the parliaments and judiciaries of Member States.

*End of the catch-the-eye procedure*

**Viviane Reding,** *Vice-President of the Commission.* – Mr President, from the outset, the position the Commission has taken on this issue has been: first, that the fight against terrorism must be conducted in full respect of human rights; second, that the truth, whatever it is, must be established; and, third, that steps must be taken to prevent any future repetition of the facts in question.

The rapporteur knows, because she got all these letters, that the first letters of the Commission were issued in 2006 by my colleague, Franco Frattini, then by my colleague, Jacques Barrot, then by Ms Malmström and myself. We will continue to insist, along with the Member States, that the whole truth will be revealed. I will also meet Stavros Lambrinidis, the Human Rights Special Representative, in order to see how we can join forces.

Concerning the United States, the EU holds a regular dialogue with the US on human rights and counter-terrorism issues, and we have a dialogue with the US State Department legal adviser on all aspects of international law. In line with the Council guidelines on torture, the EU regularly raises issues concerning disappearances, secret detention and torture in its human rights dialogue with all relevant third countries.

I would like to tell this House that on the issue of the ratification of the UN Convention for the protection of all persons from enforced disappearance, the EU Member States have submitted a joint pledge to the 31st ICRC conference to ratify this convention by 2015 and, of course, we will follow this very closely.



There has been one question raised in this House: will the same occur again? I would like to answer very clearly: 'no' – because we speak up, because this House does not stop bringing pressure to bear, and because Europe is about equilibrium between the safety of our society, on the one hand, and the rights of the individual on the other. Because Europe is all about the rule of law, let us do everything to shed light on all that has happened in the past, so that the past does not repeat itself.

**Hélène Flautre**, *rapporteur*. – (FR) Mr President, I would like to thank all those who have spoken in this debate to support this work, which has been long and arduous and which, as I said in my introduction, will bring us together again in a year's time.

I think that a lot can be done in the Member States in a year. We are not, of course, prosecutors and we do not have to 'provide definite proof'. We simply know – if I take the example of Romania – that an investigation has been carried out in the Senate. You have pointed it out; it has been mentioned. I am also aware that there have been numerous allegations. I know that Eurocontrol has found evidence of new flights connecting Romania to Lithuania. A case file, which is mentioned in the complaint against Romania lodged with the European Court of Human Rights, was drawn up by the Commissioner for Human Rights, Mr Hammarberg, and submitted to the authorities. None of these elements forms part of the public findings of the investigation.

I think that it is not about singling out individual countries for general opprobrium because colleagues have placed great emphasis – and it is, I hope, a strong aspect of this report – on our collective responsibility. What is, in fact, happening? The reality is that each country holds a fragment of the truth. As a result, each country must carry out its investigations to the best of its ability so as to be able to expose this system because it is, in fact, a system.

We have no intention of stigmatising this or that country. It is clear and evident – no one can deny it – that, in Romania, a new investigation, a judicial investigation, must be conducted, because the elements – which do not constitute proof; we are not prosecutors – are nevertheless important enough to warrant the reopening of an investigation. The report calls for nothing more, nothing less. The report asks Romania to conduct an investigation, and calls on the Commission, in fact, to show that each country holds a fragment of the truth and that the Commission, in particular, has the means, the power, the duty and the obligation to ensure that this fragment of truth enlightens other countries so that all EU citizens can be informed.

You can do a lot. The rule is noted: you are strict, and I congratulate you on your resoluteness and on your regular interventions on fundamental rights violations within the framework of the implementation of EU law. However, in flagrant cases of unexplained massive violations, the means must be found to be accountable for the violations committed. For example, as regards the issue of interest to us here, you can bring in prosecutors, you can pool, or help to pool, information. You can translate all useful documents. You can gather together information and make it available to the Member States to help them conduct these investigations. The letters you are going to send once again to each Member State – which I welcome – must contain all the new elements that have come to light, including the analyses carried out by *Reprieve* of the data provided by Eurocontrol.

That is what we are expecting, that is to say, a lot of work in the next year for a meeting which, I very much hope, will be a resounding success.

**President.** – The debate is closed.

The vote will take place on Tuesday, 11 September 2012.

## 24. One-minute speeches (Rule 150)

**President.** – The next item is one-minute speeches on matters of political importance (Rule 150 of the Rules of Procedure).

**Maria do Céu Patrão Neves (PPE).** – *(PT)* Mr President, every September, year after year, many of us in this House raise our voices to speak of the fires in southern Europe, which result in human fatalities, the loss of property and the destruction of forest and farmland. The losses are difficult to calculate. Sometimes, the fires are caused by criminal or careless acts, but favourable conditions for the fires are also caused by high temperatures and worsening drought.

In Portugal, for example, 80% of the country is experiencing severe drought. The area that has been burnt in 2012 is already twice the average for the last ten years. The possibility of making an application to the EU Civil Protection Mechanism is important in order to relieve the misery caused, but it is also of vital importance to enhance the existing EU instruments and create others in order to minimise the occurrence of fires, and to control their spread and devastating effects. This can be done firstly by promoting a forestry policy that is appropriate for the geographic and climatic diversity of Europe, and secondly through mechanisms for combining forces and means of fighting fires, so as to enable rapid and robust action.

**Sylvana Rapti (S&D).** – *(EL)* Mr President, last week, the Troika asked Greece to work six days a week. Greece is at the end of its tether and the Troika appears to be ignoring some basic facts. The OECD calculated working times for all its member countries in its last report. Greece works longer hours than anyone else: 2 032 hours a year. Apart from that, however, the Troika is trying yet again to interfere in labour legislation; this worries me and not only in connection with Greece. I am worried because the Commission priorities again include a review of the Working Time Directive. I would remind the House that, when it tried to review that directive in the previous parliamentary term, the European Parliament stood its ground. I shall therefore close by quoting Commission President Barroso, who said: 'It would be a mistake from all points of view to try to dismantle the welfare state and our social models and this is especially important for countries that are under programme'.

**Raül Romeva i Rueda (Verts/ALE).** – Mr President, tomorrow – 11 September – is the National Day of Catalonia. Thousands of people will be on the streets with a clear demand, namely, that Catalonia become a state integrated into the European Union. This is a public outcry that has bypassed the political parties to become a general demand. Hundreds of Senyeras (the Catalan flag) will march alongside European flags.

The state model that emerged after 40 years of Francoism is perceived to be exhausted. The EU should step up and assume that there are new social and national realities in this dynamic project that insist on an accommodation which is different from the current one.

Many of the people who will be on the streets tomorrow have not felt the need to make this demand before, and yet tomorrow they will join a demonstration that is expected to be massive and peaceful. These people have high expectations in the European project and in its values. I hope the European institutions will live up to these expectations and will respond responsibly and fairly. Therefore, dear colleagues, I ask you to listen carefully to

this legitimate and democratic demand, and I urge you to be prepared and ready to face a process that will surely be complex but that also seems to be unstoppable.

**Marina Yannakoudakis (ECR).** – Mr President, I recently visited the European Chemicals Agency in Helsinki. I was shocked to discover that an agency set up to manage the administration of the REACH directive will not be wound down at the end of its registration period. Instead, the Commission has given the agency new work in the field of biocides. My point is that agencies are created to deal with a specific area and, when they have completed their task, more work is created. This 'jobs for the boys' approach is weakening the value of agencies.

In the Committee on Women's Rights, I tabled an amendment calling for the abolition of the European Institute for Gender Equality. Why? Because this institute could easily be merged with the EU Fundamental Rights Agency. The amendment was voted down but, worse still, the committee approved a 7.1% budget increase.

We need to urgently review the relevancy of EU agencies. Many are inefficient and unnecessary. We can no longer afford institutions that have no added value. Time has come for Parliament to stand up and do the right thing.

**Oreste Rossi (EFD).** – (IT) Mr President, ladies and gentlemen, I should like to draw the attention of the Chamber to the case of Chiara Invernizzi, an Italian citizen who has been repudiated by her Muslim husband; he refuses to give his consent to expatriation under Islamic law. This is liable to become another case of clear violation of human rights, and specifically the fundamental individual and personal freedoms of women.

Chiara has been living in Jeddah in Saudi Arabia for five years, having married a man from that area. The epilogue to her marriage has been tragic: having been repudiated last October, she has been prevented from returning to Italy. In addition, she ended up in court after having complained to the authorities of the violence and threats she had suffered at the hands of her former husband. He has accused her of improperly appropriating money and of adultery, an offence for which Islamic Sharia law imposes the death penalty.

I call for immediate action by Catherine Ashton, the High Representative of the Union for Foreign Affairs and Security Policy, to mobilise all possible channels of diplomatic mediation for the release and repatriation of this Italian citizen.

**Martina Anderson (GUE/NGL).** – Mr President, in January 2011, a young Irish couple, John McAreavey and Michaela Harte, had the perfect wedding and went to Mauritius for their honeymoon – a perfect location, or so they thought. We are told Michaela had a sweet tooth and went to her hotel room for biscuits. A short time later, her newly-wed husband John found her murdered body in the bath.

The subsequent trial, which ended with two hotel workers being acquitted of her murder, was a horrific experience for both the Harte and the McAreavey families in terms of the investigation and the court proceedings. Due sensitivity and respect for the bereaved families were severely lacking. It is therefore imperative that the eyes of the international community remain on the Mauritian authorities.

Therefore, I am requesting that the President of Parliament write to the Mauritian authorities asking them to do all they can to ensure those responsible for Michaela's murder are brought to justice.

**Andrew Henry William Brons (NI).** – Mr President, the dilemma facing many Member States, both inside and outside the euro zone, is that their economic and budgetary problems require contradictory solutions. Their debts require cuts in government expenditure or increases in taxation or both. Their recessions require reflationary measures, devaluations and withdrawal from the euro zone where applicable.

Unfortunately Keynesian reflation, whether by bank-created credit or quantitative easing money creation, tends to be inflationary, because the expansion of the money supply precedes – sometimes by years in the case of huge infrastructure projects – the increase in the quantity of goods and services. Furthermore, credit creation leads to an increase in sovereign debt. Expansion by quantitative easing would be debt-free, but it is still inclined to be inflationary.

One remedy might be to recruit the unemployed and under-utilised contractors on special contracts which would put them to work immediately, but for which full payment would be delayed until the large infrastructure projects had been completed. Increase in aggregate demand would then coincide with increase in GDP and not precede it.

**Iuliu Winkler (PPE).** – (HU) Mr President, members of the Commission, Madam Vice-President, ladies and gentlemen, 1 September was the day of justice for the Hungarian community of Romania. Thirty thousand people gathered in Sfântu Gheorghe to protest the re-nationalisation of the Székely Mikó College building. A court decision had put a halt to the process of restitution, even though there is still a substantial number of former church-owned real estates, confiscated under the Communist regime, that have yet to be returned to their rightful owners, that is, the various historic churches. At the same time, the court sentenced committee members acting within their lawful competence to many years of imprisonment. I would like to remind everyone that the restitution process was among the EU pre-accession criteria for Romania.

Parliament must be made aware of this injustice, and it must stand up for the rights of the 1.5 million Hungarians living in Romania. I find the practice of the European institutions to automatically refer the problems of ethnic communities back to the Member States detrimental. It is contrary to both the values and the interests of the European Union.

**Rareș-Lucian Niculescu (PPE).** – (RO) Mr President, I wish to draw attention to the need for urgent measures at Member State and EU level in the context of the sharp rises in food prices caused by drought in the United States and Eastern Europe. According to the World Bank, food prices rose by 10% as a whole in the months of June and July. The price of maize, for example, rose by more than 25%. The effects are being aggravated by increased oil prices. Oil and maize are key raw materials in the production of food.

The uncertainties are ever growing, both in terms of agricultural production and the evolution of oil prices. Against this background, the EU must adopt rapid and concrete measures. It goes without saying that the structural measures proposed as part of the future European agricultural policy are important, but we cannot wait for them to become operational.

Last but not least, food aid programmes must continue beyond 2013, because vulnerable citizens will become even more vulnerable at this juncture.

**Csaba Sándor Tabajdi (S&D).** – (HU) Mr President, Commissioner Reding, ladies and gentlemen, the European Commission was quick to respond to the recent anti-democratic measures of the Romanian social democrat-liberal coalition government. This is admirable.

The Commission probably learned from its earlier mistake of delaying for almost a year before expressing criticism of the Orbán Government, which has, by now, systematically dismantled the rule of law, the freedom of the media, and democratic checks and balances in Hungary. Another regrettable fact is that in the past, the Commission overlooked the anti-democratic measures of President Traian Băsescu for years. These are double standards! What I welcome, however, is that the Commission now requires Romania to conduct multi-party consultations before appointing actors to positions subject to the separation of powers.

It would be welcome if it required the same of Hungary, where the Orbán Government is appointing constitutional judges and leaders of courts without any multi-party consultations. These are, again, double standards. It would help maintain the credibility of the EU if we set up a single European mechanism for monitoring democracy.

**Eva Joly (Verts/ALE).** – (FR) Mr President, Commissioner, ladies and gentlemen, the Amazonian countries are confronted with illegal mining, which is synonymous with the ecological and social violation of indigenous territories, with tragic consequences.

At the end of August, *Survival*, an NGO, provided information concerning the massacre by miners of several dozen Yanomami Indians on Venezuelan territory. Today, however, the Venezuelan Government believes there to be no evidence.

Since then, voices have been raised, including that of the Inter-American Commission on Human Rights, denouncing the lack of will on the part of local authorities to conduct an investigation and calling for an in-depth investigation.

I hope that the European Union will expressly call on the Venezuelan Government to shed light on this tragedy to the fullest extent.

However, those of us who are directly concerned, through our overseas territories, send a strong message calling for the full recognition of the rights of indigenous people. Starting today, let us put an end to the illegal exploitation of mineral and forest resources.

**Jan Zahradil (ECR).** – (CS) Mr President, there is a code of practice for European officials which instructs officials to act objectively and impartially, and to avoid conflicts of interest.

I have a leaflet here inviting people to a pre-election meeting of one of the candidates in the forthcoming senate elections in the Czech Republic where it states that the meeting will also be addressed by the EU's ambassador to Iraq, who happens to be the wife of the candidate in question. There is nothing wrong with being someone's wife, of course. It is also quite alright for someone to support their partner in the elections, but they should do so only as a private individual, and not as an official representative of the European Union.

In my opinion, this speech and this advice constituted a breach of Article 11 and Article 12 of the staff regulations of officials of the European Communities, and I would like to ask that the case be investigated in order to establish whether the ambassador had permission from her superiors to act in this way, and for the appropriate sanctions to be applied if this was not the case.

**Tadeusz Cymański (EFD).** – (PL) Mr President, in August this year, the parabank, Amber Gold, collapsed in Poland. As a result of its operations, 5 000 people lost their savings. Similar developments have taken place in Europe in the past: in 2006 in Spain, and in Germany, where a company called Göttinger Gruppe took 250 000 people for a ride. As parabanks currently represent half of all banking assets worldwide and continue to increase

their market share in Europe, we expect national governments of Member States to introduce more stringent regulations and exercise supervision over these companies in order to prevent a similar occurrence happening again on a European scale. We expect constructive action during consultations conducted by the European Commission on legislation to regulate the banking system.

Without full and adequate information, and without guarantees provided to customers, such companies should not be allowed to operate in the European financial market. We hope that the drama of thousands of citizens who were taken for a ride by parabanks will motivate governments to submit appropriate proposals to the Commission in order to prevent such financial scandals from happening in future.

**Alda Sousa (GUE/NGL).** – (PT) Mr President, first Greece and now Portugal have been transformed into laboratories for the policies of the Troika: unprecedented austerity, the brutal reduction of wages and pensions, increased taxes and reduced benefits. The Portuguese Prime Minister, who, in 2011 claimed that austerity would not always focus on increasing taxes and cutting incomes, has now announced the reduction of social security contributions by companies, while these will increase for workers, amounting to the cutting of at least one month's salary: in short, slavery! In Greece, the working week is increasing to six days, and the rest period between working shifts is being reduced to 11 hours: slavery! This spiral of recession, with no end in sight, is not only failing to pull us out of the crisis, but is bringing us closer to slavery. However, in the demonstrations that are being announced in Portugal, Greece and other parts of the world, we will show that we refuse to be slaves.

**Corneliu Vadim Tudor (NI).** – (RO) Mr President, on 5 May 2010, in this very building of the European Parliament in Strasbourg, we voted with an overwhelming majority for a resolution against the use of cyanide in mining. Unfortunately, in Romania today, this resolution is being disregarded. A so-called environment protection agency has given the go-ahead for the use of the most poisonous substances in the gold and silver mines of Certej, Transylvania. The hidden owner of the Canadian Gold Corporation, which received the environmental permit, is the shark, George Soros.

It is clear that this domestic and transnational mafia is testing the water in terms of the reaction of the European institutions, ecological organisations and Romanian public opinion – a sort of public rehearsal, given the huge offensive campaigns which are under way in the Roşia Montană and Bucium Poieni, where there are boundless more significant deposits.

I implore the Parliament of which I am a member, and also the appropriate European Commission structures, to take urgent action to annul this environmental permit cloaked in death.

**Nuno Teixeira (PPE).** – (PT) Mr President, during the summer, the Autonomous Region of Madeira was ravaged by a terrible wave of fires. The forest fires began in the west of the island, in the municipality of Calheta and Ribeira Brava, and rapidly spread to other areas of the region, with a devastating effect on the municipality of Funchal and the municipalities of Santa Cruz, Machico and Porto Moniz. As well as consuming vast forest areas, the fires also destroyed dozens of homes, cars, farms and small businesses which, in the vast majority of cases, represent the only form of livelihood for the affected families.

More than 6 000 hectares of land were burnt as a result of the fires in the region, of which about 40% was forest and around 60% agricultural and urban areas. It is now vital to help the affected families, whether through the POSEI, by offering direct payments, or through the rural development policy. Solidarity-based assistance from the EU is essential in order to restore normality to the lives of the people of Madeira.

**László Tóké**s (PPE). – (HU) Mr President, members of two Hungarian minorities organised protests for the protection of their rights as communities in Košice, Slovakia, and in Sfântu Gheorghe, Romania, on the same day, 1 September. While Bratislava intends to strip these people of their Slovak citizenship in an unlawful and discriminatory manner, Bucharest seeks to do the same with a Hungarian church-owned school. Upon their accession to the Council of Europe and later to the European Union, both Slovakia and Romania undertook a commitment to respect human and minority rights. Yet the nationalistic governments of these post-Communist countries remain unwilling, to this day, to fulfil their own voluntary commitments.

I ask the Commission and Parliament, as well as President Martin Schulz and Ms Viviane Reding, the competent Vice-President, to initiate monitoring procedures against Romania and Slovakia for their grossly anti-Hungarian policies, as well as the remedying of existing infringements.

**Luis Yáñez-Barnuevo García** (S&D). – (ES) Mr President, in Spain, there has also been a large number of fires that have had a devastating impact on 200 000 hectares of land across the country, which amounts to three times the area affected during the same period in 2011 and almost twice the average for the last decade.

What is new about this? What is new is the fact that we now have a government that has drastically cut almost all the budget items intended for fire prevention and fire-fighting. Sometimes, savings can turn out to be very expensive. We can see that austerity policies are having perverse effects in this area as well.

Another development is that, for the first time in 30 years, we have a prime minister, Mr Rajoy, who is not dealing with this problem; he has not spoken of it in parliament nor visited those affected.

The latest major fire occurred on the Costa del Sol.

The European Commission is our last resort. I have put forward a series of questions and I am now awaiting the Commission's answers.

**Antolín Sánchez Presedo** (S&D). – (ES) Mr President, on 26 July this year, a few days before the protocol to the EU-Mauritania Fisheries Partnership Agreement (FPA) was due to expire, the European Commission initialled a new protocol. Although there is a substantial increase in compensation, fishing opportunities have been considerably reduced.

The provisional application of this protocol is having a significant economic and social impact on the sector, and the situation is particularly dramatic in Galicia, the autonomous community where I come from.

The Galician cephalopod fleet has been forced to leave Mauritanian waters, and the hake and shellfish fleets are fishing and working under more burdensome and costly conditions with greater limitations, as are the rest of the fleets.

At the moment, only 5% of the protocol's potential is being used, which may render the measure useless. Faced with this situation, I would argue that the Commission needs to renegotiate the fishing conditions without delay in order to reach a satisfactory, sustainable agreement and so that Parliament can conclude and adopt the new protocol in the future.

**Hélène Flautre (Verts/ALE).** – (FR) Mr President, last Thursday, a vessel from Turkey ran aground: 61 people, including 31 children, drowned. Most of them were Syrian refugees. The following night, a vessel sank close to Lampedusa, resulting in the deaths of several dozen people from Tunisia.

Each new shipwreck adds to the macabre head count of the thousands of deaths already recorded in the Mediterranean. One has to question the responsibilities of the European Union and its obligations concerning rescue at sea. These people are fleeing war and poverty, but they are also faced with ever more perilous routes due to the obsession with security that characterises our migration policy.

I call on the Commission to propose guidelines, as the recent decision of the Court of Justice of the European Union required it to do, concerning rescue at sea. I also call on the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), which has developed a new human rights strategy, to implement it effectively in order to ensure the security of migrants. This is a humanitarian emergency.

**Erik Bánki (PPE).** – (HU) Mr President, ladies and gentlemen, as of 2 September 2012, the Hungarian Government introduced daily gym classes for primary school grades one, four and five. This may not seem like a major breakthrough at first, but I must say that I personally spent more than eight years of my political career pointing out the importance of this field. One of the reasons why this had to be taken seriously is that only 9% of the Hungarian population does sport on a regular basis, making us the bottom of the class in the European Union. What is even more startling is that the percentage of children doing sport regularly is only 6%. This means that the future of our children is at stake, as they could suffer serious health issues as adults due to their not being accustomed to regular physical exercise.

To be able to put an end to this trend and set an example for the European Union, we need European Union assistance, as we are missing 300-400 gyms and are counting on the support of the EU and our fellow Members as regards their construction.

**Janusz Wojciechowski (ECR).** – (PL) Mr President, I would like to draw your attention to the problem of removing children from their families. It is a problem or, rather, a dangerous and inhumane practice. I know of an example of a Polish family in the Netherlands where two children were taken from their families, based on unverified and unconfirmed suspicions of violence. After a dramatic legal fight which took place over many months, the parents got their children back, but the traumatic experience of children being separated from their parents will never be erased from the children's memories. I will present the detailed circumstances of the case in a separate letter, with a request for it to be examined by the competent authorities in the Netherlands.

I fully advocate the protection of children from violence, but believe that should apply to any kind of violence, whether domestic violence in families or violence suffered as a result of the actions carried out by official authorities, since unwarranted removal of a child from his or her family and parents is one of the gravest forms of violence.



**Rui Tavares (Verts/ALE).** – (PT) Mr President, Article 2 of the Treaty of Lisbon states that the EU is founded on pluralism, which must be respected by the Member States. The Treaty of Amsterdam states that the capacity of public service television should be maintained and increased. Article 11 of the EU Charter of Fundamental Rights states that the freedom and pluralism of the media are to be respected. As for the Commission, the role of the public television services is crucial in order to ensure pluralism and the democratic process. In 2008, this very Parliament stated that having public stations alongside private stations was the basis of pluralism in the media throughout the EU, as a guarantee of effective independence from political pressure and market forces. I could go on!

The Portuguese Government wants to throw all of this out of the window, putting an end to the public television service as part of a process that lacks transparency and was not voted for by a majority of the Portuguese public, but we will nevertheless prevent the government from doing so with the means at our disposal. We will do so here in Parliament, in the Commission, in the EU Court of Justice, and in the Council. Tomorrow, I will speak with the European Broadcasting Union, and next week with the High Level Group on Media Freedom and Pluralism. I will say the same thing to all of them: Portugal has signed laws, treaties and conventions that it must respect. This is not the law of the jungle – Miguel Relvas is not at large here!

### IN THE CHAIR: OLDŘICH VLASÁK

*Vice-President*

**Zbigniew Ziobro (EFD).** – (PL) Mr President, shale gas has become a hope for many European Union countries because of the energy crisis and the blackmail mechanism which Russia has begun to employ by threatening to turn off the gas tap. In this situation, large deposits of shale gas, which have been confirmed in a number of EU Member States, have inspired hope for energy independence and independence from possible action and intervention on the part of Russia, which might use this energy instrument in relations with EU countries. Unfortunately, there is a rather disconcerting document published by the European Commission and drawn up by AIA Technology, which had earlier issued a positive opinion for Gazprom regarding gas extraction from Siberian deposits, yet is now challenging the idea of shale gas extraction in Europe. It seems that this kind of company is not objective since it is financially dependent on, and involved with, Gazprom, the latter being keenly interested in preventing shale gas extraction in Poland and other EU Member States.

**Inês Cristina Zuber (GUE/NGL).** – (PT) Mr President, 16 months after the allocation of revenue by the Troika to the well behaved, subservient and insensitive Portuguese Government, the result is plainly what was expected: the economic recession has worsened, real unemployment has reached 23.3% – its highest ever level – and the number of companies that have started bankruptcy proceedings increased by 46.7% up to June in comparison with the same period last year. The alleged motive for the application of these measures will not actually come about. Public debt has increased, not decreased, and the government has just increased the level of social security contributions paid by workers, yet reduced those paid by companies. This is an interesting way of implementing equality! The Troika has successfully applied its programme of assistance. When Portugal is completely destroyed and its society and economy are completely ruined, it will surely be

a complete success! The Commission and the European Central Bank will rejoice! They can count on a fierce fight from the Portuguese workers.

**Kinga Gál (PPE).** – (HU) Mr President, Commissioner Reding, during my term as Vice-Chair of the EU-Romania Joint Parliamentary Committee between 2004 and 2007, I participated in the work that resulted in the inclusion of the urgent restitution of church property on the agenda of Romania's accession; Romania agreed to fulfil this condition. It is upsetting that five years later, a real estate that was lawfully returned to the possession of the Hungarian Reformed Church in Romania, the Székely Mikó College of Sfântu Gheorghe, will now once again become state property according to a questionable court decision. Meanwhile, persons who were performing their statutory duties at that time are now facing a prison sentence.

It is outrageous for a Member State of the European Union to withdraw a right it granted to a minority it had already institutionalised, and the next problem is that this renationalisation could set a precedent. This case therefore goes far beyond the protection of minorities. It casts doubt on general legal certainty and the trust in legislation in Romania. I therefore hope that the Commission will finally take actual steps to address this issue.

**María Irigoyen Pérez (S&D).** – (ES) Mr President, Commissioner Reding, my country has taken too many steps backward since the People's Party came to power: there have been repeated, continual attempts to retreat on consolidated rights, as seen by the silencing of those who express dissent, such as consumer associations. The threat to the FACUA-Consumers in Action group, which is an encroachment on Articles 16 and 17 of the Spanish Constitution by Ms Mato's ministry, is a dangerous attack not only on freedom of expression and opinion, but also on the right of consumers to a high level of protection, which are basic principles of democracy set out in the Charter of Fundamental Rights of the European Union.

I therefore call on Mr Rajoy's government to reverse the outrageous attempt to ban FACUA, and I call on the Commission to guarantee the protection of Spanish consumers' rights and to take action against the attempts by Spain's current government to erode the rights and functions of consumer associations.

**Karim Zéríbi (Verts/ALE).** – (FR) Mr President, Commissioner, I wish to draw your attention to the issue of the Roma minority, which is very topical in France and in Europe.

The European Union has, to its credit, invested heavily in its programmes to integrate the Roma populations. More than EUR 17 billion will be allocated over the period 2007-2013 via the European Social Fund (ESF), the European Regional Development Fund (ERDF) and, to a lesser extent, the European Agricultural Fund for Rural Development (EAFRD). However, there are numerous indications that these funds have been under-utilised.

In Marseille, the city in which I was elected, 1 500 Roma live in inhumane and revolting conditions, which creates tensions. Expelling the Roma does not resolve their situation at all and does not address the real issue, which is their integration. We must act.

Commissioner, you say that the integration of the Roma, who are Europeans, is as much the responsibility of the host country as it is of the country of origin. You are right. However, we must therefore strengthen control over the use of EU subsidies and ensure that the Commission reassesses, if necessary, the national strategies adopted. Furthermore, we should entrust the management of Structural Funds granted today to locally elected bodies,

which will have an interest in solving the problem because they are closer to the citizen. Parliament will then have to ensure that the use of these funds is assessed regularly.

**Paul Murphy (GUE/NGL).** – Mr President, the last weeks have seen an eruption of sectarian rioting and attacks in Belfast. These incidents unfortunately demonstrate that the peace process and the establishment of power-sharing institutions have failed to end sectarian division on the ground. In fact, there are now more so-called peace lines dividing communities than there were before the paramilitary ceasefires.

Instead of eradicating division, the Northern Ireland Assembly has actually institutionalised it. The main parties cannot eradicate the poison of sectarianism because they rely on that division to maintain their power.

One thing that unites the Assembly parties is their support for austerity. They are embarking on a vicious campaign of cuts to public services which are already leading to rising unemployment and poverty – conditions which precisely provide the breeding ground for the rise and growth of sectarianism.

There is an urgent need for the building of a new mass working class party, based on the trade union movement and genuine community groups and young people, to unite working class people against sectarian division, against the right-wing policies of the Assembly Executive and for socialist change.

**President.** - The item is closed.

## **25. Voluntary and unpaid donation of tissues and cells (short presentation)**

**President.** - The next item is a short presentation of the report by Marina Yannakoudakis on voluntary and unpaid donation of tissues and cells (2011/2307(INI)) (A7-0223/2012).

**Marina Yannakoudakis, rapporteur.** – Mr President, addressing the shortage of certain tissues and cells is a question of common concern to all EU Member States. Many regularly face grave shortages in donations. The EU is a long way from being able to meet the challenge of self-sufficiency, so making it easier to find matches across Europe and save lives is a challenge which should know no boundaries.

In producing this report, I firmly believe this is an area where the EU can truly be said to offer scope for added value. This report looks towards increasing voluntary donations, raising awareness and increasing transparency. This report is about saving lives.

I would firstly like to thank the shadow rapporteurs for their cooperation and for their input, which made this a stronger report. There are three specific areas I felt were important for the future and which would enable this report to be forward-looking and progressive.

The first of these was the question of the umbilical cord. The report looks to raising awareness about the harvesting of cord blood. A single umbilical cord provides ten times as many stem cells as the average bone marrow donation. Yet tragically, too few mothers across Europe are donating cord blood. Indeed, in many Member States, the option is rarely open to them. I therefore look towards extending cord blood collection to as many sites as possible. This report highlights the fact that collection methods and opportunities between public and private banks already exist in some Member States. I would like to stress that both sectors have a role to play in meeting this serious challenge.

The second area the report focuses on is the use of stem cells. These are becoming increasingly important in the treatment of disease. These cells are capable of unlimited self-regeneration; thus, they can cure many diseases and repair damaged tissue.

An important point here is the issue of traceability. Traceability ensures the quality of the donation, but also guarantees that it is truly a voluntary donation. Traceability of tissues and cells is non-negotiable, particularly when it comes to the import of tissues and cells from third countries. Equivalent standards of quality and safety must apply, and I appeal to the Member States who have not yet done so to review, reconsider and revise their national provisions in this regard. Traceability and transparency go hand in hand with taking measures to prevent the development of a black market in gametes, particularly on the Internet. The potential for such a market undermines the quality and safety of such donations, not to mention the associated legal and ethical problems.

The third area which is important to address is the question of compensation for potential donors. Let me be clear: I do not support the idea that the human body should ever be seen as a source of financial gain, and I absolutely reject the idea of an unregulated financial market in tissues and cells. Nevertheless, if we wish to attract sufficient people to come forward and provide life-saving donations, we need to consider granting a fair and proportionate financial compensation to the donor. Such compensation should be transparent, regularly audited and limited to making good the expenses incurred in making the donation.

In summary, it is my sincere hope that this report acts as a wake-up call for all Member States to explore possible opportunities to widen international cooperation. I also hope that other Member States can build on the successes of such blood collection schemes as those run in the UK by NHS Blood and Transplant and the Anthony Nolan Trust.

#### *Catch-the-eye procedure*

**Miroslav Mikolášik (PPE).** – (SK) Mr President, I am delighted that, in this excellent report from Ms Yannakoudakis, we can trace all of the principles already backed by the European Parliament. I was the rapporteur for the report on conditions for the donation and transplantation of human organs and there, too, the fundamental principle of altruism and of actual progress in this area was the principle of payment-free and voluntary organ donation.

It is well known that the harvesting of cord blood and placental tissue, as previously stated, is itself a rich source of stem cells. To this end, ladies and gentlemen, we should focus on and encourage Member States – just as the report says – to harvest this source of excellent cells for a specific treatment which already exists with adult stem cells.

I would also like to applaud the traceability and high quality of this, which we must also support in health care when we donate such tissues across borders.

**Frédérique Ries (ALDE).** – (FR) Mr President, the Commission, in its second report on this issue, welcomes and endorses the measures taken in all Member States to guarantee the voluntary and unpaid donation of human tissues and cells. However, it very firmly highlights the dramatic shortage facing a majority of Member States.

Our task, therefore, was to propose improvements and to work on these two important key areas. I regret the fact that, despite the rapporteur's efforts – and I thank her once again, but she knows that – most of my colleagues think that these intangible principles of free

donation and anonymity should not, quite simply, be associated with humanism and humanity, on the one hand; nor should they, on the other hand, undermine efforts to address this shortage and to fulfil the desperate expectations of so many patients in the EU. That is the reality, the reality that is lived every day by practitioners and patients, tens of thousands of whom are waiting for a cornea, bone marrow or skin transplant.

In conclusion, Mr President, the Group of the Alliance of Liberals and Democrats for Europe, which I represent, which respects the freedom to conduct research and is mindful of the expectations of these patients, will be abstaining in tomorrow's vote on this resolution.

**Anna Záborská (PPE).** - (SK) Mr President, I would like to thank Ms Yannakoudakis for an excellent report.

I would like to emphasise two aspects:

1. In the EU, we still need to control the handling of human organs more effectively. The evidence for this is the latest scandal over waiting lists for organ donations in Germany. I would also like to mention the exhibitions of human organs which take place in many Member States, and which are dubious.

2. The Commission must respect the decisions of the European Court of Justice in Luxembourg. The court, for example, expressly prohibited the patenting of human cells coming from embryos. This means that the funding of research that uses embryonic stem cells is a waste of European taxpayers' money and must be banned.

I firmly believe that Ms Yannakoudakis' report should be adopted in the version submitted.

**Margrete Auken (Verts/ALE).** - (DA) Mr President, I would first like to thank Ms Yannakoudakis for her excellent work. I think we have tackled the difficult problems well and we have achieved an excellent result. I would particularly like to emphasise what was also emphasised in the presentation, which is that we are ensuring that donations are voluntary, transparent and non-commercial. This last point is where the greatest risk lies. As Ms Ries also pointed out, there is going to be a drastic shortage. This gives rise to certain problems, which could lead to something that we do not want to see. In this connection, I would like to mention, first and foremost, the great shortage of human eggs. In other words, human egg cells. We have plenty of semen from men. Eggs from our women are in short supply, however, and undoubtedly, if we do not take active measures, then they will become an object of trade. People will then pay women in poorer countries to donate eggs because the demand is so great, which is why we need to stick so solidly to this point. Thank you for the fact that we have been able to reach agreement on this matter and lay down clear rules. I hope that we will succeed in getting the rest to work just as well.

**Oreste Rossi (EFD).** - (IT) Mr President, ladies and gentlemen, I support the rapporteur's text, since it specifies that donations of tissues and cells should continue to be unpaid and voluntary, while clarifying the fact that it is fair to make good the expenses incurred in donating, including travel costs, medical expenses and loss of earnings.

Unfortunately, at present, cord blood is only collected in 1% of all births in the European Union, since many hospitals still do not point out to women in labour the value of such donations, in order to avoid shouldering the costs of managing the material collected. In my own case, when my two children were born, it was not possible for my wife to donate the umbilical cord.

For these reasons, the Commission should pay special attention to the donation of cord blood, from which stem cells are derived. These are indispensable in the treatment of diseases, including childhood illnesses, and we must not continue to disregard the importance of their use.

It is therefore vital to create this European database of tissues and cells, which could be used by all hospital institutions, whether public or private.

**Zuzana Roithová (PPE).** - (CS) Mr President, I also back this report, which is based on our previous reports. This report naturally also supports unpaid donation of tissues and cells. I also consider this a very important way of making transplants safer for recipients in those countries where you can still donate blood and tissue for money. As the rapporteur emphasises, the lack of tissues – particularly spinal marrow, gametes, bone marrow, corneas and skin – is also a reason why we need to strengthen cooperation inside the EU and harmonise certain standards.

I have one important piece of good news from the Czech Republic. Scientists demonstrated last week that it is also possible to use stem cells from deceased patients for treatment purposes, even if they have been dead for several hours. These cells retain their properties even if the dead person has had a serious disease.

Great hopes are also held out for cord blood banks, which may bring a revolution in medicine in the foreseeable future. At the same time, it is right, from the perspective of value, that limits are set on donations of gametes.

**Franz Obermayr (NI).** – (DE) Mr President, unfortunately, the rules governing compensation in respect of the donation of tissues and cells vary from one Member State to the next. According to one view, altruism is vital when donating tissues and cells, while another position advocates financial compensation in order to increase motivation. The latter view, however, is one that I find ethically beyond dubious.

In this context, it strikes me as important that the Member States should work more closely together in order to increase awareness for donation. Many countries do have difficulties in this area, after all.

It is also important that the EU in this case should be active in a complementary way, but it is also called upon, in this highly sensitive area, to do more in order to promote and raise awareness among the citizens of the importance of donation.

**Elena Băsescu (PPE).** – (RO) Mr President, I welcome this report because its aim is to improve the quality of life for people throughout Europe. The voluntary donation of tissue and cells is especially important as some Member States are faced with problems in finding compatible cells. In this regard, international cooperation plays a vital role, and exchanging good donation practices will help in supplying tissues and cells. Current policies need to be revised to clarify and simplify matters. Member States need to set up a transparent, safe system for both donors and recipients.

I would like to take this opportunity to stress how important the awareness campaigns are, aimed at increasing public support. I should also highlight the importance of stem cells taken from umbilical cord blood. They could provide an important alternative treatment for numerous diseases.

**Jaroslav Paška (EFD).** – (SK) Mr President, the mechanisms and systems for the donation of tissues and cells are, just like health care, within the jurisdiction of Member States. This is one of the reasons why tissue and cell donation mechanisms vary between countries. They do not always correspond to Article 3 paragraph 2 subparagraph (c) of the Charter of Fundamental Rights of the European Union, which prohibits making the human body and its parts a source of financial gain. Legal measures applied in some Member States, which allow relatives to be paid for consenting to the donation of a deceased family member's tissues and cells, are in clear conflict with this ethical principle.

It is therefore important that only voluntary and unpaid donations are considered legitimate in the EU, based on an active statement of consent from the potential donor. Exploitation of the human body and its parts for commercial purposes will be prevented only by correct and transparent rules for the voluntary and unpaid donation of tissues and cells under public control, breaches of which will be penalised under criminal law. It is therefore our duty to demand that all EU states proceed in this way.

**Monika Flašíková Beňová (S&D).** – (SK) Mr President, half of the Member States face a regular shortage of human tissues and cells, especially bone marrow and tissues such as cornea and skin. It is extremely important from an ethical perspective to ensure adequate donations of the tissues and cells needed for medical purposes. This is a sensitive issue.

Donation should be voluntary and anonymous. Payments for donation should be carefully defined, and should be limited to reimbursement of the costs associated with donation, such as health care costs. It should also be governed by protective legal and ethical principles which respect the integrity of the person.

According to many reports, however, the principle of payment-free donation is repeatedly violated. The Charter of Fundamental Rights of the European Union, which is legally binding, prohibits making the human body and its parts a source of financial gain. Payment-free donation is therefore not only an ethical principle but is also essential for protecting the health of the donor and recipient, in view of the fact that if large sums of money form part of the donation process, donors might be motivated to take risks and might prevent risks from being discovered in their medical records.

**Erik Bánki (PPE).** – (HU) Mr President, ladies and gentlemen, I, too, would like to thank Ms Yannakoudakis for this report, in which she highlights a very important issue. I dare say that as a practising father, I myself am part of the programme, as my wife and I had the cord blood of all four of our children harvested and the stem cells preserved. However, the unfortunate and sad fact is that a mere 1% of all women giving birth in Europe do the same. I therefore find the aspects mentioned in the report very important. These include encouraging mothers to make use of this option as widely as possible.

There is another very important principle: we must provide all our compatriots access to this possibility. Today, stem cells can only be stored in private banks at considerable cost. Less well-off people who lack the funds to access this option bar their own children and themselves from this possibility. I therefore think that this issue must be settled. An additional principle I find very important is that a single quality assurance system should be put in place in this field in order to eliminate potential problems. Medicine still has much ahead of it in terms of development. Today, we are able to use only a fraction of the potential that lies in stem cells and stem cell procedures, and I therefore think that this definitely deserves support and I myself am in favour of it.

*End of the catch-the-eye procedure*

**John Dalli**, *Member of the Commission*. – Mr President, firstly, I would like to express my appreciation to Ms Yannakoudakis for the report on the voluntary and unpaid donation of tissues and cells.

The Commission welcomes this report. Tissue and cell transplants are of immense value to many patients. Such transplants represent a fast-evolving area of medicine and can make a real difference to people in terms of quality of life. The Commission will analyse in detail Parliament's recommendations. In the meantime, let me assure you that the Commission acknowledges, and indeed shares, many of the concerns raised.

I believe we all support the fact that the donation of tissues and cells is voluntary and unpaid. The issue of an adequate supply of tissues and cells to meet EU citizens' medical needs is, as we know, an area of concern for many Member States. This is why I believe Member States need to strike the right balance so as to help improve the availability of tissues and cells without in any way compromising voluntary and unpaid donation.

The donation of tissues and cells depends on public trust in our transplant systems. Your report highlights key elements to build and maintain that trust. A transparent and safe donation system is essential for public support. Ensuring traceability of donated material between donors and recipients is essential in order to guarantee the safety and quality of the transplanted tissues and cells. Ensuring adequate information for citizens looking for tissues and cells through banking services via the Internet is important to guarantee citizens' safety.

In addition, the report rightly highlights the need for Member States to share best practices so as to increase donations and foster international collaboration. European and international cooperation can bring much added value, in particular, in medical fields like stem cell transplantation, where finding the right match of cells for the right patient is difficult.

Regarding stem cell transplantation, the Commission would like to thank Parliament for expressing its support for cord blood storage and use as an alternative source to bone marrow transplantation. It is important to ensure that good-quality cord blood samples are available for patients. In order to support Member States in their work, the Commission has already started to address some of the key issues that Parliament raises in this report.

The Commission is developing tools to support traceability and vigilance at EU level. An EU code will be applicable to all tissues and cells exchanged between Member States as from 2014 and the communication platform for competent authorities' rapid alerts for tissues and cells will be operational before the end of this year. Discussions with Member States are ongoing to define equivalent standards of safety and quality for tissues and cells imported from third countries. We plan to present a proposal on this issue by the end of next year.

The Commission has also supported several projects fostering the sharing of best practices and providing training for tissues and cells authorities under the health programme. However, despite such progress, much work still needs to be done. Public awareness about cord blood donation and how to ensure availability and access to cord blood and bone marrow across the EU need careful consideration.



Another issue that requires thorough reflection by Member States concerns the delicate balance between compensation and remuneration. The Tissues and Cells Directive stipulates that compensation must be strictly limited to making good the expenses and inconveniences related to the donation. It is up to the Member States to define such compensation, which may vary according to the specificities of the health care systems in the different Member States. Overall, the national application of the principle of voluntary and unpaid donation for tissues and cells therefore requires careful and judicious analysis within each and every Member State.

Another area that requires our attention is scientific and technical progress. Since the Tissues and Cells Directive was adopted, new testing methods, new storage techniques and new therapies have emerged. Such developments are being evaluated by the Commission in collaboration with the Member States.

The Commission is also currently finalising the transposition check of the tissue and cells legislation and preparing a survey on its implementation in the Member States. The Commission will be pleased to share the results of the survey with Parliament by the end of next year. On the basis of the results of this survey, the Commission will consider the possible review of the Tissues and Cells Directive. Your report is very timely and will be a valuable support for the Commission in undertaking this task.

**President.** – The debate is closed.

The vote will take place tomorrow (Tuesday, 11 September 2012).

#### **Written statements (Rule 149)**

**Claudiu Ciprian Tănăsescu (S&D),** *in writing.* – (RO) I would like to welcome the drafting of this report, primarily because it makes significant improvements to the health care system in the EU. This report encourages Member States to devote the appropriate attention to harvesting stem cells from umbilical cord blood at birth and to promote better and wider cooperation between family and public banks.

At the present juncture when, contrary to current transplant legislation, there are still states where the trade in tissue and organs is freely conducted, it is of paramount importance to create the legal framework promoting the transparent, safe operation of tissue and cell banks for patients. The situation must be avoided where these banks are turned into profitable businesses, abusing the precarious financial position of some sections of the population. Since, in the majority of cases, the number of donors is not large enough in a Member State, the health authorities must introduce clear criteria for tissue and cell donations so as to protect the poor section of the population against abuses. Furthermore, let us not forget that it is vitally important for donors to be fully informed not only about the procedures used in the tissue and cell donation process, but also about the moral, psychological, medical and social consequences of their actions.

#### **26. Role of women in the green economy (short presentation)**

**President.** - The next item is a short presentation of the report by Mikael Gustafsson on the role of women in the green economy [2012/2035(INI)] (A7-0235/2012).

**Mikael Gustafsson,** *rapporteur.* – (SV) Mr President, Commissioner, right from day one and throughout the entire process of producing this report, I had extensive contact with the shadow rapporteurs, the general public, political advisers and non-profit making

organisations. I would therefore like to offer my sincere thanks to all those who have been instrumental in giving the report its current form. Your proposals and opinions are now part of the whole, irrespective of whether they were received via amendments, consultation responses, the Facebook page that was set up for this purpose or verbally.

This is a cross-party report in which equality, ecology and the environment come together. It is perhaps always important to have several political perspectives, but it may be particularly important during a time of financial crisis. At a time when there is talk of economic problems and solutions to these problems, the debate often tends to be very technical. It is as if men and women do not exist, despite the fact that the economy essentially revolves around people's ability to survive on a planet with limited resources.

The current economic systems do not take account of the fact that natural resources are limited. Constant growth is almost viewed as a religion. Sooner or later, however, there will be a collapse, as all goods or services that are produced require further extraction of natural resources, for example, water, energy or metals. This clearly affects ecosystems, which are the basis for our existence and welfare. We therefore really need a green economy based on equality.

A green or sustainable economy is a system in which we preserve the production capacity of ecosystems, the planet's capacity to sustain us, while at the same time meeting basic human needs. Thus, the economy develops within the bounds of what nature can tolerate and guarantees a fair distribution of resources between all people on the planet – between women and men and between different generations. A green economy is therefore not merely about green technology; it is just as much about social justice. It is a question of a sustainable economy.

In order to create a sustainable future, we need to think beyond the market and its short-term perspective. This means that we need to give people's prosperity top priority. In order to do that, we need to protect the basic functions of ecosystems, because without ecosystems, there will be no prosperity.

The green economy – the sustainable economy – will primarily be achieved through changes in the wealthy parts of the world. We are the ones who need to establish sustainable patterns of production and consumption. Current economic policy is not merely in the process of sending us down an environmentally dangerous gulley; it is also helping to increase the gaps in society between men and women, between rich and poor, and between north and south.

The quota of men that permeates society today must change completely in a sustainable society. Among other things, we need targeted measures, for quotas, for example.

Transport, consumption, food, welfare and representation are areas that have strong links with a sustainable economy. There needs to be a gender perspective within these areas. The report contains a number of proposals within these areas. These are proposals that could lead to a sustainable economy in which men and women have the same opportunities to determine and affect the development of society, in which the planet's limits are respected and where there is social justice between all men and women.

*Catch-the-eye procedure*

**Anna Záborská (PPE).** - (SK) Mr President, I would like briefly to summarise the most controversial paragraphs of the report. The report says that the state must convince women

to work in the green economy, to sacrifice their families for this, and to forget about intergenerational solidarity and raising their children. At the same time, men must go and study social services. We need more pre-school facilities and hospices and the green economy cannot exist without a liberal abortion policy.

I remember the promotional posters of the communists. On one, there was a woman on a tractor and on another, a woman with a pickaxe in her hand. As if the maternal instinct was a mistake of nature, as if caring for your own children and relatives had no value for society. We want to see only the woman, the man and the child, but never the family. What is the result? Social engineering, meaningless projects funded from our taxes and unsustainable pensions.

**Emer Costello (S&D).** – Mr President, I welcome this report and commend the rapporteur. I believe that it is of vital importance to include a gender perspective when debating environmental issues. Female workers are very much under-represented in the growing renewable sector in general, and in science and technology in particular. I feel that there is a need for initiatives to encourage women to study and seek employment in these sectors. Such initiatives should promote women's entrepreneurship in the green economy. Moreover, women should be equally represented in political decision-making bodies and involved in environmental policy making and the transition to the green economy in order to strengthen equality and democracy.

In developing countries, in particular, issues such as access to clean water and dependence on biomass for energy have differing effects on men and women. It is therefore imperative that modern green technologies be made available to developing countries and that these countries have access to the resources necessary to invest in the green economy.

Finally, I would recommend that Member States strengthen and invest in local public transport systems. These investments should be focused on sustainable transport development. They should do so in order to enhance living conditions and promote social inclusion, as well as to bring about positive effects on the environment.

I commend the rapporteur.

**Monika Flašíková Beňová (S&D).** – (SK) Mr President, the green economy can also be labelled the sustainable economy, by which I mean social and environmental sustainability in particular. Social sustainability means a social order based on equality and social justice, regardless of gender, ethnicity, skin colour, religion, sexual orientation, disability or political beliefs.

Due to gender roles, the impact of women on the environment is not the same as the impact of men. In many countries, moreover, women's access to the resources and possibilities for controlling the situation and adapting are limited, due to structural norms and discrimination. Gender inequality, combined with a lack of sensitivity towards the different economic and social status of women and their needs, often causes women to suffer disproportionately from environmental degradation.

The consequences of climate change also have the greatest impact on the poorest people, of whom women comprise an estimated 70%. Women in the green economy are insufficiently represented in specialist roles and are clearly insufficiently represented in negotiations on the environment and the budget, as well as in decision making in this area.

**Raül Romeva i Rueda (Verts/ALE).** – Mr President, I also want to thank the rapporteur, Mr Gustafsson, not only for his drafting, but also for the good cooperation he has shown in the development of the report.

It is a fact that the absence of the gender perspective from environmental policies increases gender inequality. We have seen this in different contexts. Therefore, gender mainstreaming, as is said in the report, is absolutely crucial at the international, national and regional level. This is what we claimed should be in the report.

I also appreciate very much the fact that the report includes two of the amendments we presented. One has to do with the specific situation of women in this time of economic crisis and in the EU 2020 strategy. As we have said in preceding reports, it is a fact that women are suffering much more from the crisis than men in many cases. It is also a fact that the transition to a low carbon economy will create a huge demand for skilled workers, so this is also an opportunity to create jobs and to create new opportunities.

**Silvia-Adriana Țicău (S&D).** – (RO) Mr President, climate change and the loss of biodiversity threaten people's living conditions, social well-being and welfare. I call on Member States to take measures to help women achieve a life/work balance and encourage entrepreneurship in sectors such as renewable energy, agriculture, tourism and the development of green innovations, especially within the service sector. I also call for support and encouragement for women's access to micro-credit for small businesses.

According to the Commission's estimates, implementing the energy efficiency plan has the potential to create up to 2 million jobs. I call on Member States to develop training courses through the ERDF and ESF programmes, designed to facilitate access for women to new green jobs and emerging technologies with a low environmental impact.

I support the adoption by Member States of fiscal policies promoting the development of a green economy and encouraging investment in sustainable infrastructures and green innovations.

**Andrea Češková (ECR).** – (CS) Mr President, I originally came because I wanted to talk about the next report, but I feel compelled to respond to some of the previous statements made by Members, although I do hold them in high regard. Yes, I agree that, regardless of whether it applies to women who play a role in the so-called 'green' or environmental economy, or anywhere else, there is a need to support gender equality and to support all of the opportunities offered to women by our current modern policy, in the sense that they are able to carry on at the same time as raising a family, and so that these gender stereotypes can be divided up correctly. So that they cease to exist, and so that women can share child care duties with their husbands. This applies in most cases on farms, in other words, agriculture, where families work together.

I cannot agree that children would be affected by this in some way and, on the contrary, I would like to support the ideas that relate to this area. This means that women will continue to have opportunities.

*End of the catch-the-eye procedure*

**John Dalli,** *Member of the Commission.* – Mr President, honourable Members, on behalf of the Commission, I wish to thank the European Parliament and Mr Gustafsson, in particular, for the report on the role of women in the green economy. My thanks also go

to the Committee on Women's Rights and Gender Equality for their views and contributions to this debate.

Empowering women and preserving their rights is indeed both an intrinsic sustainable development goal and a means to achieve the green economy we aim for. The importance of gender equality and women's empowerment is essential in key areas, such as food security and nutrition, sustainable agriculture, water and sanitation, energy and education.

The discussion of this topic is particularly timely as we now turn to the Rio+20 follow-up. As you know, the issue of gender played an important role there.

Much has been said about the outcome of Rio+20; some have summarised it as less than we hoped but more than we expected. This also applies to gender issues. On the positive side, the EU has achieved references to gender equality and women's empowerment, which is a step beyond Johannesburg. These elements are now reaffirmed as central to sustainable development and the outcome document when laying down our common vision and our renewed political commitment. We have also achieved a dedicated section on gender equality and the empowerment of women with key political messages on a range of areas.

But I would like to focus on another positive side, which is sometimes overlooked in relation to Rio+20 but has been central to the EU position and to the solutions of Parliament: the mainstreaming of the gender perspective in a range of chapters in the outcome document.

This applies to the need for gender-sensitive indicators and to poverty eradication as well as to the means of implementation, including finance, technology and capacity building.

Rio agreed on the need to empower rural women in order to enhance agricultural and rural development, food security and nutrition. This is part of the importance attached in Rio+20 to help small producers – often women – access credit, markets, land tenure, health care, social services, education, training and technologies.

Introducing the gender perspective in the areas relevant to the green economy will be important for an effective follow-up to Rio+20. The Commission will take this into account when developing its follow-up actions on Rio.

The efforts for the transition to an inclusive green economy are just starting at EU and international level. The call by the European Parliament to ensure mainstreaming of gender equality and women's empowerment is well-founded and it has been reflected in the Rio outcome document.

The Commission is looking forward to further cooperation with Parliament, including the Committee on Women's Rights and Gender Equality, on this important challenge.

**President.** – The debate is closed.

The vote will take place tomorrow (Tuesday, 11 September 2012).

#### **Written statements (Rule 149)**

**Edite Estrela (S&D), in writing.** – (PT) Mr President, speeding up the transition to a low carbon economy is an environmental imperative. The EU should maintain its goals and propose concrete measures by strengthening support for renewable energy and energy efficiency, promoting less polluting means of transport and offering consumers the possibility of choosing products with a smaller environmental footprint. In this context, it is important to discuss the imbalance between men and women in the political

decision-making process, which is related to the lower level of representation of women in the green economy. These factors are interlinked and require a holistic response. Equal participation in policy and the green economy is needed in order to ensure that the interests and different needs of men and women are duly considered. It is well known, for example, that climate change does not affect men and women, rich and poor, developed countries and developing countries to the same extent. As a result, the eradication of inequality and making the green economy more efficient are related. In order to overcome this imbalance, the Member States need to adopt the appropriate measures, including gender quotas. These measures are aimed at ensuring that economic development is based on a fair distribution of resources among individuals, among men and women, and among different generations.

**Vladko Todorov Panayotov (ALDE), *in writing*.** – Our countries are currently going through the most severe economic crisis of our experience and some see it as an opportunity for a transition towards a green economy. Indeed, as our resources are becoming more and more scarce and there are doubts about the sustainability of our way of life, the European regulator needs to question and correct one of the ongoing system's most striking deficiencies: the inequality between women and men on both the economic and environmental level. It appears nowadays that, on the one hand, women pollute less than men for various reasons, such as the fact they eat less meat, they drive less, and they consume less because their salaries are lower and because they have less time for leisure and energy-consuming activities. On the other hand, horizontal segregation contributes to women being as under-represented in qualified jobs as over-represented in unqualified jobs. The fact there are no women candidates for the ECB board is a good illustration of this situation: is there no woman in the EU fitting the requirements to acquire even candidate status for this board? I am glad the EU is underlining these paradoxes, as the measures we are taking today to ensure our economic growth will be decisive in shaping tomorrow's green and equal society.

## **27. Women's working conditions in the service sector (short presentation)**

**President.** - The next item is a short presentation of the report by Iratxe García Pérez on women's working conditions in the service sector [2012/2046(INI)] (A7-0246/2012).

**Iratxe García Pérez, *rapporteur*.** – (ES) Mr President, the service sector represents almost 70% of total employment in the EU, and 83% of the active female population works in this sector. I therefore believe that the work carried out on this report by the Committee on Women's Rights and Gender Equality is fundamental, and I want to begin by thanking all my colleagues for the work they have done on amendments and follow-up negotiations; they made it possible to get this job done and to improve the original report.

In this report, we have tried to reflect issues such as precarity, stereotypes, the digital divide, the pay gap, reconciliation, the glass ceiling, training, new technologies – issues that are central to the debate on equality and the situation of women in the labour market. However, I believe it is important to refer to some important matters that have also been the subject of an interesting debate in the committee.

With regard to flexibility, it is true that labour flexibility at certain times may help women join the labour market when they are trying to reconcile work and family life, but we should not forget that this flexibility cannot come at the cost of having the employer propose and maintain the working conditions; instead, it has to come about through collective negotiation and the role that women can play in promoting a reconciliation between work

and family life, because otherwise, that reconciliation will not be possible and, therefore, flexibility will not be positive.

Another question we have also brought up in the report concerns the issues surrounding part-time contracts. The majority of part-time contracts are held by women, and this can be an opportunity, but only if that opportunity means giving women the free choice to enter the labour market under such conditions and, of course, men too, because we should not forget that reconciling work and family life is the responsibility of both men and women, and we cannot always leave women to shoulder the vitally important task of caring for children, dependent persons and the elderly.

In this report therefore, we also wanted to make reference to the importance of public care services for children, the disabled and other dependants. Today, 80% of informal carers are women, and we therefore need free and quality public services, and we should not facilitate the dismantling – as is happening in many Member States – of the welfare state, public education and those social services that can help women join the labour market on an equal footing.

We also wanted to raise the important issue of the pay gap, which has been brought up many times by Parliament. The pay gap shows that women, as I said earlier, are mostly working part-time or in very precarious jobs, which not only means there is a pay gap in terms of the wages they currently earn, but also that these women's future retirement pension rights are far weaker than men's.

The gender pay gap is therefore a crucial issue that the Commission and Member States must address and develop in order for the gap to be narrowed; of course, another vital matter to bear in mind concerns all the issues surrounding work inspections and the monitoring of companies' policies on working conditions.

We were keen to make reference to the need to re-examine the question of the Maternity Directive. I believe that Parliament has been calling for this for quite some time, and the issue is not only maternity leave but also paternity leave, which is important and relevant.

Mr President, I shall finish by saying that we cannot allow this economic crisis to bring about a deterioration in the labour market and in working conditions because, in the end, that falls primarily on the shoulders of those who are already experiencing the most difficulty: in this case, on the shoulders of women in the labour market. Therefore, we will have to continue working and urging the Commission to carry out its own work on this issue.

*Catch-the-eye procedure*

**Joanna Katarzyna Skrzydlewska (PPE).** – (PL) Mr President, tomorrow we will be voting on another report concerning the matter of women in employment, this time in the service sector. This is an important sector, as the level of female employment is high and represents 25% of the total employment of women. This sector suffers from typical problems faced by women who are active in the labour market, namely: they are employed in capacities below their level of qualification, they are paid less than men for the same work and they are forced to work part time. To a large extent, this is caused by the difficulties women are confronted with when trying to reconcile family life and their careers.

In this report, we yet again call for the creation of an appropriate and affordable infrastructure for the care of children and the elderly. With regard to unequal pay, we

reiterate our appeal to the Member States, employers and trade unions to develop and implement specific performance assessment instruments which would facilitate the definition of work of equal value.

**Angelika Werthmann (ALDE).** – (DE) Mr President, it remains a sad but true fact: women in the EU still earn 16.4% less than men and make up 80% of low earners. In my home country, women earned, on average, around 60% of male average income in 2010. There still remain different gradings for the same work, while only one in seven board members in Europe's biggest corporations were female in 2010. It is high time women were seen as just as capable as men. Working hours that make it possible to combine professional and family life, the opportunity to have child care to that same end and access to permanent upskilling programmes are things that I see as an appropriate start in order to move in the right direction.

**Monika Flašíková Beňová (S&D).** – (SK) Mr President, almost 70% of people in the EU are employed in the service sector. However, this area accounts for most working women: more than 83%, compared to 58% of working men. Services, however, suffer from the problem of horizontal segregation, as a result of the persistent stereotypes in this sector. These are deeply rooted in society. It is assumed that there are male professions and female professions, and the female professions relate, for example, to work that women perform mainly in a domestic environment. They also include education, nursing, cleaning services and the like – all the worst paid jobs.

Women, moreover, still suffer from persistent pay differences. In the EU, they make 17% less than men, and that is not all. Almost 80% of low-paid people are women. Despite the fact that women account for almost 60% of university graduates, only one in seven members of the boards of leading European companies are women.

**Franz Obermayr (NI).** – (DE) Mr President, 83.1% of women in paid work are active in the service sector. There is a concentration to be seen in certain fields, such as care, mediation, marketing and teaching, and not only as a result of social stereotypes, as the report claims. Rather, women also bring very special skills to specialist fields. Marketing and mediation are thus classical female professions because women are generally better than their male colleagues at putting themselves in the shoes of others.

It is absurd to believe that there is suddenly a need for more male nursery school teachers or more female plumbers. That is of benefit neither to women nor to society as a whole. What is important, rather, is to remunerate and value people according to their profession, both financially and in terms of reputation. Moreover, part-time work must not become a case of precarity.

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

**Krisztina Morvai (NI),** *Blue-card question.* – Mr Obermayr, may I ask whether you think women would qualify as politicians? Could you accept more female politicians taking into consideration our wonderful abilities for mediation and care and all the other values that we need so much in politics?

**Franz Obermayr (NI),** *Blue-card answer.* – (DE) Thank you for your question. I said right at the start that I regard women as, by and large, more empathetic than their male colleagues, and that is a very important point, including in politics. I therefore believe that, both in politics and, of course, also in management positions – as was touched on earlier by a female Member – it is important that we should have many more women without the



imposition of quotas. I believe that imposing quotas would be the wrong approach, and I concede that equal pay would be an important step forwards in this connection.

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

**Andrea Češková (ECR),** *Blue-card question.* – (CS) I would like to respond to one thing you said in relation to whether or not we should have more male staff members in pre-school facilities.

If my translation was correct, then this is what was said, and I would like to ask you why we should not have more male staff members in these facilities, how many children you have and how many times you have been with them in such pre-school facilities, and how many male staff members and teachers there were.

Because, in my experience, we must do everything to ensure that there are male staff members among the educators or teachers in these pre-school facilities. The work needs to be divided up in this way.

**Franz Obermayr (NI),** *Blue-card answer.* – (DE) Thank you for your question. I said very clearly that we should not force blessings on people. Naturally, if more men are able to feel enthused by that kind of work, that is absolutely legitimate, and it is welcome if women also feel enthused by technical professions. A forced blessing, however, does not make sense, if you ask me. I would stress, once again, that it is important that, in this connection, people's professions – be it teaching or care – should have their status fundamentally enhanced. If these professions were to obtain a better image, if pay were improved and made equal for all, whether male or female, access would be equally attractive to both men and women. The problem would then solve itself.

**Elena Băsescu (PPE).** – (RO) Mr President, working conditions should be exactly the same, regardless of gender. There are discrepancies in the majority of countries, especially in terms of women's access to jobs and pay. I also feel obliged to mention that in 2010, only one in seven members of the boards of directors of Europe's major companies were women.

First of all, women need to defend their rights, including through civil judicial proceedings, when appropriate. Women's working conditions in the service sector must comply with the International Labour Organisation's Declaration on Fundamental Principles and Rights at Work. Authorities in Member States must monitor compliance with these principles.

**Anna Záborská (PPE).** – (SK) Mr President, I know there are many problems in this sector. According to the report, we need more male teachers and doctors, for we have too many women teachers and doctors. In companies, there are few female managers and too many male managers, and this must change. Part-time jobs are insecure and uncertain. At the same time, however, we praise them as a means of balancing work and family. We want flexibility, high pay and family, and for our health it suddenly matters whether we are treated by a man or a woman.

All this in the name of the plan to have three quarters of all women and men in work by 2020. It is thus becoming an economic necessity for women to work. Children are raised by comrade teacher, and old people are cared for in social facilities. It will be efficient in budgetary terms, and we will save on the hypocritical citing of statistics.

I am concerned that we are not paying equal attention to women who freely decide that they want to care for their family.

**Andrea Češková (ECR).** – (CS) Mr President, it is a fact that there are still occupations where women are more strongly represented than men, and that this is a direct result of the gender stereotypes that, even in this day and age, still dominate society. I also agree that women are often less valued than men for the same work and that, in addition to horizontal segregation, we also have vertical segregation in the labour market.

In my opinion, we should not talk about the service sector in terms of occupations with low social status and low social prestige. I firmly believe that our society values jobs such as teaching, care services and the like, and is aware that these jobs are irreplaceable.

I am generally opposed to excessive legal regulation, and even though I agree with many of the issues in the report overall, such as support for flexible working hours and child care, I cannot agree to the development of new proposals at EU level that will regulate this area very tightly.

We must not lose sight of the fact that, in services provided to households and private child care services, for example, there are many specialised small firms that are not currently able to adapt to the regulations demanded by this report.

#### IN THE CHAIR: ISABELLE DURANT

*Vice-President*

**Ana Miranda (Verts/ALE).** – (ES) Madam President, Commissioner, Ms García Pérez, congratulations on your report.

While it is true that the majority of women in Europe are employed in the service sector, it is also true that the majority of women have jobs that are precarious, segregated, part-time, undervalued, paid differently from those of men, irregular and illegal, in many cases simply to survive.

The last thing we women need is to be forced to accept job flexibility under the pretext of reforms like the ones being introduced in some Member States, such as Spain, which are leading to austerity measures, social security cutbacks and the loss of rights.

We women want rights, including in the services sector.

**Silvia-Adriana Țicău (S&D).** – (RO) Madam President, in 2010, 83.1% of the female workforce worked in the service sector in the European Union, and 78% of all part-time jobs were done by women.

I call on the Commission and Member States to devise strategies and adopt specific measures for combating precarious employment conditions in the service sector, which particularly affect women. Although there are increasing numbers of women using computers and the Internet, the digital divide in terms of skills remains very wide, which hampers women's opportunities to seek and find skilled jobs. I call on Member States and regions to arrange free IT training courses through projects financed by the European Social Fund, providing women with the opportunity to acquire new technical skills in the fields of communications and information technology, and thereby boosting their chances of finding a decent job in the service sector.

*End of the catch-the-eye procedure*

**John Dalli**, *Member of the Commission*. – Madam President, honourable Members, I would like to thank Ms García Pérez for her report on the working conditions of female workers. This report offers a comprehensive but gloomy picture – an assessment that the Commission shares.

Women are over-represented in low-quality, precarious positions and frequently have few opportunities for career advancement. Lack of policies to reconcile work and family or private life, inappropriate incentives or rigid gender roles can contribute to this unfavourable situation. The presence of children, too, often dampens women's employment prospects significantly. This is an issue that has to be dealt with urgently, as a woman's decision to have a child should not imply her exclusion from the labour market. The persistence of the gender pay gap, women's lower representation in decision-making positions and the barriers facing immigrant women are all further issues we have to fight against.

Overcoming these challenges features high on the Commission's political agenda.

First, although there is no definite target for female employment rates in the Europe 2020 strategy, it says that the 75% employment rate in the 20-64 age group should be achieved through the greater involvement of women. The Europe 2020 strategy also sets a target for reducing the number of Europeans at risk of poverty by at least 20 million by 2020, which can hardly be achieved without better inclusion of women.

Second, gender issues were prominent during the European Semester of enhanced policy coordination. The solid conclusion emerging from the first European Semester was that the Member States need to put in place a comprehensive policy mix to combat the gender employment gap and its main causes. Country-specific recommendations were issued to several Member States in 2011 and 2012 in this area. They have focused on the need to offer affordable, available and quality care services, to remove fiscal disincentives for second earners from the tax benefit system, to provide flexible working arrangements and to combat the gender pay gap.

The Commission has monitored actions taken by the Member States in this field and taken stock of progress made but has noted that additional efforts were necessary.

The Commission has instruments to help Member States design and implement more efficient actions in this area. Addressing equal treatment for women can be found in our few recent initiatives that underline the importance of a growing and inclusive workforce and a more equal society.

First, our engagement is reflected in the priorities of the strategy for equality between women and men, which defines actions addressing cross-cutting women-related issues. The gender pay gap in the EU is one of these. Its persistence indicates a need to tackle the underlying causes and to enforce the existing rules more effectively. The Commission will report on the implementation of its directive on equal pay matters in 2013.

The Commission has recently launched an initiative which will help to raise the awareness of companies about the business and economic case for gender equality, such as the gender pay gap. Training activities and exchanges of good practices for and by companies will be organised starting this autumn. Furthermore, we will mark again European Equal Pay Day in 2013.

This House knows and supports Vice-President Reding's commitment to making rapid progress on the representation of women in top positions in the corporate sector. Given

the insufficient and unequal progress so far, the Commission is now considering taking an EU-level measure.

Second, I would also draw your attention to the employment package, which points to women's integration into the labour market. The employment package also calls on the Member States to establish national job plans within their national reform programmes and use them to focus on job creation and to fine-tune the use of the structural funds to increase employment opportunities. Indeed, stronger governance of employment policy can provide a strong framework for improving the work conditions of the female workforce. According to the sectoral approach of the package, the Commission will promote white-collar, green and ICT careers in order to attract under-represented profiles such as women.

Third, a job is the best guarantee to avoid unemployment and exclusion in society. However, at the outset of the current economic downturn, social inclusion should be taken into account.

Our commitment is clear: to encourage development of the necessary social services within the framework of elaborating policy options and tackling the long-term care challenges. It can ease employment patterns so that women can enter the labour market.

I believe that these provisions make things change on the ground and will close the gap between women and men.

**President.** – The debate is closed.

The vote will take place on Tuesday, 11 September, at 12.00.

#### **Written statements (Rule 149)**

**Iosif Matula (PPE), in writing.** – (RO) In the area of equal opportunities for women and men, we must acknowledge that the EU has not fully achieved its objectives. Guaranteeing decent working conditions for women, including not only health standards, and access to social security, but also the opportunity for further training, remain issues in respect of which we are trying to find effective solutions.

In my personal view, we need more effective policies promoting the balance between work and family life, especially as the overwhelming majority of parents who apply for parental leave are women, an inequality which is also being felt by children.

One effective solution is to encourage female entrepreneurship, together with devising training programmes involving new technologies, an area where surveys indicate a gender gap. This restricts the opportunities women have to gain access to higher qualified jobs and receive higher salaries and, in the long term, it deprives them of the chance to develop their career. I am also concerned about the situation of undeclared female workers, a large proportion of whom are immigrants, employed in private households. They endure insecure working conditions and low salaries, deprived of any social rights. Unfortunately, this facilitates the vicious circle of poverty.

**Jutta Steinruck (S&D), in writing.** – (DE) The working conditions of women in the service sector are still not how we would like them to be. A quarter of all non-typical employees work in the service sector; in the German retail trade, there are almost a million so-called 'mini-jobs'. Working women, who represent eight out of 10 of those employed in the service sector, are particularly strongly affected by this. We have already achieved a great

deal in respect of equality between men and women, and we are on the right path to achieving even more. However, in the context of services, specifically, it is particularly important that agreement is finally reached on the Posting of Workers Directive. Women are particularly strongly affected by this: 58% of all the women working in posted positions in Germany work in the service sector. The percentage of female workers in, for example, care work is considerably higher than in many other sectors, and the working conditions are often very poor. What we need are minimum wage rates, limits on working hours and safety standards that are reasonable for all female workers in Europe. We can only achieve these objectives if we lay down clear rules for the posting of workers by temporary employment agencies. I am therefore pleased to see that the rapporteur takes up the subject of mobility in her opinion. We advocate a clearly regulated legal framework for Europe's internal market in the field of services in order to prevent precarious labour relations and discrimination.

## **28. Enhanced intra-EU solidarity in the field of asylum (short presentation)**

**President.** – The next item is the report by Kyriacos Triantaphyllides, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on enhanced intra-EU solidarity in the field of asylum (2012/2032(INI)) (A7-0248/2012).

**Kyriacos Triantaphyllides, rapporteur.** – (EL) Madam President, ladies and gentlemen, we have been in negotiations on a common European asylum system for some years now. All the signs indicate that this year will mark its completion and thus, the start of a new era. However, the signs also indicate that the common European asylum system will not meet our initial expectations. Nonetheless, we hope that at least some positive steps will be made and that others – albeit fragmented – steps will follow. This report is predicated on precisely this gradual approach. In it, Parliament sends the European Commission and the Member States a clear message of its expectations in terms of strengthening solidarity in the asylum sector within the European Union. We have managed in this report to express the abstract concept of solidarity in specific terms, by stressing the importance of a fair distribution of responsibility between the various Member States. Now we are waiting for the Commission to forward the relevant legislative proposals to us, so that we can continue the job we undertook back in 1999. I should like to take this opportunity to express my warmest thanks to all sides in Parliament for their excellent cooperation on this dossier.

### *Catch-the-eye procedure*

**Georgios Papanikolaou (PPE).** – (EL) Madam President, the Group of the European People's Party (Christian Democrats), our shadow rapporteur Ms Hohlmeier and I personally congratulate our rapporteur on an excellent report. The debate held during the preparation and drafting of this report was very important and negotiations on the asylum package are still under way and, as you know, need to be completed in a very short space of time, by the end of this year. This report has given us an opportunity to expound our thoughts more openly and to table proposals and ideas. I think that, even once negotiations have been completed, the report will provide a reference point in terms of problems with the common asylum package and in terms of the need for greater solidarity and an equal distribution of the burdens, as the rapporteur quite rightly said. We need a European asylum system and we need high levels of protection. All of this is set out in the report and I would like, once again, to thank the rapporteur and, of course, all the political groups for their efforts.

**Raül Romeva i Rueda (Verts/ALE).** – (ES) Madam President, I should like to congratulate the rapporteur, among other things, because, as it says in the report, ensuring the good functioning of the common European asylum system is particularly important at times such as these. This has been said before.

The number of people who die trying to cross the Strait of Gibraltar – or the Mediterranean – to come to Europe is growing considerably. In addition to this, however, we are seeing how the lack of concrete measures is fuelling a type of discourse, for example, from the Golden Dawn party in Greece, which is of great concern. Specifically, with regard to that aspect, solidarity between Member States is an obligation, not only from a humanitarian point of view, but also from that of their political responsibility, precisely so as to be able to overcome many of the difficulties that many of the countries having to manage this situation today are unable to face.

I believe that it is necessary and possible, and I also believe that the proposals the rapporteur puts forward in the report are absolutely vital.

**Elena Băsescu (PPE).** – (RO) Madam President, the issue of asylum at EU level continues to be particularly delicate. The disparities which still persist between Member States when it comes to asylum applications can only be resolved through greater solidarity. Establishing the European Asylum Support Office offers the potential of instilling this spirit of solidarity among Member States.

Romania has realised the need to cooperate with Member States who receive numerous asylum applications. Although the number of asylum applications received by Romania is low, my country has realised the need to cooperate with states affected by substantial migration flows. I hope that in the future financial perspective, the Asylum and Migration Fund will lead to better management and cooperation between Member States on the asylum issue.

**Monika Flašíková Beňová (S&D).** – (SK) Madam President, the EU promised to complete the establishment of the common European asylum system (CEAS) in 2012. The objective is a common space of protection and solidarity, based on common asylum procedures and a unified legal status for people who have been given international protection.

It is extremely important now to ensure the proper functioning of the CEAS. Migration flows are mostly mixed and include migrants, asylum seekers, refugees and vulnerable people, such as unaccompanied children. At the same time, the flows of asylum seekers and migrants have their individual qualities which must not, under any circumstances, be neglected or mixed up.

Member States cannot, at present, adequately address the asylum requests submitted on their territory. We must therefore address the problems in the asylum area across the entire EU in an integrated fashion, by means of a better division of responsibilities, greater mutual trust, practical cooperation, technical assistance and financial solidarity.

**Róża Gräfin von Thun und Hohenstein (PPE).** – (PL) Madam President, we are all aware of the problems in Malta, Italy – in Lampedusa in particular – and Greece: the problems faced by countries that border the Mediterranean Sea. One seldom hears about the countries which share a border with the eastern neighbours of the EU. It is true that the pressure on borders is somewhat weaker there. Ultimately, however, this is a great challenge for us and for the European Union. We cannot have this dividing line between the problems faced by the southern and northern EU Member States. It is important for us to have a common

policy, and I am delighted that so many of my colleagues have spoken about European solidarity. We need shared management of our borders. Poland's Minister for Foreign Affairs is even talking about a single border guard service. Once a common system is in place, we will be able to take adequate care of those people, protect their rights, their dignity and freedoms, and allow them to put their past tragic events behind them and live a decent life in the European Union once they have arrived.

**Jaroslav Paška (EFD).** – (SK) Madam President, the increased numbers of migrants from the Mediterranean during the Arab Spring highlighted the gaps in European asylum policy. The logical response of the southern European countries most affected by the wave of migration was a request for the material and organisational burden resulting from the influx of migrants to be redistributed to other EU countries. As often happens in life, an apparently simple solution does not always have to bring good results.

Migrants seeking asylum come to Europe with the hope that they will continue their lives here in more dignified and more civilised conditions. They know that the language of the former colonial power they learned at school in their home country is readily spoken in a certain part of Europe and they will be able to integrate into the population there.

However, if we tell a French speaking family from Algeria or an English speaking family from India or Egypt that their new asylum home must be Estonia or Romania, we will be confronting them with a language barrier that is difficult to overcome, which will profoundly disillusion them and complicate their chances of integrating into the new environment. In the interests of a sensitive and humanitarian solution to the situation of asylum seekers, we should leave it up to them to decide where in the EU to settle, and help them integrate into society wherever they can most easily do so.

**Miroslav Mikolášik (PPE).** – (SK) Madam President, the common asylum system should really be completed across the whole of Europe in 2012, and it should be an elaborate system from the outset, incorporating all participating EU countries into the asylum policy in a balanced way. I sympathise very much, of course, with colleagues or countries facing an onslaught of migrants particularly from Africa, and we know this includes Malta, Italy and Greece. Countries such as my own country, however, are confronted with new migrants who no longer see the country as a transit country but also settle finally or want to settle in Slovakia, where I live.

I am very proud of the fact that Slovakia has made huge progress. I visited an asylum centre in Humenné, where I saw that the conditions for asylum seekers were of a very high standard, and that they are cared for both in health and social terms, and that the issue of integration, of course, was very well looked after. I hope that this directive or this document will be successful.

*End of the catch-the-eye procedure*

**John Dalli,** *Member of the Commission.* – Madam President, first of all, let me thank the rapporteur, Kyriacos Triantaphyllides, and the other honourable Members involved, for their work on this report. The Commission welcomes the European Parliament's contribution to the development of intra-EU solidarity in the field of asylum. I am happy to see that our views converge on the key approaches, especially the view that solidarity has to go hand in hand with the responsibility of all those involved to meet their obligations.

The lines along which solidarity should develop have been identified and confirmed by all our institutions: practical cooperation and technical assistance, with coordinating and

supporting action from EASO, which must go hand in hand with legislative harmonisation; financial solidarity, via a flexible and easy-to-mobilise system, underpinned by closer partnerships among all those involved; and the fair allocation of responsibilities among Member States for both asylum seekers and other beneficiaries of international protection.

Let me share with you the Commission's guiding principles in developing a sound framework for EU solidarity on asylum. First, our action on solidarity should be comprehensive and balanced. Mutual support needs to go further than just combating irregular migration. Solidarity also involves relocation, resettlement and a well-functioning, common European asylum system.

Second, solidarity in asylum is not primarily about emergency or reactive action. The best way to achieve mutual trust is for solidarity to be built into Member States' everyday practice, for example, by supporting integration efforts. We should keep such everyday solidarity sharply in our focus in the future, not least because it is less politically visible than emergency action.

Third, it will be essential to follow up all the commitments made. As we announced in March, the Commission will report on solidarity issues in its annual report on immigration and asylum, starting next year. To prepare this report, the Commission will invite Member States to an expert meeting this autumn to discuss the current state of play.

I would also like to address the criticism the report makes of the application of the Dublin Regulation, and the related suggestion to develop instead an EU system for relocating asylum seekers. The Dublin system is certainly not ideal. The Commission evaluation in 2007 acknowledged the disproportionate burden on some Member States due to their geographical position. Other situations also need to be acknowledged: as recent experience showed, Member States without an external border can also experience disproportionate flows.

It is true that standards in Member States are unequal and sometimes insufficient, which gives some asylum seekers better chances than others. These problems will be addressed by the current reform of the Dublin Regulation and by more harmonisation in the second phase of the CEAS. So, completing our interinstitutional negotiations on the CEAS is vital.

**President.** – The debate is closed.

The vote will take place on Tuesday, 11 September, at 12.00.

#### **Written statements (Rule 149)**

**Josef Weidenholzer (S&D), in writing.** – (DE) One of the key elements of the European integration process is a fair and effective asylum policy that demonstrates solidarity. More than anything, this policy must also measure up to the mark in possible crisis situations in Europe's neighbourhood. The current system grew up historically and also dates from a time when there were fewer Member States in the Union. Reform has hitherto proven extremely difficult, as the subject of asylum has become a priority domestic issue in most Member States. Time and again, the populist exploitation of this issue to be observed pretty much everywhere makes it difficult to attempt to reach a solution in a way that is reasonable and satisfies the principle of solidarity within Europe. The report on enhanced intra-EU solidarity in the field of asylum is an important attempt to disentangle this difficult situation. It is right to point out in the report the necessity of a greater sense of responsibility within



the EU. The establishment of the common asylum policy, which is still scheduled for 2012, must be judged against this axiom.

### **29. Pharmacovigilance (amendment of Directive 2001/83/EC) - Pharmacovigilance (amendment of Regulation (EC) No 726/2004) (debate)**

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

- A7-0165/2012 by Linda McAvan, on behalf of the Committee on the Environment, Public Health and Food Safety, on pharmacovigilance (amendment of Directive 2001/83/EC) (COM(2012)0052 - C7-0033/2012 - 2012/0025(COD)); and

- A7-0164/2012 by Linda McAvan, on behalf of the Committee on the Environment, Public Health and Food Safety, on pharmacovigilance (amendment of Regulation (EC) No 726/2004 (COM(2012)0051 - C7-0034/2012 - 2012/0023(COD))).

**Linda McAvan, rapporteur.** – Madam President, pharmacovigilance is, of course, about the safety of medicines and monitoring medicines on the market for potential side effects. Two years ago, Parliament and the Council signed off a major reform of the European system. We had not expected to be back here tonight updating that legislation before it took effect, but that was before the Mediator case in France, which highlighted potential weaknesses in what we had already agreed.

My big priority in the course of negotiations over the last few weeks has been to strengthen the hand of regulators in the pharmaceutical system and, by doing so, to improve patient safety. Two things struck me when I looked at the Mediator case. Firstly, safety issues had been discussed at the European Medicines Agency on a number of occasions among regulators, but no formal referral had ever been made, and the issue was dropped. The company withdrew the medicine from markets in some countries for commercial reasons. The second issue which struck me was that the French and Italian authorities had requested a safety study from Servier back in 2000 because of these concerns, but that study was not finished until almost a decade later. By that time, the medicine had been withdrawn because of the vigilance of a regional pharmacovigilance expert in France.

So, when we looked at the revision, we made several key changes. The first is that, in future, companies will be under much more scrutiny when they voluntarily withdraw a medicine from the market anywhere in the world: this must be reported to the EMA and questions can be asked. Secondly, whenever there is any concern about safety, there will now be an automatic trigger which will lead to an investigation at European level. There will not be national discretion over that decision. Thirdly, when a post-authorisation safety study is requested, that study will have to be carried out. Drugs which are subject to a study will now be labelled with a black triangle so that health professionals and the public know that drug is subject to a post-authorisation safety study. What struck me about the French case was that the French regulator said that it did not have the powers to actually make a post-authorisation safety study happen. This cannot be allowed to happen again.

Commissioner, two outstanding issues came up during the course of negotiations which MEPs hope you will comment on tonight. The first was the issue of fee regulation for the EMA. We need enough money to be able to carry out our pharmacovigilance work properly. The second is the issue of the black box of essential information on the patient information leaflet. You have sent me a letter about these matters and I know that you say that the

Commission will look very carefully at both these issues. I hope you will make a comment on this.

Finally, I should like to thank all the shadow rapporteurs who are here this evening for the all the hard work they have put in on this dossier. I thank the Danish Presidency, the Commission and the Council Presidency. The Council Presidency helped us expedite the work quickly so that we could reach an agreement before the summer so that it takes effect at the same time as the other changes to the pharmacovigilance legislation.

**John Dalli**, *Member of the Commission*. – Madam President, honourable Members, I am glad to be here for the formal endorsement of a first reading agreement on the important proposals on post-market control of medicines, the so-called pharmacovigilance. Pharmacovigilance makes a crucial contribution to public health and is key to the safety of patients.

May I take this opportunity to thank all those who worked very hard to make this agreement possible – in particular Ms McAvan, rapporteur for the lead committee, who has successfully facilitated the early conclusion of this dossier.

The stress test following the Mediator case identified certain gaps in our legislation. The proposal under consideration today will strengthen the transparency and reporting requirements of the 2010 package on pharmacovigilance. In particular, more categories of products will be subject to increased monitoring with a view to improving the reporting of adverse reactions to such medicines.

In addition, there will be greater transparency of the reasons for the withdrawal, interruption or non-renewal of the marketing of a product, as companies will have to declare the reasons for these. This will help to minimise the risk that a product falls through the net and thus escapes scrutiny when safety concerns are identified.

The confidence of patients in medicinal products is essential for therapeutic compliance; such confidence can only be achieved and maintained if patients trust our system. I am pleased that the proposal on which Parliament will vote tomorrow addresses the gaps identified in the existing pharmacovigilance legislation.

The Commission stands fully behind this agreement and is very pleased that it was concluded between the institutions before the summer break. As part of the agreement, with respect to the legislation on fees related to pharmacovigilance activities, the Commission makes the following statement:

On 18 June 2012, the Commission launched a public consultation on a concept paper concerning the introduction of fees for pharmacovigilance, as set out in Regulation (EU) No 1235/2010 and Directive 2010/84/EU, which is open for comments until 15 September 2012.

After examination of the comments received, the Commission will prepare an impact assessment which is one of the necessary steps in the legislative process before the Commission puts forward a legislative proposal. The Commission will continue to work on this file as a priority with the intention of presenting a legislative proposal as soon as possible to the European Parliament and the Council.

**Pilar Ayuso**, *on behalf of the PPE Group*. – (ES) Madam President, Commissioner, first of all, I would like to draw attention to the excellent work done by Ms McAvan, the rapporteur, and also the other shadow rapporteurs, in order to reach this agreement at first reading.

This was very important because the regulation we adopted in 2010 was coming into force and it needed to be amended. It was not amended because it was a flawed piece of legislation – quite the contrary. Rather, it was amended because, as has been said, recent events took place, of which we are all aware, showing that there was a loophole that needed to be closed in order for it not to occur again. It was also necessary to strengthen certain specific points concerning pharmacovigilance and the safety of medicines once placed on the market.

As we have already heard, from now on, marketing authorisation holders who do not renew a marketing authorisation or who withdraw or request the withdrawal or suspension of an authorisation will be obliged to inform the competent authorities of the real reasons and motives for withdrawing or suspending it.

This is a major success for transparency and it will prevent the market authorisation holder from trying to conceal the real reasons behind its decision. Moreover, in the event that any of these actions is carried out in a third country, all the Member States in which that medicine is marketed must be informed.

All this will improve transparency and safety, without the European Medicines Agency and national agencies being overly burdened as a result.

The second important amendment we have achieved is that all authorised products that are subject to some kind of post-authorisation safety study (PASS) will be systematically included on the list of products subject to such monitoring.

Lastly, we cannot forget that pharmacovigilance plays a fundamental role, and Parliament should therefore adopt this proposal.

**Karin Kadenbach**, *on behalf of the S&D Group*. – (DE) Madam President, I, too, would like to thank Ms McAvan and the shadow rapporteurs once again. I believe that the European Union has acted very quickly here. Something that was regarded as modern and effective as recently as 2010 has proven to be inadequate in such a short space of time, and we must now act together as quickly as possible to put it in order. These loopholes need to be closed. The document before us shows very clearly where work needs to be done.

We need transparency and we need speed, as we need patients and consumers to have confidence in their drugs. Above all, we need confidence in the system. We need close collaboration in order for it still to be possible to later monitor medicinal products that have already been authorised in Europe, in order to be able to ensure that adverse reactions and, above all, harmful side effects are detected as quickly as possible and that the entire European market is informed in the shortest possible time. In other words, medicines cannot simply quietly and secretly disappear from the market when producers have noticed that there may be some harmful side effects. Instead, such occurrences must be explained. We need this transparency, we need the urgency and we also need the longer monitoring periods.

What we very particularly need is the close cooperation with the patient, but also with the staff working in health care, as I believe that the pharmacovigilance package can ultimately only work if everyone knows about it, in other words, if this information also coalesces. Legislation of this kind can only really work if patients are able to make sense of the package insert and if, on the other side of the coin – as Ms McAvan mentioned – the European Medicines Agency also has the necessary financial means to be able to meet all the responsibilities handed over to it in future.

**Antonyia Parvanova**, *on behalf of the ALDE Group*. – Madam President, let me start by congratulating Linda McAvan on a successful leadership on this dossier and by praising the work accomplished by the Danish Presidency, the Commission and all political groups in making possible a prompt and necessary agreement on such a crucial issue. Less than two years after the case in France, we shall review the remaining gaps and loopholes in our European pharmacovigilance framework. All the European institutions and stakeholders are demonstrating today that when patient safety is at stake, actions can be taken swiftly and effectively.

The ALDE Group welcomes the agreement, which will be put to the vote tomorrow, upgrading our new framework adopted in 2010 with a clear focus on transparency, efficiency, follow-up mechanisms and the reinforcement of the monitoring of drugs placed on the market but subject to post-authorisation studies.

I particularly welcome two key elements of the future provisions to be implemented: the obligation for companies to communicate the reasons for withdrawing a product from the market and the automatic trigger of the emergency procedure when this decision is taken due to safety concerns. We must indeed keep in mind that, in addition to guaranteeing the highest level of patient safety, the good functioning of our pharmacovigilance system is also a tool to reinforce European citizens' confidence and understanding of the medicines they are taking. As decision makers, we have a public health responsibility, which we are taking today in ensuring the efficiency of our system and adapting it when necessary.

To conclude, I would like to mention the need to provide sufficient resources for the European Medicines Agency to assume effectively its new missions. I understood that the Commission is already working on this issue and I hope it will come up with the relevant proposal without undue delay.

**Marina Yannakoudakis**, *on behalf of the ECR Group*. – Madam President, patient safety should always be our first priority. Recent misleading information about the drug Mediator led to hundreds, maybe even thousands, of deaths. This reinforces the importance of this report. We need rules to protect patients from dangerous side effects of drugs.

It is hoped that this report will close the existing loophole, thus forcing companies to declare the withdrawal of drugs on safety grounds. This being the case, an emergency evaluation will automatically be triggered. I am pleased to say the Members working on this report acted swiftly and reasonably.

Could there have been other changes? Yes, but now was not the right time. I am pleased that Parliament put patient safety first by reacting rapidly, rather than seeking a long drawn-out revision of this legislation. I congratulate the rapporteur on her work.

**Oreste Rossi**, *on behalf of the EFD Group*. – (IT) Madam President, ladies and gentlemen, first of all, I would like to thank Ms McAvan for the work she has done, which I endorse.

The entry into force of the new provisions has significantly strengthened the legal framework for the surveillance of medicinal products. The overall strategic objectives of the new regulation and the new directive are in line with the overall objectives of EU legislation in the pharmaceutical field and their aim is, above all, to provide better health protection for citizens and ensure the proper functioning of the internal market as regards medicinal products for human use.

I support the proposal since I consider it vital, in order to protect patients, to strengthen pharmacovigilance systems so as to guarantee greater transparency in procedures, thereby improving the effectiveness of products.

Recent cases have shown the need for a further improvement of the system. It is appropriate to continually define a medicinal product's tolerability profile under actual conditions of use and to promote balance in the use of medicinal products among the population.

**Jiří Maštálka**, *on behalf of the GUE/NGL Group*. – (CS) Madam President, I, too, would like to thank the rapporteur, Linda McAvan, for the fine work she has done on this legislative proposal.

I am delighted that, following a successful trialogue, it will be possible to reach agreement in the first reading. I am sure that the amendments to the recently adopted legislation that we agreed on will lead to safer medicines, better protection for patients in Europe, and greater coordination and cooperation.

The amendments were necessary in order to prevent a repetition of scandals such as the one surrounding the Mediator drug.

I would like to emphasise, however, that even perfect legislation will be worthless if not properly implemented, and if compliance is not properly enforced.

The economic crisis and related cuts are also affecting the health sector, including the budgets of national and European medicines agencies.

It is therefore important to ensure that the competent bodies at both national and European levels receive adequate support and trained staff to fulfil all of the important tasks that we have given them under this new legislation.

**Franz Obermayr (NI)**. – (DE) Madam President, it is absolutely necessary that we should continue to monitor medicines after their marketing authorisation, the more so given that they are only trialled on a relatively small number of patients. New knowledge often only comes to light once the medicine in question is already on the market.

Medicinal products that require additional monitoring or are subject to a post-authorisation safety study (PASS) should be labelled to that effect using a black symbol. In addition, doctors, patients and the authorities must be told in good time – meaning as soon as possible – when and why a medicinal product that had, up to then, been regarded as safe is withdrawn from the market. Clearly, we cannot allow a situation where investors in pharmaceutical companies are informed before doctors and pharmacists. Ultimately, the monitoring of medicinal products, as good as it is, only serves patients if it warns them in good time of a dangerous medicine.

**Peter Liese (PPE)**. – (DE) Madam President, Commissioner, ladies and gentlemen, what happened in the Mediator case really was a major scandal. We do not know exactly how many people lost their lives – reports vary from 500 to 2 000 – but every death is one too many. This was a case of irresponsible behaviour on the part of the company but, unfortunately, there were also gaps in the law. These gaps in the law urgently need to be closed. I would therefore like to offer my heartfelt thanks to Ms McAvan, to the shadow rapporteurs and, in particular, to Ms Ayuso in my group, and to Commissioner Dalli, who produced this proposal efficiently and guided the whole process very constructively.

It is important that, in future, precise reasons will have to be given when a medicine is no longer marketed – no one can be in any doubt in this regard – and it is also important that the information is then shared between the Member States competently and accurately so that cases like this do not happen again.

Ms Weisgerber and I have tabled an amendment on a drug facts box going beyond what the Commission has already proposed. I want to emphasise that, when using the English terms, we should talk not of a 'black box', but of a 'drug facts box'. We might well not be dealing with a box that is black, you see. That was, after all, possibly one of the reasons why this proposal, which was tabled by the Commission once before, was rejected in the past. A black box is possibly not the right way to indicate this kind of information. However, we do need to improve the package insert.

A system of drug facts boxes has proven itself in the United States. We still have the problem that our package inserts are too complicated. To put it in a somewhat simplified and exaggerated way: there are two kinds of patients. One group do not read the package inserts at all, as they do not understand anything on them anyway, and throw them away. The other group read the package insert quite carefully, are scared by the many potential side effects and consequently do not take the drug. As a doctor, I have experience of both groups, and it goes without saying that both approaches are wrong. We need collaboration between doctors and patients. When important side effects occur, people need to get in touch with a doctor quickly. However, the drug must be taken as prescribed. With antibiotics in particular, it is important that patients must not stop taking a drug when they feel a little better, as that is how resistance develops.

All this kind of information could be much better presented in a drug facts box than it is on current package inserts and, as I mentioned, this approach has proven itself in the United States. I am therefore very grateful that the Commissioner has promised to include this in further investigations, and I hope that we will soon have a proposal on this that is as precise as possible.

**Monika Flašíková Beňová (S&D).** – (SK) Madam President, the stress testing of legislation in the area of pharmacovigilance has exposed serious shortcomings in the EU system, which we must resolve, as no shortcomings can be allowed in the safety area of our drugs policy.

The Mediator drug mentioned earlier was registered in many European countries through national procedures, and despite the fact that the first reports of undesirable effects in its main active ingredient – mentioning fears of potential heart valve failure – appeared as early as 1999, the drug was prescribed very widely in Europe up to 2009, when it was taken off the market, with prescriptions handed out to 5 million people. The number of deaths related to this medicine is estimated to be as high as 2 000, up to 2 000 people.

Despite the fact that concerns over this drug were discussed by regulatory bodies at various meetings at European level, and despite all of the properly documented concerns, no decision was taken for this drug to undergo scientific assessment at EU level. The regulatory bodies took no further measures.

These facts show very clearly that safety in respect of drugs policy and drugs must be reinforced at EU level. I therefore support the aim of revising the legislation from 2010 and, at the same time, I would like to emphasise the need to achieve this amendment as

quickly as possible, in the interests of public health. I would also like to thank the rapporteur very much for the finely drafted opinion.

**Frédérique Ries (ALDE).** – (FR) Madam President, ladies and gentlemen, we will probably never know the number of deaths attributable to Mediator, which was placed on the market for the treatment of diabetes and was often prescribed, in reality, as an appetite suppressant. In any event, there have been too many victims of this system failure, in France anyway, where, as has already been mentioned, the drug was not withdrawn from the market until 2009, six years after the same decision was taken in Italy and Spain.

This scandal has quite clearly been the catalyst for the revisions we are debating this evening. These revisions are essential given the widespread but risky practice of marketing non-prescription medicines.

The shortcomings in the legislation we adopted in this very Chamber just two years ago are clearly highlighted. The legislative framework is reinforced where necessary. Yes, it is essential to compel manufacturers to give their reasons for withdrawing a drug from the market or for not applying to renew a marketing licence. Yes, this alarm, this triggering of the emergency procedure when practitioners stress that taking this medicine results in adverse patient reactions, must be made systematic.

Now we must remain realistic, so that this pharmacovigilance system can function effectively. It is for the national authorities and the London-based European Medicines Evaluation Agency (EMA) to exercise greater control over the sector's commercial players and to demonstrate greater independence from them.

**Tadeusz Cymański (EFD).** – (PL) Madam President, I would like to express my esteem for the rapporteur and the shadow rapporteurs, who drafted two reports in a very short time, considering the urgent implementation of new legislation planned before the end of this year. I welcome the idea that the Commission and the European Medicines Agency bear more responsibility for the safety of pharmaceuticals. The agency's broad mandate, which includes granting commercial licences to manufacturers, valid across the European Union, have been linked with the obligation to warn of dangers that have been detected but have not been the subject of state-level intervention. In the widely publicised case of a lethal drug in France, European institutions were, for many years, unable to have the drug prohibited in its country of origin while successive Member States withdrew it from the market. We know that there was a conflict of interest between the supervisory authority and the manufacturers of the medicine who financed it. We realise that the pharmaceutical companies are in too powerful a position. The battle is a difficult one, but victory remains possible and efforts should be continued.

**Marisa Matias (GUE/NGL).** – (PT) Madam President, I would also like to add my voice to the comments made by my fellow Members with regard to the report by Ms McAvan, which was an excellent piece of work. Today, we can say that European patients are much safer with this new amendment to the legislation and the regulation, and that patient protection is indeed one of our priorities. In view of all this, as I do not want to repeat what has already been said, and because I support the comments in their entirety, I would just like to mention a couple of things that occurred to me during this discussion.

The first relates to the fact that the economic crisis is causing setbacks in the areas of health care and public health. Therefore, in order to make the most of your presence here, Commissioner, I would also like to draw attention to the fact that we cannot allow the

economic crisis to prevent the package comprising the three pieces of legislation relating to medicines, including pharmacovigilance, counterfeit medicines and information given to patients, from being put on the waiting list, using the crisis as an excuse for failing to grant patients access to all the care, information and medicines to which they should be entitled. Neither can we in any way accept that this should be the case!

A second point occurred to me during this discussion: in 2010, we voted at the first reading of the directive, but here we are in 2012 and I see that we have actually gone backwards, as now we are talking about the quality of the medicines. Today, in 2012, what might have been a rare case in 2010 has become an epidemic, and people are dying in Portugal and Greece due to lack of access to medicines. This problem is not caused by the pharmaceutical laboratories, but by this laboratory here. I sincerely hope that we succeed in addressing these problems, as medicines represent advances in public health and health care, and we cannot ignore these problems, which touch upon a vital part of people's lives.

**Françoise Grossetête (PPE).** – (FR) Madam President, Commissioner, ladies and gentlemen, I should like to congratulate the rapporteur, but also Commissioner Dalli on his responsiveness with regard to the Mediator case. His ability to respond swiftly enabled stress tests to be carried out on the legislation we have just adopted concerning pharmacovigilance in order to identify additional lessons which needed to be learned in the light of the Mediator case.

However, experience has shown that there were weaknesses in our legislation. Today, we are providing solutions to the various weaknesses we have identified. In so doing, we are increasing transparency and strengthening communication with regard to the safety of medicines.

Nevertheless, I think that one weakness remains. Regrettably, this new legislation does not address the central issue of off-label prescriptions, which, in fact, represent 15% to 20% of all prescriptions, or indeed more in certain areas (including paediatrics, psychiatry and cancer research). Indeed, doctors may prescribe off-label medicines when other solutions for the treatment of a given disease are limited or non-existent.

Prescribing such medicines may be useful but it is not without danger, as it is carried out without any form of validation by the health authorities. Most importantly, in terms of pharmacovigilance, it gives rise to very little feedback on adverse reactions by health care professionals, who were afraid that such information would establish their liability.

It is a shame that my proposal, drafted with my colleague, Ms Ries, to mandate the European Medicines Agency (EMA), in partnership with the relevant national authorities, to develop guidelines on this point was not adopted in the final compromise. Stricter control of this type of prescription would enable a balance to be maintained between the need to prevent the unauthorised use of medicines and the need to fill gaps in treatment to meet special medical needs.

I will end by saying that Mediator was often used, in one out of five cases, off-label. I think that it is essential to demonstrate vigilance in this regard and I await Commissioner Dalli's response.

**Anja Weisgerber (PPE).** – (DE) Madam President, I would like to start by congratulating the rapporteur, Ms McAvan, warmly for her excellent work once again. Good pharmacovigilance protects the citizens of Europe. At the same time, we are also bolstering



informed patients. It was therefore very important to close the safety loopholes exposed and actually opened up by the Mediator case as soon as possible.

From now on, a company that removes a medicinal product from the market must state the reasons why it is doing so. The other Member States will also be informed via the European Medicines Agency – something that is irremissible for the protection of patients in Europe's internal market, too.

There is one point that is particularly close to my heart, which is the better readability of package inserts. Many patients really do complain about the complexity of package inserts. They say they are too difficult, too hard to understand, too unreadable, too confusing. This is a subject that the older elements of the population in particular bring up, although it is not only them. Some patients are even so scared by the side effects when trying to find important information that, in the end, they do not even take the medicine. Together with Mr Liese, I therefore advocated the idea that the package insert should be made more readable for patients and that a drug facts box containing the most important information, including the side effects, should be included on the package insert, written in plain language and given graphic emphasis.

I am very pleased about the result obtained from the negotiations, and about the fact that the Commission, Commissioner Dalli, has also promised to produce a report on better readability. I hope that the Commission will keep its promise and also that it does so as soon as possible. I would be interested to hear – and I am happy to take the opportunity presented by the presence of Commissioner Dalli with us here today – whether there are already specific ideas in this regard at this point. I would be really interested to hear the answer to that question. I would like to offer my thanks to the Commission for having tackled this issue, as it really does represent a major step towards patient friendliness if we can improve the package insert and make it more readable.

**Erik Bánki (PPE).** – (HU) Madam President, I would first of all like to thank Ms McAvan for her quick, precise and accurate work on the subject. I believe that this is a matter of special importance, and stands as proof that this is an issue in which the Commission and Parliament are capable of cooperation. I hope that this cooperation will soon result in the agreement that is essential for the settlement of the issue. There are some very important matters that this case revealed. Firstly, deficiencies still remain in respect of safety risk warnings. I cannot stress enough that this is once again a case where it is the poorest and least educated who are the most vulnerable.

After all, as my fellow Members, including Mr Liese, pointed out, the descriptions of the side effects of drugs are long and complicated. Most people do not even read these, or are unable to understand their contents. This is one of the reasons why it is important to regain the trust of patients by responding rapidly and accurately to cases of abuse, which can, unfortunately, occur in this field as well. We need only think back to the situation of four or five years ago, where the distribution of H1N1 vaccines caused considerable internal political tensions in Hungary, for example. However, this did not just happen in Hungary but in several other European countries as well.

I still remember the stand made by a Polish minister who herself encouraged the Polish people to not take this vaccine, arguing that the side effects were uncertain, and that children and pregnant women should not be exposed to risks that have not yet been investigated due to insufficient time. I therefore believe that rapid response is a responsibility of the EU, and this procedure, too, proves that it is capable of such a response. In important cases

where the health and lives of our citizens are at stake, we are capable of setting aside our political disputes to follow a common path to achieve significant results together. I believe that this report exemplifies that it is worth encouraging cooperation in this matter. I very much hope that this, too, will produce quick results.

**Róża Gräfin von Thun und Hohenstein (PPE).** – (PL) Madam President, it is really positive that the Commission has proposed to review the Pharmacovigilance Directive. The safety of pharmaceuticals available in the single market is, indeed, of paramount importance to citizens. The European Parliament, as well as other European institutions, must continue their systematic efforts, doing their utmost, in these changing times and retail conditions, to ensure that citizens can be certain about products that are available not only in shops and pharmacies but also online. The case of the medicine named Mediator, which we are discussing here, triggered the revision of this directive and the pharmacovigilance regulation. This is certainly a step in the right direction. We must improve supervision of products being sold in the single market. There are many counterfeit products and many extremely dangerous substances, and there are no warnings or campaigns which inform citizens and consumers which sources are dangerous, how a medicine can be verified, and where not to buy them. Any counterfeit products may be very dangerous, but here we really are talking about a direct threat to human health and life.

The citizens are not being adequately informed about the consequences of taking a particular substance. I fully agree with Peter Liese, who states that information is often overly complicated and sometimes incomplete. This is why I extend my special congratulations to Peter Liese and Anja Weisgerber in connection with the drug facts box initiative. Indeed, it is likely to benefit the consumers of medications and may lead to a regime which would require clarity of information regarding the content and effects of particular substances.

And a brief question to Commissioner Dalli. You referred to consultations. I have been present at some of these consultations, and I ask once again: in how many languages are they conducted? Are they accessible by people and institutions that do not use English?

*Catch-the-eye procedure*

**Miroslav Mikolášik (PPE).** – (SK) Madam President, I wanted to say one important thing. If we have decided in this Parliament that information for consumers on food products must be enhanced, clear and legible, there must be an even greater need for information for patients on package leaflets that is clear, legible and true. However, I will return to the substance of the matter. I would like to congratulate Linda McAvan, who has made great progress by bringing to bear all of Parliament's strength on revising this document, which will make it more likely that patients are not treated with the wrong drugs.

How is it possible that Mediator was prescribed for many years, when it had such side effects that it is estimated that up to 2 000 people may have died from the drug? In addition to this, it was even prescribed in a completely different way, not for type 2 diabetes, but for anorexia. This should not be repeated now. I would only like to say that I welcome this report.

**Elena Băsescu (PPE).** – (RO) Madam President, the revision of the rules regulating pharmacovigilance at EU level is a necessary and welcome step. The current system needs to be tightened to ensure greater safety and close existing loopholes. It is of paramount importance that the information provided on medicine labels is clear and helpful and

worded in a way that everyone can understand. This will enable both patients and health care professionals to act accordingly. At the same time, the side effects of medicinal products must be monitored much more closely. This will put an end to cases like the one involving Mediator, the medicine from France which nearly all my colleagues have mentioned.

Transparency with regard to the safety of medicines is crucial to protecting public health. I should point out that the benefits gained by patients from a medicine should always outweigh any possible harm caused by the occurrence of side effects.

**Zuzana Roithová (PPE).** - (CS) Madam President, Commissioner, I would, of course, like to join everyone in welcoming the Commission's response to the tragic case of the Mediator drug, proposing greater informational obligations for Member States when withdrawing drugs from the market, and strengthening the coordinating role of the European Medicines Agency.

There is some doubt, of course, as to whether this informational obligation also applies to third countries outside the EU. I also support publication of the reasons for a refusal to authorise the placing of medicines on the market. This is all well and good. I would also, of course, like to call on the Commission to analyse the impact of European legislation on other areas when it discovers problems in Member States, and to propose amendments in a prompt and timely manner.

I would like to mention as an example fraudulent mail order businesses, in relation to which the Commission is still unable to rectify matters, despite petitions from European citizens, and interventions and resolutions of the European Parliament.

Another example might be the issue that has dragged on for over three years in relation to the Canadian visa requirement for Czech citizens.

*End of the catch-the-eye procedure*

**John Dalli,** *Member of the Commission.* – Madam President, the Commission is grateful for Parliament's support for the first reading agreement on the pharmacovigilance proposals.

With regard to the black box referred to by Ms McAvan, there is an ongoing project to analyse the feasibility and value added of certain information that will be summarised in what is now being called the drug fact box. The studies will involve collaboration with the European Medicines Agency and national competent authorities, as well as consultations with organisations at EU level representing patients, consumers, doctors and pharmacists, social health insurers and industry. The report on the readability of the package information requested by Parliament in 2010 and the outcome of the study on the drug fact box is expected to be ready by mid-2013.

I agree with Ms Matias that we cannot allow the financial crisis to punch holes in our health care system. Health is, in my view, a fundamental right of all our citizens. Apart from this, health is a major motor of economic growth, and cutting health is based on a major fallacy. We look forward to the adoption of the new legislation and its application, which will benefit EU citizens by strengthening both safety and transparency, and, in particular, to a greater number of medicinal products that will be subject to increased monitoring.

**Linda McAvan,** *rapporteur.* – Madam President, just to respond to Ms Grossetête, I agree that the issue of off-label use is extremely important, but I felt we needed a more in-depth discussion on the many aspects of it and I hope we will find some time in our committee to look again at this issue.

On the drug fact box, I think Mr Liese is correct. The problem people have is information overload. When you read it, it is more like a lawyer's list to get companies off the hook if anything goes wrong, which is a list of anything that could go wrong. So people do not believe the patient information leaflets, they are not useful to patients, and we do urgently need to look at this problem again.

But, finally, one special thank you I want to make is to my researcher, Ms Hanks, who has put in a tremendous amount of work over the last two-and-half years on this whole dossier of pharmacovigilance and she, like all our assistants, works extremely hard on our behalf and on behalf of the people of Europe, and often they are not so recognised in the work that we do.

**President.** – The joint debate is closed.

The vote will take place on Tuesday, 11 September, at 12.00.

#### **Written statements (Rule 149)**

**Daciana Octavia Sârbu (S&D),** *in writing.* – (RO) The delay which occurred in withdrawing the medicine Mediator from the French market, in spite of the problems reported for almost 10 years, has highlighted irresponsible marketing practices and repeated mistakes which have had tragic repercussions. It is deplorable that such a tragedy had to occur, which has affected the lives of thousands of people, to make those involved withdraw the medicine from the market and initiate the legal reforms required to guarantee the system's safety. I would like to thank the rapporteur and the other political groups who responded quickly and readily to dialogue in order to plug the gaps in the previous legislation. The credit for the Council accepting Parliament's position goes to our negotiating team. Our monitoring system will be tighter and more transparent, and will provide a more effective way of protecting European citizens' health.

**Bernadette Vergnaud (S&D),** *in writing.* – (FR) The amendments to pharmacovigilance legislation finally introduce the principle of the automatic evaluation of a medicinal product at EU level if the product is withdrawn in a Member State. They also extend the list of drugs subject to additional monitoring. However, the Commission did the very bare minimum after the Mediator scandal. We should remember that its initial proposals on the texts adopted in 2010 were quite simply unacceptable. We had to fight to get rid of measures that were very favourable to the laboratories, making it easier for them to put on the market drugs that had been insufficiently tested with no therapeutic justification in terms of risk and benefit. Unfortunately, these minor changes do not integrate the fundamental measures we had asked for: the financial, hierarchical and intellectual independence of pharmacovigilance activities relating to the industry and medicines agencies, and the implementation of the requirement to demonstrate therapeutic progress in order to obtain a marketing licence. Nonetheless, Ms McAvan's reports still represent progress in the expectation that a truly ambitious text will be proposed at the earliest possible opportunity.

#### **30. Agenda of the next sitting: see Minutes**

#### **31. Closure of the sitting**

*(The sitting closed at 22.45)*