



Plenary sitting

A8-0373/2017

24.11.2017

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No. 1141/2014 of the European Parliament and the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations (COM(2017)0481 – C8-0307/2017 – 2017/0219(COD))

Committee on Constitutional Affairs

Rapporteur: Mercedes Bresso, Rainer Wieland

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No. 1141/2014 of the European Parliament and the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations (COM(2017)0481 – C8-0307/2017 – 2017/0219(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2017)0481),
 - having regard to Article 294(2) and Article 224 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0307/2017),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to its resolution of 15 June 2017 on the funding of political parties and political foundations¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Constitutional Affairs and the opinion in the form of amendments of the Committee on Budgetary Control (A8-0373/2017),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) For reasons of transparency and in order to strengthen the scrutiny and the

Amendment

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¹ Texts adopted, P8_TA(2017)0274.

democratic accountability of European political parties and the link between European civil society and the Union institutions, in particular the European Parliament, access to funding from the general budget of the European Union should be made conditional upon the publication by the member parties of the programme and logo of the European political party concerned, as well as information regarding the gender representation among the candidates at the last elections to the European Parliament and among the members of the European Parliament.

democratic accountability of European political parties and the link between European civil society and the Union institutions, in particular the European Parliament, access to funding from the general budget of the European Union should be made conditional upon the publication, ***in a comprehensive, reliable and user-friendly way***, by the member parties of the programme and logo of the European political party concerned, as well as information regarding the gender representation among the candidates at the last elections to the European Parliament and among the members of the European Parliament.

Amendment 2

Proposal for a regulation

Article 1 – paragraph 1 – point -1 (new)
Regulation (EU, Euratom) No. 1141/2014
Recital 12

Present text

(12) European political parties and their affiliated European political foundations wishing to obtain recognition as such at Union level by virtue of European legal status and to receive public funding from the general budget of the European Union should respect certain principles and fulfil certain conditions. In particular, it is necessary for European political parties and their affiliated European political foundations to respect the values on which the Union is founded, as expressed in Article 2 TEU.

Amendment

(-1) Recital 12 is replaced by the following:

“(12) European political parties and their affiliated European political foundations wishing to obtain recognition as such at Union level by virtue of European legal status and to receive public funding from the general budget of the European Union should respect certain principles and fulfil certain conditions. In particular, it is necessary for European political parties and their affiliated European political foundations to respect, ***especially in their programme and in their activities***, the values on which the Union is founded, as expressed in Article 2 TEU, ***namely respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.***”

Amendment 3

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new)

Regulation (EU, Euratom) No 1141/2014

Recital 30 a (new)

Text proposed by the Commission
Present text

Amendment

(-1a) Recital 30 a is inserted:

(30 a) In accordance with the provisions and the procedures laid down in Council Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) is called to investigate alleged criminal offenses in the context of the funding of European political parties and European political foundations which affect the financial interests of the EU, within the meaning of Directive (EU) 2017/1731 of the European Parliament and the Council. The obligation under Article 24 of Council Regulation (EU) 2017/1939 to report to the EPPO any conduct that could constitute an offence within the competence of the EPPO also applies to the Authority for European political parties and European political foundations.

Amendment 4

Proposal for a regulation

Article 1 – paragraph 1 – point 1 a (new)

Regulation (EU, Euratom) No 1141/2014

Article 3 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(1a) in Article 3(1), the following point is inserted:

'(b a) its member parties must not be members of another European political party;'

Amendment 5

Proposal for a regulation

Article 1 – paragraph 1 – point 1 b (new)

Regulation (EU, Euratom) No 1141/2014

Article 10 – paragraph 3 – subparagraph 1

Present text

‘The European Parliament, the Council or the Commission may lodge with the Authority a request for verification of compliance by a specific European political party or European political foundation with the conditions laid down in point (c) of Article 3(1) and point (c) of Article 3(2). In such cases, and in the cases referred to in point (a) of Article 16(3), the Authority shall ask the committee of independent eminent persons established by Article 11 for an opinion on the subject. The committee shall give its opinion within two months.’

Amendment

(1b) the first subparagraph of Article 10(3) is replaced by the following:

‘The European Parliament, **on its own initiative or following a reasoned request from a group of citizens, submitted in accordance with the relevant provisions of its Rules of Procedure**, the Council or the Commission may lodge with the Authority a request for verification of compliance by a specific European political party or European political foundation with the conditions laid down in point (c) of Article 3(1) and point (c) of Article 3(2). In such cases, and in the cases referred to in point (a) of Article 16(3), the Authority shall ask the committee of independent eminent persons established by Article 11 for an opinion on the subject. The committee shall give its opinion within two months.’

<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32014R1141&from=en>

Amendment 6

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU, Euratom) Nr. 1141/2014

Article 18 – paragraph 3 a

Text proposed by the Commission

3a. A European political party shall include in its application evidence demonstrating that its member parties have continuously published on their websites, during 12 months preceding the moment at which the applications is made, the political programme and logo of the European political party **as well as**

Amendment

3a. A European political party shall include in its application evidence demonstrating that **the majority of** its member parties **and in any event a minimum of seven of them** have continuously published on their websites, **in a comprehensive, reliable and user-friendly way**, during 12 months preceding

information, in relation to each of the member parties of the European political party, on the gender representation among the candidates at the last elections to the European Parliament and among the Members of the European Parliament.

the moment at which the applications is made, the political programme and logo of the European political party. ***In addition, European political parties are encouraged to include in their applications*** information, in relation to each of the member parties of the European political party, on the gender representation among the candidates at the last elections to the European Parliament and among the Members of the European Parliament.

Amendment 7

Proposal for a regulation

Article 1 – paragraph 1 – point 4
Regulation (EU, Euratom) No 1141/2014
Article 19 – paragraph 1 – indent 1

Text proposed by the Commission

– 5 % shall be distributed in equal shares among the beneficiary European political parties,

Amendment

– 10 % shall be distributed in equal shares among the beneficiary European political parties,

Amendment 8

Proposal for a regulation

Article 1 – paragraph 1 – point 4
Regulation (EU, Euratom) No 1141/2014
Article 19 – paragraph 1 – indent 2

Text proposed by the Commission

— 95 % shall be distributed ***in proportion to their share of elected members of the European Parliament*** among the beneficiary European political parties.

Amendment

— 90 % shall be distributed among the beneficiary European political parties ***in proportion to their share of elected members of the European Parliament who are members of a European political party.***

Amendment 9

Proposal for a regulation

Article 1 – paragraph 1 – point 5 – point b
Regulation (EU, Euratom) No 1141/2014
Article 27 – paragraph 1 – subparagraph ba

Text proposed by the Commission

(ba) where the party or foundation in question ***did not fulfil one or more of the conditions set out in Article 3(1) or Article 3(2) at the moment of its registration and where the party or foundation has provoked the decision to register it by means of false or incomplete information relating to those conditions; a decision removing the party or foundation from the Register shall be adopted within a reasonable period from the moment at which the Authority could have ascertained that the party or foundation in question did not fulfil the condition or conditions concerned;***

Amendment

(ba) where ***a decision to register*** the party or foundation in question ***is based on incorrect or misleading information for which the applicant is responsible or where that decision has been obtained by deceit.***

Amendment 10

Proposal for a regulation

Article 1 – paragraph 1 – point 5 a (new)
Regulation (EU, Euratom) No. 1141/2014
Article 30 – paragraph 2 – subparagraph 2

Present text

In the event of such termination, payments by the Authorising Officer of the European Parliament shall be limited to the ***eligible*** expenditure ***actually*** incurred by the European political party or European political foundation up to the date when the termination decision takes effect.

Amendment

(5a) In Article 30, paragraph 2, subparagraph 2 is replaced by the following:

“In the event of such termination, payments by the Authorising Officer of the European Parliament shall be limited to the ***reimbursable*** expenditure incurred by the European political party or ***the eligible costs incurred by*** European political foundation up to the date when the termination decision takes effect;”

Justification

The reference to reimbursable expenditure is the expression used in the Financial Regulation Article 204g and in article 17, 4 and 5 of Regulation 1141/2014, and is the adequate concept to use in the recovery.

Amendment 11

Proposal for a regulation

Article 1 – paragraph 1 – point 6 a (new)

Regulation (EU, Euratom) No. 1141/2014

Article 32 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

(6a) In Article 32, paragraph 1, the following point is inserted:

“(ja) an updated list of Members of the European Parliament who are members of a European political party.”;

Amendment 12

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU, Euratom) No 1141/2014

Article 38 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

The European Parliament shall, after consultation of the Authority, publish ***five years*** after the moment at which this Regulation becomes applicable, a report on the application of this Regulation and on the activities funded. The report shall indicate, where appropriate, possible amendments to be made to the statute and funding systems.

The European Parliament shall, after consultation of the Authority, publish ***at the end of the third year*** after the moment at which this Regulation becomes applicable ***and every five years thereafter***, a report on the application of this Regulation and on the activities funded. The report shall indicate, where appropriate, possible amendments to be made to the statute and funding systems.

Amendment 13

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EU, Euratom) No 1141/2014

Article 40a – paragraph 1

Text proposed by the Commission

By the way of derogation from Article 18(3a) and as regards applications for funding for the financial year 2019, the Authorising Officer of the European Parliament shall, before deciding on an application on funding, request evidence from a European political party demonstrating that *its* member parties have continuously published on their websites, for a period beginning one month after the entry into force of Regulation (EU, EURATOM) No. XX/2018, the political programme and logo of the European political party as well as information, in relation to each of the member parties of the European political party, on the gender representation among the candidates at the last elections to the European Parliament and among the members of the European Parliament.

Amendment 14

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EU, Euratom) No 1141/2014

Article 40a – paragraph 1 a (new)

Text proposed by the Commission

Amendment

By the way of derogation from Article 18(3a) and as regards applications for funding for the financial year 2019, the Authorising Officer of the European Parliament shall, before deciding on an application on funding, request evidence from a European political party demonstrating that *the majority of its member parties and in any event a minimum of seven of them* have continuously published on their websites, for a period beginning one month after the entry into force of Regulation (EU, EURATOM) No. XX/2018, the political programme and logo of the European political party as well as information, in relation to each of the member parties of the European political party, on the gender representation among the candidates at the last elections to the European Parliament and among the members of the European Parliament.

1a. European political parties registered before the [date of application of Regulation (EU) 2018/... (the Amending Regulation)] shall, by 31 December 2018, submit documents proving that they satisfy the conditions laid down in points (b) and (ba) of Article

3(1).

Amendment 15

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EU, Euratom) No 1141/2014

Article 40a – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Authority shall remove a European political party and its affiliated European political foundation from the Register where the party in question fails to prove within the period of time set out in paragraph 1a that it meets the conditions laid down in points (b) and (ba) of Article 3(1).

Amendment 16

Proposal for a regulation

Article 2 a (new)

Text proposed by the Commission

Amendment

Article 2a

However, the provisions of Regulation(EU, Euratom) No 1141/2014, applicable prior to the entry into force of this Regulation, shall continue to apply in their original versions to acts done and commitments made in respect of the funding of political parties and political foundations at European level for the budget year 2018.

Justification

To ensure legal certainty. Procedures already started in 2017 should be submitted to the existing Regulation before its revision.

23.11.2017

POSITION IN THE FORM OF AMENDMENTS OF THE COMMITTEE ON BUDGETARY CONTROL

for the Committee on Constitutional Affairs

on the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No. 1141/2014 of the European Parliament and the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations
(COM(2017)0481 – C8-0307/2017 – 2017/0219(COD))

For the Committee on Budgetary Control: Ingeborg Gräßle (Chair)

AMENDMENTS

The Committee on Budgetary Control presents the following amendments to the Committee on Constitutional Affairs, as the committee responsible:

Amendment 1

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) The material scope of competences of the EPPO is limited to criminal offences affecting the financial interests of the Union in accordance with the Regulation establishing the Office. The tasks of the EPPO should thus be to investigate, prosecute and bring to judgement the perpetrators of offences against the Union's financial interests under Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017^{1a}, and offences, which are inextricably linked to them.

^{1a} Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

Amendment 2

Proposal for a regulation Recital 11 b (new)

Text proposed by the Commission

Amendment

(11 b) In order to ensure compliance with the obligations laid down by this Regulation regarding the funding and expenditure of European political parties and European political foundations and regarding other matters, it is necessary to establish effective control mechanisms. To that end, the Authority, the Authorising Officer of the European Parliament and the Member States should cooperate and exchange all necessary information. They should also agree on practical arrangements that include some common rules on how to protect whistle-blowers. Mutual cooperation amongst Member States' authorities should be also encouraged in order to ensure the effective and efficient control of obligations stemming from applicable national law. The involvement of OLAF and the EPPO in the information sharing is required when the decision of the Authority is to be followed up.

Amendment 3

**Proposal for a directive
Article 1 – paragraph 1 – point 4 a (new)
Regulation (EU, Euratom) No 1141/2014
Article 25 – paragraph 7 a (new)**

(4a) *In In Article 25, the following paragraph is added:*

(7a) *When criminal offenses affecting the financial interests of the Union , within the meaning of Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017, are perpetrated in one or more Member States that are participating in enhanced cooperation on the establishment of the EPPO, the EPPO shall be called to investigate in accordance with the conditions laid down in Regulation (EU) No xxx/xxxx [OJ, please insert the number of the Regulation on the EPPO];*

Amendment 4

Proposal for a regulation

Article 1 – paragraph 1 – point 5 a (new)

Regulation (EU, Euratom) No 1141/2014

Article 28 – paragraph 2

Present text

(2) They shall also agree on practical arrangements for such exchange of information, including the rules regarding the disclosure of confidential information or evidence and the cooperation among Member States.

Amendment

(5a) *In Article 28, paragraph 2 is replaced by the following:*

(2) They shall also agree on practical arrangements for such exchange of information, including the rules regarding the disclosure of confidential information or evidence, ***the protection of whistle-blowers*** and the cooperation among Member States.

Amendment 5

Proposal for a regulation

Article 1 – paragraph 1 – point 5 b (new)

Regulation (EU, Euratom) No 1141/2014

Article 28 – paragraph 4

Present text

(4) The Authority shall inform the Authorising Officer of the European Parliament of any decision it has taken in relation to sanctions, in order to enable him or her to draw the appropriate consequences under the Financial Regulation.

Amendment

(5b) In Article 28, paragraph 4 is replaced by the following:

(4) The Authority shall inform the Authorising Officer of the European Parliament of any decision it has taken in relation to sanctions, in order to enable him or her to draw the appropriate consequences under the Financial Regulation. ***Where appropriate, the authority shall also inform OLAF and the EPPO, in order to enable those bodies to proceed with the relevant investigation accordingly;***

Amendment 6

Proposal for a regulation

Article 1 – paragraph 1 – point 5 c (new)

Regulation (EU, Euratom) No 1141/2014

Article 30 – paragraph 2 – subparagraph

Present text

In the event of such termination, payments by the Authorising Officer of the European Parliament shall be limited to the ***eligible*** expenditure ***actually*** incurred by the European political party or European political foundation up to the date when the termination decision takes effect.

Amendment

(5c) In Article 30(2), the second subparagraph is replaced by the following:

In the event of such termination, payments by the Authorising Officer of the European Parliament shall be limited to the ***reimbursable*** expenditure incurred by the European political party or ***the eligible expenditure incurred by*** European political foundation up to the date when the termination decision takes effect.

Justification

The reference to reimbursable expenditure is the expression used in the Financial Regulation Article 204g and in article 17, 4 and 5 of Regulation 1141/2014, and is the adequate concept to use in the recovery.

Amendment 7

Proposal for a regulation

Article 2 a (new)

Text proposed by the Commission

Amendment

Article 2a

However, the provisions of Regulation (EU, Euratom) No 1141/2014, applicable prior to the entry into force of this Regulation, shall continue to apply in their original versions to acts done and commitments made in respect of the funding of political parties and political foundations at European level for the budget year 2018.

Justification

To ensure legal certainty. Procedures already started in 2017 should be submitted to the existing Regulation before its revision.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Statute and funding of European political parties and European political foundations
References	COM(2017)0481 – C8-0307/2017 – 2017/0219(COD)
Committee responsible Date announced in plenary	AFCO 2.10.2017
Opinion by Date announced in plenary	CONT 2.10.2017
Rapporteur Date appointed	Ingeborg Gräßle 16.10.2017
Previous rapporteur	Ingeborg Gräßle
Date adopted	26.10.2017
Result of final vote	+: 17 –: 7 0: 5
Members present for the final vote	Nedzhmi Ali, Jonathan Arnott, Inés Ayala Sender, Ryszard Czarnecki, Dennis de Jong, Ingeborg Gräßle, Cătălin Sorin Ivan, Jean-François Jalkh, Arndt Kohn, Georgi Pirinski, José Ignacio Salafranca Sánchez-Neyra, Petri Sarvamaa, Claudia Schmidt, Bart Staes, Hannu Takkula, Indrek Tarand, Derek Vaughan, Tomáš Zdechovský
Substitutes present for the final vote	Richard Ashworth, Brian Hayes, Andrey Novakov, Julia Pitera
Substitutes under Rule 200(2) present for the final vote	Jean-Paul Denanot

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

11	+
ALDE	Nedzhmi Ali, Hannu Takkula
PPE	Ingeborg Gräßle, Brian Hayes, Andrey Novakov, Julia Pitera, José Ignacio Salafranca Sánchez-Neyra, Petri Sarvamaa, Claudia Schimdt, Tomáš Zdechovský
Greens	Bart Staes

7	-
S&D	Inés Ayala Sender, Jean-Paul Denanot, Cătălin Sorin Ivan, Arndt Kohn, Georgi Pirinski, Derek Vaughan
ENF	Jean-François Jalkh

5	0
ECR	Richard Ashworth, Ryszard Czarnecki
EFDD	Jonathan Arnott
GUE/NGL	Dennis de Jong
Greens	Indrek Tarand

Key to symbols:

+ : in favour

- : against

0 : abstention

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Statute and funding of European political parties and European political foundations		
References	COM(2017)0481 – C8-0307/2017 – 2017/0219(COD)		
Date submitted to Parliament	13.9.2017		
Committee responsible Date announced in plenary	AFCO 2.10.2017		
Committees asked for opinions Date announced in plenary	BUDG 2.10.2017	CONT 2.10.2017	JURI 2.10.2017
Not delivering opinions Date of decision	BUDG 26.9.2017	JURI 9.10.2017	
Rapporteurs Date appointed	Mercedes Bresso 28.9.2017	Rainer Wieland 28.9.2017	
Discussed in committee	11.10.2017	23.10.2017	21.11.2017
Date adopted	21.11.2017		
Result of final vote	+: –: 0:	19 2 2	
Members present for the final vote	Gerolf Annemans, Mercedes Bresso, Elmar Brok, Pascal Durand, Danuta Maria Hübner, Diane James, Ramón Jáuregui Atondo, Alain Lamassoure, Jo Leinen, Morten Messerschmidt, Maite Pagazaurtundúa Ruiz, Markus Pieper, Paulo Rangel, Helmut Scholz, György Schöpflin, Pedro Silva Pereira, Barbara Spinelli, Claudia Țapardel, Josep-Maria Terricabras, Kazimierz Michał Ujazdowski		
Substitutes present for the final vote	Jérôme Lavrilleux, Cristian Dan Preda, Viviane Reding, Jasenko Selimovic		
Substitutes under Rule 200(2) present for the final vote	Ramón Luis Valcárcel Siso		
Date tabled	24.11.2017		

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

19	+
ALDE	Maite Pagazaurtundúa Ruiz, Jasenko Selimovic
GUE/NGL	Helmut Scholz, Barbara Spinelli
PPE	Elmar Brok, Danuta Maria Hübner, Alain Lamassoure, Jérôme Lavrilleux, Paulo Rangel, Viviane Reding, György Schöpflin, Ramón Luis Valcárcel Siso
S&D	Mercedes Bresso, Ramón Jáuregui Atondo, Jo Leinen, Claudia Țapardel, Pedro Silva Pereira
Verts/ALE	Pascal Durand, Josep-Maria Terricabras

2	-
ECR	Kazimierz Michał Ujazdowski
NI	Diane James

2	0
ECR	Morten Messerschmidt
ENF	Gerolf Annemans

Key to symbols:

+ : in favour

- : against

0 : abstention