

# THURSDAY, 7 JULY 2005

IN THE CHAIR: MR ONESTA

*Vice-President*

## 1. Opening of the sitting

*(The sitting was opened at 10 a.m.)*

## 2. Corrections to votes from previous sittings: see Minutes

## 3. Documents received: see Minutes

## 4. Financial Instrument for the Environment (LIFE +)

**President.** – The next item is the report (A6-0131/2005) by Marie Anne Isler Béguin, on behalf of the Committee on the Environment, Public Health and Food Safety, on the proposal for a regulation of the European Parliament and of the Council concerning the Financial Instrument for the Environment (LIFE +) (COM(2004)0621 – C6-0127/2004 – 2004/0218(COD)).

**Stavros Dimas**, *Member of the Commission. (EL)* Mr President, I should like to thank the European Parliament, the Committee on the Environment, Public Health and Food Safety and, most importantly, the rapporteur, Mrs Isler Béguin, for her detailed and constructive report. My thanks also to the honourable members of the Committee on Budgets and Temporary Committee on the Financial Perspectives for their contribution to the report on LIFE +.

LIFE + is the financial instrument for applying Community environmental policy proposed by the Commission for the period 2007-2013. Alongside application, the programme has resources for improving environmental governance and for financing information and communication actions.

This proposal is a positive arrangement for financing the environment. As the reports which the Commission prepared for the Council made clear, LIFE + makes provision for an average annual increase in financing of 21% compared with current levels.

In addition, it makes provision for the new programme to shift from a project-based approach to an approach based on national programmes. This safeguards greater flexibility for the Member States, so that they can deal with their most pressing environmental needs.

This approach implies even greater subsidiarity than at present. Thus the regional and local factors which often lead the way in the application of environmental legislation will be able to have their say on the planning and application of the programme.

I am aware of Parliament's evaluation of the Commission proposal. However, the Commission considers that most spending on the environment can be better financed by the financing institutions which are very strong financially, by which I mean programmes for the Structural Funds and rural development programmes.

So far there have been three noteworthy developments in our efforts to safeguard the integration policy: firstly, the adoption on 21 June of the regulation on rural development; secondly, the strategic guidelines on rural development relating to the regulation, in which clear reference is made to Natura 2000, and thirdly, the strategic guidelines on regional policy which the Commission adopted last Tuesday and which concern the protection of nature and species.

Consequently, the Commission is implementing the policy of integration in the environmental sector. LIFE + will not be able to undertake projects of the scale and breadth for which provision is made in the programmes in question, which is why LIFE + is being called on to supplement these programmes by focusing on the development of environmental policy, as often called for by Parliament, by supporting the exercise of policy, a point on which Parliament has frequently expressed an interest, by improving environmental governance with the participation of civil society and by disseminating information, so that European citizens can understand the objective and repercussions of environmental legislation.

These objectives coincide with the wishes expressed by Parliament and, through it, by European citizens, which is why I consider that the Commission proposal is the right proposal.

**Marie Anne Isler Béguin (Verts/ALE), rapporteur.** – (FR) Mr President, Commissioner, ladies and gentlemen, firstly allow me, as rapporteur, to thank the Committee on the Environment, Public Health and Food Safety as a whole for the work that it has done. I should also like to thank its chairman for the support that he gave us in our work and, above all, the shadow rapporteurs, who really helped me to seek a compromise in order to propose something sensible and substantial. I should like very sincerely and officially to thank the whole of the Committee on the Environment, Public Health and Food Safety for following my strategy, so as to endow the Union with the necessary means to fulfil its environmental policies. Overall, I believe that we have succeeded in gaining recognition, beyond the confines of our committee, for the fact that words are no longer enough for the environment and that financial means are required, as they are for every other policy. I believe that, on that issue too, the message has got through.

I should, moreover, like to point out that, during a debate this week, one of your colleagues, Commissioner, reminded us that we should not lose sight of the main issue. He is quite right and we are not losing sight of the main issue, as the main issue, today, really is the protection of our planet, because it is unique, because it is fragile, because it is suffering from the pressure we put on it, and we know this full well.

Today, with the European Union, we have decided to stop the haemorrhaging: we have to save what can be saved and restore what has been damaged. The European Union is aware of the challenge that it has set itself. It has already done battle and emerged victorious: Kyoto is the battle that it won, a battle for its signature, initially, and a battle for ratification later on. We can hope today that the G8 will also shoulder its responsibilities with the European countries that are going to push for measures to be taken against climate change. Neither, Commissioner, must there be any weakening of the Union's resolve to protect the environment. On that issue, we have been rather anxious since Monday, since your president, Mr Barroso, made his statements asserting that the environment and the strategies related to it are too costly.

We believe that this really is a poor assessment. The damage, we know, is global. It is happening and the longer we wait to intervene, the higher the price that we will pay, as we all know. It is therefore up to us, Parliament, to convince the Council and the Commission that, even in lean times, investing in the environment is, as it were, a prudent subscription to an insurance policy, indeed a life-insurance policy, against the threats weighing on our environment.

This report on LIFE + is without doubt very important since it concerns the sinews of war: it is a financial instrument. The Committee on the Environment, Public Health and Food Safety supports LIFE +, but we wish to improve it and we have already made that known. The former LIFE programme, with its strands on nature, the environment and third countries, had unleashed innovative political impetus and had shown that investing in the environment was the path to follow in the context of sustainable development, and that it created jobs.

With the new LIFE programme, the Commission is counting on the environment, as you explained, being integrated in the various policies. This is a good thing, we cannot deny it, but we are not convinced of the usefulness of delegating environmental policies to the Member States. It is well known that, often, the main issue for the Member States is not the environment. We will not, therefore, obtain results by renationalising the environment.

On the other hand, the European Union has to support NGOs, because they are absolutely irreplaceable and because they must be able to continue to carry out their work, which, as you mentioned, is in everyone's interest.

Finally, we believe, as you are well aware, that the most overlooked project is Natura 2000. On that issue, in fact, we have decided to make everyone aware that Natura 2000 certainly has its costs but that it is not a bottomless pit: it is money that will be channelled into original local development based on respect for the environment and on respect for the people who work the land.

You explained to us that you were kicking things into touch and that it was the responsibility of the other policies, of the other funds to integrate Natura 2000. We waited precisely until the end of the discussions on the Structural Funds, on rural development, to find out whether in fact we had the full guarantees that Natura 2000 would be taken into consideration. I can tell you that the glass is half empty or half full, depending on how you look at it.

With regard to the Fund for Rural Development, we are very hopeful, but we know that it only concerns compensation, which is very positive because financial compensation is needed. With regard to the Structural Funds, we know that it concerns investment. In fact we are well aware that investment is something that is strictly defined and that we do not need to build any new roads to go and discover biotopes. There is therefore a significant shortcoming. That is why we propose to take a third of the sum that you agreed, that is of the EUR 21 billion, and to add it to LIFE + so that Natura 2000 can live and can genuinely serve to protect our environment, just as we are committed to doing.

**Cristina Gutiérrez-Cortines**, *on behalf of the PPE-DE Group.* – (ES) Mr President, before commenting on the characteristics of this project, I would like to express my thanks not just to Mrs Isler Béguin, but also to Mrs Lienemann, the other shadow rapporteurs and the officials and advisors who are working extremely hard to reach a consensus on this project. We have achieved extraordinary consensus in the Committee on the Environment, Public Health and Food Safety: everybody has introduced their points of view and, although there are apparently not many amendments, a new spirit has been introduced and the LIFE programme has been enriched, in cooperation with the Commission.

How has it been enriched? In my opinion, we have introduced several new aspects. Firstly, this project has placed great emphasis on the management of natural resources. It is also of great educational importance in terms of teaching how to govern and manage the environment. Furthermore, we have insisted on an institutional presence in the form of the municipalities and regions as local authorities that have to re-evaluate their resources. In this regard, I would also like to stress another element: the introduction of landscapes deserving of respect that have not been integrated into the Natura 2000 list, such as certain rivers, but which may be important shared spaces.

There is another innovation: the concept has been introduced, and the idea strengthened, of international projects and cross-border projects. Why? Because natural spaces are usually in border zones and in mountainous areas. Rivers are a clear case in point: the logical thing would be to create a LIFE for rivers one day, because rivers cross many countries.

Furthermore, I must say something else: we have created a market spirit for Natura 2000. We believe that, in this case, we must imitate United States policy by creating banks for wetlands and banks for natural areas, so that the Member States can compensate proprietors, creating, shall we say, an area of exchange of ownership for the Natura 2000 zone. In this way, the companies and many others who also have to take initiatives on the ground may contribute economically to compensating, by means of the 'polluter pays' principle, for their passage through those protected territories. They may do so through active and positive policies for the conservation of the natural environment, funded by private bodies and by institutions.

This is therefore not just another LIFE programme; it is a project based on a consensus which I believe has been guided by great common sense; I therefore congratulate everybody.

**Marie-Noëlle Lienemann**, *on behalf of the PSE Group.* – (FR) Mr President, ladies and gentlemen, I should like, in my turn, to thank Mrs Isler Béguin, our rapporteur, as well as all of my colleagues in the Committee on the Environment, Public Health and Food Safety and the shadow rapporteurs, who have endeavoured to present to this House, as my fellow Member, Mrs Gutiérrez-Cortines, has just said, a point of view that is, if I may say so, unanimous or in any case likely to receive majority support.

LIFE + and the LIFE programme constitute an extremely important part of our environmental policy, because they are the only budgetary tool that the European Union has released for its environmental policies. It is true that we are often criticised at European level by our fellow citizens for enacting directives, constraints and rules, which is quite legitimate and must be done. Europe has done a great deal for environmental policies, but people often say to us, 'You impose constraints upon us, but you do not release many funds to support us in implementing the policies concerned'. There are therefore shows of resistance and difficulties requiring the Union to provide financial support for implementing policies.

Support tools do exist, such as the integrated policies, on which progress has been made for a number of years. I will come back to that in connection with the Structural Funds and the common agricultural policy. Yet we also require specific tools. The LIFE programme has already shown its effectiveness in many areas. I would stress the need to use LIFE to breathe life into the major framework directives, such as the one on water or our programme to combat the greenhouse effect. Mrs Isler Béguin is, however, right to say that the core issue of our debate is Natura 2000. It is positive that we have succeeded in having Natura 2000 taken into account in the EAFRD. The reality is, however, that a whole series of expenditure, which is vital for managing the geographical area targeted and for implementing the directive, cannot be included here.

This is the case for two types of expenditure: those concerning the operation and those concerning certain geographical areas. I am thinking in particular of those areas that are not directly included in agricultural areas – wet zones, areas that are slightly separated from them and so on – and that cannot receive funding under mechanisms linked to the Regional Development Fund and the Fund for Rural Development. We therefore need something in addition: we have proposed that 35% of the sum that you, Commissioner, have put at EUR 21 million be devoted to the management of Natura 2000, within the framework of the LIFE programme. I believe in any case that a specific budget attached to LIFE is a determining and essential factor for this House.

Furthermore, given that the Commission, since it was newly formed, has always been at pains to tell us that it would pay great attention to the views of Parliament, the wide agreement within Parliament on this issue ought to lead the Commission to support our points of view.

**Frédérique Ries**, *on behalf of the ALDE Group*. – (FR) Mr President, I should like, in my turn, to thank our rapporteur, Mrs Isler Béguin, for the quality of this collaborative work and her energetic commitment to this issue. During the June part-session, our Parliament, in its resolution on policy challenges and budgetary means of the enlarged Union, sent out a very clear political signal for protecting the planet, nature and biodiversity. It is essential to ensure the smooth operation of the Natura 2000 network, the core issue of this debate. Mrs Lienemann has just reminded us of this. The experts in the Commission have, moreover, calculated that Natura 2000 will need EUR 21 billion over seven years.

We are aware that the Fund for Rural Development and the Structural Funds are not going to meet all of these needs. We therefore have to strengthen LIFE +, the specific financial instrument for the environment with which we have been equipped since 1992.

I should therefore like to address two main criticisms to the Commission, which I share with our rapporteur. The first concerns the initial sum of EUR 300 million, which is, of course, hugely insufficient. Behind this battle of figures, it is Europe's desire to take up major challenges such as air quality, water quality, spatial planning and sustainable waste management that is at stake here. The second criticism is as follows: I believe that the European Commission must not offload its responsibilities with regard to the environment. The strategy of integrating the environment in all of the Union's policies has its limits, Commissioner. That is why the Group of the Alliance of Liberals and Democrats for Europe will support Amendments 42, 43 and 44. The European Parliament will always support you in opposing this kind of environmental Europe, an environmental Europe that in certain respects is in decline, and in all respects is optional, and which is imposed by certain Member States that appear to have chosen to withdraw into themselves.

**Johannes Blokland**, *on behalf of the IND/DEM Group*. – (NL) Mr President, first of all, I should like to add my own thanks to the rapporteur for all the work she – together with the other Members – has done, but I should nevertheless like to make a few observations concerning the proposal on which we will be voting later. It would appear that some Members expect a great deal of support for nature policy from the European Union. I share this hope, for I too take the view that the European Union, by creating ecological networks, can make a positive contribution to our continent. We should not, however, pin all our faith on Europe, certainly where the funding of these Natura 2000 sites is concerned, for these sites are, after all, designated by the national authorities, assisted by European experts, and so it is acceptable that some of the funding for preserving them should come from the European budget.

Ultimately, though, the primary responsibility for them lies with the Member States. In my view, it is very understandable that the funding should follow need, and various amendments underline this. We should only do and fund at European level what Member States cannot manage for themselves. We should not reverse the position by wanting to pay for everything and checking afterwards to see whether the Member States would like to make a contribution. I would therefore call for Member States to be given a greater role in funding and for them to be helped out only as and when EU funding is actually justified.

**John Bowis (PPE-DE)**. – Mr President, the G8 leaders in Scotland are exercised about the sustainability of our world. If they travelled a little way to the Cairngorm Mountains and the Abernethy Forest Reserve, they would see one of Europe's Natura 2000 sites, covering 13 000 hectares of ancient Caledonian pinewood, moorland, lochs and mountains, which is the habitat for rare species such as the capercaillie and the black grouse. The former, which was previously thought to be the bird most likely to become extinct in the United Kingdom within 15 years, is now doubling its numbers. The reserve, with its osprey centre, attracts some 100 000 visitors a year and GBP 1.7 million a year and provides 87 jobs in a previously poor rural economy.

We are seeing such results all over Europe, from Scotland to Spain to Germany. The Iberian lynx in Spain has been saved by Natura 2000. In Brandenburg, where the great bustard population had fallen from 4 000 in the 1930s to a few hundred, 9 500 hectares of monoculture have transformed its prospects and also brought economic benefit to an economically depressed area.

We are talking about our European heritage, which we have a duty to protect. LIFE + is the new financial instrument that, with the Structural Funds and Fund for Rural Development, will enable Natura 2000 to continue to succeed. On 8 June, Parliament voted for 'a significantly strengthened LIFE + programme'. I know that the budget will not be easy this year, but we pick up the proposal for a ring-fenced amount of EUR 21 billion over seven years in that resolution of 8 June. We suggest how LIFE + could be significantly strengthened. LIFE III, with its three components of nature, environment and third countries, has been a success in all respects, but particularly perhaps in the Natura 2000 sites of LIFE Nature.

LIFE + will take this forward and this report will help that process. I hope that the Commission will respond supportively, constructively and imaginatively.

**Jutta D. Haug (PSE).** – (DE) Mr President, Commissioner, the intention is that LIFE + should be the sole financial instrument for the environment from 2007 onwards. It is no bad idea to combine in one single environmental instrument the various programmes that have supported such environmental measures as actions within the scope of the Forest Focus Regulation and supported non-governmental organisations and local and regional authorities. As one who is involved with the budget, I am particularly glad that we can take it as read that this operation will result in greater efficiency and effectiveness.

We know that, in order to be effective, energy policy must be implemented at ground level, throughout the EU and on a local basis everywhere. For that reason, although the principles of subsidiarity and proportionality are not open to criticism, it is urgently necessary, if we really do want the funding of environmental policy to add indisputable value to Europe, that the use to which the funds are put be effectively monitored. Such monitoring will involve not only codecision by Parliament on the multiannual programmes, but also, and of necessity, evaluation at short intervals, in order to make it possible to make adjustments without delay.

The 'LIFE-Nature' part has been as good as dropped from the Commission proposal for LIFE, and with it has gone the funding for Natura 2000 measures. That is something we cannot accept. The Commission's proposal for the management of the Natura 2000 areas to be paid for out of the Fund is no bad idea either in view of what the Committee on the Environment, Public Health and Food Safety has seen of the problems inherent in such a *modus operandi* – essentially competition with other objectives laid down in various funds.

We eventually came to an agreement that LIFE + should be used to support those Natura 2000 areas that are not covered by one of the funds. It remains to be seen how far this approach, which is at once perceptive, realistic and motivated by solidarity, will get us. Despite this House, yesterday, prompted by the Committee on Regional Development, having struck every single reference to Natura 2000 out of the Structural Funds Regulations, I do expect not only our Committee, but also the NGOs and the Commission, to take the initiative – or go on the offensive – in order to persuade people.

**Anne Laperrouze (ALDE).** – (FR) Mr President, the LIFE + environmental programme is crucial for supporting the implementation and development of environmental policy. It therefore has to act as a stimulus for implementation and as a catalyst for innovation and change, and thus enable action to be taken across the board at European level on the priority areas. Based on our successful experience with the current LIFE programme, LIFE + has to be the vehicle for assessing and monitoring conservation status, for drafting action plans on the recovery of species and for actions linked to the operation of the Natura 2000 European network.

Demonstration projects concerning the establishment and protection of Natura 2000 should continue to be funded since they provide European added value.

Environmental policy, however, amounts to more than just Natura 2000. That is why I am against Amendment 35, which proposes allocating 90% of the LIFE + programme to the funding of Natura 2000. LIFE + should actually adopt an approach that provides proportionate support for the four crucial subject areas in the Sixth Environmental Action Programme: climate change, the preservation of biodiversity, the environment and health, and the protection of natural resources.

Finally, I should like to say that I share the rapporteur's opinion that projects must continue to be selected at Community level to ensure that they provide European added value.

**Françoise Grossetête (PPE-DE).** – (FR) Mr President, I believe that words truly need to be turned into deeds, because delivering speeches about saving the planet and sustainable development is something that we do constantly in this House and elsewhere. Unfortunately, when the time comes for us to equip ourselves with the means to act, there is no one to be seen. Parliament is not in agreement with the European Commission, which has made choices with which we cannot concur.

Commissioner, we understand that the funding for LIFE + must be integrated into the EAFRD and the ERDF. That is a question of transversality; we can accept it even if we might also regret it. However, we know how local elected representatives behave. When choices have to be made between different priorities, economic priorities and environmental priorities, it is well known that, unfortunately, it is the environment that suffers and is the victim of those choices.

That is why Europe absolutely has to display authority in what it wants and why it is crucial to provide for specific funding, inter alia, in Natura 2000. Natura 2000 is an important policy that Europe wanted, that it has been difficult to persuade local elected representatives on the ground to accept, that has been difficult to understand and difficult to implement. Yet it is precisely now, when we need to manage the Natura 2000 sites, that the European Commission is taking a step backwards. That cannot be true.

Today, the Commission no longer wishes to assist in funding the management of these sites. Some of them will not be covered by the EAFRD and the ERDF because they are neither farming areas nor woodland areas. What will we do in those cases? I will remind you that LIFE + is a financial instrument and that we would appear not to be giving ourselves the ability to negotiate most effectively with the Council. Commissioner, you ought to assist this Parliament in its financial negotiations with the Council. We need you. We are at the stage of first reading and we have to show our determination, our determination to protect the funding that is absolutely crucial to us. We have a very good compromise, and yet we have the feeling of being abandoned by the Commission. That really would be regrettable.

**María Isabel Salinas García (PSE).** – (ES) Mr President, ladies and gentlemen, my group feels proud and happy today with the report that has been handled so well by the rapporteur, Mrs Isler Béguin, and also by everybody whose work has enriched it.

Codesision is our strength, and this is inspired by the need to fulfil the environmental objectives that the European Union has always claimed are a priority.

With regard to resources for the Natura 2000 network, this report is not asking for the impossible. The Commission is as aware as this Parliament of the difficulties caused by the financial perspective but, if you want me to tell the truth, I believe there are solutions that can be found through good will and decisiveness, as in this case. Perhaps an increase in funding for the network must also be accompanied by a better redistribution of the necessary resources.

Of course, Commissioner, people should not be made to pay for the sins of others. By way of example: we cannot carry on calling on the Andalusian rural agents to tighten their belts further, both for the maintenance of the network on the basis of their legitimate responsibility as farmers, and for very specific and necessary actions, such as the preservation of the Iberian lynx.

The Commission will remember better than I the excitement with which the Natura 2000 network was launched. Since then we have seen a hopeful process with legislation and programmes that make our environmental priorities a reality. All of this investment of resources and excitement cannot now come to nothing. LIFE + must be a powerful guarantee of the maintenance and strengthening of what we have created so far, also with regard to habitats and the variety of species we have.

In this regard, and without calling into question the legitimacy of co-funding, nobody can deny that maintaining the network means — and this must be the case — high costs for certain Members and in particular for Spain. My country, together with Denmark, has the greatest amount of protected area and, furthermore, 29% of this area is in my community, Andalusia.

Commissioner, sometimes we have to make efforts, take a position and be courageous. I would urge you to continue investing in the protection of the environment. It is worth it.

**Avril Doyle (PPE-DE).** – Mr President, since 1992 LIFE – the Financial Instrument for the Environment – has been the major vehicle of European Community Environment policy. It comprises three funds, for Nature, Environment and Third Countries. The current LIFE III programme is due to finish at the end of 2006 when a new package, LIFE +, will be introduced as part of our new Financial Perspective on which we await a

Council decision. However, it is time for this Parliament to make a decision now. Do we want to preserve our natural heritage?

Where our shared environmental heritage is concerned, the financing must fit the policy, not vice versa. It is extremely difficult to quantify in monetary terms the value of our natural boglands, our native species of flora and fauna and natural habitats and public amenities, such as parks and woodlands. Importantly, these are common treasures, enjoyed and owned by the general public. The buck stops nowhere if not with us here in the European Parliament, where, through the Committee on the Environment, Public Health and Food Safety, we are co-legislators with the Council.

We bear equal responsibility for maintaining and strengthening our efforts to prevent biodiversity loss and environmental degradation. Without adequate funding for LIFE +, the positive steps to address these problems since the introduction of the current programme in 1992 will be reversed. Important socioeconomic benefits of the programme will also be lost. Up to 125 000 jobs are supported in the EU 15 in nature protection related activities.

This is a growing sector. Mr Bowis has told us about the Scottish example. The Scottish Parliament estimates that landscape tourism contributes EUR 560 million to Scotland's economy each year, much of this in economically depressed regions. He mentioned the black grouse and the Iberian lynx. Commissioner, can I ask that in seven years' time the red squirrel be added to that list of biodiversity successes?

It is not just a question of the amount of money. The money must be secure. Without designated, ring-fenced funding specifically earmarked for the environment, we will not achieve our environmental policy objectives. The current 'integrated approach' to financing environmental policy being proposed by the Commission, whereby funding will come from rural development funding and structural funds, worries me deeply and I think it simply will not work. Let us be realistic, there will always be something more immediately important than protecting the environment. If properly financed, LIFE + will give us the means to promote our special areas of conservation and thereby promote biodiversity in Europe, which is being lost at an alarming rate.

**Karin Scheele (PSE).** – (DE) Mr President, let me, too, join in congratulating the rapporteur, whose report demonstrates the commitment that is called for and who, as we have seen from the debate so far, has the overwhelming majority of this House behind her.

This report makes good the immense deficiencies in the Commission proposal, and so it is vital that it be adopted by a large majority. As I see it, the proposal's most glaring defect is the failure to provide financially for the management of the Natura 2000 network during the period from 2007 to 2013, even though the Sixth Environment Action Programme gave high priority to, among other things, species diversity and the protection of species.

Within the Commission's plan for Natura 2000 networks to be funded by the Structural Funds lurks the immense danger that, in practice, not enough money will be made available for them. Mrs Haug has already referred to the result of yesterday's vote. It is also clear from the Commission's approach that it is unwilling to take responsibility for the way in which the Community's common environmental policies are implemented.

The Commission has also failed outright to put in place the clause ensuring proper management of the Natura 2000 networks, which is an essential condition for funding by the Structural Funds, and so we in this House need, by a convincing majority, to endorse the rapporteur's approach, which entails integrating into the LIFE + programme the costs of implementing Natura 2000.

**Bogusław Sonik (PPE-DE).** – (PL) Mr President, the proposal to integrate existing environmental support programmes into a single financial instrument, LIFE +, is justified since it provides a guarantee that actions will not be duplicated. It is also a sensible idea to harmonise and simplify principles and procedures.

The aim of the LIFE + programme is to safeguard funding for actions that will be ineligible for support under the EU's other financial instruments. Given the current challenges we need to address in the field of environmental protection, this approach is entirely justified. The key problem we face with regard to the LIFE + programme, however, is fulfilling the tasks of co-financing, creating and implementing the Natura 2000 network.

The priorities set for the LIFE + programme give due consideration to issues relating to the protection of nature and biodiversity, including the Natura 2000 network. At the same time, however, it is emphasised that co-financing for the Natura 2000 network is only to be provided on a complementary basis, which

means that support is to be provided under the European Regional Development Fund and the Cohesion Fund.

I am concerned at the fact that whilst the concept of the Natura 2000 network in Europe has evolved, this has not been backed up by an appropriate guarantee of funding for the creation and maintenance of this network. No clear details have been provided regarding the principles according to which funding can be obtained for protection measures for Natura 2000 sites between 2007 and 2013, and this will undoubtedly mean shortfalls in funding for the Natura 2000 network. It will then be impossible to implement many much-needed protection measures. For example, the majority of areas designated as Natura 2000 sites in Poland and other countries will not be covered by the funds indicated. Such areas include land that is part of national forests, or peat bogs, swamps, natural grasslands, dunes, moorlands and scrublands that are not used for agricultural purposes.

In the context of the European Commission's letter of 6 January 2005, which suggested that consideration be given to the possibility of extending the list of Natura 2000 sites in Poland, which could mean that up to 20% of the country would be covered by such sites, a guarantee of separate funding for the establishment of the Natura 2000 network has taken on even greater significance for Poland and other countries.

**Genowefa Grabowska (PSE).** – (PL) Mr President, the LIFE + Regulation is an outstanding piece of legislation. The fact that it is a regulation means that it will be binding upon all Member States, and have greater force than any directives addressed to them.

The document has one flaw, however, which is that it only provides an indicative list of priorities, and leaves us in the dark as to how much funding these priorities will receive, if any. This is particularly true for Natura 2000, which is an issue that previous speakers have already touched upon. My message to the Commissioner is that it would be a mistake to force this programme to compete for support under the Structural Funds and the Fund for Rural Development.

This would be an unworkable approach, because it would unleash a dirty war over whose needs were greatest; the needs of local communities, of the needs of protecting the environment and rare plant and animal species or those of the people living in the areas in question. Such a state of affairs would be intolerable.

The second point I should like to make relates to the funding of Natura 2000. According to the Commission communication, the cost of such funding is expected to reach EUR 6.1 million. I am well aware that this is not a lot of money; in fact, it represents an absolute minimum. Yet EUR 5 million of this amount is to be earmarked for the 15 old EU Member States, and only EUR 1 million for the 10 new Member States. Is this an appropriate ratio? Does the Commissioner not believe that distributing funds in this way runs counter to the principle of European solidarity?

**Richard Seeber (PPE-DE).** – (DE) Mr President, Commissioner Dimas, I do not envy you, Commissioner, your present position, for, on Monday, you had to account to the House for the deferment of the thematic strategies that the Commission had announced and on which it is now evidently unwilling to deliver, while today we are discussing LIFE +, the new financial instrument, and we are not exactly of one mind on that either.

This LIFE instrument, which first saw the light of day in 1992, is, however, something on which I very much want to congratulate the Commission, for in creating it, it fashioned a trailblazing programme for European environmental policy. The important thing about it is that it was intended to implement the Birds Directive, the Habitats Directive and the Flora and Fauna Directive, and to provide the financial means whereby this could be done. It was significant that the Commission opted for the integrated management approach, one that I too wholeheartedly endorse, for it is the remarkable thing about this programme and not to be found in any of the others.

We are now discussing the new proposal, which is to cover the period from 2007 to 2013, and is also intended to help achieve the objectives of the EU's Sixth Environment Action Programme. As a great deal is being said about Lisbon in this House, I would remind you that one of the objectives to be achieved by the 'Lisbon Year' of 2010 is to check the loss of biodiversity in Europe, and that, free-standing though this objective is, it also has socio-economic implications. Speaking as one who comes from a region in which tourism plays a very major role, I can say that our capital consists principally in the biodiversity and natural wealth that our region possesses.



It is important that this new programme should continue to guarantee financial support for the Natura network. Although there is no doubt that the Commission's choice of the integrated approach in collaboration with the Regional Development Fund has been the right one, I would like to raise the objection that this involves us pursuing different objectives, resulting in a conflict the resolution of which is absolutely necessary if we are to strike the necessary balance between both aspects – rational regional development on the one hand and the protection of nature on the other.

**Andres Tarand (PSE).** – (ET) Mr President, the amendments made to LIFE + by Parliament have significantly improved the draft regulation. Increasing the budget tenfold over and above the recommendation made by the Commission is a tangible step towards realising the objectives of sustainable development and also serves the European Union's strategic objective of halting the reduction of biological diversity by the year 2010.

The budget increase makes LIFE + a substantial independent instrument in European Union environmental policy. In its present form, LIFE + has only been used to shore up 'current financial gaps' arising between structural funds and agricultural funds. The promotion of nature protection objectives would, in this case, depend on critical domestic priorities and may be overshadowed by socio-economic objectives.

Both the structural funds and the Fund for Rural Development operate on the basis of allocation of funds to a specific applicant. This leads to a significant risk that activities in areas of great natural value might not be financed due to the absence of a suitable applicant, or due to distance. In the case of LIFE +, it would therefore be more beneficial to operate on the basis of the model that has been used in Estonia for many years, that is, subsidies for activities of importance for nature protection are distributed by place of residence: the recipient of a subsidy does not have to be a landowner, but may be a person implementing an activity of importance for nature conservation.

Member States need the European Union to provide a dependable and long-term financing strategy in order to ensure the protection of the network of Natura areas. If decision-making is left solely to the Member States, the protection of objects of great natural value may be overshadowed by other domestic priorities. In order to avoid this, it is important to leave programming decisions to Member States, while establishing minimum levels of financing of LIFE + activities at a European Union level.

It is essential that we all give our support to the amendments tabled by Parliament, in order to channel the Union's resources towards the conservation of natural objects of European importance.

Many thanks.

**Christa Kläß (PPE-DE).** – (DE) Mr President, Commissioner, I too welcome the Commission's proposal for simplifying the funding and administration of the existing environmental programmes and, in LIFE +, combining them into one single financial instrument. I, too, am all in favour of protecting the environment and of making whatever financial provision is necessary for it, and I would be happy if we were able today to make generous financial arrangements for the protection of nature.

I do believe, though that the failure of our financial planning for 2007-2013 means that it would be unrealistic to make specific financial demands today, and an illusion to believe that we can. Right now, we do not know how much the overall European budget will add up to. We all know that the whole house, the financial framework, must be standing before we can furnish the rooms. We have given a very full description of the way in which the Structural Funds and rural development, on the one hand, compete against LIFE + on the other.

As things stand at present, we have to ask ourselves which measures it makes sense to promote through LIFE +, and which tasks should continue to be entrusted to the Member States. Should not, for example, the protection of forests remain a responsibility and task for the Member States? Why, for that matter, should the acquisition of land be funded by LIFE + money? The assumption is being made here that the mere acquisition of a plot of land by an environmental organisation itself protects the environment, but what is at issue is not to whom the land belongs, but how it is managed; to put it another way, its management as a FFH area, a habitat for flora and fauna, has to be ensured and promoted, with the resultant tasks and costs being covered by LIFE +. Proper management of areas of land is what protection of the environment is all about, and it ends up being much better value for money too.

I am strongly opposed to the institutional support of non-governmental organisations; LIFE + must not be used to underwrite such bodies' administrative costs, but to fund projects that are of practical benefit to the environment.

**Evangelia Tzampazi (PSE).** – (EL) Mr President, I would like to take my turn in congratulating the rapporteur, Mrs Béguin, and the shadow rapporteurs for the excellent work which they have presented.

The need to finance LIFE + has a clear European dimension and value. The deterioration in the environment and ever increasing environmental issues, often of a cross-border nature, make it necessary to change the pan-European and global approach.

In order to achieve this, it is necessary, together with investments in the environmental sector, for environmental actions under all programmes to be monitored both inside and outside the European Union, in order to ensure they function better and are more fully coordinated. The concept of protection of nature and biodiversity needs to be introduced as a basic feature in thematic priorities for the financing of the LIFE + programme, as a basic line of approach and actions in the new financing tool.

This programme will need to be in a position to finance other actions, such as Natura 2000, which no other programme can cover. Thus there will also be a commitment from other financing instruments to meet such requirements.

Commissioner, I believe that the increase which the European Parliament is calling for is the minimum required for the serious operation of LIFE +, which aims at basic aspects of environmental policy, which are information, awareness-raising among citizens and, most importantly, control of the application of this policy.

(Applause)

**Stavros Dimas, Member of the Commission.** Mr President, I wish to thank the speakers for their constructive remarks and their concerns regarding Natura 2000 in particular. The Commission believes that the current environment programmes have served their purpose. LIFE-Nature and LIFE-Environment have been excellent catalysts but, as set out in the mid-term evaluation of the LIFE programme, have done little for the development of environmental policy.

LIFE + sets out to make a difference. Its purpose is to provide funding for policy development, but it would also permit, for example, local and regional actors to spread best practice for dealing with environmental implementation issues. Spending on tangible environmental investment is best integrated into the funds that have financial muscle, those in rural and regional development areas.

I have already referred to the present success of the Commission's integration policy. On 21 June the Agricultural Council adopted the Rural Development Fund Regulation. This sets out that farmers and private forest owners can receive compensation for costs incurred and income foregone because of Natura 2000 actions. Under that regulation, as regards farm investments, enhancement of the public amenity of a Natura 2000 area is eligible for support and the drawing-up of management plans relating to Natura 2000 can be financed.

The Council foresees a budget of EUR 82.75 billion to accompany the regulation. At least 25% of that amount – or EUR 22.2 billion – would be allocated *inter alia* to compensate farmers and private forest owners in connection with Natura 2000. Moreover, it is entirely possible for Member States to focus an even bigger share of their national envelope on Natura 2000 financing if they so wish. Two days ago the Commission also adopted the strategic guidelines for both rural and regional spending. The rural guidelines refer to Natura and the regional guidelines, clearly, to nature and species protection. The Commission is, therefore, delivering on the integration of the environment into other policy areas.

Turning to LIFE + and the proposed amendments, the Commission finds it difficult to take into account most of the amendments of the Committee on the Environment, Public Health and Food Safety to this proposal. I am aware of the 44 amendments tabled by that committee and of a further four by the Committee on Budgets. I should like to divide these amendments into three distinct blocks.

First, on scope: unfortunately, the majority of the amendments seek to enlarge the scope of the proposal. This runs counter to the Commission's agreed integrated approach. Many amendments concern Natura 2000, others set out more precisely what is already indicated in the text, for example, forest monitoring, networking, awareness-raising and NGO financing. In addition, certain aspects, such as eco-innovation are clearly covered by other programmes, in this case by the competitiveness and innovation programme. To contain this in LIFE + would introduce the risk of the double financing of projects, something the Court of Auditors feels very strongly about.

Secondly, on procedure: the Commission could accept some of the amendments in principle, for example those relating to assessing the impact quality of the programme. However, others regarding the adoption of multiannual plans by codecision, would lead to a sclerosis in programme implementation. Clearly, therefore, this could not be accepted. In a similar way, the Commission cannot accept the additional demands arising in respect of the comitology procedure.

Lastly, on the budget, which is the most complex and difficult proposal for the Commission to deal with: the report on LIFE + increases its proposed budget by EUR 21 billion, but an amendment has been tabled to reduce this proposal to EUR 7.35 billion. However, I am also aware that the Committee on Budgets proposed a zero budget for LIFE +. Similarly, the Temporary Committee on the Financial Perspectives did not put a budget figure on the table for LIFE +.

If Parliament were to provide an additional budget of EUR 7.35 billion for the environment, the Commission would do its utmost to ensure that these funds were properly included in the relevant structural programmes, thereby supporting Natura 2000. In its turn, DG Environment would do all it could to ensure that such funds were effectively and efficiently spent on Natura 2000 matters.

Turning to the amendments in detail, the Commission can accept in principle Amendments 9, 32 and 33. The Commission can accept Amendment 25 in part, as amended by Amendment 43. The Commission cannot accept any other amendments.

In conclusion, the LIFE + proposal offers a flexible financial instrument for the environment. I hope that we can find common ground in the short term to take this proposal forward.

**Marie Anne Isler Béguin (Verts/ALE), rapporteur.** – (FR) Mr President, if you will allow me to briefly react, could I ask you, Commissioner, which side you are on? Did we not all agree to reduce the sum of EUR 21 billion to EUR 9 billion, which really is the minimum? You say, however, that nothing has been agreed in the financial perspectives, while Mr Böge stated that Natura 2000 cost EUR 21 billion. We need to have the guarantee that this EUR 21 billion will indeed be shared out across the budget. We believe that agriculture can take a third and that the Structural Funds can take another third. It is therefore for the environment to take its third.

**Stavros Dimas, Member of the Commission.** You are right that this EUR 21 billion comes from a study that we carried out at the Commission and it proved that we need at least EUR 6.1 billion yearly for these programmes. Of course, Mr Böge's report had a reference to this. The amount was brought down by the amendment to EUR 7.35 billion for the seven-year period, so actually the money you spoke of before was not made available by this report. Again I have to repeat that, if we had this additional EUR 7.35 billion, we would ensure that it would be spent through the relevant funds for Natura 2000 and the other environment programmes.

I must underline that, with the integrated approach, we are going to use the structural funds, the Cohesion Fund, and the Agricultural Fund in order to get the money we need. The guidelines that were voted on last week and two days ago will really help us in this respect.

The Fund for Rural Development, and especially Axis 2, which deals with land management, will get at least 25 % of the rural funding of EUR 22.2 billion. This will also help greatly with programmes which the Member States have an interest in financing as they have a legal obligation to finance projects relating to Natura 2000.

**President.** – The debate is closed.

The vote will take place presently, at 12 noon.

## 5. Textiles and clothing after 2005

**President.** – The next item is the report (A6-0193/2005) by Tokia Saïfi, on behalf of the Committee on International Trade, on textiles and clothing after 2005 (2004/2265 (INI)).

**Tokia Saïfi (PPE-DE), rapporteur.** – (FR) Mr President, Commissioner, ladies and gentlemen, firstly, Commissioner, without implicating you, I can only regret the fact today that neither Mr Mandelson nor Mr Verheugen are present at this debate on an issue that has been at the forefront of the news for several months.

Commissioner, the European textile and clothing industry has a future and trade interests to defend. Following the signing of the memorandum of understanding in Shanghai on 10 June between the European Commission and the Chinese Government, which has been ratified by the 25 Member States, the European Parliament today expresses its opinion on the future of the European textile and clothing industry, a future that we all hope is promising, and that despite the numerous upheavals that the sector has undergone in recent months.

I believe that this framework agreement, this free trade agreement, gives the European textile industries some breathing space. I nevertheless believe that the European Parliament is duty bound to monitor carefully the management and the follow-up of that agreement. Indeed, I believe that we should be able to keep certain safeguards in place and use the defensive trade instruments at our disposal within the context of the WTO when that proves necessary. Furthermore, in the long term, the European Union and the national authorities must contribute to developing measures that will make it possible to capitalise on the production and sales potential of European manufacturers, in addition to ensuring that fair trade rules are respected on the international textile and clothing market.

I will therefore remind you of the maxim that states that a trade policy with the rest of the world should be based on two principles: fairness and reciprocity. From that perspective, and with the aim of remaining competitive in this new trading environment, free access to third-country markets is a vital factor in the drive for growth.

That is why the Commission must encourage all of the WTO countries, apart from the most vulnerable developing countries, to use the Doha negotiations to secure reciprocal market access conditions, which are both fair and comparable, for large-scale textile and clothing producers. A firm line must, moreover, be taken against those countries that are still closing their borders to European producers by raising non-tariff barriers to trade. These practices need to be combated using the legal instruments available to the European Union.

With six months to go until the Hong Kong Ministerial Meeting, Commissioner, I would stress the fact that removing barriers to market access for industrial products has to be a key objective of the Doha mandate. It is also crucial, and this motion says so, to protect our European know-how, our European added value. To do so, we must defend intellectual property rights and combat counterfeiting and piracy. The Commission must in fact go on the offensive to ensure that third countries comply with the TRIPS Agreement, particularly with regard to textile designs. Similarly, it is necessary to establish ethical trade based on production processes that respect the environment, health, and labour standards.

Finally, in order to respond to the slowdown in the European textile industry and to guarantee its future and its competitiveness against the US and Asian regional blocs, we have to support the creation of a Euro-Mediterranean production zone in the textile and clothing sector. To achieve this, goods must be allowed to move more freely by applying cumulation of origin across the Euro-Mediterranean zone as quickly as possible.

In parallel with these trade measures, the European Union should implement a transitional practical plan to assist restructuring and retraining for the entire sector, with a view to helping textile-producing regions and safeguarding the future and competitiveness of the sector on international markets.

Commissioner, the European Commission needs to study in detail the points made in this motion and develop the recommendations made therein by introducing practical measures.

Furthermore, on behalf of the European Parliament, I call for the Commission to give a quarterly report, before the Members of this institution, on all of the recommendations issued in this resolution and on the actions that it has undertaken.

Finally, for the future of this sector to be genuinely promising, constant attention must be paid to developing it. That is what I call for today for textiles and clothing, a key sector of the European Union.

#### IN THE CHAIR: MR MOSCOVICI

*Vice-President*

**Louis Michel**, *Commission*. (FR) Mr President, ladies and gentlemen, firstly, I should, however, like to say that if Peter Mandelson is not here, it is precisely for very good reasons that are, I might add, related to the matter in hand. He was keen to take part in bilateral meetings in Great Britain, where he had the opportunity to meet a number of extremely important ministers, particularly in the context of the WTO negotiations that will be taking place in Hong Kong. His absence from these meetings would have deprived us of certain

opportunities to defend the priorities that you outline here. As you know, these negotiations have a direct bearing on the textile sector. I would therefore earnestly request that you excuse his absence; it really is for urgent reasons. It was genuinely worthwhile for him to attend these meetings.

That said, I would like to thank Mrs Saïfi for her excellent report and I welcome the draft resolution. It supports the efforts already made by the Commission to assist the European textile and clothing sector in also taking up the challenges set by the abolition of quotas since January 2005. Our objective is clearly to lessen the impact of a historic agreement on trade liberalisation, which was finalised exactly 10 years ago. We all recognise that the European Union's trade policy should guarantee the best environment and the best possible conditions for the sector so as to enable it to face the competition on equal terms. The shake-up of the regulatory and trading environment ought to encourage us to turn to the future and go on the offensive, to find new commercial outlets and to create markets, rather than to seek only to protect ourselves from competition on the internal market.

I am now going to address the principal trade issues raised in the draft resolution. Firstly, with regard to Chinese imports, I will speak about the EU-China agreement of 10 June 2005. Following months of negotiations, we are pleased to have reached an agreement with China, which guarantees a more moderate growth in imports in the main categories of products. This gives European industry an additional two and a half years in which to continue the process of reorganisation and adaptation.

The broad support given to the Commission's approach by the Member States indicates that a negotiated agreement was certainly the best means of confronting the influx of Chinese imports, and this for various reasons. Firstly, most EU products are covered, that is to say around half of the imported products that were liberalised in January 2005. Secondly, there is only a slight difference between the quantities agreed and what would have resulted from the mechanical application of the safeguard clause if it had been implemented. It must be well understood that there was really no alternative solution. Implementing the safeguard measures on a case-by-case basis would have been economically destabilising and politically very difficult. The agreement will provide more clarity, certainty and credibility for businesses on both sides (producers, exporters, importers and retailers) and will promote textiles exports from developing countries and Mediterranean countries to Europe. This agreement is therefore in everyone's interests.

The question of whether we will refrain from taking safeguard actions in the future and on other products remains. The European Union has not relinquished its legal rights, but it is clear that we have entered into a transaction. We do not rule out possible future actions if they are really justified. Careful monitoring will therefore continue. From now on, we have to focus our attention on the interests of the European Union, interests that we are going to defend forcefully, in the textile sector: market access; intellectual property, the Euro-Mediterranean zone, rules of origin and origin marking.

The action plan on market access, debated by the High-Level Group on 14 June 2005, should be officially adopted and implemented with the emphasis on intellectual property issues. Increased convergence of market access conditions in the textile and clothing sector is also required. It would be advisable to reduce customs duties within the context of the WTO. They should be set at the lowest possible level for LDCs and vulnerable developing countries. Non-tariff barriers need to be tackled effectively: that is a key objective of the WTO negotiations on market access for non-agricultural products; the tariff reductions envisaged by the European Union would be acceptable if a significant number of countries, in order ideally to attain a critical mass, made comparable offers in return in terms of market access. The Commission is considering putting forward proposals on origin marking and labelling. These proposals will enable both appropriate information and guarantees on the origin of clothing items to be provided, whilst avoiding placing an unnecessary burden on businesses.

The new system of generalised preferences, which offers preferential access to developing countries, was adopted on 27 June and will enter into force on 1 January 2006. A specific safeguard clause for clothing products has been introduced. It excludes any country recording an annual growth in exports greater than 20%. That clause is the only concession in a global stability agreement that will remain in force until the end of 2008. China has been excluded from it and the status quo is maintained for India.

As regards the reform of preferential rules of origin, the Commission is going to carry out an impact study in the most sensitive sectors, including the textile and clothing sector. We have to measure the effects of change on EU industry and on developing partner countries.

I now come to the Euro-Mediterranean zone. We share your desire to establish a genuine Euro-Mediterranean zone in which goods can move freely and are exempt from customs duties. Since the 1970s, textile products

have entered the EU market exempt from customs duties and, in parallel, the Mediterranean countries have progressively abolished customs duties on EU exports. The competitiveness of the Euromed textile industry depends less on customs duties than on competition from Asia, on the preferences granted by the European Union to Asian countries, through the GSP, on the relaxing of the preferential rules of origin and on unfair competition caused by China's lax compliance with employment law. Although the cumulation of origin has been delayed at the Council, every effort is being made to speed up the procedure and to ensure its entry into force in autumn 2005.

Conclusions: the Member States overwhelmingly supported the agreement reached with China; the industry obtained an additional transitional period to improve its competitiveness both at international level and within the Union, and the Commission is going to monitor the programme of positive actions regularly and thoroughly with a view to securing the future of the European textile and clothing sector.

With regard to your request for regular updates, the Commission will keep Parliament regularly informed of the implementation of its initiatives. That said, I am not going to go so far as to promise you a report every three months, but I believe that it would indeed be quite reasonable for reports to be made to Parliament on a regular basis.

**José Albino Silva Peneda (PPE-DE)**, *draftsman of the opinion of the Committee on Employment and Social Affairs*. – (PT) Mr President, Commissioner, the import of textile sector goods from China is the first stage of a new phenomenon, which marks the start of an inexorable invasion of Chinese products into European markets. Textiles are the first stage, and other sectors of production will follow.

We cannot deny that Europe does not have any effective response to this new phenomenon, which is a consequence of globalisation. Let us be clear: Europe must compete with parts of the world where products are manufactured by workers earning the lowest salaries. Yet Europe cannot compete – indeed no region can compete – with parts of the world where the currency is kept artificially undervalued, where depreciation on investments is not paid, where energy costs are not paid, where environmental rules are not observed, where slave or child labour is used, and all of this with the collaboration of the national authorities of the country in question.

The EU needs to reconsider its approach to talks on international trade agreements, so as to increase pressure to strengthen corporate social responsibility and to encourage strict compliance with International Labour Organisation rules and conventions, and international conventions on the environment and human rights. These principles must form part of EU bilateral and multilateral trade agreements.

I also fear that textile imports are not being adequately monitored. Information passed on to me by organisations working in the sector indicates that in June 2005 the quantities recently agreed between the EU and China for this year have been far exceeded. I sincerely hope that the EU, in the guise of the Commission, demonstrates very quickly that it is capable of enforcing what has been agreed.

**Joan Calabuig Rull (PSE)**, *draftsman of the opinion of the Committee on Industry, Research and Energy*. – (ES) Mr President, I would like to thank Mrs Saïfi for the work she has done on this report. What we are proposing today to the House is an expression of concern about the difficult situation being experienced by the European textile sector and, furthermore, it proposes concrete measures for dealing with the enormous challenge facing it.

Firstly, we believe that it is essential to demand reciprocity. In other words, we want equal ground rules for everybody, transparency in access to the markets and respect on everybody's part for social and environmental laws. But, secondly, we are calling for practical support for speeding up the restructuring of companies in order to increase competitiveness and in order to guarantee their future within the new global framework.

We need a restructuring of the sector, which must be promoted at all levels, European, State and regional, and which must be based on social and institutional dialogue. We need to resolve the fundamental problems by means of a modern industrial policy.

This resolution therefore requests from the Commission and the Member States a European strategy on textiles and clothing aimed at improving processes that add quality, at producing innovative and technologically advanced products, at attaching particular importance to trademarks, at increasing efforts in the commercial field, at including the techniques of the new economy and at ongoing professional training.

In order to fulfil these objectives, we will need a European textile plan that includes aid for restructuring and specific resources within the framework of the Union's funds. Two instruments must make a decisive

contribution to dealing with the future of the sector: the launch of the European technological platform, which will allow for the creation of a coordinated strategy in the field of research, and access by the sector to the Seventh Framework Programme, in accordance with the sector's own specific characteristics, such as the high number of small- and medium-sized enterprises.

European textiles are recognised throughout the world for their quality and their design, they have demonstrated their ability to adapt and now, if they receive the urgent support they need in view of the profound changes facing them, we can proclaim that they have a future.

**Pedro Guerreiro (GUE/NGL)**, *draftsman of the opinion of the Committee on Regional Development*. – (PT) I should like to highlight a number of points and proposals contained in the opinion of the Committee on Regional Development.

Firstly, the abolition of quotas in the textiles sector may have harmful consequences in the EU's least favoured regions. This is a key sector for the EU with huge potential, a sector that is capable of helping to turn economic and social cohesion into reality. The EU must support this sector as an industry, both at national level and across the Community as a whole.

A Community programme must be set up for the sector, and especially for the less favoured regions depending on it. Support for modernisation and promotion of the sector must be regarded as an objective cutting across EU policies. The safeguard clauses provided for in trade agreements need to be invoked as soon as possible, in order to protect the sector in the EU both at the present time and with an eye to the future. The 'emergency procedure' provided for in the guidelines for invoking the safeguard clause should now be launched, with all the categories affected being included.

I should like to add a few additional points. The prime concern of the so-called memorandum of understanding concluded between the Commission and China on 10 June 2005 is to legitimise the current situation, with its devastating impact on the sector, especially in countries depending on it, and this is something that we find unacceptable. As organisations involved in the sector have said, on the basis of data provided by the Commission, what was agreed in the memorandum has led to exports increasing from 49% in 2004 to the 318% projected for 2005, a far cry from the 8, 10 12.5% figures announced.

Furthermore, by 20 June, reported exports from China had already exceeded the 10 June agreement for almost all products. Inexplicably, the Commission forfeited the right to the safeguard clauses, thus restricting its implementation. The Commission and the Council have acted in a way that has clearly demonstrated their lack of commitment to defending this European industry. They are therefore the main culprits for the terrible situation of thousands of businesses and for the destruction of thousands of jobs, with devastating social consequences. Hence the proposals for amendments that we tabled.

**Nicola Zingaretti (PSE)**, *draftsman of the opinion of the Committee on Legal Affairs*. – (IT) Mr President, ladies and gentlemen, it appears that an analysis of the completed proposals and a European policy and strategy on the textiles industry are finally taking shape.

That is essential because millions of citizens have been turning to us in recent weeks and calling on us to act on these issues. We cannot ignore their impatience, and at times anger, which is linked to the feeling of living in an era in which the phenomena of globalisation are in the end governed by the United States, used by large countries such as India and China, and paid for, in various ways, by developing countries and by Europe.

It is with this in mind that the report clarifies the fact that the policies and strategies for the textile industry do not amount to state aid or protectionism, but rather to full acceptance of the rules of trade. It demands, however, that everyone should respect the rules and it points out the path to be followed: the opening-up of markets and competition should be seen as an opportunity, but at the same time the European Union needs to enhance its actions for the textile industry, for its modernisation and restructuring, for innovation, for research and for employee training.

The report also calls upon the Commission to adopt a clear initiative on three points. Firstly, it calls for a policy guaranteeing that the rules of free trade are respected within all manufacturing countries, particularly China, and therefore that the state aid or hidden subsidies granted to businesses, which distort competition, are reduced. Secondly, it strongly calls for the recognition and implementation of ethical, social and environmental clauses, aimed at widening the scope of worker's rights and improving working conditions. Finally, a more effective fight against counterfeiting, fraud and forgery is called for, which must be pursued

by tightening up the penalties imposed on retailers and purchasers of counterfeit items and by adopting a traceability system.

I will conclude by stating that we would have liked more clarity on other points, for instance the inclusion of an active strategy for consumer awareness and more precise words with regard to the immediate introduction – and I am pleased that the Commissioner said it – of a mark of origin for all textile and clothing goods, precisely in order to protect and revive one of the strengths of our production. Everything, however, now rests on the policy and on Europe's ability to make itself heard and respected.

**Daniel Caspary**, *on behalf of the PPE-DE Group*. – (DE) Mr President, ladies and gentlemen, a few days ago, the Commission, with our support, succeeded in coming to an agreement with China, the object of which is to protect the European textile industry from a veritable tsunami of Chinese textiles.

There is good and bad in this. It is good that it gives the textile industry in southern Europe some breathing space, but let us also consider the agreement's negative aspects: by reintroducing quotas, we are establishing barriers to trade, and that is what we always criticise the Chinese for doing.

Who is to determine which importer is allocated which quota? Is it to be done on the basis of 'first come, first served', or is there to be preferential treatment for those who already have longer-standing contracts to supply? Are there perhaps other variations? If so, with what justification, and how does the Commission propose to determine that?

What about the supermarkets and traders who, in anticipation of the quotas expiring, have placed big orders in China? Will they get their goods? Will the shelves now remain unreplenished, or will someone pay them compensation if they have to buy their products less cheaply elsewhere in the world?

What about the European textile firms, who, in anticipation of the quotas expiring, have, on the one hand, relocated their production to China and, on the other, have further expanded their marketing and distribution in Europe? Can they get supplies from their own factories in China, or will the reintroduction of quotas be just tough luck on them for having lost their livelihood and been obliged to lay off their workers in Europe?

What about the textile manufacturers who have spent the last few years and their own money restructuring themselves? Will they now be penalised, while the companies that did not face up to the challenge get money from the Structural Funds?

To those businesses that have not so far come to terms with the new *status quo* on the global markets we are giving a final chance to make good their omission, but it is no part of any European protection and subsidy policy's remit to be the textile industry's permanent insurance against the future. We are talking here about what businesses, their managers and workers, are fundamentally for, and so I call on them to face up to this challenge.

**Francisco Assis**, *on behalf of the PSE Group*. – (PT) Mr President, I shall start by commending Mrs Saïfi on her outstanding work. The issue before us is the need to draw up and implement a trade and industry strategy to ensure the viability of the European textiles and clothing industry in the context of the major opening up of the international markets.

For such a strategy to succeed, it will require both defensive and more proactive measures to be adopted. The defensive measures relate to the need to help to regulate international trade in the sector, and in this regard, we welcome all initiatives aimed at ensuring reciprocal conditions of access to markets and at invoking all ethical, social and environmental clauses guaranteeing such proper regulation of the international markets. This is not about protectionism. It is about ensuring that international trade in this sector can take place on the basis of justice and fair play.

Proactive measures must be adopted, because this is also about the worldwide competitiveness of this industrial sector. Such proactive measures entail the EU adopting a more aggressive industrial policy for this sector, which is a hugely important sector. In this context, we also welcome all initiatives aimed at fostering greater investment in research and development, at promoting innovation and at improving access to funding, which is one of the key problems that these businesses have to face.

Over 95% of this business landscape is made up of small- and medium-sized enterprises, and one of the most serious problems that they face is precisely that of access to funding. Against this backdrop, we feel that it is vitally important that steps are taken to invest in technological progress in manufacturing, to create



mechanisms for fashion and new services, to invest in technical textiles and in non-technological innovation and to set up a technology platform with a view to strengthening this industrial area.

In this respect, there are, from our point of view, two components that should be brought to the fore: the trade component and the industry component. If the two go hand in hand, it may be possible to make the EU textiles and clothing sector viable. To conclude, I wish to repeat our call for the international markets in this sector to be regulated and the EU must table clear proposals in the context of the Doha Round, and when we say this we are not calling for protectionist measures to be adopted. This is a sector that must be opened up, and that must strengthen its capacity to compete in international markets. Yet we are only talking about regulation of international trade in this sector that has very specific characteristics. It is essential that this take place.

**Sajjad Karim**, *on behalf of the ALDE Group*. – Mr President, the issue of textiles and clothing after 2005 in many ways marks the demonstration of a new era in world trade practices and the growing strength of emerging economies. This new era is one that belongs to the innovative, those with relevant knowledge and those who are able to recognise changing world climates and adapt accordingly.

There are many well-rehearsed arguments setting out the current difficulties that we are facing in the textiles sector here in the European Union. Whether they are that, as a continent, we simply were not prepared for 1 January 2005, or that the Chinese state involvement in the production processes of its manufacturers distorts true market competition, it is certain that the experience we are having today with textiles will, in time, prove not to be unique. Indeed, I just read a report in *The Guardian* newspaper this morning that sets out details of the first round of imports of 4x4 vehicles from China, at a price that I cannot see any current suppliers ever being able to match in the EU. That is the extent of the competition that we are now facing.

We must recognise that the economic world order is now changing at a pace as never seen before. That creates for us many managerial challenges at EU level and it is here that we, as an institution, must do all that we can to empower our entrepreneurs with knowledge so that they may continue to compete and lead the field in our areas of expertise.

It is not desirable that management of the sort that we have recently had to endure through negotiations with the Chinese should happen again with any of our competing partners. The Commission was right to take the steps that it did, but that is no long-term solution. Our experience should widen our vision, strengthen our position, so that we may seize the opportunities that lie within the management challenges that we face.

I represent a constituency with a long history of leading in the textiles trade. The cotton mills of Lancashire helped form the backbone of the industrial revolution in the United Kingdom. Much of that has changed over the years. Mills that once employed thousands now employ in the very low hundreds. That change started in the 1980s, when changing conditions demanded computer-generated production processes and the longer-term efficiencies that they produce.

It was unfortunate in Lancashire that the management of the process was not provided at a governmental level, and many valued and skilled people found themselves with redundant skills overnight. The vision, lack of provision of knowledge to empower and innovation was not catered for at a national level. The new changing circumstances that we face must not be allowed to be a repetition of that experience, but rather a window in which we evolve our industry.

The report, as finalised by the Committee on International Trade, is one that I am able to recommend to this House. I congratulate the rapporteur.

**Caroline Lucas**, *on behalf of the Verts/ALE Group*. – Mr President, I thank Mrs Saïfi for her timely report and believe that the end of the Multifibre Agreement poses a very great challenge to a great many countries around the world. The World Bank and the World Trade Organization predict that as a result of the abolition of all quotas China's share of world trade in textiles and clothing will rise from 17% in 2003 to over 50% by 2010.

Some argue that to date China's imports have mostly grown at the expense of imports from other third countries which have seen their share of the EU market decrease, but it is already very clear that the EU textile and clothing industry is experiencing significant pressure. According to the European apparel and textile organisation, Eurotex, the sector could risk losing 1 000 jobs a day and up to a million jobs before the end of 2006.

I welcome the steps that the Commission has finally taken to address the problem but I wonder what makes them so confident that a few years' breathing space will really make any long-term difference. Since the sector in the EU has already had ten years in which to make adaptations to this new reality, what more will they do in the next few years that they have not already done? My concern in saying that is that the Commission is underestimating the size of the challenge we face.

Its response has been to urge European manufacturers to produce higher-value products rather than competing with China on basics, yet China's ability to climb rapidly the value-added ladder across so many sectors shows how unhelpful this advice is.

The Commission has also failed to acknowledge that this challenge is a systemic one, not a one-off sectoral one. The textile sector is likely to be only the first sector among many. As Mr Karim has just said, we already know that there are many other sectors that are about to cause us concern in terms of Chinese competition. I am thinking of footwear, bicycles, machine components, and also high-tech goods. But if the impact in the EU will be severe, in many parts of the developing world it will be devastating, especially for women who are disproportionately represented in these sectors.

In 2000 textiles and clothing accounted for 95% of all Bangladesh's industrial goods exports. In Laos they accounted for 93%, Cambodia 83%, Pakistan 73%, the list goes on. The sector employed nearly 2 million workers in Bangladesh, 1.4 million workers in Pakistan. Little wonder, then, that several dozen countries led by Bangladesh and Mauritius made an eleventh hour appeal to the World Trade Organization to save their textile industries. It is very unfortunate that their appeal fell on deaf ears, because China's deflationary pressures are already driving down wages, pushing global suppliers to reduce their workers' rights and conditions in a bid to remain competitive.

In the Philippines, for example, the government has ruled that its law on the minimum wage will no longer apply to the clothing industry. The Bangladeshi government has recently announced that it will increase the number of authorised overtime hours and reduce the restriction on women's night work.

Now, part of the solution undoubtedly lies in pressure on China to meet social and environmental standards, so that its competitive advantage is not based on the appalling exploitation of workers or the environment. But that alone is not enough. The challenge posed by China raises some fundamental questions about the logic and direction of free trade itself and it demonstrates the destruction that happens when a country has not just a comparative advantage but a more or less absolute advantage in so many areas. The old theories about free trade always being a win-win arrangement are shown to be fundamentally flawed and therefore the Commission urgently needs to undertake more research in order to understand these new trends better and formulate appropriate policy approaches.

Finally, I just want to say that I regret that two of the amendments submitted today link textiles and REACH. I think those amendments are very misleading and unhelpful and unfortunately, largely because of those amendments, my Group will abstain on the final vote on this report.

**Helmuth Markov**, *on behalf of the GUE/NGL Group.* – (DE) Mr President, I cannot fathom the general uproar about the rapid increase in textile imports from China since 1 January this year, for it was clear to all of us that this was precisely what was going to happen. If you open up and liberalise the markets without imposing conditions, you simply have to expect other producers to seize their opportunity and benefit from it by rushing headlong into the newly-open markets.

Just take a look at China's main imports at present: aluminium smelters, casting machines, presses, moulding dies, and roller mills. What that tells you is that we will have enormous problems in five years' time – in the footwear industry, in the bicycle industry, in the car industry and in iron- and steelmaking. Not even the stay of execution until 2008 provided for by special safeguard clauses will solve the problem; it will do no more than alleviate it. It is naive to demand the same conditions of competition for trade with China and with other countries. Does that mean that, from 2008 onwards, a worker in the European textile industry will have to take home the same pay as his Chinese counterpart in order to be able to compete? The idea is absurd.

It is both an absurdity and a scandal that the European Union, by going as far as to subsidise those companies that transfer production to third countries, is sawing through the branch on which it sits. The only chance of a solution lies in the complete recasting of the EU's trade policies. The EU must commit itself to a system of fair trade, and that involves abandoning the unfettered opening-up of markets and liberalisation. A fair balance of interests implies the promotion of trade where it is rational and not an end in itself, alongside the

maintenance and promotion of local production and regional economic cycles, not only in our own regions but also in developing countries.

This also involves something for which my own group has called, namely a commitment on the part of the European Union to improved working conditions and workers' social security entitlements, as also to high environmental standards both in our own industry and in the production systems of our trading partners. This means taking into account, as appropriate, developmental differences between our various trading partners. It has to be said, though, that it is urgently necessary that the Commission's mandate for trade negotiations be redrafted once and for all. The old mandate, dating back to 1999, has failed twice, in Seattle and Cancún, and it will fail again in Hong Kong. I do not grasp how the Commission is meant – as this report itself puts it – to draw up its future mandate itself.

I endorse the rapporteur's demand for targeted support for research and development in the textile sector, where priority should be given to the development of safe, chemical-free textiles by way of the consistent application of the principle of mutual recognition, wholly in the spirit of REACH. I believe that there is also a need to ensure that consumers do not become specimens for the testing of textile products derived from every variety of nanotechnology before the effects of this have been adequately researched.

**Bastiaan Belder**, *on behalf of the IND/DEM Group.* – (NL) Mr President, since the abolition of the import quotas in January 2005, the global textiles sector has undergone drastic change. Alongside spectacular growth in the Chinese textiles exports, there is a deep crisis in the textiles sector within the European Union and in the developing countries including Bangladesh, Cambodia and Laos. I share the rapporteur's concerns about the considerable growth in the quantity of Chinese textiles on the European market, and call on the Commission to closely monitor the implementation of the bilateral agreement between the European Union and China between 2005 and 2008. Let me underline the fact that this agreement is just the first step in making the global textiles market fair and enabling it to function properly. The Commission must continue the dialogue with Beijing to make it clear that a liberalised world market is dependent on a level playing field if it is to function.

Under no circumstances is it compatible with the principles of the free market that illegal state support systematic export subsidies should be paid, that intellectual property rights should be violated and that a country's own market should be insufficiently open. These things cannot be explained by ignorance, given the precision with which Beijing reminds the European Union of its WTO obligations. The rapporteur is right to ask that attention be paid to China's compliance with labour guidelines. In many factories, the workers, including many children, are required to work under appalling conditions. The Commission must actively pursue a policy aimed at improving working conditions in China. That is not only vital for the Chinese workers, but also for textile workers in neighbouring countries. As a result of the Chinese expansion, textile companies in those countries are forced to reduce production costs still further in order to remain competitive internationally.

I do think, though, that it is disappointing that the rapporteur should take so narrow a view of the future of the European textile sector as lying in a Euro-Mediterranean zone. Within the complex global textiles market, the European Union should not primarily focus on cooperation with one region. Moreover, concluding a trade agreement with a country such as Syria is, given the current human rights situation, unthinkable.

The Commission must clearly map the opportunities and threats within the global textiles sector without import quotas and formulate clear policy for the European textiles sector after 2008. Only a commercial and innovative European textiles sector can retain a competitive position on the global market.

**Cristiana Muscardini**, *on behalf of the UEN Group.* – (IT) Mr President, ladies and gentlemen, the action launched some months ago by the European Union, which has been hit hard by the intolerable increases in textile and clothing imports from China, has started to produce results by means of the memorandum of understanding. Total liberalisation, however, will only come about in 2008.

The report by Mrs Saïfi, whom I truly thank for her excellent work, rightly insists that the utmost attention continue to be paid to verifying the good will of the Chinese authorities and to keeping a worsening situation under control.

By means of the amendments to the final text, I wished to emphasise a number of extremely important aspects for the European textile sector and for manufactured goods in general.

Suitable penalties today need to be laid down, such as putting a ban on trade with the European Union for a certain period of time for all of those found guilty of illegally importing goods or of importing counterfeit goods, and who are thus implicated in a crime, the severity of which must be judged in terms of its repercussions on European society as a whole, not only on producers, but above all on consumers.

I call for constant monitoring of the Chinese authorities' commitment to combating piracy the counterfeiting of trademarks and products, and child exploitation, and to ensuring respect for workers' rights.

Another important problem arises from the fact that the boom in textile exports from China has caused devastating effects in those developing countries whose principal and essential market for placing and selling their goods used to be the European Union, which is now overloaded with Chinese goods. The needs of those countries must also be taken into account as the sector finds a new equilibrium in the next few years, which will be marked by trade liberalisation.

It is the Commission's responsibility to implement strategies providing vital support for modernisation and enabling businesses to confront, in an informed way and with a clear outlook, a path that is still an uphill climb, particularly for small and medium-sized enterprises.

Liberalisation of the global market cannot occur if the parties involved do not all respect the same rules and the provisions resulting from the agreements. The absence of rules or the failure to respect them prevents fair competition, and, in actual fact, invalidates the very concept of the free market. We are not only protecting an important EU sector of production, but we are also protecting the right of consumers to have access to safe and quality products, and the right of workers to know the true prospects for their future and to have the social clauses implemented with respect for human rights.

The European Union has to forcefully say to the rest of the world that there can be no free market without fair competition, and that in order for competition to be fair, the common rules must be respected.

**President.** – Several Members are addressing the Presidency with regard to the serious events currently taking place, of which you may be aware, involving a series of explosions on the London transport network. Several underground stations and several buses have been targeted, and it is reported that there are some people injured, perhaps some fatalities; we do not know any more for the moment.

I understand that Members wish to speak on this matter. I should simply like to say to them that the Presidency and the whole of Parliament are, of course, extremely concerned by what is happening. I simply propose that we do not open a debate now. These events are ongoing. I have been informed about them. I have requested information. There has been yet another explosion only a few minutes ago. A third incident, as the British call it – but it is more than that, it was in all likelihood an attack – has occurred in a London underground station. I believe that we should wait a little while longer before debating the issue, to find out what is happening and to have more information. For the time being, the London underground is completely blocked off, paralysed, closed.

In the meantime, I was very keen to make this announcement to you, and to say that our Parliament is obviously very concerned about what is taking place. I therefore propose that we continue our debate whilst awaiting further information.

**James Hugh Allister (NI).** – Mr President, important as this debate is, it pales into insignificance when compared with the atrocious terrorist attacks in my capital city today. I would like to join, I am sure in the name of all in this House, in utterly condemning that terrorism and in expressing condolence and sympathy to those who have been injured and killed.

We live in an age where terror seems to know no bounds. Coming from Northern Ireland, where we alas have known much of that in our history, one's heart goes out to the people affected by this morning's terrible events.

Turning to this subject, Northern Ireland, like many parts of Europe, once boasted a vibrant and large textile industry. Today it is reduced to all but nothing, with thousands upon thousands of job losses. Since trade policy was foolishly handed over to the exclusive competence of the EU, the plain truth is that Member States are powerless to act in the face of cheap imports ravaging their textile industry.

The plain truth is also that the EU has failed the textile industry. The abolition of import quotas on 1 January 2005 has, in the UK and elsewhere, caused soaring imports, especially from China. Whereas we are denied

import quotas, China's state owned factories benefit from export subsidies, state aid and even free electricity, as well as the benefits of its artificially undervalued currency. Little wonder that we cannot compete.

Commissioner Mandelson's decision to impose anti-dumping duties on certain synthetic fabrics is welcome so far as it goes, but often such fabrics are then further processed in China to give them added value, thereby avoiding the anti-dumping duties. For example, a synthetic fibre that might be subject to that duty is given added value by making it into a roller blind, whereby it escapes the anti-dumping duty and is dumped in the EU at ridiculous prices. That loophole must be closed.

Generally, the Commission needs to be much more robust with China than it has been hitherto.

**President.** – Mr Allister, Parliament, which, I believe, in its entirety supports the condemnation of terrorism that you have just made, also expresses every sympathy for the injured, since at present we still do not know whether there have been any fatalities.

Terrorism, since that is apparently what we are concerned with here, will always be met by Europeans who are prepared for terrorists and who refuse to yield. We know that there were several major events in London yesterday, a happy event with London being chosen as the 2012 Olympic city, and the G8 taking place. What has happened, therefore, is certainly no coincidence. Let us then condemn these acts in the strongest possible terms.

**Maria Martens (PPE-DE).** – (NL) Mr President, I too should like to express my sympathy to all the victims. Since 1 January 2005, WTO members can no longer impose quotas on textile and clothing imports. The impact of this measure on the European market has proven to be enormous, both for importers and producers. It is a good thing that the Commission has engaged in dialogue as a means of finding a solution to this dilemma, for by doing so, it has given the European producers some breathing space – no more than that, and nor can it be more than that, for the WTO does not allow any more and is not expected to change its position.

European producers will now have to come up with a real response to the new situation. We need a strategic response to the problems in the long term, because the European textiles and clothing sector, and not that sector alone, has a structural problem. There are many products that are, or can be, produced more cheaply in China, or maybe in other countries too. It is also a fact that China fails to adhere to the WTO rules, and this is a major problem, particularly in the areas of intellectual property, working conditions, the environment and market access. It is because of this that it can produce more cheaply, and the resulting unfair competition is something that really should be addressed. Compliance with the existing rules must be ensured. Many poorer countries have, in recent years, become hugely dependent on the textiles and clothing sector, and they, too, are seeing jobs disappear as they struggle to compete with China. We must prevent the least developed countries from becoming the biggest losers.

Too little consideration, moreover, is being given to the interests of importers and producers who, in response to the post-2005 situation, have entered into financial commitments, sometimes major ones. They should not become the victim of a rescue operation in a section of the production industry. They are entitled to predictability and legal certainty.

Finally, we can, of course, protect our trade position, but always in line with the WTO, and showing due responsibility towards poor countries, and in respect of fair trade, human rights, and the environment. I might add that all WTO members should, in fact, do likewise. My compliments to Mrs Saifi.

**Harald Ettl (PSE).** – (DE) Mr President, over the last three years alone, over USD 20 billion was invested in China's textile and clothing industry, much of it even coming from our own industries, and its capacity increased by 50%. What that means is that in China, every year, 20 billion articles of clothing are produced, equivalent to four items for every human being on this earth. That sums up its capacity.

Let me now pass on to the social aspect. Women working in China's textiles industry have a place right at the bottom of the social scale, many earning less than a dollar a day and, moreover, without any rights. Even so, China's share in global textile markets is soaring. The poorest states in the world are now losing even their textile industries. Africa, stricken with Aids, is losing thousands of jobs a day. The European Union is currently losing a thousand a day. Around the world, over 30 million jobs are under threat of relocation, not to mention the 30 million jobs accounted for by sub-contractors. This is more than just a fundamental change in the world of work; it is a catastrophe.

Things have come to such a pass in China that the country is competing with itself; social security rules are being cut back and businesses are being discharged from their social obligations. While we talk about fair trade and core labour standards, capital can do as it pleases.

The one thing I ask of you, Commissioner, is that you raise the issue of social security at the forthcoming WTO negotiations in Hong Kong. Saying 'yes' to liberalisation means that the 'how' has to be considered as well. This I say in my capacity as Vice-President of the International Textile, Clothing and Leather Workers' Association, whose members – over 10 million in 110 countries around the world – are devastated by this catastrophe.

**Danutė Budreikaitė (ALDE).** – (LT) The textile sector was the first sector of EU industry to feel the pain of changes in the global market. New market participants have appeared on the textile market, above all China and India. It is sad to hear statements by European Union officials that when China's membership of the WTO was negotiated ten years ago, no one imagined such growth in China. Textiles and other sectors with problems show that this is not about a single European state's inability to manage its economy. It is a problem for the majority of industrial sectors in the whole of Europe. While having an industrial policy, the European Union only really predicts the general direction for growth and employment. The sectors recommended for expansion are not identified; this is a matter for the Member States. As a counterbalance to China, the rapporteur proposes to concentrate textile production in the Mediterranean region. However, this will definitely not stop China, and Europe will have new competitors. There is a need for an analysis and long-term development forecast of EU industrial sectors, taking into account the appearance of new market participants and the division of markets. I therefore invite the European Parliament to urge the European Commission to prepare proposals to amend industrial policy, to forecast long-term industrial development up to 2030-2050 and to submit recommendations to industry about sectors of the future that should begin to be invested in now. If we do not undertake such measures, a Chinese 'tsunami' will devastate industry in Europe.

**President.** – We will now interrupt this debate, which will resume at 3 p.m.

## 6. Membership of Parliament: see Minutes

## 7. Communication of Council common positions: see Minutes

**IN THE CHAIR: MR BORRELL FONTELLES**

*President*

## 8. Announcement by the President

**President.** Honourable Members, in the last hour, reports have reached me of what now appears to be a coordinated series of attacks on London's transport system. Explosions have been detonated on three buses and at four tube stations. Deaths have already been confirmed, and many people have suffered terrible injuries. I do not yet have any specific figures, but we may have to deal with many deaths. Reports of attacks are continuing, and they arrive every few minutes.

On behalf of Parliament I want to express our condolences to all those who are suffering the consequences of these barbaric acts. As President of Parliament and a citizen of a country that experienced only last year the horror of this kind of multiple attack, I want to send, on behalf of us all, a message of solidarity to the British people. We all stand with you today. We will never let the atrocities of terrorism defeat the values of peace and democracy in Europe.

I ask you now to observe a Minute's silence.

*(The House rose and observed a minute's silence)*

**IN THE CHAIR: MR TRAKATELLIS**

*Vice-President*

## 9. Voting time

**President.** – The next item is voting time.

(For outcome and details of votes: see Minutes)

## 10. Basic salaries and allowances of Europol staff

## 11. Financial Instrument for the Environment (LIFE +)

– Before the vote on Amendment 14:

**Marie Anne Isler Béguin (Verts/ALE), rapporteur.** – (FR) Mr President, ladies and gentlemen, I should like to replace part of the amendment, that is to say that we wish to replace the words ‘priority will be given’ with the words ‘the Commission will encourage’.

(The President noted that there were no objections to retaining the oral amendment)

## 12. EC-Switzerland Agreement (asylum requests)/EU and EC-Switzerland Agreement (Schengen)

– Before the vote on proposal for a decision no 1:

**John Bowis (PPE-DE), deputising for the rapporteur.** – Mr President, on behalf of the rapporteur and under Rule 53 of the Rules of Procedure, I would like to ask the Commission if it is now prepared to accept the amendments of this House.

**Louis Michel, Member of the Commission.** Honourable Members, the Commission maintains its position as stated yesterday by my colleague Commissioner Ferrero-Waldner, meaning that the consultation of the European Parliament is required.

**John Bowis (PPE-DE), deputising for the rapporteur.** – Mr President, in that case, again on behalf of the rapporteur, I should like to ask the House to refer this back to committee for further consultation.

(The House approved the proposal to refer the matter back to committee)

**Alessandra Mussolini (NI).** – (IT) Mr President, I believe that the European Parliament has a duty to respect the deceased. At this very moment, a series of new explosions is taking place in London. That is an attack against the entire Union, which cannot refrain from making contact with the current Presidency of the European Council.

(The President interrupted the speaker)

– Before the vote on proposal for a decision no 2:

**John Bowis (PPE-DE), deputising for the rapporteur.** – Mr President, I rise under the same rule, for the same rapporteur, and I put the same question to the Commission, please.

**Louis Michel, Commission.** (FR) I, of course, take account of Parliament’s position and will not fail to communicate it to the College.

**John Bowis (PPE-DE), deputising for the rapporteur.** – Mr President, that may be half a step forward, but I should still like to refer the matter back to committee for further consultation.

(The House approved the proposal to refer the matter back to committee)

## 13. EC-Canada Agreement on passenger data

– Before the vote:

**Sophia in ’t Veld (ALDE), rapporteur.** – Mr President, I should like to clarify that, by way of this report, we recommend that the European Parliament reject the agreement on the transfer of passenger data between the EU and Canada. That does not mean that the agreement cannot go ahead, even if we vote against it, because we are only being consulted here.

You may recall that the European Parliament last year rejected a similar agreement with the United States on grounds of both substance and procedure. The agreement was signed nevertheless and this House subsequently took the Commission and the Council to court. The case is pending and a court ruling is expected by the end of this year.

I need to underline that the agreement with Canada is much better in substance. We recognise that a good deal has been negotiated by the Commission. However, the Commission chose the identical procedure as it did in the case of the agreement with the United States. Both the European Parliament and the national parliaments are effectively being sidelined. The Commission should have chosen the assent procedure instead.

The Committee on Legal Affairs unanimously endorsed the view that the Commission has chosen the wrong legal base. If Parliament were to accept this procedure now, it would basically undermine the pending court case.

I reiterate, by voting for this report, the Council can still go ahead with the agreement. In other words, rejection by the European Parliament does not in any way jeopardise the agreement but, at the same time, Parliament remains coherent with its earlier positions and will not undermine the court case.

Therefore, I kindly ask you to vote for this report.

*(Applause)*

#### **14. Political situation and independence of the media in Belarus**

#### **15. The Balkans: 10 years after Srebrenica**

#### **16. Relations between the EU, China and Taiwan and security in the Far East**

#### **17. A world without land-mines**

#### **18. Impact of lending by the EC in developing countries**

#### **19. Forest Law Enforcement, Governance and Trade**

#### **20. Clearing and settlement in the EU**

*– Before the note on Amendment 2/revision:*

**Piia-Noora Kauppi (PPE-DE), rapporteur.** – Mr President, there is a split vote on Amendment 2 to paragraph 26. The first part is up to the word 'market' and then the rest of the amendment would be deleted, so it would be similar to the original form in committee.

I propose that the first part be adopted. The second part would not be adopted; it would be rejected.

*(The President noted that there were no objections to retaining the oral amendment)*

*– Before the vote on Amendment 3/revision:*

**Piia-Noora Kauppi (PPE-DE), rapporteur.** – Mr President, there is a linguistic problem in this amendment. I should like the word 'and' changed to 'or', so that this is the least of all possible reasons why a clearing and settlement service can refuse access. So 'and' should be changed to 'or' in the English version – the original version – and then in all the other language versions.

*(The President noted that there were no objections to retaining the oral amendment)*

#### **21. Situation in Bulgaria after the elections – Progress made towards accession by Bulgaria and Romania with a view to the next progress report**

**President.** – That concludes voting time.



**Francis Wurtz (GUE/NGL).** – (FR) Mr President, I should like to make a practical proposal: we were unable to vote on Mrs Saifi's report on the textile industry this morning and I know that it is scheduled to be put to the vote this afternoon. I believe that, given the considerable implications of the textiles issues, not least for employment, we ought not to vote on such a matter rather hastily this afternoon. I suggest postponing the vote to the next part-session.

(Applause)

**Martin Schulz (PSE).** – (DE) Mr President, I think Mr Wurtz has got it absolutely right; what matters is not that we have not yet brought the debate to a conclusion, for that is in order. What matters is that, instead of holding the vote today, we should wait until the next part-session, which will be in September, and vote then. I strongly support the motion.

(Applause)

**Françoise Grossetête (PPE-DE).** – (FR) Mr President, I very well understand the arguments put forward by my fellow Members: they are right that the textiles issue is a fundamental one. I should simply like to remind you that the part-session in Strasbourg concludes on Thursday afternoons at around 5 p.m. and that Members should be in attendance. Requesting such postponements means finally accepting that we do not work up to the end of our part-sessions as they are scheduled. I genuinely regret that.

(Parliament approved the motion)

**Bernd Posselt (PPE-DE).** – (DE) Mr President, I had asked to speak even before the declarations of vote on the order of business. I would like to put to you the straight question as to whether it really is legitimate to move the adjournment of a vote before the end of a debate. I do not believe that it is. I believe that this should have been moved only once the debate was over, or, alternatively, that we could have voted this evening, and I would ask you to check this before then. In that case, we would have to include in the closing vote another vote on the motion for adjournment, for it was, or so I believe, irregular to vote on that in the middle of a debate.

## 22. Explanations of vote

### – Moraes report (A6-0139/2005)

**Claude Moraes (PSE), in writing.** I'm voting today for my Report on the initiative by the Grand Duchy of Luxembourg with a view to adopting a Council decision adjusting the basic salaries and allowances applicable to Europol staff because we have received some assurances that there will be a greater level of accountability and transparency in the way that Europol's activities are conducted. Europol is extremely important to European citizens and to the European Parliament. Its activities on issues such as drug trafficking, illegal trafficking of human beings and other organised crime is vital work which has increasing importance with the enlargement of the EU and potential further enlargements. In voting for my Report, I have noted the EP Hearing with the new Director in June 2005 of Europol and the EP visit to Europol's Headquarters in April 2005. It is important we support the work of Europol, but that, in turn, the Council understand the urgent need for accountability and transparency in Europol's core work. At present we have not yet achieved this level of accountability.

### – Isler Béguin report (A6-0131/2005)

**Othmar Karas (PPE-DE).** – (DE) Mr President, I just wanted to make it clear that I twice voted against Amendment 43 when we voted on the Isler Béguin report, not out of any ignorance of the content or of the proposal by the Committee of the Environment, Public Health and Food Safety, but because we should ask ourselves the fundamental question of whether individual committees should now, while we are in the middle of a debate on the financial perspectives, be able to adopt resolutions that go against what we resolved in relation to the Böge Report.

We will only have any clout in our negotiations with the Council if we, no matter how legitimate the individual committees' opinions may be, do not, in anticipation of the decision on the financial perspectives, sabotage the basis on which our decisions are arrived at. It is for that reason, bearing in mind our negotiations on the financial perspectives, that we have voted against.

**Christa Kläß (PPE-DE).** – (DE) Mr President, having voted against the Isler Béguin report, I wish to make clear that I am in favour of protecting the environment and also of the financial settlement, which is absolutely necessary. I also favour keeping to the position we arrived at on the financial perspectives, as laid down in the Böge Report. I am, however, opposed to the institutions giving support to environmental associations or non-governmental organisations, and against the European Union taking upon itself any more functions.

Even in protecting the environment, subsidiarity must be the order of the day. Primary responsibility for it lies with the Member States. That applies to forestry policy, and also to the buying-up of land for nature conservation. When money is tight, we have to concentrate on what is essential, that being support for the environmentally-responsible management of land.

**Ilda Figueiredo (GUE/NGL), in writing.** (PT) The Commission's proposal concerning the Financial Instrument for the Environment (LIFE +) falls short of what is required, in terms of financial resources, and it is unacceptable that it fails to cover the Natura 2000 component.

The report adopted today improves considerably on the Commission's proposal, by introducing, with improved funding, the nature and biodiversity component, which covers the creation, preservation and management of Natura sites, (the network of the most important nature sites in the EU), thereby helping to achieve the objectives aimed at halting the loss of biodiversity by 2010 and beyond.

The amendments that have been tabled clarify the objective of the LIFE + project. It provides for drastically reducing greenhouse gas concentrations in the atmosphere, protecting Europe's forests, providing more information on the environment and increasing the involvement of European citizens in achieving environmental aims.

The question now is whether this ambitious project can be implemented with the existing resources and political will.

**David Martin (PSE), in writing.** I voted for this report. Life + is the key instrument for the development, implementation, monitoring, evaluation and communication of community environmental policy and legislation. It will notably support the implementation of the 6th Environment Action Programme. We must ensure that a proper budget is established for Life + commensurate with its ambitious goals.

**Luís Queiró (PPE-DE), in writing.** (PT) The commitment shown by the EU to addressing environmental issues is, broadly speaking, worthy of our support. It is our responsibility to try to leave a habitable world for future generations; for this reason, the abuse of resources as though there were no tomorrow is disgraceful. Nevertheless, one must distinguish between policies to protect the environment and policies that bring the environment to the centre of the stage as though it were the only issue that existed. There are other key areas that we must not overlook, such as people, economic needs and development needs.

In this context, I broadly share the concerns that Parliament has expressed both in committee and in plenary debate, especially given that the common agreement is a reasonable one. We protect the environment because we put people first. That should be the principle guiding what we do.

#### – Kirkhope report (A6-0201/2005)

**Andreas Mölzer (NI), in writing.** (DE) There is much scepticism about the European Union among the Swiss public, who fear the loss of their political rights and do not want to allow anything to be imposed on them. To date, the Alpine state has taken the wise course of entering only into bilateral treaties, as a result of which it enjoys a privileged partnership with the EU, something that is also to be recommended to many other states who want to retain their sovereignty and characteristics.

The EU, racked by crises, slides on one banana skin after another, thrown into disarray by the German visa scandal, with the double 'no' to the Constitution and unresolved budget issues following close behind. It has to be said that this very rejection of the constitution may have made it easier from some of the Swiss to vote in favour of Schengen and Dublin, as it is more probable that they will come to like a loose federation of states than a centrally directed single state.

Against the background of prevailing suspicion, the veiled threat of Schengen/Dublin is not exactly likely to foster trust, the result being that everyone knows that they will have to vote in September on the extension of the agreement to the new Member States of the EU.

It is precisely this ignorance, and the all too obvious steamrolling of sovereign decision-making that causes the European public such concern. It is not acceptable that support grants worth millions and deceptive promises should be employed to entice new Members or bind countries closer to the EU, thereby robbing them of the option of going their own way outside it.

– **Sophia in 't Veld report (A6-0226/2005)**

**Agnes Schierhuber (PPE-DE).** – (DE) Mr President, speaking on behalf of the Group of the European People's Party (Christian Democrats) and European Democrats, I wish to welcome the agreement between Europe and Canada on the processing and forwarding of Advance Passenger Information and Passenger Name Records data, which we regard as thoroughly well-balanced. It represents a decisive step in addressing the sensitive issues of global security and the fight against international terrorism, of which we have seen another lamentable example today.

The PPE-DE Group has abstained from voting today, this being our chosen way of protesting to the Council at the short deadlines, which are scarcely credible and leave no time for the debate that needs to be held.

Our protest is directed solely at the procedure. We want this agreement, for on it depends the security of the citizens whom we in this House represent, and the way we have voted is intended to reflect that. I would like to express our congratulations to the Commission on the agreement and on the proposal, as also to the rapporteur.

**Carlos Coelho (PPE-DE), in writing.** (PT) I welcome the substance of the agreement with Canada on the use of Advance Passenger Information (API) / Passenger Name Records (PNR) data of passengers on flights to Canada.

I particularly welcome the principles of non-discrimination and reciprocity, the possibility of jointly reviewing the execution of undertakings made, and the fact that data transferred are limited by the 'push' system, which sets a positive example to other similar agreements such as the one with the USA.

I am delighted that, unlike the USA, Canada has a legislative data protection system, including supervision by an independent data protection Commissioner. I also welcome the fact that Canadian law allows citizens rights of access, rectification and even opposition as regards any personal information relating to them, and that the Canadian commitments extend this right to EU citizens who are not present in Canada.

I support Mrs in 't Veld's outstanding report and its proposals, and I agree that we need to wait for the Court of Justice's ruling on the USA PNR case.

– **Motions for resolutions: Belarus**

**Laima Liucija Andrikiienė (PPE-DE).** – Mr President, I voted in favour of the resolution on the political situation and independence of the media in Belarus. I am grateful to colleagues from different political parties and different political groups who supported this resolution. I look forward to the Commission's concrete actions to provide, as soon as possible, the necessary assistance to begin the broadcasting of independent radio programmes to Belarus from abroad – from Lithuania, Poland and, possibly, Ukraine.

**Luís Queiró (PPE-DE), in writing.** (PT) One of the direct effects of the most recent EU enlargement has been that politicians, the media and the people have increasingly turned their attentions to the countries that are now the EU's closest neighbours. One of these is rightly Belarus, where events over a number of years are cause for serious concern. As was abundantly clear recently with Ukraine, the EU is capable of using its influence to promote successful transitions to democracy. This idea lies at the root of the concerns expressed in the resolution that was adopted in this House and to which I gave my full support.

– **Motions for resolutions: Balkans**

**Luca Romagnoli (NI).** – (IT) Mr President, ladies and gentlemen, I hope that within our Europe we will never again have to witness a war against the sovereignty of a State. I hope that a situation never again occurs in which a national economy is crushed with the connivance of the World Bank, in which extortionate conditions are imposed one after the other, and in which public and state-owned enterprises are despicably expropriated or put out of business. I hope that everyone still feels shame for one of the most ignoble pages in the history of Europe, which caused death, misery and instability in the Balkans. With this in mind, I abstained from the vote on the hypocritical resolution on Srebrenica.

**Luís Queiró (PPE-DE)**, *in writing*. (PT) Ten years after one of the lowest points in recent European history, we should try to remember and learn from the terrible events of that time, and to understand two enormously important points: firstly, we should appreciate that peace, which most people nowadays take for granted, is a fragile gift, and secondly, great strides forward have been made in these ten years. Right now, our duty is to remember the horror and the part played by those who encouraged and carried out the massacre, to remember the fact that there were organisations that failed to protect the victims and to learn from the mistakes that were made.

**Catherine Stihler (PSE)**, *in writing*. The massacre in Srebrenica, Bosnia, ten years ago should never be forgotten. In July 1995, the Bosnian Serb army took control of the small spa town which had been declared as a UN 'safe area'. Within five days 7 000 men and boys were brutally murdered. This was the worst case of genocide in Europe since the Second World War. A decade later and still the men who ordered the massacre are at large. The EU must do all it can to put pressure on the relevant authorities to capture and put to trial those responsible for this atrocity.

**Georgios Toussas (GUE/NGL)**, *in writing*. – (EL) The Communist Party of Greece voted against the unacceptable motion for a resolution on Srebrenica because it endeavours to exonerate the murderous war by NATO against Yugoslavia and justify the crimes against its people, who were dismembered by the intervention by the American and European imperialists, initially causing war within the country and then the NATO attack. It is using Srebrenica to launder this dirty war and to legalise forthcoming movements to redivide the Balkans and imperialist interventions planned in the area as a whole.

An effort is being made to sanctify the US-inspired special tribunal set up in The Hague, the 'bill of indictment' of which has collapsed and been ridiculed.

As far as Srebrenica is concerned, we would point out that:

? the reasons for the foreign imperialist intervention cannot be concealed;

? the people remember that the bomb in the market square of Sarajevo which exacerbated the war was the result of action by foreign secret services.

The reference in the resolution to Srebrenica as the greatest post-war crime is a blind forgery of history, because the greatest post-war crime of imperialism in Europe to date is the slaughter of Yugoslavia.

Politically, those with moral responsibility for the war, for the bombing of the maternity clinic in Belgrade, the intensive care unit and the school in Alexinatz, for the slaughter of civilians, for the use of cluster bombs and for the destruction of infrastructures are the American and European imperialists.

#### – Motions for resolutions: China/Taiwan

**Luís Queiró (PPE-DE)**, *in writing*. (PT) One of the key areas of our relations with the Far East is the embargo on arms sales to China, which I support, although I am aware that this is, more than anything, a symbolic gesture, given that, even without European arms, China remains a threat to Taiwan, and that China still commits an alarming number of human rights violations.

China's power – both now and in the future – is not exclusively military in nature. It is now a growing economic power that uses a huge amount of energy. It is a demographic power. It is a diplomatic power, in view of its permanent seat on the United Nations Security Council and its diplomacy and cooperation policy of helping developing countries without imposing any kind of democratisation process; far from it in fact. Consequently, rather than simply discussing whether or not to remove the embargo, the EU needs to think strategically. Our prime objective is to ensure that China becomes a democracy. No democracy poses a threat to us, whereas a military, diplomatic and demographic power with huge economic strength and without democratic checks and balances might pose a medium- or long-term threat.

#### – Motions for resolutions: A world without land-mines

**Eija-Riitta Korhola (PPE-DE)**. – (FI) Mr President, I was unable to support the conclusions of the resolution on landmines, although, as someone who has been involved in development cooperation, I share this concern and I regard the use of landmines in developing countries as a great tragedy.

I represent an EU country that is committed to fulfilling its obligations under the Ottawa Treaty by the year 2016. By that time we will have scrapped the world's safest and least destructive mines, which protect our 1 324 kilometre long border with Russia. The mines have not just been left in the ground unsupervised: they

are in storage and guarded. When they were placed in the ground during the war, precise maps were produced so that they could be deactivated later on. No civilian can tread on a Finnish mine or accidentally step on the tripwire of a deactivated mine. Images of children with mutilated limbs do not apply to conditions in Finland. Countries where that happens cannot be part of the Ottawa Treaty. We already know that our defences are weakening substantially. We will have to find a substitute system with the same function but a different name. Our problem is therefore one of semantics.

One might ask what logistic strategy adheres to a set of morals that insists on the destruction of the present antipersonnel mines but agrees that some replacement system should be acquired. The purpose of warding off and destroying the enemy does not alter the fact that this weapon system is to be exchanged for something more modern, more expensive and more effective. The new systems are not in any way less lethal instruments of death than the current land mines. Their purpose is to prevent the enemy's advance. In resolving the problem we should focus more on the use of mines as instruments of terror than the equipment itself.

**Luís Queiró (PPE-DE), in writing.** (PT) Anti-personnel mines are among the most heinous devices used in warfare, as they, often invisibly, extend the horrors of the conflict into the future. We therefore naturally wish to express that we are committed to ensuring the success of the Mine Ban Treaty, and that we share the concerns that Parliament has raised in this regard. Our displays of concern and commitment to the success of this Treaty are not enough, however. Countries such as EU Member States must commit themselves to providing direct support for the victims, who are usually in countries with terrible development problems such as Angola.

**Geoffrey Van Orden (PPE-DE), in writing.** The PPE-DE Group abstained on the resolution tabled by the other political groups on anti-personnel landmines largely because we do not support those parts of the resolution which call for a widening of the anti-personnel landmine campaign to include anti-tank mines and other categories of munition, which are currently required in the inventories of our responsible armed forces.

These weapons are, in any case, under consideration by the parties to the Convention on Certain Conventional Weapons (CCW) – a highly responsible group which is examining matters such as detectability, fuse design and self-destruction in order to minimise collateral effects.

We attach importance to maintaining a broad consensus on the anti-personnel landmine issue, and therefore remaining focused on what really needs to be done – making safe those areas in many parts of the world where mines are a threat to the civil population and an obstacle to economic development and assistance to mine victims.

#### – Motions for resolutions: FLEGT

**David Martin (PSE), in writing.** The illegal and unsustainable exploitation of forests has a devastating effect on both mankind and nature. In vulnerable regions such as the Amazon, Central Africa, South-East Asia and Russia more than half of the logging activities are illegal. The government of Brazil announced last year that the destruction of the world's largest tropical forest, the Amazon, proceeds apace. In the 12-month period ending last August, farming and logging, much of it illegal, destroyed 10,000 square miles of forest. This was the biggest one-year loss since 1995, when the Amazon shrank by about 11,000 square miles.

Internationally the EU has committed itself to protect the last ancient forests and to fight the illegal exploitation and trade of timber through CITES, WSSD and CBD.

In May 2003 the European Commission published the Forest Law Enforcement Governance and Trade Action Plan. I urge them to speed up implementation of this important initiative.

#### – Kauppi report (A6-0180/2005)

**Bairbre de Brún (GUE/NGL), in writing.** My intention was to abstain on the vote on the resolution as a whole on the Kauppi report.

**David Martin (PSE), in writing.** I welcome this report as a contribution to finding a way forward in completing the Internal Market for financial services, specifically in the area of clearing and settlement for Securities Transactions.

A common regulatory and supervisory framework for clearing and settlements is necessary for the further integration of the single market in financial services. This report sets out a reasonable approach to devising such a system.

– **Motions for resolutions: Bulgaria/Romania**

**Hans-Gert Poettering (PPE-DE).** – (DE) Mr President, ladies and gentlemen, what I have to say on the subject of the vote on Bulgaria and Romania I say on behalf of the Group of the European People's Party (Christian Democrats) and European Democrats, and it is that it was our group that was the motivating force behind yesterday's debate. We wish to stress that the previous enlargement of the European Union was a great success, and that is what we want the accession of Bulgaria and Romania to be. In no group in this House were there as many votes in favour of the accession of Bulgaria and Romania as from our group, the PPE-DE. We want it to succeed; we also want the accession treaties to apply as a whole and to their fullest extent.

We have taken a different view as regards the observers. The Conference of Presidents, meeting on 9 June, decided that the observers should come on 26 September. Let me make it quite clear that the idea of inviting observers – that is, from the ten countries that are now Member States – originally came from our group. We are firm advocates of the idea that countries due to join us should send observers.

We would, however, have preferred it if the observers were to join us in this House one year prior to accession, as once did the observers from the ten new Member States. There would have been an opportunity, when we moved the debate on Monday, to inform the House that its President had already, and without our knowledge, extended the invitations. This was something of which we needed to be informed.

This state of affairs has prompted us to withdraw our motion and both the changes to the vote for which we had asked. We would have been glad if the House had been able to arrive at a common position. As most members of our group were in favour of abstaining from the vote, we did not vote in favour of the joint motion. As democrats, we will of course respect the majority that has resulted from it; we will welcome the observers and look forward to working with them.

**Carlo Fatuzzo (PPE-DE).** – (IT) Mr President, I voted in favour of the resolution on the admission of observers from Bulgaria and Romania to the European Parliament. I believe that that is an extremely important step forward towards the day marking the full membership of these, the last two ex-Communist states, which, in my opinion, ought to have been accepted with the other eight countries on 1 May 2004.

Within the Italian national anthem is the line '*stringiamoci a coorte*', which – I will say it for the benefit of the interpreters – means 'let us all join together for the coming battles'. The terrible news that we received a short while ago from London prompts me to say that, if all of the European Member States remain united, we will be able to defend ourselves far better from the insane attacks against democracy, as is happening at this very moment in London.

**Othmar Karas (PPE-DE).** – (DE) Mr President, further to what has been said by our group chairman, I would like to say that I abstained from voting on the resolutions on Romania and Bulgaria, as the fact that the President of this House had already, on Friday, sent a written invitation to the observers meant that neither resolution actually has a procedural basis any more.

We in the Group of the European People's Party (Christian Democrats) and European Democrats have responded to this change in the procedural basis by withdrawing the resolution, and that was the right thing to do. As the other side had not done likewise, and the resolutions – to the substance of which we were not opposed – had already been taken, and the deeds had been done, it was not necessary to draft a new resolution. I always work on the principle that, if you have sent someone an invitation, you cannot withdraw it if circumstances have not changed. While we extend a warm welcome to those to whom the invitations have been sent, and look forward to their working with us, we do believe that what is more important than any date is that equal treatment should be given to all acceding countries, that rules should be obeyed and that their substance should be taken seriously, for, if that were not the case, the public would get the idea that we did not treat everyone equally.

I have to reiterate that it was incumbent on the President of this House to inform us during Monday's debate of precisely what he had done. Had he done so, we would have saved ourselves a great deal of recrimination, upset and misunderstanding both before and during this debate.

**David Martin, (PSE), in writing.** I warmly welcome this resolution on observers from Bulgaria and Romania.

The presence of observers from the Bulgarian and Romanian Parliaments can make a useful contribution to the preparations for a successful accession and I look forward to their arrival.

**Luís Queiró (PPE-DE), in writing.** (PT) Mindful of the state of negotiations on Bulgaria's prospective EU accession, of the difficulties that remain to be overcome and of the most recent accession processes, I feel that, although this process might take longer, the same conditions should be set for Bulgaria and its politicians as those set for other countries at the same stage. I therefore welcome the decision adopted by the Conference of Presidents on 9 June to invite the parliaments of Bulgaria and Romania to appoint parliamentary observers and to welcome those representatives from 26 September 2005 until the countries formally join the EU.

**Geoffrey Van Orden (PPE-DE), in writing.** The European Democrats and many others within the PPE-DE Group fully supported the joint motion and acted to oppose negative proposals, which were then withdrawn. We regret the fact that this issue was unnecessarily brought before the House at this stage.

We confirm our commitment to the early enlargement of the EU to include Bulgaria and Romania and to welcoming parliamentary observers from these countries in September. This is as soon as possible after signature of the Treaty of Accession, in accordance with precedent.

We all recognise that much still needs to be done if Bulgaria and Romania are to be ready for accession on time. But at this stage it is most unhelpful to talk of delay and prematurely to raise the spectre of safeguard clauses. In this regard we reiterate the need to ensure that each country is dealt with on its own merits.

The elections in Bulgaria on 25 June produced an unclear result. It is most important therefore that a stable and broad-based coalition Government, with strong elements of continuity, is put in place as soon as possible to implement the necessary programme of modernisation and reform with urgency and effectiveness.

*(The sitting was suspended at 1 p.m. and resumed at 3 p.m.)*

#### IN THE CHAIR: MR VIDAL-QUADRAS ROCA

*Vice-President*

### **23. Approval of Minutes of previous sitting: see Minutes**

### **24. Written statements (Rule 116): see Minutes**

### **25. Textiles and clothing after 2005 (continuation)**

**President.** We shall continue with the debate on the report by Mrs Saïfi, on behalf of the Committee on International Trade, on textiles and clothing after 2005 [2004/2265(INI)] (A6-0193/2005).

**Hélène Flautre (Verts/ALE).** – (FR) Mr President, allow me first of all, because we are resuming this debate in very distressing conditions, to offer my sincere condolences to the families of the victims of the attacks that have taken place in London, the terrible consequences of which we are learning minute by minute.

To return to our debate, the major importance of which was stated this morning, my group, through Caroline Lucas's speech, has stressed the extent to which it supports the series of temporary measures that are being proposed. That said, I should like today to highlight certain points that appear to me to be essential. The first concerns two paragraphs in the report that seek to minimise the scope of the REACH Directive, and which we consider to be totally unacceptable. Those two paragraphs actually make a very clear recommendation to limit the scope of application of the directive in order to prevent its having – supposedly – harmful consequences for the textile industry and its competitiveness. I would remind you that the draft REACH Directive, currently being debated in Parliament, proposes to record, assess and monitor the use of chemical substances that could be harmful to our health and our environment.

These references are therefore completely unacceptable, because we do not believe that the competitiveness of our industry can be increased at the expense of health, the environment and employees' working conditions. It is all the more unacceptable given that in my region, for instance, the Nord-Pas-de-Calais, which is hard hit by the restructuring, we are unfortunately well versed in this type of debate, which advocates curbing environmental demands in order, so they say, to protect jobs. That systematically results in a social and environmental disaster. I am referring, of course, to the very high number of asbestos victims. I am also

thinking of the Metaleurop affair, which was the subject of a major debate in this House, and which caused the inhabitants of the region to lose their jobs, their health and their soil, unusable for years.

This attack against the REACH Directive is therefore entirely misplaced, all the more so since it is expected that its effect on the textile and chemical industry in general will be to foster and drive the capacity for innovation. Our discussion ought to be much more focused on the competitive advantage resulting from the low cost of producing textiles products in China. In fact we should be aware that these low production costs are due to the exploitation of Chinese workers and to the violent suppression of their demands.

Allow me to refer to an extract from an Amnesty International report, a relatively recent one since it dates from 2002, which states very clearly that in private companies in China overtime is not only compulsory, but is also unpaid, and that certain factories impose fines on those refusing to work overtime or arriving late for work. Chinese workers work between 10 and 12 hours per day and their accommodation and food costs are often deducted directly from their wages. It is not unusual for businesses to withhold wages for sometimes two months, or to keep the identity cards of certain workers for several months. In short, trade unions are hugely repressed.

Since we have a structured dialogue with China on human rights – talks moreover took place last week – it seems to me that we ought to highlight the freedom of trade unions. The numerous trade unionists today incarcerated in Chinese prisons ought to be the subject of protection measures, protection measures provided for in the EU Guidelines on Human Rights Defenders. This is an entirely crucial factor in the debate, which, I believe, has been unjustly concealed.

**Jacky Henin (GUE/NGL).** – (FR) Mr President, since 1 January, hundreds of textile workers have found themselves thrown onto the streets, and tens of SMEs/SMIs have disappeared together with their know-how. It is hard to say, but it is not the trousers and T-shirts imported from China that should be counted, but the jobs destroyed and the lives shattered.

When we hear the Commission and the Council of Ministers say, ‘we are not aware, we were not aware, we could not be aware, it is China’s fault’, I can only cry out: but who are they trying to kid? The decision to abolish the quotas was taken 10 years’ ago with the agreement of all of the governments. China has been part of the WTO for nearly four years. Over the past two years, nine out of ten textile machines have been bought by China. Ultra-modern factories have been built there thanks to direct or indirect capital investments, including from Europe. The European governments and institutions knew all of that and have done little or nothing at all. They are therefore entirely and jointly responsible.

The pitiful agreement that Commissioner Mandelson reached with the Beijing authorities will not change anything. The ineffable Commissioner Mandelson is like Molière’s doctor: he waits for his patient to die in order to ascertain his illness. However, can the general interests of Europe be reconciled with the specific interests of the City: invest in China, Turkey or elsewhere?

Today it is the textile industry, but tomorrow it will be the car industry or perhaps the aeronautics industry, as China already manufactures Airbus doors and builds regional aircraft that compete with European, Canadian or Brazilian products. You were surprised by the instinctive rejection of your ultraliberal constitution by the majority of those rare people in Europe who had a vote! This overwhelming rejection is, however, the people’s punishment for your policy, including that relating to the textile industry. The public do not want that policy to become the basic law of the Union.

In order to save and develop our textile industry, it is time for a change of policy. After introducing a moratorium on the lifting of quotas, the Commission is duty bound to boost and assist research and development and training efforts in this sector. The European Central Bank ought to encourage the introduction of low-interest loans for SMEs/SMIs in the sector, promoting employment, research and training. The Union should take measures to prevent imports of goods produced by children or slave labour or by workers denied their freedom to participate in trade union activity, and to impose a tax on social dumping. Finally, emerging countries should be given assistance to develop their internal markets.

**Georgios Papastamkos (PPE-DE).** – (EL) Mr President, having congratulated the rapporteur, Mrs Saïfi, I would like to note for the Commission’s benefit specific points of dialogue, agreement and/or disagreement with regard to the strategically important European textile and clothing sector.



I am in favour of opening up markets; I am against neo-protectionism, but in favour of the principle of reciprocity. I am in favour of abolishing quotas, but with a parallel obligation to undertake symmetrical obligations with regard to duty-related and technical barriers.

I am in favour of international competition, but against all forms of its distortion, in favour of free but balanced trade, but against infringements of intellectual and industrial property rights, against imitations and piracy and against aggressive practices of economic, social and ecological dumping.

I am in favour of agreed solutions with China and memoranda of understanding but, at the same time, against the fragmentary approach being taken to aggressive Chinese exports to Europe. I am against what is still, to a large extent, a closed and non-transparent market in China, the maintenance of high import barriers, the application of unfair practices and the lack of adequate cooperation on fundamental investigations into dumping practices.

I am in favour of the immediate implementation of the Euro-Mediterranean trade zone on the basis of the principle of reciprocity. I am in favour of adequate Community financing to strengthen research and innovation, especially in the less advantaged areas of the European Union.

The pros and cons – and these are not all – are the topical parameters of a real challenge in relations between the European Union and China and a challenge in general for the world trade system.

To close, I should like to express my sympathy to the families of the victims in London and to add my feelings of repulsion about the incident to those of the British Presidency.

**Jörg Leichtfried (PSE).** – (DE) Mr President, Commissioner, ladies and gentlemen, the calamitous effects of the latest round of liberalisation in the textile sector on 1 January 2005 made action urgently necessary, and I am very glad that the Commission has done something. Although it deserves a great deal of praise for the speed with which it initiated negotiations and took steps to deal with the situation, these steps could have been more far-reaching and could have been taken sooner.

I would like to highlight the important role this House has played in this respect. It was what we did that compelled the Commission, even more than it would have been, to have recourse to these measures. Left to themselves, they might well have done rather less. It is, though, to challenges such as these that European policy must respond.

Here in Europe, we enjoy the great advantage – and it is one of which I am glad – that our consumers are surely among the most mature in the world, and so they should be given the chance to decide what and how to buy, on the basis of far more information and with greater ease. We should give thought to the possibility of introducing a ‘made in Europe’ label, which would be able to be carried only subject to certain very stringent criteria being complied with, first among them, of course, compliance with international labour standards, along with social and environmental standards and a ban on the use of child labour.

If we succeed in this, we will also be able to find another way to respond to this development and make the world rather more socially responsible and cleaner.

**Patrizia Toia (ALDE).** – (IT) Mr President, ladies and gentlemen, I believe that this debate, which is unfortunately being conducted in a rather deserted Chamber, is important because it relates to one of the most significant sectors for European industry and therefore for the economy and citizens of Europe.

It is a sector that has been going through a serious crisis for some years now; the crisis has now been accelerated by the introduction of new trade agreements and the fall of many customs barriers, but the sector had already been experiencing great difficulties for a long time.

It is an important sector in terms of volume of business, the number of workers, its distribution in various European countries and its particular concentration in certain regions. As a consequence, a crisis within that sector leads, in a number of local situations, to nothing short of a crisis for the economic and production system.

As we have already stated on other occasions, we too felt that the Commission’s intervention came slightly late in the day. People had already been calling for it for some time, with the data in hand, in view of what was taking place with regard to imports and their volume.

Despite this criticism, however, we welcome the action taken by Commissioner Mandelson, whom we invite to oversee not only the agreement reached and its implementation, but also what is happening with regard

to other categories of products. In actual fact, the issue has not been resolved once and for all, and what has been done for a few categories of products, somehow containing the situation, could be required in the coming months for other categories of products.

For now we must not waste the time we have gained and we must make use of the recommendations originating from the high level group, from cooperation with entrepreneurs and social partners and from the ongoing talks. Action must be undertaken to promote the restructuring and reorganisation of that sector, so as to overcome a profoundly structural crisis. I refer in particular to employment, to professional training, to credit assistance, and to all of those innovations that can help such an important sector for Europe to remain that way.

**Luca Romagnoli (NI).** – (IT) Mr President, ladies and gentlemen, dark clouds have hung over the future of the textile and clothing sector ever since Europe and the nation States have been subjected to the dictatorship of the World Trade Organisation, have been enslaved by the free market and the rule of finance over the economy and politics, and have therefore assented to globalisation, which has also often been glorified in this House. As a consequence, they have given up protecting industry, production and national labour.

At the moment, the prospect of exporting many European goods and services has almost been wiped out, because it is impossible to withstand the competition from the so-called 'Asian Tigers' with regard to markets in developing countries. Added to that is the fact that we are subjected to unparalleled competition within our internal markets, both as a result of goods imported from the countries mentioned, and because of the diabolical mechanism allowing European producers, who have perhaps also benefited from government funding for their activities, to relocate production and to import and market their products in the countries in which the brands originate.

In view of the terrible predictions made by industry associations, and taking into account that in the absence of national sovereignty, imposed by this bureaucratic Europe, initiative measures cannot be taken by individual Member States, the Commission must expedite policies and directives supporting European businesses and employees in the sector, and prevent the marketing in EU countries of goods produced by the Asian Tigers, which are invading our markets. *Inter alia*, they are goods produced without any guarantees for the consumer in terms of the production processes and the materials used, which often have a very high environmental impact, and which, furthermore, do not respect social guarantees and workers' dignity, in complete contrast to what is stipulated by the World Trade Organisation.

**Jean Louis Cottigny (PSE).** – (FR) Mr President, Commissioner, ladies and gentlemen, what is happening now in the textile sector in the trade between China and Europe presages, in our view, what will happen in many areas over the next few years. We are only seeing the first stage. That is why our present responses to this issue will serve other areas of our industry in the future. We cannot accept the deregulation of international trade without concerning ourselves with the related human, economic and environmental consequences. A case in point is the textile sector where the end of quotas was dreaded and where there have been countless company restructurings, indeed outright shutdowns, in the regions in which this industry is still very prominent. Faced with these human dramas, we are, in a sense, powerless.

The introduction of safeguard clauses, the fight against counterfeiting and the supplying of aid for research and information provision are all helpful roads to go down, but we cannot stop there. In paragraphs 18 and 24 of her report, Mrs Saïfi rightly emphasises the need to combat all forms of modern slavery and forced labour, as well as the exploitation of children. Indeed, it will never be possible for our modern economy, based on, among other things, respect for human dignity, to compete faced with such abuses. Mrs Saïfi's responses, designed to combat these scourges, are insufficient, however. One has to be able to hit where it hurts.

That is why, together with 50 of our fellow Members representing four political groups, we have lodged an amendment asking the Commission to consider putting in place an ethical tax on products proven to have been manufactured in violation of all the rules of human dignity and, above all, involving the exploitation of children. It is crucial that an institution like ours serve more than one generation and that it serve to generate hope.

**Anne Laperrouze (ALDE).** – (FR) Mr President, I sincerely welcome the outcome of the European Commission's negotiations with the Chinese authorities. This will provide companies affected by the huge rise in imports with some respite in this extremely serious crisis for the textile and clothing sector. It is now necessary to monitor the implementation of the safeguard clauses and to evaluate the effects of these measures.

I should like to put three questions to the Commissioner. How do you intend to respond to this resolution by the European Parliament on the future of the textile and clothing industries? How do you intend implementing the High Level Group's recommendations, which have been received very favourably by Parliament? And what actions do you intend to take to enable companies to have access to the market? For example, might the European Union support trade strategies common to those small- and medium-sized European enterprises that might wish to form consortia with a view to conquering new markets such as China's?

Fellow Members have already said this, but the current crisis in the textile sector was foreseeable, and crises in other sectors of industry are foreseeable in the context of a globalised economy. We must all work with ingenuity and tenacity to safeguard the textile, clothing and leather industries, for the lessons we shall learn from this crisis will, in the long run, help us to maintain and develop other sectors of the European economy.

**Antonio Tajani (PPE-DE).** – (IT) Mr President, ladies and gentlemen, the report on the future of textiles and clothing after 2005 without doubt presents a complete picture of the new economic and trade realities at global level. Textiles and clothing are a key sector for the European Union and I therefore support Mrs Saïfi's protest at the absence of the competent Commissioners in this House.

The sector, which is mainly composed of small- and medium-sized enterprises, today finds itself in great difficulty as a result of Chinese goods, produced and sold extremely cheaply, invading our market. Imports from China have increased on a worrying scale, particularly following the definitive abolition of import quotas in January 2005. As a consequence, the EU textile and clothing sector finds itself under unprecedented pressure. Our factories are closing down with increasing frequency and thousands of workers are left without jobs. In Italy, 24 000 jobs were lost in 2004 and over 66 000 in the last three years.

It must be stressed that this problem also afflicts all of the developing countries that used to export their goods to Europe and that are now no longer able to withstand the Chinese competition. As a consequence, factories are not only closing in Europe, but also in Sri Lanka, in Pakistan, in Morocco and in the entire Mediterranean area.

What can we do? The appearance on the world trade scene of new, aggressive global players, in particular China and India, makes it necessary to review the traditional objectives of Community trade policy, characterised by the maximum opening up of the markets to assist in promoting European industry worldwide. The current scene and the way it is likely to develop, however, dictate a more prudent approach, aimed at protecting European industry in the face of unbalanced and destructive competition.

The following actions need to be implemented urgently: approving without delay – as Commissioner Michel stated in this House this morning – the proposal for a regulation for the compulsory marking of origin of goods imported into the European Union; laying down industrial policies aimed at providing support to the sectors most exposed to international competition, including through the use of the Structural Funds; strengthening the trade protection instruments available to European businesses, including anti-dumping measures – as has been done for leather shoes – and anti-subsidy measures as well as the safeguard clauses; making the fight against counterfeiting a European priority, by supporting Commissioner Frattini's initiatives; and steering the Commission's choices towards bilateral agreements. If Hong Kong were to collapse like Cancún, there would be no time to relaunch the multilateral negotiations.

To conclude, I call for a review of the position on the new policy on chemical substances – the REACH Directive – particularly in order to guarantee the competitiveness of small- and medium-sized enterprises.

**Anna Záborská (PPE-DE).** – (FR) Mr President, Commissioner, first of all, many thanks to our fellow member, Mrs Saïfi, for her excellent initiative and her report.

I very much want to emphasise how important this subject is. A common European market requires common rules. The same rules of competition must be applied to all the participants in the European textile market. That is part of what respect for competition means. China represents the ideology of state enterprises. No one will be able to accept advantages being accorded to Chinese enterprises. Our national governments are not entitled to accord advantages to national enterprises. The Commission would immediately pronounce a ban. It would, however, be a mistake for our national industries not to react, faced with China. That is why I am in favour of applying the principle of reciprocity of trade, as everyone could benefit from it. It is therefore extremely important to ensure that the High Level Group's recommendations are properly applied and to be vigilant when it comes to properly implementing the Shanghai agreements.

**Panagiotis Beglitis (PSE).** – (EL) Mr President, the recent EU-China agreement is a positive development and we must acknowledge the important contribution made by Commissioner Mandelson to the final outcome. This agreement gives the European textile industry some breathing space but, more importantly, it allows for crucial strategic decisions to be taken even now as regards the regrouping and modernisation of the textile sector in Europe.

Today, international developments in competition are forcing companies into making progress in leaps and bounds, into technological modernisation, innovation, research, technology and lifelong learning. That is why the European Union must develop the structural policies and Structural Funds for the textile industry, develop the Seventh Framework Programme for research and development, create a specific Community programme for the development of the textile and clothing sectors, dynamically develop the institutional possibilities offered by the WTO to overturn China's social and environmental dumping and combat the problem of child labour by taking, where necessary, specific defensive trade measures, by safeguarding and defending free and equal access to third country markets and pure competition for European products, by defending consumer rights, by combating piracy and imitations and protecting intellectual property rights and by taking initiatives for a new integrated cooperation agreement with China to replace the 1985 cooperation agreement, which has basically been overtaken by international developments.

I should like to take advantage of Commissioner Michel's presence here to finish by saying that the Commission will also need to step up its investigation into uncontrolled imports of Chinese shoes, which have created serious problems in European countries such as Greece.

**Louis Michel, Member of the Commission.** (FR) Mr President, ladies and gentlemen, I should like firstly to express, on my own behalf and that of the Commission, our sincere condolences to the victims, and to the families of the victims, of the atrocious and barbarous acts that have taken place in London. I should also like to express my complete solidarity with the British authorities.

Ladies and gentlemen, I note that, behind a few inevitable and no doubt necessary criticisms, the general tone of the speeches is fairly favourable to the Commission's approach. That is already the case with the draft resolution, even if a number of people consider that still further steps could be taken, for example when it comes to social norms, protection against China or industrial restructuring.

Even so, I should like to revisit a few of the concerns expressed. The agreement with China is of concern to, among others, Mr Silva Penada, Mr Guerrero, Mr Caspary, Mr Allister and Mrs Martens. I would say that Mrs Martens found the right words to express this concern. Like the majority of those who follow these issues, she thinks that the agreement with the Chinese will allow European industry some breathing space between now and 2008 and that this agreement is therefore good in itself. I wish to point out that this agreement is to be applied strictly and that the quantities imported are strictly accounted for within the framework of genuine self-limitation quotas.

With regard to the safeguard clauses provided for by China's act of accession to the WTO, it will be specified that the European Union has not formally relinquished these, but the agreement with the Chinese is obviously global and designed specifically to avert such conflict in administering the sector as might arise from the harsh measures constituted by these clauses. These clauses would therefore only be applied if this were really justified, something that does not seem to me to be the case, precisely because the agreement with China covers the most sensitive products, that is to say almost half of the Chinese textile sector liberalised in January 2005. Mr Allister who, I see, is generally well disposed towards this agreement, will appreciate that the management of Chinese trade thus put in place obviates the necessity for the anti-dumping measures that he was recommending.

Finally, I should like to reassure Mr Caspary that the agreement with China will enable volumes to be stabilised, with a reasonable annual rate of increase of 8% to 12%. It therefore protects European manufacturers but, until 2008, also stabilises importers' stocks. Flexibility clauses are envisaged within the framework of the negotiations under way with the Chinese in order to mitigate the limitation measures, to the advantage of importers.

Allow me to say a few words about respect for social standards on the part of developing countries. I would say in reply to Mr Silva Penada that, although the European Union and the Commission actively promote such standards, developing countries criticise us on this subject, interpreting our demands as a form of protectionism in disguise. Matters are therefore not always as simple as they appear. Developing countries constitute the vast majority of ILO members and reject the link between trade and social standards. However, the Commission is not giving up and is proposing systematically to introduce into any preferential free trade

agreement negotiations a withdrawal of preferences clause in the event of non-compliance with these standards. It is also acting positively. For example, the Council followed its lead on 27 June 2005 after we had proposed making new trade concessions to Sri Lanka, because the latter had just ratified the ILO's eight basic conventions. The policy is fairly clear: ban child labour in exchange for abolishing customs duties on exports to the European Union. It is a question of making a link between multilateral trade negotiations and social standards. We cannot say what will be decided in Hong Kong in December, but the Commission's very strong attachment to this link can be pointed out right now. If he had been able to be present in the House this morning, my colleague in charge of trade, Peter Mandelson, would have certainly explained how, in Turin on 26 May 2005, he intervened along these lines within the framework of a meeting organised jointly with the ILO. In this area, as in others, many practical measures are possible. For example, serious thought is being given to a partnership and social dialogue structure with China where textiles are concerned.

I would return now to the European Union's trade policy priorities by way of replying to Mr Belder, among others. Implicit in the draft resolution is the need to give priority to the Euro-Mediterranean zone, particularly in relation to Asia. The Commission largely shares this point of view. Developing trade between the two banks of the Mediterranean should help the development of this region and partly resolve the serious problems, such as immigration, that are common to the north and south of the area and that extend beyond the problems relating to textiles.

There are other priorities: Africa, in connection with which I would refer you to the G8, meeting today in Scotland; the Least Developed Countries; and the poor countries of Asia. The Commission therefore agrees with Mrs Saïfi on this point: a number of comparative advantages need to be maintained in favour of those to whom the European Union intends to give preference. That is why, for example, it very strongly supports putting in place the pan-Euro-Mediterranean cumulation of origin, which should be adopted by the Council this autumn. I would, moreover, take this opportunity to invite Parliament to help the Commission put pressure on the Council in order to speed up the adoption of the protocols in question.

Finally, it should be noted, on the question of trade preferences, that, since this year, the European Union has withdrawn most of its trade preferences from China. This negative priority is perfectly in keeping with the spirit of the draft resolution.

Mr Zingaretti, in particular, referred to the trade protection measures. If third countries subsidise their exports, there are responses available. In fact, the European Union has a whole arsenal of responses available to it. These include antidumping duties or anti-subsidy measures. For example, a week ago, the Commission opened an antidumping investigation in connection with certain types of Chinese and Indian shoes. The matter was discussed. We are not in the business of pious hopes in this House. I can assure you that these measures are taken very seriously by these two countries.

When it comes to counterfeiting, which is Mrs Muscardini's concern and one that is shared by the Commission, the European Union has made progress. Since July 2004, a new arrangement is in force enabling companies to ask for the customs authorities to confiscate goods likely to be counterfeit. What we have here is a unified, free and simple Community procedure, intended as it is, in part, for small textile companies representing, as one MEP rightly said, 90% of the sector. However, does not greater efficiency demand, above all, that more be done to integrate the European customs authorities? A Community Customs Code has existed since 1992, but it is applied by 25 national customs authorities, which are sometimes difficult to coordinate. Fraudsters are often clever at exploiting such situations. A lot therefore remains to be done in this area.

On the subject of intellectual property, which is a very sensitive subject in the textile sector, recent years have been characterised by a veritable explosion in statistics.

I should like to point out that China's accession to the WTO now imposes obligations upon it and also gives the European Union the option of taking more vigorous action if China does not comply with the obligations arising from its accession. I would therefore say to the representatives of the European left, who do not want the European Union to fund relocations, that we are in complete agreement. It must simply be pointed out that there is not a single clause along these lines in any preferential trade agreement. I do not think it right to suggest things that are untrue or to allow them to be said.

Mr Rull and Mr Karim too spoke about the industrial restructuring of the textile sector. I think that Mr Karim is right: European industry has been urgently awaiting a miracle from the Commission since the beginning of 2005 and the liberalisation of the Chinese textile sector. It has already been said, but I should like to state emphatically that liberalisation was decided upon ten years ago, in 1994. A number of Member States have

also been able to prepare for it. The crisis in the textile sector is not, therefore, European in nature. It affects only those Member States that are unprepared.

It must also be pointed out that industrial restructuring measures are largely the responsibility of the Member States. In its sphere of competence, the Commission proposed to reserve a portion of the Structural Funds for those sectors undergoing industrial restructuring following crises just like that in the textile sector, a matter now being discussed by the Council.

In December 2004, the Commission – and, more specifically, Commissioner Potocnik – together with Euratex (that is to say, the European Apparel and Textile Organisation) announced an initiative known as the 'European Textile Technology Platform', one of whose purposes is to encourage technological innovation and so promote more upmarket products in the face of Chinese competition. It is true, as Mrs Lucas very rightly said, that the real victims of the liberalisation of the textile sector are the poorest countries, otherwise known as the Least Developed Countries, and that is precisely because they manufacture products with little technological content, such as cotton tee-shirts. Europe has the resources to go upmarket and to specialise in textile sectors. I am thinking of fabrics with very high technological content, in respect of which Chinese competition is more limited. Protection is, admittedly, necessary as a temporary measure, but innovation is surely the real solution.

I am sorry that this resolution has not been adopted from today for, on behalf of the Commission, I broadly share the approach proposed by it. I should like to make a few more comments. Mr Leichtfried and Mrs Toia say that these are good measures but that the Commission could have reacted more quickly. The Commission responded in five months, after having verified that harm was indeed being caused. Where the Chinese are concerned, there can be no question of imposing quotas lightly.

Mr Romagnoli, I should like to repeat what I have just said. I challenge you to say by what precise mechanism the Commission might encourage relocations. It is not true that it would do so.

Mrs Laperrouze welcomes the agreement, rightly I believe. Regarding the High Level Group, a plan for identifying trade restrictions was presented by the Commission to the High Level Group on 14 June. It was presented by more than one Commissioner, namely Mr Mandelson and Mr Verheugen, and Mrs Saïfi was also present.

Regarding Mr Tajani's speech, in which he talked of marks of origin, the Commission is preparing a draft regulation to make such marks compulsory upon import. You must know, however, that the Member States are divided on this issue, a factor that is obviously slowing down progress on the matter.

Regarding the reciprocity mentioned in Mrs Lienemann's speech, I agree, but this needs to be discussed within the WTO.

Allow me to conclude by drawing attention to two small considerations that are by no means irrelevant. An Airbus represents 20 million Chinese shirts. It is worth reflecting upon this and bearing in mind that trade is not a one-way affair. Trade operates in all directions and, by focusing upon one product in particular, one can sometimes significantly lose out on another product. That is something worth repeating.

I should also like to comment upon the highly ideological charge I heard made against liberal Europe, about which so many bad things are said. I just want to point out that it is liberal Europe that has made peace possible and that has led to the wealth that has been created no doubt being better distributed and shared out here in Europe than anywhere else. Collectivist or Marxist Europe, about which some people are clearly nostalgic, certainly cannot, in my view, offer the same track record as what is known as liberal Europe.

As for trade union freedom, which was talked about in the same breath, it is guaranteed everywhere in the liberal states. I have not yet seen it genuinely guaranteed in totalitarian states, even left-wing ones. I say this simply because of my own liberal affiliations and because, from time to time, it is worth repeating.

**President.** The debate is closed.

The vote will take place in September.

**Written statement (Rule 142)**

**Bogdan Golik (PSE).** – (PL) In view of the inroads China is making into the EU market, this report is too little, too late. The future of 170 000 companies and 2.5 million workers in Europe is at stake, as well as a market worth EUR 185 billion. One need look no further than the US for a good example of how not to take

decisions on this matter. Within two years of quotas being lifted in 2002, China had gained a 65% market share in the country. The Chinese problem consists not only in cheap clothing imports, but also in unfair practices such as state subsidies, tax breaks, land distribution and subsidised energy and transport. If we wish to stop China in its tracks and to keep jobs in Europe, we should convene an extraordinary WTO session to discuss how we can prevent global trade being dominated by a single supplier. At the same time, we should launch the emergency procedure provided for in the guidelines for invoking the safeguard clauses, and set up a new programme to secure funding for regions where the sector provides jobs for workers who would otherwise be unemployed, and ensures that women are not forced into inferior jobs. We should make funding available for restructuring under the new Financial Perspective, and for new solutions and the implementation of research results in the SME sector under the Seventh Framework Programme. EU policies should be targeted at modernising industry, as otherwise the Electronic Proposal Tool will never be anything but a dead duck. The governments of heavily industrialised Member States should be granted derogations from the ban on subsidies, and an impact assessment must be carried out for REACH in order to ensure that it does not act as a brake on the competitiveness of European industry. A consolidated market should be set up under the EU-Mediterranean agreements, and a similar platform should be established in the Baltic region.

## 26. Agriculture in the outermost regions of the Union

**President.** The next item is the debate on the report by Mr Duarte Freitas, on behalf of the Committee on Agriculture and Rural Development, on the proposal for a Council regulation laying down specific measures for agriculture in the outermost regions of the Union [COM(2004)0687 – C6-0201/2004 – 2004/0247(CNS)] (A6-0195/2005).

**Louis Michel**, *Member of the Commission.* (FR) Mr President, ladies and gentlemen, I should like first of all to thank the members of the Committee on Agriculture and Rural Development, particularly its draftsman, Mr Freitas, together with the members and draftsmen of the Committees on Budgets, International Trade and Regional Development, for all the work they have done on this report.

On 28 June 2001, the Council adopted a reform of the agricultural support scheme in the outermost regions of the Union. These measures go back to 1991 and 1992, and they have proved their effectiveness in promoting agriculture and the supply of these regions with agricultural products. Managing them has, however, posed a number of problems. The two strands of the Posei scheme, which constitutes the specific arrangements for supplying and supporting local producers, are characterised by administrative inflexibility. With regard to the specific supply arrangements, the Commission is required to legislate for what are often only modest variations in the quantities of products to be supplied in the outermost regions. This is not an efficient administrative framework. The support schemes for local production comprise a range of as many as 56 micro-measures laid down by Council regulations. It is not possible to adapt these measures without interinstitutional legislative procedures, a state of affairs that prevents any rapid response by the Community when it comes to adapting the support measures to specific situations.

That is why the Commission proposes a change in philosophy regarding both the aid given to these regions and the adoption of a participatory method of decision-making. The new system would also allow the measures to be adapted quickly, taking account of the specific features of these regions. The draft regulation envisages the presentation of one programme for each outermost region in the Member States concerned. These programmes will comprise two sections: one on the specific supply arrangements for agricultural products – agricultural inputs or products designed for transformation – which are essential in terms of human consumption in the outermost region concerned, and another section on support for local production.

With regard to financing, the regulation affects neither the sources of financing nor the level of Community support. The Community will finance the programme under the EAGGF Guarantee Section up to 100% within the limits of an annual ceiling laid down by the Council regulation. A part of this support will be compulsorily reserved for support for local agricultural production. The amounts are calculated on the basis of the average of the amounts spent on financing the specific supply arrangements during the reference period 2001 – 2003 and on the basis of the ceilings for expenditure applicable to support for local production. A portion of the subsidised amounts will be integrated into the direct payments under Regulation 1782/2003. They are among the ceilings to be found in Annex 8 of this regulation.

I turn now to the reform of the sugar arrangements and to the outermost regions. Although they do not form part of the Commission proposal, I should like to make a number of comments concerning the reform of the sugar arrangements and the outermost regions. The Commission is well aware that the characteristics

of sugar production in the outermost regions of the Community are appreciably different to what they are in the other regions. That is why financial support should be given to this sector through the granting of subsidies to farmers in the outermost regions.

The restructuring arrangements will be financed through the deduction of a specific amount from all the quotas applicable to sweeteners. The sugar companies in the outermost regions will not fall under these arrangements. These regions will thus be placed on an equal footing with the ACP countries in terms of price. This is an approach considered reasonable by the Commission.

What is more, the French outermost regions, which were the only ones to benefit from support to outlets, will receive an additional amount of EUR 15 million corresponding to current outlet measures in respect of the reference period. The direct payment in favour of the outermost regions will be included within the single framework of the Posei programme which we are debating and, as a consequence, excluded from the single payment arrangements. The French and Portuguese outermost regions have benefited in the same way as the other Member States from the same increase in the amount of their direct payments, corresponding to the reduction in additional prices. In the case of the French outermost regions, the amount increases from EUR 39 million to EUR 44 million and, in the case of the Portuguese outermost regions, to just over EUR 1 million.

I now come to the Commission's position concerning the amendments. In view of what I have just said, the Commission is able to accept Amendments 1, 8, 9, 18, 23, 24, 27, 28 and 32 and is able in part to accept Amendment 35. Unfortunately, the Commission does not wish, and is not in a position, to accept the other amendments proposed.

**Duarte Freitas (PPE-DE), rapporteur. – (PT)** The archipelagos of the Azores, Madeira and the Canary Islands, and the French overseas departments, are referred to as the EU's outermost regions and are characterised by their remoteness, insularity, small size, difficult topography and climate and economic dependence on a few products. This concept of outermost regions was introduced into the EU's primary law in Article 299(2) of the Treaty, and constitutes the legal basis for the Council to adopt specific measures applicable to the outermost regions, acting on a proposal from the Commission and after consulting Parliament.

As the Commissioner mentioned, agricultural programmes specifically designed to offset the problems faced by the outermost regions have been in place since 1991 and 1992. These programmes have encompassed two types of measure: firstly, specific supply arrangements, to support the supply to these regions of agricultural products destined for human and animal consumption, processing in local industries and agricultural inputs; and secondly, support for local agricultural production. These measures have had a considerable impact and have had a positive influence on reviving the economies of the outermost regions. As has also been mentioned, however, experience over the years has shown that greater flexibility is needed in the management of these two schemes.

The proposal currently before us maintains the previous programmes, but proposes a radical change of philosophy, whereby the management of programmes is made easier and the decision-making process is brought closer to those principally affected, namely the regions themselves, whilst at the same time maintaining the level of support granted in the past. The Commission's intention to decentralise decision making and simplify the management arrangements is to be welcomed, as is the approach based on encouraging participation in decision making and speeding up the implementation of measures responding to their specific needs. I therefore broadly agree with the Commission's proposal. There are some issues, however, that should be improved upon, and to this end some amendments have been adopted that form part of my report.

Firstly, I feel that, given that there are no export refunds, no restrictions should be placed on the possibility of exporting or re-dispatching processed products that have received support under the specific supply arrangements. This is because production and the market in the outermost regions are often too small to guarantee the sustainability of local processing industries, which are essential for the survival of some agricultural crops and for a degree of diversification. Consequently, in some cases these industries need to complement their supplies with raw materials from outside and to export or dispatch their products to ensure their viability. I must also express my satisfaction with the measures announced by the Commission for the outermost regions in the proposed reform of the sugar common market organisation. Yet there is one specific question that this does not resolve. I refer to beet production in the Azores, involving the Sinaga company, which will have no chance of survival, either under the regulation currently in force or with the Commission's proposal.



Secondly, given the time limits laid down in the draft regulation for the submission of programmes and for their approval, I feel that the date scheduled for their application needs to be made more flexible, in order to remove the risk that the current regulation will be revoked before the programmes arising from the new legislation can enter into force.

Thirdly, I also wish to stress the importance of introducing the possibility of granting derogations for the outermost regions in the area of rural development, taking account of the specific features and vulnerable parts of this area, thereby providing continuity for the current regime.

Fourthly, as regards the basis for defining the financial ceilings, I feel that the reference period of 2001 to 2003 is inappropriate for defining the amount of funding, as this takes no account of the impact of changes made under the 2001 reform. My report therefore suggests that, in the calculation of financial ceilings, account should also be taken of exemptions granted under the specific supply arrangements. As well as representing a fairer deal for the outermost regions, this approach does not inflate the amounts involved in support currently granted to those regions.

Lastly, I should like to congratulate my colleagues in the Committee on Agriculture and Rural Development for the support that they have given me and, in particular, the Members from the outermost regions, who have worked very hard on this process. I should also like to thank the politicians and the representatives of the socio-economic sectors of these regions for their dedication and support while I was drawing up this report.

Commissioner, I wish to point out that this report was adopted unanimously by the Committee on Agriculture and Rural Development and I trust that Parliament will take this into account when it gives its final opinion on this issue as expressed via the vote. I trust that the Commission will appreciate the enormous importance of this issue to the outermost regions, and I naturally ask the Members of this House to vote in favour of this report.

**Paulo Casaca (PSE)**, *draftsman of the opinion of the Committee on Budgets.* – (PT) I should like to congratulate Mr Freitas and all of the (many) Members from the outermost regions and elsewhere involved in drawing up this report.

I wish to tell the Commission that over the course of recent years we have already managed to achieve some positive results, by improving the provisions of this regulation on issues such as the aromatic wine known as *vinho de cheiro* and dairy quotas specific to the Azores; indeed, we have also been successful in blocking the Portuguese Government from transferring those quotas to the mainland. We already have the beginnings of an agreement on the extremely tricky issue of sugar beet and sugar cane refining in the Azores, to which the rapporteur referred.

That being said, I wish to draw the Commission's attention to the problem that Article 4 bans 'processed products' in some language versions, and 'products incorporating products imported under this scheme' in other language versions. This issue is dealt with extremely badly in the Commission's proposal; it may be highly technical, but it is also of major importance.

I call on the Commission to do what it has done in other areas: to channel all its efforts into addressing this problem, to listen to what we have to say and to see what this may mean on the ground in these outermost regions. With this kind of attitude, we can achieve a positive outcome on this issue, too.

Lastly, I wish to offer a special word of thanks to my colleagues in the Committee on Budgets, who supported the vitally important strengthening of this programme. The Committee on Budgets does not always act in this manner, but this does illustrate the committee's great concern with the interests of the outermost regions. Thank you to everyone, and let us hope that the final hurdles can be overcome.

#### IN THE CHAIR: MR DOS SANTOS

*Vice-President*

**Emanuel Jardim Fernandes (PSE)**, *draftsman of the opinion of the Committee on Regional Development.* – (PT) I should like to begin by congratulating Mr Freitas on his outstanding report, and in particular on his dedication and his preparedness to accept amendments and suggestions from other committees – from all committees, in fact – not least those of the Committee on Regional Development, for which I was the draftsman. I also commend him on the way in which he accepted suggestions from all Members from the outermost regions, who strove hard to resolve this problem that affects everyone.

Although the Commission's draft regulation is to be welcomed, some amendments were needed in order to ensure the continued effectiveness of a scheme that has made a considerable contribution towards regional development, from the point of view of the citizens, businesses and, especially, agri-food undertakings. Of the suggestions and amendments that we tabled, I shall mention only the most relevant ones. The first of these concerns the annual amounts of funding to support measures for agriculture in the outermost regions. We share the rapporteur's view that the 2001-2003 calculation submitted in the Commission's proposal was inappropriate, given that 2001 was a transitional year in which the POSEI agriculture programmes were reformed, and that those reforms only came into effect in 2002. We therefore suggest that a three-year reference period of 2001 to 2004 would be more suitable.

The second aspect concerns exemption from customs duties. It makes no sense for the Commission's proposal to ignore this substantial gain for the outermost regions, hence the suggestion that the amounts granted in the three-year reference period be taken into account in setting the future ceiling.

The third aspect is that of exports. We share the belief that, in order to satisfy what the Commission said in its statement, we should look into the possibility of creating a regional integration area, we should support the rural world in these regions and, to this end, we should pave the way for independent exports of processed products and imported products under the special supply arrangements to third countries, neighbouring countries of course, or to the rest of the Community. I have no doubt that this will solve the problems of various agri-food companies in all regions, but especially the sugar beet production industry in the Azores, as has been mentioned previously.

In the light of these aspects, I hope that the Commission will take on board the opinion not only of these Members, but of Parliament as a whole.

**Sérgio Marques**, *on behalf of the PPE-DE Group.* – (PT) I should first like to congratulate Mr Freitas on his outstanding report on the proposal for a Council regulation laying down specific measures for agriculture in the outermost regions.

I share and support the rapporteur's positions, in particular those concerned with making the management of support schemes for agriculture in the outermost regions more flexible and with the prime objective of adopting a decentralised approach that encourages participation and that ensures that the measures in force are, where necessary, implemented swiftly.

In the context of this philosophy, the Member States are now planning to submit to the Commission one programme per outermost region, which will cover the two strands of the Posei agriculture schemes – the specific supply arrangements and the support scheme for local production. Each programme will contain a description of the current agricultural situation, its weaknesses and potential, the proposed strategy, the expected impact and a timetable of implementation. This will enable each outermost region to define its own agriculture development strategy to cater to its specific needs. Accordingly, due account can finally be taken of the double insularity faced by producers and operators on some islands that form part of certain outermost regions.

I also wish to highlight the rapporteur's suggestions as regards developing an effective policy to help small- and medium-sized enterprises in the agri-food sector of the outermost regions. This measure has had a positive effect on the agriculture sector, on jobs and on trade.

I cannot finish without mentioning a good example of the implementation of the concept of outermost region enshrined in Article 299(2) of the Treaty. The agricultural and supply policies provide for special treatment tailored to the specific reality of each outermost region, and this special treatment has been improved upon and strengthened in the light of experience gained with the implementation of the Posei schemes. This certainly sets an example that ought to be followed when adapting the remaining common EU policies to the specific characteristics of the outermost regions.

**Joel Hasse Ferreira**, *on behalf of the PSE Group.* – (PT) I offer warm greetings to you, Mr President, and to all of the Members of this House, on my behalf and on behalf of my fellow Socialist Member of Parliament and friend, Mr Capoulas Santos.

In light of the specific features of the outermost regions, such as remoteness, insularity, small size, difficult climate and economic dependence on a few products, all of which combined have a detrimental effect on their development, these regions rightly enjoy special protection, which is enshrined in Article 299 of the Treaty. This protection is, moreover, the result of successive decisions by Parliament, the proceedings of the

Seville European Council, the Economic and Social Committee and the Committee of the Regions, and the conclusions of the third report on economic and social cohesion. Accordingly, it must, as a matter of urgent priority, be translated fully into practical reality.

The Commission issued a timely communication aimed at establishing a stronger partnership for the outermost regions entitled 'a stronger partnership', which deserves a favourable response. The report before us – on the proposal for a Council regulation laying down specific measures for agriculture in the outermost regions – forms part of the process of implementing that strategy. The agriculture sector is hugely important to these regions, and this report represents substantial and noteworthy progress in this regard.

Nevertheless, the initiative can and must be improved considerably, and this report by Mr Freitas can play a substantial role in achieving such an improvement. I wish to congratulate Mr Freitas on his dedication and positive attitude during the process of drawing up the report, and those congratulations are extended to all of those Members who were actively involved and who made relevant contributions towards finding appropriate solutions to the specific characteristics of each region. Special mention, in this connection, goes to the draftsmen Mr Casaca of the Committee on Budgets, Mr Jardim Fernandes of the Committee on Regional Development and Mr Assis of the Committee on International Trade.

Although the proposal for a regulation before us does not provide for changing the sources of funding or the pace of support, it will, however, introduce greater flexibility in implementing different measures and better adaptation to the specific features of each outermost region. This will be achieved by means of stepping up participation in the decision-making process, which is a positive step and one that the Socialist Group in the European Parliament wholeheartedly supports.

The Commission's proposal suffers, however, from shortcomings and gaps on a number of aspects. We now have the opportunity to plug those gaps, on the platform of the broad consensus that the Committee on Agriculture and Rural Development managed to attract through the proposals it adopted, not to mention the opinions adopted by other committees. We therefore have ample reason to call on Members from all sides of this House to use their vote on the relevant amendments that have been tabled to express their solidarity with some of the more problematic regions of the EU. After all, we want to see the Union become more economically and socially cohesive.

We also call on the Commission to welcome the most relevant proposals adopted in this House and we feel sure that both it and Parliament will be equal to the task of meeting the legitimate expectations of the people and authorities of the outermost regions. Today we have seen a degree of openness on the part of Mr Michel; time will tell if there is more to come in the future.

This is the only way in which the objectives which were clearly and objectively set out in the preamble to the Council's proposal for a regulation under discussion and which we fully endorse can be achieved more satisfactorily and more quickly. What we really need is to work towards strengthening economic, social and territorial cohesion in Europe.

**Willem Schuth**, *on behalf of the ALDE Group.* – (DE) Mr President, Commissioner, ladies and gentlemen, let me start by congratulating Mr Freitas on his balanced report. The outermost regions of the European Union suffer from geographical, climatic and economic conditions that are adverse in comparison with those prevailing in the others, a situation the particularities of which the EU has acknowledged and, indeed, mentioned in Article 299(2) of the European Communities Treaty. It is therefore the EU's business to ensure that its more distant regions can share in the development of the whole.

As agriculture is an important means of support for the economies of the outermost regions, I welcome the Commission's proposal for a Council regulation on special measures for it. Measures of this kind, formerly provided by programmes going as far back as 1991, are now indispensable to the outermost regions' development, ensuring on the one hand that these can be supplied with the agricultural products they need for life, while also, on the other, promoting the local production, marketing and processing of such products.

By providing for decentralisation and simplified management tools, the Commission proposal ensures a more flexible approach to the EU's outermost regions, and this is something that I very much welcome, believing as I do that the best solutions to problems are, as a rule, to be found locally, where there is most knowledge of a given region's particular circumstances. This is the only way in which we will, in the long term, be able to make the outermost regions more competitive, enabling them to make up for lost time and catch up with the rest of the EU, for suspending, on a permanent basis, the rules of the internal market or using money from the Structural Funds cannot be sustainable solutions in the long term.

**Jan Tadeusz Masiel (NI).** – (PL) Mr President, I speak as a representative of a new Member State where the agricultural sector is crucial to the existence of many citizens, and where the lack of adequate subsidies for farmers has had a severe impact. I am therefore delighted that this particular Community initiative has been launched, with the aim of supporting agriculture in regions that are geographically remote and that have only limited access to the common market.

The most interesting aspects of this report would appear to be the concern that crops which have traditionally been grown in a certain area, and which are characteristic of that area, should continue to be cultivated, and be exported throughout the EU with a special EU. The EU should provide particular support to local and non-industrial manufacturing processes, since the products of such processes have a better taste and flavour. As I see it, enabling cheaper exports to neighbouring third countries would also be one way in which we could provide appropriate assistance to outermost regions. This idea would merit consideration by the Community as a whole, including the new Member States, which have long-standing ties with their non-EU neighbours.

This would solve the problems we face with regard to the poor eastern regions of the EU, which are located in Poland and elsewhere and which share borders with Belarus, Russia and Ukraine. The economies of these Member States have suffered as a result of the restrictions imposed on trade with those countries.

**Margie Sudre (PPE-DE).** – (FR) Mr President, Commissioner, ladies and gentlemen, although the effectiveness of the Posei programmes has been proven and recognised by the European Commission, the latter considered, only two years after the last reform was implemented, that a change was needed to the ways in which the specific supply arrangements and the support for local lines of production in the outermost regions were managed.

The European Commission has, however, committed itself to ensuring that the proposed reform will not bring into question either the timeliness of the measures or the way in which they operate and will not affect either the sources of financing or the level of Community support. The fact is that certain conditions laid down by the draft regulation imply more complex evaluation procedures, programming, monitoring and control for the beneficiaries than does the present framework.

Moreover, the budget proposed for the specific supply arrangements, calculated on the basis of unduly strict historical references, would, contrary to the Commission's promises, amount in reality to restricting the level of Community support and be in danger of curbing the development of the industrial sectors concerned, whereas if the Poseidom were not subject to any change until the end of 2006, the specific supply arrangements would continue to progress at their present rate and would therefore increase substantially.

Everyone is now agreed in recognising that, without the Poseidom, it would be impossible for the diversification sectors in the overseas departments to develop. Implementing different arrangements now would be tantamount to saying that all the efforts made to date, by both the European Union and local farmers, have been to no avail. The excellent report prepared by Mr Freitas achieves a balanced compromise between the need for reform and the preservation of a system of support for sustainable agriculture on the farms of small economic size of the outermost regions.

I sincerely hope that the Commission and, above all, the Council will be very much inspired by Parliament's opinion and avoid even partially bringing the current support measures into question.

**Manuel Medina Ortega (PSE).** – (ES) Mr President, I would firstly like to thank Mr Freitas for the work he has done as rapporteur, which I believe to be very satisfactory. I would also like to thank our Union's Commission for the work it is doing in favour of the outermost regions.

I believe that Mr Michel has said it very clearly. This is a success story: over the last 14 or 15 years, the outermost regions have benefited from special treatment via these programmes — Poseidon, Poseima and Poseican — which have allowed four million citizens, living on islands spread throughout the world — in the Central Atlantic, in the Caribbean and in the Indian Ocean — to have a decent way of life that is consistent with their needs. The programmes have also enabled certain regions whose people previously left those regions' shores now to maintain their populations and, in some cases, even to bring new people in. In short, there has been a clear improvement in the living conditions in these regions.

This has been achieved by means of a very reasonable procedure, which consists, on the one hand, of allowing agricultural surpluses from the rest of the Union's territories to enter our territory and also enabling other

parts of the world to import products. On the other hand, it prevents those imports that are necessary for maintaining living conditions from destroying agriculture and other elements of the local economy.

The proposal now being presented to us by the Commission is intended to make the system we had more flexible. As the Commissioner has said, it was necessary to adopt 56 micromasures that were not in reality in line with the importance of this type of organisation. The amendments being presented by the Committee on Agriculture and Rural Development are aimed at making the mechanism more flexible and must also be accepted.

I would like to point out — perhaps for those people who are not aware of the situation — that what justifies this special treatment and this flexibility for the outermost regions is their complete inability to compete within the Union's markets. In other words, the aid to the farmers of the Canary Islands, La Réunion, Madeira or the Azores is in no way going to prejudice the rest of the European Union, since the competition conditions are the same. On the contrary, I would say that these regions are going to facilitate the development of the economy in the rest of the Union, since they will have markets with a degree of purchasing power that benefit the whole of the European Union.

I therefore hope that this House will approve the report by the Committee on Agriculture and Rural Development by a large majority and that these measures will continue to function to our benefit and to the benefit of the rest of the European Union's territory.

**Agnes Schierhuber (PPE-DE).** – (DE) Mr President, Commissioner, ladies and gentlemen, I, too, would like to start with warm thanks to the rapporteur for his work. There is a need for special measures to be taken in all the European Union's policy areas, particularly, of course in agriculture, and especially in its outermost regions.

I myself am from a region, Lower Austria's *Waldviertel*, which was for decades on the fringes of Western Europe and of the free world, and it too had to contend with some similar problems, such as problematic topography and climate, inadequate resources, a small and regional market and a scarcity of jobs. The Member State in question has been helped by support programmes from the European Union to build up innovative and self-supporting agriculture and to create jobs.

Solidarity in real life is one of the fundamental principles of the European Union. It is unfortunate that several Heads of State do not see that so clearly, particularly as regards the common agricultural policy. Following on from what the Council resolved at its summits in Brussels and Luxembourg, productive agriculture must be possible throughout the EU, in every region and location.

At the end of the day, it is the disadvantaged regions that need agriculture to help bring people employment and prosperity. More than that, the support measures we are discussing today enable our model of multifunctional and sustainable agriculture to function as an example to those in all the parts of the EU that are far from the continent.

In many states adjoining the regions in question – and here I am particularly thinking of South America – an agricultural industry comparable to that in the USA is in the process of being developed. We are now being presented with an opportunity to create a sustainable economy by other means – the right ones in economic, environmental and social terms.

**Fernando Fernández Martín (PPE-DE).** – (ES) Mr President, we are discussing a regulation today which may go unnoticed amongst the serious problems facing the Union at the moment but which, for the agricultural sectors of the outermost regions, is of fundamental importance and which in many cases is a matter of survival.

I would essentially like to stress two aspects of the draft we are discussing today: firstly, the maintenance of the funding, which was approved in the last reform in 2001 and which, given the current situation, is no small issue; and, secondly, the decentralisation of management that gives local authorities the power to introduce the necessary flexibility in accordance with the needs of the agricultural sectors at any given moment. In other words, there is no intention to make changes in terms of the level of the aid, but it is intended to create a more flexible instrument in the field of management, as indicated by Mr Duarte Freitas in his Amendments 4 and 21.

The rapporteur's Amendment 27 intends to give legal coverage for imports of C sugar in certain outermost regions, particularly in the Azores, the Canary Islands and Madeira; there are certainly obstacles here, but I

hope that the Commission can analyse the matter and take it into account in order to find the most appropriate solution.

In his speech, Commissioner Michel made an ambiguously politically-correct reference to the management of the specific supply arrangements for the islands — I am referring in particular to the Canary Islands.

Believe me, Mr Michel, the people of the Canary Islands would like both the local authorities and the services of the Commission to guarantee the greatest possible transparency in the management of the SSA, of the specific supply arrangements for the islands.

**Louis Michel**, *Member of the Commission*. (FR) Mr President, ladies and gentlemen, thank you for your contributions to the debate. Allow me to reply to a number of important points raised. Firstly, I wish to reaffirm that the main purpose of this fundamental change is to give the Member States greater flexibility, which should enable them better to take into account the needs of the outermost regions.

Regarding the reference period — and I would refer in this connection to Mr Freitas' and Mr Fernandes' speeches — a number of you are demanding a flexible period for calculating the financial ceilings applicable to the specific supply arrangements. I think I am able to state that the Commission has made substantial efforts to ensure that the new support arrangements are favourable to the outermost regions. It has to be said that adopting the proposed reference periods would lead to a considerable increase in expenditure.

The proposal constitutes a package. One cannot single out the more agreeable provisions and ask for those deemed less favourable to be reexamined. I would take the liberty of drawing your attention to this feature of my reply. The funding has been calculated on a basis favourable to these regions, particular account having been taken not of the historical figures but of the ceilings laid down for support for local production. The Commission is not inclined to modify its proposal concerning these financial ceilings.

With regard to limiting the specific supply arrangements to agricultural products — a matter addressed by both Mr Freitas and Mr Casaca — the Commission also wishes to provide a clearer framework for the Posei measures. That is why the new arrangements concern only agricultural products, listed in Annex I of the treaty. The unsatisfactory situations that applied in the past when it came to administering the Posei measures need to be brought to an end. The Commission proposes transitional periods that should enable the various sectors to adapt to the new situation.

The case of the Azores and Sinaga has also been mentioned. Raised by Mr Freitas and Mr Fernandes, the matter concerns the problems specific to the Azores and, in particular, to the Sinaga sugar refinery. The Council's draft regulation does not include new provisions concerning exports and shipments of products that have benefited from the specific supply arrangements.

Since 1992, the Commission has been applying the same criteria to all the outermost regions, that is to say the average for the trade flows during the period 1989–1991. This approach was confirmed by the European Court of Justice in the Sinaga case. This needs to be pointed out.

The opportunities for financial support for sugar production in the Azores have been considerably increased in the Council's draft regulation. The proposal provides for funding calculated, where support for local production is concerned, on the proportion of the development potential for sugar production within the framework of the production quotas: almost EUR 4 million per year, instead of the current effective production of EUR 400 million per year. On the basis of this generous funding and within the framework of the broad margin of flexibility left to the Member States in choosing sectors to subsidise, it is for the national authorities to decide, if they so wish, to increase support for sugar production and the specific sugar refinery, following consultation with all the interested parties.

The Commission is convinced that these new rules will improve the supervision of these arrangements, first and foremost in the interests specifically of the outermost regions.

**Paulo Casaca (PSE)**. — (PT) This is just to inform Mr Michel that he is very much mistaken as regards the ruling by the Court of Justice of the European Communities, which referred the decision on this case to the Portuguese judicial system. I will be delighted to avail him of the relevant judgment of the Portuguese Supreme Court, which says exactly the opposite of what the Commission continues to allege. It thus appears that the Commission is unaware of the reason of justice, which is absolutely clear and unequivocal.

**President**. The debate is closed.

The vote will take place today at 5.30 p.m.

### **Written statements (Rule 142°)**

**Ilda Figueiredo (GUE/NGL).** – (PT) The Commission is seeking to amend Regulation 1453/2001, putting into practice the principles underpinning the reform of these specific support schemes for agriculture in the outermost regions of the Union.

I welcome the proposed decentralisation, which grants greater responsibilities to regional representatives, given that the specific interests of each region must be catered for, taking account of different dates of accession and significantly increasing the amounts provided for. 2001 to 2003 cannot be an acceptable reference period, because 2001 was a transitional year. The system of limiting exports of products under the specific supply arrangements to third countries and dispatch to the rest of the Community has served to choke the local agri-food industry. This happened with Azores sugar, the production of which must be made viable, and the same is true of other livestock and food produced using local traditional methods. Accordingly, the system must be changed.

As regards the specific supply arrangements, particular attention should be paid to Madeira vineyards and bananas, to Azores milk and to the special measures designed to help farmers buy agricultural fertilisers and pesticides.

I therefore support the report.

**Witold Tomczak (IND/DEM).** – (PL) Today's debate on support for agriculture in the outermost regions of the EU is a prime example of the two different common agricultural policies that are implemented. One is applied to the old EU Member States, and another to the new Member States.

There can be no question that farmers living in the outermost regions of the EU suffer financial difficulties. At the same time, however, the 3.6 million farmers living in the new Member States face even greater problems. Farmers in the outermost regions have already enjoyed the full benefits of the common agricultural policy for many years, whereas the EU has graciously 'allowed' farmers in the new Member States to receive shockingly low direct payments, thus depriving them of the chance to achieve the levels of farmers in the old Member States. The decisions taken in this connection were not based on any economic or social grounds, and most certainly not on any ethical grounds. They do, however, pose serious threats to Europe's food security and to the stability of the agri-food market in the European Union, as well as acting as a breeding-ground for dangerous social tensions.

Farmers from the new Member States are still being discriminated against. The arguments and expert opinions that have been put forward have proved meaningless for the EU authorities, as has the anticipated level of funding. One need only be a farmer in a new Member State to be deprived of any chance of obtaining support, no matter how justified such support would be. The pretext used is non-compliance with the countless conditions imposed by Brussels.

We should put a stop to this discrimination, and we should begin this task today, by refusing to consent to the minor issue of support for the outermost regions of the EU. By doing so, we would send out a warning to the enemies of a common Europe based on solidarity, and let them know that only those who have previously acted in solidarity can later rely on solidarity themselves.

## **27. Debates on cases of breaches of human rights, democracy and the rule of law (Rule 115)**

### **28. Zimbabwe**

**President.** The next item is the debate on seven motions for resolutions concerning Zimbabwe<sup>(1)</sup>.

**Margrete Auken (Verts/ALE), author.** – (DA) Mr President, the situation in Zimbabwe is going from bad to worse now. The latest piece of brutality, known as Operation Drive Out Rubbish, involves knocking down whole areas of cities. The UN estimates that more than 200 000 people are without roofs over their heads, and many of them are in danger of dying of cold now. The violent and systematic persecution of Mugabe's

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(1) See Minutes.

critics is developing into a humanitarian disaster. According to the BBC, Methodist bishops have warned of genocide in the last day or two. The responses from the surrounding world are still too feeble, and the sanctions adopted are scarcely being implemented properly. The worst thing, however, is that the SADC countries, and South Africa in particular, are still protecting Mugabe and accepting the huge sufferings he is inflicting upon his people.

All this was aired recently in the hearing in the Committee on Development, but there were also proposals about what might be done. First and foremost, the EU must put far greater pressure on both the UN and the SADC, especially South Africa, and so at long last comply with the responsibility it has by virtue of its own strength. Over and above that, it can, in entirely practical terms, increase its support for civil society both within and outside Zimbabwe with a view to developing a human rights culture and producing more documentation about human rights violations. It can increase support for the victims of torture and of organised violence both in Zimbabwe and in exile and it can provide proper legal aid in connection with obviously unjustified legal proceedings brought against human rights campaigners and those who support, or are believed to support, the opposition. There can be support for a free press, with news sent from Britain and neighbouring countries, partly in the form of newspapers published there. All this will cost a lot of money, however. In short, we are pleased about the resolution, but we should like to take the opportunity to emphasise these practical opportunities for offering help, and we hope that the Commission will look sympathetically at them.

**Elizabeth Lynne (ALDE), *author*.** – Mr President, as masses of people demonstrate about the situation in Africa, the G8 leaders are meeting in Scotland. It is most apt that we should have a resolution on Zimbabwe.

‘Operation Drive Out Rubbish’: that is what Robert Mugabe calls his latest atrocity. His government has been responsible for destroying the homes and livelihoods of as many as 1.5 million Zimbabweans. That number will rise if we do not take the necessary action. Just last week a pregnant woman and a four-year-old child were killed during the mass eviction of 10 000 people from the outskirts of Harare. Imagine the pain and suffering, watching helplessly as your home is bulldozed, then to have no knowledge of where you are being taken.

In spite of Amnesty International’s urgent appeal to exert pressure on the Mugabe regime, the African Union last week still refused to condemn President Mugabe. The people of Zimbabwe are victims of a human rights catastrophe. Human rights abuses can never be just an internal matter for a country. It is up to us all to raise our voices in protest and it is even more important that Zimbabwe’s neighbours condemn the atrocities.

However, we should not just raise our voices and then carry on as usual. That is why the return of asylum seekers to Zimbabwe should be halted now. Otherwise EU governments like the UK Government can quite rightly be accused of gross hypocrisy.

**Erik Meijer (GUE/NGL), *author*.** – (NL) Mr President, in expressing its concerns about Zimbabwe, my group is not primarily thinking of the white farmers who became rich during colonial times, but of the large, black, majority who still have much lower incomes.

President Mugabe played a major role in the fight for independence, both against colonialism and Ian Smith’s white minority regime. During and after that struggle, he always presented himself as the hero of the black majority. In practice, for many years, he did far too little to improve their lot. He seemed to have become a moderate ruler, radical only in his aversion to homosexuality. He was hardly recognisable as the former leader of the fight for an independence that gave the poor hope for a much-changed society, one that would make equality for all people its key priority. Only long after he came into power did he become very radical, particularly towards anyone who threatens, or could threaten, his absolute rule.

The political opposition, the rich farmers, the poor slums and the market traders became in turn the victims of his activities aimed at intimidating and destroying them. In a previous debate on Zimbabwe, on 16 December 2004, I expressed the assumption that Mugabe had started campaigns of this kind in order to make up for his loss of popularity, trying, through his unexpectedly decisive action, to acquire and mobilise new followers. We now see that his approach can no longer be attributed to clever tactics but rather to the behaviour of someone who is losing his mind.

Instead of providing better housing for the poor, he is driving them away from the cities by demolishing their dwellings. In this, he is starting to show much likeness to the demented regime that Pol Pot sought to introduce in Cambodia 30 years ago. My group finds it regrettable that this resolution levels exhaustive



criticism at Zimbabwe's neighbour, South Africa, and the African Union, while no attempt is being made to help them solve the problems.

As long as Europe gives Africans cause to see it as the coloniser that it once was, we will lack the moral authority to be able to contribute to improvement.

**Neena Gill (PSE), *author*.** – Mr President, I wish to begin by expressing, as a British MEP, my deep sorrow at the news of the explosions in London. While a clear picture has yet to emerge, it certainly has all the trappings of a coordinated terrorist attack. Yet again we are reminded of the fragility of our world order and the need to work together to eradicate such barbaric, mindless acts.

Freedom and democracy are the fundamental tenets of the Union. Just as we continue to espouse these principles within the Union, we need to translate this commitment into tangible actions against regimes that are diametrically opposed to such freedoms. That is why I am lending my wholehearted support to the resolution on Zimbabwe.

It is not sufficient for the international community to indulge in the occasional ritual condemnation of President Mugabe; rather, we need to see a strong and viable opposition to him. If we are truly proponents of a free society, then how can we continue to stand by and allow this dictatorial oppression to continue unabated? Why, as a Union, have we not levied increased pressure against the regime? Why have we not tightened and enforced sanctions? Why has the Council refused to respond to Parliament's consistent calls in this respect?

Furthermore, it is a great disappointment that South Africa and a number of Zimbabwe's other neighbours have chosen not to intervene in the plight of the Zimbabwean people. We have witnessed the entire resources of a once wealthy state enslaved. We have seen their people denied their intrinsic human rights, and yet this oppression and destruction has elicited little response from their neighbours. I would suggest to President Thabo Mbeki of South Africa that his choice not to criticise President Mugabe is a very disturbing indictment on his views of what constitutes a fair, free and open society.

At a time when the international community is galvanised to address the endemic problems that Africa faces, it is only appropriate that we look beyond poverty relief to the maintenance of good governance, transparency, the rule of law and respect for human rights for all African countries. I therefore call upon this Parliament to support this resolution wholeheartedly.

**Geoffrey Van Orden (PPE-DE), *author*.** – Mr President, may I first of all express my utter condemnation and disgust concerning the terrorist attacks on London today in which, according to the latest reports, over 40 people have been murdered and many hundreds injured. I extend my deepest sympathy to the victims and their families.

The people of Zimbabwe live under a different sort of terrorism. It is unremitting and comes from the hands of the very authorities that should protect them – the government, the police, the army. The situation there is desperate and deteriorating. Since fixing the election in March, Mugabe has now deliberately destroyed the homes and livelihoods of hundreds of thousands of the poorest Zimbabweans, while millions more continue to rely on international food aid for their survival. What does it take before the world responds to this catastrophe?

Africa is at the top of the agendas of today's meeting of G8 leaders at Gleneagles and of the UK Presidency of the EU. The focus on Africa is bolstered by the massive wave of popular support for Bob Geldof's Live 8. All recognise the need for improved aid, debt relief and fair trade. They also all acknowledge that, without good governance, much of the value of such assistance will be destroyed.

The attitude of African governments to Zimbabwe is a true test of their commitment to such good governance, yet South Africa, the key to bringing about change in Zimbabwe, continues its quiet complicity with Mugabe's oppression. I have asked the British Foreign Secretary and President-in-Office of the Council, Jack Straw, to urge President Mbeki, who is at Gleneagles today, to condemn Mugabe and to use every means at his disposal to bring about change for the better in Zimbabwe.

Opposition leaders from southern African countries know what needs to be done. I have spoken to some of them here today in this Parliament, but their governments must be empowered to act and the EU itself must get serious.

The Council and Commission must have a fresh determination to get a result. It should no longer tolerate excuses for evasion of its sanctions and those sanctions must be toughened and extended. And they must ask themselves: what specific additional action should we be taking? This Parliament will give them some advice in its resolution today, and I hope they will take notice.

**Bastiaan Belder (IND/DEM), author.** – (NL) Mr President, allow me first of all to express, specifically to the British Members of this House, my deepest sympathy with the victims of the horrific events in London.

I will now turn to Zimbabwe. More than ever, Mugabe seems to be turning into Africa's Pol Pot. These may be big words, but I read them several times when I leafed through Zimbabwean documents yesterday and the tragedy unfolded there before my very eyes. With his indefensible 'Operation Drive Out Rubbish', Mugabe is destroying thousands of shelters in the poor suburbs. All and sundry are being driven into the wintry cold, desperate and not knowing where to go. Many of those driven away voted for the opposition party, Movement for Democratic Change, during the elections in March.

What are the reactions on the international stage? Neighbouring South Africa claims to be applying tacit diplomacy, but it is so tacit that it is not even being heard in Zimbabwe. The members of the African Union, who met in the Libyan city of Sirte, did not feel it incumbent upon themselves to condemn Mugabe's regime either. Their excuse is that they do not want to interfere in domestic affairs. The Commission, represented by its President, Mr Barroso, takes the view that we do not need to teach Africa any lessons. The Council seems to appreciate the seriousness of the situation but does little to bring about any real improvement. Together with the United Kingdom and backed by Greece and Denmark, the United States broached the subject of the crisis in the UN Security Council. If the United Nations really wants to do the great things to which it aspires, this is a situation in which it should do them, but sending Anna Tibajuka, Kofi Annan's special envoy, to that country will not be enough.

The world has been watching from the sidelines for far too long, while the dictator Mugabe has gone about his business unpunished, becoming more insolent in the process. At the G8 Summit at Gleneagles in Scotland, poverty was at the top of the agenda. We clearly expect more than the token appeal on the part of the G8 ministers on 23 June to Harare to adhere to the rule of law and respect human rights; an excellent starting point for these world leaders would be this House's resolution, which is explicit and uncompromising.

**Michael Gahler, on behalf of the PPE-DE Group.** – (DE) Mr President, some may well have thought, following the rigged elections on 31 March, that the dictator would have had enough of repression for a bit, but, unfortunately, he had not. In order to intimidate still more, he mounted 'Operation Drive Out Rubbish', the 'rubbish' in question being in fact, cynically enough, people, some of whom – having already had to abandon their farms, which had been confiscated, were now losing their homes for the second time, and lacked any means of subsistence.

What is more than cynical, though, is the behaviour of the African Union, which declines to intervene, and South Africa is playing a key role in this. To President Mbeki, who is in Gleneagles today, I say this: 'You are personally and politically responsible for what is happening in Zimbabwe, for you have for years been omitting to do what you could to put an end to this human tragedy! If, as is evidently the case, your 'Old Boy Network' regards the misery of millions of people as an acceptable price to pay in order to hold on to power, you forfeit the right to govern what has been bequeathed to you by a liberation movement!'

Kofi Annan, the Secretary-General of the United Nations, has at last delivered his trenchant criticism of this behaviour in an interview in today's issue of the *Financial Times*.

I call on the Council and on all the Member States to make the regime's pariah status effective at last. You, the Council, are not even prepared to deny this clique entry visas. Those who terrorise their people in this fashion cannot gain the right to attend international conferences by availing themselves of international agreements, yet neither the Council nor our Member States are prepared to administer such a diplomatic slap on the wrist as to refuse them visas. That is another scandal, this time a scandal for European politics. There are certain Member States that are currently capitalising on other Member States' progressive withdrawal from Zimbabwe by expanding their own presence there, and by so doing, they – all of them – make us this regime's stooges. The people of Zimbabwe need us, so let us put a stop to this and do something effective at last.

**Ryszard Czarnecki (NI).** – (PL) Mr President, Zimbabwe was once one of the most affluent countries in Africa. It exported food and provided aid to the other countries in Africa that were less wealthy. Today it is

a weak and poor country, and the dictator that rules over it is a great man of narrow interests. Unfortunately, these interests are often also dishonest and bloody.

Credit is due to the authors of the motion for a resolution for having included the following key idea. Even if we stepped up aid to Africa, and hence to Zimbabwe, we would not be providing much in the way of real assistance unless we also ensured that this aid is backed up by good management, respect for human rights and solidarity in Africa. By this I do not mean solidarity between dictators, but solidarity among societies in support of democracy.

Our debate today is concerned with Zimbabwe, but we should also talk about Brussels. For many years now, Parliament has repeatedly asked the Council to take action on this issue, but the Council has acted blind and deaf. This situation is reminiscent of the Polish saying: 'a beggar talked to a picture, and the picture answered nothing', with the only difference being that the silent Council is an ugly picture. It is time to give serious thought to real and across-the-board sanctions, and to a boycott to be imposed by the other African countries on Zimbabwe. The European Union, together with the USA and the Commonwealth countries, should exert a certain amount of diplomatic pressure on the African countries to this end.

The Council must not bury its head in the sand and pretend that the problem does not exist.

**Eija-Riitta Korhola (PPE-DE).** – (FI) Mr President, we in this Chamber have spoken about Zimbabwe many times now, and everything that could have been said has been said. I do not now intend to repeat what our resolution says; I only wish to say that democracy is a challenging process which requires effort. We cannot even take for granted that it exists where people have sworn to uphold it. Perhaps we need a completely new profession, that of 'democracy engineer', to examine the weak points in a society's structures and conduct an impartial quality control assessment of democracy.

President Mugabe, a former freedom fighter and national hero, has degenerated into a dictator, who guards his own power jealously, and a criminal, and this needs to be analysed. When, a few years ago, we were in Zimbabwe as election observers, we could only wonder at Mugabe, who had the nerve to proclaim during the election that the government would remain, whatever the result. How does such arrogance come about?

This former fertile African model country is now in a state of chaos. Now its economic structures have disappeared and the country's plight is worsening the whole time. What is that slow slide from democracy to dictatorship? One keyword is law and order, a condition of the social contract. When he incited people to occupy land illegally, instead of carrying out a controlled land reform himself Mugabe did away with law and order in the country and thus destroyed the viability of its social core. There is also a sequel to this: now Mugabe is using hunger and misery as a weapon against his own people, and is feeding nationalism and blaming colonialism to conceal his own crimes. What is more, by crushing the opposition he is destroying the basis of democratic society.

For democracy to function, rulers need to be aware of just how dangerous they can be. The possibility of becoming corrupted by power comes from within. The philosopher and theologian, Niebuhr, hit upon a reason for man's dual nature: our capacity for good makes democracy possible, and our inclination to do bad makes it necessary. Only true democracy guarantees that new faces will replace people who have been corrupted by power.

President Mugabe, for the sake of your people, it is time for you to go.

**Louis Michel, Member of the Commission.** (FR) Mr President, ladies and gentlemen, I agree more or less with what was said and with what is included in the resolution. Obviously, Mugabe's regime is an inadmissible one that is doing absolutely unacceptable and abominable things. We agree about that.

That being said, I should like, all the same, to introduce a few qualifications regarding the tactical or strategic responses that are to be made, given the regime that is in place and the means available to us to move things in the right direction. When you speak of sanctions, for example, I obviously share your point of view concerning sanctions directly affecting the Zimbabwean authorities. They definitely must be applied. I would even add: what are we waiting for before applying them? Obviously, I agree. That being said, it needs carefully to be borne in mind that certain types of sanction have harmful repercussions on populations. In general, I am not, moreover, in favour of sanctions. I tend, rather, to be in favour of political dialogue. It has in fact been seen how, when they affect populations, sanctions generally rebound upon those who apply them, rather than target the authorities at whom they were directed. That is the first thing I wanted to say.

What I should now like to say, I say in the knowledge that my comments make me vulnerable to criticism. It would not, however, be right for me not to let you know my feelings regarding this debate. It is very easy for us, as Europeans, to issue press releases almost every day, denouncing and attacking Mugabe. You should be aware, however, that, every time Mugabe is attacked, his symbolic importance as a black hero in relation to the evil white colonisers is reinforced. As someone – Mr Meijer, I think – said a few minutes ago, Mugabe is clearly making use of this vicious circle to rehabilitate himself politically and in the popular imagination. That needs to be acknowledged.

There is something else you ought to know, too. Otherwise, you will not be fully informed. Together with yourselves, I certainly recognise that maximum pressure has to be exerted, but it has to be exerted in a subtle way. What also needs to be understood is that the leaders of the other African countries, whom you denounce for not daring to adopt positions, or make value judgments, on Mugabe's behaviour are put in difficult positions in their own countries every time Mugabe reinforces his symbolic, not to say heroic image. You need to know this and you also need to know that it is extremely difficult for Mr Mbeki, and I would say straight away that the old boy network ...

*(In response to heckling by one MEP, Mr Michel breaks off)*

... no, but of course not, there is no old boy network; I am sorry; it is an insult to the South African President to speak of an old boy network.

What Mr Mbeki and other African leaders in the region fear is, in reality, that the phenomenon of violence and of an anti-colonialist uprising somewhere might spread into neighbouring countries. I have on many occasions broached this issue with the representatives of the African Union and with the various Heads of Government of these neighbouring countries. I am able to tell you that they certainly want to put pressure on President Mugabe, but that they want the conditions to exist for doing so. In order to bring those conditions about, it is not enough, moreover, for the community outside Africa to relaunch the debate and wave the threat of sanctions, insisting on more of these and on the need to take a harder line. Firstly, what is meant by the need to take a harder line? Someone tell me what has to be done. Do troops need to be sent in? What should be done? President Barroso was extremely vigorous in his condemnation of Mugabe's attitude following the expulsions that took place recently. I should like someone to explain to me what, apart from that and apart from the vengeful, sometimes cavalier, press releases and the routine chest-baring, is meant by taking a harder line. Alternatively, we could engage in a debate on the duty, or right, to interfere. I personally am ready to engage in that debate. I am not indifferent to such a debate. I suspect, however, that, on the day that the demand is made in this House for troops to be sent to Zimbabwe to bring about order there – in which case, the agreement of the African Union will still be required – great harm will be caused to Africa and to its regional institutions. I also very much doubt that any candidates would be found in this House for assembling the bulk of the troops needed.

All I want to say is that an attempt at coherence is needed when points of view are defended. We are not just a sounding board. The European bodies, and I too, need at some point to be told precisely what these additional things are that need to be done. There is no end of condemnation going on. I met President Konare in Syrte four days ago, together with President Barroso. Our conversation basically consisted of our saying: but, President, why do you yourselves, as the African Union, not condemn Mugabe's conduct? To which he would reply: but, my dear friend, every time you attack Mugabe, you make matters much more difficult for us because our peoples do not consider Mugabe to be a tyrant or dictator; they consider Mugabe basically to be standing up to the evil colonisers, embodying genuine resistance and being faithful to history. That is what I hear, and I believe it.

Even though I know that this is impossible, there is almost a need, for a few weeks, to adopt a low profile and not to talk too much about all this. I am almost convinced that doing so would put the African Union, the regional organisations, President Mbeki and others in a position to exercise their peer review duty. I am almost convinced that you would be putting them in a position to do this. As long as we continue ostentatiously to lambast Mugabe's attitude with press releases and calls for vengeance, we shall not – and I am sorry to have to tell you this – be able to obtain the judgment we await from the African Union and the African organisations. It is only by obtaining such a judgment that we can in the end exercise influence. That is what I believe. I do not think that there is any other way in which we shall succeed in doing this. That is something you should know.

I spend a lot of time in those African countries, and I am utterly dismayed to see this vicious circle whereby the more tyrannical Mugabe is and the more the European Union and other international bodies intervene to condemn him, the more popular he is. If, however, this vicious circle did not exist, Mugabe would

undoubtedly not last for long, for it is only through this mechanism that he holds on to power. What Mr Meijer said is true: it is this mechanism that is the key.

To summarise, there is a need to be very careful when attacking the African Union and the African leaders in the region. I absolutely deny that we are the poodles of Mugabe's regime. I can tell you that I myself am by no means any such thing, and I can say this after having tried on many occasions to get things moving in South Africa. At one point, South Africa tried to convince Mugabe to transform his government into a government of national unity, opening it up to Mr Tsvangirai and his party. At one point, things had moved in the right direction. Then, along came the sanctions, which again created an extremely difficult climate.

I vigorously condemn Mugabe's attitude. I believe that the planned measures and sanctions should be applied against the Zimbabwean authorities. There is no reason for not applying them. That goes without saying. I agree with most of what is contained in the resolution. I am simply trying to explain to you the limits of what we can usefully do, because the problem is, in fact, one of doing things that are of use.

**Geoffrey Van Orden (PPE-DE).** – Mr President, on a point of order, the Commissioner has had almost ten minutes to stand up and make an apology for Mugabe's regime and the inaction of Mbeki, the Commission and the Council. This is disgraceful. There is a procedural problem in this House. How can we have a proper debate when we are limited to one or two minutes and then the microphone is turned off, while the Commissioner can stand up and make this disgraceful response? He has denied everything that every Member of this House, right across the political spectrum, has said.

*(Applause)*

We do not have the power, you have the power, Commissioner. I have been talking, along with other colleagues today, to members of the political opposition in many countries in Africa. They do not share your view, Commissioner.

*(The President interrupted the speaker)*

It is the most disgraceful outburst I have heard from a Commissioner in a long time.

**President.** The debate is closed.

The vote will take place today at 5.30 p.m.

## 29. Trafficking in children in Guatemala

**President.** The next item is the debate on six motions for resolutions concerning trafficking in children in Guatemala<sup>(2)</sup>.

**Raül Romeva i Rueda (Verts/ALE), author.** – (ES) Mr President, when we visited Guatemala a few months ago, we witnessed what a delicate time it was for Guatemala and, in particular, for the peace agreements. Many of the people we met expressed their concern about what they consider to be a replacement of the peace agenda, which has yet to be concluded, with an emerging economic and trade liberalisation agenda.

Within this context, the vulnerability of many population groups is clear and therefore worrying. Of the groups most affected by the present situation, I would like to highlight the indigenous groups, social movements and human rights activists and, as expressed in the resolution we are debating on and voting today, women and children, in particular the poorest of them.

First example: according to the Human Rights Activist Protection Unit of the National Human Rights Movement, between January and May, 76 attacks against human rights activists have been recorded, a figure that includes attacks and murders and the unlawful entry of headquarters.

During our visit, several abused and threatened groups told us of their experiences. Furthermore, they complained of the impunity that they believe is being enjoyed by the perpetrators of these events, due to the lack of investigation by the authorities.

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<sup>(2)</sup> See Minutes.

Second example: the data on structural and direct violence suffered by Guatemalan women is alarming, but the judicial and legislative responses appear to be insufficient. Illegal adoptions and complaints of forced pregnancies and abductions of children are simply a symptom of, amongst other things, the weakness of the rule of law in Guatemala, particularly with regard to poor women and indigenous communities.

For all of these reasons, within the European Union's future strategy on Guatemala 2007-2013, the Commission must be urged to establish the following as priority issues: social cohesion, the right to food, rural development and the reform of the land use and tenancy system.

Furthermore, the population groups affected must participate as much as possible in devising the strategy. Only by involving the different players in the process will it be possible to guarantee that the implementation of the strategy has the local support necessary for its objectives to be achieved.

**Elizabeth Lynne (ALDE), *author*.** – Mr President, Guatemala has been caught up in a culture of violence which the government seems unable to curb. There is a feeling of terror, mainly among families living in the slums, which suffer the highest murder rates. Trafficking of women and children is commonplace.

'No protection, no justice'. That is the title of an Amnesty report published last month which estimated that nearly 1 200 women and girls were brutally killed between 2001 and 2004. Many had been raped. Fewer than one in ten murders have been investigated. A nine-month study beginning in 2003 discovered that 688 girls were trafficked into different Guatemalan cities. These girls were not only from Guatemala, but from other Latin American countries as well.

As the girls were recruited by criminal organisations, all the victims were between 14 and 18 years old. They were led to believe when recruited that they would work as waitresses in Guatemala, only to be told the true nature of the job afterwards. They are often beaten up or locked in a room for several days without food for being disobedient. They do not run away as they are living in a state of fear. The government must prosecute the criminals who are involved in this trafficking.

Other illegal practices have developed, including kidnapping babies, payments to mothers to rent out their wombs and buying of babies from very poor mothers. Guatemala must bring in specific legislation on adoptions and apply the Hague Convention on Intercountry Adoption. Measures must be taken by the government on all these issues. If it does not do that, we as an international community are quite right to condemn it.

**Lidia Joanna Geringer de Oedenberg (PSE), *author*.** – (PL) Mr President, the ongoing human rights violations and illegal child trafficking in Guatemala are intolerable to the international community. Even though the civil war ended seven years ago, there is still a climate of violence and intimidation in the country, and it is ever more frequently the case that its victims are children and young people.

The main problem, and one that requires a response from the international community, is the impunity of organised gangs of criminals. The latter escape punishment either because the Guatemalan authorities lack the necessary commitment, or because they are quite simply incapable of winning the fight.

Over the past decade, illegal child trafficking has become more lucrative than the drug trade. As a result, Guatemala has become a transit country for the large-scale and illegal trafficking of minors to Mexico, the United States and Canada. This problem is one of enormous complexity. In the majority of cases, the children involved are put up for illegal adoption, and it should be stressed that more children are adopted abroad from Guatemala than from any other country in the world, apart from Russia and China. This exacerbates social ills, such as child prostitution, forced child labour and violence against women.

Illegal trafficking in children and children's organs is becoming increasingly prevalent in Guatemala, mainly due to a lack of human rights regulations at national level, and to the massive poverty that affects two thirds of the population. Statistics tell us that half of those living in Guatemala survive on less than two dollars a day.

The poverty in the country, together with the lack of any family planning policy and the disintegration of the education system, mean that one third of children under the age of 15 have no access to education.

In its mission to promote respect for fundamental human rights and to condemn all forms of violence against and exploitation of minors, the European Union has a moral obligation to intervene in the domestic affairs of countries that violate the rights of their youngest and most defenceless citizens. I therefore propose that

a worldwide campaign be launched to tie in with UNICEF programmes promoting the rights of children and young people throughout Latin America.

Today's terrorist attacks in London have highlighted the fragility of our sense of security, even in Europe, where we live in peace. We must therefore make even more concerted efforts to oppose all forms of violence, wherever in the world they occur.

**Erik Meijer (GUE/NGL), author.** – (NL) Mr President, in the previous debate, we concluded that Zimbabwe has now turned into a hell, but the same can be said of Guatemala, which has, however, been in the grip of misery for much longer. Since the *coup d'état* in 1954, which removed from office a government that had intended to free the country from poverty and backwardness, hardly anything has gone right for Guatemala, and it has been under the constant rule of governments lacking even the least concern for the weakest groups in society or for human rights, and with a long tradition of using violence and other forms of intimidation against anyone who seeks to improve the situation.

The backwardness of the past 50 years is exemplified by the absence of any legislation criminalising child trafficking, by the falsification of government documents, the many homicides that go unpunished, the obstruction of human rights activists in their activities, the poverty in which 56% of the population live, and lack of almost any opportunity for the indigenous peoples to take part in political decision making. Not only in Zimbabwe, but at least to the same extent in Guatemala, there is every reason for the European Union to help bring about sweeping changes. It therefore follows that my group is firmly behind the proposed resolution.

**Fernando Fernández Martín (PPE-DE), author.** – (ES) Mr President, during the recent visit by a delegation from this Parliament to Guatemala, our attention was drawn to a particular issue, and the five Members, from different political groups, making up that delegation agreed that the adoption of children in Guatemala by foreign families causes an immense problem, represents a flagrant violation of children's rights and, ultimately, is the subject of an extremely lucrative business.

According to official figures that we obtained there, in 2004, 3 824 Guatemalan children were subject to international adoptions and that figure, for a country with just over 12 million inhabitants, demonstrates that something is not working properly there. The adoption of a child costs between USD 25 000 and USD 30 000, and just 2 or 3% of that goes to the birth mother, that is to say, less than EUR 400.

This means that the total sum obtained through this phenomenon of massive donations is the second largest of the country's exports. The children concerned are generally children of single mothers, many of them girls of between 13 and 14 years old, largely indigenous and, in many cases, victims of drugs and/or prostitution.

Over recent years, many Guatemalan governments have tried to approve a law to implement the Hague Convention on adoptions, but they have failed. The Guatemalan Congress, undoubtedly subject to external pressure, has not been able to approve that law.

Now, the Guatemalan Government hopes that, over the coming weeks, a law will be approved to put a stop to this situation. My group therefore intends to send a very clear message to the Guatemalan authorities, communicating to them that they will have our every support so that their Congress can finally approve a law that imposes order on this truly intolerable situation.

**Urszula Krupa, on behalf of the IND/DEM Group.** – (PL) Mr President, the title of today's debate points to a modern-day tragedy on a massive scale. Every year, over 1.2 million children are trafficked, and international adoption generates annual profits of USD 20 million. Children in poor countries live in destitution and are turned out onto the streets, sexually exploited or murdered for transplantable organs. The developing world has become a den of debauchery for many developed countries.

Apart from drug and weapons trafficking, child trafficking is the best way to make money in Guatemala. The gangs involved in such trafficking advertise on the Internet, safe in the knowledge that they will remain unpunished since there is nothing in Guatemalan law to say that such underhand practices are crimes.

The particular barbarity of these criminals is apparent from the fact that mothers who have just given birth are drugged and forced to sign documents confirming that they relinquish their parental rights. Despite the growing magnitude of the problem, however, neither the Guatemalan Government nor the local authorities have taken any kind of action. From the moment of their conception, today children experience unprecedented aggression instead of love and care, and are exposed to the threats of murder, forced labour and sexual

exploitation. Such practices are facilitated by the depravity of politicians, of lawyers, of officials and even of international humanitarian organisations.

John Paul II once said that care for children was the first and basic test of human relations. Our actions should not be limited to intervention and the adoption of resolutions, as commendable as we find them. Particular emphasis needs to be placed on the role played by the morally healthy family, as the latter provides children with love and a sense of security, which are indispensable prerequisites for growth and development.

(Applause)

**Louis Michel**, *Member of the Commission*. (FR) Mr President, ladies and gentlemen, the Commission is very aware of the situation in Guatemala, as reported on by a variety of United Nations special envoys, as well as by the European Parliament delegation despatched to Guatemala in April. Within the framework of implementing the 1996 peace agreements, defending human rights is a key priority in our relations with Guatemala.

Regarding the adoption of children, the Commission has, since 2004, supported the actions regularly taken by the European Union in respect of the Guatemalan authorities. These actions enable us to express our concern about the failure properly to implement The Hague Convention. The contacts between the European Union and UNICEF have also been satisfactory in this regard, particularly on the occasion of the recent visit to Guatemala by the Secretary General of the Hague Conference, Mr van Loon. This visit enabled a climate more favourable to the necessary implementation of the aforesaid convention to be created. At the same time, the Commission supports a series of cooperation projects concerning the problems surrounding the trafficking in children in Guatemala and the fight against child pornography, and it does this within the framework of the 'country' strategy for the period 2007 – 2013, which is in the process of being defined. We intend to supplement and increase these efforts by means of a cooperation policy entirely focused on the protection and overall affirmation of children and young people, particularly young people and families at risk.

The Commission has also associated itself with a variety of actions by the European Union in support of, in particular, the Interior Minister and the Public Prosecutor. These have enabled us to express our concern about the human rights situation, including the growing violence against women and the attacks on those organisations set up to protect human rights. In terms of cooperation, the overall indicative budget of the European Union allocated to Guatemala in the area of human rights and democratisation for the period 2002 – 2006 amounts to EUR 18 million. This aid includes support for the judicial authority and for the office of the human rights public prosecutor in the rural areas. The Commission has also launched a specific 'gender' programme, aimed more specifically at indigenous women and equipped with a budget of EUR 6 million.

Finally, the Commission has approved a budget of EUR 1.2 million in support of establishing the office – due to be ready by July 2005 – of the High Commissioner for Human Rights in Guatemala.

Where our future cooperation is concerned, the absolute priorities in our relations with Guatemala are still social cohesion, rural and local development, including the definition of a comprehensive food aid strategy, and, finally, the advancement of the indigenous peoples.

**President.** The debate is closed.

The vote will take place today at 5.30 p.m.

### 30. Human rights in Ethiopia

**President.** The next item is the debate on six motions for resolutions concerning human rights in Ethiopia<sup>(3)</sup>.

**Raül Romeva i Rueda (Verts/ALE)**, *author*. – (ES) I am pleased to be able to begin this speech by celebrating the release of the six human rights activists whose release we were calling for in the resolution we were to debate today. These people were amongst thousands who were detained in the capital of Ethiopia, Addis Ababa, during and after the demonstrations that began on 6 June and that lasted several days.

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<sup>(3)</sup> See Minutes.



Thirty-six people were killed in these disturbances. Although some 4 000 people have now been released, several thousand remain in prison or in unofficial police detention centres. In view of this situation, the European Union must remain resolute and demand that the investigation of these events continue without obstruction by any of the parties.

Furthermore, it seems clear that the opposition has neither the intention nor the means to carry out a violent uprising which could ultimately compromise the election victory which it claims to have won. Nevertheless, we cannot claim victory on behalf of the government which, according to the various recounts, appears to have lost the elections.

The European Union must therefore send a clear message to the government, warning it that it must cease all repressive and provocative attitudes, particularly towards members of the opposition, human rights activists and independent journalists, since that hostile attitude may lead the country into a situation of chaos that will benefit nobody.

Finally, the European Union must demand that the government fulfil its responsibility to guarantee the security of the citizens and of the new Parliament.

**Marios Matsakis (ALDE), *author*.** – Mr President, some may wonder how, on a day when the plague of terrorism has again hit innocent civilians in a European capital, we can continue to debate the matters on our parliamentary agenda as planned. The answer is of course that, while our hearts go out to the victims and their families, we must *never* allow cowardly acts of terror to disrupt our democratic institutions and processes. To do otherwise would in fact give the cowardly terrorists the sick satisfaction and perverse pleasure they seek to achieve by perpetrating such monstrous crimes against humanity.

Ethiopia is, unfortunately, a country with a long history of poverty and famine. It is also a country with a long history of autocracy and state terror. During their fourteen years in power, the governments led by Prime Minister Meles Zenawi have continued to amass a shameful human rights record. Many critics of his government have been routinely subjected to harassment, imprisonment and torture. Last month, after the recent parliamentary elections in the country, opposition demonstrations in the capital Addis Ababa were met with brutal attacks by the Ethiopian police. The demonstrators, mainly university students, claimed, with good reason, that there had been widespread electoral fraud. The security forces fired indiscriminately on the unarmed demonstrators, killing at least 36 and injuring over 100. An estimated 5 000 people were arrested and thrown into military detention centres. Following international reaction, many have now been released, but a large number are still in detention.

Over the last few years, Ethiopia has received – and continues to receive – a considerable amount of development aid from the West, much of which is from the EU. Many argue – quite rightly – that we ought to reconsider how this aid to African countries is given, because it would appear that in some cases at least – and Ethiopia is an example – the granting of financial help may bring about the collateral danger of helping to establish a non-democratic regime the policies of which further lead to national poverty. I ask you to support this motion for a resolution.

**Ana Maria Gomes (PSE).** – *(PT)* No, Mr President, I speak to the House not, unfortunately, as an author, but as a Member of the House and as head of the EU election observation mission to Ethiopia. The elections afforded the opposition and all of Ethiopian society an unprecedented voice, which is to Prime Minister Meles Zenawi's credit. The presence of international observers, of which our mission was the most significant in terms of numbers and professional commitment, was a key factor in instilling confidence among the electorate, who turned out in their droves and 90% voted. The delegation sent by Parliament felt the sustained applause of voters queuing up on 15 May and for this reason the EU's electoral mission feels an enormous responsibility. It is crucial that the Ethiopian people have their expectations of true election results fulfilled and the mission will do all it can to ensure that this happens.

Nobody can know for sure what the election results will be because the process got into serious difficulty at the stage of counting the ballot papers. In addition to the delays in publishing the results, there were a large number of complaints from all parties, including the party in government. Concern among the population with regard to those delays and complaints was at the root of the tragic events of 6, 7 and 8 June, on which the mission immediately spoke out publicly. We called at the time for an independent inquiry and we continue to do so. Specifically, we call on the government to release those held in breach of constitutional guarantees and of human rights; we call for elected candidates and other opposition representatives, along with human rights campaigners, to be allowed the freedom to perform their duties; we call for media freedom and for opposition representatives to be allowed access to the media; we called then and call now on the opposition

to hold back and discourage others from carrying out or calling for an insurgency, from calling for people to break constitutional law and from fomenting inter-ethnic conflict, which will ultimately only help those with a vested interest in ensuring that the results of the popular vote are never disclosed, those who, in turn, would stop at nothing to force the electoral process to be disrupted, leading to a spiral of violence and economic and political chaos; we call on both sides – government and opposition – to comply fully with the 10 June Agreement aimed at addressing complaints, which is backed by the main contributors, including the Member States.

At this point I wish to pay tribute to the representative of the Commission, who played – and continues to play – an outstanding role in Addis Ababa. Our mission has been restructured to meet requests from both sides that we should observe this process of looking into complaints and I shall therefore be back in Addis Ababa next week.

I shall finish, Mr President, by saying that the situation is very delicately and dangerously poised. The risk of civil war is not mere rhetoric. I have just heard the news that the main opposition announced this morning that it is pulling out of the complaint investigation process due to its representatives allegedly being obstructed. Accordingly, any demonstrations of interest in the Ethiopian process, however constructive or well-intentioned they may be, and this is clearly the case of this Parliament initiative, could be taken the wrong way, or could be used for nefarious purposes by those who have a vested interest in breaking up the democratisation process in Ethiopia.

My duties as head of the electoral observation mission have not finished. It is an independent mission, and the work is not yet done. I therefore ask Parliament to appreciate that I feel it is my duty not to take part in the vote on this resolution.

**Jaromír Kohlíček (GUE/NGL), *author.*** – (CS) Ladies and gentlemen, I am delighted to be able to lend my full backing to the joint motion for a resolution on the situation in Ethiopia. No attempts are made to hark back to the time of King John; instead, the resolution makes it quite evident that we are aware of the gravity of the situation in one of Africa's poorest countries. Ethiopia was a founding member of the Organisation of African Unity, but the country is still troubled by the unstable situation in Somalia, as well as by conflicts with the medieval regime in Eritrea. One of its neighbours is Sudan, which has been trying for several decades now to resolve the internal conflicts in its north and south and the disastrous situation in Darfur. In the past, Ethiopia has suffered coups and been ravaged by drought and war in Uganda.

In a situation such as this, it is absolutely crucial to strengthen the faith of the Ethiopian people in democratic systems. I agree with Mrs Gomes, the leader of the election observation mission, in this respect, and it is only right that the resolution should also emphasise this point. That by itself is not enough, however; we must not tolerate the violation or circumvention of the laws of any country, especially when the country in question boasts a high electoral turnout, which is an indication of the public's enormous interest. Support must be provided to enable a thorough investigation of all complaints. We must step up our efforts, however. A country such as Ethiopia, which is striving to improve its agricultural and industrial situation, needs our assistance. A number of countries have already provided such assistance in the past, and programmes of this kind should be given a major boost. Aid for Ethiopia must be clearly targeted at solving fundamental problems, instead of benefiting the government. It is just as important to send experts to the country to help train farmers, and if necessary to provide assistance in identifying and securing water sources, as to offer places to study at secondary schools and universities in the European Union. There is an old proverb that says; 'give a man a fish, and you feed him for a day; teach a man to fish, and you feed him for life'. We should take this as our guiding principle.

**Bernd Posselt (PPE-DE), *author.*** – (DE) Mr President, in a special way, the theme for this week is Africa, a continent neglected all too long by all of us, including, to some extent, those of us who sit in this House. Starting with the pop concerts at the weekend, moving on through the summit in Scotland on Wednesday and our great debate here in this House, it is Africa that dominates today's topical and urgent debate this Thursday afternoon.

The subject of Zimbabwe alone has made clear just now much potential for conflict there is in this topic. It has become evident that there is a need, over and above purely humanitarian approaches, for a rigorous and well thought-out Africa policy to be developed. I have to say that I was shocked by what the Commissioner had to say on this point. Speaking as a Bavarian Member of this House, I have to say that, when I recollect that the Commissioner was, in his former incarnation as Belgium's foreign minister, one of the prime movers behind the attempt to impose sanctions on Austria, that model European democracy, to hear him now give

it as his opinion that it would be counter-productive and wrong to apply sanctions against Zimbabwe's Mugabe, one of the most infamous dictators in the world, then I have to say that this application of double standards is something we simply cannot accept.

We have to make it abundantly clear that we, in Europe, can be credible only if we do not just potter around showering Africa with money, but instead, put together a political strategy and a perfectly clear concept of what human rights are.

I agree unreservedly that we cannot, of course, go around making ourselves out to be the ones who can teach the world. We have enough to do to put our own house in order, but, Commissioner, I do believe that it is necessary, as a matter of urgency, to impose sanctions on the dictators in Africa and exert pressure on them.

South Africa's President Mbeki, who parades himself around the whole continent as a model democrat and peacemaker, is himself basically no more than a Mugabe in disguise, or else he would long ago have come out in opposition to the wrongdoing in Zimbabwe. That much is clear enough when you listen to what the representatives of the churches in South Africa have to say on the subject, and this is a cause we should take up.

It is in this context that we have to consider the portents for Ethiopia, and beware. Ethiopia has already experienced enough catastrophes in the shape of dire famines, wars and civil wars, a dictatorship bearing the unmistakable mark of Soviet-style communism, followed by another civil war and a war of secession, war among its neighbours and more of the same besides; it is now heading for a new one. We now see yet another dictatorship coming into being, and that in a country that has massive potential, a country that is one of the oldest independent states on earth, with an ancient people, predominantly Christian in culture, that until recently had never had to endure colonial hegemony, a country that had fought Fascism and European militarism, a country that was once the pride of Africa and the symbol of independent self-supporting development. We must not allow this country to disintegrate into clans in the same way as its neighbour Somalia, into multiple divisions along tribe and party lines, with most of the parties based on tribal allegiance.

That is why we need to throw a massive amount of weight behind democracy and human rights in Ethiopia. It is not often that I find myself agreeing with Mr Kohlíček, but today I have to add my voice to his. We have to support decentralised projects in agriculture and in irrigation, thereby preventing it from being only those at the centre and the bureaucrats who benefit, but, on the contrary, enabling a new community to come into being, from the bottom up, on the strategically vital Horn of Africa.

**Alyn Smith**, *on behalf of the Verts/ALE Group*. – Mr President, in this debate on human rights, democracy and the rule of law in Ethiopia, I cannot allow the dreadful events in London today to pass without comment. I do not represent London – or England – but I will say that we Scots stand foursquare beside our nearest neighbour, our friends, our colleagues and indeed our families in London and elsewhere. Tomorrow will be for questions and for reasons. Today is for decency and humanity.

In our interconnected world, an attack on the rights of the innocent in London, in Ethiopia, anywhere is an attack on the rights of us all. And in the light of today's events, it makes it all the more imperative that those of us on the side of human rights and the rule of law speak with a clear, loud and forcible voice in the world. If we agree on nothing else, it must be that illegal violence against the innocent is never and can never be the answer.

On the widespread abuse of human rights in Ethiopia, I wholeheartedly endorse the earlier comments of my group colleague Mr Romeva i Rueda and would add that press freedoms must not be forgotten in this debate. The freedom of the press is pivotal to a free society and a free world. These freedoms are also being widely infringed in Ethiopia and I would add my condemnation to that of the House.

There is little debate within the House on the substance of the motion for a resolution before us, but events outwith this House make it all the more important that we protect these rights.

**Ryszard Czarnecki (NI)**. – *(PL)* Mr President, I envy Ethiopia. Yes, you heard me correctly – I envy Ethiopia, but not for its government, as there is little cause to do so. I envy the Ethiopian people for their belief that so much depends on them. I do not believe there is a single European country that can boast an electoral turnout of almost 90%, as recorded in the elections held in Ethiopia on 15 May of this year. Such a high turnout merits our respect and our support, and a country that can achieve this deserves democracy. The

only problem is that democracy comes at a very high price in Ethiopia. Thirty-six people were killed and several thousand imprisoned, although fortunately 4 000 of the latter have recently been released.

The word solidarity is one of enormous importance for the people of my country, Poland, and indeed it also holds great meaning for the European Union. This solidarity should be extended to Ethiopia too, and the country should not be condemned to oblivion, even if it is a long way from Strasbourg. We should not allow ourselves to forget Africa, and our thoughts should not only turn to it once a year, or whenever Bob Geldof organises concerts.

The non-attached Members fully back the motion for a resolution, because it amounts to nothing less than a political translation of Ernest Hemingway's wise saying, 'ask not for whom the bell tolls; it tolls for thee'.

**Louis Michel**, *Member of the Commission.* (FR) Ethiopia is a typical case in which the European Union can make a difference and in which it also applies itself to making a difference. Like all of you, I followed very closely the development of the electoral process in Ethiopia. I followed it before the elections, and I have to say that the electoral campaign was a model of democracy, with access to the media for everyone. It was from the time that the elections started that there was a genuine problem. I was obviously a witness to the serious incidents that occurred on 7 and 8 June 2005. I intervened personally. Mr Solana intervened. You should know that I was in contact almost every two days with Prime Minister Meles to inform him of the EU's concerns about the progress of the elections and, more specifically, about the human rights violations that were committed during those incidents.

Clearly, the messages that the European Union and others have sent, and continue to send, to the authorities have some effect, as shown by the government decision to release approximately 3 800 people arrested without charge following the demonstrations. We have had many telephone contacts and, on each occasion, Mr Meles has responded to our request. I spoke with him and President Barroso three days ago in Libya. There are apparently still 600 to 700 detainees, many of them held in secret. Prime Minister Meles told me that he was trying to speed up settlement of these issues and that the majority of these detainees would probably be freed if they were being held for no reason. The Ethiopian authorities have to respect not only their laws but also international human rights standards. We have asked for the International Committee of the Red Cross to be allowed to visit those who are still prisoners.

With regard to the events of 7 and 8 June, it would be desirable if the Government were to authorise an independent inquiry in order fully to establish the facts and the charges. Prime Minister Meles told me that he was in a position to respond to this request and that he was going to do so.

Regarding the electoral process, I am very pleased about the progress made after the serious risk of matters going off course, just as I am very pleased that it has been possible to make a start on dealing with the electoral dispute. I have asked all the political parties – I have met them all, including the opposition parties – and their leaders to observe the maximum restraint so as to enable the national election administration to complete its work independently.

The European Union has also arranged – in response to a request from the opposition parties – for representatives of each party, including the opposition parties, to sit on the committee set up to receive complaints. There too, we have obtained satisfaction. We were also the only key player in negotiating a code of conduct for the media. This code is well on the way to being adopted by all the parties, and it is more than likely that it will be adopted fairly quickly. The Commission and the EU as a whole very much want Ethiopia to conclude the electoral process not only in the interests of the country's stability but also because of the terrific signal that real democratisation of the country would send out. Both through the European Union's election observation mission and through the political dialogue conducted within the country itself by the Commission's representative, the Commission is at the forefront of the initiatives and is playing a constructive role appreciated by all the Ethiopian parties. We shall continue to support the process.

I should also like sincerely and publicly to thank and congratulate the honourable Member, Mrs Gomes in view of her remarkable work as head of the European election observation mission and the excellent collaboration she has made possible between herself and ourselves. We have had contacts, and I appreciate the degree to which she has helped bring our positions closer together. I wanted very much to say that she has gone beyond her simple role as head of the observation mission and that she really has been a quite remarkable facilitator.

(Applause)

I am convinced that the European Union will continue to engage in constructive, but firm and demanding, dialogue in order to continue to have a positive effect on the process under way in Ethiopia. This process is obviously a delicate one. In each camp, extremists are only waiting for a mistake to be made or for an opportunity to spark things off. I think that this collective responsibility – involving Parliament, the Commission and the Council – should forestall this worst case scenario and keep each camp committed to the legal framework and current electoral and political process.

I should like, even so, to add something. Without taking sides, I should like in any case to say that the influence of the European Union is, to some extent, helped by Prime Minister Meles's open approach and, above all, by his considerable confidence in the European Union. He sees the European Union as an institution and a reality to believe in and to respect. Hence, his relative promptness in responding to our requests and entreaties and, indeed, our demands. I am convinced that, if we can continue to support the process, we shall play a conciliatory role, and democracy could quite easily come into its own again in Ethiopia.

Prime Minister Meles told us that he would accept the verdict of the electorate when it is announced by the institution that is to make known the precise results. If, for example, it were necessary to hold fresh elections in a number of constituencies etc., he would fall in with this. We shall see what comes of the matter. In any case, each time that he has committed himself to do something, he has done it. It was important that I informed you of this.

The picture I am painting is not as black as that painted by certain speakers. Of course, the situation is a delicate one. Naturally, it is risky. Of course, it is dangerous. Who would imagine otherwise? Since I have been a Commissioner, however, this is the first time I have been aware that, when the various institutions – Parliament, High Representatives, the Commission and delegations on the spot – work together, including with the Member States and using all the instruments available to the European Union, they are effective. That is certainly the case where Ethiopia is concerned. I have the feeling that we have been really very useful, but I should like again to thank Mrs Gomes from the bottom of my heart because she has been of great help to us.

**President.** The debate is closed.

We shall now proceed to the vote.

### **31. Documents received: see Minutes**

### **32. Voting time**

**President.** We shall now proceed to the vote.

*(For results and other information relating to the vote: see Minutes)*

**Bernd Posselt (PPE-DE).** – *(DE)* Mr President, the Saïfi Report was on the voting list for this evening rather than for midday. It was, however, dropped at midday, and that after the voting was already over and many of us had already left the Chamber. On re-reading the Rules of Procedure, it is quite clear to me that Article 170(4) states that the deferment of a vote may be moved before the vote takes place. It follows that Mr Schulz could now move that the Saïfi Report be deferred, but the reason why he cannot do that is clear to see, for he is obviously not even here. It is my view that we can no longer accept the Rules of Procedure being used in this way. The report could have been voted on now, but the reason why it was not scheduled to be voted on this evening was that there would have been a clear majority in favour of voting on it, for those who are present now are the ones who work right up to the last minute. What happened at noon today was the action of those who are too lazy to stick it out right through to the end of the sitting.

**Hannes Swoboda (PSE).** – *(DE)* Mr President, I would like to make a correction. Mr Posselt is evidently unaware that the motion originated, not from Mr Schulz but from somebody else. I might add that the vote went the way it did thanks to a majority far in excess of the number of Members present at the moment, and that makes it democratic.

**Paul Marie Coûteaux (IND/DEM).** – *(FR)* Mr President, I have to say, in support of the speech by my excellent fellow MEP, Mr Posselt that, from a certain point of view, we are very surprised at what has happened regarding the Saïfi report. I should like us to evaluate the consequences for it is, at root, a sign addressed to all those who care about the Strasbourg seat. Everyone knows that this seat is threatened. Let us think again about

this morning's vote. Independently of the issue raised by Mrs Saïfi's report on an important subject, namely textiles, the debate on which ought not, in my opinion, to have been postponed for two months, given that it was an urgent matter, there is, in addition, the signal we have sent out by admitting that, as from 12.30 p.m. on Thursdays, it is impossible to do anything important in the Chamber of Parliament's seat in Strasbourg, which I consider to be the main seat of the European Parliament. Given that our activities begin on Tuesday mornings, the fact that they cease on Thursday mornings would suggest, not to put too fine a point upon it, that the Strasbourg Parliament, in Strasbourg, only sits, roughly speaking, two days per month. That is a consequence of which I would ask all of my fellow Members to assess the significance, and that is why I am raising a formal protest on this subject.

### 33. Zimbabwe

- *Before the vote:*

**Geoffrey Van Orden (PPE-DE).** – Mr President, I believe this has been agreed by all political groups. In paragraph 17 of the resolution, we should like to delete the words 'government of national unity' and insert the words 'transitional government'.

Could I also suggest that in paragraph 18 we also include the G8 governments.

*(The President ensured that there were no objections to the oral amendment)*

### 34. Trafficking in children in Guatemala

### 35. Human rights in Ethiopia

### 36. Agriculture in the outermost regions of the Union

- *Before the vote:*

**Duarte Freitas (PPE-DE), rapporteur.** – *(PT)* This is simply to clarify that I had difficulty with my card in the voting machine and unfortunately I did not vote on my report. I wish it to be noted, however, that I was, of course, in favour.

**President.** The vote is closed.

### 37. Explanations of vote

– **Report: Freitas (A6-0195/2005)**

**Luís Queiró (PPE-DE), in writing.** *(PT)* The specific characteristics of farming and market supply in the outermost regions are evident and are rightly acknowledged by the EU. In this context, and in light of recent experience, I feel that the thrust of the proposal, which is essentially to make the process more flexible, meets Portugal's considerable interests in this issue. Our outermost regions – the Azores and Madeira – deserve special focus due to their specific situation, not least in the field of agriculture.

**38. Corrections to votes: see Minutes**

**39. Decisions concerning certain documents: see Minutes**

**40. Written statements (Rule 116): see Minutes**

**41. Forwarding of texts adopted during the sitting: see Minutes**

**42. Dates for next sittings: see Minutes**

**43. Adjournment of the session**

**President.** I declare the session of the European Parliament adjourned.

*(The sitting was closed at 6 p.m.)*

## ANNEX

### QUESTIONS TO COUNCIL

#### **Question no 23 by Edite Estrela (H-0504/05)**

##### **Subject: Carcinogens**

Lead, a chemical element that causes cancer, has been detected in lipstick marketed under the best known labels in the cosmetics industry.

Will the Council investigate whether this infringement is continuing and, if it is, what steps will it take to protect consumers' rights and health?

##### **Answer**

(EN)The Council is not aware of the facts quoted by the Honourable Member. However, the Council would point out that the composition of cosmetics must conform to Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products. As the Honourable Member will know, it is for the Commission to ensure proper application of this legislation and for the Member States to enforce controls on the applicable rules, punishing breaches of those rules in accordance with national law. In this context, the Council would like to suggest to the Honourable Member that this question be addressed to the Commission.

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#### **Question no 24 by Brian Crowley (H-0506/05)**

##### **Subject: Mass forced evictions in Zimbabwe**

The President-in-office of the Council will be aware of recent mass forced evictions in Zimbabwe which, according to the United Nations, has left more than 200 000 people homeless.

It has also been widely reported that at least 30.000 civilians were arrested during this operation, which was named 'Operation Murambatsvina [Drive out rubbish]', by the Zimbabwe authorities.

Will the President-in-office assure the House that they will demand an immediate halt to such actions, which are contrary to the United Nations Charter on Human Rights, and also remind the Zimbabwean authorities of their obligations under the International Covenant on Economic, Social and Cultural Rights, which that country ratified in 1991?

##### **Answer**

(EN)The EU has condemned the actions undertaken by the Zimbabwean government in the framework of "Operation Clean Sweep and Restore Order". In a declaration issued by the Presidency on behalf of the EU on 7 June 2005, the EU also appealed to the Zimbabwean government to put an immediate end to this operation and urged it to respect human rights and the rule of law.

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#### **Question no 25 by Eoin Ryan (H-0508/05)**

##### **Subject: Avian flu - 'a health time bomb'**

Last April the Commission stated in the European Parliament that 'It is true that the influenza pandemic is a threat and, as the scientists advise, it is no longer a question of 'if' but 'when'.....We have a plan at Community level, but we also need to have national plans at Member State level.'

In light of the above will the Council indicate if this matter has been discussed at Council level and, in the affirmative, what were the conclusions reached? In the negative, will the Council indicate if it is prepared to have this potentially catastrophic worldwide health hazard included on an early Council agenda as a matter of urgency?



**Answer**

(EN)The Council thanks the Honourable Member for giving his attention to this important question.

The Council has received from the Commission on 29 April 2005 a proposal for a Council Directive on Community measures for the control of Avian Influenza.

This text aims at updating current Community measures on Avian Influenza laid down in Council Directive 92/40/EEC, with the objective of ensuring that Member States apply the most appropriate surveillance and control measures against Avian Influenza and so reduce the risk of major outbreaks of the disease and encourage closer collaboration between veterinary and public health authorities in the Member States.

The Council has already started to work on this text. The Council's examination will continue under the UK Presidency. Once the EP Opinion is available, the UK Presidency will try to reach an agreement on the proposal, taking the EP Opinion into account.

Furthermore, the Council has adopted several policy conclusions which are relevant to the Honourable Member's question.

In particular, in its Conclusions of 2 June 2004 on Community Influenza Pandemic Preparedness Planning, the Council identified some key components of the Community strategy to face up to pandemic influenza.

Inter alia, the Council called on the Commission and the Member States to facilitate technical assistance at an operational and a strategic level, to work towards promoting coordination of national plans and conducting a joint evaluation exercise, and to continue to cooperate with the relevant international and intergovernmental organisations, in particular the World Health Organisation, to ensure effective co-ordination of activities in the area of pandemic preparedness planning and response.

On 6 December 2004, the Council adopted Conclusions on a European Response to Emerging Zoonotic Disease.

The Council concludes that a European Action Plan for zoonoses preparedness and control should be established in order to implement an intersectoral and responsive Community strategy to emerging threats from zoonotic diseases. Such a Plan, which the Commission intends to propose, should include integrated public health and animal health policy measures and related instruments.

The Council also called on Member States and the Commission to:

review where appropriate the legal and financial obstacles to addressing properly emerging zoonotic diseases and to develop an approach that guarantees, on a day-to-day basis, risk assessment, risk management and risk communication - including intersectoral cooperation and networking of laboratories - in an integrated way.

to coordinate research activities aiming at addressing challenges in the prevention and management of zoonotic diseases.

Finally, the Council invited the European Food Safety Authority, in close cooperation with the European Centre for Disease Prevention and Control, to present on the basis of the annual Community report on zoonoses a detailed analysis of risk factors and called on the Member States and the Commission to intensify the cooperation with the relevant international and intergovernmental organisations.

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**Question no 26 by Liam Aylward (H-0510/05)****Subject: The International Criminal Court and alleged war crimes in Sudan**

According to the United Nations about 180 000 people have died in the two-year Darfur conflict, and more than two million people have been forced to leave their homes in the region.

For the first time in its history the United Nations Security Council, following a vote, has referred an inquiry into alleged war crimes in west Sudan's Darfur region to the International Criminal Court (ICC).

The names of 51 potential suspects have been given to the ICC. The Sudanese authorities have announced that they will refuse to cooperate with the work of the ICC.

Will the Council give an assurance that it will use its office to impress on the Sudanese Government that it would be in its own best interests to cooperate with the ICC?

**Answer**

(EN) During the period preceding the UN Security Council decision, the Council expressed its support on several occasions for the Darfur situation to be referred to the International Criminal Court (ICC)

Likewise, in its conclusions of 23 May, the Council welcomed Security Council Resolution 1593, and urged all parties in the Sudan to cooperate fully with the ICC. The Council also declared that it would follow progress closely.

The need for the Sudanese government to cooperate with the ICC has been underlined repeatedly by EU representatives during their contacts with the Sudanese authorities.

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**Question no 27 by Seán Ó Neachtain (H-0512/05)**

**Subject: Sudanese intimidation**

In a recent report Médecins Sans Frontières (MSF) produced evidence relating to killings, rapes and arson perpetrated in the Darfur region of Sudan. According to MSF 'more than 80 percent of the victims identifying their attackers as soldiers or members of government-allied Janjaweed militia'.

The Council will be aware that in retaliation and as an act of intimidation the Sudanese authorities arrested and brought serious charges against the aid workers who dared to speak out.

Will the President-in-Office of the Council indicate what measures, if any, the Council took following this totally unacceptable attitude by the Sudanese authorities?

**Answer**

(EN) The Council has been closely monitoring the case of the arrest of two staff members of Medecins Sans Frontieres (MSF). Following the arrests, the EU Troika in Khartoum conducted a démarche with the Sudanese authorities to express the EU's deep concern at the arrests, insisting that the MSF staff concerned should be immediately released and the charges against them dropped.

The EU Troika has continued to pursue the matter with the Sudanese government and has supported the efforts of the UN Secretary-General's Special Representative on Sudan to this effect.

Against that background, the Council welcomes the release of the two MSF staff members and the decision of the Sudanese government to formally lift the charges against them.

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**Question no 28 by Diamanto Manolakou (H-0516/05)**

**Subject: Unlawful arrest and kidnapping by the Colombian authorities**

On 13 December 2004, Rodrigo Granda (Ricardo Gonzales), a high-ranking member of the International Section of the Revolutionary Armed Forces of Colombia, was kidnapped in Caracas, Venezuela, by Colombian and Venezuelan police officers working in collusion and handed over to the Colombian authorities. As Colombia's Defence Minister admitted, the kidnapping cost 2 million dollars. The arrest of Granda is unlawful since there is no international warrant for his arrest and the charges are a fabrication. Moreover, the public prosecutor has refused to hand over the evidence to his lawyer, while it is also a problem for the lawyer even to stay in the town where the trial is to be held owing to the conspicuous presence of paramilitary groups.

Since the above actions are a gross violation of fundamental rights, international procedural law and the principle of a fair trial on the part of the Colombian authorities, what is the Council's position and how does it intend to respond?

**Answer**

(EN)The Council has no detailed information on the case of Mr Granda, a high-ranking member of the Revolutionary Armed Forces of Colombia. The Council recalls that the Revolutionary Armed Forces of Colombia are on the European Union list of terrorist organisations.

The Council has regularly called on all parties to the conflict in Colombia to respect human rights and international humanitarian law and has requested all illegal groups to cease hostilities and engage in a negotiated peace process. Unfortunately, the situation continues to be critical, and illegal groups perpetuate serious violations of humans rights and international humanitarian law.

In the area of human rights the Council strongly supports the work of the Office of the United Nations High Commissioner for Human Rights in Bogotá which plays an important role in efforts to counter ongoing violations of human rights and international humanitarian law. The Council has no information on any steps taken by the Office in this case.

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**Question no 29 by Rodi Kratsa-Tsagaropoulou (H-0518/05)****Subject: Commencement of operations of European Railway Agency**

Regulation (EC) No. 881/2004<sup>(4)</sup> established a European Railway Agency with the aim of promoting a policy of modernisation in the European rail sector. Now that the Agency has officially commenced operations (17 June 2005), does the Council believe that the new Agency has the infrastructure, the competence and the necessary budget to make an effective contribution towards achieving that aim?

What is the Council's view of the current situation in which the twenty-five Member States have mutually incompatible technical and safety standards which constitute an obstacle of major proportions to the development of a single market in the rail sector?

Will the Council take practical measures to prompt immediate action on the part of the European Railway Agency towards the development of common safety standards and the establishment of a management system to monitor technical specifications for the interoperability of European railways?

**Answer**

(EN)The Council would like to inform the Honourable Member that pursuant to Regulation (EC) n° 881/2004, the European railway agency (Agency) has the mission to contribute, on technical matters, to the implementation of the Community legislation aimed at improving the competitive position of the railway sector by enhancing the level of interoperability of railway systems and by developing a common approach to safety on the European railway system, in order to contribute to creating a European railway area without frontiers and guaranteeing a high level of safety.

Furthermore, the Agency has the mission to provide Member States and the European Commission with technical assistance.

The Regulation (EC) n° 881/2004 provides for the Agency budget, and the 2005 Work Programme has been adopted in December 2004 by the Administrative Board.

The Agency has officially launched its operations the 16th June 2005. At this early stage of the operation of the Agency, it is premature to deliver any comment as regards the achievement of the Agency's tasks.

Accordingly to Regulation (EC) n° 881/2004, the European Commission will carry out an evaluation on the results obtained by the Agency. The Council will wait for the report from the Commission to the Council and the European Parliament drawn on this evaluation.

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<sup>(4)</sup> OJ L 164, 30.4.2004, p. 1

**Question no 30 by Proinsias De Rossa (H-0520/05)****Subject: Transition to democracy in the Democratic Republic of Congo**

In view of the continuing slow progress of the transitional government in the Democratic Republic of Congo (DRC) towards democratic elections, the humanitarian crises brought about by a civil war that has caused the death of over 3.8 million people in the country since 1998, the lack of respect or protection for human rights, and the ongoing economic exploitation of the country's natural resources by foreign interests, does the Council Presidency believe that the European Union is doing enough to ensure that the Transition Government meets the requirements of the Pretoria Agreement and in particular that the delays and impediments to the holding of elections are being adequately addressed?

**Answer**

(EN)The EU has taken note of the decision of the two chambers of the Parliament of the Democratic Republic of the Congo to extend the transition period for six months as from 1 July 2005 and of the request by the International Committee for Support to the Transition (CIAT) that this extension should go hand in hand with greater effectiveness and promptness on the part of the transitional institutions. The decision to extend the transition period is in line with the provisions of the peace agreement signed in December 2002 in Pretoria and should enable elections to be organised under satisfactory logistical and security conditions. At the same time, the EU urges the transitional institutions, the political parties and civil society to work together to organise a free, transparent and democratic electoral process.

The EU has contributed to security sector reform, transition and stabilisation in the Democratic Republic of the Congo through the launch in April 2005 of the EU police mission in Kinshasa (EUPOL Kinshasa), and through the launch on 8 June 2005 of its mission to provide advice and assistance for security sector reform (EUSEC RD Congo). The EU and its Member States have confirmed that they are prepared to consider more operational support for the integration of the Congolese army, particularly on the basis of information provided by EUSEC RD Congo.

Through the training of Congolese police and military staff, the EU is contributing to the creation of a secure environment for the holding of the elections. The EU, together with other donors, is also contributing to the financing of the elections that at present is estimated to cost around US \$ 468 million. Preparations in terms of voter registration has started in Kinshasa and will continue in the rest of the country. This is an operation in which both the EU and the UN mission in the DRC (MONUC) are involved.

Furthermore, the EU, through its Special Representative for the Great Lakes Region, is constantly trying to advise the authorities on how to proceed with the preparations for the elections, while at the same time impressing on them the need to observe the timetable imposed under the Pretoria agreement.

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**Question no 31 by Georgios Toussas (H-0522/05)****Subject: Workers' rights in Pakistan**

The Pakistan authorities have arrested over 300 state telecommunications (PTCL) employees as a pre-emptive measure following the announcement of strike action. General Musharraf's government has placed special forces on alert, ready to deal with employees opposed to plans to sell off a 26% stake to private bidders which, if put into effect, will result in thousands of job cuts, a bitter blow which will be acutely felt by Pakistan's entire workforce. In view of the healthy profits currently being shown by the Pakistan telecommunications company, there are no grounds for sale to private bidders.

Is the Council aware of these privatisation plans and does it know whether EU companies are involved? What view does it take of the violent repression of trade union freedoms and the deployment of troops against workers exercising their legitimate right to strike, particularly in view of the friendly relations and the cooperation between the EU and Pakistan?

**Answer**

(EN)The Council is aware of moves by the Government of Pakistan to sell off a stake in PTCL (Pakistan Telecommunication Company). Available information suggests that no companies from EU Member States were involved in this process, and certainly none have been shortlisted.

The Council continues to follow the political situation in Pakistan closely and uses its contacts with Pakistan (such as the most recent ministerial Troika meeting on 27 April in Luxembourg) to highlight the need "to respect human rights and democratic principles", which is the basis for the 2004 Cooperation Agreement between the EU and Pakistan on Partnership and Development.

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**Question no 32 by Marie Panayotopoulos-Cassiotou (H-0526/05)**

**Subject: Conserving the linguistic and cultural identity of the children of Europeans established in a Member State other than their Member State of origin**

Achievement of the Lisbon objectives presupposes quality employment for European manpower, requiring European citizens to establish themselves for long periods in Member States other than their own, exercising their basic freedom of movement and establishment under the Treaties.

What educational measures are being taken by the Council with a view to enabling the children of European citizens established in a Member State other than their own to conserve their national linguistic and cultural identity along with their European identity, and thereby enriching Europe's own cultural diversity?

**Answer**

(EN)The Council notes with interest the question posed by the Honourable Member, but would point out that the issue she raises does not fall within the Community's sphere of competence. Article 149 of the Treaty stipulates that Community action in the field of education is undertaken "while fully respecting the responsibility of the Member States for the content of teaching and the organisation of education systems and their cultural and linguistic diversity." Accordingly, the Council is in no position to adopt any measures for the purposes referred to by the Honourable Member.

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**Question no 33 by Lidia Joanna Geringer de Oedenberg (H-0530/05)**

**Subject: EU budget for 2007-2013**

Given its veto, the United Kingdom will probably propose a new budget compromise during its presidency which will reflect the British vision for the future of the EU.

According to my estimates, in the event of a compromise not being reached Poland would lose EUR 4 billion in Structural Funds alone. In the opinion of the Council, what impact would a failure to reach a compromise have on the remaining new EU Member States, in view of the fact that direct payments and Structural Funds are a fundamental factor of change in these countries offering an opportunity for the achievement of structural reforms and the creation of new agriculture-related jobs?

**Answer**

(EN)The European Council in June invited the future Presidency to take forward the discussions on the Financial Perspective with a view to resolving all the elements necessary for achieving an overall agreement as soon as possible. The Council will devote every effort to achieving that objective. It would not therefore be appropriate to speculate on the consequences of not reaching agreement.

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**Question no 34 by Justas Vincas Paleckis (H-0533/05)**

**Subject: Access of Estonia, Lithuania and Slovenia to the eurozone in 2007**

Next year consideration will be given to whether Estonia, Lithuania and Slovenia can join the eurozone in 2007. In order to do so, individual countries must meet the three Maastricht criteria. One of these criteria states that the inflation rate must be no more than 1.5% higher than the average for the three countries with the lowest inflation.

Would access to the eurozone indeed be impossible in the event of a slight deviation from this figure at the time of assessment?

**Answer**

(EN)In accordance with Article 122(2), the Commission and the European Central Bank will report to the Council in 2006 on the fulfilment of the EMU convergence criteria by all Member States with a derogation which have not yet adopted the euro (as they did in 2004 - the Treaty provides for such an assessment at least every two years).

Under Article 121 of the Treaty, the Council then considers these assessments and may, on the basis of a Recommendation from the Commission, recommend (by qualified majority) that certain Member States fulfil the convergence criteria and should therefore adopt the euro. The Council then consults the European Parliament and decides definitively, at the level of Heads of State and Government (again by qualified majority) which Member States will adopt the euro.

The convergence criteria to be assessed are clearly set out in a Protocol to the Treaty, Article 1 of which sets out the price stability criterion. The reports by the Commission and the ECB from 2004 clearly set out their approach to the assessment of this criterion. The Council will decide after discussion of the relevant parts of the Commission and ECB reports, and on the basis of a Recommendation from the Commission.

It would be inopportune to prejudge any of these elements of assessment, but appropriate to recall the framework set out in Articles 121 and 122 of the Treaty and the Protocol on the convergence criteria referred to in Article 121 of the Treaty.

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**Question no 35 by Ryszard Czarnecki (H-0534/05)****Subject: Funds for Croatia**

In the EU budget for 2006, there is an increase of 67% in EU funds earmarked for Turkey, from EUR 300 million to EUR 500 million, with only a 33% increase in funding for Croatia, from EUR 105 million to EUR 140 million.

How is this to be interpreted in view of the fact that Croatia is expected to join the EU at a significantly earlier date than Turkey, and hence should have a greater amount of funds allocated to it?

**Answer**

(EN)The commitment appropriations as contained in the preliminary draft general budget for 2006 proposed by the Commission, to which the Honourable Member refers, provide for a significant increase in pre-accession assistance both to Croatia and to Turkey. This is in line with the relevant European Council conclusions. The European Council called for substantially increased pre-accession assistance for Turkey and, in the case of Croatia, for a pre-accession strategy, including the necessary financial instrument, to provide assistance under PHARE, ISPA and SAPARD, in addition to funding through the CARDS instrument for the Western Balkans, under, and within the limits of, the current financial perspective.

In accordance with both the Accession Partnership for Turkey and the European Partnership for Croatia, the priorities identified therein for supporting efforts to move closer to the EU are adapted to the candidate country's specific needs and stage of preparation, and provide guidance for the EU's financial assistance.

Finally, the Honourable Member is kindly requested to bear in mind the size of the respective countries, the relevant issues at stake in relation to the *acquis*, and the disparity between the two countries and the EU, and also to consider the aspect of per capita assistance.

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**Question no 36 by Caroline Lucas (H-0535/05)****Subject: The Amendment of the Protocol on Origin of the EU-Israel Association Agreement**

On 29 November 2004 the Commission presented to the Council a draft common Community position that mandates replacing the existing EU-Israel Association Agreement's Protocol on Origin with a new Protocol that will enable Israel's participation in the system of pan-Euro-Mediterranean cumulation of origin. In its 'Explanatory Memorandum' introducing the draft Community position, the Commission states that

'... the Community position should only be presented to the EU-Israel Association Council after solving the EU-Israel bilateral issue of rules of origin' (Brussels, 29.11.2004, SEC(2004)1437 final).

Does the Council regard the practice resulting from the technical arrangement on EU-Israel customs cooperation that was put into effect on 1 February as 'solving the bilateral issue of rules of origin'?

**Question no 37 by Saïd El Khadraoui (H-0543/05)**

**Subject: The Amendment of the Protocol on Origin of the EU-Israel Association Agreement**

Since the EU and Israel put into effect a non-binding 'technical arrangement' for the implementation of the Protocol on Origin of the EU-Israel Association Agreement, is it true that Israel still applies the Protocol on Origin to occupied territories and maintains its refusal to distinguish between production carried out in those territories and production carried out in the territory of the State of Israel when it issues proofs of origin under that Agreement? In light of these facts, does the Council regard the practice resulting from the technical arrangement as 'solving the bilateral issue of rules of origin'?

**Joint answer**

(EN)In December 2004, the EU and Israel approved in the Customs Co-operation Committee a technical arrangement for the implementation of Protocol 4 to the EU-Israel Association Agreement. Under that arrangement, Israel agreed to indicate on all its export certificates to the EU the name and postal code of the city, village or industrial zone of production. The arrangement has applied since 1 February 2005.

The arrangement constitutes a measure providing a practical way to distinguish between products originating in Israel which qualify for preferential duties and those which do not. According to the EU position and in line with international law, products coming from places brought under Israeli administration since 1967 are not entitled to benefit from preferential tariff treatment under the EU-Israel Association Agreement. The EU customs authorities are advised to refuse preferential treatment to goods for which the proof of origin certificate indicates that the production conferring originating status has taken place in a city, village or industrial zone which has been brought under Israeli administration since 1967.

The Council has so far received no information that the current arrangement is not working properly.

The Council is currently examining the 16 draft decisions of the joint bodies whereby the Pan-European system of cumulation of origin will be extended to the Mediterranean countries. In the case of Israel, the new Protocol will be accompanied by a statement in which the EU will reaffirm its position as to the territorial scope of the EU-Israel Association Agreement.

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**Question no 38 by Johan Van Hecke (H-0545/05)**

**Subject: Agricultural expenditure in the European Union budget and the Doha Development Agenda (DDA)**

At the European Council meeting held in Brussels on 16/17 June 2005, no agreement was reached on the multiannual budget for the period 2007-2013. Apparently, one of the stumbling blocks was that reductions in agricultural expenditure are unacceptable. On the other hand, on 1 August 2004, at a meeting in Geneva, the WTO member countries reached agreement on a framework package designed to put the Doha Round back on track. In that framework package, the European Union undertook to phase out subsidies and other support measures for agricultural products. This will have to be given tangible form before the Ministerial Conference to be held in Hong Kong in December 2005.

How will the European Union honour its commitments under the Doha Round if it refuses to make the requisite financial provisions in a long-term budget? At the recent European Summit, did not the European Union send out the wrong signal to the developing countries by manifestly maintaining high agricultural expenditure and subsidies in the budget?

**Answer**

(EN)Firstly, I wish to emphasise that the Council is of course committed to pursuing the implementation of the measures laid down in the CAP reform.

In this context, funding for the period 2007 - 2013 of measures linked to markets and direct CAP payments is limited by the commitments made at the meeting of the European Council in Brussels in October 2002. The financial estimates of the legislative proposals respected these limitations. Moreover, it is pointed out that the reform of the CAP provides for the transfer, by means of modulation, of some funds initially intended for the first pillar to the second pillar of the CAP, that of rural development.

In this regard, I will point out that the Council (Agriculture and Fisheries) has just reached unanimous political agreement on the Regulation on support for rural development, and the Presidency is counting on its adoption at the next Council on 18 July.

I regard the reformed CAP as representing an asset to the Community in international negotiations. In this regard I would also point out that, in its Resolution on the assessment of the Doha Round, the Parliament welcomed the Agreement of 1 August in the WTO framework. We can all - I am certain - take the view that this agreement in no way calls into question the multifunctional and efficient European agriculture model that has emerged from the successive CAP reforms.

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**Question no 39 by Rosa Miguélez Ramos (H-0546/05)**

**Subject: The European Schools at saturation point**

The European Schools were set up in order to enable the children of European Community staff to be educated together, thereby allowing the Community to operate smoothly and helping it to fulfil its mission. However, achieving this objective is not facilitated by the fact that the European Schools I and II in Brussels are currently full to overflowing, with the result that there are children who are unable to receive an education, siblings are separated by being sent to different schools and classrooms are packed. In response to this state of affairs the schools' Senior Council has merely introduced a capping policy which does not meet even the most basic educational criteria and which does not take into account either teaching quality or the social difficulties experienced by many families.

In view of the intergovernmental nature of the European Schools (and hence the responsibility for them which lies with the Member States' governments), what action does the Council intend to take in the short and medium term in order to solve the problems described above?

**Question no 40 by Javier Moreno Sánchez (H-0557/05)**

**Subject: Overcrowding in the European Schools**

Is the Council aware of the overcrowding affecting the European Schools II and III in Brussels, which is likely to persist until the opening in 2009 of School IV, not to mention the grave consequences for the schooling of the children of EU officials and other employees and for their families? Is it aware that, in view of these circumstances, the Schools' governing body has done no more than introduce a restrictive policy for 2004-2005 (banning the creation of any new nursery-level groups in the English, French, German, Italian and Spanish sections and outlawing the admission of new pupils in categories I or II which might lead to duplication of classes, the creation of support groups, etc)? This policy would surely fall foul of the fundamental educational requirements of any Member State. In view of the intergovernmental status of the European Schools and the objectives underlying their creation, as well as the serious problems being caused to pupils and their families and the urgent need for an immediate solution to all of them, can the Council state whether it intends to take preventive and suspensive action as of now?

**Question no 41 by Bárbara Dührkop Dührkop (H-0559/05)**

**Subject: European Schools: pupil numbers per class**

Is the Council aware that the criterion for duplication of a class in the European Schools is that a class has to have 32 pupils, and that this is far higher than the threshold applying in most Member States? Does the Council agree with this criterion, as fixed by the European Schools' governing body? What action will the Council take for the substantial reduction of this threshold, thus enabling the European Schools to respond to the educational requirements existing in the Member States and respect the right to equal treatment of the children of EU officials vis-à-vis children attending state and private schools in the Member States? Will the Council take measures to improve the quality of the education offered by the European Schools?



**Joint answer**

(EN)The Council is not competent to deal with matters concerning the European schools.

The Convention defining the Statute of the European Schools, signed on the 21st June 1994, in Luxembourg, between the High Contracting Parties, members of the European Communities and the European Communities, bears no mention of the Council and, therefore, grants no power whatsoever to this Institution in this field.

On the other hand, Member States and the Commission are indeed represented on the Board of Governors (Article 8 of the said Convention).

It goes without saying that it is a prerogative of the Honourable Members to contact the ministerial-level representative(s) of your Member State or the Commission to express your concern on this sensitive issue.

Neither the Council nor its Secretariat are represented on the Board of Governors.

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**Question no 42 by Tobias Pflüger (H-0551/05)****Subject: Status of British military bases on the island of Cyprus**

What steps does the Council intend to take in order that the British military bases on the island of Cyprus (United Kingdom sovereign areas) - which are currently, inter alia, being used by the US as supply bases for the war in Iraq - are dismantled and, as part of the process of demilitarisation of the island of Cyprus, are brought closer to/become part of the European Union?

**Answer**

(EN)From the legal viewpoint, the status of the sovereign areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus is laid down in the Treaty establishing the Republic of Cyprus and the relevant exchanges of notes of 16 August 1960. Furthermore, the arrangements applying to relations between the European Community and these areas is laid down in the Final Act of the Treaty on the Accession of the United Kingdom to the European Communities, for the one part, and in Protocol N° 3 annexed to the Act concerning the Conditions of Accession to the Union of the ten new Member States of 2003, for the other.

As regards the future of these areas, it is not for the Council to speculate on a subject that is not as such directly within the Union's sphere of competence. As to the question of the island's demilitarisation, the Presidency points to the constant support which it has given to all efforts undertaken, particularly in the framework of the United Nations, to reach an overall agreement on the question of Cyprus.

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**QUESTIONS TO THE COMMISSION****Question no 43 by Lidia Joanna Geringer de Oedenberg (H-0463/05)****Subject: The Culture 2007 programme (2007-2013)**

This year, the European institutions will adopt the Culture 2007 programme (in respect of both content and budget) for 2007-2013. In view of the fact that Council Regulation (EC, Euratom) No 1605/2002<sup>(5)</sup> on the Financial Regulation applicable to the general budget of the European Communities, currently in force, will be revised by 2007, how might this change impact on the programme?

In the event of a clash between provisions on the use of funds available under the Culture 2007 programme, which document can be referred to as taking precedence?

<sup>(5)</sup> OJ L 248, 16.9.2002, p. 1

**Answer**

(EN) Pursuant to its Article 184, the Financial Regulation is subject to review every three years or whenever necessary. The Commission recently presented a proposal for the amendment of the Financial Regulation<sup>(6)</sup>, which takes fully into account the new legal bases for the Community programmes covering the period 2007-2013. The amended Financial Regulation will apply to all these programmes when it will enter into force on 1 January 2007, after adoption by the Council. It will thus apply to the Culture 2007 programme when this very programme will enter into force.

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**Question no 44 by Zbigniew Krzysztof Kuźmiuk (H-0501/05)****Subject: Excessive imports of leather footwear from China into the European market**

Polish leather footwear manufacturers have reported a sharp increase in the import of this kind of footwear since 1 January 2005, namely 700% in the first four months of this year. The manufacturers call attention to the fact that Chinese manufacturers do not have to allow for production costs such as insurance contributions for their workers or for expenses arising from compliance with environmental protection standards, which allows them to offer their products at significantly lower prices. This has led to an increase in unfair competition and threatens the Polish leather industry, which employs some 100 000 workers. Does the Commission share the above assessment of the situation in the footwear market, and what steps does it intend to take to counteract such unfair competition?

**Answer**

(EN) The Commission is fully aware of the situation of the footwear industry in the Community and is monitoring the situation carefully, in close coordination with the footwear industry associations.

The Commission has introduced a surveillance system that can quickly identify price or volume problems for the Community industry which may arise from shoe imports from China. This surveillance system in the form of import licences allows the collection of data on import quantities and prices, within a short time period.

Indeed, large increases in import quantities of footwear from China have been found and details are published on a regular basis.

In addition, an anti-dumping investigation has just been opened on 30 June concerning safety footwear originating in China and India. Furthermore, a second anti-dumping complaint concerning leather shoes from China and Vietnam has also been lodged by the European shoe industry and a decision on the initiation of another anti-dumping investigation will be taken shortly. Should the legal requirements for initiation of an anti-dumping proceeding be met (increased imports at dumped prices which have a detrimental effect on the competing European industry), the Commission will open an investigation.

Such anti-dumping proceedings would also address any possible cost distortions mentioned by the Honourable Member.

Finally, the Commission will of course take the appropriate action should any investigation establish that the EU footwear industry suffers injury caused by the dumped Chinese imports.

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**Question no 45 by Ryszard Czarnecki (H-0542/05)****Subject: The media and information on Islamic terrorism**

European satellite broadcasters are playing a substantial role in disseminating information on international terrorism, including Islamic terrorism. Al-Manar TV is watched around the world and in Europe, and Arabsat is reaching Europe from Saudi Arabia as is NileSat from Egypt. It is possible, however, to impose substantial restrictions on the contents they broadcast in their programmes. Spanish Hispasat, which is part-owned by Telefonica and the Spanish Government, and French GlobeCast, part owned by France Telecom, are aware

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<sup>(6)</sup> COM (2005)181 final

of the content transmitted in Al-Manar programmes, but take no action, thus breaching the relevant European legislation. This is a very serious matter.

How long will Commission tolerate this situation, which concerns European television broadcasters, and what will it do to stop their de facto promotion of terrorism?

**Question no 113 by Charles Tannock (H-0555/05)**

**Subject: Broadcasting of al-Manar television and the persisting violations of EU Directives**

Although it has been confirmed by the European Commission and by all audiovisual regulatory authorities that content of al-Manar programmes violates the European Directive on Television without Frontiers, al-Manar continues to be broadcast in Europe and from Europe to other regions of the world.

The Spanish Hispasat and France's Eutelsat continue to provide broadcast capacity to al-Manar.

It is surprising that although Hispasat is aware of the hate content of al-Manar it has not yet taken concrete action to suspend such heinous broadcasts, considering that in France Eutelsat has received orders by the Government to take al-Manar off the air and has complied with these orders.

In addition, Saudi-owned Arabsat and Egypt-owned Nilesat continue to provide al-Manar directly to European viewers in most of Europe and calls on young people to carry out suicide bombings.

Is the Commission going to raise this issue with the Spanish, French, Saudi and Egyptian governments to ensure that this situation is stopped as a matter of urgency?

How can the EU maintain that it is taking all its responsibilities seriously in the fight against terrorism when channels such as al-Manar are able to continue undisturbed their promotion of terrorism through the media in spite of the situation having been known for a long time?

**Question no 114 by Frédérique Ries (H-0562/05)**

**Subject: Al Manar TV**

In March 2005, Commissioner Viviane Reding convened a meeting of the European Audiovisual Regulators (EPRA) where it was reiterated that Article 22a of the Television without Frontiers Directive explicitly prohibits any broadcast that incites hatred for reasons of race, sex, religion or nationality. At the meeting it was also agreed that such provisions also apply to third-country broadcasters using a frequency, satellite transmission capacity or an uplink to a satellite belonging to a Member State. Al-Manar incites hate, violence and suicide bombing, spreads anti-Semitic material and does not respect fundamental rights. Al-Manar is being broadcast by using satellite services and capacity of Hispasat (partly owned by the Spanish Government) and by Globecast, a subsidiary of France Telecom. From its Beirut office, the al-Manar signal is sent to Arabsat ([www.arabsat.com](http://www.arabsat.com)) and Nilesat ([www.nilesat.com.eg](http://www.nilesat.com.eg)).

What is the Commission doing to stop this form of terrorist propaganda which reaches Europe and other regions of the world? Have the Saudi and Egyptian authorities been alerted and asked to take action and play a responsible role in the common fight against terrorism?

**Joint Answer**

(FR)The provisions and principles of the 'Television without Frontiers' directive are as follows.

Firstly, the Commission would draw attention to the importance of the freedom of the televised press and information and the right of all European citizens to receive the television broadcasts of their choice, even if these come from non-member countries, subject to compliance with the relevant Community laws in force.

Article 22 of the Television without Frontiers directive clearly prohibits any programmes inciting hatred on grounds of race, sex, religion or nationality. This ban obviously applies to Community broadcasters but also to channels transmitted by broadcasters established in non-member countries provided they fall within the scope of the Directive pursuant to Article 2(1). In practice this means broadcasters in non-member countries that make use of a frequency or a satellite capacity granted by, or a satellite up-link situated in, a Member State.

The key issue is who monitors compliance with the provisions of the Directive, and in particular the ban on incitement to hatred. The rules set out in the Television without Frontiers directive are clear: Member States

and their competent authorities are responsible for ensuring compliance by broadcasters falling within their jurisdiction, including those of non-member countries, provided the above conditions are satisfied, in other words that the broadcasters make use of a frequency satellite capacity, or a satellite up-link situated in the Member State concerned.

As Al-Manar was broadcast by Eutelsat, the French authorities responsible banned its retransmission via that satellite. The authorities in the Netherlands have taken similar action in the case of the New Satellite System located in The Hague.

According to information just received by the Commission, the Spanish authorities responsible have also recently banned the broadcasting of Al-Manar via Hispasat.

At a meeting on 17 March 2005 convened by the Commission, the chairmen of the broadcasting regulatory authorities confirmed the importance of strengthening mutual cooperation in order to tackle incitement to hatred in programmes from non-member countries effectively. They have agreed on practical measures allowing a more coordinated approach.

As far as the broadcasting of Al-Manar by Arabsat and Nilesat is concerned, it is not legally possible to apply Community rules as channels transmitted by these satellites do not come under the scope of the Directive as they do not use a frequency or a satellite capacity granted by, or a satellite up-link situated in, an EU Member State.

In this connection, the Commission is examining the options available to it in the context of its relations with the non-member countries concerned.

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**Question no 46 by David Martin (H-0485/05)**

**Subject: Outcomes of the G8 for EU Institutions**

Considering the G8 meeting this week in Scotland how does the Commission plan to discuss its outcomes and any future actions required by the EU institutions?

**Answer**

(EN)The Group of Eight will hold its annual Summit in Gleneagles, Scotland on 6-8 July. The twin priorities of the UK G8 Presidency are Climate Change and Africa and development, where an agreement on debt relief to the poorest countries was reached at the 11 June G8 Finance Ministers' meeting. The G8 Leaders are expected to issue statements at Gleneagles on the following subjects:

1. G8 Statement on Africa
2. G8 Statement on Climate Change
3. G8 Statement on the response to the Indian Ocean disaster
4. G8 Statement on the global economy including the Doha Development Round
5. G8 Statement on counter-terrorism
6. G8 Statement on non-proliferation
7. G8 Statement on Broader Middle East and North Africa (BMENA)

There will also be a Chair's Summary, which is issued under the responsibility of the Presidency.

The European Union will be represented at the Summit by the President of the Commission and by the President of the European Council.

As the honourable Member knows, the Group of 8 takes no binding decisions. The Commission is willing to present the outcomes of the Summit to the EU institutions and where the need for a specific follow up action arises, the Commission would keep the other institutions informed under the normal decision making process.

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**Question no 47 by Gay Mitchell (H-0488/05)****Subject: Slow growth in the EU**

Given the recent 'no' votes in France and the Netherlands to the Constitutional Treaty, the subsequent fall in the value of the euro, and the recent OECD forecast that economic growth in the 12-nation euro zone would slow to 1.2% in 2005 from 1.8% in 2004, what steps is the Commission taking to ensure fiscal discipline is exercised by Member States at this difficult time?

**Answer**

(EN)The Stability and Growth Pact (SGP) in its preventive arm expects Member States to achieve and maintain a medium-term budgetary position of close-to-balance-or-in-surplus in cyclically-adjusted terms. Once a country has reached its medium term objective, the nominal budget balance can breathe with the cycle without risk of the deficit becoming excessive in case of a normal economic slow down. The revision of the SGP has strengthened its preventive dimension. Member States have committed to actively consolidate public finances in economic good times and, as a rule, to use cyclical revenues for deficit and debt reduction. Moreover, Member States of the euro zone or those participating in the European Exchange Rate Mechanism that have not yet reached the medium term objective are explicitly obliged to pursue an annual adjustment in cyclically-adjusted terms and net of one-off measures of 0.5% of GDP as a benchmark. The adjustment should be higher in good times and can be less in bad times. Under the new set of rules, the Commission is expected to issue a policy advice directly to a Member State to encourage it to stick to its adjustment path. At the same time, the revised SGP in its corrective part introduces more room for economic judgment and for taking account of cyclical developments while the rigorous rules-based system of the Excessive Deficit Procedure (EDP) remains in place.

With a view to ensuring effective fiscal surveillance in the EU, the Commission is continuously monitoring the budgetary situation in all Member States and uses its right of initiative at the appropriate time. For instance, the Commission decided recently to initiate excessive deficit procedures for Italy and Portugal, thus supporting the needed fiscal consolidation in these countries.

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**Question no 48 by Jan Andersson (H-0489/05)****Subject: Stimulating demand in the EU economy**

Economic growth in the EU is extremely weak in comparison with Asia and the USA. Economic policy within the EU is almost entirely focused on enhancing supply. There is almost no attempt to stimulate demand. Yet the EU market is bigger than that of the USA, and it should be possible to coordinate efforts to boost not only supply but also demand. Does the Commission share this view? If so, what does the Commission plan to do to stimulate demand in the EU economy?

**Answer**

(EN)The economic growth rate in the EU as a whole, and notably in the euro area, has in recent years indeed been lower than in the United States and non-Japan Asia. However, it is important to note that, due to the different demographic developments in these regions, these different growth rates are significantly smaller on a per capita basis.

The economic recovery in the EU that started in the second half of 2003 has been hampered by a lack of demand which partly seems to be related to low confidence among consumers and investors. The oil price increase and the strengthening of the euro had a direct dampening effect but also weighed on confidence. Nevertheless, the Commission expects growth to return to potential in the course of 2005 supported by accommodative macroeconomic policies leading to domestic demand taking over as the main driving force in the euro area and the EU (see Commission Spring 2005 Economic Forecasts).

The Commission notes that attempts to increase demand in the short term via a more expansionary fiscal policy could negatively affect the growth performance via its effects on confidence. A further increase in public spending or unfunded tax cuts could reinforce uncertainties about future fiscal sustainability and be offset by reduced spending on private consumption and investment, leading to an overall impact on Gross

Domestic Product (GDP) growth that could be negative. As such policy cannot durably increase potential output growth; it is more important that fiscal policy contributes to economic stabilisation and prepares for the impact of ageing populations on public finances.

In the Commission's view, the main contribution macroeconomic policies can make to sustained growth and employment in the current economic situation runs through the preservation of sound macroeconomic conditions and the cushioning of shocks to the economy. Monetary policy can contribute by pursuing price stability and, subject to this being achieved, by supporting other general economic policies. Fiscal policy can play a role in stabilising the economy by allowing the free play of automatic stabilisers. Given the size of automatic stabilisers in the EU, which are twice the size as in the United States, the contribution to demand stabilisation should not be underestimated. Apart from contributing to economic stabilisation, fiscal policies can support growth through expenditure directed towards growth enhancing investment and through tax structures oriented towards growth and employment. In view of the main weaknesses of the Union's economy (comparatively low labour input and low level of productivity growth) the Commission proposed for the period 2005-2008 a combination of growth and stability-oriented macroeconomic policies, microeconomic reforms to raise the Europe's growth potential and employment policies conducive to creating more and better jobs.<sup>(7)</sup>

The Commission believes that a concerted effort providing clarity on the reforms set out in the renewed Lisbon strategy, together with progress in achieving sound and sustainable public finances will enhance confidence among European consumers and businesses, which is a prerequisite for unlocking pent-up demand.

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#### **Question no 49 by Claude Moraes (H-0466/05)**

##### **Subject: Live 8 campaign**

What is the view of the Commission on recent initiatives around the campaign Live 8, a campaign to encourage G8 nations to improve their record on debt relief and encourage other, mainly western nations, to meet UN recommended targets for aid?

##### **Answer**

(FR)The Commission is in favour of any initiatives that draw public attention to the challenges of achieving the Millennium Development Goals. It welcomes the simultaneous organisation of concerts designed to encourage the G8 leaders meeting in Gleneagles to make a stronger commitment to combating poverty.

In order to enable the developing countries in general, and Africa in particular, to achieve the Millennium Goals, it is crucial that there should be an increase in the quality and quantity of aid.

At the European Council on 16 and 17 June 2005 the Member States of the Union undertook to continue to increase their official development assistance budgets and to go beyond their Monterrey commitments by setting the new individual minimum target of 0.51% by 2010, and 0.17% for the new Member States, which would bring the Union's collective effort up to 0.56%.

This commitment represents an increase of €20 billion a year. In 2004 the 25's official development assistance amounted to €43 billion.

Increased resources and more effective aid are vital but will not be sufficient to achieve the MDGs. There are other Community policies that can make a substantial contribution to development, hence the concept of 'development coherence'. The Commission proposes to produce a mid-term 'coherence report' between the UN Summit in September 2005 and the next international evaluation of the MDGs.

The Commission also hopes that the World Trade Organisation meeting in Hong Kong will produce tangible results that enable the poorest countries, and in particular sub-Saharan Africa, to participate to a greater extent in global markets.

The Commission applauds the G8's success in achieving multilateral debt relief for the poorest countries. This decision is a welcome and significant addition to the decisions on financing for development. Preliminary

<sup>(7)</sup> See European Commission, Integrated Guidelines for Growth and Jobs 2005-2008, 12 April 2005, (COM 2005-141).

indications suggest that the funding effort will be of the order of 1 to 2 billion euro a year. The Commission appeals to the other major donors to step up their efforts to help achieve the Millennium Goals.

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**Question no 50 by Georgios Papastamkos (H-0476/05)**

**Subject: Greek non-governmental organisations and EU development policy**

Which Greek non-governmental organisations (NGOs) or international non-governmental organisations (with Greek participation) were involved in EU programmes and actions for developing countries in the period 2000-2004?

What applications for funding were made by Greek NGOs during this period with a view to achieving European development policy objectives?

What EU financial support was accorded to NGOs with Greek participation?

**Answer**

(FR)According to our figures, between 2000 and 2004, Greek organisations (including non-governmental organisations (NGOs), universities, Foundations and research centres) submitted 109 funding proposals within the scope of development policy.

Of 109 proposals, 52 were financed in the form of subsidies within the framework of EU programmes and actions in developing countries.

Thirty Greek NGOs received funding between 2000 and 2004.

Pending verification and assuming that no codification errors come to light, not least in the case of consortia, total Commission funding to Greek NGOs came to EUR 18 508 274.87.

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**Question no 51 by María Badía i Cutchet (H-0477/05)**

**Subject: Microfunding**

In view of the fact that 2005 is the International Year of Microcredit and that (as called for in UN Resolution 53/197 of 15 December 1998) advantage should be taken of the special occasion afforded by the commemoration of that Year in order to enable microcredit programmes to be promoted in all countries (in particular the developing countries), the author of this question would like to congratulate the Commission on its decision to open a forum in 2005 with a view to securing support for microfunding projects in the African, Caribbean and Pacific (ACP) countries.

However, since microfunding is a fundamental aspect of the international community's strategy for achieving the Millennium Objectives (especially the ones relating to the eradication of poverty, equality between the sexes and the empowerment of women) by helping to relieve poverty through income generation and job creation, does the Commission not think that the EU should establish an internally consistent legislative and regulatory framework and continue to operate within it beyond 2006?

**Answer**

(FR)Microfinance is a key instrument for helping those most in need to implement their economic initiatives and to be stakeholders in improving their living conditions. The Commission is keenly aware that 2005 is the Year of Microcredit, which should enable it to push microfinance even further up the development agenda.

The Commission will publish a call for proposals for microfinance projects in the African, Caribbean and Pacific (ACP) countries in 2005. This call for proposals will help projects that are designed to strengthen the infrastructure of microfinance institutions and that encompass training, consultancy and the procurement of important equipment. The programme also takes action at government level in ACP countries to help them improve their regulatory framework for microfinance.

The Commission has already set up a political framework for its microfinance operations. The 1998 Communication on 'Microfinance and Poverty Reduction' sets out the Commission's approach in the area of microfinance. With regard to continuity of support for microfinance, the Commission's commitment will stretch beyond 2006, as the programme will continue to operate in ACP countries until 2009. Furthermore, if the demand for funding exceeds the programme's available resources, the Commission envisages an increase in those resources.

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**Question no 52 by Jacek Protasiewicz (H-0500/05)**

**Subject: Human rights in Cuba**

The Castro regime is still holding 61 political prisoners in detention, sentenced to very long terms of imprisonment for activities relating to citizens' freedoms and human rights.

At the same time, in a clear breach of the principles of international law, the Cuban government is preventing contact between MEPs and human rights activists in Cuba.

Given this situation, will the Commission support tighter EU sanctions?

**Answer**

(FR)The Commission shares the honourable Member's concern for the fate of political prisoners held in Cuba. When I visited Cuba in March, I raised the issue of political prisoners with all of the people to whom I spoke, including President Castro. The Commission has also publicly expressed unequivocal condemnation of Cuba's unacceptable attitude towards MEPs who sought to attend the Assembly to Promote Civil Society, held in Havana on 20 May.

The Commission's delegation in Havana has lent its full support to contact between MEPs and human rights activists in Cuba. Examples of this support include meetings arranged at the delegation between MEPs and dissident representatives in March, support for Oswaldo Payá's application for an exit visa and the video conference arranged in March between a group of MEPs and a number of dissidents, including Marta Beatriz Roque.

On 13 June, the Council reaffirmed that the 1996 common position remains in force. In the context of relations between the EU and Cuba, this common position is intended to encourage a transition towards democratic pluralism and respect for human rights.

The Commission remains in favour of pursuing a policy of constructive engagement through political dialogue with the Cuban authorities, even though there has been no progress on human rights in recent months. The Council's decision of 13 June reinforced the need to use such dialogue to make practical progress in the area of human rights.

The fact that contact with dissidents and representatives of civil society has been stepped up in recent months, within the framework of the guidelines adopted by the Chefs de Mission in Havana in January 2005, is certainly a step in the right direction. This contact will continue and be stepped up further.

Dialogue with the Cuban authorities and civil society is a more effective means of encouraging peaceful transition in Cuba than sanctions and isolation.

The Commission is of the opinion that this policy of constructive engagement is also the policy that stands the greatest chance of securing the release of all political prisoners in Cuba.

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**Question no 53 by Glenys Kinnock (H-0538/05)**

**Subject: Programme of support for Sugar Protocol countries**

Would the Commission clarify what procedures it anticipates using when implementing the programmes of support to Sugar Protocol countries affected by EU sugar reform? Would the Commission agree that it is essential that these procedures are easier, quicker and more efficient than was the case with the EDF ones used to support countries affected by changes in the banana regime?



**Answer**

(FR)The Commission absolutely agrees about the need to set up a support instrument ensuring swift and efficient implementing procedures for the African, Caribbean and Pacific (ACP) Sugar Protocol countries. This was one of our main concerns when drawing up the relevant proposal for regulation, adopted by the Commission on 22 June this year.

Implementation of the special assistance framework for traditional ACP suppliers of bananas has indeed been subject to delays due, inter alia, to complex Community procedures. This has definitely been taken into account and the Commission is confident that the implementation of the support measures for the Sugar Protocol countries will be more effective, in particular in view of the following characteristics:

management of the assistance scheme will be the responsibility of the delegations from the outset;

the Commission proposes specific financial and human resources to ensure its management, both in the delegation and at head office;

the preferred main implementing instrument for this assistance will be budgetary support, whilst of course respecting the conditions for eligibility;

whilst involving the Member States closely in decisions on the implementation of the assistance scheme, the Commission proposes relatively simple and swift procedures.

The Commission would nevertheless like to emphasise that the impact of this assistance scheme does not depend merely on the Community's administrative procedures, but also on the quality of the adjustment strategies drawn up by the countries themselves. The Commission encourages them to take an active role in this process, so as to have a good basis for the implementation of its support as soon as the instrument proposed by the Commission comes into force.

The Commission would like to take this opportunity to encourage Parliament to adopt the proposal for regulation as soon as possible, ensuring that the additional financial resources are allocated to it in the budget.

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**Question no 54 by Anne Van Lancker (H-0539/05)****Subject: Continuity of the policy on sexual and reproductive health and rights**

The Strategic Partnership with WHO (which has a budget of EUR 25 million) lays emphasis on maternal, neonatal and infant mortality. It is, therefore, extremely important for additional efforts to be made in the field of family planning and contraception, including measures to ensure that condoms are permanently available. These policy priorities must be enshrined in the budget. The budget line relating to sexual and reproductive health and rights will expire in 2006. What follow-up measures have been taken? How will the continuity of existing projects be guaranteed, and how will the Commission fill the 'decency gap' in the future as well?

**Answer**

(FR)The Commission wishes to restate its commitment to promoting healthcare and sexual and reproductive rights and to the implementation of the Cairo Action Plan.

From a financial point of view, the partnership with the World Health Organisation provides for a five-year duration and a EUR 25 million budget under the ninth European Development Fund (EDF), disbursement of which will begin at the end of 2005.

As regards budgetary resources, the process of selecting the project proposals for financing using the 2005 and 2006 funds is ongoing. The selected projects will, then, be financed until their conclusion, well after 2006. As regards the follow-up to the budget line in question, the Community budget's new structure is being drawn up and, to this end, the Commission is preparing a strategy on the thematic programmes, including in the area of human and social development, which it plans to implement under the financial perspective for 2007-2013. The Commission will table practical proposals on the future financial resources as part of the process of drawing up those strategies.

As regards the 'decency gap', created in 2002 by the US Government's decision to suspend aid to the United Nations Population Fund (UNFPA), the Commission has awarded an additional EUR 22 million to this organisation, along with EUR 10 million to the International Planned Parenthood Federation. This money has been used to finance ongoing programmes and activities.

Within the framework of the European initiative on reproductive and sexual health launched by the Dutch Presidency in 2004, the Commission has decided to award the UNFPA and extra EUR 15 million under the ninth EDF for the purpose of purchasing hygiene items, condoms and products of a similar nature in African, Caribbean and Pacific countries in need of them. Over the next few years, the Commission will provide support to the UNFPA in the form of making financial resources available for thematic activities.

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**Question no 55 by Dimitrios Papadimoulis (H-0448/05)**

**Subject: Food Safety**

According to an article entitled 'Risk Based Consumption Advice for Farmed Atlantic and Wild Pacific Salmon Contaminated with Dioxins and Dioxin-like Compounds' published in May 2005, (Foran et al., 2005, *Environmental Health Perspectives*, 113:552-556), substances such as PCBs, toxaphene, dieldrin, dioxins and polybrominated diphenyl ethers were found in much higher concentrations in salmon from European fish farms than in salmon from fish farms in North and South America. These substances can cause problems associated with the human reproductive system as well as carcinogenesis. The authors of the study therefore recommend European consumers not to consume salmon from European fish farms more than four times a month, whereas Americans may eat salmon up to ten times a month.

Can the Commission say whether there is actually a higher concentration of chemical substances in salmon from European fish farms, and whether consumption of such salmon is harmless and in what quantities? Has the Commission carried out a scientific evaluation of the health risks of human consumption of other species of fish from fish farms and does the Commission intend to introduce more stringent legislation with a view to reducing the levels of toxic and chemical substances in fish farming?

**Answer**

(EN)The Honourable Member's question refers to the fish consumption advice given in the article "Risk Based Consumption for Farmed Atlantic and Wild Pacific Salmon Contaminated with Dioxins and Dioxin—like Compounds" published in May 2005. In the Plenary Session of February last year, Commissioner Byrne commented that this study did not raise new food safety issues as the levels found are consistent with the results from other surveys or from official control.

The fish consumption advice in the aforementioned article is based on a guidance value for tolerable intake levels for dioxins and dioxin-like PCBs derived by a not internationally recognized approach in risk assessment, as confirmed in a scientific colloquium organized by the European Food Safety Authority (EFSA) in June 2004.

The Scientific Panel on Contaminants in the Food Chain (CONTAM Panel) of the European Food Safety Authority has very recently, on 22 June 2005, adopted a scientific assessment of the health risks related to human consumption of wild and farmed fish. This assessment has been made at the formal request of the Parliament and focused on different fish species (farmed, wild, marine, freshwater, lean and oily) marketed to a significant amount in the European Union.

The EFSA CONTAM Panel concluded that species, season, location, diet, life stage and age have a major impact on both the contaminant and nutrient levels of fish, including salmon. These levels vary broadly within species and between species in both wild and farmed fish. When taking these factors into account, no consistent differences in nutrient and contaminant levels between wild and farmed fish, including salmon, could be observed.

The CONTAM Panel concluded that for the consumer, there are no differences between wild and farmed fish, including salmon, with respect to their safety.

On the other hand, the CONTAM Panel concluded there is convincing evidence that fish consumption, including farmed fish, and especially fatty fish, benefits the cardiovascular system and is suitable for secondary prevention in manifest coronary heart disease and may benefit the foetal development.

The CONTAM Panel stressed also that unfortunately no agreed methodology exists at present to compare in a quantitative way the risks and benefits of fish consumption.

Nevertheless, the presence of dioxins and other contaminants is for the Commission a cause for concern. The Commission adopted a comprehensive strategy in 2001 to reduce the presence of dioxins and PCBs in the environment, in feed and in food. The implementation of this strategy will give new impetus to the reduction of dioxins in feed and food, including fish. Therefore it is the intention of the Commission to revise the maximum levels to integrate the results of this strategy. In addition, Regulation (EC) No 850/2004 on persistent organic pollutants (POPs) provides for measures to eliminate or reduce a number of internationally recognized POPs.

Fish, be it farmed or wild, has its place in a well balanced diet to ensure that consumers continue to benefit from its positive health effects. The scientific opinion of EFSA related to the safety assessment of wild and farmed fish provides the scientific support for this approach.

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### **Question no 56 by Carl Schlyter (H-0475/05)**

#### **Subject: Review of animal health policy**

Many authorities link an increase in the incidence of epizootic disease with an increased intensification of agricultural production. Quoting from a joint FAO/OIE statement, 'The effects of avian flu and the threat of future outbreaks of transboundary diseases, including zoonoses, will increase with increasing intensification of livestock production, unless there is significant and sustained veterinary intervention to cut the cycles of disease transmission and establishment.' The statement then goes on to detail just why such 'sustained veterinary intervention' will be very difficult to implement in practice, in many key countries.

Does the Commission intend to look at mechanisms explicitly aimed at reducing the dependence of European agriculture on intensive farming, as part of the forthcoming reform of its animal health policy?

#### **Answer**

(EN)The sentence quoted from the proceedings of a recent seminar held in Vietnam clearly refers to the current outbreak of Avian Influenza in Asia.

It is worth highlighting another sentence taken from the conclusions of the same seminar:

"The occurrence(of disease) in the region is linked to traditional animal production including backyard and subsistence poultry production, multiple animal species farming practices as well as live poultry marketing systems".

Thus, intensive farming is not identified the decisive risk factor for disease occurrence and spread.

More generally, the Honourable Member infers that the reduction of intensive farming in the Community would be the most appropriate measure for a reduction of the risks posed by animal diseases and their effects.

The Commission considers that the situation is more complex.

The factors that may contribute to the occurrence of animal diseases and to the amplification of their effects, including density of animal populations and on-farm biohazards, will be addressed by a new EU Animal Health Strategy.

In view of the development of a new EU Animal Health Strategy to improve the prevention and control of animal disease in the EU, as announced by the Commissioner in charge of Health and Consumer Protection at the Agriculture Council in December 2004, the Commission plans to propose a Communication in 2007 setting out actions for 2007-13. As a key element in building this strategy, the existing EU animal health policy will undergo an external evaluation based on a participative approach. Final conclusions and recommendations can be expected by mid-2006. The ensuing policy options and their impacts (economic, environmental and social) will be studied through this evaluation process, and will form part of an impact assessment.

The future animal health policy will be aimed at encouraging producers to take the appropriate measures to better prevent animal diseases and reduce their negative impact.

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**Question no 57 by Mairead McGuinness (H-0480/05)**

**Subject: Food labelling**

In light of the findings of the Eurobarometer survey of consumers' attitudes to animal welfare and the Commission's public comments about labelling to indicate welfare-friendly food, can it outline how this will work as we move into a more globalised food market under the WTO? Can the Commission also respond to the justified concerns among EU farmers about the huge power of the retail sector to drive down EU prices, making it increasingly difficult for smaller producers to survive?

Does the Commission share the concern that this report will produce more regulation but less real action for consumers or producers?

**Answer**

(EN)The EUROBAROMETER survey in question highlights consumers' difficulties in identifying food produced in a more animal welfare friendly manner. In addition, it highlights their willingness to pay more for welfare friendly products and their high levels of certitude of influencing animal welfare by their purchasing choices.

This survey supports data already collected by a Community-funded research project on "Consumer concerns about animal welfare and the impact on food choice".

The Commission's Report to the Council and Parliament in 2002 on "Animal welfare legislation on farmed animals in Third Countries and the implications for the EU" highlighted the issue of labelling regimes as a possible means for producers who implement higher welfare standards to recoup the value of their costs and investments, as consumers may be willing to pay a premium for those products. The Commission is exploring this possibility.

A current Community-funded research project entitled "Welfare Quality" will further investigate consumers', retailers' and producers' concerns with regard to animal welfare. This project will be hosting a workshop in Brussels on 17-18 November 2005 which will enable stakeholders to help to shape the future direction of this research through open dialogue.

Notably a recent Commission proposal for a Directive on broiler chickens also provides that the Commission will submit a specific report to the Council and Parliament on the issue of mandatory food labelling based on compliance with animal welfare standards. This report will take account of socio-economic issues and World Trade Organisation (WTO) considerations.

Data from the afore-mentioned studies will be very relevant in identifying various strategies (such as labelling) to address consumers' concerns about animal welfare. The Commission will also study how to overcome barriers to consumers expressing ethical preferences in their food choice.

In summary, the Commission believes that clear food labelling has the potential to offer important benefits to consumers, while not disadvantaging producers. In fact, the Commission thinks that labelling will eventually render these products more competitive in effect to the benefit of the industry and in particular, to those who produce in an animal welfare-friendly manner.

Indeed experience from the application of existing voluntary labelling schemes has shown that marketing advantages may accrue from such initiatives. While studies continue on precisely how much different forms of labelling are used by consumers, consumers have a legitimate right to demand and receive clear product labelling, including an indication of compliance with animal welfare standards.

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**Question no 58 by Anna Hedh (H-0483/05)**

**Subject: Alcohol advertising aimed at young people**

We Europeans are the biggest drinkers in the whole world. Alcohol claimed more than 600 000 lives in Europe in 2002. In 1999, 25% of all fatalities in the 15-29 age-bracket had alcohol-related causes, which are figures produced in conjunction with the WTO conference on young people and alcohol held in Stockholm in 2001.

There is also research showing that alcohol advertising primarily influences young people to consume more alcohol. I am convinced that alcopops are an example of a contributory factor to the increase in consumption which has occurred among young girls and women since the mid-1990s. It is also clear that self-regulation on the part of the alcohol industry has not worked in recent years. Commissioner Kyprianou has previously stated that he sees a clear link between alcohol use and poorer public health and that he is willing to take his responsibility for public health seriously.

What practical measures is the Commission prepared to take to regulate alcohol advertising, particularly advertising aimed at young people?

#### **Answer**

(EN)The Commission fully shares the concerns of the Honourable Member on this important question, and would like to recall the concrete actions it is taking on the issue. In June 2001, the Council adopted the Recommendation on the drinking of alcohol by young people, in particular children and adolescents. The Recommendation was largely due to the widespread public, media and political concern at the possibility of so called alcopops marketed to appeal especially to children.

The Recommendation lists a set of measures that the Member States could undertake to prevent alcoholic beverages being designed for and marketed to young people. It recommends that Member States should, among other things, encourage the establishment of effective mechanisms in the fields of promotion, marketing and retailing to ensure that producers do not produce alcoholic beverages specifically targeted at children and adolescents.

The Recommendation invites the Commission to report on the implementation of the proposed measures no later than the end of the fourth year after the date of adoption of the Recommendation and regularly thereafter.

The Commission is at present preparing the report, which is due by the end of this year. Hence the Commission is in the process of establishing a comprehensive picture of the measures undertaken by the Member States, but we know for example that the beverage alcohol industry and/or the advertising industry have in several Member States responded to the concern by launching or strengthening existing self-regulation structures, which also include complaint procedures.

The Commission would also like to draw the honourable member's attention to Council Conclusions of 5 June 2001 on an EU strategy to reduce alcohol-related harm, which invites the Commission to put forward proposals for a comprehensive Community strategy aiming at reducing alcohol-related harm and setting out a timetable for the different actions. The strategy should comprise a co-ordinated range of Community activities in all relevant policy areas, in fields such as research, consumer protection, transport, advertising, marketing, sponsoring, excise duties and other internal market issues. The Commission is at present preparing the strategy, which is also due by the beginning of next year. As harmful drinking patterns are on the rise among young people and marketing is a global industry, the Commission has already identified under-age drinking and commercial communication as key areas for the strategy.

Television without frontiers Directive is also important in this respect. It lists several criteria TV advertising for alcoholic beverages must comply with. One criterion is that it may not be aimed specifically at minors or, in particular, depict minors consuming these beverages.

The Commission should also like to mention that under the Public Health Programme, it has decided to co-finance a project called ELSA, which will assess the enforcement of national laws and self-regulation on the advertising and marketing of alcohol. In addition this project, which has started this year and lasts until the end of next year, will also provide policy recommendations for the Commission.

On the regulatory side, the proposal on nutrition and health claims, for which the Parliament recently adopted its opinion in first reading, is proposing provisions in Article 4 to restrict the inclusion of certain messages like health claims in the marketing of alcoholic beverages. Such a provision certainly represents a concrete measure in the direction jointly wished by the Parliament and the Commission.

Finally, the Commission should like to emphasise, that we should not forget the central role of Member States in tackling alcohol-related harm. An integrated approach needs concerted action by all stakeholders, including families, schools, employers, industry, advertisers and national regulators.

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**Question no 59 by Mia De Vits (H-0490/05)**

**Subject: Storage temperatures for food products**

There is currently no European legislation on storage temperatures for food products, 74 % of which are stored at the wrong temperature. Sometimes, a label advises a storage temperature of 4 to 7°C depending on the Member State. It simply cannot be logical that, on the basis of 25 sets of national legislation, labels display different storage temperatures for the same product. Therefore, is the Commission considering harmonising storage temperatures for food products? If so, when? What is the Commission's opinion of an information campaign to raise consumer awareness of appropriate storage temperatures for food products?

**Answer**

(EN) Compliance with storage temperature requirements and maintenance of the cold chain are essential elements for preserving, throughout the food chain, the safety and quality of most perishable foods.

However, apart from certain products of animal origin, no specific temperature criteria are set down in Community legislation. It is indeed considered more appropriate and efficient to address the issue of storage temperature conditions for foodstuffs at food business operators' level rather than at Community level. Food business operators are best placed to fix the conditions under which the food they produced should be stored, as such requirements are clearly related to the nature of the food, to its production process and to its shelf life.

This approach continues to prevail in the new hygiene framework that will be applicable from 1 January 2006.

On the other hand, efforts should be made to better educate consumers on the necessary compliance with storage conditions specified by producers on food packaging. Food-borne outbreaks are indeed often due to mishandling of foods after purchase and frequent breaking of the cold chain. Information campaigns may be important educational tools in this regard and should be promoted at national level.

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**Question no 60 by Rodi Kratsa-Tsagaropoulou (H-0519/05)**

**Subject: Standards of safety regarding pregnancy and childbirth**

In its recent green paper entitled 'Confronting democratic change, a new solidarity between generations', the Commission indicates that in 2003 the natural population increase in Europe was just 0.04% whilst in the new Member States, with the exception of Cyprus and Malta, population levels were actually falling. Furthermore, the most recent WHO (World Health Organisation) and OECD (Organisation for Economic Cooperation and Development) statistics for Europe concerning infant mortality and mortality rates among women during childbirth are alarmingly high (17.4 per 100 000 births), with wide differences between the EU Member States.

Does the Commission have statistics for each Member State? Does it intend to propose measures to improve safety standards regarding pregnancy and childbirth as part of European policy in the field of demographics and public health, particularly for those Member States where the problem is most acute? Will it encourage specific research programmes seeking to combat this problem (by means of prenatal examinations and updated medical equipment and procedures) in cooperation with the Member States?

**Answer**

(EN) While it is true that population rates are predicted to fall in many Member States over the coming decades, it is important to note that this is not due to a rise in infant or maternal mortality. In fact, infant and maternal mortality has fallen across all Member States, even though there are still wide variations between countries.

The Commission wishes to point out that recent figures on infant mortality contained in EurLife, the interactive database on living conditions and quality of life in Europe from the European Foundation for the improvement of Living and Working Conditions, corroborate the above considerations. The data provided cover the 25 current EU Member States and three candidate countries: Bulgaria, Romania and Turkey.

The Commission does not have powers to directly propose public health safety standards and measures; this is primarily a matter for the Member States. Under the public health action programme, there could be scope for the exchange of information and experiences on good practice in different Member States; here, funding priorities depend on the respective annual work programmes.

More broadly, EU legislation on health and safety at work provides for the protection of pregnant women at the workplace. In particular, Council Directive 92/85/EEC on the safety and health of pregnant workers and workers who have recently given birth provides, among other things, for a minimum maternity leave of at least 14 weeks allocated before and/or after confinement.

There have been a number of research projects in this area, covering public health, diagnostics and technological aspects. The Commission proposal for the 7<sup>th</sup> Research Framework Programme which still to be approved by the Council and the Parliament, offers, at this stage, some favourable prospects for research around the theme raised by the question.

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#### **Question no 61 by Milan Gaľa (H-0528/05)**

##### **Subject: Possibility of financing the cost of prevention and treatment of the flu pandemic using the European solidarity fund**

In the debate on the 'global threat of a flu pandemic', which was an item on the agenda of the plenary session of the European Parliament on 12 April 2005, Commissioner Markos Kyprianou referred to the possibility of financing the cost of prevention and treatment of the impending flu pandemic using the European solidarity fund. What steps has the Commission taken to date, on agreement between the Commission and the European Parliament, to bring about this financing?

##### **Answer**

(EN)The Commission is happy to report to the Honourable Member a major breakthrough on the financing of expenses incurred from the use of vaccines and antivirals.

On 6 April the Commission adopted a proposal for a new EU Solidarity Fund Regulation considerably widening the scope of the current Solidarity Fund. The proposed Regulation includes the possibility of contributing towards the costs incurred by actual expenditures in the event of a pandemic under certain conditions.

This fund envisages an annual volume of 1 billion € and explicitly includes the possibility to cover costs of expenditure on vaccines and antivirals. If the Parliament and the Council agree to the Commission's proposal this will move the Community a good deal closer to better medical interventions and protection should the next pandemic strike.

The Commission counts on the support of the Parliament on this far-reaching proposal.

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#### **Question no 62 by Justas Vincas Paleckis (H-0529/05)**

##### **Subject: Establishment of regional centres, financed by the European Union, in the new Member States with a view to controlling the spread of HIV/AIDS from neighbouring regions into the EU**

At the second European AIDS Conference, organised by the European Commission in Vilnius in 2004, the Health Ministers of the EU Member States approved the plan for the establishment of a regional EU-funded AIDS Centre in Lithuania which would be in a position to collate and disseminate the latest scientific findings and the tried-and-tested EU Member State procedures and generally to provide information on the EU's concept and strategy to combat AIDS.

On several grounds, experts consider that Lithuania would be the ideal location for a centre of that nature: national programmes to prevent and to stop the spread of AIDS are being successfully implemented, and Lithuania maintains permanent contacts with the Kaliningrad region and Belarus with regard to the controlling of HIV/AIDS.

Would it not be sensible for the European Union to establish some of the regional centres which it finances in the new Member States of the EU, including Lithuania, with a view to controlling the spread of AIDS into the EU from neighbouring regions (in the case of Lithuania, from the Kaliningrad region and Belarus)?

**Answer**

(EN) Tackling the HIV/AIDS epidemic is our common task. Working together provides a real opportunity to pool expertise and knowledge across the continent to identify the best tools for prevention, support, treatment and care.

To strengthen the European capacity against the threats posed by communicable diseases the Commission proposed to establish a European Centre for Disease Prevention and Control, the ECDC, and it started its operation just few months ago in Stockholm.

Strengthening HIV/AIDS surveillance will be one of the priorities of the ECDC and therefore the Commission is confident that in the future we will have more reliable data and information on the epidemic throughout Europe. If the creation of regional centres should prove necessary in the future, the Commission will of course consider this issue.

The Commission has established good links with the neighbouring countries, in particular with the Russian Federation, Ukraine, Belarus, and Moldova- all countries in which the HIV/AIDS epidemic is spreading fast.

The Commission is well aware of the specific problems of the Baltic Countries as regards the spread of HIV/AIDS and it would encourage HIV/AIDS organisations to build partnerships in the Baltic States and with countries with similar problems. These networks could be established as projects, and if bringing added value to the Community they could apply for co-financing through existing EC programmes and instruments.

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**Question no 63 by Caroline Lucas (H-0549/05)**

**Subject: Shellfish toxin testing**

There is growing concern about the implementation of Council Directive 91/492/EEC<sup>(8)</sup>, which lays down the health conditions for the production and placing on the market of live bivalve molluscs and prescribes a mouse bioassay for shellfish toxin testing as reference method.

It is recognised that DG SANCO via the Community Reference Laboratory in consultation with ECVAM has started validation activities to replace the animal test. However, it appears that the Food and Veterinary Office (Ireland) will insist on the implementation of the mouse bioassay, even if Member States successfully apply in vitro methods or refinement or reduction of the in vivo method for several years.

Since this is clearly contrary to Directive 86/609/EEC<sup>(9)</sup> on the protection of animals used for experimental and other scientific purposes, could the Commission explain how it plans to respond?

**Answer**

(EN) The Commission considers as a priority the replacement of biological tests using rodents to verify the absence of biotoxins in shellfish. It is working very closely on this with the European Centre for the Validation of Alternative Methods, ECVAM.

Intoxication with biotoxins of bivalve molluscs is quite a serious form of food poisoning that can be picked up from shellfish. Member States are required to test for their presence and, if detected, the shellfish production areas are closed until the problem has been resolved.

There are many different shellfish toxins and validated non-animal tests are available for many but not for all types. Consequently the reference method to detect all these toxins and prevent toxic shellfish being harvested remains the mouse bioassay.

<sup>(8)</sup> OJ L 268, 24.9.1991, p. 1.

<sup>(9)</sup> OJ L 358, 18.12.1986, p. 1.



The Commission has been active in attempting to replace biological tests by alternative tests for many years. The Commission has more recently asked the Community Reference laboratory in Vigo (Spain) to develop, in cooperation with ECVAM and with the assistance of the National Reference Laboratories, alternative methods by the end of 2005. This process will of course also take account of international developments, and notably recent work in the United States on a chemical test method for PSP, currently undergoing validation in Europe.

Current legislation allows Member States to use validated non-bioassay tests where they exist. However, alternative chemical methods can replace biological methods only if they give equivalent results in the matter of sensitivity and diagnostic reliability.

The Commission would encourage Member States to continue work in this area and to share their results, methods and reference materials.

When enough alternative methods have been validated so as to cover all toxins, the Commission would be very pleased to propose that Community legislation be modified to move entirely away from the mouse bioassay for good.

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**Question no 64 by Bart Staes (H-0446/05)**

**Subject: Proper checks on the use of funds granted for Tsunami disaster relief**

The European Commission has pledged 350 million euro for medium-term relief and reconstruction in areas hit by the tsunami.

What measures has the Commission taken to ensure that these resources are used properly, what control mechanisms has it put in place to prevent funds from being misappropriated and are any reports on the matter available at this stage?

**Answer**

(EN)The tsunami that hit the countries around the Indian Ocean on December 26, 2004 was one of the worst natural disasters in recorded history. The response to the tsunami has been extraordinary. The international community has responded with great generosity pledging over € 6.2 billion on emergency relief and reconstruction, matching the general level of needs in the most affected countries.

The Commission has been a leading part of that international response. At the Jakarta Donors' Conference in January, the EC pledged € 123 million for humanitarian support and € 350 million for longer-term rehabilitation and reconstruction support. The longer-term support will focus on the worst affected countries: Indonesia, Sri Lanka and Maldives. The other affected countries (India and Thailand) indicated to the EC that they do not need EC support which should be focused on more needy countries. It should be noted that the total assistance pledged by the EC for humanitarian and reconstruction support (€ 473 million) is in line with other donors larger pledges (Japan € 385million, United States € 700 million, Australia € 590 million, Canada € 265million, World Bank € 195 million, Asian Development Bank € 385 million). Moreover, the European Union is the largest donor with about € 2.3 billion from the total international pledged aid of about € 6.2 billion.

Most of the EC support for reconstruction will pass through Multi-Donor Trust Funds with the World Bank as trustee. Trust Funds will reinforce donor coordination and ensure transparency, efficiency and flexibility. In all circumstances the Commission will ensure that the use of funds when channelled through trust funds is in line with international fiduciary standards and that adequate transparency and regular reporting is provided on the use of funds. This is ensured in the case of Indonesia and Sri Lanka by having as trustee the World Bank to directly manage the flow of funds, and in the case of Maldives having the assurance of the World Bank and Asian Development Bank that the Government is using a financial management system that is adequate and in line with international standards.

The programmes co-financed with International Organisations (such as the United Nations and Asian Development Bank) equally apply international financial management standards and reporting. In all other

cases the Commission will be in charge of the direct management of funds, and will ensure sound financial management and reporting in accordance with the Financial Regulation<sup>(10)</sup> and our internal procedures.

Finally, in relation to monitoring and reporting, there will be regular reporting mechanisms that the trustees operating the Trust Funds will have to provide to donors. The Commission has retained specific resources for the EC to launch independent progress monitoring reviews on the performance and achievements of each individual Trust Fund. Adequate and regular information will be provided to EP and Council on these progress reports.

The Commission will allow the highest importance to a good allocation of resources and the prevention of any misappropriation.

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**Question no 65 by Sajjad Karim (H-0450/05)**

**Subject: Economic Partnership Agreements (EPAs)**

In the past few months there has been growing concern with regard to the EPAs currently being negotiated between the EU and the ACP countries. The ACP group contains some of the poorest and most vulnerable developing nations, and their trade and development relations are of vital importance to their future development. However, the current set of EPAs contain a number of flaws, major concerns being the opening of all ACP economies to imports from the EU, including agricultural products, as well as some ACP countries lacking the capacity to negotiate on an equal footing with the EU. Many NGOs fear the outcome of these negotiations will have a devastating effect on the LDCs.

Has the Commission taken on board the concerns expressed by many and if so, how will the Commission address these urgent matters in order to deliver fair and just Economic Partnership Agreements?

**Answer**

(EN)As the Commissioner in charge of Trade and the Commissioner in charge of Development and Humanitarian Aid have emphasised on several occasions, European Partnership Agreements (EPAs) are not classical free trade agreements but are designed as tools for development and the promotion of regional economic integration. They will serve as stepping stones for the integration of the African, Caribbean and Pacific (ACP) countries in the global economy and the multilateral trading system.

Liberalisation of ACP imports is not the main objective of EPAs. The first and decisive step of the EPA process is to support the creation of regional markets, which should ideally comprise the adoption of common external tariffs. Regional preference, including vis-à-vis EU imports, will be an important element of this policy.

Only at a later stage will ACP regions open their markets to EU products, progressively and over time. The transitional periods and sectors concerned will be agreed together with each respective ACP region in accordance with their development needs. Regarding agriculture, talks will take into account rural development and food security concerns. More specifically, a substantial part of ACP imports could still be protected under safeguard provisions if necessary. Furthermore, a key element in these discussions will be revenue effects and how to address them, where required. Addressing problems might include development assistance and diversification of sources of public revenue.

The Commission will use EC development assistance to support the ACP countries and ensure they gain maximum benefit. This assistance will be available during the negotiations and beyond. The Commission has already put in place a substantial trade related assistance package for ACP countries of around € 650 million. Part of this is earmarked directly for strengthening the negotiating capacity of the ACPs. At every stage, the EPA process will be under review, to ensure that the EPAs deliver on the promise to put development first.

<sup>(10)</sup> Council Regulation No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities, OJ L 248, 16.9.2002

The EPA negotiations are conducted in a transparent manner. Regular briefs are delivered and consultations held with all interested stakeholders, including Parliament, Member States, civil society and non-governmental organisations (NGOs), in order to ensure that their views are taken into account.

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**Question no 66 by Inger Segelström (H-0453/05)**

**Subject: Teachers' organisation banned in Turkey**

The Turkish Supreme Court decreed on 25 May that the teachers' organisation Egitim Sen would be disbanded. This decision means that the organisation, which has some 200 000 members, will lose the right to represent its members in relations with employers and public authorities. The main argument for the ruling is given as Egitim Sen's open defence of the right to tuition in the mother tongue and the right of children to personal development on the basis of their own cultural background. The Supreme Court considers this position to contravene the Turkish Constitution.

Turkey has ratified the ILO Convention establishing standards for civil liberties and civil rights, which includes the right of association and minority rights. What action does the Commission intend to take to demonstrate that democratic rights and liberties, such as the right of association in this case, must be upheld and respected in the EU candidate countries?

**Question no 67 by Jonas Sjöstedt (H-0455/05)**

**Subject: Outcome of Egitim Sen case in Turkey**

The Turkish Supreme Court decreed on 25 May 2005 that the teachers' organisation Egitim Sen would be disbanded. The organisation will lose its right to represent almost 200 000 members in dealings with authorities or employers.

The situation stems from Egitim Sen's support in its constitution and policy documents for the principle that all children should have the right to tuition in their mother tongue and that all individuals should have the right to personal development on the basis of their own cultural background. The Supreme Court considers this to be contrary to the Turkish Republic's Constitution, which stipulates that all education shall be in Turkish.

The Commission has already acknowledged that Turkey maintains substantial restrictions on the right of association, the right to collective bargaining and the right to strike, and that Turkey still does not meet International Labour Organisation standards.

What consequences does the Commission consider this ruling by the Supreme Court will have for the country's hopes to become a member of the EU?

**Joint answer**

(EN)The Commission has been closely following the Egitim Sen case. In May 2005, in a final judgement, the Court of Cassation ruled that the trade union should be closed down. As both Honourable Members state, this union has been found by the Court of Cassation to be in breach of Turkey's Constitution because an article in its statute supports the right to be educated in one's own mother tongue (whereas the article 42 of the Turkish Constitution states that education should be provided in the official language, meaning Turkish). The decision of the Court of Cassation reversed two successive rulings of the Labour Court in favour of Egitim Sen.

The Honourable Members note the possible contradiction with International Labour Organisation (ILO) Conventions. The Commission strongly supports the effective implementation of the ILO Conventions. In 1998, Members of the ILO, to which Turkey is party, adopted a Declaration on the Fundamental Principles and Rights at Work. This Declaration incorporates a follow-up that involves an annual review, a Global Report and conclusions about technical cooperation priorities. The Commission will take due consideration of the next review by the ILO Governing Body on the application of freedom of association and the protection of the right to organize in Turkey.

The Commission has also noted the intention expressed by Lawyer Ms. Oya Aydın, defending Egitim Sen's interests, to bring the issue to the European Court of Human Rights, namely on the grounds that the Ankara Labour Court had stressed that the Turkish Constitution should be interpreted in accordance with the

European Convention of Human Rights, and that a decision to close down the trade union would not be in compliance with articles 10 (freedom of expression) and 11 (freedom of association) of the Convention.

The Commission has expressed concern at the decision of the Court of Cassation concerning Eđitim Sen, and stated that it appears to be disproportionate and not in compliance with EU and international standards. In the context of its ongoing monitoring of trade union rights in Turkey, the Commission will continue to closely follow the Eđitim Sen case.

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**Question no 68 by Sarah Ludford (H-0456/05)**

**Subject: Urban Waste Water Directive**

What progress has been achieved in persuading the UK Government to avoid infringement procedures for the breach of the Urban Waste Water Directive 91/271/EEC<sup>(11)</sup>, constituted by the failure to avoid massive raw sewage discharges into the River Thames, through installation of the recommended remedial 'interceptor tunnel' to channel storm overflows?

**Answer**

(EN)The Commission received a number of complaints following the release of large quantities of raw sewage into the River Thames in August 2004. This raised the question of whether the capacity of the urban waste water collection and treatment facilities in London were sufficient to ensure full compliance with the requirements of Council Directive 91/271/EEC concerning urban waste water treatment. The Commission therefore sent a letter of formal notice to the United Kingdom under Article 226 of the EC Treaty, requesting the comments of the United Kingdom. A reply has now been received and is under assessment. If the allegations are shown to be well founded, the United Kingdom will be under an obligation to improve the capacity of the collection and treatment facilities serving London. Given that Directive 91/271/EEC is a results based Directive, the choice of solution will be a matter for the United Kingdom to decide.

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**Question no 69 by Bogusław Sonik (H-0457/05)**

**Subject: Employment of administrators from Poland**

According to the report presented by Siim Kallas (27 April 2005) about the current state of employment of administrators in the EU institutions from the 10 new Member States, the ratio of administrators of Polish origin remains much below the average for the other new Member States (about 20% - 134/671 - of the number set by the Commission). Given the approaching expiration of the reserve lists (December 2005) would the Commission state:

What are the reasons for this imbalance? Are particular Directorates General aware of this fact? What measures have been undertaken towards speeding up the apparent insufficient employment of administrators from Poland? Given the size of the population of Poland (similar to Spain) and the slowness of the recruitment process, should not the reserve lists from this country have a longer expiration period?

**Answer**

(EN)The answer to the question of the Honourable Member relates mainly to the Commission because the Commission plainly has no responsibility for recruitment in the other institutions.

In order to reach a geographical balance in the recruitment of the officials originating from the new Member States, the Council Regulation No 401/2004<sup>(12)</sup> foresees a transitional period extending from 2004 to 2010 during which it is possible to hold competitions specifically targeted at nationals of the new Member States.

<sup>(11)</sup> OJ L 135 of 30.5.1991, p. 40

<sup>(12)</sup> Council Regulation (EC, Euratom) No 401/2004 of 23 February 2004 introducing, on the occasion of the accession of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, special temporary measures for recruitment of officials of the European Communities, OJ L 67, 5.3.2004

This approach allows smooth integration of officials from the new Member States.

1. As reported in the communication from the Vice-President of the Commission in charge of administrative affairs, audit and anti-fraud dated 22 April 2005<sup>(13)</sup>, it is true that the proportion of Polish officials recruited by the Commission compared to the target set up is lower than the average proportion of the officials originating from the other new Member States.

Priority in recruitment was given to linguists, assistant administrators and secretaries. The need for linguists for each language was estimated to be 80 linguistic A\* staff, regardless of the size of the new Member State. As for assistant administrators and secretaries, it was considered more important to have a significant number of laureates from each new Member State rather than to reach a balanced representation of the new Member States in the first year of accession.

In addition, an analysis of the first wave of enlargement competitions showed that there was a significant shortfall in the number of laureates produced in comparison with the number indicated in the competition notices. The situation varied widely from country to country and domain to domain. The audit competition for Polish administrators produced, for example, 13 laureates, whereas the target figure was 40. Similar variations were seen in other competitions.

2. The communication from the Vice-President of the Commission in charge of administrative affairs, audit and anti-fraud was made available to all services. If recruitment is looked at on a Directorate general-by-Directorate general basis, the picture varies considerably. This is due to the fact that certain profiles have only recently become, or are not yet, available.

3. An overall geographical balance per nationality will be addressed in the following waves of competitions. The assessment of needs of laureates per new Member State is ongoing. The Commission will, in close collaboration with EPSO, ensure that it has an appropriate balance of staff from each of the new Member States across all categories, including middle and senior management, at the end of the transition period.

4. As regards the utilisation of reserve lists, the Commission wishes to address two misunderstandings.

Firstly, the recruitment process is not slow and the utilisation rates of the EUR10 Administrators lists clearly show that recruitments of Polish citizens from the reserve lists are well above the average. The Commission has recruited 67% of the laureates on the Polish reserve lists in comparison with 50% of the overall EUR10 reserve lists.

Secondly, the fact that the reserve lists validity is limited to 31 December 2005 does not necessarily imply that they will expire that day. The Appointing Authority (EPSO, in the present case) may extend their validity (and experience shows that where the number of laureates still on the list is significant, the Appointing Authority is likely to do so).

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#### **Question no 70 by Raül Romeva i Rueda (H-0459/05)**

##### **Subject: EU-Morocco/Western Sahara fisheries agreement**

The Commission has recently announced that negotiations are to begin with the Kingdom of Morocco with a view to concluding a fisheries agreement.

An extremely important aspect of the future agreement is whether or not it will include the waters of the Western Sahara (i.e. between latitude 27°40' N and Cabo Blanco).

The UN takes the view (clearly stated in the opinion issued on 29 January 2002 by the UN's Head of Legal Affairs) that Morocco does not have sovereignty over the territory and cannot be regarded as the territory's 'administrative power'. Is the Commission intending to exclude the waters of the Western Sahara from any fisheries agreement which might be concluded with Morocco?

<sup>(13)</sup> SEC (2005)565 on 'Recruitment of Officials and Temporary Staff from the New Member States: State of Play and Way Forward'

**Answer**

(EN) In the framework of the negotiations of a partnership agreement with a third party the Commission abides by the principles of international law and in particular those deriving from the United Nations Convention on the Law of the Sea of 10 December 1982. The Commission is also aware of the Legal opinion of the United Nations Under-secretary for Legal issues on the status of Western Sahara natural resources. With that in mind, the Commission intends to negotiate a Fisheries Partnership Agreement with Morocco that would apply to waters coming under Morocco's sovereignty or jurisdiction.

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**Question no 71 by Simon Coveney (H-0461/05)****Subject: Burma - human rights and Shan civilians**

Given the significant rise in attacks by the Burmese Army on Shan civilians and the severe abuses of human rights in Shan State (Burma), what concrete steps is the Commission taking to put pressure on the Burmese authorities to end its brutality in the Shan province, and what measures are being taken by the Commission to encourage the Thai authorities to face up to their responsibilities and provide vital protection and humanitarian assistance for refugees who are fleeing across the border into Thailand on a daily basis, and is the Commission providing such assistance from the European Union?

**Answer**

(EN) The European Union remains deeply concerned about the political and human rights situation in all of Burma/Myanmar, and in particular in ethnic minority areas such as the Shan State. The Commission and Member States therefore continue to call on the Burmese authorities to undertake decisive steps to improve the situation in these areas. Unfortunately the situation has not improved so far.

Recent information that groups from Shan State National Army have broken the ceasefire agreement with the military junta, leading to increased clashes between Shan soldiers and government forces. These clashes have allegedly provoked an influx of Shan refugees to Thailand. This is a worrying development and the Commission continues to monitor the situation very closely.

Thailand is not a party to the 1951 Geneva Convention relating to the Status of Refugees. The United Nations High Commissioner for Refugees (UNHCR) maintains offices in Bangkok and along the border, but only on the basis of working arrangements. Accordingly, the Thai government does not grant full refugee status to displaced people arriving from Burma/Myanmar. However, authorities have de facto provided shelter and protection on Thai soil.

The Commission Delegation in Bangkok, in full coordination with representatives of EU Member States, remains in close contact with the Thai authorities, including Foreign Affairs and the National Security Council, on the issue of Burmese refugees, to ensure that they are treated according to International standards.

As the current situation is unsustainable in the long run, the Commission Delegation in Bangkok is conducting a dialogue with the Thai authorities and UNHCR, aiming at a gradual improvement, including integration into the local labour market.

In addition, the Commission is providing substantial support to Burmese refugees living on the Thai-Burma border. In the period 2002-2004, EC assistance to the Burmese refugees amounted to approximately € 30 million, addressing the full range of needs, for example relief, food, health and education.

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**Question no 72 by Maria Matsouka (H-0462/05)****Subject: Admission by US automobile manufacturer General Motors concerning the use of human corpses in crash tests**

According to a text published on the website of the well-known US automobile manufacturer, General Motors, the company has admitted that in the past it had carried out a programme using human corpses in crash tests. Normally, dummies are used for crash tests. It appears, however, that the cost of the dummies -

as much as € 500 000 - is an obstacle to using them, whereas the market price of a human corpse is far more reasonable!!

This programme is not only an affront to the memory of the dead but, even worse, reduces the dead - and human existence in general - to a marketable commodity. At the same time, the small number of our fellow human beings who wish to donate their vital organs or their whole body after death to save the sick will dwindle even further if they are lured by financial gain. Widespread poverty throughout the world is also the strongest motive for concluding such macabre business.

Will the Commission examine this matter more closely and impose penalties on the above automobile manufacturer? Will it investigate the rumours that other companies are also using this type of programme and, finally will it take measures to eliminate this inhuman activity completely?

#### **Answer**

(EN)By the 1930s, with the automobile a common part of daily life, the number of motor vehicle deaths was continually increasing and vehicle designers saw a clear need to do some research on ways to make their products safer.

In America work began on collecting data on the effects of high-speed collisions on the human body in the late 1930s when there was no reliable data on the response of the human body to extreme physical conditions and no effective tools existed to measure such responses. Biomechanics was a field barely in its infancy. It was therefore necessary to employ test subjects in order to develop initial data sets.

The first test subjects were human cadavers. They were used to obtain fundamental information about the human body's ability to withstand the crushing and tearing forces typically experienced in a vehicle accident. Research has indicated that as a result of this earlier work, and the design changes consequently implemented, up to 8,500 lives had been saved annually in the United States by the late 1980s.

The information gained from that research was consequently put to good use in the development of what we know today as "crash test dummies". These dummies provide a consistent instrument in the testing of vehicles and are continually being upgraded and made more biofidelic. It is only by using these dummies that vehicles can be tested under controlled conditions and in a manner which is fully understood. The original test dummies, on which most of today's dummies are based, were originally developed by General Motors in the United States.

Today, under European Union regulation, crash testing where assessment of potential injury levels is required is carried out using specified test dummies which are becoming more and more complex and, as a result, more representative of the real human. To the knowledge of the Commission, European manufacturers do not make use of human cadavers in crash tests and the dummies which are used are continually undergoing development to provide more information on injury levels with the result that many thousands of lives are saved on our roads every year.

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#### **Question no 73 by Georgios Karatzaferis (H-0464/05)**

##### **Subject: Census of minorities living in Albania**

Albania gave the EU a commitment that it would carry out a comprehensive, credible and serious census by 31 December 2003 of all the minorities living on its territory. Has Albania carried out this census? If not, what sanctions can be imposed on that country which receives funding from the EU budget?

#### **Answer**

(EN)Albania has made no commitments to the EU regarding the conduct of a new general census of the population. However, in response to requests from the Commission at a number of successive Consultative Task Force meetings, Albania has indeed made commitments regarding data on minorities. Most recently in June 2003 Albania agreed to a joint recommendation that it would collect and make public, before the end of 2003, accurate data on the size of its minorities. This was not done by the deadline set, and although Albania produced relevant figures in February 2004, there was no broad consensus on their accuracy. Further progress is hampered by the difficulty in reaching agreement between the authorities and minority groups on the methodology to be used in gathering data. The Commission continues to encourage close cooperation

and dialogue between government and minority representatives, with a view to defining a methodology capable of producing results which are both accurate and accepted by all parties. More generally, Albania's progress in the Stabilisation and Association Process depends on its satisfactorily addressing fundamental issues such as minority rights.

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**Question no 74 by Robert Evans (H-0468/05)**

**Subject: Insurance of World War II bomber**

Is the Commission intending to take action on an anomaly in Regulation (EC) No. 785/2004<sup>(14)</sup> on insurance requirements for air carriers and aircraft operators, which threatens to ground the last airworthy B-17 flying fortress, known as 'Sally B', which is flown at air shows throughout the UK? This is due to the aircraft's take-off weight, treating it as a regular commercial passenger plane, rather than as an historic aircraft.

**Answer**

(EN) Regulation (EC) No 785/04 of the Parliament and of the Council of 21 April 2004 on insurance requirements for air carriers and aircraft operators<sup>(15)</sup> entered into force on 30 April 2005 and introduces common insurance requirements for aircraft operators and air carriers. All aircraft falling within the scope of the Regulation have to carry insurance in respect of liability for passengers, baggage, cargo and third parties. The aim of the Regulation is to ensure that damaged parties are financially compensated in the event of an accident, regardless of the financial situation of the operator of the aircraft. The Regulation makes no exception for historic aircraft, because operators of such aircraft can be held liable for damages caused and, consequently, should have an adequate insurance to cover that liability. For that same reason, the Regulation also does not make any difference between Community carriers and carriers from third countries, or whether the aircraft was commercially operated or not. Nonetheless, the owners of rarely used aircraft can influence their insurance costs because the premium levels for these aircraft usually vary with the number of flown hours.

However, the Commission closely monitors the application of EC Regulation 785/04 and will study carefully its effects on different parts of the aviation sector.

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**Question no 75 by Luis Herrero-Tejedor (H-0469/05)**

**Subject: Criteria for assessing the environmental impact and viability of projects for desalination plants submitted by the Spanish government under the 'Water Plan'**

Spain has put forward a series of projects covered by the 'Water Plan', including a number of desalination plants on the Mediterranean coast, the environmental impact of which may extend beyond Spain's borders, because of effluent discharged into the sea. There are no precedents in Europe for desalination plants on such a large scale, nor any comprehensive research regarding the environmental impact or the secondary impact of the consumption of fossil fuels and the generation of greenhouse gases and there are already concerns about the emission of large quantities of chemical substances<sup>(16)</sup> of undeclared composition, many of which are known to be harmful to the environment<sup>(17)</sup>.

What criteria and indicators will be applied in the impact studies? What studies will be carried out to discover the effects of the chemical substances used in the treatment, those added to the desalinated water and those discharged together with the brine effluent? Will energy consumption, the impact on soil if the water is used for irrigation, the impact on marina flora and fauna, the possible toxicity of the water and its possible uses all be taken into account? Will the cost of desalinated water, its distribution and the replacement of membranes and other components be taken into account, in view of the short life of desalination plants?

<sup>(14)</sup> OJ L 138, 30.4.2004, p. 1

<sup>(15)</sup> OJ L 138, 30.4.2004

<sup>(16)</sup> antifouling agents, biocides, detergents, chemical cleaning agents, pH correctors, etc.

<sup>(17)</sup> endocrine disrupters, carcinogenic, bioaccumulative and persistent substances, etc.



**Answer**

(EN)The Commission is aware of the intention by the Spanish authorities to supply water from desalination plants to regions with water scarcity. The following pieces of EU legislation are of relevance:

1) The Water Framework Directive<sup>(18)</sup>:

provides for protection of all our waters, rivers, lakes, groundwaters and coastal waters;

covers all sectors of human activity (including thus e.g. waste water discharges from water treatment plants and from desalination plants);

sets the objective of good quality ('good status') for all waters, linked to a non-deterioration clause;

defines 'good status' for coastal waters in a comprehensive way, in terms of biological, physico-chemical and hydromorphological quality elements;

submits all point source discharges liable to cause pollution to an authorisation procedure.

2) The Habitats Directive<sup>(19)</sup>

provides for the protection and conservation of habitats and threatened species. The directive requires the designation of sites in the NATURA 2000 network and provides for special assessments if these sites threaten to be impacted by construction projects such as de-salination plants;

3) The Environmental Impact Assessment Directive<sup>(20)</sup> and the Strategic Impact Assessment Directive<sup>(21)</sup>

The first mentioned directive requires an environmental impact assessment to be carried out on a range of construction/civil engineering projects. The SEA directive requires a strategic assessment of plans and programmes with a wider geographical scale and potential impact.

Consequently, there is a comprehensive framework of criteria to be adhered to under EU environmental legislation, ensuring that the environmental objectives will be adhered to and that specially protected areas e.g. the Poseidonia beds along the Spanish Mediterranean coast will be protected.

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**Question no 76 by Bogusław Liberadzki (H-0472/05)****Subject: Regulations governing the rights and duties of international and long-distance coach passengers**

The adoption of a European regulation on the rights and duties of international rail passengers will mean that such rights will be regulated in respect of air and rail transport, but not of international and long-distance coach transport, so concern for the passenger will ensure better treatment, particularly in the event of accidents on rail and air transport systems, but also at the same time will ensure lower costs for coach transport.

Does the Commission believe that it would be appropriate to draw up a proposal for suitable regulations covering the international (and also long-distance) coach transport sector, particularly in view of the fact that the accident rate in that sector is significantly higher than in any other mass transport sector? My question stems both from concern for the passenger and from the need to ensure comparable conditions of competition in the international passenger transport market.

<sup>(18)</sup> Directive 2000/60/EC of the Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, OJ L 327, 22.12.2000

<sup>(19)</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

<sup>(20)</sup> Council Directive 97/11/EC of 3 March 1997 amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment

<sup>(21)</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment

**Answer**

(EN)In its White Paper “European transport policy for 2010: time to decide” the Commission envisaged the establishment of passengers’ rights in all modes of transport.

In the Communication on strengthening passenger rights within the European Union of 16 February 2005<sup>(22)</sup>, the Commission presented a policy approach on how to extend passenger protection measures to all modes of transport other than aviation. The Commission pointed out three main areas of concern with regard to the international coach transport: the rights of persons with reduced mobility, liability issues and a compensation and assistance in the event of interrupted travel. The Commission has committed itself to examine the best way of improving and guaranteeing the rights of passengers in international coach services in the course of the year 2005/2006.

To this end, the Commission is preparing a consultation document on the rights of passengers in international bus and coach transport containing a detailed questionnaire addressed to the Member States and other stakeholders.

Taking into consideration the results of the public consultation, the Commission will come up, if appropriate, with a legislative proposal.

In addition to passenger rights, the Commission is also tackling bus and coach safety. Whilst bus and coach travel remains the safest means of road transport (130 fatalities out of 43,700 in 2004), further safety measures are still necessary. The Commission has adopted numerous measures under the road safety action plan, vehicle construction regulations (which improve the safety designs of buses and coaches, including the obligation to install seat belts) and it regulates operator and driver qualifications and conditions.

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**Question no 77 by James Hugh Allister (H-0474/05)****Subject: External Action Service**

How will the Commission’s proposals for an External Action Service be affected by the failure in the ratification process of the proposed EU Constitution? In view of the demise of the Constitution, and thus of the anticipated basis for action, what steps does the Commission propose to take to reverse the presumptive steps already taken in preparation for the introduction of the External Action Service?

**Answer**

(EN)In line with the mandate from the European Council (December 2004) the Commission has been working on the preparation for the European External Action Service with the Secretary General of the Council/High Representative for the Common Foreign and Security Policy (CFSP).

The Commission has also participated in the work of the Parliament, which adopted a resolution on 26 May on the European External Action Service.

Concerning the Constitutional Treaty, the European Council, has now decided to open a period of reflection which should be used for an in-depth discussion on important questions for Europeans and for Europe’s future. This reflection should include the challenge of ensuring the EU is an effective actor in international affairs. It would be premature today to draw more specific conclusions on the institutional consequences.

The European Council has agreed in principle to have a further discussion on the Constitutional Treaty in the first half of 2006.

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<sup>(22)</sup> Doc. COM(2005) 46 final

**Question no 78 by Bill Newton Dunn (H-0479/05)****Subject: Cost of organised crime**

What is the Commission's best estimate of the cost of organised crime last year inside the EU of 25? Can it subdivide the cost by different crimes - such as drugs, counterfeit goods, internet identity theft, trafficking of people, etc.?

**Answer**

(EN)The Honourable Member asks for the Commission's best estimate of the cost of organised crime last year inside the EU. The costs of organised crime are enormous, whether you want to measure only direct economic costs or both tangible and intangible direct and indirect costs. Different organisations make rough estimates of the cost of selected types of crime, for selected regions and selected periods of time, as does a few Member States of the EU.

A precise quantitative estimate of the cost of organised crime would require an extensive knowledge base containing comparable information on the extent of different types of organised crime in the EU Member States, as well as on the criminal justice response to crime, information on costs for individual victims and business, costs for intangible as well as tangible consequences of crime and for measures taken in anticipation of crime, to reduce or prevent crime or its consequences, to mention only a few necessary parameters.

As outlined in its answer to oral question H-0524/04 by the Honourable Member, the Commission is currently working to develop comparable statistics on crime and criminal justice at the European Union level. This work was initialised because it was recognised that one of the main deficiencies in the area of justice, freedom and security is the lack of comparable information on crime and criminal justice. Current compilations of national statistics are not comparable between countries, sub-national information is lacking and existing victimisation surveys do not cover all important crime types, or all EU Member States. The lack of good quality quantitative data specifically on organised crime is an overall problem. The Organised Crime Reports compiled by Europol suffers from a lack of harmonisation of indicators and reporting, to mention only a few problems that hamper the comparability and quantification of organised crime incidence and frequency.

The Commission has funded a study on cost-benefit analyses in crime prevention. The study concluded that only few Member States have data on the cost-aspect of crime. The study was discussed at a seminar on the Cost of Crime, held in Finland last year and co-funded by the Commission's AGIS-programme, where it was concluded that the issue needs much further work in the European Union.

The task to develop comparable statistics is a long-term goal that will have to be developed over the coming years, in close cooperation with Member States, as collecting information on the basis of harmonised definitions and reporting procedures will demand time and resources both at national and EU levels. A Communication on statistics on crime and criminal justice is planned for the latter part of 2005; it will include an action plan and a Commission decision to set up a consultative committee to advise the Commission's Directorate General Justice, Liberty and Security (JLS) in the different steps towards comparable statistics.

The end-goal is to have good-quality comparable information on crime and criminal justice, so as to render possible prioritisation, monitoring and evaluation of measures as well as cost-benefit analyses among other important policy tools.

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**Question no 79 by Catherine Stihler (H-0481/05)****Subject: Ship to ship oil transfer**

Recent drastic proposals for ship to ship oil transfer made in relation to the Firth of Forth would involve the transfer of almost 8 million tonnes per annum of Russian crude oil and other hydrocarbons.

Can the Commission clarify its position on ship to ship oil transfer?

**Answer**

(FR)The Commission is aware of the concern caused by the plan by a private company to set up a system for the transfer of oil between tankers anchored in the Firth of Forth, several miles from the coast in the East Lothian council area of Scotland.

The transfer of oil between vessels is a complex technical operation entailing a considerable risk of oil being spilled into the sea.

The transfer of oil between vessels in territorial waters and ports is carried out under the responsibility of the national authorities. In this connection, it should be stressed that the European Union has laid down standards imposing a strict ban on performing this type of operation from and to single hull oil tankers in waters under the jurisdiction of the Member States. These standards, contained in Regulation EC No 417/2002, have been applicable since October 2003. They will have to be observed if transfers of this kind are authorised by the British authorities.

As regards oil transfer operations between double hull oil tankers, the Commission considers that such operations must be subject to operational guidelines and very strict surveillance on the part of the national authorities responsible.

As far as the transfer of hydrocarbons between vessels at sea is concerned, although the industry itself has laid down recommendations in this area, the idea of establishing a binding framework for such operations will be discussed by the International Maritime Organisation (IMO) in mid-July 2005. The Commission and several Member States, for their part, favour incorporating rules relating to such transfers into the MARPOL 73/78 Convention.

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**Question no 80 by Luisa Morgantini (H-0486/05)****Subject: The technical arrangement on EU-Israel customs cooperation**

Since the technical arrangement on EU-Israel customs cooperation put into effect on 1 February 2005 was not adopted as a legally binding decision taken under the EU-Israel Association Agreement nor endorsed by the Association Council, is Israel under any legally binding contractual obligation to the European Community to continue implementing the arrangement, or is Israel legally entitled to abandon the arrangement at any time?

Since both Israel's exporters and Israel's customs authorities must distinguish between production carried out in occupied territories and production carried out in the territory of the State of Israel in order to implement the technical arrangement correctly, has Israel taken any measure that now legally obligates either its exporters or its customs authorities to apply this distinction?

**Answer**

(EN)The arrangement between the EU and the Government of Israel concerning the implementation of protocol 4 to the EU-Israel Association Agreement was adopted as a measure by the UE-Israel Customs Co-operation Committee. Measures taken by the Customs Co-operation Committee are not legally binding for the contracting parties.

In order to ensure the correct implementation of the arrangement, Israel has instructed its exporters and customs authorities to distinguish between production carried out in the territory of the State of Israel and production carried out in locations that were brought under Israeli administration since 1967.

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**Question no 81 by Åsa Westlund (H-0491/05)****Subject: The effects of EU agricultural policy on development in the world's poorest countries**

Does the Commission consider that changes in EU agricultural policy could have favourable effects on development in the world's poorest countries? If so, which changes?

**Answer**

(EN) Though the reasons behind the recent Common Agriculture Policy (CAP) reform are manifold, one of the principle aims behind it was to reduce its trade-distorting impact on third countries. As a result, over the ten years since the process began, our use of trade distorting domestic support and export subsidies has dropped dramatically, well in excess of our Uruguay Round commitments. Among others, this has led to a significant reduction in the EU's share of world agricultural exports in all major commodities. In addition, our border tariffs have also fallen by 36% while our market is also characterised by a generous and extensive preference schemes to imports from developing countries. 2001's Everything But Arms (EBA) initiative is just one element of the generalised system of preferences that allows developing countries to export often sensitive and economically important agricultural goods to the EU either duty free or under greatly reduced tariff conditions.

The combination of all these factors has substantially diminished the impact that EU agricultural produce has on world markets and world commodity prices. More importantly, it has contributed to a more level playing field in which developing countries could, were others to do the same, compete more efficiently.

Furthermore, the EU's position on developing countries has always been clear and comprehensive. It has been a firm supporter of the Doha Development Agenda from the outset, believing very strongly in working towards global trade liberalisation. One of our key concessions in this framework of the World Trade Organisation (WTO) negotiation has been the proposal to phase out its export subsidies as long as all forms of export subsidisation are eliminated. An ending date of the exports subsidisation will be part of the overall agricultural negotiations and can only be successful if all participants in the multilateral negotiation subscribe to a parallel process of elimination.

One of the best examples to demonstrate the positive by-products of CAP reform is the cotton sector. Although the EU production is negligible on the international scene (2% of the world production) and has no significant impact on the world price, the EU has led the way in reforming its domestic policies on cotton. Starting from 2006, 65% of our cotton subsidies will be no trade distorting. Moreover, the EU does not have export subsidies for cotton and provide free access on cotton.

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**Question no 82 by Erna Hennicot-Schoepges (H-0493/05)****Subject: Virtual Resource Centre for Knowledge about Europe**

Is the Commission familiar with the Virtual Resource Centre for Knowledge about Europe?

To what extent is the Commission prepared to invest in this project so that it can be extended to the new Member States?

What funding can the Commission make available to promote this database, which was initially created with the financial support of the Commission and subsequently funded by the Luxembourg Government?

**Answer**

(FR) The Commission has followed with interest the creation and development of the Virtual Resource Centre for Knowledge about Europe. From the outset, this project has received financial backing from the Commission in view of its interest to the Community. The project raises awareness of the history of the European project and is noted for the high quality of its documentary, technological and multimedia materials.

The honourable Member asked about the possibility of extending the project to the new Member States. The only resources at the Commission's disposal for supporting projects such as the Virtual Resource Centre for Knowledge about Europe are those of existing programmes in the fields of education and culture. Irrespective of the high quality of the initiatives presented, however, support for creating multimedia content is not among the objectives of those programmes.

The honourable Member also referred to the funding that the Commission could make available to promote this database, which was initially set up with the Commission's financial support and subsequently funded by the Luxembourg Government. As this is a Virtual Centre accessible via the Internet, the Commission would be able to use its various servers, including those of the Commission's representations in the Member States, to help promote the centre. The Commission could also consider helping to translate the texts

introducing the Virtual Resource Centre for Knowledge about Europe into the official languages of the new Member States.

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**Question no 83 by Paulo Casaca (H-0494/05)**

**Subject: Transparency initiative**

The Commission has announced that a Green Paper will be published on transparency in the EU institutions.

Will the Commission clarify whether this Green Paper will look into the implementation by the EU institutions of Article 42 of the Charter of Fundamental Rights of the European Union, which gives all European citizens a right of access to the documents of the EU institutions?

**Answer**

(EN)On 18 May 2005, the Commission held a first orientation debate on a possible 'European Transparency Initiative' and decided to create an inter-service working group in charge of preparing an in-depth analysis of all relevant issues. These activities will also include, to the extent appropriate, the analysis of legislation in the field of 'access to documents'.

On the basis of the results of the working group the College of Commissioners will, after the summer break, decide on the next steps to be taken, possibly including the launch of a Green Paper.

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**Question no 84 by Bernd Posselt (H-0497/05)**

**Subject: Humanitarian situation in the Caucasus**

What is the Commission's assessment of the humanitarian situation in the Caucasus region, particularly in Chechnya and the neighbouring areas?

**Answer**

(EN)The Commission continues to be extremely concerned by the humanitarian situation in Chechnya. The civilian population is the main victim of this longstanding conflict and survives in very dire conditions in a Republic which has been shattered by two wars. Grozny, in particular, remains a city in rubble where very little reconstruction has taken place so far.

A large part of the population in Chechnya, as well as those still displaced in the neighbouring republics of Ingushetia and Dagestan, depends on external humanitarian assistance. However, the main issue at stake, beyond material assistance, remains the protection of civilians, in a context where abductions, disappearances, extra-judicial executions, rape and extortion are common features of everyday life.

The Commission, through European Humanitarian Aid Office (ECHO), remains the main donor of humanitarian aid to the region, with around € 170 million allocated since the beginning of the second Chechnya conflict in Autumn 1999, including the latest funding decision of € 22, 5 million adopted in April.

However, providing humanitarian assistance to the population in Chechnya continues to be a difficult challenge because of the numerous restrictions on access put forward by the authorities, who want to control the work of humanitarian agencies, and because of insecurity, notably the high risk of kidnapping.

In addition to humanitarian assistance the Commission is preparing a possible contribution to socio-economic recovery in the North Caucasus. This would be part of a policy depending also on progress on the political process, including the holding of free and fair Parliamentary elections later this year. The consultations with Russia on human rights, launched in March, provide a basis for making progress on these issues. In addition the Commission is in the process of discussing the possible modalities for financial assistance with the Russian authorities in order to ensure that the expenditure would provide added value.

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**Question no 86 by Panagiotis Beglitis (H-0503/05)****Subject: Protection of marine resources and the income of Greek fishermen in the regions of Alexandroupolis and Samothraki**

Every summer during the months of June, July, August and September, in the regions of Alexandroupolis and Samothraki, trawler fishing in international waters beyond Greek territorial waters is suspended in order to protect marine resources. While the ban applies to all Greek fishermen under Community regulations, it does not apply to the Turkish fishing fleet. The result of this situation is that marine resources are destroyed and Greek fishermen in the region find themselves at a productive and financial disadvantage, having lost the possibility of a 'productive return' each October at the beginning of the fishing season.

Does the Commission intend to address this situation caused by the activities of the Turkish fishing fleet to the detriment of the marine environment and Greek fishermen and by what means? In the accession negotiations, can the Commission request that the *acquis communautaire* be extended and applied to Turkey?

What measures can the Commission take to apply common fishing rules in the Mediterranean in order to prevent discrimination against Greek fishermen? What options are available to the competent Greek authorities to support fishermen's incomes owing to the four-month break in their activities?

**Answer**

(EN)The Commission is aware of the fact that, as in the case of Greece, the implementation of Community legislation to ensure the conservation and the sustainable management of fish stocks may lead to situations where restrictions are imposed on Community fishermen that may not apply to fishermen from outside the Community who are fishing in the vicinity of waters where EC legislation applies. This is an important reason, among others, why the Commission is keen to strengthen co-operation with other Coastal States of the region with regard to fisheries management and the development of sustainable and responsible fishing patterns in the Mediterranean.

For this purpose, the Commission has a policy of strengthening the role of the General Fisheries Commission for the Mediterranean (GFCM), in particular with a view to making it a more effective tool for the implementation of the actions defined and accepted during the Ministerial Conference for the sustainable development of fishing in the Mediterranean in Venice from 25 to 26 November 2003.

Already at its last meeting in February 2005 the GFCM adopted, on the basis of Community proposals a number of important measures relating to conservation (e.g. minimum mesh size 40 mm, prohibition of trawling beyond 100 metres depth) and the management of the fishing activities (e.g. through the establishment of a register of vessels of more than 15 metres allowed to fish). Furthermore, the GFCM adopted a recommendation concerning the guidelines for the establishment of a control plan which will make it possible to strengthen the control of fishing activities and to combat effectively illegal fishing.

As the Honourable Member will know, the general principle in enlargement negotiations is that the candidate country in question accepts the Community *acquis*. The same approach will be followed with respect to Turkey. Negotiations will be based on the Common Fisheries Policy (CFP) *acquis*, which the Commission will present in detail to Turkey during the screening process. The CFP *acquis* will apply to Turkey upon Accession unless transitional arrangements are agreed in the accession negotiations.

Community assistance is available for institution building and administrative preparation, primarily through twinning projects with partners from Member States co-financed by the Community. Administrative and legal progress in Turkey with regard to applying the CFP *acquis* is discussed at regular intervals in the sub-committee for agriculture and fisheries under the EU-Turkey Association Agreement.

Under Article 16 of Council Regulation (EC) 2371/2002 Member States may grant compensation to fishers and owners of vessels for the temporary cessation of activities in the following circumstances:

In the event of unforeseeable circumstances, particularly those caused by biological factors,

Where a fisheries agreement is not renewed, or where it is suspended for the Community fleets dependent on the agreement,

Where a recovery or management plan is adopted by the Council or where emergency measures are decided by the Commission or by one or more Member States.

However, recurrent seasonal suspension of fishing activity, as in the situation shown by the Honourable Member, shall not be eligible for compensation under Article 16 of Council Regulation (EC) 2371/2002.

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**Question no 87 by Edite Estrela (H-0505/05)**

**Subject: Carcinogens**

Lead, a chemical element that causes cancer, has been detected in lipstick marketed under the best known labels in the cosmetics industry.

Will the Commission investigate whether this infringement is continuing and, if it is, what steps will it take to protect consumers' rights and health?

**Answer**

(EN)The Community legislation prohibits the use of lead in cosmetic products. According to this legislation the presence of traces of the substances can only be allowed provided that such presence is technically unavoidable in good manufacturing practice and the product does not cause damage to human health.

The Cosmetics Directive provides that Member States shall take all necessary measures to ensure that only cosmetic products which conform to this Directive can be put on the market. Therefore it is of the competence of Member States to withdraw from the market any product which does not comply with this Directive.

If the Honourable Member has more information on the product concerned, this information should be passed to the Commission who will contact the competent control authority of the country where the product was found in order that it can take the necessary actions.

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**Question no 88 by Brian Crowley (H-0507/05)**

**Subject: Tax harmonisation**

The Commission is aware that many Member States consider that taxation policy is the exclusive competence and responsibility of national governments.

Furthermore the Commission will be aware of a Franco-German-sponsored approach for more harmonisation of company taxation, to be achieved within three years.

In light of the above can the Commission outline its position on tax harmonisation in relation to Corporate taxation and VAT indirect taxation?

**Answer**

(EN)The Commission formally explained its approach to tax coordination and tax harmonisation in different areas of taxation in its Communication on "Tax policy in the European Union - Priorities for the years ahead" of 23 May 2001<sup>(23)</sup>. The Honourable Member is referred to this document. While Member States have the main responsibility on taxation matters they have to respect the EC Treaty when exercising their competence, notably the non-discrimination principle, the fundamental freedoms and the State Aid rules.

The Commission strategy for providing companies with a consolidated corporate tax base for their EU-wide activities is not aimed at full harmonisation and in particular does not infringe Member States' right to set tax rates. The Commission's policy is laid down in two Communications: "Towards an Internal Market without tax obstacles - A strategy for providing companies with a consolidated corporate tax base for their EU-wide activities"<sup>(24)</sup> and "An Internal Market without company tax obstacles – achievements, ongoing initiatives and remaining challenges"<sup>(25)</sup>.

<sup>(23)</sup> COM (2001)260

<sup>(24)</sup> COM (2001)582

<sup>(25)</sup> COM (2003)726



In the field of VAT and other indirect taxes, to a certain extent a higher degree of harmonisation is necessary in order to ensure that the internal market without internal borders can function without too high distortions of competition. However, even here no full harmonisation of rules is sought and tax rates are determined at national level, subject to a commonly agreed Community-wide minimum standard rate (15%) and an agreed list of goods of services to which Member States are allowed to apply optional reduced rates. The Commission's policy is laid down in two Communications: "A Strategy to improve the operation of the VAT System within the context of the Internal Market"<sup>(26)</sup> and "Review and update of VAT strategy priorities"<sup>(27)</sup>.

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#### **Question no 89 by Eoin Ryan (H-0509/05)**

##### **Subject: Safe airlines**

Does the Commission agree on the necessity to ensure that information is readily available between countries on the airworthiness of airlines so that the safety of passengers can be further guaranteed?

The United Kingdom is the only European country that has a published list of five banned airlines which do not comply with international safety standards. The five listed airlines in question are available on the UK Department of Transport website.

Does the Commission have any strategy in place to implement a similar EU blacklist in an effort to improve coordination of aviation safety standards?

##### **Answer**

(EN)The Commission agrees on the necessity to ensure the availability of data on the safety of airlines to the relevant national authorities of the Member States, on the one hand, to enable them to participate in the improvement of air safety and, on the other hand, to inform the passengers of potentially dangerous situations.

Directive 2004/36<sup>(28)</sup> on the safety of third-country aircraft provides for the collection and exchange of information on aircraft and airlines which do not comply with international safety standards which may result in the grounding of aircraft or decisions to ban from airports or impose conditions on the operation of operators.

On 16 February 2005, the Commission adopted a proposal for a Regulation on the information of air transport passengers<sup>(29)</sup> which provides for the publication of a list of air carriers which are banned from the airspaces of the Member States or which are subject to traffic rights restrictions for safety reasons.

In addition, the Commission organised on 26 May 2005 a meeting of the Committee established by Regulation (EC) 3922/1991 which agreed, amongst others, on the setting up of a Community early warning system to inform the Commission and all the Member States if it appears likely that a decision to suspend traffic rights of an airline may soon need to be taken in view of a Community wide decision. There was also agreement on the need to establish common criteria on the basis of which a list of unsafe airline may be drawn up.

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#### **Question no 90 by Liam Aylward (H-0511/05)**

##### **Subject: Climate change and the USA**

The Commission will be aware of the resignation and departure of the chief of staff of the White House Council on Environmental Quality, two days after it was revealed that he had made changes in several federal

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<sup>(26)</sup> COM (2000)348

<sup>(27)</sup> COM (2003)614

<sup>(28)</sup> Directive 2004/36 of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports, O.J. L.143 of 30.4.2004

<sup>(29)</sup> Proposal for a Regulation of the European Parliament and of the Council on the information of air transport passengers on the identity of the operating carrier and on communication of safety information by Member States, COM(2005) 48 final of 16.2.2005, COD 08/2005

environmental reports in 2002 and 2003. The changes tended to emphasise the uncertainty of evidence that greenhouse-gas emissions are causing global temperatures to rise.

The adviser in question, who has no background in science, had previously headed the oil industry lobby on climate change in the USA.

Does the Commission agree that decisions on serious environmental problems must be based on sure and accurate science? And does the Commission agree that this opportunity must be used to highlight the contradictions in the United States approach to the Kyoto agreement and to climate change in general?

#### **Answer**

(EN)The Commission is of the opinion that environmental policy making should be based on robust scientific knowledge. In the field of climate change this is one of the reasons that the Intergovernmental Panel of Climate Change (IPCC) was set up. The IPCC assesses on a comprehensive, objective, open and transparent basis the scientific, technical and socio-economic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts and options for adaptation and mitigation.

At the EU-US summit on 20 June, the President of the Commission stated that differences between the EU and the United States on the Kyoto Protocol should not prevent both sides from looking forward and that, together, the international community needs to intensify its efforts to reach agreement on a multilateral climate change regime for the period after 2012.

The Commission communication "Winning the Battle against Global Climate Change" of 9 February 2005 sets out the Commission's views on the key elements of such regime. The Communication also shows that the approach advocated by the United States of stimulating research into new technologies is not sufficient by itself. Additional incentive structures, like the EU emissions trading scheme, are required to encourage the deployment of such technologies.

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#### **Question no 91 by Seán Ó Neachtain (H-0513/05)**

##### **Subject: EU-US agreement on the 'Open Skies'**

Can the Commission give an update on the current round of negotiations taking place on a US-EU 'Open Skies' agreement?

#### **Answer**

(EN)Since June 2004, the Commission has been working to resume the formal negotiations as soon as possible and, to that end, Vice-President Barrot visited Washington on 21-22 March 2005 to meet with United States (US) Transportation Secretary Mineta and others in the US Administration and industry. Vice-President Barrot and Secretary Mineta issued a Joint Statement in which they agreed that the negotiators would "review further the possible elements of a US-EU air services agreement with the goal of establishing a solid basis on which formal negotiations can be resumed".

The Commission has been actively working with the United States through a number of technical discussions to explore the scope for making progress on issues of importance to each side. Discussion has focused in particular on the three areas of regulatory co-operation identified in the Presidency's conclusions of the 21 April Transport Council: aviation security, competition and government subsidies. Issues of market access and ownership and control have also been discussed. Good progress has been made towards establishing the parameters in order to allow the resumption of negotiations.

In the light of these technical discussions, the Commission reported to the Transport Council on 27/28 June 2005 and there was an exchange of views between the Ministers. In the meantime, it was agreed at the EU-US Summit on 20 June 2005 that the two sides should continue cooperation on aviation issues, including safety, security and liberalization, including achievement of a comprehensive first-step EU-US air services agreement as soon as possible. It was recognised that such an agreement would unlock substantial benefits by providing valuable new business opportunities, to the benefit of EU and US airlines, airports, tourism, business links, cargo transport and consumers.

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**Question no 92 by Peter Baco (H-0514/05)****Subject: Long-term vision for agriculture and rural development**

During the negotiations on the financial perspective 2007-2013, what emerged above all was the need to relate medium-term decisions to a long-term vision of the development of agriculture and rural areas in the European Union.

That being the case, can the Commission indicate, in terms of agriculture and rural affairs in the European Union from now until 2030 and 2050 respectively, what it considers to be the objectives and the means of achieving them? In the same context, what does the Commission view as the greatest risks and what pitfalls must be avoided?

**Answer**

(EN)With the CAP reform process, which began in 1992 and reached its accomplishment in 2003, the Commission has turned EU agriculture and rural areas towards market orientation and competitiveness, the Commission has integrated environmental and animal welfare concerns of the European civil society, it has integrated food safety and quality requirements, it has addressed the social balance while continuing to ensure a fair standard of living for the agricultural community and has widened the scope by strengthening rural development.

In the Commission's view competitiveness, the integration of its citizens' concerns and social balance will remain key objectives for the European agricultural and rural development model for the future which is based on economic, ecologic and social sustainability.

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**Question no 93 by Karin Riis-Jørgensen (H-0515/05)****Subject: Competition rules for tramp vessel services**

In its White Paper (COM(2004)0675) on the review of Regulation (EEC) No 4056/86<sup>(30)</sup>, applying the EC competition rules to maritime transport, the Commission states (p. 10) that "the Commission will provide the tramp industry with some guidance on the implementation of competition rules to this sector." Such guidance is indeed called for, since legal practice provides no guidance for this sector of the industry, tramp vessel services having been excluded both from Regulation (EEC) No 4056/86 and from the general EU provisions implementing the competition rules.

Can the Commission confirm that this guidance will be available before – or at the latest at the same time as – the lifting of the exclusion of tramp vessel services from Regulation (EC) No 1/2003<sup>(31)</sup> [on the implementation of the rules on competition]?

Can the Commission also state when the exclusion is expected to be lifted, and finally what form of guidance will be laid down in its place?

**Answer**

(EN)In its White Paper on the review of Regulation 4056/86, applying the EC competition rules to maritime transport, the Commission has stated that it envisages to propose lifting the current exclusion of tramp vessel services (that is unscheduled maritime services) from the scope of the competition enforcement rules.

The Commission has envisaged a legislative proposal for the fourth quarter of 2005.

The envisaged proposal will not involve a substantive change for the industry. The substantive competition rules, set out in Articles 81 and 82 of the Treaty, already apply to tramp services. The envisaged legislative proposal will only make tramp services subject to the competition enforcement rules set out in Regulation 1/2003. The Commission has envisaged a legislative proposal for the fourth quarter of 2005.

<sup>(30)</sup> OJ L 378, 31.12.1986, p.4.

<sup>(31)</sup> OJ L 1, 4.1.2003, p. 1

The Commission will, however, only be able to issue guidance once it has been given the appropriate enforcement tools to obtain the relevant information on the functioning of the tramp sector.

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**Question no 94 by Ignasi Guardans Cambó (H-0517/05)**

**Subject: Missing persons**

For several years, the European Union has been considering dealing with the issue of missing persons, as the increase in the number of people moving within the Union has made it necessary for the Member States to act jointly.

The Commission should already have taken specific action in this area, such as the presentation of a report to the Council on missing and sexually exploited children, mentioned under point 3.3 of the annex to The Hague Programme: ten priorities for the next five years - the partnership for European renewal in the field of freedom, security and justice.

When will the Commission present its report to the Council on the outcome of a study carried out following the Council resolution of 2001 on the contribution of civil society in finding missing or sexually exploited children?

Does the Commission intend to extend this research on missing children to missing persons of all ages?

**Answer**

(EN)As indicated in the Council and Commission Action Plan implementing the Hague Programme on strengthening freedom, security and justice in the European Union the Report on the results of a study further to the Council resolution of 2001 on the contribution of civil society in finding missing or sexually exploited children will be issued in 2005.

A draft report has already been prepared at working level and examined at the level of the competent Member of the Commission. It is foreseen that the Commission should use the opportunity of the report to communicate to the Parliament and to the Council what kind of action could be taken in order to support and to strengthen the contribution of the civil society in the area concerned. The results of the ongoing reflections will be presented as soon as possible after the summer break. Furthermore, the enlargement of the Union in May 2004 had to be taken into account. Funding for a follow-up-project was granted in 2004 under the AGIS programme in order to extend the study to the 10 new Member States.<sup>(32)</sup>

The Commission welcomes any appropriate contribution of civil society in finding or supporting missing or sexually exploited persons of all ages. With regard to further studies the input of relevant civil society organisations seems to be indispensable. Initiatives for studies of civil society organisations could be looked at favourably, for instance with regard to children, young people and women in the context of the Daphne II Programme.

As the Commission pointed out in its answer to written question E-1498/05 by Mr Richard Corbett, particular attention must be paid to the fact that the possibility of searching for missing people and children in particular already exists under the Schengen Information System (SIS) and will be maintained with the development of the second generation of the SIS. The Commission will also launch a feasibility study on the possibility of creating a new category of alerts on minors which should be banned to leave the Schengen Area, the objective being to prevent an abduction of the minor that would end in a third country.

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<sup>(32)</sup> Study on the actual extent of the phenomenon of missing and sexually exploited children in the 10 acceding countries to the EU, JHA/2004/AGIS/006

**Question no 95 by Proinsias De Rossa (H-0521/05)****Subject: Transposition of the 2002 Information and Consultation Directive**

Directive 2002/14/EC<sup>(33)</sup> establishing a general framework for the information and consultation of workers in the European Community should have been transposed by all Member States by 23 March 2005. Ireland has not yet transposed this Directive.

Could the Commission outline which other Member States, if any, have yet to notify it of the transposition of this Directive and outline what action it has taken or is planning to take to ensure this Directive is transposed and implemented in full by all Member States?

**Answer**

(FR)As the Honourable Member rightly points out, Directive 2002/14/EC<sup>(34)</sup> of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community lays down a deadline for transposition of 23 March 2005.

As of 20 June 2005, the Commission had received 14 notifications of transposition of Directive 2002/14/EC, from the following Member States: Belgium, the Czech Republic, Germany, France, Latvia, Lithuania, Hungary, the Netherlands, Austria, Portugal, Slovenia, the Slovak Republic, Finland and the United Kingdom.

Failure to notify national implementing measures constitutes a failure by a Member State to fulfil its obligations, leading to the opening of infringement proceedings by the Commission, beginning with an initial pre-contentious stage in which formal notice is served on the Member State concerned

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**Question no 96 by Georgios Toussas (H-0523/05)****Subject: Infringement of workers rights at Carrefour in Thessaloniki**

Employees of the Carrefour supermarket chain in Thessaloniki are being required to work their daily shifts on a discontinuous basis obliging them to remain on the premises during interim non-working hours. In this way, while ostensibly complying with minimum daily rest period requirements, the company is in fact forcing its employees to remain at the workplace at the disposal of their employer at any moment and ready to resume work during this period, which naturally does not count as working time.

Does the Commission intend to withdraw the proposal for a Directive (COM(2005)0246 final) concerning certain aspects of the organisation of working time, which seeks to extend flexible working arrangements and instead take measures to ensure a stable working rhythm of 7 hours per day and 5 days/35 hours per week, ensuring employees adequate free time and a normal family life?

**Answer**

(FR)The honourable Member describes the situation of employees of the Carrefour supermarket chain, who are obliged to be on call at their place of work without that on-call time being considered working time.

Article 2(1) of Directive 2003/88/CE<sup>(35)</sup> defines 'working time' as 'any period during which the worker is working, at the employer's disposal and carrying out his activities or duties in accordance with national laws and/or practice'.

In order to qualify as working time, within the meaning of the directive, all periods must fulfil the three criteria of the above definition.

<sup>(33)</sup> OJ L 80, 23.3.2002, p. 29.

<sup>(34)</sup> OJ L 80, 23.3.2002

<sup>(35)</sup> Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time, OJ L 299 of 18.11.2003.

In its ruling on the SIMAP<sup>(36)</sup> case, the Court of Justice stated that 'the fact that doctors are obliged to be present and available at the workplace with a view to providing their professional services means that they are carrying out their duties' (point 48) and concluded that 'time spent on call by doctors ... if they are required to be present in the health centre, must be regarded in its entirety as working time'.

According to 2003/88/EC, as interpreted by the Court of Justice, on-call time as described in the honourable Member's question must therefore be regarded in its entirety as working time. It is for the relevant national authorities to ensure compliance with Community law at national level.

If the amended proposal of 31 May 2005<sup>(37)</sup> is adopted by Parliament and the Council, active on-call periods must in their entirety be regarded as working time. The inactive part of on-call time would not be regarded as working time, but could no longer form part of the calculation of daily and weekly rest time.

The Commission feels that this amended proposal strikes the right balance between the need to protect employees' health and safety and the need to offer Member States and EU businesses the necessary flexibility in the organisation of working time.

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#### **Question no 97 by Panayiotis Demetriou (H-0524/05)**

##### **Subject: Commission Regulation (EC) No 60/2004 laying down transitional measures in the sugar sector by reason of the accession of the new Member States**

On 14 January 2004 the Commission enacted Regulation (EC) No 60/2004<sup>(38)</sup> laying down transitional measures in the sugar sector by reason of the accession of the new Member States, requiring them prior to accession to the European Union to eliminate by the end of April 2005 those quantities of sugar surplus to average consumption figures over the last previous years.

Given that sugar was ordered and purchased in autumn 2003 in accordance with normal practices in this sector, i.e. before the regulation was enacted, and since the regulation was enacted prior to accession of the new Member States to the European Union, what is the justification for imposing fines on new Member States and by extension on imports of sugar from surplus stocks? What further action does the Commission intend to take regarding this matter, which is proving to be a source of major disruption, causing numerous political and legal headaches in certain of the new Member States including Cyprus?

#### **Answer**

(EN) On the basis of the Act of Accession (annex 4, chapter 4 paragraph 2) and according to the provisions of Commission Regulation (EC) No 60/2004<sup>(39)</sup>, the surplus sugar quantities for the new Member States were determined by Commission Regulation (EC) No 832/2005<sup>(40)</sup>. The Act of Accession was signed in April 2003, i.e. 9 months before the publication of Regulation 60/2004. The risks of speculative stock-piling were identified and discussed already during the accession talks with the then candidate countries, especially with those where there was no sugar production and low import protection was applied. Consequently the Commission had the necessary legal and political basis to take this decision.

In the first place the determined quantities should be eliminated from the Community market according to Article 6(2) of Regulation 60/2004 by 30 November 2005. The charges foreseen are only payable if

<sup>(36)</sup> Judgment of the Court of 3 October 2000 in Case C-303/98, Sindicato de Médicos de Asistencia Pública (SIMAP) versus Consejería de Sanidad y Consumo de la Generalidad Valenciana, ECR 2000, p. I-07963

<sup>(37)</sup> Amended proposal for a directive of the European Parliament and the Council amending Directive 2003/88/EC concerning certain aspects of the organisation of working time, document COM (2005) 246 final

<sup>(38)</sup> OJ L 9, 15.1.2004, p. 8.

<sup>(39)</sup> Commission Regulation (EC) No 60/2004 of 14 January 2004 laying down transitional measures in the sugar sector by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, OJ L 9, 15.1.2004.

<sup>(40)</sup> Commission Regulation (EC) No 832/2005 of 31 May 2005 on the determination of surplus quantities of sugar, isoglucose and fructose for the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, OJ L 138, 1.6.2005.

elimination of the determined surplus does not take place appropriately by the set deadline. Attention has to be drawn to the fact that the potential financial burden can be significantly reduced where speculative operators are traced using the identification system that was requested by Article 6(3) of Regulation 60/2004. However, should there remain any quantity not eliminated and for which no operator can be identified, the charges payable by the NMS can be spread over four years (2006-2009).

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**Question no 98 by Anna Ibrisagic (H-0525/05)**

**Subject: Bosnia's peace agreement**

On a number of occasions, it has been stated that, before Bosnia and its neighbours can begin accession negotiations with the EU, they must conclude a new peace agreement, which in practice, would replace the Dayton Agreement. What is the Commission's interpretation of this?

**Answer**

(EN)There is a number of demanding requirements that Bosnia and Herzegovina and its neighbours will need to fulfil before accession negotiations with the EU can be considered. Consolidation of stability and democracy, and the development of good neighbourhood relations, are certainly pre-conditions to envisage such negotiations. But there is no requirement to conclude a regional peace agreement.

The 1995 Dayton Peace Agreement put an end to a three-year long, dreadful civil war in Bosnia and Herzegovina. The objective of this agreement was to stop the armed conflict in Bosnia and Herzegovina, and to provide the country with the basic elements for its normalisation, including a Constitution. In this respect Dayton has been successful. Nonetheless, it is widely accepted that the Dayton Peace Agreement and the current constitutional arrangements of Bosnia and Herzegovina will need to be progressively adapted in order to take into account the country's normalisation and to be able to respond to EU criteria.

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**Question no 99 by Marie Panayotopoulos-Cassiotou (H-0527/05)**

**Subject: Preserving the linguistic and cultural identity of the children of Europeans established in a Member State other than their Member State of origin**

An increasing number of Europeans are establishing themselves for long periods in Member States other than their own exercising their basic freedom of movement and establishment under the Treaties as a result of the redeployment of European manpower in pursuit of the Lisbon objective of securing quality employment.

What measures are being taken by the Commission to enable the children of migrant workers to preserve their linguistic and cultural identity within their host Member State, thereby safeguarding Europe in all its diversity?

How does the Commission intend to bring Council Directive 77/486/EEC of 25 July 1977<sup>(41)</sup> into line with the present situation and the prospects for 2010?

What resources does the Commission propose be made available and through what channels, so as to meet the basic needs of a significant cross-section of Europe's younger generation?

**Answer**

(FR)The Commission, in common with the honourable Member, is very keen on the idea of safeguarding cultural and linguistic diversity. In order to do so, however, the Commission is bound by the prerogatives conferred on it by the Treaties and, within that framework, the Commission has launched a series of initiatives.

In July 2003, the Commission adopted an Action Plan entitled 'Promoting language learning and linguistic diversity – an action plan 2004-2006', in which it undertakes to pursue 45 European-level measures with a view to creating a more favourable environment for languages.

<sup>(41)</sup> OJ L 199, 6.8.1977, p. 32.

In its Action Plan, the Commission points out that if we are to promote linguistic diversity, we must actively encourage the teaching and learning of the broadest possible range of languages in schools, universities and adult education centres, including the languages of migrants. The Commission also supports the CLIL/EMILE method, which consists of learning a subject in a foreign language.

The possibility of introducing this method in the Member States' education systems was recently discussed at a conference on multilingual teaching arranged by the Commission and the Luxembourg Presidency of the Council. The advantages of this system, such as encouraging greater social cohesion, were highlighted in the Presidency's position on the subject, which was adopted at the Council meeting of 24 May 2005 (EDUC 69 – 8392/05).

The working group on languages established in the framework of the 'Education and training 2010' programme has recommended, among other things, that 'The provision for teaching regional, minority, migrant and neighbouring languages should be part of mainstream education and training policy'.

Community action in this field is limited to encouraging cooperation between Member States, supporting and supplementing their action, 'while fully respecting the responsibility of the Member States for the content of teaching and the organisation of education systems and their cultural and linguistic diversity', as stated in Article 149 of the Treaty.

The honourable Member mentions Council Directive 77/486/EEC of 25 July 1977 on the education of the children of migrant workers<sup>(42)</sup>. Article 3 of that directive states that Member States shall, in accordance with their national circumstances and legal systems and in cooperation with States of origin, take appropriate measures to promote teaching of the mother tongues of the children of migrant workers. Directive 77/486/EEC is currently undergoing a Commission evaluation so that Member States' obligations might be defined as precisely as possible and, if need be, appropriate proposals submitted to the Council and Parliament.

Within the framework of EU cooperation programmes, some projects are cofinanced by the Commission with a view to promoting linguistic diversity and intercultural dialogue. One such example is the Culture 2000 programme, which encourages intercultural dialogue and exchanges between European and non-European cultures. This aspect is further reinforced in the Commission's proposal on the Culture 2007 programme.

Within the framework of the future integrated 'lifelong learning' programme for 2007-2013, the Commission proposes to fund European networks in the area of language learning and linguistic diversity. This will make it possible, for example, to support schools projects through which CLIL/EMILE-type learning could be developed.

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#### **Question no 100 by Linda McAvan (H-0531/05)**

##### **Subject: Phthalates in newborn babies**

Is the Commission aware of the new Harvard study 'Use of di(2-ethylhexyl) phthalate containing medical products and urinary levels of mono(2-ethylhexyl) phthalate in neonatal intensive care unit infants', which suggested that newborn babies in intensive care units had high levels of DEHP in their urine?

Does the Commission believe that the findings of this study have implications for the future of EU policy on phthalate use?

##### **Answer**

(EN)The Commission follows closely any new developments related to safety issues concerning the use of phthalates in medical devices and, in particular, exposure of high-risk patient groups such as new-born babies. The Commission was therefore aware of the recent study mentioned by the Honourable Member and published by the U.S. National Institute of Environmental Health Science on 8 June 2005.

Already in 2002, the Scientific Committee on Medicinal Products and Medical Devices was consulted on the potential toxicity of medical devices containing DEHP plasticized PVC for neonates and adopted an opinion

<sup>(42)</sup> JO L 199, 6.8.1977



according to which, and in view of the data available at that time, no specific recommendation could be made to limit the use of DEHP in any particular patient group.

The Commission is deeply committed to ensuring that high risk patient groups, and in particular infants in intensive care units, receive proper care and treatment delivered by safe medical devices. For this reason, the Commission convened a meeting of the Expert Group on DEHP-PVC medical devices.

The opinion of the newly established Scientific Committee on Emerging and Newly Identified Health Risks will be sought to evaluate the new data. The June 2005 Harvard study will be one of the documents that will be part of the Committee's review.

Subsequently, the Expert Group, taking into account the opinion of the Scientific Committee and any new technical developments, will propose, as necessary, further actions on the use of DEHP-PVC in medical devices and possible alternatives.

The future of the EU policy on phthalate use in medical devices will be reconsidered, as appropriate, based on the output of this consultation.

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#### **Question no 101 by Johan Van Hecke (H-0532/05)**

##### **Subject: Implementation of the Directive on waste electrical and electronic equipment (WEEE)**

The Directive of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE), the original Commission proposal relating to which (COM(2000)0347 final) dates back to 2000 and final version of which (PE-CONS 3663/2002) was adopted by the Conciliation Committee on 11 October 2002 after lengthy and difficult negotiations, should have been transposed into national law by the Member States by no later than 1 August 2004.

Many undertakings and establishments are complaining that the Directive has been transposed by the Member States in such different ways that not only is the relevant legislation in the EU now not uniform, it actually varies widely from Member State to Member State. That creates legal uncertainty and results in difficulties for undertakings which have to comply with differing legislative requirements in the various Member States.

Is the Commission aware of the problem? Is it intending to adopt measures to counteract it?

##### **Answer**

(EN)The Commission is aware that the Directive is highly complex and that it affects many enterprises, in particular those that have to comply with differing legislative requirements in various Member States, not least because the Directive is based on Article 175 of the Treaty.

In terms of the legal position on WEEE Directive, the Commission is currently assessing whether the measures notified by the Member States correctly transpose the obligations of the Directive. As the guardian of the Treaty, the Commission does not hesitate to take all necessary measures, including infringement procedures under Article 226 of the Treaty, in order to ensure the observance of Community law.

The Commission has established a structured dialogue and an exchange of views and experience with the Member States in the Directive's Technical Adaptation Committee as well as with industry stakeholders in numerous bilateral meetings and in addition in the high-level discussion forum that was set up by Directorate-General Environment at the beginning of 2005. The Commission is taking a leading role in harmonising its implementation as far as possible. To this end, a guidance document on the WEEE Directive is available at the Directorate General Environment website:

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However, to the extent that the Directive itself allows for a non-uniform implementation in different Member States, this has to be respected.

No further legislative measures are foreseen so far.

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**Question no 102 by Ivo Belet (H-0536/05)****Subject: Allowance towards the cost of childcare facilities for frontier workers**

Article 6(3) of the Netherlands Childcare Act (WKO) stipulates that both parents must be working in the Netherlands if they are to be entitled to receive an allowance towards the cost of childcare facilities. That means that a large number of families of frontier workers who live in Germany or Belgium - where one parent is in gainful employment in the Netherlands and the other in Belgium or Germany - cannot claim the allowance. The allowance is calculated per child and is means-tested against the family income.

Are the allowances granted under the Netherlands Childcare Act a social advantage (within the meaning of Article 7 of Regulation (EEC) No 1612/68<sup>(43)</sup>) and/or a family allowance (within the meaning of Article 1(u)(i) and (ii) of Regulation (EEC) No 1408/71<sup>(44)</sup>)?

May the Netherlands withhold this allowance from families of frontier workers where both parents are in gainful employment but only one of them is in gainful employment in the Netherlands?

If the allowance under the Netherlands Childcare Act falls within the scope of Regulation (EEC) No 1408/71, do the coordination arrangements set out in Chapter 7 of Regulation (EEC) No 1408/71 then apply?

If the allowance constitutes what is known as a social advantage (within the meaning of Article 7(2) of Regulation (EEC) No 1612/68), how must the amount of the allowance then be established?

**Answer**

(FR)The honourable Member draws the Commission's attention to Dutch law on childcare, which stipulates that an allowance is only payable if both parents are working in the Netherlands. That means that frontier workers cannot claim the allowance where one parent works in Belgium.

On the basis of the information provided by the honourable Member on the Dutch legislation in question, the Commission is of the opinion that this is an allowance that, on the one hand, meets the criteria laid down in the case law of the Court of Justice<sup>(45)</sup> for being classified as a family benefit within the meaning of Article 4(h) of regulation 1408/71, and that, on the other hand, can also be classified as a social advantage within the meaning of Article 7(2) of Regulation 1612/68.

In order to be in a position to examine all of the legal aspects of the honourable Member's question, the Commission will contact the Dutch authorities with a view to obtaining further details on this legislation and to examining the impact of Community law on the allowance in question. The Commission will, without fail, notify the honourable Member of its findings.

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**Question no 103 by María Isabel Salinas García (H-0537/05)****Subject: Boost to desalination systems in the EU**

Spain is pushing ahead with the AGUA programme, taking a series of measures to boost the supply of water in a country seriously affected by drought. The AGUA programme, which complies with the relevant Community rules, is proving to be highly effective in guaranteeing supplies and respecting the need for minimum flows to maintain the ecosystem in the various river basins. It has thus shown up the shortcomings of other techniques and major hydraulic conduction projects which could have caused irreversible damage to the environment and biodiversity in Spain. Moreover, the new desalination techniques now available make it possible for reverse osmosis to be carried out with a high degree of energy efficiency and the residual brine to be managed in a highly sustainable way.

Many Mediterranean countries in the EU are already using desalination systems, even though they do not have the best available techniques that are already being used in Spain. Will the Commission put forward a recommendation encouraging EU countries which have the possibility of obtaining water through desalination

<sup>(43)</sup> OJ L 257, 19.10.1968, p. 2.

<sup>(44)</sup> OJ L 149, 5.7.1971, p. 2.

<sup>(45)</sup> See judgement of the Court of 10 October 1996, C-245/94 and C-312/94, Hoever and Zachow

to invest in the installation and modernisation of such systems? What funds can the EU use to provide an incentive for the installation of desalinators in areas where these systems are found to be the most sustainable means of obtaining water?

### Answer

(EN)The Commission is aware of a range of existing as well as planned desalination plants, in particular in the Mediterranean countries. Elements of importance seem to be the following ones: environmental aspects; promoting environmental technologies; and use of funding instruments.

#### Environmental aspects:

The Commission is aware of the intention by the Spanish authorities to use desalination plants to supply water to regions with water scarcity. The Commission wishes to use this opportunity to provide some information on the Water Framework Directive<sup>(46)</sup>, a cornerstone of the comprehensive European legislation providing for water protection.

The Water Framework Directive provides for the protection of all our waters; it covers all sectors of human activity; it sets the objective of good quality ('good status') for all waters, linked to a non-deterioration clause; it defines 'good status' for coastal waters in a comprehensive way, in terms of biological, physico-chemical and hydromorphological quality elements, and it submits all point source discharges liable to cause pollution to an authorisation procedure.

In addition to the Water Framework Directive requirements, there also is a comprehensive framework of criteria to be adhered to under other parts of the EU environmental legislation, in particular the nature protection legislation, and this is in particular in relation to the case of specially protected areas (e.g. fields of *Poseidonia* along the Spanish coast, specially protected under the Habitats Directive<sup>(47)</sup>), ensuring that the environmental objectives will be adhered to.

The Commission has not planned to give a recommendation for specific techniques. However, innovation in general, and eco-innovation or innovation in environmental technologies in particular, is encouraged through the EU Environmental Technologies Action Plan<sup>(48)</sup>. For example, the testing and validation of new technologies, such as new desalination techniques, should be facilitated by the networks of testing centres, being established through the 6th Framework-Programme for Research and Development, and through a potential EU Environmental Technologies Verification system, which the Commission is preparing actively.

#### Funding instruments:

The Structural Funds and the Cohesion Fund may be used to co-finance such desalination plants. The Commission will consider, under the light of the Community legislation relating to the Structural Funds and Cohesion Fund currently in force, possible co-financing to every project presented by the Spanish authorities, and eventually included in the Programme A.G.U.A. Some Regional Operational Programmes have been specially re-programmed at the beginning of 2005 to allow such a possible co-financing of the Programme A.G.U.A projects, especially desalination plants (new and/or extension of existing ones).

Following the latest information received by the Spanish authorities, there are some 21 desalination plants included, up to the moment, in the A.G.U.A. programme, the large majority of them being in the "project drafting" phase.

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<sup>(46)</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, OJ L 327, 22.12.2000

<sup>(47)</sup> Directive 92/43/EEC of the Council of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992

<sup>(48)</sup> COM (2004) 38 final

**Question no 104 by Leopold Józef Rutowicz (H-0540/05)****Subject: Customs duty on aluminium**

Unwrought and unalloyed aluminium processors in Poland are being threatened with bankruptcy, as the introduction of a 6% customs duty on this type of aluminium, which gives a return of only 4-5%, has been catastrophic. At the same time, Romanian aluminium, produced with lower labour costs and with the advantage of duty-free aluminium production, is coming onto the EU market. Preferred raw material suppliers have raised prices through a system of premiums based on varieties corresponding to the amount of duty payable. The current situation is threatening some five thousand workers with redundancy. The matter has already been raised before.

How does the Commission, to which the relative documentation has been forwarded, propose to resolve this problem?

**Answer**

(EN)The Commission has taken note of the problems described by the Honourable Member.

Since March 2004 the issues surrounding imports of unwrought aluminium have been under discussion in Council. With regard to the 6% tariff, an analysis of the situation involves inter alia an assessment of the competitive position of all enterprises concerned, as well as an evaluation of the impact of any measures on other Community interests. The Commission is working actively to bring these considerations to a conclusion very soon.

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**Question no 105 by Jelko Kacin (H-0541/05)****Subject: Difficulties experienced by organisers of games of chance in advertising their activities in other Member States**

A number of organisers of games of chance have recently encountered difficulties in advertising their activities in other Member States, including Slovenian casino operators wishing to advertise their business in neighbouring Austria. In 2003 Austria changed its national legislation to introduce a ban on advertising all games of chance not carried out within its territory.

Pursuant to Article 56 of its Games of Chance Act, Austria prohibits the advertising of games of chance by operators from other Member States, while permitting the advertising of those same services by domestic operators, which are freely able to advertise their services in both old and new Member States.

I believe that this provision in Austrian legislation does not comply with EU law as it discriminates on the basis of the citizenship or country of the service provider. What does the Commission intend to do to ensure that Austria ends this discriminatory practice by the time it takes over the EU presidency at the start of 2006?

**Answer**

(EN)The Commission has not yet received any complaints regarding the law referred to and has therefore not examined its provisions. However, the Commission will further examine the legislation in question with a view to establishing its compatibility with Community law.

In general, Member States may impose restrictions on the cross border provision of services to protect general interest objectives such as the protection of consumers or the maintenance of public order in society. However, in line with the jurisprudence of the European Court of Justice (ECJ) such restrictions are compatible with the Treaty only if they are non-discriminatory and proportionate to the general interest objectives in question. For instance, economic considerations are not accepted as a valid public interest objective justifying a cross border restriction.

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**Question no 106 by Saïd El Khadraoui (H-0544/05)****Subject: The Amendment of the Protocol on Origin of the EU-Israel Association Agreement**

Since the EU and Israel put into effect a non-binding 'technical arrangement' for the implementation of the Protocol on Origin of the EU-Israel Association Agreement, is it true that Israel still applies the Protocol on Origin to occupied territories and maintains its refusal to distinguish between production carried out in those territories and production carried out in the territory of the State of Israel when it issues proofs of origin under that Agreement? In light of these facts, does the Commission regard the practice resulting from the technical arrangement on EU-Israel customs cooperation as 'solving the bilateral issue of rules of origin'?

**Answer**

(EN)The arrangement between the EU and the Government of Israel concerning the implementation of protocol 4 to the EU-Israel Association Agreement was adopted by the UE-Israel Customs Co-operation Committee. The technical arrangement provides for the name and postal code of the city, village or industrial zone where production has taken place to be indicated on all preferential proofs of origin issued in Israel for export to the EU. In order to determine the city, village or industrial zone where production has taken place, Israel does distinguish between production carried out in the occupied territories and production carried out in the territory of the State of Israel.

The indication of the place of production on all preferential proofs of origin issued in Israel for export to the EU allows the customs services of the EU Member States to apply the rules of origin of the Association Agreement in an efficient and effective way, by allowing them to identify those goods which originate in Israel, and which qualify for preferential duty, as opposed to those coming from the settlement areas, which are subject to non-preferential duties. The technical arrangement is therefore a practical way of handling the problem of exports of goods from the settlements in the occupied territories of Gaza, West Bank, Golan and East Jerusalem.

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**Question no 107 by Rosa Miguélez Ramos (H-0547/05)****Subject: The European Schools at saturation point**

The European Schools were set up in order to enable the children of European Community staff to be educated together, thereby allowing the Community to operate smoothly and helping it to fulfil its mission. However, achieving this objective is not facilitated by the fact that the European Schools I and II in Brussels are currently full to overflowing, with the result that there are children who are unable to receive an education, siblings are separated by being sent to different schools and packed classes are unable to achieve even the most basic educational objectives. In his decision of 19 July 2004 the European Ombudsman makes the point that pursuant to the 1994 Schools Convention it is the Commission's responsibility to ensure that the European Schools operate and are run properly. In the light of its responsibility, does the Commission agree with the capping policy adopted by the Senior Council, which disregards educational criteria and teaching quality? What action is the Commission taking in order to lessen and solve the problems described above in the short and medium term?

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**Question no 109 by Javier Moreno Sánchez (H-0558/05)****Subject: Overcrowding at the Woluwe and Ixelles European Schools in Brussels**

Overcrowding at European Schools II and III in Brussels is causing very serious problems affecting both the education of the children of EU officials and workers and the families of those children. The opening of European School IV in Laeken in 2009 lies too far ahead in the future to be regarded as a possible solution to the acute problems which are already being experienced. In response to this state of affairs the European Schools' Senior Council has for the 2005-2006 school year expressly forbidden the headteachers of Schools II and III to create new nursery groups in the English, French, German, Italian and Spanish sections and to admit new pupils into categories I or II, which might require a class to be split into two or a support group to be formed. What view does the Commission take of this restrictive policy which fails to take into account even the most basic educational criteria or the social difficulties in which very many families find themselves?

Who is responsible for this lack of forward planning? What action is the Commission intending to take in order to find an immediate solution prior to the start of the new school year and thus to protect the interests of EU staff in such a fundamental area as their children's education?

**Question no 110 by Bárbara Dührkop Dührkop (H-0560/05)**

**Subject: Overcrowding at the European Schools - maximum number of pupils per class**

In response to the problem of overcrowding at European Schools I and II in Brussels, the Senior Council is currently refusing to accept further pupils, in order to ensure that there are no more than 32 pupils per class and to avoid having to create new groups. This means that new pupils (especially ones applying for the language sections for which there is most demand) have to be turned away and that existing ones are in classes of 30 or 31, which makes the task of teaching them particularly complicated on account of classroom overcrowding, the difficulty of monitoring pupils individually, discipline problems, safety and the increased likelihood that pupils will have to repeat a year. In view of the fact that the schools in question have the requisite budget, teaching staff and premises, and given that the 32-pupils-per-class rule has not previously had to be applied, what view does the Commission take of this state of affairs? Does it agree with the Senior Council's policy? Is it willing to intervene in the matter in order to prevent classroom overcrowding in the coming academic year?

**Joint Answer**

(FR)The Commission understands and shares the concerns expressed by the honourable Members regarding several aspects of the running of the European Schools. It also wishes to reassure the honourable Members that, although the Commission has only one vote out of 29 on the Board of Governors of the European Schools, it strongly defends the interests of institution staff and their children with a view to finding acceptable solutions at the level of the European Schools system. In this context, the Commission has repeatedly expressed its formal opposition to any restrictive policy that might penalise the children of European institution employees for whom these schools were set up,<sup>(49)</sup> separate siblings from category I families and force very young children to make long journeys across Brussels.

Whilst the Commission cannot be held responsible for any lack of planning, it would also note that it has for a number of years played a central role in measures to support the intake of new pupils until the fourth school in Brussels is ready to be used.

Accordingly, the Commission has lent its support to the European Schools' Secretary General and has managed to obtain two buildings from the Belgian authorities (the BASF building as an annexe of the Brussels I School and the HP building as an annexe of the Brussels II School) for the European Schools' use by September 2005 at the latest.

Furthermore, in February 2004, the Commission proposed the emergency measure of immediately suspending any new intake of category III pupils in the Brussels and Luxembourg European Schools, to pre-empt possible overcrowding.

Neither of these proposals received the support needed in order to be implemented.

The Commission remains opposed to the restrictive policy pursued by the Secretary General of the European Schools, to the separation of category I siblings and, in particular, to the decision to limit certain language groups from the Brussels II and III schools to one pre-school class.

Accordingly, the Commission has written to the Secretary General of the European Schools asking him expressly to ask the Board of Governors in writing to reopen by September 2005 the pre-school classes that had been closed and to accept the intake of children of European institution employees.

Moreover, the findings of the consultation on options for developing the European Schools system<sup>(50)</sup>, launched by the Commission in July 2004, will enable it, as from 2006, to draw up more specific proposals for favourable development or key reform of the European Schools system, in order to respond to the challenges facing these schools from the point of view of education, governance and funding.

<sup>(49)</sup> Article 1 of the Convention defining the Statute of the European Schools (OJ L 212 of 17/08/1994, p.3).

<sup>(50)</sup> Commission communication to the Council and Parliament entitled 'Consultation on options for developing the European Schools system', Brussels, 20.7.2004, COM(2004) 519 final.

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### **Question no 108 by María Elena Valenciano Martínez-Orozco (H-0548/05)**

#### **Subject: European Schools: number of pupils per class**

In its communication on the European Schools (COM(2004)0519 final) the Commission indicates that the maximum class size is 32: this figure is far higher than in many Member States and it will therefore be necessary to consider how to lower it. The matter is one of fundamental importance because a solution would serve to meet basic teaching standards and guarantee a high quality of education for the children concerned, without forgetting their right to enjoy equal opportunities compared with state and private school pupils living and being educated in the different Member States.

What is the Commission doing to make the Board of Governors lower the maximum number of pupils per class and to help improve the teaching and learning environment under the European School system, instead of consigning the schools permanently to an obsolete past?

#### **Answer**

(FR)The Commission would remind the honourable Member that, under the Convention defining the Statute of the European Schools,<sup>(51)</sup> the responsibility of these schools is guaranteed by the board of Governors, the intergovernmental body made up of representatives of each of the Member States on which the Commission only has one vote out of 29, despite its significant financial contribution (around 60% of the European Schools' budget).

It should be noted that the policy drawn up by the Board of Governors lays down a maximum of 32 pupils per class; more than 32 pupils, and a new class is set up. The limit set for all classes and all levels is towards the upper end of common practice in the various EU Member States and is scrupulously adhered to by the schools.

Classes sometimes have more than 30 pupils, irrespective of language group, particularly in the large schools in Brussels and Luxembourg.

As the honourable Member says, the Commission proposed a reduction in class sizes in its Communication on options for developing the European Schools system,<sup>(52)</sup> particularly given that they often have pupils that do not have their own language group and who therefore require special support to work in a language that is not their mother tongue.<sup>(53)</sup>

Having analysed the responses to the ongoing consultation process, which has dispelled any doubts on the subject, it will explain its position in one of the forthcoming meetings of the Board of Governors. This issue will, without doubt, be an important educational element of the proposals to reform the European schools tabled by the Commission.

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### **Question no 111 by Francisca Pleguezuelos Aguilar (H-0550/05)**

#### **Subject: Tobacco growing**

Pending the adoption of the regulation laying down the detailed arrangements for implementing the reform of the tobacco sector, and given that the financial perspective for the period from 2007 to 2013 has still to be approved,

how much flexibility will be accorded to governments in implementing the reform as regards decoupling and distribution of the portion of support linked to yield?

will production quotas be recognised as they stood on 15 May 2004?

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(51) Convention of 21 June 1994 (OJ L 212 of 17/08/1994 p. 3).

(52) Commission communication to the European Council and Parliament entitled 'Consultation on options for developing the European Schools system', Brussels, 20.7.2004, COM(2004) 519 final.

(53) See point 4.3. of the communication entitled 'Class size'.

what budget is the Commission proposing for restructuring of the sector after 2010?

Finally, if the aim is to end tobacco growing in Europe, what alternative plans has the Commission made with a view to restructuring the sector along the lines announced in the 1992 CAP?

**Answer**

(EN)With regard to the implementation of the reform, the following flexibility is available: Member States may decide to increase the minimum decoupling rate of 40%, set objective criteria with regard to the distribution of coupled support and, if duly justified, introduce a differentiation of the decoupling rate by region.

Granting of the aid will not be based on the ownership of tobacco quota at 15 May 2004. In general, decoupled support is based on the tobacco premium payments received during the reference period 2000-2002. During the period 2006-2009 coupled aid shall be granted to farmers who received tobacco premium payments during the period 2000-2002 and to those who acquired tobacco production quotas during the period 1 January 2002 to 31 December 2005.

The Council has decided that, as of budget year 2011, an amount of € 484 million shall be available annually as additional Community support for restructuring measures in tobacco producing regions under rural development programming.

In its 2004 reform, the Council did not strive for the disappearance of tobacco growing in the EU. After 2009, tobacco growers will continue to receive decoupled support and will be able to carry on growing tobacco or produce other crops. Concerning alternative crops, the Community Tobacco Fund finances studies into the possibilities for raw tobacco producers of switching to other crops or activities and actions of general interest. In the EU, since 2003, 51 such studies and actions have commenced of which 4 in Spain.

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**Question no 112 by Tobias Pflüger (H-0552/05)**

**Subject: Status of British military bases on the island of Cyprus**

What steps does the Commission intend to take with a view to changing the status of the British military bases on the island of Cyprus (United Kingdom sovereign areas) - that are currently, inter alia, being used by the US as supply bases for the war in Iraq -, a status under which these military bases are currently not regarded as part of the European Union, and what economic assistance measures are planned in order to promote the economic and social development of the British base areas on Cyprus and to bring them closer to the European Union?

**Answer**

(EN)The Commission would like to inform the Honourable Member that the status of the British Sovereign Base Areas in Cyprus (SBAs) is set out in the Treaty concerning the Establishment of the Republic of Cyprus, which was concluded between the United Kingdom, Greece, Turkey and the Republic of Cyprus in 1960.

Therefore, it is not for the Commission to provide any comments on the status of the SBAs. That is outside of its competence.

The application of the EC Treaty to the SBAs had been excluded pursuant to Article 299 para. 6 b) EC Treaty prior to Cyprus' accession.

Since the accession of Cyprus, relations between the EU and the SBAs are exclusively regulated by Protocol No 3 to the Act of Accession 2003. Protocol No 3 reconfirms that the EC Treaty shall not apply to the SBAs except for specific areas in the field of customs, taxation, social security, and agriculture.

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**Question no 115 by Inés Ayala Sender (H-0556/05)****Subject: Trans-European transport networks - priority projects**

In recent months the Spanish press has published details of a plan by private operators to build a new freight railway that would run from Algeciras (Spain) to Duisburg (Germany) via Port-Bou. According to the press reports, Community funding is being sought under the heading of the trans-European networks (TENs), thus putting this project into competition with the existing project for a high-capacity rail link across the Pyrenees (TEN-T project 16).

What is most surprising is that the Commission is apparently in favour of the private project, this being the inference to be drawn from the actual words, as quoted in the reports, of a Commission official responsible for the TENs.

The agreement on the current 30 priority projects for the period from 2003 to 2020 was reached only last year, and demanded arduous negotiations.

Bearing that point in mind, does the Commission intend to alter the agreement entered into? What exactly is its attitude to the situation described above?

**Answer**

(FR)Following Decision No 884/2004/EC<sup>(54)</sup> on the trans-European transport network (TENs), the Commission has prioritised the 30 projects of European interest identified by Parliament and the Council, such as those listed in Annex III of the Decision. Priority projects such as project No 3 (South-west Europe high-speed rail link) and project No 16 (freight rail link Sines/Algeciras – Madrid – Paris) are intended to develop a series of major rail infrastructures in the Pyrenees that will play a key role in restoring the balance of modes of transport in a transport hub faced with a huge increase in road traffic. The decision taken by Parliament and the Council concerning the latter project provides for a possible new high-capacity rail link across the Pyrenees, albeit without specifying its route and the completion date.

The 'axis' that stems from the FERRMED initiative does not appear on the list of priority projects. This initiative, which is based on the trans-European Rail Freight Network opened up to competition by Directive 2001/12/CE<sup>(55)</sup>, is intended to develop rail freight on various sections of the trans-European network, some of which are also stretches used by priority projects. The Commission does not rule out the possibility of cofinancing certain actions taking place on sections that form part of a TENs priority link and that comply with the regulation on the award of aid under the trans-European networks<sup>(56)</sup>, without undermining the viability of the priority projects identified by Parliament and the Council.

The process of updating Decision No 884/2004/EC stipulates that the Commission draw up a state of play report on the work by 2010 and, where necessary, proposes changes to the list of priority projects listed in Annex III. The Commission wishes to take this opportunity to point out that carrying out the 30 projects alone will require considerable investment and a substantially increased budget for the trans-European networks. It therefore does not consider it desirable at this stage to plan new projects and, accordingly, does not intend to propose any changes to Decision No 884/2004/EC.

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<sup>(54)</sup> OJ L 167 of 30.4.2004 and corrigendum OJ L 201 of 7.6.2004

<sup>(55)</sup> OJ L 75 of 15.3.2001

<sup>(56)</sup> OJ L 149 of 30.4.2004