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*****II**

DRAFT RECOMMENDATION FOR SECOND READING

on the Council common position for adopting a regulation of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (recast)
(5726/2/2008 – C6-0223/2008 – 2005/0237B(COD))

Committee on Transport and Tourism

Rapporteur: Luis de Grandes Pascual

(Recast – Rule 80 of the Rules of Procedure)

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.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). Suggested corrections of this kind are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the Council common position for adopting a regulation of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (recast)

(5726/2/2008 – C6-0223/2008 – 2005/0237B(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (5726/2/2008 – C6-0223/2008),
 - having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(2005)0587),
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rules 62 and 80a of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Transport and Tourism (A6-0330/2008),
1. Approves the common position as amended;
 2. Instructs its President to forward its position to the Council and Commission.

Amendment 1

Council common position

Recital 3

Council common position

Amendment

(3) This Regulation is to be understood and interpreted in conformity with the Community's international obligations, including the United Nations Convention on the Law of the Sea of 10 December 1982. ***deleted***

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

¹ OJ C 74E, 20.3.2008, p. 632.

Amendment 2

Council common position

Recital 5

Council common position

(5) This objective should be pursued through measures that adequately tie in with the work of the International Maritime Organisation (IMO) and, where appropriate, build on and complement it.

Furthermore, the Member States and the Commission should promote the development by the IMO of an international code for recognised organisations.

Amendment

(5) This objective should be pursued through measures that adequately tie in with the work of the International Maritime Organisation (IMO) and, where appropriate, build on and complement it.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see Amendment 6 of Parliament's first reading).

Amendment 3

Council common position

Recital 8

Council common position

(8) Recognition should be granted only on the basis of the quality and safety performance of the organisation. It should be ensured that the extent of that recognition be at all times in keeping with the actual capacity of the organisation concerned. Recognition should furthermore take into account the differences in legal status and corporate structure of recognised organisations while continuing to ensure uniform application of the minimum criteria ***laid down in this Regulation*** and the effectiveness of the Community controls. ***Regardless of the corporate structure, the organisation to be recognised should provide services worldwide and be subject to global joint***

Amendment

(8) Recognition should be granted only on the basis of the quality and safety performance of the organisation ***in question***. It should be ensured that the extent of that recognition be at all times in keeping with the actual capacity of the organisation concerned. Recognition should furthermore take into account the differences in legal status and corporate structure of recognised organisations while continuing to ensure uniform application of the minimum criteria ***mentioned previously*** and the effectiveness of the Community controls.

and several liability.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 4

Council common position

Recital 15

Council common position

(15) The ability of recognised organisations to identify rapidly and correct weaknesses in their rules, processes and internal controls is critical for the safety of the ships they inspect and certify. That ability should be enhanced by means of **a *Quality Assessment and Certification System, which should be independent of commercial or political interests in order to propose common*** action for the sustained improvement of all recognised organisations and ensure fruitful ***cooperation*** with the Commission.

Amendment

(15) The ability of recognised organisations to identify rapidly and correct weaknesses in their rules, processes and internal controls is critical for the safety of the ships they inspect and certify. That ability should be enhanced by means of **an independent *assessment committee which can*** propose action for the sustained improvement of all recognised organisations and ensure fruitful ***interaction*** with the Commission.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see Amendment 16 of Parliament's first reading).

Amendment 5

Council common position

Recital 17

Council common position

(17) The harmonisation of the rules of recognised organisations for the design, construction and periodic survey of merchant ships is an ongoing process. Therefore, the obligation to have a set of own rules or the demonstrated ability to have own rules should be seen in the

Amendment

deleted

context of the process of harmonisation and should not constitute an obstacle to the activities of recognised organisations or potential candidates for recognition.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 6

**Council common position
Recital 19**

Council common position

Amendment

(19) While each recognised organisation, in principle, should be held responsible solely and exclusively in relation to the parts it certifies, the liability of recognised organisations and manufacturers will follow the agreed conditions or, as the case may be, the applicable law in each individual case.

deleted

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 7

**Council common position
Recital 21**

Council common position

Amendment

(21) In order to prevent ships from changing class to avoid carrying out *necessary* repairs, recognised organisations *should exchange* all relevant information among themselves concerning the conditions of ships *changing class* and involve the flag State when necessary.

(21) In order to prevent ships from changing class to avoid carrying out repairs *called for by a recognised organisation in its inspection, prior arrangements should be made for the exchange of* all relevant information *by recognised organisations* among themselves concerning the conditions of ships *for which a change of class is sought* and involve the flag State when necessary.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see Amendment 19 of Parliament's first reading).

Amendment 8

Council common position

Recital 22

Council common position

Amendment

(22) The protection of intellectual property rights of shipyards, equipment suppliers and shipowners should not prevent normal business transactions and contractually agreed services between these parties.

deleted

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 9

Council common position

Article 2 – letter i

Council common position

Amendment

(i) "class certificate" means a document issued by a recognised organisation certifying the fitness of a ship for a particular use or service in accordance with the rules and ***procedures*** laid down and made public by that recognised organisation;

(i) "class certificate" means a document issued by a recognised organisation certifying the fitness of a ship for a particular use or service in accordance with the rules and ***regulations*** laid down and made public by that recognised organisation;

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 10

Council common position

Article 2 – letter j

Council common position

(j) "location" means the **place of** the registered office, central administration or principal place of business of an organisation.

Amendment

(j) "**country of** location" means the **state where** the registered office, central administration or principal place of business of a **recognised** organisation **is located**.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see Amendment 23 of Parliament's first reading).

Amendment 11

Council common position

Article 4 – paragraph 2

Council common position

2. Recognition shall only be granted to organisations, which meet the requirements referred to in Article 3.

Amendment

deleted

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 12

Council common position

Article 6 – paragraph 4

Council common position

4. The Court of Justice of the European Communities shall have unlimited jurisdiction to review decisions whereby the Commission has fixed a fine or periodic penalty payment. It may cancel, reduce or increase the fine or periodic

Amendment

deleted

penalty payment imposed.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 13

Council common position

Article 7 – paragraph 1 – letter e

Council common position

Amendment

(e) which seeks to obtain financial cover or reimbursement of any fines imposed on it pursuant to Article 6. ***deleted***

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 14

Council common position

Article 9 – paragraph 1

Council common position

Amendment

1. Recognised organisations shall ensure that the Commission has access to the information necessary for the purposes of the assessment referred to in Article 8(1). No contractual clauses may be invoked to restrict this access.

1. No clauses in a contract of a recognised organisation with a third party or in an authorisation agreement with a flag state may be invoked to restrict the access of the Commission to the information necessary for the purposes of the assessment referred to in Article 8(1).

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 15

Council common position Article 9 – paragraph 2

Council common position

2. Recognised organisations shall ensure in their contracts with **shipowners or operators** for the issue of statutory certificates or class certificates to a ship that such issue shall be made conditional on the parties not opposing the access of the **Commission** inspectors on board that ship for the purposes of Article 8(1).

Amendment

2. Recognised organisations shall ensure in their contracts with **third parties** for the issue of statutory certificates or class certificates to a ship that such issue shall be made conditional on the parties not opposing the access of the **Community** inspectors on board that ship for the purposes of Article 8(1).

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 16

Council common position Article 10 – paragraph 1 – subparagraph 1

Council common position

1. The recognised organisations shall consult with each other periodically with a view to maintaining equivalence and aiming for harmonisation of their rules and **procedures** and the implementation thereof. They shall cooperate with each other with a view to achieving consistent interpretation of the international conventions, without prejudice to the powers of the flag States. Recognised organisations shall, in appropriate cases, agree on the technical and procedural conditions under which they will mutually recognise **the** certificates **for materials, equipment and components** based on equivalent **standards**, taking the most demanding and rigorous standards as their reference.

Amendment

1. The recognised organisations shall consult with each other periodically with a view to maintaining equivalence and aiming for harmonisation of their rules and **regulations** and the implementation thereof. They shall cooperate with each other with a view to achieving consistent interpretation of the international conventions, without prejudice to the powers of the flag States. Recognised organisations shall, in appropriate cases, agree on the technical and procedural conditions under which they will mutually recognise **their respective classification** certificates based on equivalent **models**, taking the most demanding and rigorous standards as their reference **and taking particularly into account marine equipment bearing the wheelmark in accordance with Council Directive**

96/98/EC of 20 December 1996 on marine equipment¹.

¹OJ L 46, 17.2.1997, p. 25.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 17

Council common position

Article 10 – paragraph 1 – subparagraphs 2 and 3

Council common position

Amendment

In case mutual recognition cannot be agreed upon for serious safety reasons, recognised organisations shall clearly state the reasons thereof.

deleted

Where a recognised organisation ascertains by inspection or otherwise that material, a piece of equipment or a component is not in compliance with its certificate, that organisation may refuse to authorise the placing on board of that material, piece of equipment or component. The recognised organisation shall immediately inform the other recognised organisations, stating the reasons for its refusal.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 18

Council common position

Article 10 – paragraph 2

Council common position

Amendment

2. The Commission shall submit a report to the European Parliament and the Council by ...*, based on an independent study, on the level reached in the process of

2. The Commission shall submit a report to the European Parliament and the Council by ...*, based on an independent study, on the level reached in the process of

harmonising the rules and *procedures* and on mutual recognition *of certificates for materials, equipment and components*.

harmonising the rules and *regulations* and on mutual recognition. *In the event of failure by the recognised organisations to fulfil the provisions of Article 10, the Commission shall propose to the European Parliament and the Council the appropriate measures.*

** Three years after the entry into force of this directive.*

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see Amendment 53 of Parliament's first reading).

Amendment 19

Council common position Article 10 – paragraph 6 – subparagraph 3

Council common position

*Prior to the issue of the certificates, the gaining organisation must advise the losing organisation of **the** date of issue **of the certificates** and confirm the **date, place and** action taken **to satisfy** each overdue survey, overdue recommendation and overdue condition of class.*

Amendment

Before completing** the **new** certificates, the gaining organisation must advise the losing organisation of **their** date of issue **and, for** each overdue survey, overdue recommendation and overdue condition of class, confirm the action taken, **specifying its starting place and date and the place where, and the date when, it was satisfactorily completed.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see Amendment 57 of Parliament's first reading).

Amendment 20

Council common position Article 11 – paragraph 1

Council common position

1. Recognised organisations shall set up by ...* **and maintain an independent Quality**

Amendment

1. **The Member States, together with the** recognised organisations shall set up by

Assessment and Certification System in accordance with the **applicable international** quality standards **where** the relevant professional associations working in the shipping industry may participate in an advisory capacity.

...* an **Assessment Committee** in accordance with the quality standards **EN 45012**. **The** relevant professional associations working in the shipping industry may participate in an advisory capacity.

** 18 months after the date of entry into force of this directive.*

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see Amendment 58 of Parliament's first reading). It attributes a name to the assessment body, which is to be called the Assessment Committee. The Member States as well as the recognised organisations will be involved in the setting up of this committee.

Amendment 21

Council common position

Article 11 – paragraph 2, introductory sentence

Council common position

2. The **Quality Assessment and Certification System** shall carry out the following tasks:

Amendment

2. The **Assessment Committee** shall carry out the following tasks:

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 22

Council common position

Article 11 – paragraph 2 – letter a

Council common position

(a) **periodic** assessment of the quality management systems of recognised organisations, in accordance with the ISO 9001 quality standard criteria;

Amendment

(a) **regulation and continuous** assessment of the quality management systems of recognised organisations, in accordance with the ISO 9001 quality standard criteria;

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 23

Council common position Article 11 – paragraph 2 – letter b

Council common position

(b) certification of the quality **management systems** of recognised organisations, **including organisations for which recognition has been requested in accordance with Article 3;**

Amendment

(b) certification of the quality **system** of recognised organisations,

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see Amendment 60 of Parliament's first reading).

Amendment 24

Council common position Article 11 – paragraph 2 – letter c

Council common position

(c) issue of interpretations of internationally recognised quality management standards, in particular to take account of the specific features of the nature and obligations of recognised organisations; and

Amendment

(c) issue of **binding** interpretations of internationally recognised quality management standards, in particular to take account of the specific features of the nature and obligations of recognised organisations; and

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 25

Council common position Article 11 – paragraph 2 – letter d

Council common position

(d) **drawing up** of individual and collective recommendations for the improvement of

Amendment

(d) **adoption** of individual and collective recommendations for the improvement of

recognised organisations' processes and internal control mechanisms.

recognised organisations' **rules**, processes and internal control mechanisms.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 26

**Council common position
Article 11– paragraph 3**

Council common position

3. The **Quality Assessment and Certification System** shall have the necessary **governance and** competences to act independently of the recognised organisations and shall have the necessary means to carry out its duties effectively and to the highest professional standards. The **Quality Assessment and Certification System** will lay down its working methods and rules of procedure.

Amendment

3. The **Assessment Committee shall be independent**, shall have the necessary competences to act independently of the recognised organisations and shall have the necessary means to carry out its duties effectively and to the highest professional standards. The **Committee** will lay down its working methods and rules of procedure.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see Amendment 62 of Parliament's first reading).

Amendment 27

**Council common position
Article 11 – paragraph 4**

Council common position

4. The Quality Assessment and Certification System shall adopt an annual work plan.

Amendment

deleted

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see Amendment 63 of Parliament's first reading).

Amendment 28

Council common position Article 11– paragraph 5

Council common position

Amendment

5. The *Quality Assessment and Certification System* may request assistance from other external quality assessment bodies.

deleted

Justification

The aim of this amendment is to reinstate Parliament’s position at first reading.

Amendment 29

Council common position Article 11 – paragraph 6

Council common position

Amendment

6. The *Quality Assessment and Certification System* shall provide the interested parties, including *Flag States* and the Commission, with full information on its annual work plan as well as on its findings and recommendations, particularly with regard to situations where safety might have been compromised.

6. The *Assessment Committee* shall provide the interested parties, including the Commission, with full information on its annual work plan as well as on its findings and recommendations, particularly with regard to situations where safety might have been compromised.

Justification

The aim of this amendment is to reinstate Parliament’s position at first reading (see Amendment 65 of Parliament’s first reading).

Amendment 30

Council common position Article 11– paragraph 7

Council common position

7. The **Quality Assessment and Certification System** shall be periodically **assessed** by the Commission.

Amendment

7. The **Assessment Committee** shall be periodically **audited** by the Commission, **which may, acting in accordance with the regulatory procedure referred to in Article 12(3), require that committee to adopt measures which the Commission deems necessary to ensure full compliance with paragraph 1.**

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 31

Council common position Article 13– paragraph 1 – párrafo 1

Council common position

This Regulation may, without broadening its scope, be amended in order to update the minimum criteria set out in Annex I taking into account, in particular, the relevant decisions of the IMO.

Amendment

This Regulation may, without broadening its scope, be amended, **in accordance with the regulatory procedure with scrutiny referred to in Article 12(4)**, in order to update the minimum criteria set out in Annex I taking into account, in particular, the relevant decisions of the IMO.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 32

Council common position Annex I – part A – paragraph 1

Council common position

1. A recognised organisation must have legal personality in the State of its location. Its accounts shall be certified by independent auditors.

Amendment

1. ***To be eligible to obtain or to continue to enjoy Community recognition***, a recognised organisation must have legal personality in the State of its location. Its accounts shall be certified by independent auditors.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see amendment 67 of Parliament's first reading).

Amendment 33

Council common position Annex I – part B – paragraph 1

Council common position

1. The recognised organisation ***must*** provide worldwide coverage by its exclusive ***surveyors*** or, in ***exceptional and*** duly justified cases, through exclusive ***surveyors*** of other ***recognised*** organisations.

Amendment

1. The recognised organisation ***shall*** provide worldwide coverage by its exclusive ***technical staff*** or, in duly justified cases, through exclusive ***technical staff*** of other organisations.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

Amendment 34

Council common position Annex I – part B – paragraph 8

Council common position

8. The ***recognised*** organisation must have developed, implemented and must maintain

Amendment

8. The organisation must have developed ***and*** implemented and must maintain an

an effective internal quality system based on appropriate parts of internationally recognised quality standards and in compliance with EN ISO/IEC 17020:2004 (inspection bodies) and with EN ISO 9001:2000 (*quality management systems, requirements*), as interpreted and certified by the *Quality Assessment and Certification System* referred to in Article 11(1).

effective internal quality system based on appropriate parts of internationally recognised quality standards and in compliance with EN ISO/IEC 17020:2004 (inspection bodies) and with EN ISO 9001:2000, as interpreted and certified by the *Assessment Committee* referred to in Article 11(1).

The Assessment Committee must act independently and must accordingly have access to all the resources needed to be able to operate properly and carry out thorough and consistent work. It must possess highly specialised and extensive technical skills and a code of conduct that safeguards the independence of the auditors' activities.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading (see amendment 71 of Parliament's first reading).

Amendment 35

Council common position Annex I – part B – paragraph 9

Council common position

9. The rules and *procedures* of the recognised organisation must be implemented in such a way that the organisation remains in a position to derive from its own direct knowledge and judgement a reliable and objective declaration on the safety of the ships concerned by means of class certificates on the basis of which statutory certificates can be issued.

Amendment

9. The rules and *regulations* of the recognised organisation must be implemented in such a way that the organisation remains in a position to derive from its own direct knowledge and judgement a reliable and objective declaration on the safety of the ships concerned by means of class certificates on the basis of which statutory certificates can be issued.

Justification

The aim of this amendment is to reinstate Parliament's position at first reading.

EXPLANATORY STATEMENT

Background and purpose of the proposal

The purpose of this fourth revision is none other than to strengthen and clarify the role of classification societies recognised by the EU, now known as ‘recognised organisations’, having found that there are significant failings in the process of inspecting and certifying the safety of the world’s shipping.

Previous directives, particularly Directive 2001/105/EC, one of three proposals in the Erika 1 legislative package, have already raised the serious need to reform the present system for Community recognition of classification societies, set up by Directive 94/57/EC; the substantial progress that they made was then reinforced by the Council’s conclusions of 13 December 2002 and Parliament’s resolutions on strengthening safety at sea (2003/2235(INI) and the resolution adopted after the wreck of the *Prestige* (2003/2066(INI)).

The reason for returning to this question is the need for further tightening up of the activity of these organisations which, as has been said by the various operators making up the sea transport sector, if they did not exist would need inventing as they fulfil a vital task in maintaining safety at sea.

However, as mentioned there are still serious deficiencies today in the process of inspecting and certifying recognised organisations, and this poses a serious and unacceptable threat to safety and the environment. Recognised organisations are a major concentration of power in the sea transport safety network and must be closely supervised by the appropriate authorities. These should guarantee that the organisations that are required to ensure that the vessels on our seas comply with the relevant international safety and anti-pollution standards act with independence and rigour.

The Council common position

Having examined the Council common position, which splits what was previously a single proposal for a directive into two legal instruments, a proposal for a regulation and a proposal for a directive, we believe that this is the right approach.

Dwelling on the changes made by the Council’s common position compared to the position adopted by Parliament does not ultimately mean that it will be impossible to find ways to achieve consensus between Parliament, the Commission and the Council. Indeed, our view is that the common position is positive and largely takes on board the approach followed by Parliament at first reading. In any case, we believe that there is a sound basis for a final agreement.

Our approach is prompted by the belief that it is vital to treat the package of seven proposals which make up the ‘Erika III package’ (in reality seven plus one, with the splitting of the proposal for a directive on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations into two legal instruments, namely a proposal for a directive on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations

and a proposal for a regulation for common rules and standards for ship inspection and survey organisations) as an interconnected and inseparable whole, in order to avoid inconsistencies. However, this does not detract from the fact that each proposal has its own importance.

PROCEDURE

Title	Regulation on ship inspection and survey organisations (recast version)
References	05726/2/2008 – C6-0223/2008 – 2005/0237B(COD)
Date of Parliament's first reading – P number	25.4.2007 T6-0150/2007
Commission proposal	COM(2005)0587 - C6-0038/2006
Date receipt of common position announced in plenary	19.6.2008
Committee responsible Date announced in plenary	TRAN 19.6.2008
Rapporteur(s) Date appointed	Luis de Grandes Pascual 23.6.2008
Discussed in committee	14.7.2008 25.8.2008
Date adopted	4.9.2008
Result of final vote	+: 42 -: 0 0: 0
Members present for the final vote	Gabriele Albertini, Etelka Barsi-Pataky, Paolo Costa, Michael Cramer, Luis de Grandes Pascual, Arūnas Degutis, Petr Duchoň, Saïd El Khadraoui, Robert Evans, Emanuel Jardim Fernandes, Francesco Ferrari, Brigitte Fouré, Mathieu Grosch, Georg Jarzembowski, Stanisław Jałowiecki, Timothy Kirkhope, Dieter-Lebrecht Koch, Jaromír Kohlíček, Sepp Kusstatscher, Jörg Leichtfried, Bogusław Liberadzki, Marian-Jean Marinescu, Erik Meijer, Seán Ó Neachtain, Reinhard Rack, Gilles Savary, Brian Simpson, Renate Sommer, Dirk Sterckx, Ulrich Stockmann, Silvia-Adriana Țicău, Yannick Vaugrenard, Roberts Zīle
Substitute(s) present for the final vote	Johannes Blokland, Luigi Cocilovo, Zita Gurmai, Lily Jacobs, Anne E. Jensen, Rosa Miguélez Ramos, Vladimír Remek, Dominique Vlasto, Corien Wortmann-Kool
Date tabled	8.9.2008