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**A5-0234/2002**

**\*\*\*III**

## **REPORT**

on the joint text approved by the Conciliation Committee for a European Parliament and Council decision adopting a programme of Community action in the field of public health (2003-2008)  
(PE-CONS 3627/02 – C5-0204/2002 – 2000/0119(COD))

European Parliament delegation to the Conciliation Committee

Rapporteur: Antonios Trakatellis

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position*  
*majority of Parliament's component Members, to reject or amend the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position*  
*majority of Parliament's component Members, to reject or amend the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

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## PROCEDURAL PAGE

At the sitting of 4 April 2001 Parliament adopted its position at first reading on the proposal for a European Parliament and Council decision adopting a programme of Community action in the field of public health (2001-2006) (COM(2000) 285 – 2000/0119 (COD)).

At the sitting of 5 September 2001 the President of Parliament announced that the common position had been received and referred to the Committee on the Environment, Public Health and Consumer Policy (10222/1/2001 – C5-0390/2001).

At the sitting of 12 December 2001 Parliament adopted amendments to the common position.

By letter of 12 February 2002 the Council stated that it was unable to approve all Parliament's amendments.

The President of the Council, in agreement with the President of Parliament, convened a meeting of the Conciliation Committee on 19 March 2002.

By letter of 24 April 2002 the President of Parliament informed the Council that it was necessary to extend the deadline the work in the committee and the deadline for adopting the act, as laid down in Article 251(7) of the EC Treaty.

At its meetings of 23 April and 8 May 2002 the Conciliation Committee considered the common position on the basis of the amendments proposed by Parliament.

At the latter meeting it reached agreement on a joint text.

At its meeting of 8 May 2002 the Parliament delegation approved the results of the conciliation unanimously with one abstention.

The following took part in the vote: Renzo Imbeni, Vice-President and chairman of the delegation; Antonios Trakatellis, rapporteur; Hans Blokland, John Bowis, Dorette Corbey (for Torben Lund), Cristina García-Orcóyen Tormo (for Charlotte Cederschiöld, pursuant to Rule 153(2)), Françoise Grossetête, Minerva Melpomeni Malliori, Frédérique Ries, Didier Rod, Ursula Schleicher, Renate Sommer (for Giorgos Dimitrakopoulos, pursuant to Rule 153(2)) and Catherine Stihler.

On 15 May 2002 the co-chairmen of the Conciliation Committee established that the joint text had been approved, pursuant to paragraph III.8 of the Joint declaration on practical arrangements for the new co-decision procedure,<sup>1</sup> and forwarded it to Parliament and the Council in all the official languages.

The report was tabled on 18 June 2002.

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<sup>1</sup> OJ C 148, 28.5.1999, p. 1.

## DRAFT LEGISLATIVE RESOLUTION

**European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council decision adopting a programme of Community action in the field of public health (2003-2008) (PE-CONS 3627/02 – C5-0204/2002 – 2000/0119(COD))**

**(Codecision procedure: third reading)**

*The European Parliament,*

- having regard to the joint text approved by the Conciliation Committee and the relevant Commission statements (PE-CONS 3627/02 – C5-0204/2002),
  - having regard to its position at first reading<sup>1</sup> on the Commission proposal to Parliament and the Council (COM(2000) 285<sup>2</sup>),
  - having regard to the amended proposal (COM(2001) 302<sup>3</sup>),
  - having regard to its position at second reading<sup>4</sup> on the Council common position<sup>5</sup>,
  - having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2002) 029 - C5-0032/2002)<sup>6</sup>,
  - having regard to Article 251(5) of the EC Treaty,
  - having regard to Rule 83 of its Rules of Procedure,
  - having regard to the report of its delegation to the Conciliation Committee (A5-0234/2002),
1. Approves the joint text and draws attention to the Commission statements thereon;
  2. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
  3. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council to have it published, together with the statements by the Commission thereon, in the Official Journal of the European Communities;
  4. Instructs its President to forward this legislative resolution to the Council and Commission.

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<sup>1</sup> OJ C 21E of 24.1.2002, p. 161.

<sup>2</sup> OJ C 337E of 28.11.2000, p. 122.

<sup>3</sup> OJ C 240E of 28.8.2001, p. 168.

<sup>4</sup> Texts Adopted, 12.12.2001, p. 13.

<sup>5</sup> OJ C 307 of 31.10.2001, p. 27.

<sup>6</sup> OJ C not yet published.

## **EXPLANATORY STATEMENT**

### **Introduction**

To contribute to the well-being of European citizens, the Community must address in a coordinated and coherent way the concerns of its people about risks to health and their expectations for a high level of health protection. Health is a priority and this protection should be ensured in the definition and implementation of all Community policies and activities.

Actions should be guided by the need to increase life expectancy without disability or sickness, promote quality of life and minimise the economic and social consequences of ill health, thus reducing health inequalities, while taking into account the regional approach to health issues.

In the context of the public health framework set out in the Commission communication of November 1993 in the field of public health, eight action programmes were adopted.

This programme of Community action in the field of public health builds on the existing eight programmes and on the work of the network for epidemiological surveillance and control of communicable diseases in the Community. It seeks to pursue all the objectives and measures therein in the form of a global and integrated health strategy.

Actions at Community level are to be set out in one overall programme to run for a period of at least six years and comprising three general objectives, namely improving information and knowledge for the development of public health, reacting rapidly to health threats and tackling health determinants through health promotion and disease prevention.

As far as the third objective is concerned, it will be achieved by focusing on key life-style factors, such as smoking, alcohol, nutrition and exercise, as well as major socio-economic and environmental factors.

Moreover, the Commission, through appropriate structural arrangements, should ensure the effectiveness and cohesion of measures and actions contained in the programme and promotes cooperation between the Member States.

The programme is due to run for the period starting on 1 January 2003 and ending on 31 December 2008.

### **First and second readings**

The subject was addressed in the Antonios TRAKATELLIS (EPP-ED, GR) report, adopted at first reading on 4 April 2001. It adopted a number of amendments designed mainly to increase the budget from EUR 300 million (Commission proposal) to EUR 380 million in order to meet the ambitious objectives set out in the programme, to put in place structural arrangements with a coordinating centre, to specify more precisely the content of the activities envisaged and to increase the role of the NGOs and the applicant States. A certain number of amendments were also introduced aiming at stressing the significance of certain diseases in relation to public health.

The Council adopted its common position on 31 July 2001, which included either wholly, partly, or retaining only the substance - 66 out of 110 amendments proposed by the European Parliament which were taken up in the Commission proposal. It also changed large parts of the text making the programme less precise and proposing a maximum budget of EUR 280 million.

On 12 December 2001, the EP adopted its second reading and the TRAKATELLIS report containing 50 amendments to the common position, many of them coming from the first reading and the initial Commission proposal.

### **The directive in conciliation**

The Council decided it could not accept Parliament's amendments and the EP delegation was constituted on 5 February, followed by a trialogue meeting on 19 February and a EP Delegation meeting on 13 March.

The conciliation procedure was opened without discussion at the meeting of the Conciliation Committee on 19 March. A new trialogue meeting took place on 9 April, followed by a EP delegation meeting on 10 April.

Conciliation committee meetings on this issue were held on 23 April and 8 May, where an agreement was finally reached. The joint-text of the conciliation agreement between Parliament and Council included– either wholly, partly, or retaining only the substance - 37 out of the 50 amendments proposed by the European Parliament in 2nd reading.

On the merits, the following improvements of the text, obtained in conciliation, can be stressed:

- a final figure of EUR 312 million was agreed, substantially above the figure proposed by the Council (280) and even the Commission (300). This is a remarkable achievement because it is only the second time since codecision began that the engagement finally agreed has been higher than that proposed by the Commission;
- in addition to this, a Commission declaration on Article 7 -related to the funding-foresees that the financial framework shall be reviewed (financial proposals will be made) in the context both of the accession of new Member States and the preparation for the revision of the financial perspective, taking account of the establishment of the structural arrangements;
- to ensure the effective implementation of the programme, a second Commission declaration was made on the "structural arrangements", which points out four basic instruments: the management and advisory committee, the operation of the Commission's departments, the scientific and technical experts, and the possibility of setting up an executive agency;
- important clarifications between "objectives", "actions" and "activities" were introduced; and

- finally, most of the remaining amendments were accepted by the Council, either in full or in a reworked form, mainly on: reports to the European Parliament, strategies in order to counter health threats in emergency situations (including terrorist acts), exchange of information on quality standards, diseases and vaccination, collection and analysis of comparable data at Community level, coordination between the Member States and the Community and cooperation with third countries and international organisations.

## **Conclusions**

The delegation regards the end result of conciliation as very satisfactory for Parliament, as the joint text has incorporated most of its amendments in full or in a reworked form. The delegation thanks the Commission and the Spanish Presidency for the constructive cooperation with Parliament's delegation with a view to reaching an agreement on the basis of which the programme can come into operation rapidly. It therefore recommends that the House adopt the text at third reading.