

1. SAB 1/99, 3/99 and 4/99

A5-0009/1999

Resolution on the draft supplementary and amending budgets 1, 3 and 4 to the budget of the European Union for the 1999 financial year (C5-0021/1999, C5-0074/1999 and C5-0136/1999)

The European Parliament,

- having regard to the Treaty establishing the European Community, and in particular Article 272 thereof,
- having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 234 thereof,
- having regard to the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities, as last amended by Regulation (EC, ECSC, Euratom) No 2779/98¹, and in particular Article 15 thereof,
- having regard to the general budget of the European Union for the financial year 1999, finally adopted on 17 December 1998²,
- having regard to preliminary draft supplementary and amending budget 1/99 to the 1999 budget submitted by the Commission on 28 June 1999,
- having regard to draft supplementary and amending budget 1/99 to the 1999 budget, established by the Council on 28 June 1999 (C5-0021/1999),
- having regard to draft supplementary and amending budget 3/99, established by the Council on 16 July 1999 (C5-0074/1999),
- having regard to preliminary draft supplementary and amending budget 4/99 to the 1999 budget, submitted by the Commission on 8 September 1999 (C5-0130/1999),
- having regard to draft supplementary and amending budget 4/99 to the 1999 budget, established by the Council on 13 September 1999 (C5-0136/1999),
- having regard to point 59 of Article 2 of the Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts³, repealing Protocol 16 of the Treaty on European Union of 1993 whereby a Joint Organisational Structure was created for the Economic and Social Committee and the Committee of the Regions,
- having regard the cooperation agreement between the two Committees of 3 June 1999,

¹ OJ L 347, 23.12.1998, p. 3.

² OJ L 39, 12.2.1999.

³ OJ C 340, 10.11.1997, p. 1.

- having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure¹,
 - having regard to the report of the Committee on Budgets (A5-0009/1999),
- A. whereas draft supplementary and amending budget 1/99 deals with the balances of the budget of the year 1998,
 - B. whereas draft supplementary and amending budget 3/99 deals with a request from the Court of Justice to install a new word-processing system, as well as a request from the Committee of the Regions to create posts for a financial controller and an accounting officer,
 - C. whereas draft supplementary and amending budget 4/99 is intended to provide the financial resources required to set up the European Agency for the reconstruction of Kosovo, to provide macro-economic aid to the Former Yugoslav Republic of Macedonia, to provide humanitarian aid to Turkey, and moreover to provide the necessary payment appropriations for the PHARE and TACIS programmes and for the aforementioned actions,
1. Accepts the Council's draft supplementary and amending budget 1/99 of 28 June 1999 without amendment;
 2. Accepts the Council's draft supplementary and amending budget 3/99 of 16 July 1999 without amendment;
 3. Notes that the Council has accepted without modification preliminary draft supplementary and amending budget 4/99;
 4. Notes that draft supplementary and amending budget 4/99 contains the following elements:
 - (a) a reduction of EUR 200 million in the commitment and payment appropriations for agricultural expenditure;
 - (b) EUR 92 million in commitment appropriations for the setting up of the European Agency for the reconstruction of Kosovo;
 - (c) EUR 15 million in commitment appropriations for macro-financial aid to the Former Yugoslav Republic of Macedonia;
 - (d) EUR 30 million in commitment appropriations for humanitarian aid to Turkey;
 - (e) EUR 75 million in payment appropriations for the PHARE programme;
 - (f) EUR 75 million in payment appropriations for the programmes for the former Yugoslavia, excluding Kosovo;
 - (g) EUR 30 million in payment appropriations for aid to Kosovo;
 - (h) the creation of 15 posts, including 1 A1, for the European Anti-Fraud Office (OLAF),

¹ OJ C 172, 18.6.1999, p. 1.

5. Takes note of the opinion of the OLAF Supervisory Committee concerning their staff requirements from 1999 onwards; insists that the Commission include these proposals in preliminary draft supplementary and amending budget 5/99 which has already been announced for October;
6. Instructs its President to forward this resolution to the Council, the Commission and the institutions and advisory bodies concerned.

2. Citizens' freedoms and rights, justice and home affairs ***I (procedure without debate)

A5-0012/1999

Legislative resolution of the European Parliament on current legislative procedures in the field of citizens' freedoms and rights, justice and home affairs (Commission communication to the European Parliament and the Council - Effects of the entry into force of the Amsterdam Treaty - SEC(1999) 581 - C4-0219/1999)

(Codecision procedure: confirmation of first reading)

The European Parliament,

- having regard to the list of Commission proposals pending as at 1 May 1999 for which the entry into force of the Treaty of Amsterdam requires a change of legal basis and/or procedure (SEC(1999) 581 - C4-0219/1999),
 - having regard to its resolution of 4 May 1999¹ on the implications of the entry into force of the Treaty of Amsterdam (list of legislative proposals pending as at 1 May 1999, indicating new legal bases and any changes in legislative procedure following the entry into force of the Treaty of Amsterdam) (C4-0134/1999 – SEC(1999) 581 – C4-0219/1999),
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0012/1999),
1. Decides not to confirm, as a first reading under the codecision procedure, the text adopted on 13 April 1999² on the proposal for a Council Decision establishing a Community action programme to promote the integration of refugees (COM(1998) 731 – C4-0049/1999 – 1998/0356(COD) – former 1998/0356(CNS));
 2. Calls on the Commission to present a proposal for a European Refugee Fund, covering structural measures for refugees as regards their reception, their integration and their repatriation;
 3. Instructs its President to forward this legislative resolution to the Council and Commission.

¹ Minutes of that sitting, Part II, Item 7.

² OJ C 219, 30.7.1999, p. 79.

3. Employment and social affairs ***I (procedure without debate)

A5-0006/1999

Legislative resolution of the European Parliament on current legislative procedures in the field of employment and social affairs (Commission communication to the European Parliament and the Council – Effects of the entry into force of the Amsterdam Treaty - SEC(1999) 581 – C4-0219/1999)

(Codecision procedure: confirmation of first readings)

The European Parliament,

- having regard to the list of Commission proposals pending as at 1 May 1999 for which the entry into force of the Amsterdam Treaty requires a change in legal basis and/or procedure (SEC(1999) 581 - C4-021/1999),
 - having regard to its resolution of 4 May 1999¹ on the implications of the entry into force of the Treaty of Amsterdam (list of legislative proposals pending as at 1 May 1999, indicating new legal bases and any changes in legislative procedure following the entry into force of the Treaty of Amsterdam) (C4-0134/1999 - SEC(1999) 581 - C4-0219/1999),
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to the report of the Committee on Employment and Social Affairs (A5-0006/1999),
1. Confirms as first readings under the codecision procedure its texts adopted on:
- (a) 20 November 1991² on the proposal for a Council Directive on minimum requirements to improve the mobility and safe transport to work of workers with reduced mobility (COM(1990) 588 – C3-0167/1991 – 1990/0327(COD) – formerly 1990/0327(SYN));
 - (b) 14 July 1993³ on the proposal for a Council Directive concerning the minimum safety and health requirements for transport activities and workplaces on means of transport (individual directive within the meaning of Article 16 of Directive 89/391/EEC) (COM(1992) 234 – C3-0477/1992 – 1992/0420(COD) – formerly 1992/0420(SYN));
 - (c) 20 April 1994⁴ on the proposal for a Council Directive on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (COM(1992) 560 – C3-0158/1993 – 1992/0449(COD) – formerly 1992/0449(SYN));
 - (d) 24 February 1994⁵ on the proposal for a Council Decision adopting a medium-term action programme to combat exclusion and promote solidarity: a new programme to support and stimulate innovation (1994-1999) (COM(1993) 435 – C3-0522/1993 – 1993/0936(COD) – formerly 1993/0936(SYN));

¹ Minutes of that sitting, Part II, Item 7.

² OJ C 326, 16.12.1991, p. 83.

³ OJ C 255, 20.9.1993, p. 72.

⁴ OJ C 128, 9.5.1994, p. 146.

⁵ OJ C 77, 14.3.1994, p. 33.

- (e) 18 February 1997¹ on the proposal for a Council Regulation (EC) amending, for the benefit of unemployed persons, Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 (COM(1995) 734 – C4-0166/1996 – 1996/0004(COD) – formerly 1996/0004(CNS));
- (f) 28 November 1996² on the proposal for a Council Regulation (EC) amending, for the benefit of beneficiaries of pre-retirement benefits, Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to the members of their families moving within the Community, and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 (COM(1995) 735 – C4-0108/1996 – 1996/0001(COD) – formerly 1996/0001(CNS));
- (g) 6 October 1998³ on the proposal for a Council Regulation (EC) amending Regulation (EEC) No 1408/71 as regards its extension to nationals of third countries (COM(1997) 561 – C4-0012/1998 – 1997/0320(COD) – formerly 1997/0320(CNS));
- (h) 14 April 1999⁴ on the proposal for a Council Directive establishing a general framework for informing and consulting employees in the European Community (COM(1998) 612 – C4-0706/1998 – 1998/0315(COD) – formerly 1998/0315(SYN));

2. Instructs its President to forward this legislative resolution to the Council and Commission.

¹ OJ C 85, 17.3.1997, p. 25.

² OJ C 380, 16.12.1996, p. 89.

³ OJ C 328, 26.10.1998, p. 23.

⁴ OJ C 219, 30.7.1999, p. 223.

4. Environment, public health and consumer policy *I (procedure without debate)**

A4-0004/1999

Legislative resolution of the European Parliament on current legislative procedures in the field of the environment, public health and consumer protection (Commission communication to the European Parliament and the Council - Effects of the entry into force of the Amsterdam Treaty - SEC(1999) 581 – C4-0219/1999)

(Codecision procedure: confirmation of first readings)

The European Parliament,

- having regard to the list of Commission proposals pending as at 1 May 1999 for which the entry into force of the Treaty of Amsterdam requires a change of legal basis and/or procedure (SEC(1999)581 - C4-0219/99),
 - having regard to its resolution of 4 May 1999¹ on the implications of the entry into force of the Treaty of Amsterdam (list of legislative proposals pending as at 1 May 1999, indicating new legal bases and any changes in legislative procedure following the entry into force of the Treaty of Amsterdam) (C4-0134/1999 – SEC(1999) 581 – C4-0219/1999),
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy (A5-0004/1999),
1. Confirms as first readings under the codecision procedure its texts adopted:
- (a) on 17 December 1998² concerning the proposal for a Council Decision establishing a scheme to monitor the average specific emissions of carbon dioxide from new passenger cars (COM(1998) 348 - C4-0425/1998 - 1998/0202(COD) - formerly 1998/0202(SYN))
 - (b) on 17 December 1998³ concerning the proposal for a Council Regulation on substances that deplete the ozone layer (COM(1998) 398 - C4-0580/1998 - 1998/0228(COD) - formerly 1998/0228(SYN))
 - (c) on 20 October 1998⁴ concerning the proposal for a Council Directive on the assessment of the effects of certain plans and programmes on the environment (COM(1996) 511 - C4-0191/1997 - 1996/0304(COD) - formerly 1996/0304(SYN))

¹ Minutes of that sitting, Part II, Item 7.

² OJ C 98, 9.4.1999, p. 240.

³ OJ C 98, 9.4.1999, p. 260.

⁴ OJ C 341, 9.11.1998, p. 18.

- (d) on 11 February 1999¹ concerning the proposal and the amended proposals for a Council Directive on establishing a framework for Community action in the field of water policy (COM(1997) 49 - C4-0192/1997, COM(1997) 614 – C4-0120/1998 and COM(1998) 76 - C4-0121/1998 - 1997/0067(COD) - formerly 1997/0067(SYN))
- (e) on 14 April 1999² concerning the proposal for a Council Directive amending Directive 88/609/EEC on the limitation of emissions of certain pollutants into the air from large combustion plants (COM(1998) 415 - C4-0591/1998 - 1998/0225(COD) - formerly 1998/0225(SYN))
- (f) on 19 July 1996³ concerning the proposal for a Council Directive amending Directive 90/539/EEC on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs (COM(1995) 535 - C4-0027/1996 - 1995/0268(COD) - formerly 1995/0268/(CNS)) and the proposal for a Council Directive amending Directive 91/494/EEC on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultry meat (COM(1995) 535 - C4-0028/1996 - 1995/0269(COD) - formerly 1995/0269(CNS))
- (g) on 15 February 1996⁴ concerning the proposal for a Council Directive amending Directive 79/409/EEC on the conservation of wild birds (COM(1994) 39 - C3-0197/1994 - 1994/0061(COD) - formerly 1994/0061(SYN))
- (h) on 12 December 1996⁵ concerning the proposal for a Council Directive concerning the quality of bathing water (COM(1994) 36 - 1994/0006(COD) - formerly 1994/0006(SYN))
- (i) on 18 November 1994⁶ concerning the proposal for a Council Decision establishing rules for the recognition of third country health and veterinary inspection measures for fresh meat and meat products as equivalent to those applied to Community production, and for the conditions to be met for importation into the Community and amending Council Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products (COM(1994) 394 - C4-0170/1994 - 1994/0208(COD) - formerly 1994/0208(CNS))
- (j) on 18 May 1990⁷ concerning the proposal for a Decision safeguard measures in the veterinary field in the framework of the internal market (COM(1989) 493 – C3-0206/1989 - 1989/1040(COD) - formerly 1989/1040(CNS))

¹ OJ C 150, 28.5.1999, p. 388.

² OJ C 219, 30.7.1999, p. 243.

³ OJ C 261, 9.9.1996, p. 187.

⁴ OJ C 65, 4.3.1996, p. 151.

⁵ OJ C 20, 20.1.1997, p. 112.

⁶ OJ C 341, 5.12.1994, p. 206.

⁷ OJ C 149, 18.6.1990, p. 281.

- (k) on 16 June 1998¹ concerning the proposal for a European Parliament and Council Directive amending Directive 64/432/EEC on health problems affecting intra-Community trade in bovine animals and swine (COM(1998) 81 - C4-0123/1998 - 1998/0052(COD))
- (l) on 16 December 1998² concerning the proposal for a European Parliament and Council Directive amending Directive 79/373/EEC on the marketing of compound feedingstuffs and Directive 96/25/EC on the circulation of feed materials (COM(1998) 435 - C4-0459/1998 - 1998/0238(COD))
- (m) on 19 February 1998³ concerning the proposal for a European Parliament and Council Directive amending Council Directive 93/74/EEC on feedingstuffs intended for particular nutritional purposes and amending Directives 74/63/EEC, 79/373/EEC and 82/471/EEC (COM(1997) 408 - C4-0409/1997 - 1997/0208(COD)) and the proposal for a European Parliament and Council Directive amending Council Directive 95/69/EC laying down the conditions and arrangements for approving and registering certain establishments and intermediaries operating in the animal feed sector (COM(1997) 409 - C4-0408/1997 - 1997/0213(COD))

3. Instructs its President to forward this legislative resolution to the Council and Commission.

¹ OJ C 210, 6.7.1998, p. 30.

² OJ C 098, 9.4.1999, p. 150.

³ OJ C 080, 16.3.1998, p. 217 and 220.

5. Agriculture and rural development *I (procedure without debate)**

A5-0011/1999

Legislative resolution of the European Parliament on current legislative procedures in the sphere of agriculture and rural development (Commission communication to the European Parliament and the Council - Effects of the entry into force of the Amsterdam Treaty - SEC(1999) 581 - C4-0219/1999)

(Codecision procedure: confirmation of first readings)

The European Parliament,

- having regard to the list of Commission proposals pending as at 1 May 1999 for which the entry into force of the Treaty of Amsterdam requires a change of legal basis and/or procedure (SEC(1999) 581 – C4-0219/1999),
 - having regard to its resolution of 4 May 1999¹ on the implications of the entry into force of the Treaty of Amsterdam (list of legislative proposals pending as at 1 May 1999, indicating new legal bases and any changes in legislative procedure following the entry into force of the Treaty of Amsterdam) (C4-0134/1999 – SEC(1999) 581 – C4-0219/1999),
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to the report of the Committee on Agriculture and Rural Development (A5-0011/1999),
1. Confirms as first readings under the codecision procedure its texts adopted on:
 - (a) 13 January 1999² on the proposal for a Council Decision on the application of aerial-survey and remote-sensing techniques to the agricultural statistics for 1999-2003 (COM(1998) 601 – C4-0708/98 – 1998/0296(COD) – former 1998/0296(SYN)), and
 - (b) 4 May 1999³ on the proposal for a Council Directive amending Directive 76/625/EEC concerning the statistical surveys to be carried out by the Member States in order to determine the production potential of plantations of certain species of fruit trees (COM(1999) 78 – C4-0181/1999– 1999/0051(COD) – former 1999/0051(SYN)),
 2. Instructs its President to forward this legislative resolution to the Council and Commission.

¹ Minutes of that sitting, Part II, Item 7.

² OJ C 104, 14.4.1999, p. 43.

³ Minutes of that sitting, Part II, Item 8.

6. Regional policy, transport and tourism *I (procedure without debate)**

A5-0005/1999

Legislative resolution of the European Parliament on current legislative procedures in the field of regional policy, transport and tourism (Commission communication to the European Parliament and the Council – Effects of the entry into force of the Amsterdam Treaty - SEC(1999) 581 - C4-0219/1999)

(Codecision procedure: confirmation of first readings)

The European Parliament,

- having regard to the list of Commission proposals pending as at 1 May 1999 for which the entry into force of the Treaty of Amsterdam requires a change in legal basis and procedure (SEC(1999) 581 – C4-0219/99),
 - regard to its resolution of 4 May 1999¹ on the implications of the entry into force of the Treaty of Amsterdam (list of legislative proposals pending as at 1 May 1999, indicating new legal bases and any changes in legislative procedure following the entry into force of the Treaty of Amsterdam) (C4-0134/1999 - SEC(1999) 581 – C4-0219/1999),
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to the report of the Committee on Regional Policy, Transport and Tourism (A5-0005/1999),
1. Confirms as first readings under the codecision procedure its texts adopted:
- (a) on 25 October 1996² on the proposal for a Council Directive on the development of the Community's railways (COM(1995) 337 – C4-0555/1995 – 1995/0205(COD) – formerly 1995/0205(SYN))
 - (b) on 10 March 1999³ on the proposal for a Council Directive on the development of the Community's railways (COM(1998) 480 – C4-0561/1998 – 1998/0265(COD) – formerly 1998/0265(SYN))
 - (c) on 10 March 1999⁴ on the proposal for a Council Directive amending Directive 95/18/EC on the licensing of railway undertakings (COM(1998) 480 – C4-0562/1998 – 1998/0266(COD) – formerly 1998/0266(SYN))

¹ Minutes of that sitting, Part II, Item 7.

² OJ C 347, 18.11.1996, p. 427.

³ OJ C 175, 21.6.1999, p. 115

⁴ OJ C 175, 21.6.1999, p. 119.

- (d) on 9 February 1999¹ on the proposal for a Council Directive on the roadside inspection of the roadworthiness of commercial vehicles circulating in the Community COM (1998) 117 – C4-0346/1988 – 1988/0097 (COD) - formerly 1998/0097(SYN)
- (e) on 29 February 1996² on the draft Council regulation (EC) on statistical returns in respect of carriage of passengers, freight and mail by air COM(1995) 353 – C4-0419/1995 – 1995/0232 (COD) - formerly 1995/0232(CNS)
- (f) on 19 February 1998³ on the proposal for a Council Directive on safety requirements and attestation of professional competence for cabin crews in Civil Aviation COM(1997) 382 – C4-0460/97 – 1997/0212(COD) – formerly 1997/0212(SYN)
- (g) on 31 March 1998⁴ on the proposal for a Council Directive on airport charges COM(1997) 154 – C4-0362/1997 – 1997/0127 (COD) - formerly 1997/0127 (SYN)
- (h) on 17 July 1998⁵ on the proposal for a Council Regulation (EC) amending Regulation (EEC) No 295/91 establishing common rules for a denied-boarding compensation system in scheduled air transport COM(1998) 041 - C4-0106/1998 – 1998/0022(COD) – formerly 1998/0022(SYN))
- (i) on 18 September 1996⁶ on the proposal for a Council Regulation (EC) amending Council Regulation (EEC) No 3922/91, on the harmonisation of technical requirements and administrative procedures in the field of civil aviation COM(1996) 186 – C4-0336/1996 – 1996/0119(COD) – formerly 1996/0119(SYN))
- (j) on 23 March 1999⁷ on the proposal for a Council Regulation (EC) amending Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation COM (1998) 759 – C4-0136/1999 – 1998/0349(COD) – formerly 1998/0349(SYN))
- (k) on 18 December 1998⁸ on the proposal for a Council Directive on the approximation of the laws of the Member States with regard to the transport of dangerous goods by vessels on inland waterways COM(1997) 367 – C4-0449/1997 – 1997/0193(COD) – formerly 1997/0193(SYN))
- (l) on 20 October 1998⁹ on the proposal for a Council Directive amending Directive 82/714/EEC laying down technical requirements for inland waterway vessels COM(1997) 644 – C4-0066/1998 – 1997/0335(COD) – formerly 1997/0335(SYN))

¹ OJ C 150, 28.5.1999, p. 27.

² OJ C 78, 18.3.1996, p. 28. This proposal was not included in Annex 2 (list of Commission proposals pending as at 1 May 1999) of SEC (1999)0581, but is the subject of Annex 1 (under Point 19).

³ OJ C 80, 16.3.98, p. 205.

⁴ OJ C 138, 4.5.1998, p. 30.

⁵ OJ C 292, 21.9.1998, p. 209.

⁶ OJ C 320, 28.10.1996, p. 73.

⁷ OJ C 177, 22.6.1999, p.20.

⁸ OJ C 98, 9.4.1999, p. 486.

⁹ OJ C 341, 9.11.1998, p. 32.

- (m) on 20 April 1994¹ on the proposal for a Council Directive concerning the setting-up of a European vessel reporting system in the maritime zones of Community Member States COM(1993) 647 – C3-0023/1994 – 0491(COD) – formerly 0491(SYN))
 - (n) on 12 March 1999² on the proposal for a Council Directive on manning of regular passenger and ferry services operating in and between Member States – Proposal for a Council Regulation (EC) amending Council Regulation (EEC) No 3577/92 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage) COM(1998) 251 – C4-0423/1998 – 1998/0158(COD) – formerly 1998/0158(SYN)) – C4-0424/1998 – 1998/0159(COD) – formerly 1998/0159(SYN))
 - (o) on 11 February 1999³ on the proposal for a Council Directive on port reception facilities for ship-generated waste and cargo residues – 98/0249(SYN) COM(1998) 452 – C4-0484/1998 – 1998/0249(COD) – formerly 1998/0249(SYN))
 - (p) on 20 October 1998⁴ on the amended proposal for a Council Directive on the harmonisation of examination requirements for safety advisers for the transport of dangerous goods by road, rail or inland waterways COM(1998) 803 – C4-0242/1998 – 1998/0106(COD) – formerly 1998/0106(SYN))
 - (q) on 12 February 1999⁵ on the proposal for a Council Directive amending Council Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States and on 15 April 1999⁶ on the proposal for a Council Directive amending Council Directive 96/53/EC, laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (COM(1998) 414 – C4-0485/1998 – 1998/0226(COD) – formerly 1998/0226(SYN) and C4-0486/1998 - 1998/0227 (COD) – formerly 1998/0227(SYN));
3. Instructs its President to forward this legislative resolution to the Council and the Commission.

¹ OJ C 128, 9.5.1994, p. 137.

² OJ C 175, 21.6.1999, p. 438.

³ OJ C 150, 28.5.1999, p.432.

⁴ OJ C 341, 9.11.1998, p. 29.

⁵ OJ C 150, 28.5.1999, p. 614.

⁶ OJ C 219, 30.7.1999, p. 414.

7. Women's rights and equal opportunities *I (procedure without debate)**

A5-0007/1999

Legislative resolution of the European Parliament on current legislative procedures in the field of women's rights and equal opportunities (Commission communication to the European Parliament and the Council - Effects of the entry into force of the Amsterdam Treaty – SEC(1999) 581 - C4-0219/1999)

(Codecision procedure: confirmation of first readings)

The European Parliament,

- having regard to the list of Commission proposals pending as at 1 May 1999 for which the entry into force of the Treaty of Amsterdam requires a change of legal basis and/or procedure, SEC(1999) 581 – C4-0219/1999),
 - having regard to its resolution of 4 May 1999¹ on the implications of the entry into force of the Treaty of Amsterdam (list of legislative proposals pending as at 1 May 1999, indicating new legal bases and any changes in legislative procedure following the entry into force of the Treaty of Amsterdam) (C4-0134/1999 – SEC(1999) 581 – C4-0219/1999),
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to the report of the Committee on Women's Rights and Equal Opportunities (A5-0007/1999),
- 1.(a) Decides not to confirm, as its first reading under the codecision procedure, the text adopted on 16 September 1988² on the proposal for a Council Directive completing the implementation of the principle of equal treatment for men and women in statutory and occupational social security schemes (COM(1987) 494 – C2-0226/1987 – 1987/0849(COD) – former 1987/0849(CNS)); and

(b) Calls on the Commission to present a revised proposal for a Directive to Parliament, taking into account the political commitments the Commission has entered into and developments in the areas concerned;
 2. Confirms as first reading under the codecision procedure its text adopted on 9 March 1999³ on the proposal for a Council Directive amending Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (COM(1996) 93 – C4-0317/1996 – 1996/0095(COD) – former 1996/0095(CNS));
 3. Instructs its President to forward this legislative resolution to the Council and Commission.

¹ Minutes of that sitting, Part II, Item 7.

² OJ C 262, 10.10.1988, p. 174.

³ OJ C 175, 21.6.1999, p. 67.

8. Accidental marine pollution ***I

A5-0003/1999

Proposal for a European Parliament and Council Decision setting up a Community framework for cooperation in the field of accidental marine pollution (COM(1998) 769 - C4-0075/1999 - 1998/0350(COD) (ex 1998/0350(SYN))

The proposal was amended as follows:

Text proposed by the Commission¹

Amendments by Parliament

(Amendment 1)

Recital 2

Whereas the Community Information System has served the purpose of making available to the competent authorities in the Member States the data required for the control and reduction of pollution caused by the spillage of hydrocarbons and other harmful substances at sea in large quantities; whereas the Information System will be simplified by the use of a modern automatic data processing system; whereas the need for rapid and efficient exchange of information requires an appropriate linguistic regime;

Whereas the Community Information System has served the purpose of making available to the competent authorities in the Member States the data required for the control and reduction of pollution caused by the spillage of hydrocarbons, radioactive substances and other harmful substances at sea in large quantities; whereas the Information System will be simplified by the use of a modern automatic data processing system; whereas the need for rapid and efficient exchange of information requires an appropriate linguistic regime;

(Amendment 2)

Recital 4

Whereas the Community programme of policy and action in relation to the environment and sustainable development presented by the Commission foresees that the Community's activities will be stepped up in particular in the field of environmental emergencies which includes accidental marine pollution;

Whereas the Community programme of policy and action in relation to the environment and sustainable development presented by the Commission foresees that the Community's activities will be stepped up in particular in the field of environmental emergencies which includes accidental marine pollution and operational spills;

¹ OJ C 25, 30.1.1999, p. 20.

(Amendment 3)
Recital 4a (new)

Having regard, in that context, to the proposal for a Council Directive on port reception facilities for ship-generated waste and cargo residues⁽¹⁾;

(¹) OJ C 271, 31.8.1998, p. 79.

(Amendment 4)
Recital 5a (new)

Whereas 'accidental marine pollution' should be defined to include, but not be limited to, all releases of harmful substances into the marine environment, whether civilian or military, either directly on or into the sea, or from the shoreline, or river estuaries, or through releases from materials previously dumped at sea;

(Amendment 5)
Recital 5b (new)

Whereas 'harmful substances' should be defined to include but not be limited to all materials covered by the International Maritime Dangerous Goods Code, all radioactive substances and releases from dumped munitions;

(Amendment 6)
Recital 5c (new)

Having regard to Decision 98/3 of the conference of the OSPAR Conventions in Sintra in July 1998;

(Amendment 7)
Recital 5d (new)

Having regard to the Persistent Organic Pollutants protocol signed in June 1998 by the UN, which covers hormone-mimicking substances;

(Amendment 8)
Recital 5e (new)

Having regard to the OSPAR Conventions and the Esbjerg Declaration on hazardous substances in the marine environment;

(Amendment 9)
Recital 5f (new)

Having regard to the Convention on the Protection of the Marine Environment in the Baltic Sea Area (Helsinki Convention);

(Amendment 10)
Recital 5g (new)

Whereas emergency situations caused by accidental marine pollution off neighbouring third countries affect the Member States and vice-versa; whereas actions are needed to improve cooperation with neighbouring coastal countries participating in the PHARE, TACIS and MEDA programmes;

(Amendment 11)
Recital 5h (new)

Whereas those countries should normally themselves meet the costs arising from their participation, but whereas the Community may, for specific cases, decide to supplement the national contribution of the country concerned in the framework of the PHARE, TACIS and MEDA programmes;

(Amendment 12)
Recital 5i (new)

Whereas receipts from third countries are resources pre-allocated to the framework for cooperation and are entered in the corresponding expenditure item;

(Amendment 13)

Recital 6a (new)

Whereas particular attention should be given within that framework programme to the problem of deliberate or operational oil spills from vessels in the Baltic Sea area;

(Amendment 14)

Article 1(2)

2. The framework for co-operation is intended to support and supplement Member States' efforts at national, regional and local levels for the protection of the marine environment, human health and coastlines against the risks for accidental pollution at sea and operational spills.

2. The framework for co-operation is intended to support and supplement Member States' efforts at national, regional and local levels for the protection of the marine environment, human health and coastlines against the risks for accidental pollution at sea and operational spills, including releases from dumped munitions.

'Accidental marine pollution' includes, but is not limited to, all releases of harmful substances into the marine environment, whether civilian or military, either directly on or into the sea, or from the shoreline, or river estuaries, or through releases from materials previously dumped at sea.

(Amendment 15)

Article 1(3)

3. The aim of the framework for co-operation is to contribute to improve capabilities of the Member States for response in case of incidents involving spills or imminent threats of spills of oil or other harmful substances at sea and also to contribute to the prevention of the risks. The framework for co-operation is further intended to create the conditions for and facilitate efficient mutual assistance and co-operation between Member States in this field.

3. The aim of the framework for co-operation is to contribute to improve capabilities of the Member States for response in case of incidents involving spills or imminent threats of spills of oil, radioactive substances or other harmful substances at sea and also to contribute to the prevention of the risks. The framework for co-operation is further intended to create the conditions for and facilitate efficient mutual assistance and co-operation between Member States in this field. Pursuant to the polluter-pays principle, Member States are invited to cooperate to ensure that the principle of economic responsibility is applied and that fines imposed at administrative level in the coastal state which suffers the accidental pollution are recognised.

(Amendment 16)

Article 1(4)

4. Within this framework for co-operation, a Community Information System with the purpose of exchanging data for the preparedness for and response to accidental marine pollution, including operational spills, is established. The system will consist of at least the components set out in Annex I.

4. Within this framework for co-operation, a Community Information System with the purpose of exchanging data for the preparedness for and response to accidental marine pollution, including operational spills and munitions dump zones, is established. The system will consist of at least the components set out in Annex I.

(Amendment 17)

Article 1(4a) (new)

4a. Neighbouring coastal countries participating in the PHARE, TACIS and MEDA programmes may participate in the actions implemented under the framework for cooperation. Community co-financing may be provided under the relevant provisions of the PHARE, TACIS and MEDA Regulations.

(Amendment 18)

Article 1(4b) (new)

4b. The annual breakdown of appropriations dedicated to the co-financing of this framework for cooperation by these countries is published in section III, part B, annex IV of the general budget.

(Amendment 19)

Article 3(2)(b)

(b) contribution to improving techniques and methods of response and rehabilitation after emergencies;

(b) contribution to improving techniques and methods of response and rehabilitation after emergencies, including exchange of information between port authorities;

(Amendment 20)

Article 3(2)(ca) (new)

(ca) contribution to providing better public information to help clarify risks and relaying accident information;

(Amendment 21)
Article 3(2)(cb) (new)

(cb) contribution to strengthening the integration of risk prevention and response with other local agencies including habitat protection bodies.

(Amendment 22)
Article 4, 2nd to 5th paragraphs

One representative of the partner countries mentioned in Article 1(5) may attend proceedings for those parts which may concern them, at those countries' own expense.

The representative of the Commission shall submit to the committee a draft of the individual actions to be taken. The committee shall deliver its opinion on the draft, within a time limit, which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee and shall inform the committee of the manner in which its opinion has been taken into account.

The Commission may also refer other matters relating to accidental marine pollution to the advisory committee.

The representative of the Commission shall submit to the committee a draft of the individual actions to be taken. The committee shall deliver its opinion on the draft, within a time limit, which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes which shall be published on the internet; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee and shall inform the committee of the manner in which its opinion has been taken into account.

The Commission may also refer other matters relating to accidental marine pollution to the advisory committee.

The committee shall meet in public. It shall publish agendas two weeks in advance of its meetings. It shall publish minutes of its meetings. It shall establish a public register of declarations of interest by its members.

(Amendment 23)

Article 5

The Commission shall evaluate the implementation of the framework for co-operation at mid term and before its end, and report by 30 September 2002 and 31 March 2004 to the Council and European Parliament.

The Commission shall evaluate the implementation of the framework for co-operation at mid term and before its end, and report by 30 September 2002 and 31 March 2004 to the Council and European Parliament. In its final report, the Commission shall make proposals for new measures to continue this action.

(Amendment 24)

Annex I(3) (a) & (b)

- (a) a concise view of national structures and of the links between national authorities in the field of accidental marine pollution,
- (b) the inventory of main means for emergency response and clean-up from public and private sectors. This inventory will contain data on:
 - number and qualification of the specialist staff,
 - mechanical resources for recovering hydrocarbons discharged at sea and preventing or combating coastal pollution, as well as on the specialist staff that will utilise these resources,
 - chemical and biological resources for combating pollution at sea and cleaning up coasts, as well as on the specialist staff that utilise these resources,
 - strike teams,
 - ships and aircraft equipped for combating pollution,
 - mobile resources for temporary storage of recovered hydrocarbons and other harmful substances,
 - systems for lightening oil-tankers,

- (a) a concise view of national structures and of the links between national authorities in the field of accidental marine pollution and operational spills areas,
- (b) the inventory of main means for emergency response and clean-up from public and private sectors. This inventory will contain data on:
 - number and qualification of the specialist staff,
 - mechanical resources for recovering hydrocarbons discharged at sea and preventing or combating sea or coastal pollution from spills of oil or of radioactive or other harmful substances, as well as on the specialist staff that will utilise these resources,
 - chemical and biological resources for combating pollution at sea and cleaning up coasts, remediation expertise, as well as on the specialist staff that utilise these resources,
 - strike teams,
 - ships and aircraft equipped for combating pollution,
 - mobile resources for temporary storage of recovered hydrocarbons and other harmful substances,
 - systems for lightening oil-tankers,
 - an emergency number for public use,
 - (ba) list of munitions dump sites,

Amendment 25)
Annex II, Action(A)(2), 1st paragraph

Organisation of the secondment of experts to another Member State in order to allow the experts to gain experience or appraise different techniques used or to study the approaches taken within other emergency services or other relevant bodies.

Organisation of the secondment of experts to another Member State in order to allow the experts to gain experience or appraise different techniques used or to study the approaches taken within other emergency services or other relevant bodies such as non-governmental organisations with specialist expertise in accidental marine pollution.

(Amendment 26)
Annex II, Action(A)(4)

Development and maintenance of a modern computerised information system to help the national authorities dealing with accidental marine pollution by providing the information needed for emergency management.

Development and maintenance of a modern computerised information system to help the national authorities dealing with accidental marine pollution and pollution from operational spills by providing the information needed for emergency management.

(Amendment 27)
Annex II, Action (B)

Projects designed to increase the Member States' capacity for response and rehabilitation. These projects are aimed mainly at improving means, techniques and procedures. Their scope shall interest all or several Member States, and could include projects for the implementation of new technologies related to accidental marine pollution. Projects involving two or more Member States will be encouraged.

Projects designed to increase the Member States' capacity for response and rehabilitation. These projects are aimed mainly at improving means, techniques and procedures. Their scope shall interest all or several Member States, and could include projects for the implementation of new technologies related to accidental marine pollution, and operational spills. Projects involving two or more Member States will be encouraged.

(Amendment 28)
Annex II, Action (C)(1)

Actions to support surveys of the environmental effects after an incident and to largely disseminate their results and the experience acquired to the other Member States.

Actions to support surveys of the environmental effects after an incident evaluate the preventive and remedial measures taken and widely disseminate their results and the experience acquired to the other Member States.

(Amendment 29)

Annex II (C)(4)

Publications, exhibition material and other information to the public on the Community co-operation in the field of accidental marine pollution.

Publications, exhibition material and other information to the public on the Community co-operation in the field of accidental marine pollution, and operational spills.

Legislative resolution of the European Parliament on the proposal for a European Parliament and Council Decision setting up a Community framework for cooperation in the field of accidental marine pollution (COM(1998) 769 - C4-0075/1999 - 1998/0350(COD) (ex 1998/0350(SYN))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(1998) 769)¹,
 - having regard to Articles 251(2) and 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C4-0075/1999),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy and the opinion of the Committee on Budgets (A5-0003/1999),
1. Approves the Commission proposal as amended;
 2. Asks to be consulted again should the Commission intend to make substantial modifications to this proposal or replace it by a different text;
 3. Instructs its President to forward its position to the Council and Commission.

¹ OJ C 25, 30.1.1999, p. 20.

9. Environmental inspections ***I

A5-0002/99

Proposal for a European Parliament and Council Recommendation providing for minimum criteria for environmental inspections in the Member States (COM(1998) 772 - C4-0073/1999 - 1998/0358(COD)(former 1998/0358(SYN))

The proposal was amended as follows:

Text proposed by the Commission	Amendments by Parliament
<hr/>	
(Amendment 21)	
Title	
Proposal for a European Parliament and Council <u>Recommendation</u> providing for minimum criteria for environmental inspections in the Member States	Proposal for a European Parliament and Council <u>Directive</u> providing for minimum criteria for environmental inspections in the Member States <i>(This amendment to apply throughout the text, together with the appropriate technical adjustments)</i>
(Amendment 1)	
Recital 3a (new)	
	<u>3a. Whereas the European Environment Agency can advise the Member States on developing, setting up and extending their systems for monitoring environmental provisions and whereas the European Environment Agency can assist the Commission and the Member States in monitoring environmental provisions by giving support in respect of the reporting process, so that reporting is coordinated;</u>
(Amendment 2)	
Recital 7a (new)	
	<u>7a. Whereas the urgency of ensuring the even application of Community environmental legislation makes the option of a non-binding recommendation unsatisfactory; whereas a directive establishing minimum criteria for inspections is therefore preferred;</u>

(Amendment 3)
Recital 7b (new)

7b. Whereas a precise timetable should be drawn up for the Member States to develop a format for authorisation systems, jointly and with support from the Commission, so that a distinction can be made between Community provisions and national provisions with which the Controlled Installations must comply;

(Amendment 6)
Recital 16

16. Whereas, in accordance with the subsidiarity and proportionality principles as set out in Article 3b of the Treaty, and given the differences in inspection systems and mechanisms in the Member States, the objectives of the proposed action can best be achieved by guidance set out at a Community level;

16. Whereas, in accordance with the subsidiarity and proportionality principles as set out in Article 3b of the Treaty, and given the differences in inspection systems and mechanisms in the Member States, the objectives of the proposed action can best be achieved by a directive setting out minimum criteria to be operated at Community level;

(Amendment 7)
Introductory line for points

RECOMMENDS THAT:

HAVE ADOPTED THIS DIRECTIVE:

(Amendment 10)
Point III(2)

2. Member States should assist each other administratively in the carrying out of the guidelines of this Recommendation by the exchange of relevant information and, where appropriate, inspecting officials.

2. Member States shall assist each other administratively in the operation of this Directive by the exchange of relevant information and, where appropriate, inspecting officials.

2a. To prevent illegal cross-border environmental practices, the Member States shall, in cooperation with IMPEL and the Commission, encourage the coordination of inspections and inspection services between the Member States.

(Amendment 13)

Point VI(1)

1. Member States should ensure that the inspecting authorities draw up a report after every site visit containing their findings as to compliance with EC Legal Requirements, an evaluation thereof and a conclusion on whether any further action should follow, such as enforcement proceedings, including sanctions, the issuing of a new or revised authorisation, permit or licence or follow-up inspection activities, including further site visits.

1. Member States shall ensure that the inspecting authorities after every site visit process or store, in identifiable form and in data files, the inspection data and their findings as to compliance with EC Legal Requirements, an evaluation thereof and a conclusion on whether any further action should follow, such as enforcement proceedings, including sanctions, the issuing of a new or revised authorisation, permit or licence or follow-up inspection activities, including further site visits.

(Amendment 24)

Point VI(2)

2. Member States should ensure that such reports are properly recorded in writing and maintained in a readily accessible database, are communicated to the operator of the Controlled Installation in question and are available to the public according to the provisions of Directive 90/313/EEC on the freedom of access to information on the environment.

2. Member States shall ensure that such reports are properly recorded in writing and maintained in a readily accessible database, are communicated to the operator of the Controlled Installation in question and are available to the public according to the provisions of Directive 90/313/EEC on the freedom of access to information on the environment. Reports shall be publicly available within 2 months of the inspection taking place.

(Amendment 15)

Point VIII (2)(d)

(d) the level of compliance by Controlled Installations with EC Legal Requirements, as appears from inspections carried out and from any other information the competent authority may have, with reference to the location and type of Controlled Installations, to any particular EC legal requirement not complied with and the degree of such non-compliance;

(d) brief data on the level of compliance by Controlled Installations with EC Legal Requirements, as appears from inspections carried out;

(Amendment 16)
Article 8a (new)

Article 8a

1. The Commission shall as quickly as possible, and in cooperation with IMPEL, the European Environment Agency and other interested parties, draw up minimum criteria for the qualifications and accreditation of environmental inspectors who are authorised to carry out environmental inspections on behalf of competent bodies or on an individual basis.
2. Member States shall as quickly as possible, in cooperation with IMPEL and other interested parties and with the support of the Commission, develop training programmes so as to meet the demand for qualified environmental inspectors.

(Amendment 17)
Point IX

The Commission should review the operation and effectiveness of this Recommendation, as soon as possible after the receipt of the Member States' reports mentioned in Point VIII above, with the intention of developing the minimum criteria further in their scope in the light of the experience gained from their application, and taking into account any further contributions from interested parties, including IMPEL.

The Commission shall review the operation and effectiveness of this Directive, as soon as possible after the receipt of the Member States' reports mentioned in Article 8 above, with the intention of developing the minimum criteria further in their scope in the light of the experience gained from their application, and taking into account any further contributions from interested parties, including IMPEL and the European Environment Agency.

(Amendment 18)
Article 9a (new)

Article 9a

Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than 18 months after its entry into force. They shall immediately inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive.

(Amendment 19)
Point X

X

Implementation

Member States are invited to implement this Recommendation at the latest twelve months after its publication in the Official Journal of the European Communities and forthwith inform the Commission thereof together with details of environmental inspections mechanisms already existing or foreseen.

Article 10

Implementation

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Communities.

(Amendment 20)
Article 10a (new)

Article 10a

This Directive is addressed to the Member States.

Legislative resolution of the European Parliament on the proposal for a European Parliament and Council recommendation providing for minimum criteria for environmental inspections in the Member States (COM(1998) 772 - C4-0073/1999 - 1998/0358(COD) (former 1998/0358(SYN))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council, COM(1998) 772,
 - having regard to Articles 251(2) and 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C4-0073/1999),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy (A5-0002/99),
1. Approves the Commission proposal as amended;
 2. Asks to be consulted again should the Commission intend to amend this proposal substantially or to replace it by a different text;
 3. Instructs its President to forward its position to the Council and Commission.

10. Area of freedom, security and justice

(a) B5-0110/1999

Resolution on the establishment of the Charter of Fundamental Rights

The European Parliament,

- having regard to the conclusions of the Cologne European Council,
 - having regard to its proposals contained in its resolutions on the Constitution of the European Union in particular, and in its other resolutions of a general nature on institutional matters adopted in the course of its 1994-1999 term of office¹,
1. Welcomes the decision taken at the Cologne European Council to proceed with drawing up a draft European Union Charter of Fundamental Rights in good time for the December 2000 European Council;
 2. Considers that the commitment to establishing that Charter represents one of its constitutional priorities and entails the joint responsibilities of the two Institutions on which the Union's legitimacy is founded, viz: the Council (as regards the Member States) and the European Parliament (as regards the peoples of Europe);
 3. Draws attention to the need for an open and innovative approach to shaping the Charter, the nature of the rights to be featured in it, and the part it will play and the status it will command in the constitutional development of the Union;
 4. Calls, as regards the membership of the drafting authority and the organisation of its work:
 - for the number of the Members of the European Parliament to be equal to the number of the representatives of Member-State Heads of State and Government, in order to confer an equally high public profile on each side and to provide for adequate representation of the different political tendencies and sensitivities represented in the European Parliament;
 - for the essential role and contribution of national parliaments to be ensured by the most effective means possible, to be determined in the light of appropriate consultations with speakers of national parliaments;
 - for the powers of the President and the Bureau to be determined by the drafting authority;
 - for the latter to be empowered to decide on the option of convening a drafting committee and working parties;
 - for appropriate steps to be taken to ensure transparency of activities; for contributions from NGOs and the general public also to be ensured, and for public hearings to be held;
 - for the authority's secretariat to be the responsibility of the participating bodies;
 5. Instructs its President to forward this resolution to the Commission, the Council, the other Community Institutions and the governments and parliaments of the Member States.

¹ OJ C 120, 16.5.1989, p. 51; OJ C 324, 24.12.1990, p. 219 ; OJ C 61, 28.2.1994, p. 155.

Resolution on the extraordinary European Council meeting on the area of freedom, security and justice (Tampere, 15-16 October 1999)

The European Parliament,

- having regard to the EU and EC Treaties, and in particular the provisions regarding the development of the Union as an area of freedom, security and justice (AFSJ),
 - having regard to its previous resolutions on this subject¹,
- A. convinced that after the establishment of the internal market and the single currency, the launch of a European social policy and the appointment of the High Representative for the CFSP, the creation of the AFSJ presents one of the greatest challenges in this parliamentary term for the Heads of State or Government and for the European Parliament,
- B. convinced that the citizens of the Union are now tired of declarations and statements, are aware of the fact that individual Member States acting alone cannot guarantee them the protection they require against the threats posed by international crime, or the safeguarding of their civil liberties in other Member States of the Union, are disappointed by the shortcomings of intergovernmental cooperation and, after three revisions of the Treaties in the past ten years, expect the Union to respond to their concerns effectively,
- C. whereas among the fundamental rights recognised by the Treaty of Amsterdam are the citizens' right to security and justice, and whereas the credibility of the EU institutions and the Member States that have subscribed to the AFSJ objective is now at stake,
- D. noting the statements by the Council and Commission to Parliament on 15 September 1999 concerning the preparation of the forthcoming extraordinary European Council meeting on this matter to be held on 15-16 October 1999 in Tampere,
1. Is aware of the fact that the Amsterdam Treaty significantly increased the responsibility of the European Union institutions for safeguarding fundamental rights, which have now become the underlying principle of the European Union, and effectively combating all forms of discrimination, as envisaged in Article 13 of the EC Treaty, and all forms of racism and xenophobia;
2. Believes that implementation of the AFSJ must seek not only to guarantee the security of persons, but also to foster individual rights, fundamental freedoms and democratic safeguards, displaying open-mindedness and a spirit of tolerance; calls, therefore, for particular emphasis to be laid on implementation of the AFSJ in such a way as to:
- implement the new Article 13 of the EC Treaty (action to combat discrimination),
 - refrain from infringing the rights of the European Parliament,
 - recognise the jurisdiction of the Court of Justice,
 - involve NGOs and civil society,
 - proceed in a spirit of transparency,
 - seek to foster the protection of democratic safeguards and privacy;

¹ OJ C 219, 30.7.1999, pp. 5 and 6; OJ C 175, 21.6.1999, p. 4.

3. Calls on the European Council to take full responsibility in Tampere for the creation of the AFSJ and to define its position with regard to the key aspects of such an undertaking, both in respect of the amendments to the treaties in preparation for enlargement and implementation of the provisions of the existing treaties; recommends, with a view to the above and to the forthcoming meeting in Helsinki, that the following strategies be adopted:

Simplifying and streamlining the institutional framework of the AFSJ

4. Calls on the European Council to propose at the next Intergovernmental Conference that police and judicial cooperation in criminal matters (currently under the 'third pillar') be integrated into the Community 'pillar', in order to endow the treaties with legislative coherence, provide for proper democratic control and safeguards of citizens' freedoms, eliminate unnecessary complications, ensure that EU policies in the areas of freedom, security and justice are genuinely interdependent and, last but not least, make the rules more transparent for citizens;
5. Reminds the European Council that such consolidation need not necessarily involve a change in the current roles of Member States and the Union (since in the Community sphere it is also perfectly possible for certain areas to be under the jurisdiction of Member States alone and others to be shared between Member States and the Union or be exclusively under EU jurisdiction) and that the consolidation of the first and third pillar is also justified in that - unlike the second pillar - they concern policies that are primarily implemented within the Union;
6. Considers that the five years laid down in the Treaty of Amsterdam for the creation of an AFSJ must be seen as a firm deadline; points out that the Treaty allows only minimal involvement for the European Parliament in the decision-making for an AFSJ, and that this must be remedied at the next IGC;

Facilitating the EU decision-making process and making it more transparent

7. Considers it a top priority that a policy of genuine transparency for Union legal provisions concerning the AFSJ be adopted; now that the Treaty of Amsterdam has been in force for several months, deems it unacceptable that:
 - (a) it is still unclear which legislation applies to the AFSJ sector and what the real obligations of Member States are in respect of the application of acts such as 'conclusions', 'resolutions', 'manuals' and other texts of a dubious nature which have been adopted by the Council in this sector;
 - (b) the texts of the decisions adopted in the context of Schengen cooperation have not yet been published, despite the fact that since 20 May 1999 such decisions have been fully incorporated into EU and Community law; this begs the question of how EU citizens can seek redress from the Court of Justice or the judicial authorities of Member States in respect of provisions that are actually inaccessible;
8. Urges the European Council to call on the Council to rigorously respect the Protocol on the application of the principles of subsidiarity and proportionality when choosing appropriate instruments and to ensure that there is close collaboration between Member States and the Commission as regards the monitoring of the measures adopted in the context of the AFSJ;

Ensuring freedom of movement for persons within the Union

9. Deems Member States' inertia in adopting legislation to implement Article 18 of the EC Treaty - granting European citizens the personal, direct right to move and reside freely within EU territory - to be unjustifiable;
10. Considers it urgent, in order to facilitate the integration of legally resident third-country nationals, for the European Union to address the principles governing the status of such persons;
11. Considers it essential that action be taken to foster common legal standards and a common sense of justice within the EU;

Framing a migration and asylum policy

12. Condemns the associations of ideas in which insecurity, organised crime and terrorism are linked to immigration;
13. Considers it inadmissible that, in view of the new Title IV of the EC Treaty, no European strategy on migration policy has been drawn up, despite the fact that there is widespread disquiet among EU citizens, that Commission proposals have been pending for over six years, that recent initiatives have been taken by the Council Presidency, that the European Parliament has adopted forceful resolutions on the matter and that it is clearly necessary for these requirements also to be taken into account in other Union policies (e.g. regional, social, education);
14. Considers it a matter of urgency that a European procedure for the processing of asylum applications be adopted and that it be linked to revision of the Dublin and Eurodac Conventions and calls on the Commission to propose strategies that are less gradualistic and cautious; calls, to that end, for the work of the high-level working party on asylum and immigration to be carried out transparently and in close cooperation with Parliament;
15. Believes that, since the Yugoslav crisis exposed the inadequacy of national and bilateral responses, Member States must endeavour to equip themselves with permanent instruments and adequate resources in order to present a united front to cope with any massive influx of refugees and to provide them with temporary protection;

Successfully preventing crime at European level

16. Considers that the drawing-up and approval, in the form of a joint decision, of the 2000-2004 action plan to combat organised crime is urgent and that the plan should incorporate specific plans for combating and preventing serious forms of international crime including:
 - (a) trade in human beings;
 - (b) crimes against children;
 - (c) racism and xenophobia;
 - (d) money laundering and other financial crimes, not least by removing the obstacles to justice posed by banking secrecy and tax havens;
 - (e) terrorism;and likewise cover joint efforts to promote crime prevention measures;

17. Calls on the Finnish Presidency to draw up coherent proposals in this regard before the European Council meeting in Helsinki and plans to follow them up promptly; insists on being formally consulted on the proposed plan according to the letter and the spirit of the Treaty before the European Council of Helsinki states its position;
18. Deems it necessary to simplify police cooperation, as above, and to harmonise the provisions concerning all Member States, provisions within the Schengen framework and those within the Europol framework;
19. Confirms its suggestion that Europol should be developed further in accordance with the Treaty of Amsterdam and the necessary adjustments made to the Europol Convention with a view to providing Europol with means to act at the operational level;
20. Believes that the option of concluding agreements with non-member countries should be exercised first and foremost with a view to preventing and punishing trafficking in human beings and smuggling run by organised criminals, money laundering, and other financial crimes;

Creation of a European judicial area

21. Recalls its recent proposals on this subject and openly endorses the Avignon Declaration by the Ministers of France, Italy, Germany, the United Kingdom and Spain proposing the creation of a genuine European judicial area in which:
 - (a) citizens of a Member State who for any reason (victims or perpetrators of an offence, etc.) are brought before the civil or criminal judicial authorities of another Member State are given adequate guarantees and assistance (e.g. interpretation into their own language, free legal aid if they do not have the means to pay for it, and the right to be properly informed about and assisted in connection with the related application procedures), with a convention being established to allow provision for bail to be granted to allow the citizen to return to his/her home country while awaiting trial;
 - (b) common legal standards are attained in order to encourage judicial authorities to recognise the judicial or extra-judicial acts adopted by the judicial authority of another Member State, without the need for an exequatur;
 - (c) European writs of execution are established for the recovery of sums under a certain limit;
 - (d) free circulation and automatic recognition of court rulings are guaranteed through the establishment of an independent judicial body (consisting of specialist judges) serving to protect the individual rights of European citizens to the extent required to compensate for the inevitable loss of the judicial review hitherto carried out by the authorities of a Member State requested to enforce a court ruling originating from another Member State;
 - (e) special emphasis is laid on crime prevention, targeted more specifically at juvenile delinquency, a symptom of spreading urban violence, and justice is not merely synonymous with punishment, but above all opens the way to mediation and/or steps to make up for harm done, and educative measures effectively counter the risk that offenders might reoffend;
22. Reiterates its urgent call to the governments and parliaments of the Member States of 6 May 1999 to make every possible effort to ratify as a matter of priority the Statute of the International Criminal Court, as an additional 60 countries must still ratify the Statute in order for it to have legal effect;

23. Considers that the Union should be committed to the principle of universal jurisdiction and no safe havens for the perpetrators of genocide, war crimes and crimes against humanity and torture;
24. Calls on the Member States to enact the necessary legislation to permit domestic prosecution of genocide, war crimes, crimes against humanity and torture, regardless of where these crimes were committed;

Strengthening dialogue between EU institutions and those of the Member States

25. Confirms its determination to involve the national parliaments and representatives of civil society in the creation of the AFSJ whilst respecting the letter and the spirit of the treaties, particularly the protocol on the role of national parliaments in the European Union;

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26. Instructs its President to forward this resolution to the European Council and to liaise as appropriate with the presidents of the national parliaments and heads of governments with a view to the forthcoming meetings in Tampere and Helsinki, in order to ascertain any potential difficulties which might hinder the fulfilment of the aforementioned objectives.

11. Situation in East Timor

B5-0067, 0111, 0112, 0113, 0114 and 0115/1999

Resolution on the situation in East Timor

The European Parliament,

- having regard to its previous resolutions on the situation in East Timor,
 - having regard to the New York Agreement on East Timor, signed between Portugal and Indonesia on 5 May 1999 under the aegis of the United Nations,
 - welcoming the work by the UN mission (Unamet) during preparation and implementation of the referendum of the people of East Timor in full compliance with the New York Agreement,
- A. whereas 98.6% of the registered population participated in the referendum, in spite of threats and intimidation by the pro-integrationist militias,
- B. whereas Unamet and the international observers, including the European Parliament delegation and the Council delegation recognised the legality and validity of the referendum,
- C. whereas the result of the referendum clearly expresses the wish of the Timorese people for independence, with 78.5% voting in favour,
- D. whereas the results of the referendum were announced by the UN Secretary-General and validated by the United Nations, the President of Indonesia, Portugal and the international community,
- E. whereas after the referendum result was announced, pro-Indonesian militias, trained and armed by the Indonesian police and army, launched a campaign of terror in the country, killing defenceless citizens, burning down houses, splitting up families, deporting communities and attacking Unamet, the Red Cross, journalists and observers, as well as committing other serious violations of human rights,
- F. whereas this climate of terror and barbarity is continuing and still impeding safety and public order in the country and whereas thousands of lives have been lost and there is such desperation that the survival of an entire people is in jeopardy,
- G. whereas Indonesia has clearly violated Article 3 of the New York Agreement, as it has failed to guarantee the maintenance of peace and security in the region, whether through inability or deliberate inaction,
- H. whereas 24 years ago Indonesia illegally occupied the territory of East Timor, over which it does not have sovereignty, as UN resolutions recognising Portugal as the administrative authority have confirmed,
- I. whereas on 12 September 1999 Indonesia finally recognised the need for the presence of an international peace-keeping force in East Timor,

1. Congratulates the people of East Timor for their exemplary conduct during the referendum process and for their high turnout in the referendum;
2. Recognises the clear democratic wish expressed by the people of East Timor to return to independence and create a new country;
3. Utterly condemns the massacres and criminal acts committed by the pro-Indonesian militias with the participation of the police and army of Indonesia against the people of East Timor, which have already brought about the deaths of an as yet indefinable number of people;
4. Calls on the United Nations to exercise the responsibilities they have assumed under Article 7 of the New York Agreement and to maintain an appropriate presence in East Timor;
5. Calls on the UN Security Council not to delay any further in sending an international force to preserve peace and security in East Timor, and calls on all the Member States to provide the greatest possible logistical and financial support, in order to speed up preparation for its deployment in the country;
6. Welcomes the decision by the IMF and World Bank to suspend the payment of loans to Indonesia due in September and calls on the Presidency of the Council of the European Union and the international community – particularly the United Nations – to ensure that, until the situation in East Timor returns to normal, they suspend or continue to suspend military cooperation, arms supplies and economic aid for Indonesia, except aid of a humanitarian nature or to support the transition to democracy;
7. Calls on the Presidency of the Council of the European Union, the Commission, the governments of the Member States and the international community immediately to guarantee humanitarian aid for the people of East Timor and, in particular, to promote the return of displaced persons and refugees and the access of international observers, NGOs and journalists to the country;
8. Urges the Council and the Member States of the European Union to recognise the State of East Timor and establish diplomatic relations as soon as possible;
9. Calls on the United Nations to draw up an inventory of the atrocities committed in East Timor and begin identification of those responsible, and supports the proposal by the High Commissioner for Human Rights, Mary Robinson, to set up a special international tribunal for East Timor;
10. Calls on the European Union to approve a programme of economic aid and a programme for the reconstruction of civil society in East Timor, in the form of a joint action;
11. Intends to insert in the budget of the European Union for the year 2000 an appropriation for supporting reconstruction, economic activity and the constitutional process in East Timor;
12. Instructs its President to forward this resolution to the Council, the Commission, the parliaments of the Member States, the UN Secretary-General, the Government of Indonesia, ASEAN and the leader of the Timorese resistance movement, Xanana Gusmão.

12. European Reconstruction Agency *

A5-0013/1999

Proposal for a Council Regulation amending Regulation (EC) No 1628/1996 relating to aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia, in particular through the setting-up of the European Agency for Reconstruction (COM(1999) 312 - C5-0062/1999 - 1999/0132(CNS))

The proposal was amended as follows¹:

Text proposed by the Commission

Amendments by Parliament

(Amendment 1)
Recital 10

10. The reconstruction effort in Kosovo, which will be coupled with the humanitarian aid effort, will require the rapid implementation of numerous small-scale projects, measures to support returning refugees and the assistance of large numbers of experts covering a wide range of fields.

10. The reconstruction effort in Kosovo, which will be coupled with the humanitarian aid effort, will require the rapid implementation of numerous small-scale projects, measures to support returning refugees and the assistance of large numbers of experts covering a wide range of fields. This must also include support measures for the following sectors: democratic institutions and civil society, the legal system, the media, education and the social and health system.

(Amendment 2)
Recital 10a (new)

10a. The reconstruction efforts in Kosovo can only be effective if they are implemented in partnership with the people of Kosovo. The Kosovars have been running a parallel economic, political and social system for the last ten years and their experience should now be put to work rather than be wasted. They are keen to help rebuild their country and must therefore be helped to participate in and contribute to the EU's projects.

¹ The vote on the draft legislative resolution was then postponed pursuant to Rule 69(1).

(Amendment 3)

Recital 16

16. The reconstruction programmes should be managed locally. The Agency should therefore be established in Pristina and the way left open for it to have a presence for operational reasons in Skopje and other locations in the region.

16. The reconstruction programmes should be managed locally. The operational centre of the Agency, which should enjoy a considerable degree of management autonomy, should therefore be established in Pristina so that reconstruction work can begin in Kosovo.

(Amendment 4)

Recital 18

18. The Commission should ensure that reconstruction assistance is coordinated with the European Investment Bank, the international financial institutions and the United Nations Office of the High Commissioner for Refugees. In implementing the programme, the Agency must comply with decisions taken in the framework of coordination.

18. The Commission should ensure that reconstruction assistance is coordinated with the European Investment Bank, the international financial institutions, the United Nations Office of the High Commissioner for Refugees and the relevant non-governmental organisations (NGO's). In implementing the programme, the Agency must comply with decisions taken in the framework of coordination.

(Amendment 5)

Recital 18a (new)

18a. Activities of the European Community Humanitarian Office (ECHO) and the work of the Agency must not result in two different structures being maintained for the provision of Community aid. The Agency's development must therefore be accompanied by a gradual reduction in ECHO's activities.

(Amendment 6)

Recital 22

22. The Member States should be involved in the Agency's activities, their role in the governing board should be defined and procedures laid down under which they are to give opinions on project and programme decisions.

22. The Member States should be involved in the Agency's activities and give opinions on project and programme decisions through their representatives in the advisory committee chaired by the Commission.

(Amendment 7)

Recital 23a (new)

23a. Provision must be made from the outset for comprehensive and effective measures to prevent fraud and corruption. The European Anti-Fraud Office (OLAF) must be able to exercise its supervisory powers without any kind of restriction. This calls in particular for legislation concerning on-the-spot checks on the recipients of aid.

(Amendment 8)

Recital 26

26. Provision should be made for the countries covered by the Phare and Meda programmes to be involved in implementing the programmes provided for in Regulation (EC) No 1628/96.

26. Provision should be made for the countries covered by the Phare and Meda programmes and the countries of South-Eastern Europe to be involved in implementing the programmes provided for in Regulation (EC) No 1628/96.

(Amendment 9)

ARTICLE 1(1)

Article 4(3), 2nd paragraph (new) (Regulation (EC) No 1628/96)

The programmes should be implemented as directly as possible in cooperation with the local people and in consultation with the UN Special Representative for the Civil Administration of Kosovo.

(Amendment 10)

ARTICLE 1(4)(a)

Article 9, first two paragraphs (Regulation (EC) No 1628/96)

Participation in invitations to tender and contracts shall be open on equal terms to all natural and legal persons in the Member States and States which receive benefits, or in countries benefiting under the Phare or Meda programmes.

Participation in invitations to tender and contracts shall be open on equal terms to all natural and legal persons in the Member States and States which receive benefits, or in countries benefiting under the Phare or Meda programmes or in South-East European countries.

(Amendment 11)

ARTICLE 1(4)(b)

Article 9, third paragraph (Regulation (EC) No 1628/96)

The following shall be considered to be legal persons of a Member State, a recipient State or a State benefiting under the Phare or Meda programmes: legal persons who are established in accordance with the legislation of a Member State, a recipient State or a State benefiting under the Phare or Meda programmes, and who have their central administration or principal establishment in the territories in which the Treaty establishing the European Community applies, in the recipient States or in the States benefiting under the Phare or Meda programmes, or who have their registered office there, where their activity has an actual and continuous link with the economy of the said territories or States.

The following shall be considered to be legal persons of a Member State, a recipient State, a State benefiting under the Phare or Meda programmes or a South-East European State: legal persons who are established in accordance with the legislation of a Member State a recipient State, a State benefiting under the Phare or Meda programmes or a South-East European State, and who have their central administration or principal establishment in the territories in which the Treaty establishing the European Community applies, in the recipient States, in the States benefiting under the Phare or Meda programmes or in the South-East European countries, or who have their registered office there, where their activity has an actual and continuous link with the economy of the said territories or States.

(Amendment 12)

ARTICLE 1(7)

Article 12(1), (2) and (3) (Regulation (EC) No 1628/96)

1. The Commission shall be assisted by a management committee composed of the representatives of the Member States and chaired by the representative of the Commission, hereinafter referred to as 'the Committee'.

2. The Committee shall act in accordance with the procedure laid down in Article 4 of Decision 1999/.../EC[Comitology]. The period provided for in paragraph 3 of that Article shall be at most one month.

3. The Committee may examine any other question relating to the implementation of this Regulation which is put to it by its Chairman, including at the request of the representative of a Member State, and in particular any question relating to programming of projects, their general implementation and co-financing.

1. The Commission shall be assisted by an advisory committee composed of the representatives of the Member States and chaired by the representative of the Commission, hereinafter referred to as 'the Committee'.

2. The Committee shall act in accordance with the procedure laid down in Article 3 of Decision 1999/468/EC of 28 June 1999¹.

3. The Committee may examine any other question of a general nature relating to the implementation of this Regulation which is put to it by its Chairman.

¹ OJ L 184, 17.7.1999, p. 23.

(Amendment 14)

ARTICLE 1(9)

Article 14 (Regulation (EC) No 1628/96)

The programmes for reconstruction and assistance to returning refugees will initially target Kosovo and when conditions are right may also target other parts of the Federal Republic of Yugoslavia. The Commission may delegate their implementation to an agency. Such programmes shall be the subject of a Commission decision.

A European Agency for Reconstruction, hereinafter referred to as the 'Agency', shall be set up to that end with the aim of providing technical assistance to the implementation of the programmes referred to in the first paragraph, namely for reconstruction and assistance to returning refugees.

The programmes for reconstruction and assistance to returning refugees will initially target Kosovo and when conditions are right may also target other parts of the Federal Republic of Yugoslavia. The Commission shall manage their implementation through an agency on the ground. The agency shall implement such programmes under the guidance, executive powers and responsibility of the Commission.

(Amendment 15)
ARTICLE 1(9)
Article 14, third paragraph (new) (Regulation (EC) No 1628/96)

Any decision on extending the work of the Agency to regions of the Federal Republic of Yugoslavia other than Kosovo and on arrangements for identifying the bodies referred to in Article 3 shall be taken by the Council acting by a qualified majority on a proposal from the Commission after consulting the European Parliament. In the light of such a decision, the Agency may establish additional operational centres.

(Amendment 16)
ARTICLE 1(9)
Article 15 (2) to (5) (Regulation (EC) No 1628/96)

2. The Agency shall gather, analyse and communicate information to the Commission on:

(a) war damage, the requirements for reconstruction and the return of refugees and related initiatives by the government, local or regional authorities and international community;

(b) the urgent requirements of the communities concerned, taking account of the various population displacements and possibilities for their return;

(c) the priority sectors and geographical areas requiring urgent assistance from the international community.

3. The Agency shall prepare projects and programmes for the reconstruction of Kosovo and the return of its refugees and submit them to the Commission with a view to their adoption in accordance with Article 12(2) of this Regulation.

2. The Agency, under the responsibility of the Commission, shall gather, analyse and communicate information on:

(a) war damage, the requirements for reconstruction and the return of refugees and related initiatives by the government, local or regional authorities and international community;

(b) the urgent requirements of the communities concerned, taking account of the various population displacements and possibilities for their return;

(c) the priority sectors and geographical areas requiring urgent assistance from the international community.

3. The Agency shall prepare projects and programmes for the reconstruction of Kosovo and the return of its refugees and submit them to the Commission with a view to their adoption in accordance with Article 12(2) of this Regulation.

4. The Agency shall implement the programmes for reconstruction and assistance to returning refugees approved by the Commission. To that end it may be made responsible by the Commission for all operations required to implement the programmes, and in particular for:

- (a) drawing up the terms of reference;
- (b) preparing and evaluating invitations to tender;
- (c) signing contracts;
- (d) concluding financing agreements;
- (e) awarding contracts, in accordance with the provisions of this Regulation;
- (f) evaluating projects;
- (g) monitoring project implementation;
- (h) effecting payments.

5. In addition to the tasks set out in paragraphs 2, 3 and 4, the Agency shall ensure implementation of such programmes of reconstruction and assistance to returning refugees as the Member States and other donors shall entrust to it in the framework of the coordination set up by the Commission with the World Bank, international financial institutions and the European Investment Bank.

4. The Agency, under the responsibility of the Commission, shall implement the approved programmes for reconstruction and assistance to returning refugees. To that end it shall be responsible for all operations required to implement the programmes, and in particular for:

- (a) drawing up the terms of reference;
- (b) preparing and evaluating invitations to tender;
- (c) signing contracts;
- (d) concluding financing agreements;
- (e) awarding contracts, in accordance with the provisions of this Regulation;
- (f) evaluating projects;
- (g) monitoring project implementation;
- (h) effecting payments.

5. In addition to the tasks set out in paragraphs 2, 3 and 4, the Agency shall ensure implementation of programmes of reconstruction and assistance to returning refugees and shall ensure the coordination with the Member States' and other donors' programmes in the framework of the coordination set up by the Commission with the World Bank, the EBRD, other financial institutions to be specified and the European Investment Bank, under the guidance, executive powers and responsibility of the Commission.

(Amendment 17)

ARTICLE 1

Article 16, 1st paragraph (Regulation (EC) No 1628/96)

The Agency shall have legal personality. In each of the Member States, it shall enjoy the most extensive legal capacity accorded to legal persons under their laws; it may, in particular, acquire or dispose of movable and immovable property and be a party to legal proceedings. The Agency shall be non-profit-making.

The Agency shall have legal personality. In each of the Member States, it shall enjoy the most extensive legal capacity accorded to legal persons under their laws; it may, in particular, acquire or dispose of movable and immovable property and be a party to legal proceedings. The Agency shall be non-profit-making, with the guarantee that all the services performed for the Member States or other Donors shall be totally paid for by them.

(Amendment 18)

ARTICLE 1(9)

Article 16, 2nd paragraph (Regulation (EC) No 1628/96)

The Agency shall establish itself in Pristina, without prejudice to its having a presence in Skopje or in other locations in the region.

The operational centre of the Agency, which shall enjoy a considerable degree of management autonomy, shall be established in Pristina so that reconstruction work can begin in Kosovo.

It shall be the operational component of the agency for reconstruction of the Western Balkan countries in connection with the Stability Pact, which is to be located in Thessaloniki and whose staff office shall also be located there.

(Amendment 19)

ARTICLE 1(9)

Article 17 (1) to (7) (Regulation (EC) No 1628/96)

1. The Agency shall have a governing board composed of one representative from each Member State and three representatives of the Commission.

2. The Member States' representatives shall be appointed by the Member States concerned. Member States shall make the appointment with due regard to the experience and qualifications relevant to the Agency's activities.

One of the three Commission representatives shall be a Member of the Commission.

3. The term of office of representatives shall be thirty months.

4. The governing board shall be chaired by the Commission, usually a Member of the Commission. The Chair shall not vote.

1. The Agency shall have a governing board composed of five independent representatives appointed by the Commission (after consultation of the Committee referred to in Article 12) and of two representatives of the Commission. The Commission shall have the power to dismiss the governing board after duly motivating its decision and after informing the European Parliament and the Council.

2. The independent representatives shall be appointed with due regard to the experience and qualifications relevant to the Agency's activities.

3. The term of office of representatives shall be thirty months.

4. The governing board shall be chaired by the Commission, usually a Member of the Commission. The Chair shall not vote.

4a. The European Investment Bank and ECHO shall each appoint one representative, who shall not vote.

5. The governing board shall adopt its rules of procedure.

6. The Commission and Member State representatives on the governing board shall each have one vote.

7. The governing board shall determine the rules as to the languages of the Agency.

5. The governing board shall adopt its rules of procedure.

6. The independent representatives on the governing board shall each have one vote.

(Amendment 21)

ARTICLE 1(9)

Article 17(10), introduction (Regulation (EC) No 1628/96)

10. The governing board shall be closely involved in the implementation of the reconstruction programmes. On a proposal by the director, it shall decide upon the main issues relating to the Agency's activities, and in particular:

10. The governing board shall, on a proposal by the director, decide upon the main issues relating to the Agency's activities, and in particular:

(Amendment 22)

ARTICLE 1(9)

Article 18(1), 1st subparagraph, (Regulation (EC) No 1628/96)

1. The director of the Agency shall be appointed by the governing board, on a proposal from the Commission, for a term of office of thirty months. The term of office may be terminated by the same procedure.

1. The director of the Agency shall be appointed by the Commission, for a term of office of thirty months. The term of office may be terminated by the same procedure.

(Amendment 23)

ARTICLE 1(9)

Article 19(3), (Regulation (EC) No 1628/96)

3. The revenue of the Agency shall comprise, without prejudice to other types of income, a subsidy from the general budget of the European Communities, payments made as remuneration for services performed, and funding from other sources.

3. The revenue of the Agency shall be constituted by a subsidy from the general budget of the European Communities agreed by the budgetary authority within the annual budgetary procedure, independently from the appropriation allocated to the programme. The agency may also receive payments made as remuneration for services performed, and funding from other sources.

(Amendment 24)

ARTICLE 1(9)

Article 20(4) (Regulation (EC) No 1628/96)

4. The governing board, after receiving the opinion of the Commission, shall adopt

4. The governing board, after receiving the opinion of the Commission, shall adopt

the budget of the Agency together with the work programme at the beginning of each financial year, adjusting it to the various contributions granted to the Agency and to funds from other sources. The budget shall also specify the number, grade and categories of staff employed by the Agency during the financial year in question.

the budget of the Agency together with the work programme at the beginning of each financial year, adjusting it to the various contributions granted to the Agency by the budgetary authority.

4a. For reasons of budgetary transparency, the funds received from sources other than the Community budget shall be presented separately in the Agency's revenue. The expenditure shall clearly distinguish between the programme's administrative and staffing costs on the one hand and the operational costs on the other. The budget shall also specify the number, grade and categories of staff employed by the Agency during the financial year in question.

(Amendment 25)

ARTICLE 1(9)

Article 21(2a) (new) (Regulation (EC) No 1628/96)

2a. Financial decisions and any contracts or implementing instruments resulting therefrom shall provide for inspection by OLAF and the Court of Auditors to be carried out on the spot, if necessary, among the beneficiaries which receive funds from the Agency and among the intermediaries which distribute those funds.

(Amendment 26)

ARTICLE 1(9)

Article 22, 2nd paragraph (new) (Regulation (EC) No 1628/96)

The Agency shall be subject to investigations conducted by OLAF for the protection of the interests of the Community. Without prejudice to European Parliament and Council Regulation (EC) No 1074/99 of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF)¹, the governing board shall determine the conditions and modalities of these investigations within the Agency.

¹ OJ L 210, 10.8.1999, p. 24.

(Amendment 27)

ARTICLE 1(9)

Article 23, third paragraph (Regulation (EC) No 1628/96)

The Agency's staff shall consist of a strictly limited number of officials assigned or seconded by the Commission or Member States to carry out management duties. The remaining staff shall consist of other employees recruited by the Agency for a period strictly limited to its requirements.

The Agency's staff shall consist of officials assigned or seconded by the Commission or Member States to carry out management duties. The remaining staff shall consist of other employees recruited by the Agency for a period strictly limited to its requirements.

The Agency's establishment plan shall be authorised by the budgetary authority within the annual budget.

(Amendment 28)
ARTICLE 1(9)
Article 25(2) (Regulation (EC) No 1628/96)

2. Once the Commission considers that the Agency has fulfilled its mandate as described in Article 14, it shall put to the Council a proposal for the winding-up of the Agency.

2. After a period of 24 months the Commission shall submit to Parliament and the Council an evaluation report and a proposal either to wind up the Agency or to prolong its mandate, without prejudice to the budgetary authority's decision in the context of the annual procedure.

13. 10th EC-UNRWA Convention (1999-2001) *

A5-0010/1999

Proposal for a Council decision approving the text of a 10th EC-UNRWA Convention covering the years 1999-2001, prior to the signature of the Convention by the Commission and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (COM(1999) 334 – C5-0059/1999 – 1999/0143(CNS))

The proposal was amended as follows:

Text proposed by the Commission

Amendments by Parliament

(Amendment 1)
Article 2a (new)

Article 2a

The Commission shall forward to the European Parliament and the Council the annual report referred to in Article 5(2) of the Convention.

(Amendment 2)
Article 3a (new)

Article 3a

The Commission shall ensure that the access of the representatives of the Community, as well as of the European Parliament or of the Council, to the sites of UNRWA operations is preceded by the provision of detailed and updated information on the aspects of their financing.

Legislative resolution of the European Parliament on the proposal for a Council decision approving the text of a 10th EC-UNRWA Convention covering the years 1999-2001, prior to the signature of the Convention by the Commission and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (COM(1999) 334 – C5-0059/1999 – 1999/0143(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(1999) 334),
 - having regard to the 10th EC-UNRWA Convention covering the years 1999-2001, initialled by the Commission (COM(1999) 334),
 - having been consulted by the Council pursuant to Article 181, in conjunction with Article 300(3), first subparagraph, of the EC Treaty (C5-0059/1999),
 - having regard to Rule 97(7) of its Rules of Procedure,
 - having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the Committee on Budgets (A5-0010/1999),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. If the Council intends to depart from the text approved by Parliament, calls on the Council to notify Parliament;
 4. Asks to be consulted again if the Council intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

14. Earthquakes in Turkey and Greece

(a) B5-0072, 0077, 0087, 0088, 0104 and 0109/1999

Resolution on the earthquake in Turkey

The European Parliament,

- A. whereas in the early hours of 17 August 1999 a devastating earthquake, measuring 7.4 on the Richter scale, struck the densely populated and heavily industrialised north-western part of Turkey,
 - B. whereas this earthquake has resulted in more than 15 000 dead, 25 000 injured, widespread material destruction and many thousands of persons still missing,
 - C. whereas a lack of organisation during the days following the earthquake hampered the efforts of rescue workers,
 - D. whereas the EU is providing humanitarian aid to the areas most affected,
-
- 1. Expresses its sincere sympathy and solidarity with Turkey and with the relatives and friends of all those who have been killed or injured;
 - 2. Commends the efforts of the rescue teams from the Member States and calls on the Commission to explore ways of improving the effectiveness of relief organisation in major humanitarian disasters inside or outside the EU and to report to Parliament on its findings;
 - 3. Believes that urgent consideration should be given to the creation of a European Research Institute for the systematic study and application of new methods for early warning of seismic activity;
 - 4. Instructs its President to forward this resolution to the Council, the Commission and the Government and Grand National Assembly of Turkey.

Resolution on the catastrophic earthquake in Athens on 7 September 1999

The European Parliament,

- A. whereas a devastating earthquake, measuring 5.9 on the Richter scale, struck the Athens region on 7 September 1999,
 - B. whereas over 100 people were killed and several hundred injured, several thousand buildings and houses were destroyed and hundreds of others were damaged, and over 60 000 people have been affected by the disaster,
 - C. whereas considerable damage was caused to buildings in the city of Athens, including the historic monuments, the archaeological museum, churches and hospitals,
-
- 1. Expresses its profound sympathy with the victims' families and everyone living in Attica;
 - 2. Commends the efforts of the rescue teams involved in the search for survivors;
 - 3. Calls on the Commission, the Council and other competent bodies to consider all possible ways of speedily helping the victims and rapidly repairing the damage;
 - 4. Believes that urgent consideration should be given to the creation of a European Research Institute for the systematic study and application of new methods for early warning of seismic activity;
 - 5. Calls on the Commission to explore ways of improving the effectiveness of relief organisation in major humanitarian disasters inside or outside the EU, such as the setting up of a civilian protection corps to coordinate rescue units and equipment of the Member States, and to report to the Parliament on its findings;
 - 6. Instructs its President to forward this resolution to the Council, the Commission, the Greek Government and the authorities of the Attica region and the city of Athens.

15. Dagestan

B5-0071, 0078, 0085, 0090, 0095 and 0103/1999

Resolution on the armed conflict in the Dagestan Republic of Russia

The European Parliament,

- having regard to its assent of 30 November 1995 to the conclusion of an Agreement on Partnership and Cooperation between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part¹, and its assent of 11 June 1997 to the conclusion of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States and the Russian Federation²,
 - having regard to the EU's support to the continued development of cooperation within the Black Sea Council,
 - having regard to the Common Strategy of the European Union on Russia, adopted by the Council in June 1999,
 - having regard to the Declaration by the Presidency of the Council on behalf of the EU on the situation in the Dagestan Republic of Russia and the Statement by the Chairman-in-Office of the OSCE on the Situation in Dagestan as of 13 August 1999,
- A. whereas the European Union is committed to strengthening the strategic partnership with Russia in terms of economic integration and of cooperation while maintaining stability and security in Europe and beyond,
- B. stressing the territorial integrity of the Russian Federation,
- C. whereas the Russian Federation is facing a serious economic, financial, social and institutional crisis,
- D. deeply concerned about the violent attacks on the territory of the Dagestan Republic of the Russian Federation perpetrated by extremist armed forces entering from Chechnya,
- E. worried about the escalation in the armed conflict between the extremist armed forces and the Russian military which is causing many victims and refugees among the civilian population in Dagestan and the Chechen Republic,
- F. considering the deteriorating economic situation in the Dagestan Republic and the widespread unemployment despite the considerable economic potential of the region, given its strategic position on the Caspian Sea for the transit of oil and gas transports,
- G. worried about the serious regional ramifications of the deteriorating security situation and the danger of further destabilisation in the Caucasian region,
1. Regrets deeply the loss of life among the civilian population and military personnel and calls upon the Russian authorities to carry out the operations necessary to restore internal security and order on Dagestan territory, using proportionate force when restoring order, respecting the international principles of human rights and ensuring the safety of the civilian population of the villages occupied by the extremist armed forces;

¹ OJ C 339, 18.12.1995, p. 45.

² OJ C 200, 30.6.1997, p. 66.

2. Invites all parties involved to do everything to end the conflict and ensure the safe return of the large numbers of people who have been forced to flee their homes;
3. Insists that all international interest groups put an immediate end to their support for all illegal armed groups;
4. Condemns the violent attempts of the extremist forces to destabilise the Dagestan Republic of the Russian Federation and to impose a dictatorial regime on the peoples of the North Caucasus region;
5. Calls upon the authorities in Chechnya to refrain from giving any support to the extremist armed forces and to cooperate with the authorities of the Russian Federation in the establishment of security and stability in the region;
6. Calls upon the Russian authorities to engage in confidence-building measures on Chechen territory such as the implementation of economic reconstruction measures on the basis of the peace agreement between the Russian Federation and the authorities in Grozny;
7. Invites the OSCE to report on the implementation of the agreement between the Russian Federation and the Autonomous Republic of Chechnya to resolve the earlier conflict;
8. Invites the Council and the Member States to support, in collaboration with the OSCE, the Russian authorities' efforts to restore the authority of the state, with due respect for the rule of law, and to increase to this end their financial support for the operations of the OSCE mission in Grozny,
9. Invites the OSCE to report to the Cooperation Council, the Commission and Parliament on the political and human rights situation in Dagestan and to make recommendations;
10. Calls upon the Council and the Commission to assist the Russian Federation in developing a programme for regional economic cooperation for its North Caucasian Republics;
11. Invites the Commission to assess the humanitarian situation in the Dagestan Republic and the neighbouring regions concerned and to present to Parliament, if it considers it necessary and viable, a proposal for short-term humanitarian aid drawing on its former experience in the region;
12. Instructs its President to forward this resolution to the Council, the Commission, the Duma and Government of the Russian Federation, the authorities in Dagestan and Chechnya, the OSCE and the Secretary-General of the UN.

16. Human rights

(a) B5-0080, 0092, 0100 and 0105/1999

Resolution on the imprisoned citizens of Kosovo

The European Parliament,

- having regard to its previous resolutions on Kosovo and former Yugoslavia, in particular its resolution of 22 July 1999¹,
 - having regard to the report of the UN High Commissioner for Human Rights of 7 September 1999 on the human rights situation in Kosovo,
- A. whereas during the conflict in Kosovo many thousands of Kosovars were detained by Yugoslav forces and paramilitary troops,
- B. whereas according to reports by the UN High Commissioner for Human Rights at least 5000 persons are still being detained in connection with various phases of court proceedings on terrorism charges,
- C. whereas according to a list compiled by the International Committee of the Red Cross (ICRC) based on information from the Serbian Ministry of Justice, approximately 2000 ethnic Albanians are in Serbian prisons, including people who were arrested on charges of anti-state activities before the NATO campaign,
- D. concerned that all these prisoners are being held on the basis of one-month police-detention orders, which were enforced under martial law in Yugoslavia during the Kosovo conflict and officially expired on 15 June 1999, since when these orders seem to have been extended indefinitely without any prospect of a proper trial or release,
- E. noting that in Kosovo recently there have been over a hundred cases of kidnapping and abduction of persons from minority groups and that allegations concerning the existence of KLA detention centres have been made regularly,
- F. whereas the status of detainees and missing persons was not addressed in the Kumanovo Agreement between NATO and the Yugoslav government nor in Security Council Resolution 1244/99 which mandated the international presence in Kosovo,
- G. stressing that the full protection of basic human rights has to be an essential element of the process of reconstruction in Kosovo and the whole of South-East Europe,
1. Calls on the Serbian Government to immediately inform family members of detainees and missing persons believed to be in custody of the location of detainees and the reason for their detention;
 2. Urges the Serbian Government to release immediately all those detained after 24 March 1999;
 3. Calls on the UN Civil Administrator Bernard Kouchner, as well as on the OSCE, to bring forward comprehensive proposals for the release of these prisoners;
 4. Welcomes the decision to establish a Subcommission on Prisoners and Detainees in the framework of the Kosovo Transitional Council;

¹ Minutes of that sitting, Part II, Item 1.

5. Urges the UN Security Council to adopt a resolution which makes it clear to the Serbian authorities that no progress can be made in the peace talks on the future of the region until these prisoners are released;
6. Urges the Finnish EU Presidency to hold direct talks with the Serbian government on the early release of all prisoners;
7. Urges all those involved in the process of reconstruction of South-East Europe to draw up long-term strategies for the promotion and protection of basic human rights and to promote a culture of respect for human rights and tolerance;
8. Instructs its President to forward this resolution to the Council and the Commission, the authorities of Serbia and the Federal Republic of Yugoslavia, the UN Administrator for Kosovo, the OSCE and the International Committee of the Red Cross.

Resolution on Burma

The European Parliament,

- having regard to its previous resolutions on Burma, in particular its resolution of 15 April 1999¹,
- A. deeply concerned at the ongoing human rights abuses committed by the military authorities in Burma, especially the violation of humanitarian law by the Burmese army in ethnic minority areas,
- B. deploring the continuing restrictions by the SPDC on the freedom of movement of Aung San Suu Kyi and other NLD members, and on all other political parties, preventing them from functioning,
- C. recalling that the Committee Representing the People's Parliament (CRPP), acting on behalf of the entire Parliament, had never been permitted to convene,
- D. condemning the recent arrests of more than 150 Burmese pro-democracy activists, many of them of high-school age, for joining demonstrations and distributing pamphlets calling for a general strike on 9 September 1999,
- E. whereas Rachel Goldwin, a British citizen, has been arrested in Burma at a pro-democracy demonstration,
- F. whereas the arrest comes a week after another British pro-democracy campaigner, James Mawdsley, was sentenced to 17 years in jail after being convicted of entering Burma illegally,
- G. condemning the five-day arrest of a three-year old girl in July 1999, held hostage to force her father out of hiding,
- H. whereas in May 1999 the ILO, in a report to its Governing Body, noted that the SPDC has continued to inflict the practice of forced labour on the people of Burma, and pointed out that it should not receive any invitation to attend meetings organised by the ILO,
- I. noting that European multinational oil companies now provide almost a third of the total legal foreign investment committed in Burma, and an even higher proportion of funds disbursed,
- J. noting the results of the European Union fact-finding mission to Rangoon in July 1999, and taking into account the fact that these results will be the basis of the review in October by the Council of its Common Position towards Burma,
- K. noting that the Council has so far not responded to Aung San Suu Kyi's request and has not taken any significant economic measures against the SPDC,
- 1. Reiterates its condemnation of the military dictatorship in Burma and all human rights violations by the SPDC;
- 2. Calls again on the Burmese government to guarantee the fundamental rights of the Burmese people, to release all political prisoners and to allow freedom of movement for Aung San Suu Kyi and her party members;

¹ OJ C 219, 30.7.1999, p. 405.

3. Calls upon the Burmese government to end immediately the widespread practice of forced labour and the human rights violations connected with it, which has been labelled by the ILO as a 'crime against humanity';
4. Calls on the Council to ensure that the current CFSP Common Position on Burma is renewed and strictly enforced, in particular with regard to the ban on entry visas, and moreover urges the EU Member States to refrain from giving transit visas to SPDC and military personnel;
5. Furthermore calls upon the Council and the Member States to increase pressure on the SPDC to instigate a dialogue with the democratic opposition and the ethnic minorities by including economic sanctions in its Common Position on Burma;
6. Reiterates its position that Burma should be excluded from the ASEAN-EU process;
7. Calls on the Council to use its discussions with the ASEAN and the other States in the region to pressure the SPDC to enter into dialogue with the democratic opposition and the ethnic minorities;
8. Instructs its President to forward this resolution to the Council, the Commission, the Parliaments of the Member States, ASEAN, the NLD and its President Aung San Suu Kyi and the Government of Burma.

Resolution on the situation of prisoners accused of spying in Iran

The European Parliament,

- A. whereas the Iranian minister for information has announced that he will be bringing a prosecution in the case of the Muslim and Jewish Iranians accused of spying, and whereas proceedings are being taken out against students,
 - B. whereas the charge of 'passing on information to the Zionist regime that is undoubtedly involved in this case of espionage' by law justifies referral to the revolutionary court,
 - C. whereas the new Iranian criminal code, based on the Sheria, expressly prescribes the death penalty for anyone guilty of espionage for Israel or the United States,
 - D. whereas several prisoners have already been executed on the same charge, the most recent being a Jew aged 60, who was hanged in Teheran on 2 June 1998,
 - E. whereas an Iranian revolutionary court has sentenced four people to death in connection with pro-democracy student protests in July 1999 and whereas others arrested during these protests are under investigation and face heavy charges,
 - F. appalled by the Amnesty International report on prison conditions in Iran, which lists numerous cases of persons being sentenced to flogging, stoning and execution,
 - G. whereas the youngest of the accused is aged 16,
- 1. Expresses its indignation at the proceedings being taken out against the prisoners accused of spying in Iran;
 - 2. Demands the immediate release of all the prisoners, to enable them freely to prepare their defence with the lawyers of their choice;
 - 3. Calls for the rights of the defence to be respected and for international observers to have immediate access to the case-files on the accused and to be allowed freely to follow the whole trial;
 - 4. Calls on the Supreme Court to immediately suspend execution of the death penalty and proceed further with judicial review of the case;
 - 5. Insists that any dialogue between the European Union and the Islamic Republic of Iran must be made dependent on respect for fundamental human rights;
 - 6. Instructs its President to forward this resolution to the Commission, the Council, and the Iranian Government.

Resolution on human rights abuses in Togo

The European Parliament,

- having regard to its previous resolutions on the situation in Togo,
 - A. whereas the democratisation process in Togo has suffered many setbacks in recent years and whereas the Presidential elections of June 1998 were marred by irregularities,
 - B. whereas the legislative elections of March 1999 were boycotted by the opposition because of insufficient guarantees of an equitable electoral process,
 - C. whereas an inter-Togolese dialogue between government and opposition, assisted by three European and one African facilitator, is currently making progress on the organisation of new legislative elections,
 - D. whereas President Eyadema has given a public undertaking not to seek a new presidential mandate and to dissolve the parliament in a few months,
 - E. whereas there have been persistent human rights violations committed by the security forces with total impunity in recent years and whereas Amnesty International reported allegations of hundreds of extrajudicial executions and torture immediately after the Presidential election,
 - F. whereas EU cooperation with Togo has been suspended since January 1992,
1. Strongly condemns all forms of violence and human rights abuses committed in Togo;
 2. Welcomes the agreement reached last July by the inter-Togolese dialogue on the organisation of new legislative elections next year and expresses its full support for the work of the European facilitators;
 3. Calls for an independent investigation of the allegations of extrajudicial executions and torture and urges that those who committed those crimes should be brought to justice in order to put an end to the situation of impunity;
 4. Believes that European Union/Togolese cooperation can be resumed only when Togo fully meets provisions contained in Article 5 of the Lomé Convention and stresses, in the meantime, the importance of supporting independent media and civil society groups in Togo by projects implemented by the NGOs;
 5. Calls on the Member States to act with a single voice in the framework of their bilateral relations with Togo;
 6. Instructs its President to forward this resolution to the Council, the Commission, the co-Presidents of the ACP-EU Joint Assembly, the OAU and the Government and Parliament of Togo.

17. Lusaka agreement

B5-0070, 0084, 0094, 0099 and 0101/1999

Resolution on the Lusaka ceasefire agreement for the Great Lakes Region

The European Parliament,

- having regard to its previous resolutions on the situation in the Great Lakes Region and in the Democratic Republic of Congo in particular,
 - having regard to the EU Presidency Declaration of 3 September 1999,
 - having regard to the EU Declaration of June 1999 on the arms trade to and within the Great Lakes Region,
- A. whereas an armed conflict has been raging in the DRC over the past year, with the active military involvement of several neighbouring countries, posing a serious threat to the stability of the region and causing further death and destruction as well as a new exodus of refugees,
- B. whereas a ceasefire agreement has been signed in Lusaka by the six countries of the region (the Democratic Republic of Congo, Zimbabwe, Namibia, Angola, Rwanda and Uganda) and the various rebel factions, all of which are involved in the conflict,
- C. whereas the Lusaka ceasefire agreement includes a pledge from neighbouring countries to withdraw their forces as well as a promise from all sides to engage in a national dialogue on Congo's future, with the participation of representatives of civil society, and to secure Congo's borders in order to guarantee the safety of neighbouring countries,
- D. whereas the obstacles to the implementation of the Lusaka agreement are enormous, given the grave instability and ethnic tensions that persist in the region and the continuing presence of refugees across the region which has resulted in a tremendous humanitarian crisis,
- E. whereas respect for human rights and democratic institutions must be an essential part of the reconciliation process in the region,
1. Supports the peace process initiated by the signing of the Lusaka agreement and commends the successful diplomatic efforts of Zambia, South Africa and Tanzania that led to the signing of this agreement;
 2. Calls on all parties to proceed immediately with implementation of the agreement, to abide strictly by its terms and to refrain from any action putting it at risk;
 3. Calls in particular on all Congolese signatories of the agreement to engage immediately in national dialogue on Congo's future, together with representatives of civil society; for this purpose calls on the DRC authorities to release without delay all political prisoners and to allow activities of political parties in order to prepare the elections;
 4. Calls on all those involved in the fighting to end all acts of violence against civilians and to respect fundamental human rights;
 5. Considers that the Lusaka agreement is crucial for the restoration of peace and stability in the DRC and the Central Africa region, as well as for the return of refugees and displaced people and their reintegration into their countries of origin and for the security of neighbouring countries;

6. Emphasises the responsibility of the European Union for providing support for the enforcement of the Lusaka agreements and calls on the EU to provide political and operational support for its implementation and to contribute in particular to the peacekeeping operations to be carried out by the UN and the OAU;
7. Calls on the Council and the Member States to respect their commitments to controlling arms exports to the region, their illicit circulation and the illicit trafficking which finances them;
8. Calls on the EU to step up its humanitarian aid to the region to help cope with the continuing presence of refugees and to assist the repatriation process;
9. Instructs its President to forward this resolution to the signatories of the Lusaka agreement, the Council, the Commission, the governments of the Member States, the Secretary-General of the United Nations, the OAU and the governments of South Africa, Tanzania and Zambia.