



EUROPEAN PARLIAMENT

2009 - 2014

Session document

A7-0160/2010

17.5.2010

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio-navigation programmes
(COM(2009)0139 – C7-0103/2009 – 2009/0047(COD))

Committee on Industry, Research and Energy

Rapporteur: Evžen Tošenovský

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 proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio-navigation programmes (COM(2009)0139 – C7-0103/2009 – 2009/0047(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2009)0139),
 - having regard to Article 251(2) and Article 156 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C7-0103/2009),
 - having regard to the Commission Communication to Parliament and the Council entitled 'Consequences of the entry into force of the Treaty of Lisbon for ongoing interinstitutional decision-making procedures' (COM(2009)0665),
 - having regard to Article 172 of the Treaty of the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee¹
 - after consulting the Committee of the Regions
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, Research and Energy and the opinion of the Committee on Budgets (A7-0160/2010),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

AMENDMENTS BY PARLIAMENT*

to the Commission proposal for a

REGULATION (EU) NO .../2010 OF THE EUROPEAN PARLIAMENT AND OF THE

¹ OJ C 317, 23.12.2009, p. 103

* Political amendments: new or replacement text is marked in bold italics and deletions are indicated by the symbol **■**.

COUNCIL

■ setting up the *European GNSS Agency, repealing Council Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio navigation programmes and amending Regulation (EC) No 683/2008*

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172 thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Economic and Social Committee¹,

Having consulted the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure²,

Whereas:

- (1) The European satellite radio-navigation policy is presently implemented through the EGNOS and Galileo programmes.
- (1a) Council Regulation (EC) No 1321/2004 of 12 July 2004 on the establishment of structures for the management of the European satellite radio-navigation programmes³, ■ established a Community agency, called the European GNSS Supervisory Authority (hereinafter referred to as the "Authority"). ■
- (3) Regulation (EC) No 683/2008 of the European Parliament and of the Council of 9 July 2008 on the further implementation of the European satellite navigation programmes (EGNOS and Galileo)⁴ defines the new framework for the public governance and financing of the Galileo and EGNOS programmes. It sets out the principle of the strict division of responsibilities between the European Union, represented by the Commission, the Authority and the European Space Agency (hereinafter referred to as "ESA"), granting the Commission responsibility for the management of the programmes and *attributing to it* the tasks *originally assigned* to the Authority. It also provides that the Authority, when accomplishing *the* tasks entrusted to it, will ensure that the Commission's role as manager of the programmes is respected and that the Authority

¹ OJ C 317, 23.12.2009, p.103.

² Position of the European Parliament of ... 2010.

³ OJ L 246, 20.7.2004, p. 1.

⁴ OJ L 196, 24.7.2008, p. 1.

will act in accordance with guidelines issued by the Commission.

(3a) In Regulation (EC) No 683/2008 the European Parliament and the Council invited the Commission to put forward a proposal to align formally the management structures of the EGNOS and Galileo programmes as set out in Regulation (EC) No 1321/2004 with the new roles of the Commission and the Authority as set out in Regulation (EC) No 683/2008.

(5) In view of its reduced sphere of activity, the Authority should no longer be called the "European GNSS Supervisory Authority", but rather the "European GNSS Agency" (hereinafter "Agency"). However, the continuity of the activities of the Authority, including continuity as regards rights and obligations, staff and the validity of any decisions taken, should be ensured under the Agency.

(6) The aims and objectives of Regulation (EC) No 1321/2004 should also be adjusted in order to reflect the fact that the Agency is no longer responsible for the management of public interests relating to Global Navigation Satellite Systems (GNSS) European programmes and for regulating such programmes.

(6a) The legal status of the Agency should be such as to enable it to act as a legal person in the discharge of its tasks.

(7) It is also important to modify the tasks of the Agency, and, in this regard, to ensure that its tasks are defined in conformity with those set out in Article 16 of Regulation (EC) No 683/2008, including the possibility for the Agency to accomplish other activities that may be entrusted to it by the Commission, in order to support the Commission in the implementation of the GNSS programmes. In accordance with Article 54(2)(b) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities¹, such activities could for example include:

- following the development of coordination and consultation procedures on security-related matters;**
- carrying out research of benefit to the development and promotion of the European GNSS programmes;**
- providing support in the development and implementation of the Public Regulated Service (PRS) pilot project..**

(7a) Within its scope, its objectives and in the performance of its tasks, the Agency should comply in particular with the provisions applicable to Union institutions.

(7b) The Commission should, in the context of its mid-term review of the Galileo

¹ OJ L 248, 16.9.2002, p. 1.

programme foreseen for 2010 as referred to in Article 22 of Regulation (EC) No 683/2008, also address the issue of the governance of the programme in the operating and exploitation phase and the role of the Agency in this context.

- (8) *In order to reflect the [] title of this Regulation [] and the new name of the Agency, all provisions of Regulation (EC) No 683/2008 citing the previous name of the Agency should be amended.*

[]

- (9a) In order to ensure effectively the accomplishment of the tasks of the Agency, the Member States and the Commission should be represented on an Administrative Board entrusted with the necessary powers to establish the budget, verify its execution, adopt the appropriate financial rules, establish transparent working procedure for decision making by the Agency, approve its work programme and appoint the Executive Director.

- (9b) It is also *appropriate to include a representative of the European Parliament in the Agency's Administrative Board as a non-voting member*, in view of the fact that Regulation (EC) No 683/2008 highlighted the usefulness of close cooperation between the European Parliament, the Council and the Commission. []

- (10) In order to ensure that the Agency accomplishes its tasks whilst respecting the Commission's role as manager of the programmes and in accordance with guidelines issued by the Commission, it is also important [] to state explicitly that the Agency *should* be managed by an Executive Director under the supervision of the Administrative Board, in accordance with the guidelines provided to the Agency by the Commission. *It is equally important to specify that the Commission should have five representatives on the Agency's Administrative Board and that decisions regarding a limited number of tasks of the Board should not be adopted without the assent of the representatives of the Commission.*

- (10a) The smooth functioning of the Agency requires that its Executive Director be appointed on the grounds of merit and documented administrative and managerial skills, as well as relevant competence and experience, and that he/she performs his/her duties with complete independence and flexibility as to the organisation of the internal functioning of the Agency. Except as regards certain activities and measures relating to security accreditation, the Executive Director should prepare and take all necessary steps to ensure the proper accomplishment of the work programme of the Agency, should prepare each year a draft general report to be submitted to the Administrative Board, should draw up a draft statement of estimates of revenues and expenditure of the Agency and should implement the budget.

- (10b) *The Agency's Administrative Board should be empowered to take any decision which may ensure that the Agency can accomplish its tasks with the exception of the accreditation tasks, which should be entrusted to the Security Accreditation Board, and in respect of which the Administrative Board will perform its duties only in relation to resource and budget matters. Sound governance of the programmes*

requires also that the tasks of the Administrative Board be compliant with the new missions assigned to the Agency by virtue of Article 16 of Regulation (EC) No 683/2008, notably regarding the functioning of the Security Monitoring Centre and the instructions given pursuant to Council Joint Action 2004/552/CFSP of 12 July 2004 on aspects of the operation of the European satellite radio-navigation system affecting the security of the European Union¹.

- █
- (11a) Procedures whereby office-holders are appointed should be transparent.
- (12) Furthermore, in view of the scope of the tasks entrusted to the Agency, which include security accreditation, the Agency's Scientific and Technical Committee should be disbanded and its System Security and Safety Committee replaced by a **Security Accreditation Board** for European GNSS systems, to be responsible for security accreditation, and composed of representatives from the Member States and the Commission. *The High Representative for Foreign Affairs and Security Policy (hereinafter referred to as "HR") and the ESA should have an observer role.*
- (13) Accreditation activities should be carried out independently of the authorities responsible for managing the programmes, notably the Commission, the other bodies of the Agency, █ ESA, and other entities responsible for implementing provisions with regard to security. *In order to ensure such independence, a Security Accreditation Board for European GNSS systems should be established as the █ security accreditation authority for the systems and for the receivers containing PRS technology. It should be, within the Agency, an autonomous body that takes its decisions independently and objectively, in the interest of the citizens.*
- (14) Given that the Commission, in accordance with Regulation (EC) No 683/2008, manages all aspects relating to system security, *and* in order to ensure efficient governance of security issues and *compliance with* the principle of strict division of responsibilities provided for under that Regulation █, it is essential for the **Security Accreditation Board's** activities to be strictly limited to the security accreditation *activities* of systems and *not* under *any* circumstances *to encroach on* the *tasks entrusted to the Commission under Article 13 of Regulation (EC) No 683/2008.*
- (14a) *The decisions taken by the Commission under procedures involving the European GNSS Programmes Committee will in no way affect the existing rules on budgetary matters or the specific competence of Member States on security matters.*
- (14b) *In accordance with Article 13(4) of Regulation (EC) No 683/2008, in cases where the security of the Union or the Member States may be affected by the operation of the European satellite radio-navigation system, the procedures set out in Joint Action 2004/552/CFSP apply. In particular, in the event of a threat to the security of the Union or of a Member State arising from the operation or use of the system, or in the event of a threat to the operation of the system, in particular as a result of an*

¹ OJ L 246, 20.7.2004, p. 30.

international crisis, the Council, acting unanimously can decide on the necessary instructions to the Agency and the Commission. Any Member of the Council, the HR or the Commission can request a Council discussion to agree on such instructions.

(14c) In application of the principle of subsidiarity, security accreditation decisions should, following the process defined in the security accreditation strategy, be based on local security accreditation decisions taken by the national security accreditation authorities of the respective Member States.

(14d) In order for it to carry out all of its activities quickly and effectively, the Security Accreditation Board should be able to establish appropriate subordinate bodies acting on its instructions. It should accordingly set up a "Panel" to assist it in preparing its decisions and a "Crypto Distribution Authority", managing and preparing crypto material issues, including a "Flight Key Cell" dedicated to operational flight keys for launches, as well as other bodies, if necessary, to deal with specific issues. In doing so, special consideration should be given to the necessary continuity of the work in these bodies.

(15) It is also important for accreditation activities to be coordinated with the work of the authorities responsible for managing the programmes and other entities responsible for implementing security provisions. █

(16) Given the specific nature and complexity of the systems, it is essential for the █ accreditation *activities to be carried out in a context of collective responsibility for the security of the Union and the Member States*, by making efforts to reach a consensus and by involving all parties with an interest in security, and for █ permanent *risk* monitoring █. It is also imperative that *technical* accreditation activities be entrusted to *professionals*, duly qualified in the field of accrediting complex systems and with an adequate level of security clearance.

(17) In order to ensure that *the Security Accreditation Board is able to* accomplish its tasks, it should also be provided that Member States *should* supply the *Board* with any *necessary* documentation, █ grant █ access *to classified information and* to any areas *falling within their jurisdiction to duly authorised persons*, and that they should be responsible at local level for the accreditation of the security of areas that are located within their territory.

█

(19) The systems established within the framework of the European satellite radio-navigation programmes are infrastructures *the use of which* extends well beyond the national boundaries of the Member States, and *which* are set up as trans-European networks in accordance with the provisions of Article 172 of the Treaty on the Functioning of the European Union. Furthermore, the services provided via such systems contribute to the development of trans-European networks in the areas of transport, telecommunications and energy infrastructures.

(19a) The Commission is to assess the budgetary implications of the financing of the

Agency for the expenditure heading concerned. On the basis of the information and without prejudice to the relevant legislative procedure, the two arms of the budgetary authority need to achieve, in the framework of budgetary cooperation, a timely agreement on the financing of the Agency. The Union budgetary procedure is applicable to the Union contribution charged to the general budget of the European Union. In addition, auditing of accounts are to be undertaken by the European Court of Auditors in accordance with Title VIII of Regulation (EC, Euratom) No 1605/2002.

- (19b) The Agency should apply the relevant Union legislation concerning public access to documents and the protection of individuals with regard to the processing of personal data. It should also comply with the security principles applicable to the Council and the Commission services.
- (19c) It should be possible for third countries to participate in the Agency, provided they have concluded a prior agreement to this effect with the Union, particularly when these countries have been involved in the previous phases of the programme through their contribution to the Galileosat programme of the ESA.
- (19d) *Since the objectives of this Regulation, namely to establish and ensure the functioning of an agency with, in particular, responsibility for security accreditation of the European GNSS systems, cannot be sufficiently achieved by the Member States and can therefore by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.*
- (19e) *Regulation (EC) No 863/2008 should be amended accordingly.*
- (20) *Regulation (EC) No 1321/2004 has previously been amended [REDACTED]. Considering the amendments that are now being introduced, it is appropriate, for the sake of clarity, to repeal that Regulation and replace it with a new Regulation.*

HAVE ADOPTED THIS REGULATION:

Chapter 1

Subject, tasks, bodies

Article 1

Subject matter

This Regulation sets up a Union agency called the *European* GNSS Agency (hereinafter "the Agency").

Article 2

Tasks

The tasks of the Agency shall be as set out in Article 16 of Regulation (EC) No 683/2008.

Article 3

Bodies

The bodies of the Agency shall be the Administrative Board, the Security Accreditation **Board** for European GNSS systems and the Executive Director. *They shall accomplish their tasks in accordance with the guidelines given by the Commission as set out in Article 16 of Regulation (EC) No 683/2008.*

Article 4

Legal status, local offices

1. The Agency shall be a body of the Union. It shall have legal personality.
2. In each of the Member States, the Agency shall enjoy the most extensive legal capacity accorded to legal persons under their law. It may, in particular, acquire or dispose of movable and immovable property and be a party to legal proceedings.
3. The Agency may decide to establish local offices in Member States subject to their consent, or in other countries participating in the programme in accordance with Article 20.
4. The Agency shall be represented by its Executive Director, *subject to Article 9b(9)*.

Article 5

Administrative Board

1. An Administrative Board is hereby set up to carry out the tasks listed in Article 6.
2. The Administrative Board shall be composed of one representative appointed by each Member State, *five representatives* appointed by the Commission *and a non-voting representative appointed by the European Parliament*. The duration of the term of office of the Board members shall be five years. The term of office may be *renewed for a maximum of five years*. A representative *of the HR and a representative of the ESA shall be invited to* attend the Administrative Board's meetings as *observers*.

3. When appropriate, the participation of representatives of third countries and the conditions thereof shall be established in the arrangements referred to in Article 20.
4. The Administrative Board shall elect a Chairperson and a Deputy Chairperson from among its members. The Deputy Chairperson shall automatically take the place of the Chairperson if he/she is prevented from attending to his/her duties. The term of office of the Chairperson and of the Deputy Chairperson shall be two and a half years and shall expire when they cease to be members of the Administrative Board. The terms of office may be renewed once.
5. The meetings of the Administrative Board shall be convened by its Chairperson.

The Executive Director of the Agency shall *normally* take part in the deliberations, *unless the Chairperson decides otherwise*.

The Administrative Board shall hold an ordinary meeting twice a year. In addition, it shall meet on the initiative of its Chairperson or at the request of at least a third of its members.

The Administrative Board may invite any person whose opinion can be of interest to attend its meetings as an observer. ■ The members of the Administrative Board may, subject to the provisions of its rules of procedure, be assisted by advisers or experts.

The secretariat of the Administrative Board shall be provided by the Agency.

6. Unless otherwise provided in this Regulation, the Administrative Board shall take its decisions by a two-thirds majority of its members.
7. ***Each Member State and Commission representative shall have one vote. Decisions based on Article 6(b) and (e) shall not be adopted without a positive vote of the representatives of the Commission.*** The Executive Director of the Agency shall not vote.

The rules of procedure shall establish the more detailed voting arrangements, in particular the conditions for a member to act on behalf of another member.

Article 6

Tasks of the Administrative Board

The Administrative Board shall *ensure that the Agency carries out the work entrusted to it, under the conditions set out in this Regulation, and shall take any necessary decision to this end. In respect of security accreditation tasks and decisions provided for in Chapter II, the Administrative Board shall be responsible only for resources and budgetary matters. The Administrative Board shall also:*

- (a) appoint the Executive Director pursuant to Article 7(2);
- (b) adopt **not later than 15 November** each year, and after receiving the Commission's opinion, the work programme of the Agency for the coming year ■ ;
- (c) perform its duties in relation to the Agency's budget pursuant to Articles 10 and 11;
- (d) **oversee the operation of the Galileo security center (referred to as the "Galileo Security Monitoring Centre" or "the GSMC") as referred to in Article 16(a)(ii) of Regulation (EC) No 683/2008;**
- (e) exercise disciplinary authority over the Executive Director;
- (f) adopt the special provisions necessary for the implementation of the right of access to the documents of the Agency, in accordance with Article 18;
- (g) adopt the annual report on the activities and prospects of the Agency and forward it, by 1 July, to the Member States, the European Parliament, the Council, the Commission, the European Economic and Social Committee and the Court of Auditors; the Agency shall forward to the budgetary authority all information relevant to the outcome of the evaluation procedures;
- (h) adopt its rules of procedure.

■

Article 7

Executive Director

1. The Agency shall be managed by its Executive Director, who shall carry out **his/her** duties under the supervision of the Administrative Board ■ .
2. The Executive Director shall be appointed by the Administrative Board on the grounds of merit and documented administrative and managerial skills, as well as relevant competence and experience, from a list of at least three candidates proposed by the Commission, **after an open competition, following publication in the Official Journal of the European Union and elsewhere of a call for expressions of interest**. The Administrative Board shall take its decision by a three-quarters majority of its members.

Power to dismiss the Executive Director shall lie with the Administrative Board, according to the same procedure.

The Executive Director's term shall be **five years**. This term of office **may be renewed** once for **a further five-year** period.

3. The European Parliament or the Council may call upon the Executive Director to submit

a report on the performance of *his/her tasks, and to make a statement before these institutions.*

Article 8

Tasks of the Executive Director

The Executive Director:

- (a) shall be responsible for representing the Agency, *with the exception of activities and decisions undertaken in accordance with the Articles of Chapters II and III*, and be in charge of its management;
- (b) shall prepare the work of the Administrative Board. He/she shall participate, without having the right to vote, in the work of the Board;
- (c) shall be responsible for implementing the annual work programme of the Agency under the control of the Administrative Board;
- (d) shall take all necessary steps, including the adoption of internal administrative instructions and the publication of notices, to ensure the functioning of the Agency in accordance with this Regulation;
- (e) shall draw up estimates of the Agency's revenue and expenditure in accordance with Article 11, and shall implement the budget in accordance with Article 12;
- (f) shall prepare a draft general report each year and submit it to the Administrative Board;
- (fa) shall ensure that the Agency, as the operator of the GSMC, is able to respond to instructions provided under the Joint Action 2004/552/CFSP;*
- (g) shall define the organisational structure of the Agency and submit it for approval to the Administrative Board;
- (h) shall exercise, in respect of the staff, the powers laid down in Article 16;
- (i) may adopt, after approval of the Administrative Board, the necessary measures to establish local offices in Member States in accordance with Article 4;
- (ia) shall ensure that the secretariat and all the resources necessary for proper functioning are provided to the Security Accreditation Board and to the bodies set up under its authority referred to in Article 9b, paragraph 11.*

Chapter II

Aspects relating to the security of the European Union or the Member States

Article 9

Joint Action

- 1. In accordance with Article 13(4) of Regulation (EC) No 683/2008, whenever the security of the Union or the Member States may be affected by the operation of the systems, the procedures set out in Joint Action 2004/552/CFSP shall apply.*
- 2. The security accreditation decisions taken pursuant to Chapter III, as well as the residual risks identified, shall be communicated by the Commission to the Council for information.*

Chapter III

Security accreditation for European GNSS systems

Article 9a

General principles

The security accreditation activities referred to in this Chapter shall be carried out in accordance with the following principles:

- security accreditation activities and decisions are undertaken in a context of collective responsibility for security of the Union and the Member States;*
- efforts shall be made for decisions to be reached by consensus and involving all relevant parties with an interest in security issues;*
- tasks shall be carried out in respect of relevant security rules applicable to the Council and the Commission¹;*
- a permanent monitoring process shall ensure that security risks are known, security measures are defined to reduce such risks to an acceptable level in accordance with the basic principles and minimum standards set out in the security rules applicable to the Council and the Commission and that these measures are applied in line with the concept of defence in depth. The effectiveness of such measures shall be continuously evaluated;*

¹ *Council Decision 2001/264/EC adopting the Council's security regulation (OJ L 101, 11.4.2001, p. 1), as last amended by Decision 2007/438/EC (OJ L 164, 26.6.2007, p. 24). This text will be replaced by the "Council decision on the security rules for protecting EU classified information" (doc. 13885/1/09 REV 1, OJ L, p.). Commission's rules on security set out in the Annex to Commission Decision 2001/844/EC, ECSC, EURATOM (OJ L 317, 31.12.2001, p. 1), as last amended by Decision 2006/548/EC (OJ L 215, 5.8.2006, p. 38).*

- *security accreditation decisions shall, following the process defined in the security accreditation strategy, be based on local security accreditation decisions taken by the respective national security accreditation authorities of the Member States;*
- *the technical security accreditation activities shall be entrusted to professionals, duly qualified in the field of accrediting complex systems and with an appropriate level of security clearance, acting objectively;*
- *accreditation decisions shall be taken independently of the Commission, without prejudice to Article 3, and of the entities responsible for implementing the programmes. As a result, a security accreditation authority for European GNSS systems shall be, within the Agency, an autonomous body that takes its decisions independently;*
- *security accreditation activities shall be carried out while reconciling the requirement for independence with the need for adequate coordination, between the Commission and the authorities responsible for implementing security provisions.*

Article 9b

Security Accreditation Board

1. *A Security Accreditation Board for European GNSS systems (hereinafter "the Board") shall be established within the Agency. As regards the European GNSS systems, this body shall have the tasks of the security accreditation authority, as referred to in the relevant security rules applicable to the Council and the Commission.*
2. *The Board shall perform the tasks entrusted to the Agency with regard to security accreditation under Article 16(a)(i) of Regulation (EC) No 683/2008 and take "security accreditation decisions" as provided for in the present Article, in particular on the approval of the security accreditation strategy and of satellite launches, the authorisation to operate the systems in their different configurations and for the various services, the authorisation to operate the ground stations and in particular the sensor stations located in third States, as well as the authorisation to manufacture the receivers containing PRS technology and their components.*
3. *The security accreditation of systems by the Board shall consist of the establishment of the compliance of the systems with the security requirements referred to in Article 13 of Regulation (EC) No 683/2008 and in accordance with the relevant security rules and regulations applicable to the Council and the Commission.*
4. *On the basis of the risk reports referred to in paragraph 11 of this Article, the Board shall inform the Commission of its risk assessment and provide advice to the Commission on residual risk treatment options for a given security accreditation decision.*

5. *The Commission shall keep the Board continuously informed of the impact of any envisaged decisions of the Board on the proper conduct of the programmes and of the implementation of residual risk treatment plans. The Board shall take note of any such opinion of the Commission.*
6. *The decisions of the Board shall be addressed to the Commission.*
7. *The Board shall be composed of one representative per Member State, one representative from the Commission and one from the HR. A representative of ESA shall be invited to attend Board meetings as an observer.*
8. *The Board shall establish its rules of procedure and shall appoint its Chairperson.*
9. *The Chairperson of the Board shall be responsible for representing the Agency insofar as the Executive Director, according to Article 8, is not responsible.*
10. *The Board shall have access to all the human and material resources required to provide appropriate administrative support functions and to enable it, together with the bodies referred to in paragraph 11 of this Article, to perform its tasks independently, in particular when handling files, initiating and monitoring the implementation of security procedures and performing system security audits, preparing decisions and organising its meetings.*
11. *The Board shall set up special bodies, under itself, to deal with specific issues, acting on its instructions. In particular, while ensuring necessary continuity of work, it shall set up:*
 - *a Panel to conduct security analysis reviews and tests to produce the relevant risk reports in order to assist it in preparing its decisions;*
 - *a Crypto Distribution Authority (CDA) to assist the Committee in particular for questions related to flight keys.*
12. *If a consensus according to the general principles referred to in Article 9a cannot be reached, the Board shall take decisions on the basis of majority voting, as provided for in Article 16 of the Treaty on European Union and without prejudice to Article 9 of this Regulation. The representative of the Commission and the representative of the HR shall not vote. The Chairperson of the Board shall sign, on behalf of the Board, the decisions adopted by the Board.*
13. *The Commission shall keep the European Parliament and the Council informed, without undue delay, about the impact of the adoption of the accreditation decisions on the proper conduct of the programmes. If the Commission considers that a decision taken by the Board may have a significant effect on the proper conduct of the programmes, for example in terms of costs and schedule, it shall urgently inform the European Parliament and the Council.*
14. *Taking into account the views of the European Parliament and of the Council, which*

should be expressed within one month, the Commission may adopt any adequate measures in accordance with Regulation (EC) No 683/2008.

- 15. The Administrative Board shall be regularly kept informed about the evolution of the work of the Security Accreditation Board.*
- 14. The timetable for the work of the Board shall respect the GNSS work programme of the Commission.*

Article 9c

Role of Member States

Member States shall:

- transmit to the Board all information they consider relevant for the purposes of security accreditation;*
- permit duly authorised persons appointed by the Board to have access to any classified information and to any areas/sites related to the security of systems falling within their jurisdiction, in conformity with their national laws and regulations, and without any discrimination on ground of nationality, including for the purposes of security audits and tests as decided by the Board;*
- each be responsible for devising a template for access control, which is to outline or list the areas/sites to be accredited, and which shall be agreed in advance between the Member States and the Board, thereby ensuring that the same level of access control is being provided by all Member States;*
- be responsible, at local level, for the accreditation of the security of areas that are located within their territory and form part of the security accreditation area for European GNSS systems, and report, to this end, to the Board.*

Chapter IV

Budgetary and financial provisions

Article 10

Budget

- 1. Without prejudice to other resources and dues yet to be defined, revenue of the Agency shall include a Union subsidy entered in the general budget of the European Union in order to ensure a balance between revenue and expenditure.*
- 2. The expenditure of the Agency shall cover staff, administrative and infrastructure*

expenditure, operating costs and expenditure associated with the functioning of the **Board, including any special bodies set up to assist it**, and the contracts and agreements concluded by the Agency in order to accomplish the tasks entrusted to it.

3. The Executive Director shall draw up a draft statement of estimates of the revenue and expenditure of the Agency for the following year and shall forward it to the Administrative Board, together with a draft establishment plan.
4. Revenue and expenditure shall be in balance.
5. Each year the Administrative Board, on the basis of the draft statement of revenue and expenditure, shall produce a statement of estimates of revenue and expenditure for the Agency for the following financial year.
6. This statement of estimates, which shall include a draft establishment plan together with the provisional work programme, shall, by 31 March, be forwarded by the Administrative Board to the Commission and to the States with which the Union has concluded agreements in accordance with Article 20.
7. The statement of estimates shall be forwarded by the Commission to the European Parliament and to the Council (hereinafter referred to as "the budgetary authority") together with the preliminary draft general budget of the European Union.
8. On the basis of the statement of estimates, the Commission shall enter in the preliminary draft general budget of the European Union the estimates it deems necessary for the establishment plan and the amount of the subsidy to be charged to general budget, which it shall place before the budgetary authority in accordance with Article 314 of the TFEU.
9. The budgetary authority shall authorise the appropriations for the subsidy to the Agency and shall adopt the establishment plan for the Agency.
10. The budget shall be adopted by the Administrative Board. It shall become final following final adoption of the general budget of the European Union. Where appropriate, it shall be adjusted accordingly.
11. The Administrative Board shall, as soon as possible, notify the budgetary authority of its intention to implement any project which shall have significant financial implications for the funding of the budget, in particular any projects relating to property such as the rental or purchase of buildings. It shall inform the Commission thereof.
12. Where a branch of the budgetary authority has notified its intention to deliver an opinion, it shall forward its opinion to the Administrative Board within a period of six weeks after the date of notification of the project.

Article 11

Implementation and control of the budget

1. The Executive Director shall implement the budget of the Agency.
2. By 1 March following each financial year, the accounting officer of the Agency shall communicate the provisional accounts to the Commission's accounting officer, together with a report on the budgetary and financial management for that financial year. The Commission's accounting officer shall consolidate the provisional accounts of the institutions and decentralised bodies in accordance with Article 128 of Regulation (EC, Euratom) No 1605/2002.
3. By 31 March following each financial year, the Commission's accounting officer shall forward the provisional accounts of the Agency to the Court of Auditors, together with a report on the budgetary and financial management for that financial year. The report shall also be forwarded to the European Parliament and the Council.
4. On receipt of the Court of Auditors' observations on the provisional accounts of the Agency, under Article 129 of Regulation (EC, Euratom) No 1605/2002, the Executive Director shall draw up the final accounts of the Agency under his/her own responsibility and submit them to the Administrative Board for an opinion.
5. The Administrative Board shall deliver an opinion on the final accounts of the Agency.
6. The Executive Director shall, by 1 July following each financial year, forward the final accounts to the European Parliament, the Council, the Commission and the Court of Auditors, together with the Administrative Board's opinion.
7. The final accounts shall be published.
8. The Executive Director shall send the Court of Auditors a reply to its observations by 30 September. He/she shall also send this reply to the Administrative Board.
9. The Executive Director shall submit to the European Parliament, at the latter's request, all information necessary for the smooth application of the discharge procedure for the financial year in question, as laid down in Article 146(3) of Regulation (EC, Euratom) No 1605/2002.
10. The European Parliament, on a recommendation from the Council acting on a qualified majority, shall, before 30 April of the year N + 2, give a discharge to the Executive Director in respect of the implementation of the budget for year N.

Article 12

Financial provisions

The financial rules applicable to the Agency shall be adopted by the Administrative Board after the Commission has been consulted. They may not depart from Commission Regulation

(EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities¹ unless such departure is specifically required for the operation of the Agency and the Commission has given its prior consent.

Chapter V

Miscellaneous provisions

Article 13

Anti-fraud measures

1. In order to combat fraud, corruption and other unlawful activities, the provisions of Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF)² shall apply without restriction.
2. The Agency shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council of the European Union and the Commission of the European Communities concerning internal investigations by the European Anti Fraud Office (OLAF)³ and shall issue, without delay, appropriate provisions applicable to all staff of the Agency.
3. The decisions concerning funding, and the implementing agreements and instruments resulting there from, shall explicitly stipulate that the Court of Auditors and OLAF may, if necessary, carry out on-the-spot checks on the recipients of funding of the Agency and the agents responsible for allocating it.

Article 14

Privileges and immunities

The Protocol on Privileges and Immunities of the European Union shall apply to the Agency.

Article 15

Staff

1. The Staff Regulations of Officials of the European Union, the Conditions of

¹ OJ L 357, 31.12.2002, p. 72.

² OJ L 136, 31.5.1999, p. 1.

³ OJ L 136, 31.5.1999, p. 15.

employment of other servants of the European Union and the rules adopted jointly by the institutions of the European Union for the purposes of the application of those Staff Regulations and Conditions of employment shall apply to the staff of the Agency. The Administrative Board, in agreement with the Commission, shall adopt the necessary detailed rules of application.

2. Without prejudice to Article 8, the powers conferred on the appointing authority by the Staff Regulations and the Conditions of employment of other servants shall be exercised by the Agency with respect to its own staff.
 3. The staff of the Agency shall consist of servants recruited by the Agency as necessary to perform its tasks, but may also include officials ***with the appropriate clearance who have been*** assigned or seconded by the Commission or the Member States on a temporary basis.
- 3a. The provisions laid down in paragraphs 1 and 3 of this Article shall also apply to the staff of the GSMC.***

Article 16

Liability

1. The contractual liability of the Agency shall be governed by the law applicable to the contract in question. The Court of Justice shall have jurisdiction to give judgement pursuant to any arbitration clause contained in a contract concluded by the Agency.
2. In the event of non-contractual liability, the Agency shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by its departments or by its servants in the performance of their duties.
3. The Court of Justice shall have jurisdiction in any dispute relating to compensation for damage referred to in paragraph 2.
4. The personal liability of its servants towards the Agency shall be governed by the provisions laid down in the Staff Regulations or Conditions of employment applicable to them.

Article 17

Languages

1. The provisions laid down in Regulation No 1 of 15 April 1958 determining the languages to be used in the European Economic Community¹ shall apply to the Agency.

¹ OJ 17, 6.10.1958, p. 385/58.

2. The translation services required for the functioning of the Agency shall be provided by the Translation Centre for the bodies of the European Union.

Article 18

Access to documents and protection of data of a personal character

1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents¹ shall apply to documents held by the Agency.
2. The Administrative Board shall adopt arrangements for implementing Regulation (EC) No 1049/2001 within six months after the entry into force of this Regulation.
3. Decisions taken by the Agency in pursuance of Article 8 of Regulation (EC) No 1049/2001 may be the subject of a complaint to the Ombudsman or an action before the Court of Justice of the European Union, under Articles 228 and 263 of the TFEU respectively.
4. When processing data relating to individuals, the Agency shall be subject to the provisions of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data².

Article 19

Security rules

The Agency shall apply the security principles contained in Commission Decision 2001/844/EC, ECSC, Euratom. This shall cover, inter alia, provisions for the exchange, handling and storage of classified information.

Article 20

Participation of third countries

1. The Agency shall be open to the participation of third countries, which have entered into agreements with the European Union to this effect.
2. Under the relevant provisions of these agreements, arrangements shall be developed

¹ OJ L 145, 31.5.2001, p. 43.

² OJ L 8, 12.1.2001, p. 1.

specifying, in particular, the nature, extent and manner in which these countries will participate in the work of the Agency, including provisions relating to participation in the initiatives undertaken by the Agency, financial contributions and staff.

Chapter VI

Final provisions

Article 20a

Amendment

Throughout Regulation (EC) No 683/2008 the words

"European GNSS Supervisory Authority" and "Authority" shall be replaced by "European GNSS Agency" and "Agency" respectively.

Article 20b

Repeal and validity of measures taken

Regulation 1321/2004 is hereby repealed. References to the repealed Regulation shall be construed as references to this Regulation. Any measure adopted on the basis of Regulation 1321/2004 shall remain valid.

Article 20c

Evaluation

By 2012 at the latest, the Commission shall evaluate this Regulation, particularly as regards the Agency's tasks laid down in Article 2, and, if necessary, make proposals.

Article 21

Entry into force

This Regulation shall enter into force on the [twentieth] day following its publication in the Official Journal of the European Union.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at

For the European Parliament

The President

For the Council

The President

EXPLANATORY STATEMENT

Regulation (EC) No 683/2008 of 9 July 2008 on the further implementation of the European satellite navigation programmes (EGNOS and Galileo) defined the new framework for the public governance and financing of the Galileo and EGNOS programmes. It set out the principle of the strict division of responsibilities between the European Community, represented by the Commission, the Authority and the European Space Agency (hereafter referred to as 'ESA'), granting the Commission responsibility for the Management role of the programmes. It also provided that the Authority (hereafter referred to as Agency in line with the Commission's proposal), when accomplishing such tasks entrusted to it, will ensure that the Commission's role as manager of the programmes is respected and that the Authority will act in accordance with guidelines issued by the Commission.

As a result, the provisions of Council Regulation (EC) No 1321/2004 must be brought into line with those of Regulation (EC) No 683/2008 of the European Parliament and of the Council.

In order to ensure that the Agency accomplishes its tasks whilst respecting the Commission's role as manager of the programmes and in accordance with guidelines issued by the Commission, it is also important, firstly, to state explicitly that the Agency be managed by its Executive Director under the supervision of the Administrative Board, in accordance with the guidelines provided to the Agency by the Commission, and secondly, to provide that the Commission representative on the Agency's Administrative Board has 30% of the board's votes. Since the Administrative Board shall take its decisions by a two-thirds majority, this one-third voting rights will allow the Commission to block with the support of at least one Member State any decision by the Administrative Board contravening the Commission's guidelines.

Regulation (EC) No 683/2008 highlighted the usefulness of close cooperation between the European Parliament, the Council and the Commission. In view of this importance it is also necessary to allow the European Parliament to be represented on the Agency's Administrative Board, with two seats out of thirty. In order not to compromise the legislative and control functions of the European Parliament no Member of the European Parliament shall be a member of the Administrative Board.

Security accreditation activities and decisions shall be undertaken in a context of collective responsibility for security of the Community and its Member States. Accreditation activities should be carried out independently of the authorities responsible for managing the programmes, notably the Commission, the Member States and ESA, and other entities responsible for implementing provisions with regard to security. As a result, the security accreditation board (the word committee is replaced by board to avoid confusion with Comitology arrangements) for European GNSS systems should be within the Agency, an autonomous body that adopts accreditation decisions independently. The members of the Security Accreditation Board should act independently and objectively in the public interest and should not seek or follow political instructions.

The Security Accreditation Board should adopt decisions by a three-fourths majority of the

representatives of the Member States. Each representative should have one vote as accreditation opinions should be technical and should not follow political instructions.

If the Commission considers that the adoption of an accreditation decision may have a significant effect on the proper conduct of the programmes, for example in terms of costs and schedule, it shall notify it to the Security Accreditation Board. The Security Accreditation Board shall take utmost account of any notification made by the Commission and in its decisions provide reasons on how it has taken the comments of the Commission into account. This procedure avoids any Comitology stage thereby improving efficiency and increasing the accountability of the Security Accreditation Board. Political control of these type of decisions is also ensured as the Commission would need to inform the European Parliament and the Council of the impact of the adoption of accreditation decisions on the smooth running of the programmes.

4.3.2010

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Industry, Research and Energy

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio navigation programmes (COM(2009)0139 – C7-0103/2009 – 2009/0047(COD))

Rapporteur: Jutta Haug

SHORT JUSTIFICATION

The role and tasks of the European GNSS (Global Navigation Satellite System) Supervisory Authority (the Authority), communitarian agency in charge of the management of the deployment and operational phases of the GALILEO's program, suffered a substantial modification due to Regulation (EC) No 683/2008 defining a new framework for the public governance and financing of the Galileo and EGNOS programmes, which entered into force on 25 July 2008.

This regulation sets out the principle of a strict division of responsibilities between the European Community (now the Union), represented by the Commission, the Authority and the European Space Agency, granting the Commission responsibility for the management of the programmes. It reduces the tasks of the Authority, which will be in particular responsible for ensuring the security of the system (notably issuing security accreditations) and contributing to prepare the commercialisation of European GNSS systems. It also provides that the Authority will accomplish such tasks entrusted to it whilst respecting the Commission's role as manager of the programmes and in accordance with guidelines issued by the Commission.

In order to ensure the compatibility with the new legal framework, it is necessary to modify also Council Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio-navigation programmes. Thus the proposal of the Commission.

The name of the agency will change to GNSS Agency (the Agency). Its structure will be modified (notably, through the creation of a Security Accreditation Committee for European

GNSS Systems alongside the Management Board and the Executive Director).

EP, which had already put on reserve a part of the allocations and of the posts of the Authority in 2009, in waiting for the proposals of the Commission to take into consideration the modifications of the role and tasks of the Authority, should welcome in principle the proposal of the Commission.

From a budgetary point of view, while it is not really easy to measure the real impact of the modifications in the tasks of the agency in terms of financing and staff, the proposal of the Commission seems reasonable, as it foresees a slight decrease of the Union's subvention to the agency and of its staff. The proposal is, furthermore, compatible with the financial programming.

Thus, the amendments proposed by the rapporteur concern the need to run an interinstitutional dialogue on the financing of this substantially new agency, in accordance with point 47 of the IIA¹, the mandate of the Executive Director (which should be kept at five years renewable once) and the need to ensure that the security centre will be kept in Brussels within the existing premises.

AMENDMENTS

The Committee on Budgets calls on the Committee on Industry, Research and Energy, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Draft legislative resolution Paragraph 2 a (new)

Draft legislative resolution

Amendment

2a. Emphasises that the provisions of Point 47 of the Interinstitutional Agreement (IIA) of 17 May 2006 will apply to the regulation (currently being enacted) amending Council Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio-navigation programmes; stresses that, should the proposed regulation be adopted, Parliament will enter into negotiations with the other arm of the budgetary

¹ Interinstitutional Agreement between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management, of the 17 May 2006.

authority with a view to coming to a timely agreement on the financing of the GNSS agency in line with the relevant provisions of the IIA;

Amendment 2

Proposal for a regulation – amending act Recital 11

Text proposed by the Commission

(11) It is also necessary to allow the European Parliament to be represented on the Agency’s Administrative Board as an observer, in view of the fact that Regulation (EC) No 683/2008 highlighted the usefulness of close cooperation between the European Parliament, the Council and the Commission. ***In order to ensure good governance of the programmes, the Executive Director’s term of office should therefore be reduced from five to four years.***

Amendment

(11) It is also necessary to allow the European Parliament to be represented on the Agency’s Administrative Board as an observer, in view of the fact that Regulation (EC) No 683/2008 highlighted the usefulness of close cooperation between the European Parliament, the Council and the Commission.

Amendment 3

Proposal for a regulation – amending act Article 1 - point 2 Regulation (EC) No 1321/2004 Article 2 - point a - point ii a (new)

Text proposed by the Commission

Amendment

iiia) The security centre will be based in Brussels within pre-existing infrastructure and premises to limit adaptation impacts;

Amendment 4

Proposal for a regulation – amending act Article 1 - point 9 Regulation (EC) No 1321/2004

Article 7 - paragraph 2 - last subparagraph

Text proposed by the Commission

The Executive Director's term shall be **four years**. This term of office shall be renewable once for another **four-year** period.

Amendment 5

Proposal for a regulation – amending act

Article 1 - point -13 (new)

Regulation (EC) No 1321/2004

Article 11 - paragraph 1

Text proposed by the Commission

Amendment

The Executive Director's term shall be **five years**. This term of office shall be renewable once for another **five-year** period;

Amendment

(-13) Article 11(1) is replaced by the following:

1. Without prejudice to other resources and dues yet to be defined, revenue of the Agency shall include a Community subsidy entered in the general budget of the European Union in order to ensure a balance between revenue and expenditure. The financing of the Agency is subject to an agreement by the budgetary authority as provided for in Point 47 of the Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management. The Union budgetary procedure should be applicable to the Union contribution and to any grant chargeable to the general budget of the European Union. The auditing of accounts should be undertaken by the European Court of Auditors;

PROCEDURE

Title	Structures for the management of the European satellite radio navigation programmes
References	COM(2009)0139 – C6-0103/2009 – 2009/0047(COD)
Committee responsible	ITRE
Opinion by Date announced in plenary	BUDG 19.10.2009
Rapporteur Date appointed	Jutta Haug 1.9.2009
Date adopted	4.3.2010
Result of final vote	+: 34 -: 0 0: 0
Members present for the final vote	Alexander Alvaro, Reimer Böge, Giovanni Collino, James Elles, Göran Färm, José Manuel Fernandes, Salvador Garriga Polledo, Jens Geier, Estelle Grelier, Jutta Haug, Jiří Havel, Monika Hohlmeier, Sidonia Elżbieta Jędrzejewska, Ivailo Kalfin, Barbara Matera, Nadezhda Neynsky, Miguel Portas, Dominique Riquet, Helga Trüpel, Derek Vaughan, Angelika Werthmann
Substitute(s) present for the final vote	Maria Da Graça Carvalho, Frédéric Daerden, Roberto Gualtieri, Edit Herczog, Giovanni La Via, Riikka Manner, Paul Rübig, Theodor Dumitru Stolojan
Substitute(s) under Rule 187(2) present for the final vote	Elisabeth Jeggle, Hans-Peter Mayer, Vladko Todorov Panayotov, Marit Paulsen, Ivo Strejček

PROCEDURE

Title	Structures for the management of the European satellite radio navigation programmes			
References	COM(2009)0139 – C6-0103/2009 – 2009/0047(COD)			
Date submitted to Parliament	24.3.2009			
Committee responsible Date announced in plenary	ITRE 19.10.2009			
Committee(s) asked for opinion(s) Date announced in plenary	BUDG 19.10.2009	CONT 19.10.2009	TRAN 19.10.2009	
Not delivering opinions Date of decision	CONT 1.10.2009	TRAN 21.7.2009		
Rapporteur(s) Date appointed	Evžen Tošenovský 17.9.2009			
Discussed in committee	28.9.2009	12.10.2009	2.12.2009	27.1.2010
	4.2.2010			
Date adopted	11.5.2010			
Result of final vote	+: 39	–: 0	0: 0	
Members present for the final vote	Jean-Pierre Audy, Jan Březina, Reinhard Bütikofer, Maria Da Graça Carvalho, Jorgo Chatzimarkakis, Giles Chichester, Pilar del Castillo Vera, Christian Ehler, Lena Ek, Ioan Enciu, Gaston Franco, Adam Gierak, Norbert Glante, Edit Herczog, Philippe Lamberts, Bogdan Kazimierz Marcinkiewicz, Judith A. Merkies, Miloslav Ransdorf, Herbert Reul, Teresa Riera Madurell, Paul Rübig, Amalia Sartori, Patrizia Toia, Evžen Tošenovský, Ioannis A. Tsoukalas, Marita Ulvskog, Vladimir Urutchev			
Substitute(s) present for the final vote	Lara Comi, António Fernando Correia De Campos, Rachida Dati, Marek Józef Gróbarczyk, Françoise Grossetête, Andrzej Grzyb, Satu Hassi, Jolanta Emilia Hibner, Mario Pirillo, Lambert van Nistelrooij, Hermann Winkler			
Substitute(s) under Rule 187(2) present for the final vote	Catherine Bearder			