

THURSDAY, 10 JULY 2008

IN THE CHAIR: MRS ROURE

Vice-President

1. Opening of the sitting

(The sitting was opened at 9 a.m.)

Daniel Cohn-Bendit (Verts/ALE). – (FR) Madam President, I would like to check something with you. Apparently it was decided, at the request of the French Presidency, to control photography during President Sarkozy's speech.

I would like to know who took this decision, who requested it, and who is in charge of photography at the European Parliament. Is it the European Parliament or the French Presidency? I would appreciate an answer before the start of the sitting.

President. – Mr Cohn-Bendit, you will have an answer before the start of the sitting, but for now, if you do not mind, we will proceed with the voting.

Astrid Lulling (PPE-DE). – (FR) Madam President, as Quaestor of this Parliament, I would like to draw your attention to the fact that the route to the Parliament entrance is blocked on one side by riot police. They are not allowing official cars to enter. If some Members arrive late because they have to make another detour, they should not be penalised if they cannot take part in the voting.

President. – Mrs Lulling, clearly this will be taken into account, because some Members are having difficulty in being admitted to Parliament.

2. Transfers of appropriations: see Minutes

3. Documents received: see Minutes

4. Creation of a Roma fingerprints database in Italy (motions for resolutions tabled): see Minutes

5. Voting time

President. – The next item is voting time.

(For results and other details of the votes: see Minutes)

5.1. Common consular instructions: biometric identifiers and visa applications (A6-0459/2007, Sarah Ludford) (vote)

5.2. EC/Mauritania Fisheries Partnership Agreement for the period 1 August 2008 to 31 July 2012 (A6-0278/2008, Carmen Fraga Estévez) (vote)

– Before the vote on Amendments 1 to 4:

Avril Doyle (PPE-DE). – Madam President, I would appreciate support for the following minor change in the text where it reads: 'The entry into force of the Treaty of Lisbon will impose closer interinstitutional cooperation'. I would appreciate it if colleagues, for understandable reasons, agreed to change that to: 'The entry into force of the Treaty of Lisbon would, if ratified, impose closer interinstitutional cooperation'.

(The oral amendment was accepted)

5.3. European Union fishing fleets affected by the economic crisis (vote)

5.4. Census of the Roma on the basis of ethnicity in Italy (vote)

– *Before the vote:*

Jacques Barrot, *Vice-President of the Commission*. – (FR) Madam President, ladies and gentlemen, on Monday night you had a debate following media reports that the Italian authorities would be fingerprinting the inhabitants of nomad camps. I can of course confirm the Commission's position on this, as outlined on Monday by Commissioner Špidla, who specifically referred to the letter that I sent to the Italian authorities on 3 July. During this debate, Mr Schulz expressed the view that I should inform the European Parliament.

In addition – since Mr Deprez is here, I can say this before the Committee on Civil Liberties, Justice and Home Affairs – I kept the Bureau and coordinators informed. Yesterday, Madam President, if I have understood correctly, the Conference of Presidents wanted me to make a brief statement to update Parliament on the latest news. I will briefly go over the measures taken by the Commission, which is of course extremely vigilant when it comes to these matters. I met with Mr Ronchi on 26 May. On 3 July I asked the Italian Government to explain the purpose and proportionality of the measures. We had an initial meeting with Mr Maroni in Cannes, during the Informal Council. Mr Maroni is the Italian Minister of the Interior.

During this meeting, Mr Maroni explained that the census would be used to check on entitlements to welfare benefits for the inhabitants of the nomad camps. He explained that fingerprints would be taken only if it was impossible to establish identity by other means, and that children would be fingerprinted only with a court order.

(*Uproar*)

I am merely repeating what the Minister said. I will tell you in a minute what I did. He said that he had asked to abolish any census on the basis of religion or ethnicity, and that the Italian Government, in cooperation with Unicef, had launched an action plan for the education of minors. Nevertheless, I have to say that the Italian Government has agreed to send us a status report on the situation by the end of July, which is extremely important.

After this informal meeting, I asked the Director-General for Justice, Freedom and Security, Jonathan Faull, to write to the Italian authorities to obtain written confirmation of this information and to ask for additional clarification ahead of the report expected at the end of July. A letter was sent on 9 July. Late yesterday evening my staff in Brussels received a preliminary response. This document provides clarification on the identification of ethnicity and religion.

As for the other aspects, I am unable to say at this point whether these will fully answer the questions asked by the Commission. It is our intention to obtain all the necessary information about the fingerprinting process. What is the purpose of fingerprinting and how will fingerprints be processed? What is the legal basis authorising this kind of processing of personal data? Will this data be kept? How will it be kept? Can it be used for other purposes? Are the people who are fingerprinted given preliminary information in writing?

As far as children are concerned, we requested confirmation of reports that under-14s would be fingerprinted only if this was authorised by a judge, for the purpose of establishing their identity.

We have also asked about the situation in the 17 regions of Italy that are not affected by the emergency decree.

Finally, we have asked for texts, measures, decisions and legislative, regulatory or administrative acts to be sent that will give us an idea of the situation. It is up to you to decide whether we intend to follow up this issue with all the required vigilance and of course whether we enter into the necessary dialogue with the Italian authorities.

To conclude, Madam President, the Commission wants this matter to be handled transparently and with respect for fundamental rights and Community law. Our role is to act as the guardian of the Treaties, verifying objectively, once we are in possession of all the relevant information, that Italy has correctly applied the Community law applicable in these cases.

Generally speaking, as Commissioner Špidla explained, I am convinced – and I said as much to the Italian Government – that it is necessary to find effective solutions tailored to the problems faced in particular by the Roma, especially Roma children, who are the primary victims of the situation of poverty and exclusion. The Roma must be helped and not stigmatised; this is why, in the report that it presented last week, the

Commission emphasised that the European Union, the Member States and civil society must join forces to effectively coordinate their efforts to this end.

Manfred Weber, *on behalf of the PPE-DE Group*. – (DE) Madam President, ladies and gentlemen, I refer to Rule 170 of our Rules of Procedure and wish to table a motion on behalf of the Group of the European People's Party (Christian Democrats) and European Democrats regarding this vote.

There are issues and political views that divide us, but there are also things that unite us in this Parliament, and these include a commitment to human rights, the fight against all forms of racism, so we should not allow ourselves to become divided on those topics where we are in agreement because, otherwise, we shall weaken the very issue that unites us. Our competent Commissioner Jacques Barrot has explained that there continue to be some unanswered questions when it comes to assessing the facts about the problems we may have in Italy.

At the moment we are referring mainly to articles in the press, and we are referring to a wide variety of forms that have been sent around Parliament over recent weeks. Therefore we, the PPE-DE Group, move that today's vote on the resolution be postponed until the September part-session because, by then, the facts will have been clarified and we shall know what we are voting on.

I should like to say to all the Members who disagree with this that, as long as you are not out to get a quick headline, but instead have the objectives of cooperating to achieve something for the minorities in Europe, and of all groups in this Parliament, both large and small, pulling together, then jointly we can achieve something for these people. Those who just want a quick headline, just want to get publicity, should vote now. We advocate postponing it until we know the facts of the matter. I have to acknowledge that the debate we have had over the last few days has exerted enough pressure to get the matter moving. I would ask those who want proper answers to support the motion for us to discuss this in September.

(Applause from the right)

Martin Schulz, *on behalf of the PSE Group*. – (DE) Madam President, the Socialist Group in the European Parliament asked on Monday evening and again yesterday for the Commission to give a report on its discussions with the Italian Government. Commissioner Barrot has reported in a very factual but conclusive way that, for one thing, the Italian Government has passed on information that was very incomplete and, it seems to me, not particularly relevant.

You are all familiar with this form. It is a form of the type normally used to record crimes, a form that clearly shows that the Italian Government is taking measures that would be suited to criminal investigations, at the most, but which most definitely do not serve the protection of children. Judging by what Mr Barrot has just told us, it is more imperative than ever to adopt this resolution today, to send out a clear signal from the European Parliament.

(Applause from the centre and left)

Roberta Angelilli, *on behalf of the UEN Group*. – (IT) Mr President, ladies and gentlemen, I speak in favour of Mr Weber's proposal and I would like to thank Commissioner Barrot, not only for what he has said today in this House, but also for his commitment to resolving, in the best and most constructive way, a situation that in Italy should be recognised for what it is, namely an emergency involving thousands of people. I assure you that thousands of minors are living in conditions of total neglect, with no right to medical treatment, vaccinations or schooling.

It seems to me that the Commission and the Italian Government are working together... – Mr President, may I finish speaking? May I continue or must I stop speaking? Would you please remind the House that I have the right to speak? – I was saying that the Commission and the Government are going in the right direction and in particular I believe that we should not vote on a resolution that is full of inaccuracies, actual errors from a legal point of view, i.e. full of legal falsehoods. It is therefore an entirely political resolution, with no basis in fact.

Among other things, I would like to remind the House – and I am reaching my conclusion – that, while Commissioner Barrot has been extremely clear today, three days ago Commissioner Špidla said that he had yet to read the act, which I believe consists of no more than two pages. Therefore if those on the left must at all costs make a premature judgment on a government's methods, I believe it to be entirely illegitimate.

(Parliament rejected the request to postpone the vote)

– *Before the vote on Amendment 10:*

Marco Cappato (ALDE). – (IT) Mr President, to add ‘on a case-by-case basis’ in the second part of the amendment, where we ask for the use of ordinary, non-discriminatory identification procedures. Therefore, in English ‘to employ, on a case-by-case basis, ordinary, non-discriminatory...’.

(The oral amendment was accepted)

5.5. Situation in China after the earthquake and before the Olympic Games (vote)

– *Before the vote on Amendment 7:*

Vytautas Landsbergis (PPE-DE). – Madam President, my oral amendment is to paragraph 8, which urges the Chinese authorities to stop discrimination against various groups. My proposal is to insert, after ‘trade union activists’, the words ‘Falun Gong members’. These are people who practise a particular kind of movement and breathing, but they are treated as dissidents and persecuted by the Communist authorities.

(The oral amendment was accepted)

– *After the vote:*

Reinhard Rack (PPE-DE). – (DE) Madam President, we have quite a large number of important votes today. With that in mind, it is really not necessary for Mr Cohn-Bendit to provide a non-stop flow of comments and conversation to accompany the voting; it is distracting.

José Ribeiro e Castro (PPE-DE). – Madam President, I would like to draw attention to the fact that we have just rejected an amendment asking for the release of someone we nominated for the Sakharov Prize. The next time we award the Sakharov Prize, in December, we had better give them a set of chains and they can go straight to jail!

(Loud applause)

5.6. The Commission’s 2007 enlargement strategy paper (A6-0266/2008, Elmar Brok) (vote)

5.7. Situation in Zimbabwe (vote)

– *Before the vote:*

Michael Gahler (PPE-DE). – (DE) Madam President, to keep everything up to date, I would ask that the following text be incorporated, which you will find on your voting list:

‘Welcomes the G8 leaders’ statement on Zimbabwe of 8 July, in particular their refusal to accept the legitimacy of any government that does not reflect the will of the Zimbabwean people, their recommendation to appoint a Special Envoy of the UN Secretary-General to report on the political, humanitarian, human rights and security situation and to support regional efforts to take forward mediation between political parties while respecting the results of the 29 March 2008 election, and their intention to take further steps, *inter alia* introducing financial and other measures against those individuals responsible for violence;’.

(The oral amendment was accepted)

5.8. Space and security (A6-0250/2008, Karl von Wogau) (vote)

President. – That concludes voting time.

6. Explanations of vote

President. – The next item is the explanations of vote.

Oral explanations of vote

– Report: Sarah Ludford (A6-0459/2007)

Daniel Hannan (NI). – Madam President, it did not take very long for us to get back to business as usual. In the run-up to the Irish referendum there were no end of reports saying ‘please don’t publish this until after the Irish have voted’. As soon as the ballots were safely counted, we have gone back to our agenda of harmonising policy, particularly in the field of militarisation and justice and home affairs.

The last time we met in this Chamber as an Assembly, speaker after speaker spoke about respecting the Irish vote, ‘but ...’. Now we understand what the ‘but’ meant. The ‘but’ meant that we should disregard the outcome and push ahead with this process of harmonising criminal justice, civil law, immigration, asylum and the rest of the home affairs field. No more are we even pretending to respect the verdict of the people. We are back in our own little world where we pretend that the voters do not exist and we continue with what we were doing anyway.

Bogusław Rogalski (UEN). – (PL) Madam President, because of the heavier security precautions in place in Strasbourg today, which is a highly exceptional situation that has never arisen before during a plenary session, I was unable to be present for the first part of the voting. May I therefore register my excuse for being absent during the roll call voting. The car that was supposed to bring me to the European Parliament was over half an hour late, and I would request that this excuse be placed on record.

President. – Mr Rogalski, we covered this at the beginning: people who arrive during the proceedings will of course be excused.

– Proposal for a regulation: European Union fishing fleets affected by the economic crisis

Syed Kamall (PPE-DE). – Madam President, I am sure many people are interested in what I am going to say.

I really want to talk about the idea that we repeatedly go from one crisis to another crisis in the fisheries sector without really trying to tackle the fundamental problem. And the fundamental problem with the fisheries sector is actually the common fisheries policy, a policy based on Soviet-style central planning where quotas are allocated to various Member States.

Surely the time has come to rip apart this piece of Communist central planning and to move to a situation where we have property rights-based solutions.

Let us look at some of the most successful solutions to preserving fishing stocks: in New Zealand, for example, and in Iceland, where they are based on property rights and transferable property rights.

It is time to stop the EU thinking in terms of central planning and becoming an ‘EUSSR’. Let us move to a free market-based economy.

– Motions for a resolution: Creation of a Roma fingerprints database in Italy (B6-0348/2008)

Frank Vanhecke (NI). – (NL) The fact that this Parliament has come down like a ton of bricks on a perfectly reasonable decision by the Italian Government in the last few days is symptomatic of the suffocating atmosphere of left-wing political correctness in this institution. I can assure you, however, that the thoughts of the vast majority of the population of European countries are absolutely the reverse of what the majority of MEPs are evidently voting for. The launch of a fingerprinting system by the Italian Government as an impetus to tackling the enormous problems resulting from mass Roma immigration into the country definitely has the support of the vast majority of the people.

Besides, European interference in this dossier is unacceptable. I am surprised that the European Union does not throw open its own luxurious buildings to the Roma and its private schools to Roma children. The much-lauded ‘human rights’ evidently stop at the borders of the privileged domains of the eurocracy.

Daniel Hannan (NI). – Madam President, I am realising that the Civil Liberties Committee of this Parliament is almost the last place where one expects to find any defence of civil liberties. We saw the beginning of a rather worrying streak of intolerance in that committee when Mr Buttiglione was opposed as a Commission nominee. We then saw the most draconian legislation pushed through under the pretext of anti-terror rules.

I cannot forget the Liberal Democrat leader Graham Watson's comment that Osama bin Laden had done more for the process of European integration than anyone since Jacques Delors! And now in the vote we have just had, we see this quite bizarre refusal even to consider the facts of the case.

I do not know whether the Italian Government is right when it claims that there are inaccuracies in this report. My own instincts are liberal on this. I do not like the idea of databases, I do not like the idea of finger-printing. But surely basic courtesy and basic fairness ought to have prompted us to allow the Government to invite a group from this Parliament to assess the facts of the case, before voting. Pushing ahead with the vote before even listening to all the facts confirms that, just as the Employment Committee is the last place to defend employment, just as the Committee on Fisheries is the last place to defend fisheries...

(The President cut off the speaker.)

Reinhard Rack (PPE-DE). – (DE) Madam President, on behalf of the Austrian People's Party delegation, I should like to say that, naturally, we are all agreed that we should take every measure to improve the difficult situation of the Roma, not only in Italy but also elsewhere, and to deal with it wisely. However, we believe that, in the current situation, in which we do not have all the facts to hand, we should not adopt a resolution, because to do so would be to anticipate the facts.

– Motions for resolutions: Situation in China after the earthquake and before the Olympic Games (RC-B6-0340/2008)

Zita Pleštinská (PPE-DE). – (SK) I abstained from voting on the motion for a resolution on the situation in China after the earthquake and before the Olympic Games because the voting did not cover any amendments requiring the release of political prisoners, in particular the candidate for the Sakharov Prize. I should also like to take this opportunity to once again draw attention to the importance of freedom of expression which is the main prerequisite for the start of the democratisation process in China.

Press freedom is very important since it is independent media that provide information on the human rights situation in China without censorship. It is therefore essential for independent television stations such as NTDTV to be able to broadcast. This satellite television station broadcasts 24 hours a day in Chinese and English via satellites over Asia, Europe, Australia and North America. The French company Eutelsat, which facilitates NTDTV satellite broadcasts, suddenly discontinued these television broadcasts over Asia on 16 June 2008, clearly under pressure from the Chinese Communist Party.

In order to be successful, we must supplement the words of the resolution with actions. We call upon the leadership of the European Parliament to insist upon the resumption of these television broadcasts over Asia.

Bernd Posselt (PPE-DE). – (DE) Madam President, this House has a strong tradition of human rights, of which we can be proud. This applies not least to our policies on China and Tibet. That is why I find it all the more regrettable that our resolution today does not live up to these requirements in any way. In an historic moment, it did not have the strength to raise what should have been raised in the run-up to the Olympic Games in China.

Therefore let me state categorically: our President, Mr Pöttering, has represented our human rights principles unequivocally over the last few months. German Federal Chancellor Angela Merkel has done the same, clearly and impressively. I should therefore like to call upon this House to return to the clear statements of its policy on China and Tibet in past years and decades and regard this resolution as a moment of weakness before the summer recess.

Laima Liucija Andrikiienė (PPE-DE). – (LT) I would like to say a few words about the document, about China. I voted in favour of the document, but, much to my regret, many important amendments were rejected. Today we have stated that the situation in Tibet is normal, which is not true. We have refused to invite Tibet's spiritual leader to the General Affairs Council, and that is a very wrong decision; we were not even able to vote against those who practise Falun Gong. I therefore regret this and I do believe that these issues should be approached again as soon as possible.

Vytautas Landsbergis (PPE-DE). – Madam President, I want to say only that I and many in my group have been confused by the voting list because, following its suggestions, we have voted for some absurd positions. To invite the Dalai Lama – no, against. The situation in Tibet is not normal – no, we have voted that it is normal. Many of us have been confused. Of course, I tried to correct the situation, but the information was falsified and our list was highly incorrect.

Georg Jarzembowski (PPE-DE). – (DE) Madam President, ladies and gentlemen, I do not believe that Mr Landsbergis has actually read the resolution that we have adopted with a two-thirds majority. If he had, he would know that we mention the insupportable situation in Tibet four times and call on the Chinese Government to respect human rights and cultural rights in Tibet. Mr Landsbergis, do not tell untruths. The vast majority of us – that is, the majority of this Parliament – have spoken up for human rights and for the cultural autonomy of Tibet.

– **Report: Elmar Brok (A6-0266/2008)**

Ryszard Czarnecki (UEN). – (PL) Madam President, I would like to state my reasons for voting against this report. I feel that this report is actually – and I say this with deep conviction – one of the most controversial documents adopted by Parliament in recent times. I am convinced that the lack of any clear plan for how the EU will open up to the East, especially in the context of Ukraine's possible future accession, is an entirely valid reason for voting against the report. I shall pass over the fact that the preliminary draft of this report was totally muddled.

To conclude, a remark to you, Madam President: you have allowed two people to rise who were not down to speak. Please keep to the procedure.

President. – The President can give the floor to whoever he or she chooses. I wanted to give the floor to Members who are effectively non-attached, but I am perfectly entitled to do so.

Philip Claeys (NI). – (NL) One of the reasons why I voted against the Brok report, diluted as it is by amendments, is its recommendation for a 'communication policy' that will in actual fact boil down to even more EU propaganda.

This is symptomatic of what is going fundamentally wrong in the European Union. Instead of taking account of the views of the electorate, the EU is attempting to change these views via propaganda. However, the referendum in Ireland has further demonstrated that this kind of social engineering produces the opposite effect. Consequently, the EU would do better to stop this and show respect for the opinions and complaints of Europeans instead of doing exactly the opposite.

Bernd Posselt (PPE-DE). – (DE) Madam President, I voted in favour of the Brok report, as I believe that it is an important step in the right direction. I also endorse the communication policy it calls for. However, communication also involves truth and clarity. It is time we finally stated clearly that Croatia can and should join the EU within the current decade. The countries of South-East Europe have definite prospects of joining the EU in the next decade, but truth and clarity also require an acknowledgment that pushing ahead with the accession of Turkey would undermine the EU. We should therefore be honest with our partner, Turkey, and say at last that we shall have to find other ways of cooperating. Although the Brok report does not actually put it this way, this is the logical conclusion from its contents, which are as they should be.

– **Motion for a resolution: Situation in Zimbabwe (B6-0347/2008)**

Ryszard Czarnecki (UEN). – (PL) Madam President, I am one of the authors of this report. May I say that the situation in Zimbabwe is like 'The Neverending Story'. The European Parliament is making its voice heard once again on this subject, and I am very pleased that we have managed to override political divisions and speak out so strongly and decisively on the scandalous situation that is taking place there. This is why I voted in favour of this report, which, after all, I helped to draft.

Syed Kamall (PPE-DE). – Madam President, I am very happy to speak on this motion because I actually voted in favour of it, like many colleagues in this House.

However, my request to parliamentarians and politicians across Europe is: Let us ensure that this is not just warm words, just to appease our conscience. Let us look at actions, not words. I refer, of course, to the Lisbon Summit, where we invited Mugabe, despite the sanctions.

I look, of course, to the Rome Summit on the food crisis and food security: we invited Robert Mugabe and his henchmen to shop in some of the most luxurious shops of Europe while his people were starving.

The time for warm words is over. It is all very well us feeling great about what we said, but we have got to put those words into action: we have got to impose these sanctions against the Mugabe regime. Let us stop being hypocritical, especially my Portuguese and my Italian friends.

Christopher Heaton-Harris (PPE-DE). – Madam President, I voted in favour of this resolution and, like Mr Kamall, I have received an increasing number of letters over the last few years about the situation in Zimbabwe.

The people I represent across the East Midlands of the United Kingdom simply cannot understand how we can always state such strong opinions about Zimbabwe in this place, but allow Mr Mugabe into the continent to break bread with our leaders. There is something seriously wrong and seriously hypocritical about that; it devalues this institution and many others. So I hope that in the future we can sort this situation out, get rid of this awful man, and democracy can prosper in Zimbabwe.

– **Report: Karl von Wogau (A6-0250/2008)**

Syed Kamall (PPE-DE). – Madam President, I wish to begin by apologising to all my colleagues in this House for holding up the next speaker. I forget his name, but I also hope he will stand up when he speaks and show some respect for this House.

We were promised that Galileo would not be a white elephant, but that we were looking for a role for it. If you look at all the other satellite systems – the Chinese and Russian satellite systems and the American GPS – people are asking why we need Galileo. It is quite clear, if you look at this system – the white elephant in the sky – that we are looking for more and more uses for it.

Now we are looking for a military dimension. Why do we need this military dimension? We clearly do not need it. It is based purely on envy of the Americans and ‘me too’ politics. Let us scrap this complete nonsense and let us save the taxpayers money, return it to the taxpayers and rely on much better technology.

Ewa Klamt (PPE-DE). – (DE) Madam President, I am of the opinion that the way we are doing this is not consistent with the good reputation this House enjoys. It is unacceptable for the whole Chamber to be chatting when speakers rise to speak. I would exhort you, Madam President, to keep the Chamber quiet and to ensure that those who are not listening leave the room.

President. – I completely agree with you, Mrs Klamt, but as you know, each time we ask the same thing, and each time we have the same problems.

Written explanations of vote

– **Report: Sarah Ludford (A6-0459/2007)**

Jean-Pierre Audy (PPE-DE), in writing. – (FR) Based on the report by my British fellow Member Mrs Ludford, I voted in favour of the legislative resolution amending, at first reading of the codecision procedure, the proposal for a regulation of the European Parliament and of the Council amending the Common Consular Instructions on visas for diplomatic missions and consular posts in relation to the introduction of biometrics including provisions on the organisation of the reception and processing of visa applications. This proposal is aimed at creating the legal basis necessary for the Member States to identify the mandatory biometric identifiers – facial images and 10 fingerprints – of visa applicants and establishing a legal framework for the organisation of Member State consulates in order to implement the Visa Information System (VIS) together with the establishment of Common Application Centres. This would avoid all Member States having to supply their consulates with the equipment necessary to collect biometric data. I support most of the amendments, particularly those on the representation of one Member State by another, security measures regarding external service providers and information campaigns.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) The objectives of this proposal for a regulation are the organisation of the reception and processing of visa applications in relation to the introduction of biometrics in the Visa Information System (VIS) at EU level, providing, firstly, for the obligation to provide biometric data to be stored in the VIS and the standards for doing so and, secondly, the provisions on the organisation of the reception of visa applications.

This proposal, which is part of the communitarisation of border management (Schengen Area), will put in place the collection of ‘biometric identifiers’ (photographs and fingerprints) of visa applicants, a measure which is questionable to say the least, and one where a range of questions remain unanswered, namely regarding: its effectiveness, protection of this personal data, the objectives and criteria for collecting data, the standards governing the content of VIS files, access rights (namely, in the framework of agreements

between the EU and various countries on the exchange of information), and finally, safeguarding citizens' rights, freedoms and guarantees.

We disagree with the communitarisation of justice and home affairs and the creation of surveillance and control structures and instruments at EU level, promoting securitarian policies.

Hence our vote against.

Marian Zlotea (PPE-DE), in writing. – (RO) I hope the vote I have given today will facilitate the negotiations with the United States on visa waiver and that, soon, all the Member States citizens will be able to travel freely and receive the same treatment.

It is imperative that one of the subjects negotiated by the French presidency refer to the criteria for granting United States visa to all the European Community citizens.

– **Report: Carmen Fraga Estévez (A6-0278/2008)**

John Attard-Montalto (PSE), in writing. – The agreement on fishing between the EU and Mauritania is definitely important for both parties.

Through this agreement, fishermen from the Mediterranean are able to exercise their trade elsewhere, as the Mediterranean is being over-fished. The recent tuna issue is just the beginning. I am aware that two fishing companies from Malta have used this agreement to fish in the Atlantic. This came to my knowledge when I was on an official EP delegation to Mauritania and the delegation was informed by the President that all endeavours to find a solution to that agreement had thus far failed.

It was at this point that I asked to speak to the President in private. I asked if he had ever discussed the issue with the Commissioner Dr. Joe Borg, who is the Maltese Commissioner. The President informed me that he had not talked to him but that I was free to do so myself if I wished. I took it upon myself to immediately contact Dr. Borg who, after assessing the file, gave me a synopsis of the issues at stake. I brought this to the attention of the President, also informing him of the desire of the Commissioner to restart the discussions.

Sylwester Chruszcz (NI), in writing. – (PL) The European Union is once more usurping the right to be a separate state. I think that the conclusion of international agreements is the domain of a state, not of a regional, international organisation like the European Union, so I have voted against this report.

Dorette Corbey (PSE), in writing. – (NL) The Dutch Labour Party delegation has voted in favour of the agreement with Mauritania, not because it is a good agreement, but because it represents a small improvement in the existing situation (reduced catches).

On the whole, we oppose such agreements, as they deprive developing countries of their sources of food and income. In the case of Mauritania, it is even more distressing that development funds are being used to support the interest of fisheries. This is a disgrace!

Christofer Fjellner (PPE-DE), in writing. – (SV) We abstained in the vote today on the partnership agreement on fishing between the EU and Mauritania. We were faced with two undesirable alternatives, either a shorter agreement with higher fish quotas or a longer agreement with lower fish quotas. Unfortunately there was no option to vote for a termination of the agreement.

We moderates are against fishing agreements with African states. The report contained very minor improvements compared with the present agreement, but also retrograde elements such as an extension of the period of validity.

Faced with a choice between these undesirable alternatives, we abstained in the vote.

Duarte Freitas (PPE-DE), in writing. – (PT) I welcome the continuation of the fisheries agreement with Mauritania, although it is appropriate to point out that the negotiation process was not always conducted in the most open and transparent fashion.

The Member States were not sufficiently consulted during the negotiation period, resulting in a protocol under which fishing opportunities have fallen considerably while financial compensation is held at virtually the same level. Key technical aspects affecting the main fleets have not been resolved; on the contrary, new restrictions such as an additional biological recovery period have been imposed, without much scientific rigour.

Despite this, Portugal has taken a reasonable stance as far as its fishing opportunities in these fishing grounds are concerned, namely 886 GT annually for Category 1 (Vessels fishing for crustaceans other than spiny lobster and crab), gaining a licence in Category 5 (Cephalopods) and retaining 300 GT for spiny lobster.

Based on this information, I believe this is a positive agreement for my country and I vote in favour.

– Proposal for a regulation: European Union fishing fleets affected by the economic crisis

Jean-Pierre Audy (PPE-DE), in writing. – (FR) I voted in favour of the legislative resolution of the European Parliament of 10 July 2008 on the proposal for a Council Regulation instituting a temporary specific action aiming to promote the restructuring of the European Union fishing fleets affected by the economic crisis. One of the main challenges facing the EU fisheries sector remains, in many cases, the structural imbalance between fleet capacity and the resources available. The overcapacity of the EU fleet was estimated a few years ago at around 40%. This overcapacity, combined with the depletion of fishing stocks by decades of overfishing, means that the sector is struggling to withstand external economic pressures such as the sudden rise in fuel prices. I wish that a Community instrument annualising the increase in oil prices had been envisaged so that the internal market had time to react to rising cost prices. I welcome the actions of the French Agriculture and Fisheries Minister, Michel Barnier, who worked hard to achieve this result. Thanks to him, immediate support measures were obtained.

Duarte Freitas (PPE-DE), in writing. – (PT) The fisheries sector has been one of the sectors that has suffered most from the current energy crisis.

The dizzying rise in fuel prices together with the reduction of the fishing effort introduced by the CFP and the stagnation of first sale fish prices have placed shipowners and fishermen in delicate positions.

This therefore justifies this proposal for an urgent Council Regulation seeking to ensure that the EU's fleet adapts to the current economic situation dictated by the energy crisis.

As a matter of fact, this proposal follows a Commission Communication in which the problems and constraints facing the fisheries sector appear to be diagnosed correctly, as well as the necessary measures to alleviate the current crisis.

Although I consider the initiative behind the presentation of this Regulation positive, I believe that it is somewhat less than could have been expected after reading the aforementioned Communication.

The temporary cessation of fishing activities mentioned in Article 6, with the obligation of inclusion in fleet restructuring plans, the non-inclusion of engines in Article 7, all of Article 9, and Article 12(3), which merely defends the interests of trawl fisheries, seem less successful points in this proposal.

Notwithstanding the above, and given the great difficulties the fisheries sector is experiencing at European level, this document deserves my vote in favour.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) As we explained in a speech during yesterday's debate, the reasons for our vote against this proposal for a regulation are fundamental ones. If there could be any doubts as to their justness, it would have been enough to follow the European Commission's speeches to dispel them.

The problem for the European Commission is overcapacity and the target and solution is the 'restructuring of fleets'. What about the socio-economic crisis? What about the rising fuel prices (diesel and especially petrol)? What about the first sale fish price? For the Commission, it is quite simple: *'if there is further reduction of capacity by some Member States, this will benefit other Member States, because if there is a reduction of capacity with a consequent reduction of effort, there would be more resources and more market opportunities.'*

Hence the suggestion of about EUR 1.6 billion (!) just for vessel decommissioning.

'Simple' – if the disease does not kill the fisheries sector, the 'cure' will.

There is no funding to help the sector face increased production costs and to safeguard wages. However, EUR 1.6 billion is being proposed for permanent, partial or 'temporary' cessation of fishing activities.

The Portuguese Government is following this maxim and is, for the record, allocating about EUR 8.2 million for the decommissioning of 27 vessels in 2008.

Catherine Stihler (PSE), in writing. – The negative impact of the current oil and fuel prices affects all EU citizens. This ‘supposed rescue’ package will do little to ensure a sustainable fishing industry. Although I support capacity reduction – currently some Community fisheries are at least 40% over capacity – I do not think this proposal will achieve the changes required to achieve a sustainable EU fishing sector. With 80% of EU stocks at worrying levels we need real capacity reduction, not renewed boat building at the taxpayers’ expense.

– **Motions for resolutions: Creation of a Roma fingerprints database in Italy (B6-0348/2008)**

Roberta Alma Anastase (PPE-DE), in writing. – (RO) The situation of the Roma population is brought into discussion again at an extremely important moment, when specific events prove that there are still considerable deficiencies at the level of national and European policies in this field and that the need to monitor and consolidate them is obvious.

I think the result of the debate and resolution regarding the fingerprinting of Roma people in Italy should be based on two key conclusions. First of all, it is essential that the national measures regarding the Roma people be oriented toward social integration and the creation of a framework of rights and responsibilities for these citizens. Nevertheless, such rights and responsibilities should comply with the EU fundamental principles of non-discrimination, as well as respect for fundamental freedoms and human dignity. The rights of minors, regardless of their ethnical membership, should be ensured with priority. This approach has been used in Romania and should be expanded to the situation in the other Member States as well.

Secondly, taking into consideration the cultural particularities of the Roma people, the solution for its integration should be found at European level by drafting a coherent and comprehensive strategy. In addition to guaranteeing the fundamental rights, this strategy should also promote access to education, especially to education for tolerance in the context of the 2008 Year of Intercultural Dialogue.

Jean-Pierre Audy (PPE-DE), in writing. – (FR) I voted against the resolution of the European Parliament asking Italy to stop the census of the Roma on the basis of ethnicity, because this seems premature and I regret the fact that Parliament did not vote in favour of the motion for postponement until September 2008 tabled by my political group, the Group of the European People’s Party (Christian Democrats) and European Democrats. Let us be clear on this: I am of course in favour of the ban on fingerprinting the Roma population, including minors, and using the fingerprints collected, since this would clearly constitute an act of direct discrimination based on race and ethnic origin, prohibited by Article 14 of the European Convention on Human Rights and Fundamental Freedoms, and would also represent an act of discrimination. Nevertheless, I was swayed by the arguments of the Vice-President of the European Commission, my friend Jacques Barrot, since he clearly said that the Commission was closely watching the situation with complete transparency to ensure that Community law was enforced. In all good conscience, I have decided that we should wait for the various responses expected from the Italian Government before taking political initiatives such as the resolution adopted, which could be open to misinterpretation by European citizens.

Alessandro Battilocchio (PSE), in writing. – (IT) I am voting in favour of this resolution although I hope that it is not exploited for party-political purposes. The Roma issue is neither a right-wing nor a left-wing issue but simply a serious and unsolved problem requiring urgent action, and that has been put off for too long. We are for a culture of integration and we therefore need to invest in practical efforts and commitments.

The measure under discussion in our Government, despite Minister Maroni’s ambiguous reassurances, should be reduced to the bare essentials: the problem with this measure is not identification in itself, but the fact that it aims to use an ethnic criterion and a highly discriminatory practice (fingerprinting), especially in relation to minors. We are not alone in highlighting these abuses: there have been loud protests from large parts of the Catholic Church, and both lay and Catholic voluntary associations and organisations. The national President of Unicef has also firmly rejected the substance of this decree. I hope that this vote, which in practical terms condemns Italy, teaches the Government a lesson: that it must abandon the mistaken path that it has taken.

Philip Bradbourn (PPE-DE), in writing. – British Conservative MEPs have voted against this resolution as the issue the text deals with is one which is wholly a matter for internal affairs of one Member State and thus has no bearing at an EU level.

Glyn Ford (PSE), in writing. – Just substitute ‘Jew’ for ‘Roma’ and we know where this proposal is coming from and where, unless it is vigorously opposed, it will go.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) We view the increasing and unacceptable climate of racism and xenophobia in Europe with concern, in particular when this is spurred on by neoliberal policies that exacerbate rather than provide answers to the needs and problems that lead to increased insecurity and worse living conditions for workers and populations.

The measures that were recently adopted in Italy, where on 21 May a 'state of emergency in relation to the nomad settlements in the regions of Campania, Lazio and Lombardy' was declared for a one-year period, are an example of these dangerous and unacceptable measures that promote discrimination, segregation and the 'criminalisation' of citizens and populations, violating their rights, freedoms and guarantees – their most basic human rights.

This increases situations of poverty, exclusion and social disintegration and consequently gives rise to marginalisation and ghettoisation, illiteracy and incorporation into the informal economy, and encourages many citizens of Roma origin not to participate in society.

On the contrary, and as is pointed out, the best way to protect the rights of the Roma is to guarantee access to education, housing and healthcare, employment and social security in the framework of inclusion and integration policies.

Gunnar Hökmark (PPE-DE), in writing. – (SV) Discrimination against the Roma is a serious problem which must be countered in every Member State in Europe. Every European citizen has the same rights irrespective of nationality, ethnic origin, religion or sex. It is the foundation of the successes and development of the European Union and is a principle which we have a common duty to uphold.

This raises demands for access to education and healthcare as well as the right to respect for integrity and personal dignity. The situation which characterises the treatment of the Roma in Italy today has to be seen within this perspective. The EU has a responsibility to ensure that the fundamental rights of people are upheld in every country.

However, it also raises demands for people, regardless of origin, to be integrated into the society in which they live, with the requirements of equal treatment which that involves, formulated without discrimination, on equal terms for all citizens. This is important in the fight against people trafficking, prostitution and social exclusion. Neither adults nor children must be allowed to fall through the net of this responsibility.

It is against this background that we did not feel able to support any of the resolutions which Parliament has debated today.

Monica Maria Iacob-Ridzi (PPE-DE), in writing. – (RO) I voted in favour of this resolution and I welcome the fact that the European Parliament makes a stand against this discriminatory and illegal action from the point of view of the European human rights legislation.

Nevertheless, I call attention to the fact that a mere resolution will not solve the basic problem, since this legislative act is of a non-binding nature. For this reason, I think we should request the European Commission to take action against Italy in order to make it give up its discriminatory policy against the people of Roma origin.

The fingerprinting measure is not in compliance either with the European legislation or with any other instrument guaranteeing human rights in Europe. At the European Community level, there is Directive 380 of 28 April 2008, which provides for the obligation to fingerprint the citizens of third countries, as of the age of 6 years. Nevertheless, I emphasize the fact that it refers to third countries, which do not belong to the European Union area. Moreover, the Directive 2004/38/EC guarantees the free movement of any Member State citizens, consequently ethnicity could not represent the basis for a legislative measure under any circumstance.

David Martin (PSE), in writing. – Italy's actions fly in the face of every call from the European Parliament for a coherent EU policy on Roma integration. Roma are one of the main targets of racism and discrimination. The Italian Government is trying to condone and institutionalise such racism and discrimination. Italian authorities must refrain from fingerprinting Roma and I voted in favour of the resolution.

Mairead McGuinness (PPE-DE), in writing. – I voted in favour of postponement of the vote on this sensitive report, believing that it would be more appropriate to wait until all of the information requested by the Commission from the Italian Government was available to us.

While the House voted to reject such a postponement, I abstained in the final vote, not wishing to support the resolution without all the facts being available to use and having some concerns about part of the text, while also wishing to acknowledge that any heavy-handed actions by the authorities targeting one specific group in society cannot be condoned.

Catherine Stihler (PSE), in writing. – The treatment of Roma people in Italy should be a wake up call to the fact that minorities in Europe are being treated in an inhuman, discriminatory and degrading manner by a populist right-wing government. Finger printing of children is plainly wrong. This echoes a time past and should have no place in modern-day Europe. I call on all governments to condemn the Italian Government and to act quickly to protect Roma children in Italy.

Silvia-Adriana Țicău (PSE), in writing. – (RO) I believe the Italian Government's decision to fingerprint citizens of Roma origin and, in particular, children, seriously infringes the fundamental rights of the European citizens.

Fingerprinting a child at an early age could mark him/her for life. The fingerprinting of children less than 14 years of age is done based on a form used in criminal investigations, which infringes the fundamental rights of the citizens.

I did not agree with postponing the vote on the resolution because the situation is urgent and the fingerprinting of children must stop. One cannot start from the presumption of guilt of some children and the treatment of children of Roma origin, used today in Italy, is unacceptable.

We request the Italian Government to stop the fingerprinting actions for minors of Roma origin in Italy.

The Union should give an example as regards the respect for the fundamental rights and, for this reason, the Commission should investigate the situation in Italy and request the Italian Government to stop the fingerprinting of children of Roma origin immediately.

This is why I voted in favour of the European Parliament resolution to stop the fingerprinting of people of Roma origin and, especially, of the Roma children, in the larger framework of "Creating a database with the fingerprints of people of Roma origin in Italy".

Manfred Weber (PPE-DE), in writing. – (DE) As coordinator of the Group of the European People's Party (Christian Democrats) and European Democrats in the Committee on Civil Liberties, Justice and Home Affairs, I should like to give an explanation of vote on my own behalf and that of my group colleagues. All groups are united in the fight against racism and against every form of ethnic discrimination, and in promoting human rights. There is no question but that the PPE-DE Group shares the desire to see light shed on the events in Italy.

In the resolution, we refer mainly to press reports and to documents and testimonies from a range of organisations and individuals. Most Members were unable to form an idea of the situation using their own resources.

The Italian authorities have invited representatives of Parliament to travel to Italy to find out more, and have also offered to provide further information. The Commissioner responsible, Jacques Barrot, has promised to present an informative report by the end of July, and our group was keen to wait for this. Our aim was, and still is, to clarify the facts properly first of all. That is why we wanted to postpone voting on the resolution until the September part-session. Unfortunately, our motion was rejected, along with a series of amendments that had been tabled, which is why we voted as we did.

The PPE-DE Group continues to hold the view that a thorough investigation would have been more worthwhile than this resolution, which was adopted in haste. Our opponents were aiming only to hit the headlines and did the people concerned a disservice in the process.

– Motions for resolutions: Situation in China after the earthquake and before the Olympic Games (RC-B6-0340/2008)

Glyn Ford (PSE), in writing. – The decision on whether to attend the Olympic opening ceremony is one that I believe should be approached collectively. It is not one that is necessarily shared by all my Socialist colleagues. Nevertheless, on that basis I see no good reason to boycott the ceremony or the Games. Even the Dalai Lama supports that position.

Equally the proposal to invite the Dalai Lama to the General Affairs Council is absurd to anyone who is not deliberately trying to undermine the EU-China relationship. As for discrimination against groups in China, such as trade unionists, there is rightly cause for concern, but criticism coming from those who want to stigmatise Italy's Roma community is a little rich. 'Remove the plank from your own eye before the mote from your neighbour's.'

Patrick Gaubert (PPE-DE), in writing. – (FR) I am delighted with the adoption of this joint resolution on the situation in China. It is important to continue putting pressure on China before the Olympic Games take place in less than a month.

We cannot close our eyes to the serious human rights violations that exist, in contradiction with the pledges made by China itself. The European Parliament has a responsibility to remind China of the public promises it made. It is also important to mention minority rights, the rule of law and the still frequent use of the death penalty.

Finally, I wish that some of the more stringent amendments against China had been adopted; I am thinking particularly of petitions to release dissidents and human rights campaigners such as Hu Jia and his wife Zeng Jinyan, reference to the situation in Tibet, which is far from being resolved, and the disproportionate and non-transparent sentences given to demonstrators following the demonstrations this spring.

Filip Kaczmarek (PPE-DE), in writing. – (PL) I abstained from the vote on the resolution on the situation in China after the earthquake and before the Olympic Games. I did so because Parliament rejected the amendments that raised questions concerning the observance of human rights in China. As a result the resolution has an overtone that differs from that intended by the initiators of this debate. Why did Parliament not pass this resolution before the recent EURO 2008 European Football Championships? The reason is that there are no problems with human rights observance in Austria and Switzerland. Pointing out the problems in this area to China is not an anti-Chinese action, just an expectation that the minimum standards engendered by our civilisation will be maintained.

Tunne Kelam (PPE-DE), in writing. – I voted in favour of amendment 19 because I strongly believe that inviting the Dalai Lama to a General Affairs Council meeting to present his assessment of the situation in Tibet, and explain to the 27 Foreign Affairs Ministers the middle-way approach and his concept of genuine autonomy that should be implemented for all Tibetans within China, is to be highly recommended.

Eija-Riitta Korhola (PPE-DE), in writing. – (FI) In the resolution on the situation in China I voted for the amendment proposed by the Greens because the degree of incompatibility between the situation in China now, in the run-up to the Olympics, and the promises and public commitments they gave at the time to improve both human rights and the situation in Tibet is just as is stated in Amendment 15.

I attach special importance to the demand set out in Amendment 16 that tangible results must be achieved by negotiation between the Dalai-Lama and Chinese representatives before the Olympics commence. The concern expressed in Amendments 11 and 12 about events in Lhasa also merit observation.

The call made in Amendment 20 for the Union and its Member States to take measures with regard to China is most well-founded. I would not rule out a full boycott of the Olympics. President Pöttering's decision was sensible and humane. We cannot allow China, once and for all, in the name of the Olympic ideal and our values, to continue to use conjuring tricks to build an Olympic stage.

David Martin (PSE), in writing. – The way the Chinese dealt with the aftermath of the earthquake in Southwest China was an example of the progress the country has made in recent years. Nevertheless, there is still a need for further progress on human rights in the country. It is only through engaging both sides in constructive dialogue that tangible progress on this issue can be made. The Olympics was hailed as a prime opportunity to add weight to this dialogue and encourage improvements in human rights and freedoms. I would therefore stress that China must intensify its efforts to deliver on promises publicly made to the International Olympic Commission to improve human and democratic rights. I voted in favour of the resolution.

Marian Zlotea (PPE-DE), in writing. – (RO) As a member of the Delegation for relations with the People's Republic of China, I hope that, by the vote given today, we shall convince the Chinese authorities to comply with their own public commitments regarding human rights, minority rights, democracy and the rule of law.

I encourage the Chinese authorities to take urgent actions in order to improve the human rights situation by pardoning all imprisoned political prisoners and human rights militants, including those imprisoned in Tibet following the protests of March 2008.

– **Report: Elmar Brok (A6-0266/2008)**

Jan Andersson, Göran Färm, Anna Hedh, Inger Segelström and Åsa Westlund (PSE), in writing. – (SV) We Swedish Social Democrats abstained in the vote on the Brok report. We want to clarify our position on the future enlargement of the EU in this explanation of vote.

We think that the Copenhagen criteria are the only requirements which can be imposed on candidate countries negotiating for EU membership. We are in favour of the continued enlargement of the EU and consider it to be one of the great issues for the future of the Union. We also consider that the negotiations with Turkey must continue and that the country must be assessed against the same objective criteria as other candidate countries.

Adam Bielan (UEN), in writing. – (PL) Madam President, Mr Brok's report underscores the desire to improve our relationships with the East, and that is why I supported it. I think, though, that this report is not very expressive, and that it lacks the clear plan for the opening up of the European Union to the East that we were hoping for. We expected a better drafted document from the former Chair of the Committee on Foreign Affairs.

Petru Filip (PPE-DE), in writing. – (RO) Mr. President, appreciating the complexity and punctual usefulness of the Commission's 2007 enlargement strategy paper, we consider that, in the new context determined by the Irish people's vote, at least the internal dimension of the enlargement strategy should become the subject of more applied debates again. The Union's capacity to accomplish the objectives of its policies and achieve a functional regional cooperation, especially in the countries of South-Eastern Europe, depends on the manner in which the intra-Community relations shall settle.

I would like to emphasize the fact that any negotiation formula introducing differentiated treatments for another Member State, no matter the reasons invoked, will initiate a "chain of weaknesses" and I do not believe such an approach could bring benefits in the long term. The success of our future actions depends on the manner in which we will know to explain to the public opinion the direct impact and long-term advantages of enlargement. I could even say that we should look at the Irish vote from a constructive perspective: this vote is the proof of the fact that we have not always known to be open partners of the simple citizen, who is rather the subject of efficient political practices than the defender of ideas and visionary concepts.

Robert Goebbels (PSE), in writing. – (FR) I voted in favour of the Brok report on the strategy for future enlargements of the EU in order to reaffirm my belief that no further enlargement will be possible without a new treaty allowing the Union to work with 27 Member States or more, accompanied by an adequate financial framework.

Bruno Gollnisch (NI), in writing. – (FR) Madam President, ladies and gentlemen, I understand from Mr Brok's report on enlargement that any new accession can succeed only if, and I quote, 'there is clear and long-lasting public support'.

This sentence seems completely hypocritical, coming just days after the scornful reaction of the Eurocracy to the clear 'no' of the Irish to the Lisbon Treaty, which simply echoes the French and Dutch 'no' of 2005. It also follows the replacement, in the French Constitution, of the compulsory referendum on EU accession by a pseudo-referendum based on 'popular initiative', which in actual fact depends on the goodwill of the French Assembly and Senate.

Admittedly, Mr Brok, in the knowledge that the vast majority of Europeans are opposed to Turkey joining the EU, does not even mention public consultation by referendum. To win the support he describes, he simply proposes good old propaganda for a public considered ignorant or even simple-minded.

If Mr Brok and his European and national counterparts fear – or despise – the public so much, they should at least have the decency to stop seeking its approval. European democracy would certainly be all the stronger for it.

David Martin (PSE), in writing. – I welcome Mr Brok's report on the Commission's 2007 enlargement strategy paper. The EU must continue to be seen to uphold promises it has previously made on enlargement.

Indeed, strict and fair conditionality must be applied to all candidates and potential candidates to whom we make these promises. I believe the report adequately deals with these issues and I voted in favour of Mr Brok's report.

Athanasios Pafilis (GUE/NGL), in writing. – (EL) The resolution is an outrageous distortion of the reality experienced by the peoples of the old and the new countries of the Union, presenting the deepening and enlargement of the Union as being to their advantage, when the exact opposite is true. The plans proposed for the new enlargement aim at greater exploitation and manipulation of the peoples of the accession countries, which are already in a dire situation, and a further escalation in the pillage of those countries by European capital. In particular, the process of enlargement to the Western Balkans is accompanied by a huge operation of subjugating and humiliating the peoples of those countries. A typical example is the insistence on full cooperation with the International Criminal Tribunal for the Former Yugoslavia, the pseudo-court that was set up by the American and European imperialist bullies to try the victims of their wars and crimes in the area, and that was used to destroy the former President, Slobodan Milošević. The peoples are also particularly at risk from the fact that the enlargement process continues to rely on a change of borders and the creation of protectorates for the imperialists, such as the protectorate of Kosovo, which will lead to a new cycle of imperialist antagonisms and clashes, with the peoples of the area as the victims.

We, the MEPs of the Communist Party of Greece, are therefore voting against the resolution, reaffirming our position against the imperialist EU and its enlargement.

Charles Tannock (PPE-DE), in writing. – British Conservatives have always been and remain strong supporters of EU enlargement, as it provides a larger single market and a looser and more flexible Europe of nation states.

However, this report includes elements we are unable to support. We do not believe in Europe as a 'political integration project'. In addition, we disagree with the main aspects of Paragraph 19, which calls for 'an area based on common policies' in fields such as justice, security, migration and visa-free movement and education, which British Conservatives cannot support. Also, we are unhappy with Paragraph 6, which states: 'developing an area of freedom, security and justice, of fully maintaining and building on its *acquis communautaire* and of upholding fundamental rights and freedoms, as laid down in the Charter of Fundamental Rights of the European Union'.

Our concerns about these and other parts of the report in no sense diminish our support for further enlargement of the EU, should applicant states meet the Copenhagen criteria.

For the reasons set out above, we have decided to abstain on this report.

– Motion for a resolution: Situation in Zimbabwe (B6-0347/2008)

Alessandro Battilocchio (PSE), in writing. – (IT) Mr President, it is a good thing that Europe is making its voice heard in this part of Africa which is once again at risk of becoming a theatre for virulent conflict, after the farce of a presidential campaign we witnessed a few days ago.

The G8 has also taken a very clear stance, not through the introduction of sanctions, which would have damaged the civilian population in particular, but with 'financial measures' that relate especially to companies, banks and personalities of the regime in power since 1980. The situation that has come about is unacceptable, with elections taking place in inappropriate conditions and amid systematic violence. I also hope that our Community diplomacy will move to support the African Union's proposal asking for a government of national unity to overcome this difficult crisis.

Adam Bielan (UEN), in writing. – (PL) Madam President, I supported today's resolution because I think that we must be tough on violence in Zimbabwe, increase sanctions and call for recognition of the Mugabe regime to be withdrawn. The campaign of violence aimed at the political opposition and financed by the state has ruled out the possibility of holding a free second round in the presidential elections.

Marie-Arlette Carlotti (PSE), in writing. – (FR) Like people all over the world, Zimbabweans want peace, democracy and prosperity.

Under Robert Mugabe, they have none of this. A former liberator of the country, he is now its torturer. Today, Parliament is sending out a clear message: it no longer wants Mugabe and his regime. The people of Zimbabwe have decided this. The EU must bring all of its weight to bear in order to help Zimbabweans and Africans find a solution to the crisis.

The priority is to put an end to the violence. Only a dialogue open to all members of Zimbabwean society will allow a transitional regime to be established, with a clear mandate for the organisation of free and transparent elections monitored by the international community.

However, Robert Mugabe will not come to the negotiating table unless forced to do so. This is why we must strengthen our arsenal of sanctions against the regime.

Finally, we need to plan now for the reconstruction of a future Zimbabwe: I welcome the Commission's proposal to release EUR 250 million in emergency funding as soon as Zimbabwe has a legitimate and credible government.

Edite Estrela (PSE), in writing. – (PT) I voted in favour of the motion for a European Parliament resolution on the situation in Zimbabwe, condemning the Mugabe regime.

The government's campaign of violence against the opposition, the successive violations of human rights and disregard for democratic principles are unacceptable. The civilised world must condemn, without hesitation, what is going on in Zimbabwe. The political persecution, gratuitous violence, hunger, suffering and the deaths of many citizens are Mugabe's recent 'work', which need to go down in the annals of history. The people of Zimbabwe deserve a better lot. I believe that the action of the international community is crucial to resolving the current humanitarian crisis. The European Union must set the example.

Filip Kaczmarek (PPE-DE), in writing. – (PL) I voted in favour of the resolution on Zimbabwe. What Robert Mugabe is doing is unacceptable. I do not call him President because what recently went on in Zimbabwe cannot be called an election. I agree with one of the Namibian politicians who said that, besides the traditional diseases that Africa has to grapple with – like malaria, tuberculosis and AIDS – the most dangerous disease today, the one that needs to be tackled with the greatest urgency, is Mugabeism. Mugabe has become an enemy of his own people. It is very frustrating when time turns a man who fought for freedom and independence into a harmful despot. I hope Africans will open their eyes and understand that people like Mugabe are bad for Africa as a whole.

Eija-Riitta Korhola (PPE-DE), in writing. – (FI) Madam President, I voted for the resolution on the situation in Zimbabwe because on 27 July President Mugabe's reign of terror once again openly made a mockery of the views of the international community, justice and democracy. There can be no dispute that the presidential elections in Zimbabwe were illegitimate, and the violence, murders, arrests and harassment of the opposition within the country are a particularly savage aspect of the absence of justice.

As the resolution states, Zimbabwe very much needs a mediation process which includes various parties from the international community and Africa. The parties to the dialogue must achieve sustainable outcomes for Zimbabwe and this will be possible only if the whole international community and its extensive democratic powers take part. The people of Zimbabwe have a deep-seated longing for democracy.

The situation in Zimbabwe is a matter for the whole of the international community and the community of African states and it is absolutely imperative that we recognise Mugabe's tyranny. China and Libya do not unfortunately share the view of the international community on this matter.

The EU must support and encourage those African states which are seeking to boycott Zimbabwe in relations with Africa. By contrast, South Africa's political and economic support for Mugabe's rule and the expulsion of Zimbabwean refugees from South Africa are contrary to our shared values. I also wished to lend my support to the idea set out in the resolution that this dispute may and should have negative consequences for relations between the EU and South Africa.

Jean Lambert (Verts/ALE), in writing. – I voted for the resolution today and hope that Council will follow it up with strong concerted action. I also hope that the changing attitudes that we are seeing amongst African leaders will also mean that we do not have to suffer the humiliating sight of Mr. Mugabe attending international meetings on EU territory. Mugabe's current power has been gained through the blood and suffering of his people. Our Government's should not be compounding that by forcibly returning people to Zimbabwe. Not only can they find themselves in physical danger there but they can also add to the instability of the situation and pressure on diminishing resources. Giving these people a legal migration status and allowing them to work would be the one guaranteed positive measure our Governments can offer: it would also mean that, when return is possible, people are going back with active skills and potential financial resources which will help grass-roots development. Indeed, Governments should be adopting such a policy towards those who

cannot return to other countries which are in conflict. The people of Zimbabwe need our support in every way possible.

David Martin (PSE), *in writing*. – The situation in Zimbabwe is cause for concern. I join my colleagues in condemning the Zanu-PF party's behaviour throughout the elections and would also stress that the elections of 27 June cannot be regarded as legitimate. Fresh elections should be organised that respect democratic norms. The suggestion of reaching an agreement on a transitional administration in the country is worth investigating as a way of getting out of the current democratic impasse Zimbabwe currently finds itself in. I voted in favour of the resolution.

Catherine Stihler (PSE), *in writing*. – I deplore the situation in Zimbabwe and call on all MEPs, the Commission, Council and all national governments to condemn Mugabe and seek a way through this crisis. I welcome the statement by the G8 where they refuse to accept the legitimacy of any government that does not reflect the will of the Zimbabwean people.

– **Report: Karl von Wogau (A6-0250/2008)**

Jean-Pierre Audy (PPE-DE), *in writing*. – (FR) I voted in favour of the own-initiative report by my German colleague Mr von Wogau on space and security. The time has come for a common approach to defend European interests in space. It is becoming increasingly obvious each day that we need space assets in order that the political and diplomatic activities of the European Union may be based on independent, reliable and complete information in support of its policies for conflict prevention, crisis management operations and global security (especially the monitoring of proliferation of weapons of mass destruction and their means of transportation), verification of respect for international treaties, monitoring of the transnational smuggling of light weapons and small arms, the protection of critical infrastructure and of the EU's borders, and civil protection in the event of natural and man-made disasters and crises. Galileo is, in this regard, a cornerstone of the EU's role in space. This approach should go hand in hand with European defence and with support for the European defence industry, particularly in the aerospace sector.

Glyn Ford (PSE), *in writing*. – The European Union must develop its own space capabilities. We are against the weaponisation of space but do recognise that, while the US refuses to cooperate closely with the Union for the joint use of satellite facilities during times of peace and war, we have no alternative but to try to deploy our own system in Europe.

The development of Europe's common foreign and security policy and Europe's security and defence capabilities requires a space dimension. Mr von Wogau – the Chairman of our Subcommittee on Security and Defence – has done Parliament and Europe a service with this report, which we should follow up subsequently.

Pedro Guerreiro (GUE/NGL), *in writing*. – (PT) It would be difficult to be any clearer.

In its own-initiative report on 'Space and security', the majority of the EP rejected our proposals that:

- emphasised that the use of space must serve exclusively non-military purposes, rejecting any direct or indirect military use;
- and underlined that Galileo is an exclusively non-military project;

At the same time, it approved, among other dangerous measures:

- the necessity of Galileo for autonomous ESDP operations and for the Common Foreign and Security Policy (CFSP);
- the development of a common concept for geospatial intelligence policy, creating conditions for involvement of the EUSC in the planning for each ESDP operation requiring space-based observation and space-based intelligence;
- that the EU explore the possibility of a financial contribution to the EUSC from the EU budget in order to provide sufficient funds to meet the increasing needs of ESDP operations;
- the possibility of funding future European satellite telecommunications systems supporting ESDP operation from the EU budget.

In other words, the militarisation of the Galileo project and the increasing use of the Community budget for military ends. Hence our vote against.

Anna Hedh (PSE), in writing. – (SV) I voted against the report because I believe that space should only be used for peaceful purposes. The report went much too far.

David Martin (PSE), in writing. – I generally welcome Mr Von Wogau's report on space security. I support the rapporteur's stipulation that space should not become weaponised. The development of voluntary instruments which could enhance space security is a positive step in ensuring a responsible space policy. The Community budgets from which the ESDP is funded are currently intergovernmental; consequently I feel it would be inappropriate to prejudge such spending in the report. These views are reflected in my vote.

Athanasios Pafilis (GUE/NGL), in writing. – (EL) The use of space is essential to the effectiveness of the EU's imperialist interventions. This is the conclusion of the report adopted by the European Parliament on space and the security of the EU. The report underlines the necessity of using space for 'EU Member States' deployments under UN, NATO and other similar organisations. It calls for rapid development of the EGNOS and Galileo programmes, full development of the EU Satellite Centre, and the coordination, through the European Space Agency, of the satellite communication systems of the EU Member States, for the purposes of espionage and surveillance, in order to provide 'independent, reliable and complete information in support of its policies for conflict prevention policies, crisis management operations ...'

The EU budget is already allocating an astronomical EUR 5.25 billion for these purposes, for the period 2007-2013 alone. This fact, as well as the decision to speed up the Galileo programme, shows that the EU intends to integrate the use of space into the strategic resources and capabilities for promoting the Common Foreign and Security Policy and the European Security and Defence Policy – in other words, the mechanism for the EU's imperialist interventions around the world.

In the light of all this, the report's appeal for 'non-militarisation' of space – typical proof of the outrageous duplicity of imperialist political mouthpieces – is the utmost hypocrisy.

Glenis Willmott (PSE), in writing. – The European Parliamentary Labour Party welcomes this Parliamentary report, and in particular we support the development of an EU Code of Conduct for activities in space, along with the development of voluntary instruments which could enhance space security.

We are, however, concerned not to prejudge decisions about the future EU budget; ESDP activities are funded from the community budgets, which are currently inter-governmental. For this reason we voted against two amendments which suggested this in relation to space-related ESDP activities.

President. – That concludes the explanations of vote.

7. Corrections to votes and voting intentions: see Minutes

IN THE CHAIR: MR PÖTTERING

President

8. Presentation of the programme of the French Presidency (debate)

President. – The next item is the Council statement on the presentation of the programme of the French Presidency.

President Sarkozy, I would like to welcome you to the European Parliament as President-in-Office of the Council.

(Applause)

I am aware that you are joining us here today after a long journey from Japan. Welcome to the European Parliament, President-in-Office.

(Applause)

I should also like to welcome the President of the European Commission, José Manuel Durão Barroso, who, like the President-in-Office of the European Council, has just returned from Japan. It was a tiring trip, so I shall make no further preliminary remarks.

– President-in-Office of the Council, I would like, without further ado, to invite you to take the floor before the European Parliament.

Nicolas Sarkozy, *President-in-Office of the Council*. – (FR) Mr President, ladies and gentlemen, it is a great honour for me to address your Assembly at such a critical moment for Europe. I am well aware that we all bear a heavy responsibility. Of course, as President-in-Office of the Council, I have a great responsibility, but the responsibility of all pro-Europeans is the same.

How do we get Europe out of the crisis in which it finds itself? How do we prevent immobility? How do we overcome our disagreements and use them to serve the same European ideal? Here we stand at the heart of European democracy. Each one of you, having the honour of sitting in this Parliament, has had to win the support of your compatriots. There are men and women of the left, of the centre, of the right; there are elected representatives from 27 countries. However, today we must turn our differences into a strength for an ailing European Union.

We must make these differences an opportunity to reassure European citizens, who are worried. We must keep democracy alive, which means that we must engage in debate and at the same time create an image of a Europe that rejects immobility. Everyone must be on board in the European family, with its 27 Member States; nobody must be left behind. We are just a few months away from an important date for the European Parliament. It is reasonable for everyone to be conscious of this. At the same time, we must give the impression this morning of a Europe that is working for everyone.

I have seen easier situations than the one in which Europe now finds itself. If I may speak freely, conscious that, as President-in-Office of the Council, I must speak on everyone's behalf, I have to take account of everyone's sensibilities and at the same time come up with the right answers.

First observation: we have an institutional problem. Heads of State or Government have tried to find a compromise with the Lisbon Treaty. No one said that the Lisbon Treaty was going to solve all of our problems, but it was and remains the expression of a compromise acceptable to everyone. I myself, as President of the French Republic, had to face up to my responsibilities. France voted 'no' in 2005 and this caused a problem for France. Ladies and gentlemen, the issues that we have to address are very difficult and complex; let us try to give everyone the idea that we are working on this with no ulterior motives and no preconceptions. That is what is expected of us.

(Applause)

Before the elections, I offered the French people parliamentary ratification of the Lisbon Treaty. Before the elections, I said that I would not hold a referendum in France. I said this to the people of France in a democratic spirit; it was a choice I made three days before I was elected, which could have been highly significant. I do not regret that choice. I truly believe that institutional issues, the way in which we do things in Europe, are something for members of parliament rather than for referendums. It is a political choice that I am making *(applause)* and it is a political choice that I made in my own country before the elections. Therefore, it is perfectly democratic.

We now have the problem of the Irish 'no' vote. It is certainly not for a Frenchman to pass judgment on this outcome considering the earlier Dutch and French 'no' votes. Therefore, on 21 July, for the first time as President-in-Office of the Council, I will go to Ireland to listen, engage in dialogue and try to find solutions. The French Presidency will propose a method and, I hope, a solution in agreement with the Irish Government, either in October or December.

The problem is this: we must avoid both rushing our Irish friends and yet at the same time establish under what conditions and with what treaty we are going to organise the 2009 European elections. We therefore have a bit of time, but not that much. We owe it to our fellow citizens to know on what basis we are going to organise the European elections. The basis will be either the Lisbon Treaty or the Nice Treaty. There will not be a new institutional conference. There will not be a new treaty. It is either Lisbon or Nice.

May I add, just to be perfectly clear – it is my opinion, but that does not make it the truth – that I am one of those who have always supported European enlargement. The 2004 enlargement was a success. The family is back together; we should not regret that. However, I am one of those who have always wished that Europe

had been wise enough to create new institutions before enlargement. That was a mistake and we are paying for it today. It would have been braver to establish institutions before enlargement.

I want to be perfectly clear on this. Of course I do not regret enlargement. The family must stay together. However, I am adamant, President Pöttering, that we must not make the same mistakes again. If we stick with Nice, it is the Europe of 27. If we want enlargement – and personally I do – we need new institutions before enlarging. Who would have thought that Europe, with its 27 Member States, would be incapable of establishing its own institutions and that it would have no other priority than to keep on enlarging? Things have to be clear: if we want enlargement – and we do want enlargement – then we need new institutions.

(Applause)

Let me add – and I am saying this to Mr Schulz – that I am in favour of bringing in the Balkans, that our Croatian friends, like our Serbian friends, are unquestionably European. However, the most pro-enlargement countries cannot say, ‘we do not want Lisbon’, yet at the same time, ‘we want enlargement’. It is Lisbon and enlargement. It is not blackmail, because in Europe, we do not do blackmail. It is a matter of consistency, honesty and logic. When it comes to Croatia, therefore, we must continue the negotiations, but everyone must shoulder their responsibilities. If Europe is to grow, and it must, then it must do so with new institutions.

Another point: here and there in European debates I come across people saying, ‘well look, it does not matter if we have a multi-speed Europe.’ Perhaps one day we will unfortunately have to have a multi-speed Europe, but that can only be a last resort. Europe has paid dearly for being divided by a wall of shame. Europe has paid dearly for the dictatorship imposed on 80 million Europeans. Let us think hard before we leave anyone behind.

When we were negotiating the Lisbon Treaty in Brussels, France fought to ensure that Poland could take its place in the Lisbon Treaty. How can we tell 38 million Poles that it is much easier to shake off the yoke of the dictatorship that they were under, and from which they freed themselves, thanks to high-calibre people such as Lech Walesa and Jean-Paul II, than to remain in a free Europe? There are 27 members in this family. Nobody should be left behind. We must bring everybody in the European family on board; that, at least, is what the French Presidency will work towards.

(Applause)

Regarding other issues, and I believe that we can reach a consensus on them, nothing would be worse than for Europe to give the impression of being immobile because it is going through yet another institutional drama. That would be an awful trap for us to fall into. We reject institutions that condemn us to immobility, but at the same time, Europeans are impatient because they think we are too immobile.

Notwithstanding the institutional problem, perhaps even because of the institutional problem, Europe has a duty to act, and to act now. This is the message that the French Presidency would like us all to send to Europeans. We are in the process of resolving the institutional problems, but we are not condemned to inaction. What, then, are our priorities?

The first is to show Europeans that Europe can protect them. Now I would like to say something about this word ‘protection’. Since ancient times, whenever people have elected a government, it was so that this government would protect them. Mr President, Europe must offer protection without protectionism. Protectionism gets us nowhere. Seeing European citizens today think that Europe, which was designed to protect them, is a source of concern rather than protection, is a real step backwards. Therefore, it is up to us to show how Europe is going to protect them on concrete issues.

The first is the energy and climate package. If there is one area in which our nations can do nothing if they act alone, it is in maintaining the ecological balance of our planet. When it comes to pollution, CO₂ and the ozone layer, the borders between our countries are irrelevant. The stakes are high: since the meeting of IPCC experts, we have realised that we are the last generation that can prevent disaster. The last generation! If we do not do anything now, future generations may be able to limit the damage, but they will not be able to stop it.

Every country in the world says: ‘I am willing to do something provided that the others start first.’ With this type of reasoning, our grandchildren’s grandchildren will never see any decisions made. If we Europeans wait for others to do something before we act, we could be waiting a long time. We created Europe to take our model of civilization to the world and to defend our values.

Among those values is the certainty that the world is doomed if we do not take a decision right away. Europe must set an example. Europe must lead by example. We have a goal: the 2009 conference. This conference must manage and organise the post-Kyoto phase. Europe must come to it united, having decided to adopt the energy and climate package. If we do not, we will not have any leverage to get the Chinese, Indians, emerging countries and Americans to make the efforts that we have agreed on. Therefore, it is essential that, under the French Presidency, we adopt the energy and climate package submitted by the Commission.

(Applause)

It is a demanding package, it is a difficult package, but I would like to appeal to everyone's sense of responsibility. If every country starts wanting to renegotiate its own particular bugbear, the things it has a problem with, then, ladies and gentlemen, we will never reach an agreement. This is why the French Presidency is asking the European Parliament to rally behind it so that we can get the energy and climate package adopted within the next six months. That is a priority. It is not a right-wing or a left-wing priority, it is simply common sense. If we go into negotiations Member State by Member State, we have no chance of succeeding.

Now, of course, there are points that need to be clarified or adapted. I am thinking in particular of a very difficult matter: namely the problems for our firms, on which we are rightly going to impose rules to maintain the balance of the planet. Should we, in Europe, impose essential rules on our firms and, at the same time, continue to import products from countries that do not abide by any of the rules that we impose on our businesses? That is not a matter of protectionism; it is a matter of fairness, justice and refusing to be naive. There is the problem of deciding on a border mechanism. Should there be free quotas or adjustment mechanisms? I do not know, but, in any case, we have to discuss it.

(Applause)

Second question: I understand that, for some countries – I am thinking particularly of those that joined us in 2004, which largely rely on fossil fuels for their energy – the efforts demanded of them are considerable. These countries are telling us, 'we have had growth for 10 years; please do not take that away from us.' No doubt there is a way to get everyone on board and, with the President of the Commission, we have to work on it so that everyone realises that they will not be doomed to recession, misery, poverty and unemployment. This energy and climate package is an absolute priority for us. The world cannot wait; Europe has to lead the way.

Second point: of the 27 countries, 24 are now in the Schengen Area; in other words, 24 countries out of 27. 23, you say? OK, 23 then, but that is still not bad. This does not include countries that are not members of the European Union but – and this is why we often have debates – are part of the Schengen Area. So what does this mean? It means that we have decided on complete freedom of movement between the Schengen Area countries.

I would like to say to the leaders of the political groups and to members of parliament that we in France, with Bernard Kouchner and Jean-Pierre Jouyet, have taken a decision that was not easy to take. Since 1 July, there have no longer been any barriers preventing access to the French labour market, because I have announced that I will abolish all of the restrictions negotiated by my predecessors. Any worker from any EU country can come and work in France.

(Applause)

It was not that simple; it was not that easy. In any case, and French MEPs will correct me if I am wrong, I was told that it would be a disaster if I announced this decision. As usual, we made the decision, and no disaster materialised. I was not happy about the dispute over the infamous 'Polish plumber', which did not give my country or indeed Europe a very good name. That is not why we all built the European Union.

(Applause)

Nevertheless, now that we no longer have any borders between us, is it fair, is it reasonable for each of us to go on deciding our own immigration policy, taking no notice of the others' constraints? The European Pact on Immigration and Asylum is an essential document for the French Presidency, for two reasons.

The first of these – and may I turn to the left of the Chamber first – is that if all of us, if all European countries have a European immigration policy, we remove immigration from national debates where extremists use poverty and fear to serve values that are not ours. The only way to have a responsible debate on immigration

is to make it a European policy. No more partisan ulterior motives compelling countries with different sensitivities to work together.

What Brice Hortefeux suggested, which was approved by all ministers and should be discussed by the Permanent Representatives Committee and by the European Council, seems to me a priority. It will show that Europe does not want to be a fortress, that Europe is not refusing to take people in, that Europe needs migrant workers, but that Europe cannot take in everyone who would like to come to Europe.

Let me add that, when it comes to political asylum, it is not logical for one individual to be able to submit 27 applications to 27 democratic countries and not get the same answers every time to the same problem. Let me add that, for development with Africa, we will be stronger if we work together; this is the second priority of the French Presidency.

Third priority: we want to further a concept often talked about in Europe, but which is making slow progress, and that is European defence. I am well aware that there is a lot of disagreement surrounding this issue, but let me tell you what I believe. How do you think Europe can become a political power and make itself heard if it cannot defend itself and deploy resources in support of its policy?

Take the example of Kosovo, which to my mind is a European Union success story. This is a European problem, which has to be settled by Europeans. How can Europeans continue to do that if they do not acquire the military and human resources to enforce the decisions that we have taken together? How do you think that Europe can become the most prosperous economic area in the world if it is unable to defend itself?

Yes, we have NATO. It would not occur to anyone, least of all me, to dispute the usefulness of NATO. It is not a matter of choosing between a European defence policy or NATO, but of having NATO – the alliance with the Americans – and an autonomous European security policy. It is both of these together, not one instead of the other. Let me add that we cannot go on having Europe ensuring its security based on the contribution of just four or five countries, with the others relying on the efforts of these four or five countries. The Member States cannot keep on building their own aircraft separately, having armaments industries that compete with each other to the point of ruin and ultimately are weakened, simply because they are not strong enough to have a European defence policy.

Fourth priority: the extremely difficult issue of the common agricultural policy. I am coming now to my conclusion, which is linked with this. It is precisely because it is difficult that we need to talk about it. I am perfectly aware that among us we have agricultural States that fiercely defend the work of their farmers and, at the same time, States that think that this policy costs too much.

Ladies and gentlemen, may I appeal to your common sense. In 2050 the world will have 9 billion inhabitants. Already, there 800 million people who are dying of starvation. A child starves to death every 30 seconds. Is it reasonable to ask Europe to reduce its agricultural production at a time when the world has such great need of foodstuffs? I do not think that this is reasonable. It is not about French agriculture; it is about common sense.

(Applause)

Let me add a second point: regardless of whether your country is an agricultural one, food security concerns everyone. Is it reasonable to impose, rightly, traceability and safety rules on our breeders and farmers and go on importing meat into Europe which comes from other countries that do not abide by any of the rules that we are imposing on our farmers?

(Applause)

Third point: agricultural prices have never been so high. It is precisely the right time to talk about prices, to talk about subsidies and to talk about Community preference. I also think that between the common agricultural policy's health check and financial arbitration, we might be able to agree on certain concepts such as food sufficiency and food security for Europe.

Ladies and gentlemen, there is a host of other topics: the social dimension, for example, is a huge issue. May I make one point. Sometimes I see a certain contradiction: a single-minded view sometimes exists that Europe should not meddle with everything and that Europe should intervene only in areas that concern it. However, the same people who accuse Europe of poking its nose into everything are the first to speak up when we do not talk about the social dimension. Until now, the Member States have always wanted social policy to be first and foremost a national competence, because pensions and healthcare are primarily national issues.

Ladies and gentlemen, there are a number of social directives that President Barroso did well to put on the agenda. I am thinking of those on works councils, temporary work and a number of basic rules which have to be imposed on everyone in Europe. The French Presidency will make this a priority.

Other subjects too should be put on the French Presidency's agenda, even though they are not within Europe's remit. Let me take an example of something which affects us all: Alzheimer's disease. (*Off-mike comment from Mr Cohn-Bendit: 'not yet'*). Mr Cohn-Bendit, it would never have occurred to me that someone so young as you should already be affected by a disease which, although it does not affect you, affects millions of Europeans. These millions of Europeans are just as important to me as your health.

(Applause)

Of course, subsidiarity means that this is not a European competence. Nevertheless, I would like the French Presidency to organise a meeting of all specialists from all European countries so that we can share best practice, so that our researchers can pool their skills to find out more about this disease and so that together we can find a solution. Just imagine what Europeans would say about Europe then: it is a way of curing these awful diseases. What I said about Alzheimer's could apply to cancer, which breaks families apart. There is no reason for everyone to work on their own on finding solutions to cancer when together we will have more resources and be stronger.

(Applause)

Finally, with regard to culture and sport, let me say that it is a big mistake not to talk about the issues that affect the day-to-day lives of Europeans. There is a European cultural exception. We must make culture a part of everyday debate in Europe. The world does not have to bow down to one language and one culture. We must clearly address the question of VAT on videos and CDs, like that of VAT on books, which you have settled.

On sport, which transcends political divides, let me just say that I would like there to be a sporting exception in Europe, just as there is a cultural exception. I am in favour of the freedom of movement of individuals and goods, but I do not accept the idea that we should make our football clubs pay, undermining the investment that many clubs make in teenage boys, who need to stay with the club for training purposes. A sporting exception, which would mean that sport is not beholden to the market economy, should have the support of all MEPs.

(Applause)

To conclude, ladies and gentlemen, Mr President, I would like to finish – apologies for having been too long, no doubt – with a final observation. I know where I am going to make this observation: where the heart of European democracy beats. Europe has suffered a great deal. It has suffered first of all from the cowardice of some of us, who were very happy to let Europe pay for responsibilities which were really those of political leaders, unwilling to make in public the choices that they refused to defend in Brussels.

(Applause)

That is cowardice. I say this to the President of the European Parliament and to the President of the Commission: the Presidency will work hand in hand with you. If any Member State does not agree, let it speak up. As I said to the Polish President, he himself negotiated the Lisbon Treaty, he gave his word, and one's word has to be honoured. It is not a question of politics, but a question of morals.

(Applause)

However, Europe has suffered from something else too. Europe has suffered from a lack of debate. I would like to end with this because it is very important to me. Our institutions are independent, but independence does not mean indifference. If we, the political leaders, do not have the courage to debate, who will? To debate what? What is the right economic strategy? What is the right monetary strategy? What is the right exchange rate strategy? What is the right interest rate strategy? Of course everyone is entitled to their own beliefs, and I say this to our German friends in particular. However, no one has the right to prevent a debate, a constructive debate.

Of course everyone wants an agreement, such as the trade agreement which is in the process of being negotiated. However, no one must be afraid of saying that Europe must not be naive. We have to discuss the advantages of free trade, but we must also tell emerging countries that there are no grounds for them to

demand the same rights without taking on the same obligations. We must not be afraid to hold a European debate. We must engage in a dignified European debate, but we must not be afraid to defend our beliefs.

We are not questioning the ECB's independence when we ask whether it is reasonable to raise interest rates to 4.25% when US interest rates are at 2%. We are having a debate. A peaceful debate, where no one has a monopoly on the truth. I certainly do not, nor do the experts, who have to demonstrate the effectiveness of their decisions.

It is in this spirit, ladies and gentlemen, that I intend, together with French ministers, to shoulder this responsibility. I know that it is difficult. I know that, when you are President-in-Office of the Council, you are not defending the interests of your country, but the interests of the Union. I know, Mr President, Presidents, that we have to work as a team in the interests of the Europe of 27, and I hope that in six months' time everyone will be able to say: 'Europe has made progress thanks to your participation and support.'

(Loud applause)

President. – Mr President-in-Office of the European Council, thank you for your speech. We wish you continued courage, determination and especially success throughout your Presidency – as, when you are successful, the European Union is successful and, with it, the European Parliament. You can be assured that the European Parliament is at your side when you make your resolute contribution to taking the European Union forward into a good future. The European Parliament will support you in this task.

I should also like to welcome the ministers with you today: Bernard Kouchner, Brice Hortefeux, a former fellow Member, and especially your Minister of State for European Affairs, Jean-Pierre Jouyet, who is almost always here in Parliament. I welcome you all most warmly to the European Parliament.

(Applause)

José Manuel Barroso, President of the Commission. – *(FR)* Mr President, President-in-Office of the Council, ladies and gentlemen, I am glad to be here with you today in the European Parliament for the presentation of the six-month French Presidency of the Council of the European Union. I think that this will be a presidency full of drive and determination and rich in concrete results that we will all work towards. You wanted France to come back to Europe, President-in-Office, and this is unquestionably excellent news for us all.

European citizens and the European Parliament assembled here today expect a great many things from the French Presidency. As I said during our meeting in Paris on 1 July, the Commission will stand by the French Presidency, offering its full support to ensure the success of the European Union during these six months. There will be no shortage of challenges.

Globalisation is here to stay and international competition is becoming increasingly tough. The world faces new challenges such as the scarcity of fossil fuels and climate change. We must act now to find common solutions to these challenges. All of these factors mean that Europe needs to reform its economies to become more competitive, modernise its social models and invest in education, research and innovation. Europe has many aces up its sleeve, particularly as one of the world's leading trading powers. However, it must have the courage to adapt. If we want to offer protection, we must adapt. That is the key.

There is no point in denying that Europe is going through a difficult period: the Irish 'no' vote and the global economic climate, soaring oil and commodity prices, the sharp rise in food prices and inflationary pressures, which are the greatest enemy of purchasing power. Inflation is also the greatest enemy of social justice as, when there is very strong inflation, those who suffer most are those on low wages or living on a pension. All of these factors are casting a shadow over our economies and forcing our politicians, at both European and national level, to make difficult choices. We must confront these realities head on and apply ourselves to them with realism and determination.

We have just come back from the G8 summit in Japan, where I could clearly see that the influence enjoyed by the European Union, as well as the expectations and respect that it engenders around the world, are in marked contrast with the gloom that is often expressed within the EU. I can tell you now that, now more than ever, the European Union is seen outside Europe as a positive and decisive player, a player with enormous influence on the world stage.

Let us take two concrete subjects that were at the centre of the G8 summit: climate change and development – two issues on which Europe has taken the initiative at global level. The United States has now joined us in the fight against climate change by largely subscribing to our views. Last year in Heiligendamm, I remember

that we had great difficulty – President Sarkozy was there – in convincing the Americans and the Russians to accept the principle of mandatory targets for 2050. Now we have achieved this. It was possible thanks to our role as European leader; I am proud of this as President of a European institution. It is a success that we yet again owe to European unity.

The second example is development, and specifically soaring food prices, which threaten all of the Millennium Development Goals (MDGs). We were also able to act as a catalyst in this area thanks to the conclusions of last month's European Council, which, and I quote, welcomed 'the Commission's intention to come forward with a proposal for a new fund to support agriculture in developing countries.'

The European Commission will adopt this proposal next week. I am counting on the full support of both arms of the budgetary authority so that Europe can swiftly provide the necessary aid to farmers, particularly those in Africa, in close cooperation with the competent multilateral organisations. This support is essential to guarantee 'the green revolution' that Africa needs for its stability and prosperity, which, as you all know, is also in Europe's direct interests. As the European Council requested, our proposal will remain within the limits of the current financial perspective. Our approach consists of allocating the savings that the rise in international prices allows Europe to generate as part of its agricultural support policy to those who are hit hardest by this increase. There are emergency and disaster situations all around the world. If you could have heard what the President of the World Bank said, if you could have heard some of the leaders of African countries and other countries represented in enlarged meetings talk about the hunger and starvation that now represent a real threat to so many people in the world, you would understand to what extent European aid is necessary and indispensable.

(Applause)

This is why I believe that, yet again, we can set a good example of solidarity between European and African farmers, illustrating the fact that the common agricultural policy (CAP) and development policy can and must work in tandem, because, as President Sarkozy has just said, food security is a global issue and we need to tackle it together. Not alone, but together.

Therefore, it is true that there are concerns, but it is also true that, more than ever before, the European Union has a central role in resolving them. Rather than wallow in what I sometimes call 'crisisophilia' – there is even talk of the phenomenon of declinism in Europe – let us emphasise the value of the concrete and positive action of the EU. In any case, this is the best way of resolving the international issues raised by Ireland's non-ratification of the Lisbon Treaty. We must address this because the Lisbon Treaty could make us work more effectively, more democratically, although we must not use it as an excuse for failing to respond immediately to the needs of our citizens.

European citizens are looking to us for answers. The best response we can give them is to talk to them frankly and show that we have political courage. The French Presidency has both qualities in abundance.

In a Europe on trial, we must provide evidence that Europe works. We must focus on policies that bring Europe closer to its citizens and change their daily lives. More than ever before, we are plotting a course for a Europe based on results.

Personally, I am confident. The priorities of your Presidency will allow Europe to meet the major challenges that it faces, while preparing for the issues of the future.

I welcome the priority given by the French Presidency to the introduction of an integrated energy and climate change policy. As you said, President-in-Office, this is the top priority of your Presidency, and we know how determined you are to finalise this strategic agreement by the end of the year, which would put the EU in a good position to embark on the Copenhagen negotiations in a year's time. The Commission will lend its full support so that we can reach an ambitious and balanced agreement with the European Parliament and the Member States. I have made this a priority for my institution, and I would like to thank the President-in-Office once again for his tireless support for the energy and climate package unveiled by the European Commission.

We must also move towards a policy of controlled immigration in Europe. We must first address immigration, which an ageing Europe needs, in certain key economic sectors, and which must be accompanied by proper integration so that we can be proud in our humanist Europe of the integration that we offer to those who genuinely want to come here to work. The adoption of the 'blue card' under the French Presidency would be an important step in this direction.

However, we also need to tackle illegal immigration and the exploitation that often arises from this, particularly by furthering the proposal to penalise those who employ illegal workers. It is here that we must effectively make the most effort; we must not threaten the poor workers who only want to work in Europe, but penalise those who want to exploit them. This practice is a disgrace to Europe. Let there be no mistake: we must be realistic in addressing the issue of immigration.

I am firmly convinced, ladies and gentlemen, that our inability to address this issue seriously and responsibly is one of the greatest threats to Europe. We will not solve the immigration issue by being permissive on all fronts. This would be the best excuse for extremist forces, for xenophobic forces. We need to be tough on illegal immigration, and at the same time show that we are generous and united in the integration of migrant communities who want to contribute to Europe's growth and development. I believe that we need to be clear on this; we need to be tough on crime while continuing to show respect for human rights, which are the trademark of European civilisation and our plans for European integration.

Naturally these are sensitive issues, which are easy prey for polemic and misunderstanding. This is why the Commission wanted to put forward a balanced proposal and why it has outlined 10 key principles so that we can go forward together. I was delighted to see the French Presidency and the French justice and interior ministers endorse this integrated approach during their informal meeting in Cannes this week.

I am keen to point out, ladies and gentlemen, that in Europe, in the Schengen Area, where freedom of movement is a reality, it is absurd to continue with 27 different immigration policies. What we need is a European immigration policy.

Also in the pipeline is our Social Agenda. There can be no dynamic, competitive economic model without genuine social investment to prevent the risks of poverty, exclusion and marginalisation. France has made the new Social Agenda unveiled by the European Commission a few days ago one of its priorities. I welcome this. To prepare Europeans for the future, we must offer them opportunities, access to quality services, education, healthcare and continuing solidarity. Nobody in Europe must be left by the wayside. Europe is all about opportunity and solidarity.

Ladies and gentlemen, many other projects will be launched over the coming six months. I cannot describe them all here, but if I can briefly outline two, I should like to commend the projects for European defence and the Union for the Mediterranean, which will be unveiled next Sunday in Paris. I see these as two opportunities for Europe to affirm its role in the world. Here too, it is up to us to translate this ambition into concrete action.

I wish the French Presidency of the Council every success, guaranteeing the full support of the Commission throughout the next six months, which promise to be exciting.

The first duty for politicians is to face up to challenges and redouble efforts to meet them successfully.

We can do a great deal together. I would like to pay tribute here to the efforts made over the past few months by French Government at the highest level to work closely with the European institutions. The institutions, the Presidency and the Member States must all work hand in hand. This is the key to the joint success that we owe the citizens of Europe, and I would like to pay tribute to the commitment expressed here again today by the President-in-Office so that together, the Council, Parliament and the Commission can find concrete solutions to the concrete problems that our citizens have to face each day.

Joseph Daul, *on behalf of the PPE-DE Group*. – (FR) Mr President, President-in-Office of the Council, President of the Commission, ladies and gentlemen, France has decided that its Presidency will be synonymous with political commitment.

We need political commitment to overcome the difficulties faced by European integration. The most entrenched of these is without doubt the Irish 'no' vote, discussed here this morning. We must engage our citizens in Europe. There are many reasons why they have doubts, including fears linked to globalisation, rising prices and changes in traditional family and social values.

If we cannot convince everyone that major issues such as security, climate change, energy and migration can be negotiated effectively only at European level – and with regard to the world's major regions, Europe must also be strong enough to convince the United States, India, China, and Brazil – we cannot envisage a peaceful future.

The French Presidency will also need political commitment to convince its partners that the Lisbon Treaty will help us decide more effectively and democratically on all of these common issues. Those members of my group who belong to the European People's Party would like all Member States who have not yet done so to ratify the Treaty during the French Presidency. After a period of reflection and with all due respect, we look forward, as we did with France and the Netherlands, to Ireland offering its 26 partners a solution to the impasse. We ask each Member State to refrain from any one-upmanship and to act responsibly. Our group would like to see an end to this institutional debate and we are confident that the French Presidency will work towards achieving this goal.

Presidents, ladies and gentlemen, while we are trying to equip ourselves with a better decision-making tool, our problems are building up. This is consuming energy that could be better spent on job creation, defending our interests and promoting our social model and Europe in general. As I said, we will certainly need political commitment. We should also make sure that we have the commitment to address the priorities that the President-in-Office of the Council has just unveiled. We must act urgently to tackle the issues of climate change, energy, migration, food security and defence.

On climate change and energy, the alternative is clear: either our Member States are convinced that they must progress and set an example ahead of the Copenhagen Summit, and if so, we must make clear decisions before December to ensure reciprocity from our international partners, or they have decided that, despite worsening climatic conditions and our energy dependence, there is no need to take urgent action. I hardly need tell you which way my political group leans.

On migration, too, we want an end to this hypocrisy. While a number of countries around the world have already adopted an immigration policy with fairly satisfactory results, most of our countries have delayed these choices. It is time for a debate and a decision on the subject, which must be positive, humane and responsible. The draft European Pact on Immigration and Asylum, which will be debated in October, is a step in the right direction, and I congratulate the EU ministers on their response this week to the draft prepared by Brice Hortefeux. You have our support, Mr Hortefeux.

Finally, I would like to mention two topics that are very close to my heart and are vital for the future and for our independence: food security and defence. I would like us to think of the most disadvantaged people, both around the world and in our own countries, for whom rising food prices are a real problem. I would like Europe and the French Presidency to make an effort to help them through these difficult times.

In terms of defence, I would just like to ask one question: how can Europe be credible without defence worthy of the name? We need defence to guarantee peace in Europe and to help the world's most disadvantaged people. Our group supports the commitment of the French Presidency to lead the way by making bold proposals to its partners in these two strategic areas.

Ladies and gentlemen, European integration is an eminently political affair. I am in no doubt that, if we are brave enough to make clear political choices, our citizens will rediscover a liking for Europe. I have every confidence that the new Presidency will encourage us in this and we have everything to gain in winning the trust of our citizens ahead of the 2009 European elections.

Martin Schulz, *on behalf of the PSE Group.* – (DE) Mr President, ladies and gentlemen, there are aspects of your views that we share, Mr Sarkozy, and I should first like to go into some of these in more detail. I am delighted that you have returned from Japan safe and sound. We have now heard again about the next series of commitments on climate change and it is time we delivered on these.

You are right that the climate package is a priority: it is one that our group shares with you. You are right, too, when you say that individual states cannot achieve this on their own – not even the Germans and the French, by the way, by reaching agreements on their own in Straubing. There are 25 other countries that are part of this and, above all, it is the European Parliament that makes the final decision. We shall do it with you, cooperatively, but do not take any initiatives on the side – not even with Angela Merkel, however good an idea that may seem to be.

Since you mention sport, I had a look at the French newspapers this morning, wondering what they would write today about Mr Sarkozy's visit to the European Parliament. Nothing! They write a lot about the Tour de France, and it is a German who is wearing the yellow jersey there at the moment.

(Heckling)

I listened closely to you, Mr President-in-Office, as you made your other points, about climate change and particularly about the Treaty of Lisbon. Indeed, if we want to deliver, we need instruments, and that puts us in a dilemma. The citizens want us to be more effective, more transparent, more democratic, and they want the national parliaments to be more democratic and have more influence. That is all correct but, every time we want to deliver, the instrument we need – a revised treaty – is snatched from our hands.

You are right: this means that we need a new approach, a fresh start. We need to try to bring this Treaty into force. I think it is great that you are going to Ireland and working constructively with the Irish people. If I may give you a personal tip, leave Bernard Kouchner behind in Paris this time. I had the impression that his previous contributions did not exactly help us to convince the Irish.

(Applause, heckling)

However, I am speaking about a matter on which we hold completely the opposite view to you. You spoke of four priorities for your Presidency, and I was waiting to see if there was a fifth. You then mentioned several other things you said were important – not priorities, just other things. These ‘other things’ included a social Europe, which you said was a matter for the nation-states. I believe that is a serious error.

(Applause)

I want to tell you that we expect a different approach from the French Presidency. A social Europe does not mean that we want to establish a social security office in Europe or that we want to bring in family allowance in Europe. A social Europe is about something else: for a long time, people have believed – and rightly so – that Europe can make economic progress possible. We have spent 50 years working to ensure that economic progress in Europe leads to more growth and more jobs, and always to a guarantee of more social security.

More and more people are now feeling that quite the opposite is true – that Europe’s economic progress is benefiting a few large conglomerates, certain insurance companies, hedge funds and large enterprises, but not the people. It is the task of the European Union to restore to them the feeling that growth in Europe, the economic progress of this continent, does not serve the banks and the large conglomerates but each individual citizen. Furthermore, if the nation-states have to guarantee this, then you as President-in-Office of the European Council are obliged to tell your fellow Heads of State or Government that they must make sure that social justice, rather than free-market radicalism, takes centre stage in their nation-states.

(Applause)

I should like to add that we have a European Court of Justice that delivers verdicts every day, and its verdicts can change the degree of social welfare in the individual Member States even though the Member States do not have any instruments with which to resist. This is why we need a social Europe, Mr President-in-Office, and this is why I expect you to change your mind on this issue by December. Otherwise, the Socialist Group in the European Parliament will not be able to support you.

Mr President-in-Office, fears about social exclusion lead to dangerous developments, and one dangerous development is that governments that are on the defensive believe that they can take people’s minds off this fear of social exclusion by hounding minorities. We are currently seeing this in one European Union Member State. I do not know what percentage of the Italian population is made up of Roma children, but I do know that when a government goes and says ‘they will be registered as by a police records department; they must have their fingerprints taken’, supposedly in order to provide them with social protection, that is a grave offence against Europe’s fundamental rights.

Your country, France, gave the European community of nations its first charter of fundamental rights. The first declaration of human rights came from your country. As President of that republic, you are part of the tradition of your country. I ask you, in your role as President-in-Office of the European Council, to influence Silvio Berlusconi’s government, and tell it that Europe is a community founded upon the rule of law, not a union of caprice.

(Loud applause)

The European Union faces many major challenges but, if we do not guarantee social welfare in Europe, people will turn away from this Europe and, when they turn away, the Treaty of Lisbon will not be of any use; the whole project will fail. We need courage, therefore. I know that you are a courageous man. We support your priorities; now support ours – a social Europe and climate change, institutional reform and human rights. Then your Presidency will be successful.

(Applause from the left)

Graham Watson, *on behalf of the ALDE Group*. – Mr President, I would put it to the President-in-Office that the Irish vote against the Treaty has made his impressively prepared presidency more problematic. It has also made the case for a practical, problem-solving Europe stronger than ever.

The energy and climate packages become more urgent every day. Capping VAT is a short-term sop: Europe should be cutting its dependence on oil and gas. We need much more investment in renewable energy: small-scale and localised to bring household bills down, and large-scale, such as using the Union for the Mediterranean to invest in high-voltage solar thermal power production in North Africa.

On Tuesday the G8, which is the source of nearly two thirds of the world's CO₂, approved an emissions-reduction target of 50%. But the emerging economies are right to say that the target should be higher – perhaps 80% – with interim targets.

To stabilise food prices we need good ideas, such as the recent CAP reforms of Commissioner Fischer Boel, not protectionism, however disguised. The truth is that people care more about the petrol price and the bread bill than about the grand aims of our Union. Today nobody should say '*Qu'ils mangent de la brioche*' ('Let them eat cake').

The President-in-Office is right to put the focus on migration. But migration will be manageable only when we manage the despair that leads so many to risk so much to come here. There should be routes for legal migration, a crackdown on people-smuggling, and reform of our farm policy to kick-start growth in the countries of origin. It may be optimistic to ask a French presidency to liberalise markets. But to bring security within our borders we must bring hope beyond them.

There is another way in which the French presidency can break new ground. France gave us the Rights of Man. Now France must lead in their defence. At home, by pressing ahead with the anti-discrimination directive. Abroad: by anchoring peace in the Balkans in a European Union future; by using the Union for the Mediterranean to improve human rights in North Africa; and by uniting in our dealings with Russia and condemning China's crackdown on dissent.

(FR) President-in-Office, do not go to Beijing. Play a team game.

(Applause)

It was Voltaire who told us: 'Mortals are equal; it is not birth, but virtue alone that makes the difference.'

And by taking a lead, Europe can demonstrate its virtue and demand that the dignity of every man and woman be recognised.

President-in-Office, to succeed, you will need to build consensus. You will need Parliament, Council and Commission to work together to a common agenda set by 27 Member States and this House. If we are to argue, it must be about that agenda, not its messengers. You have plunged into a polemic with the President of the ECB and with two Commissioners, but they represent our Union and the policies we have agreed. It is not the European way to divide and rule. We must stand on our principles but work together to achieve our common goals.

(FR) Mr President, I know I am coming to the end, but please give me '*soixante petites secondes pour ma dernière minute*' with Carla Bruni's husband.

(Laughter)

President-in-Office, if you stand on your principles and let us work together to achieve common goals, if you do that, Liberals and Democrats will work with you.

(Applause)

Cristiana Muscardini, *on behalf of the UEN Group*. – *(IT)* Mr President, ladies and gentlemen, to bring citizens closer to Europe there is a need, as I said in the European Convention for the new treaty, to give Europe a soul, that respects the various languages and identities, reaffirming common roots and values, and you have tried to express that soul in your speech today, President-in-Office.

As Strasbourg is symbolic of renewed peace, so today the European flag flies alongside the national flags, and should be a visible representation of the symbol of all citizens united by a common project for defence,

security, cultural and economic growth, and the transparency of the Central Bank: perhaps that is still missing from the new Treaty.

Politics needs to give young people definite goals. There can be no economic future without respect for the environment and there can be no respect for rights without recognition of the associated duties. We hope that the French Presidency includes in its objectives the European Charter of Duties. Democracy and freedom are based on the application of rules. The internet cannot be a tool of terrorism, child traffickers and incitements to violence. We need to harmonise our countries' laws, from immigration to the protection of minors, from energy to compatible progress.

A new Europe for a new relationship with Africa. Not just green certificates or trade but mutual growth, jointly sharing the Euro-Mediterranean project; we must think of the pockets of terrorism in Mogadishu and the violence in Zimbabwe that are preventing the development of democracy. There is too much hesitation within the EU: we are asking the Council to approve 'made in' so that international trade can have clear rules.

The fight against counterfeiting and illegality is an economic problem but it also affects our citizens' health, and small and medium-sized enterprises are a cultural value that should be defended. We offer the French Presidency our staunch support so that hopes may become reality shared by the citizens and so that, possibly, by supporting the development of scientific advances to combat rare diseases, we can also combat our intelligent friend Mr Schulz's endemic antipathy towards Prime Minister Berlusconi.

Daniel Cohn-Bendit, *on behalf of the Verts/ALE Group.* – (FR) Mr President, your European voluntarism, your ambition for Europe is a challenge that we share in the Group of the Greens/European Free Alliance. I would even say, to paraphrase a song that you know, 'it is a drug we are all hooked on.'

However, there is one thing that I would like to say. If we are ambitious enough to say that we must accept the climate package as it is one minute and that we will bow down before the German car industry lobby the next, then we have lost, because everyone will come and say: 'do not forget about us'. This is the problem. We cannot complain about petrol being too expensive, yet at the same time allow the car industry to build gas-guzzling vehicles. We have had the technology to build energy-efficient cars for 15 years now, but because there are no rules forcing manufacturers to do this, consumers are now paying for petrol at the price it is. This is the truth of the matter; this is how things are.

(Applause from the centre and left)

You mention the European Pact on Immigration and Asylum. Let us have a European Pact on Immigration and Asylum, then. Initiate a dialogue: for legal emigration, let the European Parliament take part under the codecision procedure so that we have a genuine political debate, a genuine democratic debate. I am fed up, Mr Daul, because whenever we talk about emigration, after 15 seconds we start talking about illegal immigration, the threat of immigration. First of all, if Europe is what it is today, it is thanks to the men and women who have built it with us. That is the truth.

(Applause from the centre and left)

Please, I am no angel, but we have built a house with no doors. People are coming in through the windows. I say to you: 'Let us throw open the doors so that people can come into Europe, and then we will decide what to do about those who come in illegally.' You say to us: 'We need skilled workers', yet at the same time, Europe sends home tens of thousands of students each year who have come here to study. Let them stay here; if they have studied here, they are not illegal immigrants.

Now turning to the points on which you said that the social dimension is not within Europe's remit. President-in-Office, you will not protect Europeans if we do not work together to combat social and fiscal dumping. We need Europeans to face up to this problem. We need to put a stop to it, and we stand by you on this. We need to have a discussion with the Central Bank? Let us have a discussion, then. We need to have a discussion with the Irish? Let us have one. We must stop saying that the social dimension is not part of the European remit. This cannot continue.

(Applause from the centre and left)

I now wish to turn to the issues on which we are deeply divided. You are going to China to attend the opening of the Olympic Games with the Chinese President. I hope you enjoy it! Personally, I will be thinking of all the prisoners rotting in Chinese prisons. I will be thinking of all those who have been arrested. I will be thinking of all those who are being mistreated in Tibet. You had a golden opportunity to defend the European

values of democracy and liberty by saying, 'I will not attend the opening ceremony of the Olympic Games, this masquerade of the Chinese Communist Party.' This is what we want to hear.

(Applause from the centre and left)

I can tell you that when you come to write your memoirs, you will regret what you have done. You will regret it because the people who locked up these innocent citizens will be saying to them, 'You see, we can do what we want: the Western world only wants our markets.' Mr President, it is a disgrace, it is pathetic, to go to the opening ceremony of the Olympic Games.

(Applause from the centre and left)

Francis Wurtz, *on behalf of the GUE/NGL Group.* – (FR) Mr President, President-in-Office of the Council, President of the Commission, I would like to focus my speech on the twofold nature of this French Presidency, namely its unquestionable strong point and its all-too-obvious weak point.

Its strong point, in relation to the usual tenors of the Union, is that it does not say that Europe is doing well and that it should continue along these lines when increasing numbers of Europeans think that it is doing badly and that things should change. So far so good. But what then? This is where the problem lies. What conclusions do you draw, Mr President, from this apparent lucidity about the crisis of legitimacy that the Union is experiencing today, in particular its economic model and its operating mode?

You say that you want to understand and that you respect the concerns that Europeans have about the Union, but you put pressure on the Irish people to go back on their decision, when they were only voicing, like the French and the Dutch, what millions of other Europeans are thinking. You criticise, rightly, the way the European Central Bank has been managing the euro from its ivory tower, but you never recommend re-examining the statutes which grant it all those powers and even assign it this task!

You state, on the subject of immigration, that you want to 'serve our values', but you supported the shameful directive, condemned by the United Nations High Commissioner for Human Rights, by all human rights organisations and by European churches, precisely because it violates essential human values. You ignore the social question – which, you say, should remain the sole responsibility of Member States – but you say nothing about the European Court of Justice, which delivers ruling upon ruling placing the different social models within the Union in competition with each other and basing itself on Articles 43 and 49 of the Treaty.

You say that you did not like the image of the 'Polish plumber'. Neither did I. This was an expression coined by the populist right and made popular on television screens by Mr Bolkestein. I say 'Welcome to workers from all countries' on an equal footing in all fields.

(Applause from the left)

This is precisely what current European law refuses. President-in-Office, may I remind you that, according to the Commission, in Lower Saxony, for the same work on the same construction site, a worker from another Member State can be paid half the minimum wage applicable to a German worker. This is what we do not want. Do you know what a man who cannot be accused of populism, namely John Monks, Secretary-General for the European Trade Union Confederation, thinks? He considers these decisions 'considerably problematic' because, he says, they decree 'the primacy of economic freedoms over fundamental rights and the respect of labour law.' What is your answer to that?

You claim that you want to build a 'Europe which protects', but we do not hear you criticising all those structural measures which make the existence of Europeans precarious: the obligation to open public utility undertakings to competition; the pressures of the Stability Pact on wages and social spending and the number of 'guidelines' prepared by the Commission and adopted by the Council, which you apply in your own country with zeal.

I could mention Guideline No 2: the reform of pension, social security and health care schemes. Guideline No 5: labour market flexibility. Guideline No 13: the removal of regulatory, commercial and other obstacles which hinder competition unduly. And I have not mentioned all of them.

The reversal of France's – and Italy's – position has just enabled the Council to go beyond the obligations that it set itself by agreeing on a draft Directive permitting a 65-hour week. This consecrates Dickens as the new father of Europe!

One last word, Mr President: this weekend, in front of your European guests – the President of Parliament, the President of the Commission and in front of 2 000 French right-wing business executives – you concluded your speech with words which were interpreted by the trade union movement in its entirety as an incitement – and a very unwise one – by stating that now, when there is a strike, the French people no longer even notice. The day after this lofty event, your Minister for Education explained that this was ‘a way of reassuring our European partners in the presence of the most eminent among them.’ Well then, if you must insult the trade unions to reassure European leaders, it is definitely time for change in Europe.

(Applause from the left)

Philippe de Villiers, *on behalf of the IND/DEM Group.* – (FR) Mr President of the Republic of France, in their daily lives the people of Europe unfortunately have to cope with the disastrous effects of the policies of the European authorities in Brussels and Frankfurt. The people of Europe are seeing more and more every day that all of their powers are trickling through their fingers, that their freedoms are being taken away, whether it be purchasing power, an expensive euro, GMOs, tax, fisheries, a lack of trade protection, immigration, or even football, which you yourself mentioned a few moments ago. Everything is trickling through their fingers, and I would say, Mr President of the Republic, President of the European Union, that everything is trickling through your fingers. You say so yourself, you point it out as a criticism. Well it is high time to act and to bring your actions in line with your words.

A moment ago you criticised the lack of Community preference, and you are right. However, let me remind you that it was removed by the Marrakesh Agreement, which you approved, and it is not in the Lisbon Treaty, which you drew up.

You deplore the irresponsibility of the Central Bank, and you ask for a debate to be started. As for us, we want decisions. Perhaps I can remind you here that this independence of the Central Bank, this irresponsibility that we see at work every day, was organised and formalised by the Maastricht Treaty. You regret having obtained the agreement of Brussels for a drop in oil taxation, but that is simply a consequence of the Treaties of Nice and Amsterdam, which you ratified through the parliamentary route.

In short, you complain today and every day about the effects of what you encourage every day, in other words stripping away the powers of the State for the benefit of post-democratic forums, made up of officials, bankers and judges. Your Presidency of the European Union is a historic opportunity to get Europe moving in the right direction again, a Europe rooted in the freedom of nations that respects democracy. This is why we are asking you to honour the vote of the Irish people and to pronounce the Lisbon Treaty dead. It is not the European people who have to reconcile with Brussels, it is Brussels that has to reconcile with the European people!

(Applause from the speaker's group)

Jean-Marie Le Pen (NI). – (FR) Mr President, here you are invested for six months in the rotating and brief role of President of the European Union. Unlike the majority of the French electorate, you have shown yourself to be zealously pro-European, even going as far as presenting once again, in the barely different form of the Lisbon Treaty, the Constitution which, along with the Dutch, the French people rejected in 2005. Alas, your plans have hit a snag in the form of the will of the Irish people.

The Lisbon Treaty is therefore void, despite all the schemes that it would seek to impose on the European people, the will of the ruling euro-globalist camarilla.

As a young member of parliament, in 1957 I voted against the Treaty of Rome, the first stage of a process which, according to its promoters, Monnet and Coudenhove-Kalergi among others, was to lead to the United States of Europe: this Tower of Babel that can only be built on the ruins of the nations, and first of all of my homeland, France. Since then I have been resolutely opposed to it.

We are told that globalisation is bringing about fundamental changes everywhere, that we must submit to. In reality, however, all over the world the nations are gaining strength, supported by fervent patriotism, apart from in just one area – Europe – where nations and homelands are sacrificed, dismantled and demoralised for the benefit of a project that has no strength and no identity, while waves of foreign immigrants gradually invade it and the opening up of our economic borders leaves it open to furious competition from the rest of the world.

None of the promises made to the European people in order for them to accept the loss of their independence, their sovereignty, their identity and their culture have been kept: neither growth, nor full employment, nor

prosperity, nor security, and the predominant feeling is of anxiety as we stand on the brink of a looming systemic crisis: energy, food and financial crises. In the meantime it is true that the media circus will continue. Yesterday, the European football championship, the tennis at Roland Garros, tomorrow the Olympic Games in Beijing, and today, the miraculous saga of an icon, Ingrid, who laughs, cries, prays and comes and goes on your brotherly arm!

In your desire to be the liberator, you got involved in the negotiations with the FARC terrorists, but it was not you or Mr Chavez who freed the Colombian Senator Mrs Betancourt. It was President Uribe who persistently, against the general movement of global progressivism, won a decisive victory over criminal terrorism. You made repeated futile attempts and you even went as far as inviting the repentant communist FARC terrorists to come and receive asylum in France; but to protect them from whom? From President Uribe, the democrat? As you have gone this far, why not the Taliban, Hezbollah or the Tamil Tigers? You are like the amphibia that was so dear to Césaire. Have no doubt, Mr President, all your talents in orchestrating the media will not be sufficient to ward off the imminent dangers that you will have to face before the end of the year.

Our Europe is a vessel that is going off course, battered by the wind and waves, the only region in the world that has deliberately dismantled its political and moral structures, that has no borders and is gradually being invaded by mass immigration that is only just beginning! Economically ruined by ultraliberalism, socially impoverished, demographically weakened, with no spirit and no defence force, it is doomed at best to be a U.S. protectorate, and at worst to the servitude of dhimmitude. It is high time to abandon the fatal illusion of federalism and build a Europe of the nations, united by more tangible alliances that will undoubtedly be more modest, but more effective. The dual failures of the Constitution and the Treaty should serve as a warning. The people of Europe do not want anything to do with these plans and will not allow them to be imposed on them because they do not want to die.

(The President cut off the speaker)

Nicolas Sarkozy, *President-in-Office of the Council*. – (FR) Ladies and gentlemen, thank you for your speeches.

I would first like to thank Mr Daul, Chairman of the Group of the European People's Party (Christian Democrats) and European Democrats for his support and that of his group, which will be invaluable to the French Presidency. I agree with your analyses and am sure you will understand that I will not go back over each of the points, even though your commitment regarding a defence policy is entirely necessary.

Mr Schulz, allow me to say that I appreciated the sense of responsibility in your speech. As with Mr Daul, we met and had discussions, and there are no secrets. Democracy should not be a shadow theatre. It should enable us to compare our ideas and try to reach a compromise. You can be sure that, as in the case of Mr Daul, the French Presidency appreciates the support of the Socialist Group in the European Parliament and your support on matters of consensus. Moreover, I do not see why I would say that this support is of less use to me because it comes from the Chairman of the Socialist Group, or why you would seek out conflicts with the Presidency under the pretext that I am not of the same political persuasion as you.

Allow me to say that regarding the energy and climate package, I am perfectly aware, and I also say this to Mr Daul, that it is Parliament that will have the last word; but better than that, it is not just a question of having the last word. It is the mobilisation of Parliament that will put pressure on the Member States that do not have the same ambitions as Parliament, the Commission and the Presidency. I would not say, Mr Schulz, that you will have the last word. I am saying that your commitment is absolutely critical.

I would also like to say to Mr Cohn-Bendit that it is not about getting down on bended knee in front of anyone, especially not the car industry, be it French, Italian or German. Why just target the German industry? In this case, the President-in-Office of the Council has to take into account the legitimate interests of each of the Member States. What we have to do is resist the industrial lobby while allowing it to have fair conditions, and clearly explaining that the fact that we are defending the energy and climate package does not mean that we are naive.

In other words, Mr Cohn-Bendit, as we want to achieve planetary balance, I would not like us to be accused of promoting relocations. It is not about respecting the environment and accepting relocations; it is about respecting the environment and rejecting relocations. Any other way of thinking is suicidal. If you ask the Member States to choose between the environment and growth, you will place us all at an impasse. Sustainable development and respect for the environment are factors in economic growth. This is why, Mr Cohn-Bendit, you will not resent my preferring Mr Schulz's or Mr Daul's analysis to yours, just this once.

Now, Mr Schulz, let us come to what you identified as a point of disagreement. Allow me to say that I do not think so. I would also like to say to you that Europe is not responsible for the fact that our German friends have not managed to reach an agreement on a minimum wage, but rather it is the German political debate that has caused you to reject a minimum wage. Do not saddle Europe with the responsibility for a social failing that is down to national political debate!

In this case, as President-in-Office of the Council, it is not for me to pass judgment. I would quite simply say, 'Do not ask us, Mr Schulz, to resolve problems that you Germans have not been able to resolve between you.' I would like to add that in France, in terms of social matters, we attach a great deal of importance to the minimum wage. What would social harmonisation mean? You Germans have rejected a minimum wage. We French want to keep our minimum wage. Social harmonisation would therefore mean that we would have to reject our minimum wage because the Germans do not have one. I reject this social regression, including in the name of my European ideal. Thank you, Mr Schulz, for allowing me to clarify my social commitments.

I would like to add, however, Mr Schulz, that you are entirely right about raising the moral standards of financial capitalism, the rules that apply to credit rating agencies and the entirely reprehensible conduct of some of our financial establishments, and I would like to say something else: in all of our countries there have been directors of large banks who liked to lecture politicians about the rigour with which affairs of state should be conducted.

Having seen what has happened in a number of large private banks, I would say that those who gave lectures were very poorly placed to give them, and that they should now prepare themselves to receive them. I would like to add, Mr Schulz – I say this under the watchful eye of Mr Watson – that I am against protectionism. I am in favour of freedom, but we can no longer continue in a world in which there are no rules, in which credit rating agencies do whatever they like, in which a number of financial establishments want to make billions of euros in a few seconds by speculating on the trading floors.

The Europe that we want, and, Mr Schulz, the French Presidency will make proposals on this subject, proposals for regulations to raise the moral standards of financial capitalism, because we can see now that the reasons that global growth has halted for a year is because of the sub-prime crisis and the crisis of confidence in the financial institutions, which have done whatever they like, whenever they like, lending money to anyone under any conditions. If Europe has any sense, it needs to restore some order to what has become the law of anything goes. I would like to say to Mr Schulz that I entirely agree with him.

Regarding the European immigration pact, I would like to say to Mr Schulz and Mr Cohn-Bendit that the French Presidency will involve the European Parliament. This is the best way to avoid excesses. You talked about the excesses, Mr Schulz, that are the practice in one country – it is not my place to mention it – but if we all agree on a minimum corpus for the cost, those excesses that you pointed out will no longer take place, and, Mr Cohn-Bendit, I am sure that Mr Daul would agree, why would the European Parliament not be involved in this? I am not sure that it would be institutionally possible.

(Off-microphone intervention from Mr Cohn-Bendit)

Mr Cohn-Bendit, I am aware of your generosity. In general you are always ready to give advice, especially to me. Even if I suffered from such modesty as yours, I would not need this advice. I knew that unanimity was required, but irrespective of that there is no need for unanimity in order for me to say to the European Parliament that the question of immigration is sufficiently important for it to be discussed politically, for you to be involved in it, even before there is a Lisbon Treaty or any modification of it. It is a political commitment that I am making and I will come with Bernard Kouchner and Brice Hortefeux to present the pact to you, to discuss it with you. We will consider with the President of Parliament and perhaps the Conference of Presidents the conditions under which you would like us to put this in place.

Mr Watson, difficulties provide an opportunity. Obviously, when one chooses to be the President of a country and has the responsibility of the Presidency of the Union for six months, if one does not like problems or difficulties it is better not to be European and not to be involved in politics. Personally I think that these difficulties are an opportunity. Can you see why? It is because they are an opportunity for us to move beyond our national selfishness and our partisan prejudices.

Allow me to say that, if everything were going well, my appearance before the European Parliament would not necessarily have gone better, because a year from the elections, when you have the wind behind you and everything is going well, everyone is thinking of their partisan or national interests. As I believe that here, in

the main, the vast majority of MEPs are Europeans, they are aware of the gravity of the situation. Everyone has to make an effort. I am not sure whether, Mr Schulz and Mr Cohn-Bendit, you would have been as open towards the French Presidency if things had been easier. Personally I think that these difficulties can be an opportunity.

There is one point, Mr Watson, on which I clearly made an error. I should have talked at more length about the European energy policy. There are a number of you here who wear particular T-shirts because you are against a type of power. I respect you. Others have made other choices. However, there is a point that could unite all of us, which is that we need a European energy policy, with transparency on stocks and pooling of resources on solar power, photovoltaic power, biomass power and hydraulic power. Forgive me for not having said it during my initial speech, but defining an energy policy – notwithstanding our differences on nuclear power, notwithstanding those differences – will be a priority for the French Presidency. I do not think that President Barroso will mind me saying this, as it is also his priority. This is something on which we cannot waste any time.

I would also like to say to Mr Watson that I am not protectionist. I never have been and I never will be. However, the Liberals also need to think about something: we are opening up our borders and we have benefited from it. However, at the same time the others cannot ask us to do here what they do not agree to us doing there. China, India, Brazil, Mexico – the big emerging countries – cannot say, ‘Open up your borders, reduce your subsidies, but here we will do what we want.’ That is not free trade, and that is not a service to give them. Just as loving your country is not nationalism, wanting reciprocity and protection is not protectionism. It is possible to be in favour of free trade and to want to establish a balance in that free trade.

Mr Watson, we will have more to discuss. Some place an emphasis on protection, others on freedom. Perhaps we can meet halfway.

Finally, allow me to congratulate you, Mr Watson. I think that in terms of songs we have the same taste.

(Laughter)

I will pass on your appreciation to the person concerned, and I am sure that she will sign her latest CD for you, Mr Watson. No hard feelings.

(Laughter)

Mr Cohn-Bendit, I have already answered many of your questions. I would like to discuss two subjects. The first one is the issue of students, which is an extremely important matter. Of course Europe needs to open up to training the elites of the whole world. I have even thought for some time that opening up to training the elites of the whole world means welcoming them into our universities and, at the same time, giving them the opportunity of initial professional experience. I am particularly thinking about doctors. However, Mr Cohn-Bendit, we need to be careful not to plunder the elites of the developing world. In France there are, and you should think about this, more Beninese doctors practising than there are in Benin itself. I think that Benin needs its elites. It is not refusing immigration to refuse to plunder the elites of the developing world. We will not exhaust this debate in a few minutes. I am grateful to you for the way in which you mentioned it, but you must understand that it deserves an in-depth debate and not caricatures. It is not a case of generous people on the one hand and heartless people on the other. There are statesmen and women who are going to try to find the best solution.

If you will permit me, I would like to say one thing about the issue of China, which is an extremely serious and extremely difficult issue. I would like to say, Mr Cohn-Bendit, that like everyone here, I heard the emotion in your voice, which is a credit to you, and I would like to say that I share your feelings. I would also like to say to Mr Watson, who asked me to be a team player, that this is exactly what I have done, because as President-in-Office of the Council, I spoke to all the Member States to find out what they thought and whether any of them were opposed to my taking part – I will speak in a moment about the substance; I am speaking first about the form. I would like to say that I received agreement from all the Member States to attend the Olympic opening ceremony. As you know it is a difficult subject, which I think we need to tackle very carefully, as we cannot afford to get it wrong.

However, Mr Watson told me to be ‘a team player’. I want you to know that I discussed this with all the Member States. None of them were opposed to my taking part, and currently thirteen of them will be represented at the opening ceremony. This is not a reason, Mr Watson, it is simply a response to the issue of being a team player.

Now, if you will, let us get to the heart of the matter. I understand those who say that Europeans should not attend the Olympic opening ceremony in Beijing. Everyone has the right to have a view on the best way of defending human rights, and I have to respect those who say that we should boycott the ceremony. However, my personal opinion is – and I think that this opinion should be respected, because it is respectable – that it is not by humiliating China that we will make progress on the issue of human rights, but through a frank and direct dialogue. I would even like to say this: I do not think that we can boycott a quarter of humanity. I do not think this is an intelligent or responsible choice for someone who has the responsibility of being the President-in-Office of the Council to say to a quarter of humanity, ‘We will not come; we are humiliating you in the eyes of the whole world.’ I want to go there and I want to talk.

Regarding the core issue of defending human rights, we are in agreement. Regarding the way in which to defend those human rights, acknowledge that there can be a debate and that the debate will not end with the issue of the Olympic Games. I therefore want to go there, talk about human rights and defend them. I am even going to go further than that, Mr Cohn-Bendit. There are things that I will not say to China, because China should be respected; but there are things that China should not say to the European countries, particularly not to France, because France and the European countries should be respected just as China should be. It is not up to China to fix my schedule and appointments.

In the same way, it is not up to me to fix the schedule and meetings of the Chinese President. I will therefore defend the issue of human rights, and, at the same time, as a head of state, I have to consider something. We always talk about agreements. I would like to challenge this, as for a democratically elected head of state it is not illegitimate to defend the economic interests and jobs of his fellow citizens. I want to talk about something else. China is a permanent member of the Security Council. We need China in order to put an end to the scandal in Darfur, because China is influential in Sudan. We need China in order to isolate Iran, so that neither Iran nor anyone that dares to say that they are going to wipe Israel off the map has access to a nuclear bomb. How can we say to China, ‘Help us to establish peace in the world, to ensure stability in the world’, and at the same time boycott the country at a time when it is hosting a fundamental event for 1.3 billion inhabitants? That would not be reasonable, it would not be responsible and it would not be worthy of a self-respecting statesman.

(Applause)

Having expressed my respect for the opinions and feelings of Mr Cohn-Bendit, and of everyone in this House who thinks the same way, I would finally like to add this: respect those who, like us, think as I do. Before going, I questioned Mr Watson and Mr Schulz, the Chairman of the Socialist Group, and I think that I can say on his behalf that he is entirely in agreement with the need not to boycott China. He is a socialist, I am not. I questioned Mr Daul, who is entirely in agreement with this.

I would like to say one last thing. Look at what China did in terms of being pragmatic regarding the issue of Hong Kong. Remember, ladies and gentlemen, that it was a very difficult matter. Fifteen years ago, there were demonstrations in Hong Kong. China was able to be pragmatic in resolving the issue of Hong Kong. Look at Macao. China has been able, through dialogue, to resolve the issue of Macao. I am even going to go further. Look at the issue of Taiwan today, where the progress made by President Hu Jintao on Taiwan is remarkable. Five years ago, everyone thought it inevitable that there would be a confrontation between Taiwan and China, which is not the case. Will we move China forward through frank, courageous, direct dialogue, or through humiliation? I have chosen dialogue, frankness and courage.

(Applause)

Mr President, just one minute, out of courtesy to Mr Wurtz. First of all, I would like to say to him that he can be reassured that I am not insulting the unions, but I thank him for pointing out that France can be changed, as is currently happening, without paralysing it. It is an insult to the unions to think that their only use is to paralyse. The unions have a role of social democracy, just as political leaders do. No more and no less. However, what I meant to say is that no one has the right to take users hostage. I am sure that a man as courteous as you, Mr Wurtz, who has never blocked anything, can understand what I am saying.

For the rest, Mr Wurtz, we do not agree, but that does not prevent me from greatly appreciating the way in which you express your disagreement.

Mr de Villiers, I would like to say that I understand your discourse even more given that you indisputably represent a significant political tendency in our country, but also in Europe. I will even say better than this, Mr de Villiers. Personally I do not take your discourse as a discourse against Europe but as a call to build

Europe in a different way. Mr de Villiers, I do not want to pit the 'yes' camp against the 'no' camp. I simply want to try to integrate everyone into a different Europe, based around democracy, peace and growth. I noted your reservations, I am aware of them and I will try to respond to them, not with words but with facts.

As for you, Mr Le Pen, as I was listening to you I was saying to myself that for years France had the great misfortune of having the most powerful extreme right wing in Europe. Listening to you, Mr Le Pen, I am very glad that this has come to an end.

(Loud applause)

Philip Bushill-Matthews (PPE-DE). – Mr President, I welcome the President-in-Office of the Council. Firstly, may I thank you, Sir, on behalf of the British Conservative delegation for your hospitality last week and say how much we look forward to working with you to ensure a successful presidency.

We are confident of your energy and your commitment and, having read a very good book recently, we are confident of your vision. I refer, of course, to your own book *Témoignage*. For those colleagues who have not yet had the benefit of reading this remarkable work, may I suggest that you do so and, in particular, I recommend that you open the book on page 146. There you describe the follies of the 35-hour week and you describe the benefits: to use the UMP slogan, '*travailler plus pour gagner plus*'. You go on to say: 'Rather than the uniform and rigid policy of the 35 hours and the guillotine of retirement at 60, I think our fellow citizens expect a policy of free choice which permits those that wish to earn more to work more and for everyone to regulate their own working hours according to their lifestyle.'

President-in-Office, you have got it in one! That is the true social Europe. It is not for governments to force people to work more or compel them to work less, but it is for governments to enable people to work more if people choose to work more.

Your party is about freedom; your party is about choice, and that is what the British Conservative Party is about as well. So, if these principles guide your presidency, we shall be alongside you all the way. When the Working Time Directive is revised, we shall be on the side of freedom and choice; when the Temporary Workers Directive is reviewed, we shall, again, be on the side of freedom and choice.

Finally, President-in-Office, let me say that our parties should not just be about enabling free choice; they are also about respecting the people's choice once the people have freely chosen. Therefore, I urge you to respect the choice of the people of Ireland in their recent referendum. I urge you to regard their decision not as a problem to be addressed but as an opportunity to be grasped – an opportunity for Europe to reconnect with its people. This will, of course, take much work with you and your colleagues on the Council. But as you yourself have said: *travailler plus pour gagner plus*.

Bernard Poignant (PSE). – (FR) Mr President, I am a French and European socialist. This means that in Paris, I am not one of your supporters, but in Strasbourg, I am not entirely one of your opponents, especially when I see you surrounded by two social democrats. Even if my President is in the wrong in my country, he is still my President. I therefore wish the French Presidency, and therefore the European Presidency, success.

Since the start I have relaxed while observing you, because I understand your desire to be in the French Parliament. What I am seeing is a head of state, certainly, but also a somewhat frank Prime Minister. Regarding the social chapter and your priorities, I think that a distinction needs to be made. There are indeed matters that need to remain national. I am thinking about pensions. However, for everything that affects employment, such as a single market, a single currency and free movement, we need to aim at harmonising towards the best that we have.

A distinction therefore needs to be made. I would like to add that, in this chapter, I would have liked you to put considerable effort into establishing a framework directive for public services. You did it for restaurateurs, and it needs to be done for public services.

Finally, I do not think that the European crisis is only social and democratic. I think that it is also an identity crisis. From the point when peace was obtained, freedom won and democracy established, the world as it is has made it difficult for many of our citizens to see and understand the meaning of the history of the Union.

That is why matters such as culture, education, the mobility of artists, young people, students and twinning, all of those things are fundamental, because European consciousness can no longer be taken for granted. It will build itself up, and I think that these subjects need to pervade the French Presidency.

Finally, obviously we are going to judge you on six months. For a French person that is fine, because in France that is a long time, as you know. So in December we will have the results. What is certain is that the Treaty will definitely not have been ratified. You wanted a simplified treaty, and you have a complicated situation, so get yourself out of it!

I would like to conclude with a phrase that I have borrowed from a Polish writer, which says this Mr President, if you will allow me, 'Being French means taking into consideration something other than France.' That is the reputation we have, and perhaps you have too a little bit, Mr President.

Nicolas Sarkozy, *President-in-Office of the Council*. – (FR) Mr President, I would like to sincerely apologise to Cristiana Muscardini because I got so carried away by my enthusiasm that Mr Poignant so kindly highlighted that I forgot to respond to you and say how much we will need your group.

I am aware of who is part of it, and I know that you are among those who love Europe, and that there are MEPs who equally love their nations. Mrs Muscardini, you can be sure that I will take your remarks fully into consideration, and that during the next six months I will try, along with the European institutions, to build a Europe that responds to your concerns.

So, you are the one who has shown – proving Mr Poignant right – that I am forgetful of how overrated my reputation is.

Marielle De Sarnez (ALDE). – (FR) Mr President, a few weeks ago Ireland said 'no', and I think that, as we all know, this illustrates the increasing split between European citizens.

This 'no' should obviously not be underestimated, and I think that, on the contrary, it should force all political leaders to take into account the expectations and concerns of the people and try to provide answers to them, whatever treaty is in force. It is not the case that if we had the Lisbon Treaty tomorrow everything would disappear with a wave of a magic wand.

The French Presidency has chosen to focus on four areas, which is obviously very helpful, especially regarding climate change. However, during this time of deep crisis, a financial and food crisis, an explosion in the price of raw materials, and increasingly scarce and increasingly expensive oil, I think that what the people are expecting is not only a matter of issues, but also a matter of vision; what the people are expecting is a matter of prospects.

Right now I would like to suggest three avenues for reflection. The first concerns the fundamental, essential issue of our identity. I believe, I have a deep conviction, that there is a European model, that there is a European blueprint for society. This European model is economic, sustainable and also social. This European model, for example, seeks to combat the growing inequalities. There is, therefore, a European model, and we should be proud of it, we should assert it, carry it, take it up, defend it and protect it. That is the first avenue.

Then there is a second avenue for reflection. I think that we need a new vision for the organisation of the world. In saying that, I am thinking particularly of Africa. I am thinking of the issue of agricultural products; I think we should stop subsidising exports of our agricultural products and instead work towards Africa being self-sufficient in terms of food and energy. This is the new revolution that we need in order to have a fairer world in the future.

(Applause)

Finally, I believe, and we should never stop reminding ourselves of this, that there are European values that we should never renounce: they are called democracy and human rights, and they are valid for us in Europe, and will be valid in the future of the Union for the Mediterranean, where it will not be about doing business above all while neglecting human rights. The issue of human rights is essential for the coming decades; it is the deep-seated identity of Europe and deserves to be defended.

Mr President, these are some of the questions that I feel are before us; they concern fundamental matters, in other words, the vision and the deeper meaning that we must and want to give to Europe. These questions are not only a matter of politics, but also a matter of conscience.

Brian Crowley (UEN). – Mr President, I would like to welcome President Sarkozy again to Strasbourg and to congratulate him on engaging with Parliament, for being real with regard to ideas, even though he knew there would not be general agreement across the House with regard to those ideas.

For too long we have been hoisted with the petard of failed ideologies of the past, the failure to look to the new frontiers which come before us and to meet those challenges head on. We have played safe by falling back into the comfort zone of either past imperialistic ideals or post-fascist commands or even, dare I say it, new 20th-century thinking with regard to human life and human rights.

Because the complexity of the world today is very different and far more varied than what can be offered by any one single ideology or any one single plan. And rightly you mention the importance of engaging with other governments around the world: with China to solve the problem of Chad and of Sudan, ensuring that the problems with regard to Africa and the developing world are met head on.

We are already commemorating today the lives of seven peacekeepers in Sudan who have lost their lives under a United Nations mandate, simply because of a failure of governments to intervene properly and put pressure on the authorities in Chad and in Sudan to protect the lives of refugees and asylum seekers.

It is all very well to speak woolly words here in Parliament about the importance of immigration and allowing the free movement of people. It is better if we allow people to stay at home. I come from Ireland, a nation that had to export 12 million of its people over a hundred years. None of them wanted to leave Ireland. They were forced to leave Ireland. If we give people the opportunity to remain in their own countries, give them support through the mechanisms of the policies that we set up, whether in trade or other areas, then we can do it.

Finally, Mr President-in-Office, you spoke earlier about how you felt the legitimacy of your position in bringing the ratification of the Lisbon Treaty before the parliament was the only way to do it. I agree with you. That is right for France. But equally legitimate is the right to have a referendum and that should always be protected. It is not an either/or. There are problems and difficulties with regard to the result in Ireland, but that is not just a problem with regard to Ireland's relationship with Europe. It is reflective of a deeper malaise for the people and Europe.

Mikel Irujo Amezaga (Verts/ALE). – (FR) Mr President, right now I would like to ask you about the position of the French Presidency regarding linguistic diversity. Diversity is a founding principle of Europe. All the languages in the world are part of humanity's heritage, and it is the duty of public institutions to take action to protect them.

(ES) Mr President, the Council conclusions of 22 May on multilingualism invited the Commission to draw up a detailed framework on this subject, which it has announced that it will do by the autumn.

What will the position and actions of the French Presidency be regarding the multilingualism policy? What is the Presidency's position going to be and what role does it intend to give to the non official EU languages, which are also called 'regional' and 'minority' languages?

Because, Mr President, as we await the vote in the French Senate next week, France is currently a very bad example to all those of us who believe that linguistic diversity is a common heritage of all Europeans.

(The speaker continued his speech in Basque)

Nigel Farage (IND/DEM). – Mr President, I should like to reply to Mr Sarkozy. You are a very good orator, Mr Sarkozy, but I am not so sure that you are that good a listener. This presidency programme that you have unveiled this morning shows that you want a European Union that controls literally every single aspect of our lives, everything from a common immigration policy through to how we run our hospitals and our football clubs.

I also took it from your comments that you want us to be very isolated from the rest of the world, that if people do not have the same standards as us we are not going to trade with them. But worst of all, it is the sheer arrogance of saying that you know best when it comes to the European project. You are showing contempt, not just for the Irish people, but for the very concept of democracy which you say you are a champion of.

You said the Polish President must keep his word, that he must ratify the Treaty because that was his agreement. Well, the Irish people have spoken. Will you respect the Irish vote? Will you keep your side of that bargain which says this Treaty is dead? I do not think that you get it, do you? The peoples of Europe do not want deeper political integration. That is why in France they said 'no', and in Holland they said 'no', and in Ireland they said 'no', and if we had a vote in Britain an overwhelming majority of us would have said 'no'.

What price democracy, Mr Sarkozy? You are going to Dublin on 21 July. Please do not try to do with them as you did in France and try to bypass a second referendum, try to get them to change the rules and to ratify this Treaty through the back door. That would be showing utter contempt for democracy. Please do not do it.

Margie Sudre (PPE-DE). – (FR) Mr President, President-in-Office of the Council, in order to meet our expectations and those of our fellow citizens, the Council that you preside over and Parliament must demonstrate a clear, understandable and concrete political will. Your presence at the head of the Council is already a guarantee of determination. In this respect, we have all seen, here in Strasbourg and in Brussels, the quality of preparation for this six-month Presidency, and the extent to which the members of the French Government make themselves available.

The priorities that you have just set out are the right ones to respond to the concerns of EU citizens. In the same way, the other challenges that you raised, including the economic governance of the euro area in response to the explosion of global prices of raw materials and hydrocarbons, or the creation of an area of stability and prosperity in the Mediterranean Basin, are entirely representative of your commitment to a European Union that is more reactive to problems and more attentive to its population.

In response to public opinion, where there are doubts and people sometimes give in to the temptation to withdraw to national level in order to solve problems, it is more important than ever to point out that our continent has a considerable number of assets and is still one of the rare areas of stability in a world that is increasingly unpredictable. The European Union should seek to demonstrate that it does not undergo globalisation without protecting its people, and I welcome your commitment to proving that.

Finally, as the Union is going through a significant crisis of confidence, we sincerely want the French Presidency to bring an end to the more than fifteen years of efforts to reform the functioning of the enlarged Europe. We need the Lisbon Treaty to come into force as soon as possible, which you have strongly affirmed. We all have confidence in you to negotiate with our Irish friends and to convince the few Member States that are still hesitating to ratify it and to do so once and for all.

Mr President, you said last weekend that you were not ready to put your European flag back in your pocket, and indeed we have seen that you have raised it under the Arc de Triomphe next to the French flag. We interpret this symbolic gesture as proof of your determination to act in the service of the Community, and we thank you, Mr President.

Poul Nyrup Rasmussen (PSE). – Mr President, may I just address the President-in-Office and say that I am Rasmussen I, not to be confused with Rasmussen II, but I want to assure you of one thing. You talk wisely about the new Lisbon Treaty, and I say to Mr Farage that he has forgotten the Danish case. We voted 'no' to Maastricht but we voted 'yes' to the Edinburgh agreement and we would never ever dream of saying that because we voted 'no' in the first instance we will block the rest of Europe. We would never say that. Mr Farage is wrong: this is not democracy.

I want just to assure you, Mr President-in-Office, and assure France, that we found the solution for Denmark and we will find a solution for the Irish people.

My second point is this: I have an appeal to you on behalf of the European Social Democratic Party and all my colleagues and leaders and political family. My appeal is that you should add one more priority to your four priorities. My priority – and I hope it will be yours, I know it is yours – is about jobs, is about growth, is about sustainability. You said – and I was so happy to hear you say it – 'We need better regulation of the financial markets'. I could not agree with you more. We are just working right now in this very Parliament on getting a report through and I hope – and I appeal to my colleagues in the PPE-DE and ALDE Groups – that we can deliver to the French presidency a wise report on better regulation.

I am talking about transparency. I am talking about better regulation on fairness, bonuses and stock options and all the rest you talked so wisely about. I am talking about accountability, responsibility, to ensure that the financial market is a long-term patient financing power to our long-term investment needs for more jobs and better jobs.

Connected to that is another idea for you. You are right in saying that we are losing growth right now, we are losing jobs right now, especially in the UK, in Spain but also in France. Why do we not take a new initiative for growth, a new coordinated investment action? Imagine the following scenario: if we invest just one per

cent more together in education, in structure, in all relevant issues, within the next four years we will get at least 10 million jobs in addition to what we now have. Imagine what we could do together.

You said that sport is more than the market economy. I would add: I agree, and that goes for the whole of Europe. Europe is more than the market economy. It is about jobs and people. Let us care about them. I wish the French presidency every success.

Silvana Koch-Mehrin (ALDE). – (FR) Mr President, you said ‘France cannot pass judgment on the Irish “no”’.

(DE) I agree. The Irish ‘no’ must be respected. The Irish people are fully within their rights to vote as they have done. However, all the other countries in Europe also have the right to proceed along the road to a more democratic, more transparent Europe that is more capable of taking action. The Treaty of Lisbon is a step in this direction. Therefore I welcome the fact that ratification is being continued. However, I also think – and here I do not share your view, I disagree – that it would be good to speak openly about the fact that a multi-speed Europe already exists. Think of the euro, the Schengen Agreement, the Charter of Fundamental Rights and many other areas. The sensitivities and wishes of the Member States of the EU are reflected in their choice of different speeds for things that they undertake together.

A multi-speed Europe makes it possible for countries that want to do more together to do so, for it is important that we maintain the voluntary principle in Europe. It is important that the countries who want to do something together do so voluntarily and that all countries have the option of joining in at any time. No country should be forced into a greater degree of solidarity.

A multi-speed Europe also makes it easier to continue accession negotiations. I believe it is wrong for Croatia and Turkey to be punished because the majority of Irish people voted no.

Mr President-in-Office, you are quite rightly proud that your country is the home of human rights. Human rights are timeless; they are universal. The Olympic Games are a sporting event, not a political event. Therefore, I believe it is wrong for you to want to go to China for the opening ceremony, and I am glad that the President of the European Parliament, Mr Pöttering, will not be going to China.

Mr President-in-Office, let me say in closing that you found on your seat a greeting from many of my female fellow Members – a rose and a letter. The letter asks you to play your part in getting more women to the top of the European Union. Women are pinning their hopes on you as a ‘ladies’ man’. Please allow me to add one more request: as a democratically elected representative, I hope that you will support us in ensuring that this European Parliament is able to take an independent decision about where it is based.

Adam Bielan (UEN). – (PL) Mr President, President-in-Office of the Council, first of all I would like to offer you my sincere congratulations on taking over the Presidency of the European Union. This will not be an easy presidency. It coincides with a difficult period, but of course I wish you success. Ireland has rejected the Treaty of Lisbon. We cannot rule out the possibility that Ireland will change its mind in the future, but it is definitely not acceptable to try to influence the Irish decision by means of threats, just as the French and the Dutch were not threatened when they rejected the Treaty three years ago and set today’s problems in motion. EU countries must not be divided into better and worse. I therefore thank you for saying today that none of the 27 Member States can be excluded from the European family, as the lady who spoke before me, Mrs Koch-Mehrin, might perhaps have liked to do.

Mr President, I would also like to take this opportunity to thank you for the recent opening-up of the job market in France to Poles, among others. We had waited some time for this to happen – a lot longer than in other countries, but better late than never.

One thing I missed hearing in today’s speech was any reference to our largest European neighbour, Ukraine. I nevertheless hope that the summit planned for 9 September 2008 in Evian will bring us significantly closer to the signing of an association agreement with Ukraine. After all, just now a clear signal from us is of particular importance to our friends in Ukraine, especially at a time when there are further threats from Russia.

Finally, on behalf of the millions of Europeans who are currently afflicted by ever-increasing costs, I would like to thank you, Mr President, for your efforts towards bringing down VAT on fuel. I would like to hope that during the French Presidency you will succeed in winning other leaders over to this idea, including the Prime Minister of my own country, Poland.

Werner Langen (PPE-DE). – (DE) Mr President, ladies and gentlemen, I should like to pay an explicit compliment to the President-in-Office of the Council. This is the 29th Presidency of the Council that I have experienced, and I must say without reservation that I have never seen such a convincing presentation of a programme and a European idea as this, and I say that in all honesty.

(Applause)

There has been only one other time that a President-in-Office of the Council was received even more warmly, but that was only at the opening. By the end, he had delivered nothing on the agenda. That was the British Prime Minister, Tony Blair. We are sure, President Sarkozy, that you will finish your Council Presidency in six months' time with good results. The way you have explained everything today – the way you have dealt with points put by our Members, the fact that you have familiarised yourself with the dossiers, and that you are not presenting a 'wish list' but a series of priorities backed up by good reasoning – all this gives me hope that you are indeed capable of carrying out your ambitious programme.

If it is a matter of working with you to bring the climate package to completion, you can count on the support of this Parliament. However, I fear it is more likely that there will be further problems within the Council, problems with the responsibility of the Council and of the individual Member States: that the quotas envisaged will not be accepted there. We also agree with you that nuclear energy needs to be represented in this climate package. Here in this Parliament there is a clear majority in favour of the civil use of nuclear energy. Do not let those T-shirts confuse you.

When it comes to Germany and France wanting to take over the leadership of the European Union together in matters of content – not for major declarations of a global political nature – then we are on your side. I must tell you that Mrs Koch-Mehrin was obviously not listening when you explained the reasons behind your position on China. That was a foreign affairs tutorial for this Parliament, and I can only encourage you to remain as consistent and undeviating as you have been in these matters.

Robert Goebbels (PSE). – (FR) Mr President, President-in-Office of the Council, President of the Commission, 10 nations produce 60% of the global carbon dioxide emissions. These 10 countries include only one European country – Germany. The 27 EU Member States represent only 14% of global emissions. The United States, 17%; Brazil, Russia, India and China have cumulative emissions that exceed one third of the global carbon dioxide emissions. All of this proves that European initiatives to combat climate change will continue to be in vain without comparable efforts from the Americans, the Chinese and the other industrialised nations.

While awaiting such an agreement, Europe must fight against carbon leakage. Currently no large industrial group is making investments in Europe. ArcelorMittal is closing in France but investing in Brazil, Russia, Turkey, India and China. ThyssenKrupp is investing in Brazil; the Austrian Vöest Group is investing in India. In North Africa 10 factories are currently being built to produce floating glass for the European market.

In the absence of a specific commitment from the other industrial States, Europe must show its determination to defend its industrial fabric, its industrial know-how. Imposing sacrifices on European citizens will not serve any purpose if the rest of the world does not follow suit.

(Applause)

Jean-Marie Cavada (ALDE). – (FR) Mr President, President-in-Office of the Council, like the President of the European Parliament, like many other fellow Members, I am a child of the ruins of the Second World War, and I very much appreciate the dedication that you therefore put in your speech, which flouts scepticism. I see scepticism as something that belongs to the spirit of Munich, and it is the acid that dissolves the European will. That is why I very much appreciated the energy that you put into a speech which, as Mrs Lulling just said on television, for example, we found clear, precise, and, I can say without the least affectation, convincing.

The second thing that I would like to say, Mr President, is that of course you are right and this has to be said here. The fears in Europe and the threats to it were certainly largely during its construction in the 1950s, but while the nature of these fears has changed, there are obviously still a great number of them today. That is why there needs to be an absolutely determined response.

I am very happy with the priorities: I will say that frankly, because they are real, and in particular the immigration policy which will be conducted by your Minister, Mr Hortefeux, our former fellow Member. Two years ago I had the honour of representing the European Parliament at the Euro-African Conference in Rabat. For the first time it brought together the countries that had the same responsibilities, whether as countries of origin, transit, or reception of immigrants, and, as Mr Watson said a moment ago, I think that

it is very important, especially – and why not? – through the structure of the Union for the Mediterranean, to have a generous policy of proximity and surveillance.

Finally, one last thing, Mr President, do not forget that the reason that Europe has a unique influence throughout the world is because it is a cradle of culture; because it is culture that cements our differences; because culture is the platform for our political systems, and that is why we are viewed in a completely different way. Your energy will probably also be needed if there is to be determination in this field of culture too.

Jan Zahradil (PPE-DE). – (CS) Mr President, I should first of all like to show my appreciation for the fact that France has opened up its labour market to new Member States from 1 July and thus removed one of the last barriers between the old and new Member States. I only hope that Mrs Merkel will follow this example. France, the Czech Republic and Sweden have together prepared an 18-month presidency programme and I am pleased that this prioritises the issue of energy, which is absolutely key, and also the issue of reforming the common agricultural policy, because this relates to the financial framework after 2013 and thus to what money is going to be available to us in the future. I appreciate the fact that France wants to resolve these current issues and problems, because this is what worries and interests people.

On institutional matters, I am speaking not as a member of the PPE, but as a member of the DE, so it is probably no surprise that we shall not be in complete agreement here. I believe that we cannot stand before the Lisbon Treaty like a rabbit caught in headlights. It is not the end of the world and we do not wish to create an atmosphere of crisis, so the situation must be resolved calmly, without any political pressure, without any legal tricks and in accordance with our own rules. These rules state that no treaty can enter into force without unanimous agreement and we do not have such agreement at present. I do not believe that it is impossible to expand further without the Lisbon Treaty. I believe that Croatia at least can be accepted into the European Union without the Lisbon Treaty. Similarly I do not believe that we have to make a choice between Nice or Lisbon. We certainly have several options and we must be able to look at them soberly and without hysteria and to resolve the situation. In any case, Mr President, I wish you great success in your leadership of the European Union.

Pasqualina Napolitano (PSE). – (IT) Mr President, ladies and gentlemen, we have followed the Union for the Mediterranean initiative, on which next Sunday's summit in Paris will focus and we hope that the initiative is successful.

I would like to clarify a few things, however. This initiative aims to reinforce the multilateral Euro-Mediterranean dimension. I believe this is right and that we should go in this direction. I think that if there is a policy that needs a critical appraisal, however, it is the neighbourhood with the southern countries, because the neighbourhood policy actually brings countries into competition with one another that are very divided. So we need to work on integration between these countries and between them and Europe, and channel resources into that as well.

I will tell you this openly, President-in-Office of the Council, that we really did not appreciate – and I am saying this to President Barroso as well – your stopping funding for the *Audiovisuel Méditerranée* programme, which was the only cultural co-production instrument. You have said that there is a European cultural exception but I would add, Mr President, that there is a Euro-Mediterranean cultural exception. If you consider the world's top twenty intellectuals, in the top ten you will find many from the Muslim culture and a great many Euro-Mediterranean ones.

So let us help one another to put in place effective policies to change the lives of many people in these countries, especially young people and women, who place hope in Europe. We do not need good students: we need to change the reality of this relationship and Parliament is very ready to cooperate with your Presidency if you intend to move in that direction.

José Ignacio Salafranca Sánchez-Neyra (PPE-DE). – (ES) Mr President, the priorities of the French EU Presidency are realistic priorities that in my opinion are sufficiently capable of responding to what Mr Durão Barroso, the President of the Commission, was saying, to the criticisms that Europe is impotent and incapable of responding to the daily concerns of our citizens: the constitutional problem, food and energy prices, the Europe of defence, and immigration.

Today, the death of an immigrant in a refrigerated lorry in the Channel Tunnel, or thrown overboard from a *patera* boat heading for the Canaries – as happened just a few hours ago – is one of the greatest contemporary

tragedies. It is a serious and urgent problem and the European Union needs to come up with an adequate response.

The Chairman of the Group of the European People's Party (Christian Democrats) and European Democrats, Mr Daul, spoke of the need to mobilise political will and I think that this Presidency has absolutely no shortage of political will.

However, Mr President, political will is necessary, but not sufficient: circumstances also count, and even if they are passing, short-term or temporary, while they exist they affect us and place limitations on us, and I welcome the fact that President Sarkozy said that we need to convert circumstances into opportunities.

I regret the fact that Mr Schulz is not here with us now, because when he talked about sport it brought to mind a particular circumstance. I would like the yellow jersey to be Spanish once again, as was the case in the first stage of the Tour de France.

You are right, though, President-in-Office, that there does need to be a European dimension to sport, and several MEPs have asked me to pass a request on to you to consider whether it would be appropriate for the French sportsmen and women who are going to take part in the Olympic Games, which we have discussed here today, to wear an EU emblem next to the national flag, so that other Member States can voluntarily join in such an initiative.

President-in-Office, we hope that the French Presidency will be capable of joining forces and forging consensus so that, as you proposed, the European Union can move forward decisively under your Presidency.

Harlem Désir (PSE). – (FR) Mr President, President-in-Office of the Council, you wanted to place your Presidency under the aegis of the Europe that protects, and I think that there is indeed a very high expectation among European citizens. However, this is why there is a contradiction here – and you understood the key message from the Socialist Group in the European Parliament – with the fact that the social dimension of European integration has not been given the status of one of the four main priorities of your Presidency.

Indeed, as we have seen in recent referendums, people are questioned regarding the institutions and the treaties, but in fact they respond on the basis of the progress of European integration, and finally on Europe's policies. I think that the imbalance that has been created in recent years between the progress of economic integration – which has been pursued and this is a good thing – and the stagnation of the social dimension, is also behind this disenchantment among the people of the Union, this disaffection towards the European institutions.

This is why the problem is not saying that Europe should get involved with all social matters, but rather that as soon as there is a single market, including a single employment market, there need to be common rules for combating disparities, which otherwise lead to social dumping, and to ensure that convergence elements are focused upwards, towards the best, rather than dragging social situations downwards.

The Commission has just published a social agenda, but if the Council does not commit to some concrete issues – you talked about a concrete Europe – to strengthen the powers of the European works committees, to protect temporary workers, to improve the Directive on the posting of workers so that – and this needs to be added – there is a Directive on the protection of public services and social services in the general interest, then there will not be a response to this need for protection.

One of your priorities is the Europe of immigration, but the Europe of immigration cannot be reduced to a Europe of expulsions. This is why we need to add to this a pact for integration, which we talked about with Mr Hortefeux – and a pact for development. You have just come from the G8; Europe and some of the Member States, including France, were accused of not fulfilling their commitments in terms of public aid for development. Ensure that during your Presidency this commitment of moving towards 0.7% of GDP is fulfilled, which will be more effective than the disgraceful 'return directive' in contributing towards managing international immigration more effectively.

Jerzy Buzek (PPE-DE). – (PL) Mr President, President-in-Office of the Council, President of the Commission, I agree with the President-in-Office. This is a difficult moment for Europe. Each of us feels this personally, including me. When I was responsible for the negotiations on my country's accession to the European Union, I did everything I could to make sure that future European cooperation turned out well. I would also like to emphasise that today, happily, there is no problem with Polish support for the EU and for the Treaty. A considerable majority in the Polish Parliament voted in favour of the Treaty, and almost 80% of Poles are in favour of EU membership.

I support the assessment by the President-in-Office. We must act for and on behalf of our citizens. The priority for us politicians is an energy and climate package, but we must do all we can to ensure that its implementation does not hit Europeans with high prices and loss of competitiveness for our economy. This package needs to be adopted pretty quickly, but it would be a bad thing if speed came first and deliberation second. Our package should be the proof of our leadership in the battle against global warming. I agree that we need this, first in Poznań and later in Copenhagen; but this package will not serve as an example to anyone. No-one will follow it if the European economy loses out in its implementation. I am therefore glad that you see these hazards, President-in-Office, and that you believe that the principles of emissions trading – because that is mainly what this is about – will be restructured in good faith. We do have experience. The REACH Regulation was amended significantly in Parliament with the involvement of the Council and the Commission, to the benefit of all. We can go down that same route.

President-in-Office, may I congratulate you on taking up the reins in Europe. I wish you success in the two most important matters for the next six months: the Treaty, and the energy and climate package.

Enrique Barón Crespo (PSE). – (FR) Mr President, President-in-Office of the Council, you will have to take the bull of doubt regarding Lisbon by the horns; France already has a great deal of experience in the art of sometimes moving European integration forwards and sometimes moving it backwards. I ask you to find a solution for the Irish, while respecting the will of the overwhelming majority of Europeans, which also counts.

I would also like to say that, from a social point of view, in the Lisbon Treaty there is the Charter of Fundamental Rights, there is the European social model. So for example, more than a million signatures have already been collected from disabled Europeans, who represent one in four households and are in favour of the Treaty because it eliminates secular discrimination. You therefore have support behind you to move forward and to integrate the social model.

Regarding immigration, you addressed the left, but you will also recognise that left-wing governments have had ideas that have enabled you to prepare a less closed and more progressive package, which I think Parliament can improve further, but we need to work relentlessly on this issue.

Also, Mr President – and this is directly connected with immigration – you talked about the CAP, but you did not mention Doha; it is nevertheless important for the united Europe to be able to find a solution and respond to the Millennium Goals, because it is all the same package; it is about exploiting our economic capacity in order to move all of humanity forwards.

Stefano Zappalà (PPE-DE). – (IT) Mr President, President-in-Office of the Council, ladies and gentlemen, as Head of the Italian delegation of the Group of the European People's Party (Christian Democrats) and European Democrats, I am pleased that you have taken over the helm of Europe and I am pleased at what you have said. You radiate enthusiasm and pride. You believe in and make people believe in an institution, Europe, which has many problems and really needs wise, enlightened and aware leaders, which is what you have shown yourself to be.

Italy has always enjoyed strong cultural and social ties with France: two countries that have made major sacrifices to found and build Europe, which all its members now have the duty to develop. Anyone working in this institution knows how many difficulties may be encountered in moving forward with the process of development and integration, because this process has to be built between people of differing histories, cultures, social status and traditions. The politically opportunistic positions expressed just now by Mr Schulz about the present highly popular Italian Government certainly do not help. However, it is a process that must be moved forward despite the disappointments that it sometimes involves.

The Lisbon Treaty, an excellent treaty, is on the back burner and it will require a lot of goodwill to bring it back, if we avoid marginalising those who have not understood it. However, I do agree with what you said: before any further enlargement, we need to define new rules but without leaving Ireland out on a limb. The wave of immigration into Europe, especially into certain Member States, and mainly my own country and those in the Mediterranean area, must be regulated and viewed as a common problem rather than a reason to make distinctions or actually exploit the situation by penalising countries that are already making so many sacrifices. The people of our countries must be safeguarded and integration must be built on a reasonable basis.

President-in-Office, the Italian Government and people are watching your mandate attentively and trustingly, in the certainty that the history and social standing that you represent today will inject hope and development into Europe.

Zita Gurmai (PSE). – (HU) Three things – as the only speaker from the eastern side of the Berlin Wall. I am disappointed that equal opportunities were left out of the President's speech. Fortunately, President-in-Office, we women from the seven political parties have accurately described what we want in a letter: *it's the flower, it's our flower for you, dear President.*

Firstly, I welcome the efforts of the French Presidency at European level in the interests of social equality between genders, but at the same time it seems contradictory that the local institutions dealing with equal opportunities are being closed down. Is policy other than what France is applying recommended at European level?

Two: the President has informed French citizens that 350 000 childcare places will be created over the next 5 years. This is an important measure, since it provides an equal opportunity for men and women in the labour market and an opportunity for them to combine their working and family lives. Good quality, affordability and accessibility for everyone are essential for this, since it is an instrument for equal opportunities and integration.

On the subject of family life, does he feel that women will be capable of combining their working and family activities if they work 65 hours a week? Women are more defenceless in the workplace and are generally not members of professional organisations.

Yes, we need a common European immigration policy, but it must discuss the rights and obligations of citizens and immigrants. Migration policy must be supplemented with the integration policy of the reception nationality. Thank you very much.

Ioannis Varvitsiotis (PPE-DE). – (EL) Mr President, I would like to address the President-in-Office of the Council to say: I was looking forward to your speech today with particular interest. Your position today has convinced me that you will make waves during the six months of your Presidency.

The whole world is faced with one of the gravest economic crises in recent decades, but Europe is also facing its own crises.

It is obvious that today the Europe of 27 cannot operate according to the rules of the Europe of 15. This is the institutional crisis that Europe is going through. It is also obvious that today some Member States do not want political unification for Europe, and do not want our predecessors' vision to be realised. This is a crisis of identity. The institutional crisis will be solved, but how can the identity crisis be solved?

I am afraid there is only one solution: the Member States that want political harmonisation should advance, and the Member States that see Europe only as an economic union should stay behind. Indeed, I am afraid that if we do not go ahead with this solution, Europe will at some point cease to be a player on the international chessboard.

Crises can lead to great leaps forward, but only if the necessary courage is there. I believe you have both vision and courage. Be courageous!

Othmar Karas (PPE-DE). – (DE) Mr President, Mr President-in-Office of the Council, your basic orientation has my full support. I believe you are the right President-in-Office at an extremely sensitive time, with the necessary sensitivity to people's concerns and the determination to lead and reconcile. When you were answering the questions, you did not pass the buck, and you called a spade a spade. You do not run away, but face up to things.

I should particularly like to emphasise your strong commitment to parliamentary democracy. This commitment is particularly important in these times because, in several Member States – including my home country, Austria – we have been experiencing the playing off of direct democracy against parliamentary democracy and thus the incapacitation in European matters of parliaments in parliamentary democracies. Let us stand together for parliamentary democracy and against its incapacitation.

(Applause)

It is also important to me that you have directly addressed the cowardice or, it could be said, the double standards, of many governments and members of governments in relation to their shared European

responsibilities, as these double standards are one of the main causes of the lack of trust and mutual finger-pointing to which we must put a stop. We do not require everyone to be bolder, but we do require everyone to be honest and principled.

I should like to touch on three more issues. The first is your position on the Treaty. You are not like a rabbit caught in the headlights, you are not waiting for Ireland, but are continuing the ratification process whilst approaching Ireland. I firmly believe that we shall come to an arrangement with Ireland only after all the other 26 Member States have ratified the Treaty.

However, we must not leave Croatia out on its own. I welcome your commitment to opening all the chapters by the end of the year. We also need a timetable for Macedonia. I would ask the Council to also take a decision on the Small Business Act at its December Summit, as the main competences lie with the Member States. We need legal binding and not just another public political statement.

Genowefa Grabowska (PSE). – (PL) Mr President, I have some good news from Poland. Today, Mr President, a debate is being held in the Polish Parliament that will culminate in a resolution urging the Polish President to fulfil his constitutional duty and sign the Treaty of Lisbon. This is the will of the Polish people, 80% of whom support the European Union and are very happy to be a member. Show me another state in which support for the EU is so high. This is a signal that Poland will discharge its obligations with regard to the Treaty.

On another subject: I have a request for you, Mr President. Could you see your way to putting the situation of children in the European Union on the agenda and appointing an ombudsman, an attorney for children's affairs, on the model of the European Human Rights Ombudsman? We would like the Council to come to an agreement and accept this institution that Europe is so in need of.

Hartmut Nassauer (PPE-DE). – (DE) Mr President, ladies and gentlemen, if I were to summarise this morning's debate, I would say that it is good that France holds the Presidency at this time, and good that you, President Sarkozy, occupy the position of President-in-Office of the Council. This has been a good day for Europe and for this Parliament, as for the first time in a long time we again have before us somebody who speaks for Europe with passion, not just with good arguments. Perhaps that is just what we need to win over the Irish and to win back our citizens: passion and good judgement, and good judgement includes Europe confining itself to certain limits.

I should like to give you the 'secret of success': we need not only the Treaty in Ireland, but also a new culture of subsidiarity. We need boundaries for Europe in relation to the rest of the world, but we also need boundaries within Europe. A new culture of subsidiarity will bring renewed approval to Europe; I am in total agreement with President Barroso on that. Good luck, President Sarkozy.

Marian Harkin (ALDE). – Mr President, I welcome President Sarkozy to the European Parliament. I certainly appreciated his considered and well-argued contribution.

As an Irish member I will also welcome him when he visits Ireland as President of the EU, as a President who is taking practical steps to improve the lives of citizens. That was clear from his priorities.

I also appreciate his comments on food security and about finding a balance when imposing regulations and restrictions on our own businesses and farmers. As he said himself, protecting without protectionism.

I could hear in his presentation and in his voice his commitment to Europe. I and very many Irish people share that commitment. He spoke about overcoming our difficulties. That will take time and a willingness to compromise on all sides. There can be no deadlines.

As somebody who canvassed for a 'yes' vote, I know he will agree with me when I say that an Irish 'no' is just as legitimate as a French, Dutch or Danish 'no'. It must be given the same respect, then we can move forward. We can make progress. I look forward to that, and I wish him well in his presidency.

Jan Tadeusz Masiel (UEN). – (FR) Mr President, President-in-Office of the Council, the French Presidency has just set out its objectives, and I wish it success. The ultimate objective that is before you is to strengthen the European Union and its power to act. With this in mind, the non-ratification of the Lisbon Treaty would be a missed opportunity. Europe needs France, especially at this difficult time; it needs the France that was converted, with you, President Sarkozy, after the French referendum.

It is not Poland, unfortunately, that is taking Europe forward today, but one day it will be, and I believe it will be soon. I hope for you that the French Presidency, with its policies of European integration, of desired immigration, of enlargement to the Balkans, and not necessarily to Turkey, will give Europeans back their confidence in and their taste for Europe.

Gay Mitchell (PPE-DE). – Mr President, it took Ireland 700 years to get the British out of the Republic of Ireland and I have to sit here time and again listening to people we threw out telling us what we should be doing in Ireland. I think it is a little bit too much. Please let a decision in the Republic of Ireland be made by the people of the Republic of Ireland.

Secondly, I should like to say to the President of the French Republic: if you want to change the people of Ireland's opinion, bring Mr Le Pen with you. That will be enough to change the opinion of the people of the Republic of Ireland.

I was director of elections for Fine Gael, which is part of the European People's Party, for four European referendums: the Single European Act, the Maastricht Treaty, the Amsterdam Treaty and the Lisbon Treaty, and I want to say to you that the Lisbon Treaty was lost for a variety of reasons. People did not understand it; the Government has been in power since 1994; politicians are appearing at tribunals of enquiry; the main government and opposition parties – the political establishment – wanted it passed. There were fears concerning defence and conscription, abortion and euthanasia – accompanied by syringes circulated by Members of this House – taxation, jobs, immigration. Much of this was led by the extremes on the right and on the left.

I would just say this to the President-in-Office. Please prepare for your visit to Ireland. If it is important that you help change the situation in Ireland, please come prepared and come prepared to listen. You will be very welcome, but it is complex and it will take some time to resolve what is a difficult situation.

Adrian Severin (PSE). – (FR) Mr President, Europeans are placing a great deal of hope in the French Presidency, and this hope needs to be well managed. The Presidency needs to avoid fuelling both unrealistic dreams and unreasonable fears, including in the neighbouring and candidate countries.

With regard to the Lisbon Treaty, there is not enough diplomatic encouragement for ratification. The Presidency needs to help to draw up an exit or safeguarding strategy in case things go wrong. In order to avoid the worst, we need to show from the outset that we are prepared to face the worst.

I would like to conclude with a few words on the dangerous phenomenon of the re-nationalisation of Europe. National-populism is the most alarming expression of this phenomenon, and is also behind the propaganda in favour of the Irish 'no', the racist xenophobia in Italy, but also the rhetoric on the national nature of social policies. Either Europe will be social or it will collapse. I hope that the French Presidency will be sensitive to this side of things.

President. – I am sorry, but I cannot take any more speakers. We have already gone well over time. I am very grateful to President Sarkozy and of course also to President Barroso for giving us their time today. Therefore I should like to finish by giving the floor first to President Barroso and then to President Sarkozy.

José Manuel Barroso, President of the Commission. – (FR) Mr President, I will start by very briefly echoing the congratulations expressed by the vast majority of MEPs who have taken the floor: congratulations on the conviction, enthusiasm, energy and political will that President Sarkozy has expressed here today, which I am sure he and his ministers and colleagues will demonstrate throughout the French Presidency.

I would like to say that this is not at all a surprise to me. I was entirely convinced that it was very good news that France was to take on the responsibility of the Presidency of the Council during this particularly difficult period. Of course, President Sarkozy and all of us would have preferred the horizon to be clearer from an institutional point of view, but I think that it is precisely during these difficult times that we can see the political capacity and measure the full importance of a strong political will.

I am in favour of this democratic political debate. I have said many times that we need to acknowledge politically the differences and multiple points of view that exist, for example here in Parliament. We need to know how to express these differences because Europe is different from a national political system. In our democratic national systems, each time that there is a political discussion, even sometimes one that is very polarised, we do not call into question the very legitimacy of the State, while very often in Europe when those of us who are for Europe strongly express these objections, we have to confront those who are against

Europe and who explore all sorts of populisms in order to damage our institutions and compromise this great project of peace and solidarity that is the European project.

(Applause)

This is why we really need to be able to express all these points of view, but while strengthening the pro-Europe camp during this particularly difficult time. Let us be clear, we have the European elections in June 2009. If the different European political forces and European institutions do not work hand in hand with a constructive position, we will be giving arguments to those who, at the extremes, want to exploit populism, xenophobia and nationalism by establishing a connection between nationalism and homeland, which is an error. Moreover, I often quote a great French author, who said that 'Patriotism is love for one's own people; nationalism is hatred of others.'

We can love our homeland and, at the same time, defend our European project with conviction, as President Sarkozy said just now. I therefore hope that the debate that takes place over the next six months will strengthen the European institutions as well as our project for the Europe of the future.

I am keen to answer a specific question. It is the only specific question that I was asked, and I will of course leave the rest to President Sarkozy, who is in a much better position than me to deal with them. This specific question was from Mrs Napolitano regarding the Euromed cultural programme.

I am keen to inform you that the current programme, the Euromed cultural programme, still has an allocation of EUR 15 million for this year. For 2009-2010 it is true that nothing has been decided yet, but there is a great deal of pressure on external expenditure, and in these cases, what happens, quite frankly, is that the third countries concerned tend to prioritise bilateral cooperation to the detriment of regional budgets. It is therefore an issue that should be discussed with the Euromed countries. Indeed, one of the interesting aspects of France's initiative aimed at creating a Union for the Mediterranean – which, for that matter, I supported from the very start – is that it brings a stronger element of regional cooperation.

Sometimes I am asked what the Union for the Mediterranean adds to the Barcelona process. It is, of course, an element of greater political appropriation, and is also political upgrading, in particular thanks to the biennial summit; but it is also the dimension brought by specific regional projects and, now I also hope, by very specific projects to which we will be able to add a stronger private sector dimension, as we still need more resources.

So this is the specific area in which we are working and, to conclude, I would just like to say: 'Good luck France, and good luck my dear friend President Sarkozy!'

(Applause)

President. – I would like to thank President Barroso and Vice-President Jacques Barrot for being here for 3 hours without interruption.

Nicolas Sarkozy, President-in-Office of the Council. – (FR) Mr President, I would first like to say that I think it is natural, when one has the honour of being the President-in-Office of the Council, to be before Parliament for as many hours as Parliament wishes, not only on the first day of the Presidency, but rather I will say to you, President of the European Parliament, as well as to each of the group chairmen and to the Conference of Presidents, if you want me to come at particular times during the Presidency, I am at Parliament's disposal. You have to play the game of the European institutions.

The European Parliament is at the heart of parliamentary democracy. It is not a question of availability; it is a question of priority. The Presidency needs the European Parliament and is therefore at its disposal.

(Applause)

If the speakers will excuse me, I would like to say a few words to each of them. First of all I would like to say to Mr Bushill-Matthews that I am among those who think that Europe needs the United Kingdom. I have never been one of those Europeans or French people who thought that we should be wary of our British friends. The United Kingdom can bring much more than it believes it can to Europe. The United Kingdom is the gateway to the Anglo-Saxon world, it represents the leading world language and it is economically dynamic, as has been shown in recent years. I would like to say to our British Conservative friends, 'believe that Europe needs you, that you have a place there, and that if the British have one foot in and one foot out,

Europe will be weakened'. The United Kingdom is a great nation. It has nothing to fear from Europe, and Europe has a great deal to expect from the United Kingdom.

To Mr Poignant, who saw deep inside me and therefore understood that I loved politics and that Parliament was a little like my garden, I would like to say that yes, Parliament is the place for democracy, and I do not respect or understand those political leaders who would not be happy to express and defend their ideas in the cradle of parliamentary democracy. I hope that in your remark there was an element of regret, rather than an excessive view of the harmonisation of the employment market.

The same also applies to Mr Désir; I am entirely with you, I am against complete harmonisation because the people would reject it. However, having minimum rules in the context of an employment market, in the context of a single economic market, is perfectly natural.

Let us all be aware of the difficulties. Take Austria, for example, which is led by a socialist Prime Minister and Government; they will tell you that the retirement age is 65, and that the contribution period is 45 years. You are aware of how many difficulties I encountered in bringing the contribution period to 40 years, and I did not immediately gain the support of the French Socialist Party.

So explain to me how it is, when I encountered so many difficulties in securing a 40-year contribution period in France, I only need to be President of Europe for six months to preferably achieve between the 45 years of contributions in Austria and the 40 years in France. How can that be done? It is a long way from the dream to the reality, but this is perhaps the difference between the French Socialist Party and the European Socialist Party. At times I even feel closer to the European Socialist Party than to the French Socialist Party; I confess my fault and of course apologise for it.

(Off-microphone intervention from Mr Schulz)

President. – It does not work that way. It is not up to you to decide who speaks. Speaking time cannot be split between the Socialist Group in the European Parliament and the President-in-Office of the Council. President Sarkozy, are you willing to allow a question from Mr Schulz? If so, I shall give him the floor.

Nicolas Sarkozy, President-in-Office of the Council. – *(FR)* Mr President, yes, provided that I do not get caught in the crossfire of an all-German debate.

Martin Schulz (PSE). – *(DE)* Thank you very much, Mr President, you are most kind. President Sarkozy, it is nice that you want to draw closer to socialism in this way. Having strongly supported the positions of the German Social Democrats in your speech just now and thus distanced yourself from Chancellor Merkel, I propose that you proceed as follows. If you feel so comfortable within the European social democratic fold, come first to German social democracy and we shall take you gradually closer to French social democracy and, by the end, you will be a really good comrade.

President. – Mr Schulz, this has less to do with kindness and more to do with observing proper procedure – something we in Europe wish to do, after all.

Nicolas Sarkozy, President-in-Office of the Council. – *(FR)* Mr President, you will notice that I already have a socialist on my right, but there is a space for a socialist on my left.

(Applause)

As you know, ladies and gentlemen, I do not think that we are wasting time because I think that democracy at European level can be free of the violence that it sometimes has at national level. The European level enables everyone to step back a little from the electoral routine, which is brutal, often unfair and always difficult. Finally, the fact that in a forum such as yours we can talk while smiling and respecting each other is perhaps also something that will encourage people to warm to the European ideal and make it their own. In any case I do not see this as wasted time, and I would like Mr Poignant and Mr Schulz to be certain of this.

Mrs De Sarnez is quite right. We need to change our development policy, making food agriculture a priority. It is entirely essential; the African countries need to have the resources to become self-sufficient in terms of food, and undoubtedly part of the money that we have dedicated to developing large infrastructures needs to be invested in agricultural micro-projects. This is a point on which I fully share your opinion.

You also called on me to defend a vision of Europe. I share this ambition. I hope that you will be generous enough to advise me on the content of that vision. You are perfectly aware that, again, between the somewhat disembodied big ideal and all of the technical issues of daily life, the problem for each of us is having to

constantly decide on what to do about the big ideas that sometimes go far beyond the day-to-day difficulties experienced by our citizens, and what to do about resolving the technical issues that affect their daily lives. It is not that simple, but I will try my hand at it in any case.

To answer you, Mr Crowley, yes we do need development in order to avoid illegal immigration. Moreover, everyone is aware that the best response to the immigration issue is development. There are 475 million young Africans who are under the age of 17, and there are 12 km of the Strait of Gibraltar between Europe and Africa. Africa's disasters will be Europe's disasters, and there are no barriers or borders that can resist that. We therefore do indeed need a development policy. Again it is very difficult to decide between multilateralism and bilateralism. This is a significant subject and I intend to devote a great deal of attention to it.

Mr Irujo talked about linguistic diversity. I am entirely in agreement, including – and I understand that you do not like the expression 'regional language' – with regard to official languages. I am among those, you see, who think that we would be helping all the pro-autonomy or independence movements by giving them the monopoly on defending regional languages, and this would be a very serious error. I am talking about Corsica, in the French Republic, where there are people who are Corsican, who love Corsica, and who speak Corsican in their villages; but that is no threat to national unity. Therefore, linguistic diversity is, in my eyes, just as important as cultural diversity, and in any case there will be no cultural diversity if there is only one language.

Mr Farage, I very much liked your speech, but I am going to say one thing to you: the British were quite happy for me to close Sangatte, because it was in fact me who closed Sangatte, and it was you who asked me to. Even if you are a British person who loves his country, you cannot resolve all its immigration problems, and I have to tell you that France does not intend to be the United Kingdom's border guard. Allow me to say that it is all very well to say, 'in my country I do not want identity cards and I do not want a common immigration policy', but this does not stop you from being quite happy for foreigners whose papers are not in order to be stopped in France so that you do not have them in the United Kingdom. Just like France, the United Kingdom cannot manage alone.

I would like to add, Mr Farage, that I respect the Polish, but you were not in my office negotiating the Lisbon Treaty with a number of colleagues. We were in Brussels, and who was in my office? Not Prime Minister Tusk, because the Prime Minister at that time was Mr Kaczynski's brother. There was President Kaczynski and I will say one thing: he is a man that I trust and he is a man that I respect. However, in Europe, when you sign something, if you start by not respecting it, there is no more Europe, there is nothing at all, there are no negotiations. When one of us commits his country, in Brussels, he must make a commitment at home as well. I said that, nothing more, nothing less.

(Applause)

This is completely respectful of the Polish: Mr Farage, I think that I defended Poland. President Barroso will be able to say this better than anyone. We need Poland, but we also need to have respect for a man's word when it is given.

Mrs Sudre, thank you for your support. I entirely agree with your analysis and sincerely thank you for it. Mr Rasmussen, who I understood was Rasmussen I, and I am just about clear who Rasmussen II is, I would like to say that Denmark is a good example of a country that has been able to move forward, and that enables me to respond to all the speakers on the Irish issue.

Of course we should not force the hands of the Irish and we need to respect them, but we need to have the courage to say to our Irish friends: 'You also need to respect the other countries that have ratified the Treaty. We are not lecturing you, but consider that others also have an opinion to offer and that at some point we will have to find a common path. Europe does not want to continue without you, but Europe cannot come to a halt just because of you.' I say this with all the respect I have for a country that has voted 'no'.

We, the French, have caused you considerable problems and difficulties, but at some point we need to get out of this situation in which everyone is watching each other and waiting for someone else to take the initiative. The French Presidency, along with the Presidency of the Commission and the Presidency of the European Parliament need to take the initiative. After that, some will say yes and some will say no. Personally, I think that there is a solution, but it is certainly not in maintaining the status quo or in saying 'we will wait and let time do the work'. Personally I think that time works against us, that Europe has been waiting for years and that there is no point in it waiting any longer. We will find a solution; I am convinced, just as the Danish found one.

Mrs Mehrin, I was very touched by your assessment of me as a 'ladies' man'. I will leave the content with you; I honestly do not know exactly what it means and I will be careful not to go down that road as I would not like you to misunderstand me. I know that the multi-speed Europe does exist. We are not all in the euro, and we are not all in Schengen. However, ultimately, before we build a multi-speed institutional Europe, I would like us to try to do it all together. Do not criticise the Presidency for having the ambition to take everyone along because, if before we have even started, Madam, we say, 'In any case, it does not matter, let us leave it', then one day we are negotiating a social exception for the British, the next we are negotiating an institutional exception for the Irish, and the next we will be negotiating an exception for the Polish. At that point I fear that we will get to a situation in which all the countries will, quite rightly, ask for an exception, and where will the European Union be then? Where will the project be that the founding fathers baptised? This is what I am saying. Perhaps we will have to get to that point, but I would like us to get there after we have tried to take the whole family along together.

I would also like to say to those who are concerned about Croatia that I am of course in favour of us continuing the negotiations, and I think that it would be a serious mistake to close Europe's door to the Balkans, because the Balkans need the peace and democracy that the Union can bring them, but I will not go back to the Lisbon debate.

I would like to say to Mr Bielan that I do not wish to threaten Ireland; besides, I would not be able to do so and it would not even occur to me to do so. I will go there and listen but, at the same time, everyone needs to understand that in the polls 80% of the people say that they are pro-Europe; we can nevertheless work with them without threatening them.

VAT on fuel is a French proposal; I do not want to impose it on anyone. I would simply like to draw your attention to the fact that I am convinced that the price of oil is going to continue to rise. We need to have the courage to say this to our fellow citizens.

There is 3% less oil production each year due to stocks being exhausted, and 2 to 3% more oil consumption, due to the growth of emerging countries. My thought is simply that VAT is a tax that is proportional to price. If tomorrow oil is 175 dollars per barrel, will we be able to continue, without saying anything, to collect 20% tax on rocketing oil prices? This is the question that I want to ask. Along with the Presidency of the Commission, we will report on this in October. I will try to push it in the direction of my convictions, and we will see what the result is.

Regarding Ukraine, there will be a summit, and we will move things forward. We need to encourage Ukraine along the road to democracy and we need to bring it closer to the European Union. Ukraine is not insignificant, it has 42 million inhabitants. This is not a small decision. For now we are at the point of association, but anyone who walks through the streets of Kiev can see that it is a European capital.

Mr Langen, I would like to thank you for your compliments, which really touched me. I rather liked the reference to Tony Blair. I do not know if this is the reason that you made the reference, but I think that Tony Blair is one of the statesmen who have done a great deal for Europe, and a great deal for his country, and frankly I do not know if he would mind me saying this, but in many areas I find that he has restored credit and strength to the British political debate and to the European political debate. I think that in Europe, we need leaders and that in his time Tony Blair was indisputably one of those leaders.

This is going to mark me out as being more towards the left, even though I have observed that compliments are not always forthcoming for Mr Blair from that side of the political spectrum.

Yes, Mr Goebbels, others do need to make an effort, and this is entirely the issue that will be raised in the negotiations on climate change, but Europe needs to set an example. I am not naïve in saying that. I think that we have more credibility when we practise what we preach. Some might say that it is better to wait. Personally I think that we need to take the risk of acting. Fundamentally, Mr Goebbels, my political philosophy is that nothing is worse than inaction. The worst risk is to take no risks.

Mr Cavada, you are quite right, we need to respond to these fears. Thank you for your support.

Regarding the Union for the Mediterranean, I would like to say that in my mind, following on from President Barroso, there is no criticism of the Barcelona Process. I would nevertheless like to say one thing. Barcelona was a very good idea, but there was one problem at the Barcelona Summit. As far as I remember, there was just one Arab head of state, Prime Minister Abu Mazen. How do you think we can create a Union for the Mediterranean, bringing the northern and southern shores closer together, if the southern shore does not come?

At the Paris Summit, I believe, although Bernard Kouchner may correct me later, that all of the Arab heads of state will be present. This may be a minor difference, but to me it is fundamental.

I would also like to say to Mr Zahradil that it is not a question of creating a crisis regarding Lisbon, but we should also not act as if nothing is happening. We should not dramatise, but at the same time it is nevertheless worrying that the last three referendums in the European Union ended in a no vote, which was certainly for other reasons, but the fact remains that at the very least it is not a particularly encouraging sign.

I will not respond to Mrs Napoletano as President Barroso gave you a good answer.

Mr Sánchez-Neyra, yes there does need to be a European dimension to sport and I think that it could only be beneficial if the statistics for the Olympic Games were counted nation by nation, but if there were a specific column for European medals. This would be a way of showing that we also exist in the Europe of sport.

Mr Désir, I answered you regarding standards in the labour market. Regarding social policy, we have a famous debate. The 35-hour week is not enough to win the elections, or to have a genuine social policy. I would like to add that the reason why I took so much trouble in overcoming the automatic, rigid code of the 35-hour week in France was precisely in the name of European harmonisation, because no other country had followed you along that path. None. Not a single one. Including the European socialist governments. Therefore, you see, I am quite happy for us to call for social harmonisation, but I would like to say to our French socialist friends that social harmonisation involves not advocating ideas in France that no one else is advocating in Europe, because that is an exception and our country is suffering as a result.

I would like to thank Mr Buzek for Poland's European commitment. I have never ever doubted Poland's European commitment. Poland is one of the six most populated countries in Europe, and this is precisely why I say to President Kaczynski that we need his signature, because Poland is not just any European country. It is extremely important, it is a symbol, and naturally we need to reduce the institutional crisis solely to the issue of Ireland.

Mr Barón Crespo, Doha, yes I said it to President Barroso, I said it to Gordon Brown, but in short, Doha, but not at any price. I would like to defend two ideas that are close to my heart. First of all, I am told that if there is no agreement, there will be no growth. Excuse me, but there has not been an agreement for seven years, and for six years the world has undergone unprecedented growth. The WTO agreement is preferable to having no agreement, but it should not be said that without an agreement there can be no growth. For six years we have had growth.

Secondly, what President Barroso, the Canadian Prime Minister and even Angela Merkel are currently saying is that it is not good enough. Brazil is not making any effort regarding lowering tariff barriers in the industry; there is no effort on services. Also, what can be said about the closure of the Chinese market? There is no French exception from this point of view. Firstly, as President-in-Office of the Council, I must loyally defend the Union's position. However, in terms of the Union's position, I have not heard anyone, even the British Government, saying that the agreement should be signed at the current stage of the negotiations. We are therefore unanimous in Europe, even if it is not for the same reasons, in saying that as things stand, it is not good enough; that Europe has made all the effort and it cannot continue to make efforts if the other big regions of the world are not committed to moving forward. From this point of view, I think that we are all in agreement.

I would like to say to Mr Zappalà that I thank him for his support for the European immigration policy, and to Mrs Gurmai that I think that equality between men and women is very important, but I do not know whether her remark was addressed to me as well. In any case, the fact that she is Hungarian is already an undeniable asset.

I would like to say to Mr Varvitsiotis that I am perfectly aware that there is a European identity crisis, and perhaps also that the European Parliament could help all the institutions with this issue. Why not imagine that there is a real debate, President Pöttering, on what European identity is? This subject of European identity is a subject for European parliamentary debate, rather than a matter for a head of state or government. Perhaps the European Parliament could even organise debates on this subject, and in that case we will come and give our opinion. Personally I think it is more the role of Parliament to define European identity rather than the role of governments, who naturally deal with daily administration in each of their countries. If there is indeed a place where European identity should be defined, I think, and I hope that President Barroso will agree, it is not in the European Council, or the Commission, but first of all in the European Parliament.

I would like to respond to Mr Karas, who said that I need to demonstrate diplomacy. Yes, understood, I will try to be diplomatic. I hope that on his part he was not questioning whether my temperament would prevent me from being diplomatic. It is not simply a question of being weak yet clever, or being dynamic yet clumsy. Perhaps it is even possible to be both dynamic and skilful but, in any event, thank you for giving me the opportunity to demonstrate this.

(Loud applause)

President. – Many thanks, President Sarkozy. I have been a Member of the European Parliament for 29 years, and I cannot remember a time when a President-in-Office of the Council spent three-and-a-half hours in discussion with us and responded to every speech. We look forward to your next visit.

That concludes this item.

Written statements (Rule 142)

Roberta Alma Anastase (PPE-DE), in writing. – (RO) I believe that France has taken over the European Union Presidency at a crucial moment, when Europe is in search of adequate answers to the numerous challenges of a strategic nature.

France has the task of ensuring the continuity of the Lisbon Treaty ratification process, of focusing on the energy field and of consolidating the European Union's security and defence policy. I express my support for these priorities of the French presidency and I hope their implementation will be a success.

As a member of the Committee on Foreign Affairs and Rapporteur on the Black Sea cooperation, I would like to focus on an important aspect to be promoted in the EU foreign policy. I welcome the initiative of France to consolidate the European Neighbourhood Policy, but I insist on the fact that its Eastern dimension should receive the same attention and involvement as the Mediterranean dimension.

This objective should apply both to bilateral relations, in the context of negotiations on the EU future contractual relations, and to multilateral relations, within the Black Sea Synergy.

Finally, France will take over the EU presidency during the Year of Intercultural Dialogue and it should successfully continue the actions in this field.

Jean-Pierre Audy (PPE-DE), in writing. – (FR) I would first of all like to welcome the European commitment of the President-in-Office of the Council, Nicolas Sarkozy, and his vision concerning the current challenges facing the Union.

I support the political statement that new institutions based on the Lisbon Treaty are essential, and without them it would be irresponsible to envisage further accessions. The Europe of results must take into account the expectations of citizens and show itself to be a solution, not a problem.

I support the idea of having a mechanism at the borders that will enable fair and non-distorted competition, taking into account the impact of the environmental measures associated with the issues of energy and climate.

The priority of a European legal immigration policy is also a human, economic and social necessity. I would like to congratulate Brice Hortefeux on his excellent work on the European immigration pact.

Regarding European defence, the President's bold positions will enable us to move forward on this difficult issue, particularly by involving soldiers from all the populations, and supporting the emergence of a European arms industry.

The President is right to defend the CAP, which has never been more necessary.

Finally, I would like to stress the need for better political dialogue with the ECB, in order to have European economic governance that is in line with current global demands.

Alessandro Battilocchio (PSE), in writing. – (IT) Thank you, Mr President. I would like to offer President Sarkozy my best wishes for his work as he takes charge of the Council's fate for six months. Unfortunately clouds are gathering over the EU's future: the paradoxical Irish vote (Ireland having become the 'Celtic Tiger' that we know thanks to EU funds), the government crisis in Austria, the statements of the Polish President, are all worrying signs. We must find the strength and skill to relaunch a European path that must revive the enthusiasm and emotion of citizens, who still perceive the EU as something distant and rather abstruse. I

also take this opportunity to offer a provocation to the President-in-Office: to bring citizens closer to the EU, concrete signals must be sent out. It would be excellent if the French President could start a serious debate on sorting out the issue of Parliament's two seats: let us concentrate all activities in Brussels and avoid the monthly move to Strasbourg (where the site could be used for other purposes, such as the centre of technological excellence): this 'trip' actually represents a huge and unjustified waste of financial and energy resources.

Ivo Belet (PPE-DE), in writing. – (NL) The French Presidency has set the right priorities, for example the climate, immigration and defence, but I should like to focus on one aspect that receives less attention but is nevertheless extremely important for our young people and the whole sports sector in Europe.

The French Presidency supports the 'six-plus-five' rule in sport: a restriction on the number of foreign players. The objectives are good: obliging clubs to invest more in their own youth training and thus also going some way towards restoring the competitive balance. This Parliament agrees with this one hundred per cent.

Hence our support for the 'home-grown' rule, which – albeit more modestly – has the same objectives in mind. The question is whether the six-plus-five rule is feasible at European level. It conflicts with the free movement of workers and can only be applied if a derogation is made from the EU Treaty, and we are a long way from this course of action. It is doubtful whether the Court of Justice would ever accept such a thing, even in the light of the new article on sport in the Treaty of Lisbon.

We in Parliament want to join in the search for a solution that benefits European football. We are simply calling for a solid solution, one that does not plunge football into chaos. Nobody needs a Bosman Mark 2.

Ilda Figueiredo (GUE/NGL), in writing. – (PT) President Sarkozy spent roughly a third of his speech defending the Lisbon Treaty and on continuing pressurisation and blackmail of Ireland, forgetting what the very rules of the European Union say on the entry into force of a new Treaty – ratification by all Member States. Well, if a majority of the Irish people rejected it then the Treaty is dead in the water. Ratifications should not continue. Insisting on ratification of the Treaty is an anti-democratic attitude.

Another priority is deepening immigration policy, where the return directive, otherwise known as the shameful directive, stands out due to its disregard of fundamental human rights and its treatment of illegal immigrants as criminals and not as people who have fled hunger in their countries, looking for a better future for themselves and their families.

The social area was totally overlooked. He is aware of the opposition that exists to the proposal to amend the working time directive and the proposals that the Council approved and sent to the European Parliament, aimed at weakening labour rights, opening the door to a longer average working week of up to 60 or 65 hours, deregulation of employment and lower wages.

Bogdan Golik (PSE), in writing. – (PL) I would like to express the hope that the six months of the French Presidency will be marked by fruitful, effective work for the good of all citizens of a united Europe.

I should like at this juncture to stress the considerable significance of agriculture for the European Community. In Poland, for example, in 2005 over 17% of employed people were working in agriculture. The agricultural issue is of indirect importance to Member States – here I am chiefly thinking of the problem of food security in the context of rising food product prices on the world markets.

I hope that the French Presidency will bring a solution to several disputed questions relating to the European agricultural model. Europe does not have such a good climate or agrarian conditions to be able to give up support for its farmers altogether. The cost of producing meat, milk or cereals will always be higher on our continent than in South America, the United States or Australia. We need to bear in mind that these countries too support their farmers.

My view is that higher agricultural product prices are creating a development opportunity for European agriculture. There is a danger, though, that the additional income will be intercepted by intermediate agencies; in other words, a rise in food prices causes a disproportionate rise in the cost of the agricultural production method. The result is that the surplus income is absorbed by intermediate agencies.

Agriculture continues to be an important economic sector. The conditions under which it currently functions have changed, but the main priorities – ensuring a decent level of income for farmers and food security – are still there.

Pedro Guerreiro (GUE/NGL), in writing. – (PT) After Sarkozy pulled the wool over his people's eyes, stating that he would respect the will expressed in the referendum carried out in 2005 – which rejected the 'European Constitution' –, at the same time as pushing ahead with the 'mini-Treaty', which basically rehashed the content of the rejected Treaty, presenting it in another form and avoiding a further referendum, he now finds himself in charge of the process kick-started by Angela Merkel, that is to say, to attempt once more to impose the federalist, neoliberal, militarist Treaty that has already been rejected three times.

Given the deepening crisis of capitalism, big business and the EU's major powers, especially France and Germany, are showing the 'way out' by forging ahead with federalist, neoliberal and militarist policies and this draft Treaty, seeking to consolidate the foundations of a 'super-State' to reinforce imperialist intervention mechanisms working in close collaboration with the USA and NATO.

To do so, pressure and blackmail are being piled on (enlargement, the two-speed EU, etc.). Deaf, dumb and blind to the will expressed by the Irish people, the EU is conspiring for the latter to hold another referendum in 2009 even before the EP elections.

Gyula Hegyi (PSE), in writing. – (HU) One of the most important tasks of the French Presidency will be coordinating the climate change obligations of the Member States. It is very important that we reduce the emission of greenhouse gases at Union level. This can happen if we take the Kyoto Protocol seriously, and reduce emissions continuously and significantly in comparison with the 1990 base year, in accordance with its provisions.

It would certainly be scandalous if the Member States that did not reduce but rather increased their emissions between 1990 and 2005 now received a reward from the European Union and continued to keep the advantage they have that is contradictory to the Kyoto Protocol. It would be even more outrageous if the Member States that take the Kyoto Protocol seriously and reduce their emissions honestly – including Hungary – were punished with more restrictions. I hope that the French Presidency will never accept such mockery of the Kyoto Protocol and negative discrimination against the new Member States, including my homeland.

Mieczysław Edmund Janowski (UEN), in writing. – (PL) I would like to thank the French President for a speech that raises many of the EU's fundamental problems. It is true that we must consider how to get Europe out of its crisis. It is little consolation that virtually the whole world finds itself in a situation that is close to critical. This has a significant economic and social dimension. I am talking about the threat of hunger in many regions of the world, since food prices are rising steeply, about energy security and also about the status of the environment. The world's financial system is becoming increasingly unstable. Why am I placing emphasis on this? Because it is not for us to be self-righteous. The almost 500 million citizens of the EU currently constitute less than 8% of the world's population, and in 40 years' time this proportion will be barely at the election threshold – 5%. Our European view must therefore not overlook values of a higher order linked to the maintenance of Euro-Atlantic civilisation. This also has an ethical dimension.

In each country of the EU, then, we need due care for the family, which, while being a tiny community, is at the same time the cornerstone of the whole European Community. We should not let this slip from our view. If we do, we shall lose touch, as we are doing now, by abusing the word 'marriage' in applying it to unions that are not marriage. It is true that we need new legal frameworks, but they must be ones that people can understand. EU citizens are the subject of actions taken by Parliament, the Council and the Commission. We are merely carrying out a service. It is precisely in this light that we view the case of Ireland.

Filip Kaczmarek (PPE-DE), in writing. – (PL) As generally anticipated, one of the priorities of the French Presidency has become the issue of ratification of the Treaty of Lisbon. Unexpectedly for most observers, though, the principal character at the start of the French Presidency is Poland or, to be precise, not so much Poland as the Polish President, Lech Kaczyński. I do not understand the arguments deployed by the President of Poland in declining to sign the ratification documents for the Treaty of Lisbon. The Treaty was ratified by the Sejm and by the Senate. Nothing has happened to delay the appending of the President's signature. The Treaty has not, for example, been referred to the Constitutional Tribunal. This looks like disrespect for Parliament and violation of an agreement with the Prime Minister, Donald Tusk. I agree with the President-in-Office that this matter is not by nature political, but ethical. Poland negotiated the Treaty, signed it, and under international law is obliged to go through with the ratification process. I also very much hope that the situation regarding ratification of the Treaty will change soon and that attitudes will be significantly better by the end of the French Presidency than they are at present.

Eija-Riitta Korhola (PPE-DE), in writing. – (FI) Mr President, I respect the clear wish of the President-in-Office of the Council Nicholas Sarkozy to adopt an ambitious attitude towards the EU energy and climate package

and to achieve a Convention in that regard during the French Presidency. I hope this says above all that the challenges of climate change are at last at the heart of policy.

I would, however, like to remind the President-in-Office of the Council of the seriousness of the task – emissions trading is a very significant market tool and affects so many people that we cannot afford to aspire to the kind of political timetable which goes on at the expense of the environment and sustainable development. Otherwise France may end up with egg on its face, something of which it could not be proud.

Last month I held a seminar at which environmental organisations, research bodies and bodies affected by emissions trading were able to express their views on its economic effects. The message I received was clear: the Commission proposal will result in much higher costs without providing comparable environmental benefit. I refer to the worrying McKinsey analysis of the matter. Emissions trading must be improved. The situation is serious. We will not be able to use European industry, which has been dealing with its own affairs well, as a guinea pig again unless the system is operated in a slipshod fashion. It is better to fail to accomplish than to accomplish failure.

I believe that we can deliver a good result in time, but some vital adjustments are required. Carbon emissions will not be prevented by pious hopes and promises, unless they become part of the directive itself. We should remain firm on reducing the obligation but the procedure is very much open to discussion. In Parliament we have presented a broad front to the way the Commission has approached the alternatives under consideration. I would ask that you become acquainted with it, President-in-Office.

Marian-Jean Marinescu (PPE-DE), in writing. – (RO) Mr. President, you have presented an extremely ambitious programme, which I hope will be successfully completed.

The pact on immigration is a necessary priority in order to diminish illegal immigration and build a common policy on legal immigration.

Nevertheless, I would like to emphasize an aspect you should take into consideration before starting the planned actions: the pact should comprise a series of actions taking into account the restrictions on the European labour market, imposed on workers from certain new Member States.

It is not normal for the economic migration from third countries to outmatch the free movement between countries inside the Union.

There are Member States that have transitory provisions in force, regulating access to the labour market for EU workers.

Once the legal immigration policy is enforced, there is a risk of disadvantaging European citizens as compared to third country citizens.

In this respect, I would like to congratulate France, which has taken the first step in this direction on 1 July, when it opened its labour market for the citizens of the countries acceding in 2004.

I hope Romania and Bulgaria shall receive the same treatment as soon as possible and I encourage the other Member States to follow the example of France.

Nicolae Vlad Popa (PPE-DE), in writing. – France has taken upon itself the mission to lead the European agenda for six months in a difficult context created after Ireland rejected the Lisbon Treaty.

The programme of the French presidency of the EU is ambitious, but it should also be aware of the expectations of the population. The latest Eurobarometer poll shows that only 52% of EU citizens consider membership to be a good thing for their country. There is need of a strategy to make European citizens aware that the common interests are much more important from an economic and political view than the things that differentiate us.

Obviously, the priority of the French presidency is the identification of the method of absorption of the Irish flaw as the European process must go on given that the Treaty of Nice blocks enlargement.

As regards the second priority of the French presidency of the EU – the common agricultural policy and its preparation for future challenges – mention should be made that the maintaining of a single-payment system is applicable in Romania as of 2013. A beneficiary of the CAP as well, Romania will receive this year EUR 735 million in European direct aid for Romanian farmers.

Martine Roure (PSE), *in writing*. – (FR) I will limit myself to two points:

- It is absolutely impossible to apply for asylum in 27 countries. We have the Dublin II regulation, which settles the issue of the responsibility of host countries. However, it is true that there are still differences between Member States regarding recognising international protection, and that is a real problem.

- The second point that I want to cover is the basic problem of humanity in this world. How can we live all together in a globalised world? We need to tackle the underlying causes that drive some desperate people to leave their countries and, in my view, the European Immigration Pact does not achieve the right balance between combating traffickers, promoting legal immigration and establishing ambitious co-development policies.

Katrin Saks (PSE), *in writing*. – (ET) This year is an opportunity for the European Union to look in the mirror and see whether the decisions we made last year have borne fruit. Last year saw the beginning of the environment and energy action plan to reduce greenhouse gases and combat climate warming. We have discussed a common immigration policy for Europe and a short time ago heard testimony on the huge growth in illegal migration. We have also tackled issues of protection: joint European forces have been carrying out military operations in the wider world and since 2004 we have created EU battle groups and emergency response units.

The new Presidency in the person of President Nicolas Sarkozy has brought freshness and promise to European policy, has given us the idea of a mini-agreement, and has taken a new approach to the new Member States. There are many examples of this. Through his own drive and initiative he will certainly be able to launch or speed up many challenging projects.

Because of this I wish to stress that the country holding the Presidency does not drive European affairs separately, although it does have the right to propose certain items for the order of business. The fact that the Presidency is not responsible for decisions taken at the European Council table is a fundamental matter for it, and one on which it should focus its Presidency, rather than a party festooned with empty promises. Above all I hope very much that the French Presidency is able to inspire hope in Europeans for specific projects.

Toomas Savi (ALDE), *in writing*. – Mr President-in-Office of the Council, at the last European Summit in Brussels the creation of the Mediterranean Union was discussed – a significant initiative for the whole Mediterranean region and a priority of the French Presidency.

But I truly hope that, when emphasising the Mediterranean Union during this Presidency, the Baltic Sea Region and the Baltic Sea Strategy will not be neglected. The Baltic Sea has become basically a European Union lake, with eight Member States surrounding it since 2004. The Baltic Sea Strategy covers the areas of environment, economics, culture and education and security, providing a sustainable plan for the development of this region.

It would give me great pleasure if the French Presidency took time to attend to the issues concerning the Baltic Sea, and the prioritisation of the Mediterranean did not mean grabbing the blanket from the Baltic Sea region.

Bearing in mind the near future Presidency of Sweden, it would be reasonable to start addressing the Baltic Sea Strategy to ensure greater coherence between Presidencies.

Silvia-Adriana Țicău (PSE), *in writing*. – (RO) In the next six months, the French presidency shall have a great responsibility for the future of the European Union.

The Union needs the Lisbon Treaty. The existent institutional framework, with the requirement of unanimity for certain decisions, is a heavy one. Moreover, the Lisbon Treaty increases the degree of democratization, increasing the power of national parliaments and introducing the codecision procedure for most of the fields.

The French presidency should also support the common agricultural policy enabling European farmers to produce more.

Together with all Member States, the French presidency should find solutions to the Union's impasse following the Irish referendum.

The French presidency announced its priorities for the next period: climate change, immigration, the common agricultural policy, the Union's defence and security.

Next autumn, in Copenhagen, the Union shall participate in the conclusion of an international post-Kyoto agreement. The Union should give an example of action in the fight against climate change and, for this reason, the adoption of the energy and climate change package should be one of the main objectives for the French presidency.

Bernard Wojciechowski (IND/DEM), in writing. – Nobody is able to explain the reasons for the outcome of the referendum in Ireland.

A norm becomes a law based on universal approval of the people. Its sense should correspond to the conviction about the unity of all. Your fellow countryman, a thinker resting in the Pantheon, Rousseau, wrote that 'any law that the people have not ratified in person is void, it is not a law at all'. That is why the people should control the governments which pose a danger of usurpation of their rights. But how are the people supposed to take control by means of an instrument they do not understand, the structure of which is as complicated and unclear as the recent treaty?

I have no doubt that you wish to appear – to paraphrase Dominique de Villepin – in this 'temple' of the European Parliament – as a 'guardian of an ideal and a guardian of a conscience'. I count, however, that you will be more interested in conveying the information about the platforms of shared realisation of European interests to the public opinions, which, in turn, may allow the media to restrain from your private life in order to focus on your political one.

(The sitting was suspended at 1.40 p.m. and resumed at 3 p.m.)

IN THE CHAIR: MR ONESTA

Vice-President

9. Approval of Minutes of previous sitting: see Minutes

10. Quorum

President. – I am pleased to see that the Chairman of the Committee on Constitutional Affairs is here, because we have a delicate problem to solve. My dear Jo, if you will return to your seat. I will explain the problem that we have, ladies and gentlemen.

Rule 149 states that we can establish whether a quorum is present. As you know there are always large numbers in Parliament to debate its agenda and adopt the minutes, so in that case no quorum is required. However, Rule 149(3) states that if there is a prior request from at least forty Members, we can establish whether or not the quorum is present.

I have received a written request from forty Members who want us to verify whether or not the quorum is present. Therefore, obviously... Mr Posselt, please allow me to explain the facts. Obviously I consider that there is indeed a prior request that has been clearly made.

The problem is as follows: after that the Rules of Procedure are much vaguer. It does not say anywhere that the forty Members have to be present in the Chamber in order to submit this request for the quorum to be established, but it is also not excluded. I therefore have discretion. On previous occasions, which we have checked, the President of the sitting has always considered that the forty Members had to be in the Chamber in order to give some substance to Rule 149(4), which states that when the quorum is counted, the forty should be counted. That implies that the forty have to be present.

However, I have discretion, and there is also the way in which the request is worded: it concerns the vote on urgencies, which is all the urgencies; not just one of them but all of them. If we consider that the quorum request is admissible and the quorum is not present, all the urgencies will be dropped, and as you know they cannot be deferred. This means that we will not vote on Kashmir, the death penalty or Bangladesh. If we do not vote on them, we will not defer them to the next sitting. Parliament will not decide on these issues that are said to be urgent.

Before giving my opinion, I would therefore particularly like to have the opinion of the Chairman of the Committee on Constitutional Affairs. Mr Leinen, in your view, should I consider that the forty petitioners should be present in the Chamber as Rule 149(4) implies, or can I consider that a prior written request alone is sufficient, as Rule 149(3) implies? I shall listen closely to your reply.

Jo Leinen, *Chairman of the Committee on Constitutional Affairs*. – (DE) Mr President, I have just looked it up, and it is true that Rule 149(3) states that, provided 40 of them do so together, Members may request that it be established whether or not the quorum is present. The quorum shall exist if one third of Parliament's Members are present in the Chamber. The President responds to such a request by establishing whether or not the quorum exists.

Then comes paragraph 4, which you mentioned, which states that 'Members who have asked for the quorum to be established shall be counted as being present [...], even if they are no longer in the Chamber.' We are presently in a sitting that has resumed and, in my view, Members who were present and said they wanted the quorum established should be counted as present even if they are not here in plenary this afternoon. That is how I understand paragraph 4.

I hear that you have received a request from 40 Members of this House for you to establish this afternoon whether the quorum is present or not. You can look around – one third of 785 is a little over 200, and there are about 30 of us here. Try as we might, we are unlikely to reach 200 this afternoon unless everybody turns up.

Mr President, we can discuss the matter but, if you determine that the number of Members present does not reach one third, then we cannot vote. That is what the Rules of Procedure say.

Bernd Posselt (PPE-DE). – (DE) Mr President, Mr Leinen, I am a veteran of these topical and urgent debates. They used to be held on Fridays, then they moved to Thursday afternoons. All the groups regularly used to try the trick of making a request like this if there was some urgent matter that did not suit them, like the topic of Kashmir in this case.

That is why the Rules of Procedure were amended and the stipulation introduced that 40 Members – it may not be formulated very clearly, but that was the intention of the reform – have to be in the Chamber and contest the quorum. It was introduced because we were aware of the problem and, since then, there has never been the required number of Members present in the Chamber to request that the quorum be established, so it was always deemed to exist.

I think it is important legally to consider the intention of this rule. I am sure it can be looked up in the committee and plenary Minutes. The intention of the reform was to link the question of the quorum with a number of Members present that was high enough to prevent it becoming a frequent parlour game, for that would almost have ruined these debates. It was with the purpose of saving them that we introduced this quorum of 40 back then.

However, if we now make that 40 signatures, then the reform no longer makes sense.

Pierre Pribetich (PSE). – (FR) Mr President, you asked for the opinion of our colleague Mr Leinen first, in order to find out our feelings on this. As my colleague has already said, it is true that this manoeuvre appears to be a little dilatory; in other words forty of our colleagues who, for reasons that are their concern, have not been able to attend this sitting, are trying to use measures and procedures in order to prevent an urgent debate taking place here this afternoon. I really think that perhaps, rather than scrupulously applying the rules, we should look at the spirit of the Rules of Procedure.

The spirit of the Rules of Procedure is really to ensure that the people who are tabling this quorum request are at least present so that they themselves can establish that there is no quorum. Otherwise, I find that the request is either a political manoeuvre or it is tactical, but it is dilatory. I would not wish, by strictly applying the law, for us to end up in the position where the urgent debates regularly organised on a Thursday afternoon, which are important, ended up being 'avoided', which would not enhance Parliament's work.

Sarah Ludford (ALDE). – Mr President, I think the previous speakers have made valid points. I thought I understood Mr Leinen in reading out the Rules – and he will correct me if I am wrong – to imply that the Members should at least be here at the beginning of the sitting, even if they then leave. Any other interpretation surely would be entirely self-serving, because people who are absent can put in a demand to say that there is no quorum, but they have helped to ensure that there is no quorum! I cannot see how it could possibly be right to conclude that they can be entirely absent and say that the rest of us do not form a quorum.

The other fact is, frankly, habit on Thursday afternoons. We know there is never a quorum for the urgencies and, if is suddenly to be invoked now, that may be a problem with the Rules that we will have to sort out. If you are going to torpedo this afternoon's urgencies, you could torpedo every Thursday afternoon's urgencies.

My basic point is: how could it be possible to interpret the Rules to say that 40 absent people can say to the rest of us that we do not form a quorum and ensure that we do not make a quorum?

José Ribeiro e Castro (PPE-DE). – (PT) Mr President, it is not the first time that we have seen such a tactic and I would like to draw the attention of my fellow Members and of the Bureau to the following: all the world's parliaments have two things, rules and regulations but also parliamentary conventions, the established practice. This happens in all the world's parliaments, and this is customary practice for our Thursdays, as used to be the case with Friday mornings. We are all aware of this.

The tactic we are witnessing is obviously an unfair one and I believe that a demand by Members who are not present in the room cannot be considered. Furthermore, I should like to call on those Members who are more expert at preparing amendments to the Rules, namely Mr Leinen, and Mr Corbett as well, to prepare an amendment to this rule, stipulating the following: if there is a request for a quorum count and if the person who made the request is not present in the Chamber at the time the count is carried out, they will lose their *per diem* for that day, and all those who are not in the Chamber, if there is no quorum the count establishes that, shall lose half their *per diem* for that day, so that we can put paid to this type of tactic once and for all. It is an unfair attack on the way Parliament operates, and especially the way proceedings are conducted in Strasbourg.

Ewa Tomaszewska (UEN). – (PL) Mr President, I am not a lawyer, but it seems to me that decency dictates behaviour that differs from that exemplified by the applicants. That is one issue. Now a second: if someone is absent, there are no grounds for doubting whether or not there is a quorum. Thirdly, this approach to human rights matters, which are of particular importance to us, along with absence and attempts to break off proceedings, seems to me distinctly reprehensible. It seems to me that the spirit of the law is more important than its letter.

Esko Seppänen (GUE/NGL). – (FI) Mr President, the matter at issue should be dealt with in accordance with the Rules of Procedure of Parliament and in my opinion Mr Leinen does not have the authority to interpret the Rules of Procedure because it is not his place to act alone as their interpreter.

In my opinion, Mr President, it is your place to take responsibility for how we should proceed on the matter in question and afterwards the course you take should be examined by the Legal Office and the Presidents, otherwise this matter will become no clearer.

Marios Matsakis (ALDE). – Mr President, on a point of order, I think Mr Leinen said that you should have been satisfied that the 40 Members were counted *at the beginning* – i.e. earlier on today. This has not happened. Did the President count the 40 Members who submitted this earlier on today? Obviously he did not. So, Mr Leinen's point that this satisfies paragraph 4 does not apply in this case.

Zdzisław Zbigniew Podkański (UEN). – (PL) Mr President, this is undoubtedly a procedure that should not have to take place, but we too are rational people. We can see, we have eyes, and I wish to say in all honesty that there is no quorum. We can all see that. We must not kid ourselves. We cannot come up with interpretations that are in breach of the Rules and the law. On the other hand, this is such an important matter that we cannot neglect it. I am therefore making a specific application for this debate to be held, but to make amendments to the Rules, and not to make interpretations that are out of kilter with the idea of the Rules. If we break the Rules and the Constitution, this means that we ourselves are doing something that is not good for democracy and we ourselves are violating it.

Neena Gill (PSE). – Mr President, actually the quorum issue does not relate to this debate. The debate can take place. The quorum issue concerns voting. I am surprised we are actually discussing this issue now because the quorum is really needed for the vote.

I agree with all my colleagues that these urgencies are very important issues. However, we have hardly any people here. Last time 58 out of 785 Members voted in this House. I really do not think it enhances the credibility of this House if you have so few voting and taking part on major issues. So I would urge you to make a decision at the vote because the issue is that it is not acceptable that there is never a quorum.

We think these urgencies are important. We should make sure that Members are present. We are trying to make sure that people do turn up to vote for these urgencies. It is not OK for us to keep passing urgencies when we do not have the full number of people.

Jo Leinen (PSE). – (DE) Mr President, Mr Onesta asked me how I read Rule 149(4). I do understand that Mr Posselt and others are saying that we should act anyway, even if we do not keep to the Rules of Procedure. I am delighted with the Member's argument: either we have Rules of Procedure and keep to them, or we do not keep to them and therefore do not need them.

I may be Chair of the Committee on Constitutional Affairs, but it was Members before me who made this rule and adopted it in plenary with an absolute majority. Paragraph 4 is quite clear. It states: 'Members who have asked for the quorum to be established shall be counted as being present [...], even if they are no longer in the Chamber.' That is clear. If 40 Members, who were present at the sitting in Strasbourg, request that the vote or quorum be established, then they will be added to the number of those present. That is how I read it.

If you wish to have it otherwise, then you have to change paragraph 4 but, as for now, it reads as it reads. Mr Posselt, anyone who reads it must understand it that way; there is no other way to understand it.

Therefore, Mr President, now it is up to you to take a decision.

Bernd Posselt (PPE-DE). – (DE) Mr President, Mr Leinen has accused me of suggesting that we ignore the Rules of Procedure. I was present when it was adopted, and you were not. The context was that, previously, 40 Members used to come into the Chamber, ask for the quorum to be established, and then leave. That is what the rule is about.

President. – This is my interpretation having, believe me, listened to you very carefully. The way in which the request from the forty petitioners is worded does not mention the issue of Kashmir, but all the urgencies, all the urgencies this afternoon, including the death penalty. This is an important matter. We can have the debates without any problem, Mrs Gill is right. The issue solely concerns the vote, but I wanted to have this debate from the start so that there would not be ambiguity all afternoon.

I think that the reason why Parliament took the trouble to write Rule 149(4), stating that the Members who have asked for the quorum to be checked shall be counted, in accordance with paragraph 2, even if they are not in the Chamber, as Mr Posselt said, I think that this Rule was written solely to prevent Members from leaving the Chamber at the time of the count, which implies that they were present at the start of the count.

As I cannot see that the forty petitioners are present at the start of the count – unless, as Mrs Gill says, they are all present later at voting time, which we will check, in which case there will be a quorum request – I will follow the precedents set by the other presidents of sittings who, like me, have been faced with this problem, by saying that the quorum request cannot be validated because the forty petitioners are not present.

Having said that, Mr Leinen was right to draw our attention to the fact that the way in which paragraph 4 is written could cause confusion. This is why I think that this is a very good time – and it is not up to me to decide this, but to the competent bodies – for the Committee that you chair, Jo, to clarify very quickly whether or not paragraph 3 states that the Members have to be present when they submit their quorum request, and whether or not the Members have to be present when the count is done, at the start of the count. I think that the interpretation of the Committee on Constitutional Affairs will get us out of a tricky situation.

However, as far as today is concerned, given the importance of the debates, and given the opinions that you have given me, which clearly largely support what I have just said, and on the basis of the previous decisions, we are going to have our debates, and when it comes to the vote, if the forty petitioners are not present, I will not ask for the quorum to be checked. The debates will therefore begin.

11. Debates on cases of breaches of human rights, democracy and the rule of law(debate)

11.1. Allegation of mass graves in Indian-administrated Kashmir

President. – The next item is the debate on six motions for resolutions on the allegation of mass graves in Indian-administrated Kashmir⁽¹⁾.

Marios Matsakis, author. – Mr President, I am very glad about the very wise decision you have taken.

(1) See Minutes.

Commissioner, thousands of civilians have been the victims of extrajudicial killings and forced disappearances, torture, rape and other serious human rights abuses which have occurred in Jammu and Kashmir since the beginning of the armed conflict there in 1989. Shamefully, most of these crimes have not been fully resolved to date. Furthermore, there is real concern about the safety of human rights activists, including those who are seeking to investigate the fate of the many missing persons.

This Parliament strongly condemns all acts involving human rights abuses in the region and calls upon all governments concerned to show a strong will to uphold the rule of law and justice and to redouble their efforts in order to secure full investigations into the politically motivated crimes committed in Jammu and Kashmir in the past.

Ryszard Czarnecki, *author.* – (PL) Mr President, I must say that it is not good when a president from the old EU discriminates against Members from the new EU by twice allowing a Member from the old EU, Mr Posselt, to speak, while I, the co-author of three reports, cannot rise to speak even once on this matter. I class this as discrimination and something that is totally unacceptable. I shall be submitting an appropriate letter on this, Mr President. This is a very disturbing thing.

With regard to this situation, we are not looking at a black-and-white film. On the border between India and Pakistan conflicts arise that are often provoked by the Pakistani state, as we very well know. We know about the so-called line of control guarded by the armed forces of the two countries. Following the recent 20-year period of peace along this border, Pakistan has resumed its attacks on the state of Kashmir. I am therefore asking for attention to be given to the other side too. Of course, I am not underestimating the issue of the graves that we are discussing here, although the number of victims is probably considerably smaller there.

Jean Lambert, *author.* – Mr President, I welcome the opportunity to debate this particular issue because it is of great concern to many of us in this House whenever, in any part of the world, a significant number of graves come to light that are only accessible with permission of the security forces.

Therefore this motion for a resolution – along with the hearing in the Subcommittee on Human Rights next week – takes on an even greater significance because of the political and security situation in the area. As this House well knows, we have ourselves debated that general situation before, perhaps also under less than transparent conditions.

There is indeed a history of disappearances in the region. We know that a number of these have been linked to the activities of the security forces. We know that it is the most heavily militarised area in the world. We know that this also is an area where there are arrests and significant detention without trial. Therefore that also colours our interpretation of such findings, making it all the more important that there should be a really open investigation allowing full transparency and full access for the international community.

I hope that the European Union will, as the resolution states, offer its support for high-quality forensic expertise and any other assistance which is needed in this investigation, because it is important for our interpretation of what is happening there that we reach the fullest possible understanding. With that also goes – as others have said – the protection of human rights activists who are themselves trying to investigate the issue, such as Pervez Imroz.

I think we would all agree that it is the duty of all democratically elected governments to investigate such findings fully in complete transparency, and to try and trace those whose bodies are there and their relatives, so that we can fully understand the situation and not apply various interpretations to it which might not be the truth.

I think Parliament is absolutely right to be discussing this issue, and absolutely right to be calling on the Commission to offer its assistance, particularly given the ongoing problems that we are seeing in the region at present.

Esko Seppänen, *author.* – (FI) Mr President, I regard your interpretation of the Rules of Procedure as politically correct but legally incorrect and would definitely like the matter to be examined by the Presidents and the Parliamentary Legal Office; this is because the application of the rule in question does not allow for the interpretation you have made today and requires more detailed study.

As for the matter in hand, India has been called the world's largest democratic State. It is indeed large in terms of population but the idea of whether a country is democratic also depends on its human rights situation. Measures alleged to have been taken by the government's security services against human rights activists in

Jammu and Kashmir indicate that not all principles of the rule of law are respected in India, despite the fact that the country's government has clearly declared that it does not allow violations of human rights.

We regard the action of the Indian government as lacking in credibility and ask where thousands of people have disappeared to and whose are the bodies found in the mass graves. We condemn forced disappearances, torture, rape and other violations of human rights. The fact that we suspect the Indian government of having a part in all this is an especially serious matter. Therefore we in the European Parliament demand that an independent investigation be carried out by the Indian government to identify the origin of the mass graves and the identities of the murderers and their victims.

The matter is not insignificant given the nature of the Kashmir region. There is a risk that the neighbouring state, Pakistan, would be party to any new conflict and in that case the events in question may act as a spark to nationalist kindling in this explosive area. We must support the joint resolution on a thorough investigation into the events which occurred in Jammu and Kashmir.

Bernd Posselt, author. – (DE) Mr President, we have often discussed the conflict in Kashmir here, and I must add that there was a time of hope, of rapprochement between Pakistan and India. It was hoped that the situation would ease. Alas, the domestic political crises in both nations have brought a renewed hardening and we, the European Parliament, are working very hard to get the situation moving again.

I am very grateful to Mr Gahler, who, as Chief Observer of our Elections Observation Mission in Pakistan, has worked so hard for democracy in Pakistan and to ensure that our contacts with India serve the same goal and that we are supporting confidence-building.

One might wonder why we are addressing mass graves, as this will not bring the dead back to life and may worsen the climate between the two countries. We are doing it because real peace can only be created when there is justice for the victims – and there are victims not just with Pakistani or Indian passports. There are victims on both sides, and the main victim is the Kashmiri people. That is why we must investigate these mass graves, we must determine where the many people are who have disappeared and are being mourned by their families. Only then can the confidence be established that is necessary for a truly peaceful solution that people also feel they are part of.

Kashmir belongs first and foremost to the Kashmiri people themselves. We should therefore support a solution that finally gives the Kashmiris some breathing space, finally creates political freedom and provides a sensible compromise solution, for this is one of the longest-running conflicts of all. It has been raging since the Second World War, and it is scandalous that nobody has yet managed to bring the problem under control.

We therefore support all efforts to carry out these investigations and help give the victims the dignity and justice they deserve.

Neena Gill, on behalf of the PSE Group. – Mr President, just for the record, I am not an author of this resolution. I do not know who has put my name down because I have not signed it.

I just want to say that I am really surprised to see this item as an urgency before we have debated it properly in either the Subcommittee on Human Rights, or for that matter, any other subcommittee or delegation of this Parliament. This is not a new issue and it has been extensively investigated by the media in India. It has been raised over and over again. It would have been good to have had the debate before. This is the reason that the Socialist Group were against having this item as an urgency now because we believed it should have been properly discussed in committee before.

The whole urgency is based on reports by a single NGO. I am not denying that these things are happening, but I have had communication with the Commission, who are calling into question various things in this report. So I would really question what it does for this Parliament's credibility to have an urgency before things are properly investigated.

As Chairwoman of the European Parliament's Delegation for relations with India, I personally would have liked an opportunity to look at the contents of this report and examine how many cases we are looking at and the result of the conflict in the region, where there have already been something like 4 500 deaths among military personnel and 13 000 civilians have lost their lives. The graves we are talking about are in the line of control.

This resolution text ignores the fact that the issue has been investigated over the last five years, following the 2002 elections, and I have been informed that NGOs have had access to the area and have been invited to

submit their names of disappeared persons to help the authorities to identify the graves. Nobody is denying that security forces have been involved in disappearances. What this resolution leaves out is that they have been investigated by the authorities. I personally would urge this House not to vote for this resolution.

Tunne Kelam, *on behalf of the PPE-DE Group*. – Mr President, I can only join in the concerns about the discovery of hundreds of graves in Jammu and Kashmir since 2006, but I am particularly concerned about the armed attack on the respected human rights lawyer, Pervez Imroz, just 11 days ago in Srinagar, and the continuous harassment of numerous human rights activists. I think it is opportune, therefore, to urge the Indian Government to launch an independent investigation into these graves and as a first step to secure the grave sites so as to preserve the evidence.

We also call on the European Commission to offer the Indian Government financial and technical assistance through the Stability Instrument for such an inquiry, and possibly further measures of conflict resolution in Kashmir.

Sarah Ludford, *on behalf of the ALDE Group*. – Mr President, I think we should be clear what this motion for a resolution is not: it is not a re-run of the rather controversial and contentious report that we had last year; it is not about how to get a political solution to the territorial dispute and conflict over Kashmir. It is nothing of the sort. It is a simple focus on humanitarian questions, with a call for an independent and impartial investigation and accountability for alleged disappearances.

It could have been handled in various ways. It is true that these discoveries of unidentified graves go back to 2006. But two things prompted the urgency request. One was the report going back to 29 March from the Association of the Parents of Disappeared Persons and the second was the attack on 30 June, with perpetrators unknown, on Pervez Imroz, the award-winning human rights lawyer and founder of that association. I think that justifies the urgency.

At least part of the purpose of this resolution is to urge some action by the European Union, not least in paragraph 2, which urges the Commission to offer financial and technical assistance to the Indian Government. It also calls for EU Member States to take up the issue in the dialogue on human rights with the Indian Government in the second half of this year. So the focus is on getting an independent investigation and not least to assign a civilian prosecutor to the task. I think it is justified and is something that has a particular and circumscribed focus and does not talk about the whole issue of Kashmir.

Leopold Józef Rutowicz, *on behalf of the UEN Group*. – (PL) Mr President, the resolution speaks of facts that are an outcome of the conflict over Kashmir between Pakistan and India that has been going on for the past 50 years. This conflict has been the cause of several wars. Only China has benefited from it. There has been indirect involvement by Russia and the United States in the conflict, and funds have come from Arab countries and China. The UN has played a positive role in ameliorating the conflict. This conflict is still going on, and attacks by fundamentalists continue to bring a bloody harvest. This is the most serious problem faced by the inhabitants of Kashmir. Victims on the Indian side are buried, while on the Pakistani side in many cases they become objects of revenge. The key role in resolving the conflict and evaluating the facts should be played by the UN, not by us. We feel morally obliged, in so far as the democratic government of India does not take this on, to provide assistance and stabilisation in the prevailing situation in Kashmir, and in a moral evaluation of the actions taken in the conflict. I view the holding of a discussion on this subject more as a political manifestation than a pragmatic action. I do not support the resolution.

Laima Liucija Andrikiienė (PPE-DE). – (LT) We are fully aware of the fact that the military conflict in Jammu and Kashmir has been going on for several decades. However, today the most important point is that, in spite of the commitment of the Indian Government not to tolerate human rights abuse in Jammu and Kashmir, the international community still receives information on human rights violations, most recently regarding a large number of unknown graves containing hundreds of unrecognised human bodies. We want to know and must find out who these people were, of what violence they are the victims and what crimes they are alleged to have committed.

We not only condemn unlawful killings and disappearances, but also insist that the Indian Government carry out a thorough independent investigation into the mass graves, having protected them in order to preserve the evidence. I do believe that the European Commission will find ways of rendering financial and technical support to the Indian Government in order to facilitate the investigation.

Marios Matsakis (ALDE). – Mr President, I only want to take the floor again because, as an author of this resolution, I feel obliged to answer what Mrs Gill has said. It is extremely rare that the urgency subjects we

discuss on Thursday afternoon go before a committee before they come here, otherwise they would not be urgent. It is an urgency because there are mass graves which have been discovered recently, and we need to sort this problem out.

Secondly, if the Socialist Group wants to have a majority when voting, then perhaps Mrs Gill's group should make sure that their MEPs do not leave before the end of the part-session in order to go back home earlier – while we have to stay here and discuss and vote. I would say to Mrs Gill: I think you should first look at your MEPs because you are the one who is complaining about it, and then discuss other groups' MEPs.

Zdzisław Zbigniew Podkański (UEN). – (PL) Mr President, the mass graves and mass burials of thousands of people in the states of Jammu and Kashmir make one's blood run cold in one's veins. For us Europeans it is a reminder of German and Soviet crimes and of the dark sides of Fascism and Stalinism. It revives memories of Hitler's concentration camps and of the Soviet murder of Polish officers at Katyń. After our distant and more recent experiences, we should be doing all we can to put a stop to genocide, and where it has already taken place we should commemorate it and give families the right to the graves of their ancestors and compensation for them. The situation in Kashmir demands that the necessary financial and technical assistance be given to the Indian Government and that the UN response be strengthened in order to return the situation in this region of the world to normality.

Kathy Sinnott (IND/DEM). – Mr President, when mass graves are found, wherever they are found, it is imperative to find out who the victims are, how and why they were killed, who is investigating and who is being investigated. Rather than being an incendiary activity, it establishes the truth and honours the humanity of the victims, and that is the start of establishing the truth that sets us all free.

Olli Rehn, Member of the Commission. – Mr President, the Commission is aware of, and has seen reports about, mass graves in Indian-administered Kashmir and we are following closely requests from NGOs to the Indian Government to launch urgent, impartial and independent investigations on this matter. Meanwhile, the Indian authorities and the government at central level remain silent on the report.

We have also received information that the lawyer Pervez Imroz and another NGO activist who investigated the charges of human rights violations in Kashmir were subjected to intimidation and harassment on 20 and 21 June.

The Commission delegation in New Delhi is further investigating this matter, in close cooperation with the French Presidency and the Member States' embassies in the Indian capital. The Presidency has contacted the resident Commissioner of Indian-administered Kashmir in New Delhi and has expressed the EU's concerns over the situation. If accurate, such reports would constitute very worrying developments as to the respect of democratic principles and the rule of law, and would run counter to certain positive developments in Indian-administered Kashmir, such as the composite dialogue, which is still on track.

President. – The debate is closed.

The vote will take place after the debates unless, as I said earlier, a request is properly submitted and it is properly established that there is no quorum present.

11.2. Situation in Bangladesh

President. – The next item is the debate on six motions for resolutions on the situation in Bangladesh⁽²⁾.

Ewa Tomaszewska, author. – (PL) Mr President, in connection with the disturbances in January 2007, the caretaker government in Bangladesh introduced a state of emergency, and on 11 June this year it passed a new regulation limiting human rights through an imprecise definition of a terrorist act.

In June there was a mass wave of arrests in Bangladesh, taking advantage of extraordinary powers enabling arrests to be made without a warrant when a link between the person being arrested and criminal offences can be presumed. In fact, the arrests concerned leaders, members and sympathisers of the two main opposition groups, the Awami League and the Bangladesh People's Party, who were refusing to cooperate with the government in organising general elections until their leaders were released from captivity. Today's incipient negotiations with the Awami League are cause for hope. The massive rise in food prices is threatening the

(2) See Minutes.

stability of the country, however. Under these conditions, the elections planned for December are no guarantee that Bangladesh is setting off down the road of democracy.

We call on the Government of Bangladesh to lift the state of emergency and respect human rights, which will help to maintain democratic standards during the course of the elections. We call for the armed forces to be withdrawn from actions linked to the organisation of the elections.

Jean Lambert, *author*. – Mr President, as we know, Parliament has been concerned about the situation in Bangladesh for a considerable period of time. We supported calls for moves to ensure free and fair elections and we also supported the calls from civil society for revised and updated electoral registers to ensure that maximum participation would be possible within those elections.

I think it is important to say that we very much welcome the progress that has been made on that new electronic register. It is a major task which has been undertaken and indeed, if it is fulfilled in time and ensures that minority groups etc. are also included on it, this will really be an historic achievement by the Bangladeshi authorities. We know that the electoral register has also had a very positive effect already, certainly for a number of women from poorer families and backgrounds, who feel that at last they have an identity, that they can now borrow small amounts of money to set up their own businesses etc.

So there have been some positive moves. We also welcome recent action on war criminals and the action that the government, or at least some of it, has taken against corruption.

But we have major concerns about the role and activity of the continuing interim government and the state of emergency. There are some who have said that the state of emergency is a technical issue, as it were, to ensure that a government can at least continue beyond the caretaker period.

But whether one agrees with that or not, I think that what is happening with the state of emergency is really beginning to reflect a clear lack of checks and balances within the system there, particularly given the reports, as we have just been hearing, of mass arrests, the lack of due process, the allegations of torture, reports of extrajudicial killings, pressure on journalists and increasing violence against women.

So there is a clear need for the interim government to rein in the security forces, to cease the mass arrests and to proceed to either charge or release those people arrested and to ensure due process. Certainly this resolution reflects the wish which I think is there in Parliament to lift the state of emergency and to ensure that civil society can proceed to full, fair, free elections with the support of the European Union, at any rate in its electoral monitoring capacity.

Marios Matsakis, *author*. – Mr President, Bangladesh is one of the poorest countries on the planet and one whose physical integrity has an expiry date since, if the curse of global warming is not stopped, much of the country will be submerged under the sea by 2050. The state of emergency, with all its anti-democratic manifestations – a state which was declared by the caretaker government set up in January 2007 amid violence in the run-up to the election – should have been lifted by now. All individuals held under emergency power rules should either be brought before a court of justice or be released.

Furthermore, the new anti-terrorist ordinance must be urgently brought into line with internationally accepted standards, safeguarding personal rights and freedoms. In addition, the country's armed forces must terminate their involvement in the political processes of the country and the forthcoming elections must be held in a climate of non-militarised political tranquility.

Esko Seppänen, *author*. – (FI) Mr President, in the resolution which we have just adopted, the European Parliament demanded human rights for the people of India.

The situation in Bangladesh is very problematic. The whole country has been in a state of emergency for 18 months and there are no free elections on the horizon. Bangladesh is not a democratic state, but of course the world is full of undemocratic states and violations of democracy. Of all the undemocratic states only Zimbabwe has received the condemnation of the EU and the United States. The undemocratic nature of its elections can be freely criticised in the western media because the country has no oil. Oil is a protective buffer against condemnations of violations of democracy.

Bangladesh is not an oil state either. For that reason the media could highlight the situation in the country with the silent blessing of the oil-dependent ruling powers. Bangladesh has re-introduced the death penalty and following the declaration of the state of emergency 300 000 people were arrested on flimsy grounds, 12 000 of whom have died in the last month. Several of the people arrested in recent weeks were defenders

of democracy, active local members of political parties and supporters of democracy whom the state and the government regard as criminals.

Terrorism is the word of the day in Bangladesh too, and is the guise for violations of human rights. Bangladesh is not a state based on the rule of law. Human rights violations are carried out there in the form of detentions of the most varied kinds, shortcomings in the defendant's rights of defence, and defects in both the publication of judgments and in the grounds on which they are based. The human rights enshrined in the constitution are not respected. For those reasons we call on Parliament to support the joint resolution demanding the immediate abrogation of the state of emergency and the holding of free elections in due course.

Thomas Mann, *on behalf of the PPE-DE Group*. – (DE) Mr President, the Ahmed transitional government must concentrate on its real goals: fighting corruption, making the country safe and creating the preconditions for elections to take place – in August at regional level and in December for the whole country. However, the elections must be conducted fairly, respect international conventions and give ethnic and religious minorities the opportunity to be involved, both passively and actively. Electoral observers, including from the European Union, should perform the necessary monitoring within the country.

Obviously, extremist attacks must be prevented. The new Counterterrorism Ordinance 2008, aimed at achieving this, must comply with international law, however. That is not yet the case. Currently, it is being used mainly to target people who are victims of political persecution. It is no wonder that Bangladesh is a place of fear, when human rights activists and citizens who express criticism are arbitrarily arrested.

Those arrested have a right to due process. The human rights organisation Odhikar has stated that information about mass arrests and maltreatment has been substantiated. As a member of the South Asian Association for Regional Cooperation (SAARC) delegation of the European Parliament, I have visited Bangladesh several times. Many Members here today were also present. In that moderate Islamic country, there are many in positions of responsibility who are favourably disposed. They are waiting desperately for input from outside, namely from the European Union – the Commission and the Council.

Mr President, I congratulate you on the decision you have just taken regarding quorums in the European Parliament. Mrs Gill, I wish we could keep all our urgencies alive and did not constantly have to say that they would be handled by the relevant committee. Mr Matsakis is absolutely right. One step further in this regard would be that suddenly there were no more intergroups. That would also be fatal, because committees cannot do this work.

We must make the most of the opportunity of having enough time, so that we no longer see the situation we now have, where the poor President has to use the gavel – because, in the future, we shall hopefully have twice as long to speak, so that the European Parliament will be known as the voice of human rights and can become stronger – and that takes time.

Neena Gill, *on behalf of the PSE Group*. – Mr President, having chaired the Delegation for relations with the countries of South Asia and having visited Bangladesh, I would say that this is a fragile state which has faced more than its fair share of political, environmental, economic and social setbacks. However, when I was there I was impressed by the vibrant and free media and the determination of the people to overcome their difficulties.

I believe the focus of our relations with Bangladesh should be to support the democratic movements in the country and the establishment of rule of law, as well as helping to build democratic institutions. Whilst the EU has an important role in assisting Bangladesh to achieve these goals, this should be translated into constructive action towards assisting the country, not into trying to micromanage their problems.

I really welcome the announcement of elections scheduled for the third week of December this year and I call on the caretaker government to ensure that these elections will be free and fair, and to allow the Election Commission to continue with its road map.

I would like to address the points Mr Mann raised against me because I think it is not proper to take on points from the previous debate. I would say that, if we take our urgencies really seriously, Mr Mann should make sure that those people are here. The onus is on all of us to make sure that our colleagues are here because we have minority groups influencing how the European Parliament is viewed across the world. It is important when we have these debates that we keep that in mind: it is important to have urgencies, but get all your people here.

Janusz Onyszkiewicz, *on behalf of the ALDE Group*. – (PL) Mr President, in terms of population numbers, Bangladesh is the seventh largest country in the world, with a population in excess of 150 million. This is a country that achieved independence in 1971, but has suffered for 20 years under autocratic governments, which have very often been of a military nature. In 1991, however, something else began there. Democracy sprang up, and there was a 5% rise. The well-known company Goldman Sachs stated that Bangladesh was a country with a very promising future, as far as swift economic growth was concerned. Today we are looking at a massive regression, and there is a political crisis. The army has appeared in the streets. Moreover, the army would like to change the Constitution in order to introduce, as it puts it, its own form of democracy. We have heard this one before. We have had the opportunity to observe close up what this special form of democracy is all about. If this new form is to involve bringing the army into politics, my view is that it is a very bad direction to take.

Ryszard Czarnecki, *on behalf of the UEN Group*. – (PL) Mr President, the situation in Bangladesh has always been very serious, but especially so in the last 18 months – since the time when a state of emergency was introduced there. One effect of this has been, for example, to increase the number of death sentences, and more than 300 000 people have been arrested, a number of them having been tortured. The problem is that these repressions are showing no signs of weakening. Six weeks ago more than 12 000 people were arrested. All this is taking place against a dramatic economic background. Rice and basic foodstuff prices have risen by a third. There will probably also be a vast wave of emigration, which will reach 25 million in the next 40 years. This exodus will be caused by the floods that are highly likely as a result of rising water levels in the Bay of Bengal. This all points to one conclusion: Bangladesh is a country in which we must take an interest; we must give it support. We must also support economic and democratic change in that country – the poorest country in the world.

Eija-Riitta Korhola (PPE-DE). – Mr President, under the emergency rule instigated in 2007, one can be imprisoned indefinitely without a court warrant on the grounds of reasonable suspicion of involvement in corruption-related activities. With the recent arrest of Motiur Rahman Nizami, the three main political party leaders of Bangladesh have now been apprehended on illusive charges of corruption.

Since March 2008 at least 12 000 persons have been arrested and denied the right to seek release on bail. The number involves hundreds of political party members, but business people and journalists have also fallen prey to this anti-corruption witch hunt.

With elections pending for December of this year, the key political leaders are unable to participate in dialogue, inhibiting the democratic process. Though the caretaker government denies allegations that these arrests are politically motivated, the strategic timing of these events is too coincidental to ignore.

The detainees should be charged lawfully on the basis of substantiated evidence or released immediately. Otherwise the outcome of the coming elections will be fraudulent and far from democratic.

Lidia Joanna Geringer de Oedenberg (PSE). – (PL) Mr President, the problems in Bangladesh to which we have been drawing attention for some years now continue to remain unresolved. The world keeps hearing of more and more instances of human rights violations in that country. Since January 2007, Bangladesh has been in a state of emergency. The Anti-Terrorism Ordinance introduced on 11 June has placed additional restrictions on human rights, becoming another tool in the political battle. During the past 18 months 300 000 arrests have been made and the scope of application of the death penalty has been widened. Prisoners are subjected to torture and die in unexplained circumstances. The Bangladeshi authorities are not doing a lot to support the economy in the country, where food prices have risen by more than a third in recent months, and where a quarter of the territory is threatened by a constant risk of flooding and humanitarian disaster. An opportunity for change in the country is provided by free parliamentary elections preceded by a lifting of the state of emergency. It is essential for the caretaker government to guarantee freedom of the media in the pre-election period and the involvement of representatives of all the country's ethnic and religious minorities in the elections. The EU should restore as soon as possible its election observation mission in Bangladesh, and prior to that the European Commission's Office in Bangladesh must carefully monitor the political situation in the country and the status of observance of fundamental human rights.

Leopold Józef Rutowicz (UEN). – (PL) Mr President, freedom and statehood in Bangladesh were secured and purchased at the cost of the lives of many millions of its citizens. This nation also suffers vast losses because of its situation and the lie of the land. It is beset by natural disasters. The country is overpopulated, with 1 040 people per square kilometre; it is not urbanised, and it has a very low income per head of population. This is a country that is difficult to govern because of illiteracy and a lack of roads and

communications. It requires constant assistance from outside, not least in the creation of an effective democratic system, which is an important and difficult problem in Islamic countries. Consideration of effective forms of assistance is a very important matter, with a view to Bangladesh not being run by totalitarian governments. I support the resolution. A discussion on the subject of democracy may stimulate positive action on the part of Parliament.

Filip Kaczmarek (PPE-DE). – (PL) Mr President, Bangladesh's caretaker government, supported by the army, is arresting thousands of people, among them members of the opposition. They are held in captivity for months on end without being charged with anything. This is being done under the pretence of a fight against corruption and terrorism. The government is also persecuting the independent media and allowing the practice of torture. This situation is taking place in a country that is in the vanguard of the world's poorest and most densely populated countries. Against this background it has to be stated with concern that the European Union is attributing too little importance to the problems of Bangladesh. This must change. A good opportunity for this should be provided by the parliamentary elections that have been announced for the end of the year. The European Commission and the Council should most definitely play a more active role in getting the state of emergency lifted and putting an end to human rights violations. The EU should apply special pressure particularly to the forthcoming elections and carry out careful monitoring of both the preparations for and the holding of these elections.

Jo Leinen (PSE). – (DE) Mr President, the European Union has a major interest in democratic conditions and respect for human rights in Bangladesh. I also join the call for free and fair elections and the lifting of emergency measures in the near future. Clearly, there cannot be any democratic debate in a climate of fear and intimidation.

We make our demands to the caretaker government, that is true, but we must also point out that the political powers that be in Bangladesh also have a rather uncultured style, and that things do not happen peacefully, but very violently, particularly during election campaigns. Election campaigns are invariably used to intimidate minorities. Thus our message is directed to all the actors, primarily to the government, but also to the parties.

Nevertheless, Mr President, I respect your decision, but I should just like to point out that our Rules of Procedure state that, 'If the vote shows that the quorum is not present, the vote shall be placed on the agenda of the next sitting.' (Rule 149(3)). I should hope that such votes take place not with 30 Members present, but 600, which is always the case for midday votes.

Justas Vincas Paleckis (PSE). – (LT) Bangladesh is one of the poorest countries in the world. It is also one of the most densely populated countries in the world. Bangladesh is the country at greatest risk from climate change. Lastly, this country is one of the least democratic.

I have enumerated four problems, four threats, just one of which could bring even a flourishing country into submission. Therefore, in order to break this chain, democracy should be reinstated; even today's debates should lead in this direction.

Marios Matsakis (ALDE). – Mr President, I am sorry that I have to take the floor again, but I must again reply to Mrs Gill. She has made the accusation that the discussion on Thursday afternoon and the resolutions are the result of the wishes of small minority groups. Can I say that this is disrespectful, unfair and unfounded. These resolutions are discussed extensively at meetings where representatives of all the groups – including the PSE Group – are present, one or two days prior to coming here on the Thursday afternoon. They are approved by the representatives of these groups, if they agree to their content, and then they are debated and voted upon.

So, if there is a problem with regard to the Socialist Group, it is not our concern. It is Mrs Gill's group's problem and concern. Perhaps they do not debate these issues sufficiently or in time, but it is her problem. As far as Thursday afternoon goes, it is exactly the opposite. It is not the minority groups. The PPE-DE Group has the majority on Thursday afternoon and it is what the PPE-DE Group wants that passes because they have the majority.

Zdzisław Zbigniew Podkański (UEN). – (PL) Mr President, it has become a practice of the European Parliament to consider instances of violations of human rights, democratic principles and the rule of law and to adopt appropriate resolutions in plenary. One of the things we are looking at today is the situation in Bangladesh, where the elections planned for 22 January 2007 did not take place and have been postponed until December 2008. This fact has exacerbated the situation, leading on the one hand to numerous socio-political protests and on the other to a tightening of legal regulations and a tougher response from

government forces. The expressions terrorism, acts detrimental to goods and individuals and serious crimes are often used as grounds for arrests and court rulings. The state of unrest is being made worse by a food crisis, causing a rise in expenditure on food by as much as 60%. The problem is not one that can be resolved by the use of force – arrests, court rulings, incarcerations. What is needed is a reconciliation between the warring factions. Such a reconciliation could be brought about by democratic elections, so a resolution calling for them to be held makes sense and should be supported.

President. – Before giving the floor to the Commission, I would like to respond to my friend Mr Leinen.

Jo, you were saying that if we did not vote this afternoon, the vote would take place next time. You would be right if it were not a vote on urgencies, because Rule 115(6) of our Rules of Procedure, according to the interpretation produced by the Committee on Constitutional Affairs that you chair, states very clearly that motions for resolutions on urgencies that cannot be dealt with within the time period allocated for the debate shall lapse. The same applies to motions for resolutions for which it has been established that the quorum is not present.

Therefore, for urgencies and urgencies alone, if it is established before the votes that a quorum is not present, the vote never takes place. It cannot be deferred; this is stated in Rule 115(6).

Olli Rehn, Member of the Commission. – Mr President, the parliamentary elections in December are indeed essential for securing sustainable democracy in Bangladesh. There is progress but much more progress is needed, especially in the field of human rights.

So far we assess largely positively the steps taken by the government to prepare for these elections as regards the electoral framework and dialogue with political parties. Technical preparations have made substantial progress.

Yet, since Bangladesh is under a state of emergency, we will be monitoring closely whether the progressive lifting of restrictions to the exercise of civil and political rights allows credible free and fair elections. Let me also make it clear that our engagement in the process, including the eventual redeployment of an electoral observation mission suspended in early 2007, will be linked to this commitment by the government.

We also share the concerns expressed in your resolution of 6 September last year as well as in your motions submitted by political groups for this debate today. Restrictions to the exercise of fundamental freedoms must be limited to what is strictly necessary to guarantee security.

President. – The debate is closed.

The vote will take place at the end of the debates.

Charles Tannock (PPE-DE), in writing. – Bangladesh is a large and strategic South Asian country with 153 million inhabitants and some 80 million registered electors, making it one of the world's largest democracies.

The caretaker government has now informed the EU and USA that it will proceed to democratic elections in December 2008, having successfully completed an electoral register which is robust against fraud. The military are now committed to withdrawing from policy-making. Ex-Prime Minister Sheikh Hasina has been released on humanitarian grounds. The emergency powers, which this resolution rightly wishes to see lifted, are still in place and need to go before the election. The large numbers arrested following the violence last year, which led to the state of emergency, need to be released or charged. Long-term EU observers should return as soon as possible to monitor the pre-election situation.

The EU is watching Bangladesh very carefully, given the concerns about the deteriorating human rights situation over the last few years and increasing Islamist radicalisation of its society, with an exodus of Hindus, Ahmadias and Christians, and the government's seeming abandonment of its successful model of a secular multiparty democracy. Bangladesh has the makings of a successful democracy in the Muslim world and the EU needs to strongly support this.

11.3. The death penalty, particularly the case of Troy Davis

President. – The next item is the debate on six motions for resolutions on the death penalty, particularly the case of Troy Davis⁽³⁾.

Marios Matsakis, author. – Mr President, this House has taken a clear and strong stance as far as the death penalty is concerned. It supports its abolition and the need for an immediate moratorium on executions where the death penalty still applies.

The latter is the case in many states in the USA such as Georgia, where Troy Davis is awaiting his lawful killing to be carried out at the end of July. Apart from ideological and humanistic considerations against executing human beings, in the case of Troy Davis there appear to be additional reasons in the form of serious doubts as to the robustness and validity of the evidence which led to his conviction in the first place.

Such doubts, we believe, justify the reasoning of any individual using common sense that retrial should be granted in this case. Consequently we call on the relevant authorities in the USA to order that Troy Davis be retried and, if found guilty again, that his death sentence be commuted to life imprisonment.

Furthermore, we call once again on the US Government, and all governments in the world that still have capital punishment, to abolish the death penalty in the interests of humanity. In particular we call on the governments of those countries such as China, Iran, Pakistan and Saudi Arabia where executions are still carried out regularly, and where in many instances this is done in a most appallingly barbaric way, to stop executions.

Ryszard Czarnecki, author. – (PL) Mr President, I would not want this to be a debate on the subject of the death penalty as such. Since we cannot conceal the fact that opinions differ on this matter, it seems to me that we should be talking about the very specific case of an individual who was given the death penalty, subsequent to which seven out of nine witnesses to the charge against him withdrew their testimony. This is a very specific situation. I would not want us to veer off in an abstract fashion into a debate on whether the death penalty is completely bad or not. I do not want at the present moment to call on the US authorities to amend a law that in 1972, that is 36 years ago, brought back the death penalty. We are talking about a specific and extraordinarily controversial case. It really is worth defending Mr Davis and demonstrating that there are situations in which it is worthwhile intervening. I would caution against generalisations, and that is why I did not sign this joint resolution.

Jean Lambert, author. – Mr President, this case certainly is an urgency because, as we have been hearing, the execution is due to take place by the end of this month. So I would urge each and every one of us in this Chamber and listening to this debate to make personal representations to the American Government – and indeed the Georgia state government – to see if clemency can be applied. Then we would move towards a retrial, if that is necessary. At least we would have a living being and a retrial would be able to take place. I think it is really important that we take our personal responsibility on this as well as looking to representations by Parliament.

Certainly, in this particular case, the evidence – as we have also been hearing from many of the witnesses – has been retracted and contradicted. The American Bar Association's Georgia Death Penalty Assessment Team released a report looking at the circumstances in that particular state and felt that one of the major problems they had found was inadequate defence counsel, and a concern that defendants already on death row may not have had adequate counsel at the time of their trials. They noted that Georgia was the only state that did not provide lawyers to death row inmates for their post-conviction appeals.

So there are a number of reasons to be very concerned about this particular case, which is the one cited in the title of the resolution on the death penalty, notably the case of Troy Davis. But I would also like to raise other cases, in particular what is happening at the moment with some of those still detained in Guantánamo. One case in particular concerns a British resident, Binyamin Mohamed, who has been detained there for over six years now and is likely to face a military commission where the death penalty is all too possibly an outcome.

This Parliament, and the European Union as a whole, takes a very strong view on the death penalty. We consider that it is not something that a civilised society should be applying, and that there are all too many

(3) See Minutes.

reasons for death penalties not to be imposed. The case of Troy Davis is, I think, an absolutely classic example of the real problems with the implementation of the death penalty.

Once again, as well as what is called for in this particular resolution, I would call on each and every one of us, as responsible individuals, also to take action in communicating our distress on this particular case.

Laima Liucija Andrikienė, *author.* – (LT) The European Parliament has adopted quite a few regulations encouraging the abolition of the death penalty and executions or at least a moratorium on executions in the countries in which the death penalty still exists.

Today we, the European Parliament, are supporting a person we have never met, Troy Davis, who is to be executed at the end of this month. Can you imagine yourself in his place, having had to spend 17 years waiting to be either cleared or executed, when there is strong evidence that he is innocent, with the seven witnesses who gave evidence against him having retracted their statements, and so on. We are aware of quite a few cases of a person being executed and his innocence being proved only afterwards. There are a lot of known cases where people are given the death penalty but avoid execution owing to the discovery of new evidence that proves they are not guilty of the crime.

Therefore, today we are once again calling on all the countries of the world in which the death penalty is still used to take immediate measures to abolish it. Today we are making our position against the death penalty clear, standing by a real person and pleading with the relevant US courts to reinvestigate the case of Troy Davis and pass a more lenient sentence instead of the death penalty.

In my opinion, supporting a real person, trying to protect him from being executed, even if he has made a huge mistake, is the best way to make our position on the necessity of abolishing the death penalty absolutely clear.

Ana Maria Gomes, *author.* – (PT) Mr President, the first human right is the sanctity of life. The death penalty is the most disrespectful of all the instances of contempt for dignity, civilisation and progress. Right now, at this precise moment, when we are breathing and speaking freely, one man, Troy Davis, is locked up in a cell, counting the minutes left of his life. He has been on death row for more than 15 years and has always denied committing the crime he was accused of. Some of those who testified against him have recanted or contradicted themselves in their statements, which were obtained under police coercion. There is no clear, objective and convincing evidence in this case. The application of the death penalty to Troy Davis by the authorities of the State of Georgia runs completely counter to the moratorium on the death penalty adopted last December by the United Nations General Assembly.

Although the moratorium is not legally binding, it carries enormous moral and political significance. It is now up to the States who do not abide by it to review their policy with a view to abolishing the death penalty and respecting human rights in their entirety. The State of Georgia now has the opportunity with this case to give the most fundamental values of democracy the substance they deserve once again. Commissioner Louis Michel recently heard the President of Sudan himself, Omar al-Bashir, say that he would not hand over those who have been indicted for crimes against humanity to the International Criminal Court, just as the United States does not. The United States' example in these two areas is a disgrace, and we have to bring all means available to bear on the United States to show that we cannot accept this stance and the terrible example that is being set for the world in the field of human rights.

Therefore, as the resolution requests, it is vital that the Presidency of the European Union and the European Commission Delegation in Washington make representations so as to prevent Troy Davis' sentence being carried out and for the United States to effectively review its position on the death penalty.

Józef Pinior, *on behalf of the PSE Group.* – (PL) Mr President, in 2007 some 1 252 executions took place in the world, in 24 countries. The true number was undoubtedly higher. Of those executions, 88% were carried out in China, Iran, Saudi Arabia, Pakistan and the United States.

There are two matters I would like to raise in today's debate. Firstly, I disagree entirely with what was said by my fellow Member Mr Czarnecki, that this issue is the subject of differences within the European Union. That is not the case. I would like to remind Mr Czarnecki of the official stance taken in the Roman Catholic Church's doctrine, which was also the personal view of Pope John Paul II, who was against the use of the death penalty. It seems to me that that should be a very clear indication to Mr Czarnecki of the stance of the majority on this matter in EU countries.

The second matter is of course the ongoing situation linked to the situation of Troy Davis in the United States, on whom the death penalty is to be carried out. We must do all we can to suspend the execution of this death sentence and to enable a review process to take place, with a possible replacement by a life sentence if he is proven guilty.

Dumitru Oprea (PPE-DE). – (RO) Over 40 countries have given up the death penalty method since 1990 and, today, over 120 countries have legally prohibited such a penalty.

At the European level, under the European Convention on Human Rights, which comprises an article 2 on the right to life and protocol 6, article 1, “Abolition of the death penalty”, no one shall be either condemned to such penalty or executed.

Shocking statistics have been presented worldwide. Over 1591 people were executed in 2006; over 3861 people were sentenced to death in 55 countries.

I believe that no person has the right to take another human being’s life. How could you take something that is not yours? According to my reasoning, I cannot even conceive something like that, especially since, in the countries using the death penalty, the number of serious crimes has not decreased thanks to such penalties.

We propose the replacement of the death penalty with the deprivation of liberty.

Janusz Onyszkiewicz (ALDE). – (PL) Mr President, our discussion must of course allude to one fundamental matter, and that is the sense in general terms, as well as the moral aspect, of such court verdicts as sentencing a person to death. One of the arguments that I think is very important in this discussion is doubt regarding whether someone who has been accused in an absolutely final way may be recognised as guilty of the deed with which he is charged. In any other situation there is always the potential to drop the verdict and return someone to normal life. In the case of the death sentence this potential does not exist. In view of this, besides the purely moral aspects, exceptionally important though they are, this legal aspect too must be taken into consideration. This is particularly the case in the instance we are discussing, where there are major doubts regarding the grounds for the charge.

Ewa Tomaszewska. – (PL) Mr President, everyone should have the right to a fair trial. In this case, where there are many doubts about guilt, and seven witnesses have withdrawn their testimony, there is a need for the case to be re-heard. A further matter, which those who have risen before me have mentioned, is the problem of the irreversibility of the death sentence. If doubts exist, this is all the more reason for not applying such a punishment.

Maciej Marian Giertych (NI). – Mr President, I should like to take the opportunity provided by this debate to call for a moratorium on the death penalty for innocent unborn human beings. It is high time civilised countries discontinued the practice of abortion.

Olli Rehn, Member of the Commission. – Mr President, the European Union is firmly opposed to the use of the death penalty and actively works towards the abolition of capital punishment worldwide.

In countries that maintain the death penalty, the EU aims at the progressive restriction of its scope, as well as at the establishment of a moratorium so as to eliminate the death penalty completely.

The Guidelines to EU Policy Towards Third Countries on the Death Penalty, adopted in 1998 and revised in 2008, set out the framework for EU action. They include declarations or demarches in international fora and towards third countries, including the United States of America.

As regards the USA, the EU is deeply concerned about the resumption of executions since the lifting of the de facto moratorium on the death penalty in May.

We have repeatedly urged the US Government to reintroduce a moratorium on the death penalty at Federal level and we hope that the United States will consider abolishing the death penalty by law in the foreseeable future.

We take note of Parliament’s motion for a resolution regarding the individual case of Mr Troy Davis. We have intelligence from our Washington Delegation that the Governor of Georgia has not yet signed the execution order and that he is apparently in no hurry to do so.

The Commission, along with EU Member States and the Presidency, will of course follow this case very closely.

President. – The debate is closed.

The vote will take place at the end of the debates.

Neena Gill (PSE). – Mr President, reference was made to me earlier by Mr Matsakis and I wanted to respond to it. I did not want to abuse the catch-the-eye system on a different debate, which was an important issue on the death penalty. But I think he made reference to my not understanding the system of urgencies. I would just like to say, for the record, that I have been involved in a number of urgencies and I would say that it is the least transparent and open system we have.

Of course in my group we have a debate about it, but urgencies are only agreed on the Thursday before Strasbourg and there is an hour-long meeting on the Tuesday before, where urgencies are quickly cobbled together.

I think that some of these issues are not urgent and should be properly debated in this Parliament to maintain its credibility.

12. Quorum (continuation)

President. – At the start of the sitting this afternoon, therefore, I asked the opinion of at least one representative per group, as I had received a request for the quorum to be established in accordance with Rule 149 of our Rules of Procedure. This request was based on a written request from forty Members. In fact, to be entirely honest, 39 + 1, because the eleventh name on the list is completely illegible. I cannot tell you, we cannot tell you, who the fortieth signatory is on that list.

After a debate and having received the opinion of the Chairman of the Committee on Constitutional Affairs, I took responsibility and I also interpreted Rule 149(4) of our Rules of Procedure, which states that the Members who made a request for the quorum to be established shall be counted as present even if they are no longer in the Chamber.

I would like to draw your attention to the words ‘no longer’. It does not say ‘are not in the Chamber’, but ‘are no longer’. This implies that they must have been there previously. The ‘previously’ certainly does not refer to the fact that they were present in previous months, but most definitely to when the quorum request was made. I therefore specified that before the votes I would check whether the forty signatories were present, even if I was having trouble telling you who the fortieth one was.

According to the services, five of them are present. Having said this, if forty Members now stand up and make a request for the quorum to be established, I will do so. Are there forty Members who will stand up and make a request for the quorum to be established?

Neena Gill (PSE). – Mr President, could you verify whether there are 40 Members here, because it is very difficult to tell?

President. – Mrs Gill, I think that, especially since this afternoon, I am beginning to learn Rule 149 by heart. You are referring to paragraph 5. It is the job of the President of the sitting, and him alone, if he decides to do so at any time, to establish that a quorum is not present. However, given the importance of the votes that we are going to hold, especially on the case of a person sentenced to death, I will not play this little game. If forty colleagues do not take responsibility by standing up, I will not establish the quorum.

Are there forty colleagues who will stand up? I do not see them. Therefore we will proceed to the vote.

13. Voting time

President. – The next item is voting time.

(For the results and other details on the vote: see Minutes)

13.1. Allegation of mass graves in Indian-administrated Kashmir (vote)

13.2. Situation in Bangladesh (vote)

- Before the vote on the first part of Recital K

Thomas Mann (PPE-DE). – (DE) Mr President, just a small thing – that we replace ‘at 21 December 2008’ with ‘for the third week of December 2008’. This would then be the exact date. It is a small thing, but we should be true to the facts.

(The oral amendment was accepted)

13.3. The death penalty, particularly the case of Troy Davis (vote)

President. – That concludes voting time.

14. Devoting more attention to youth empowerment in EU policies (written declaration): see Minutes

15. Emergency cooperation in recovering missing children (written declaration): see Minutes

16. Communication of Council common positions : see Minutes

17. Corrections to votes and voting intentions: see Minutes

18. Decisions concerning certain documents: see Minutes

19. Written declarations included in the register (Rule 116): see Minutes

20. Forwarding of texts adopted during the sitting: see Minutes

21. Dates of forthcoming sittings: see Minutes

22. Adjournment of the session

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

(The sitting was closed at 4.45 p.m.)

ANNEX (Written answers)

QUESTIONS TO THE COUNCIL (The Presidency-in-Office of the Council of the European Union bears sole responsibility for these answers)

Question no 12 by Colm Burke (H-0447/08)

Subject: Somalia

Further to the conclusions of the General Affairs and External Relations Council meeting on 26-27 May, 2008:

What is the Council planning to do in order to encourage and push for an inclusive political dialogue among all parties?

What actions will the Council take to enforce the application of international humanitarian and human rights law and to ensure the investigation of violations in order to put an end to the present climate of impunity?

What actions will the Council take to ensure unhindered humanitarian access and to push the Transitional Federal Government to comply with their expressed intention of creating a humanitarian focal point?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council is examining various possibilities for ensuring that all the commitments in the conclusions on Somalia that it adopted on 26 May and 16 June are fulfilled.

The Council encourages an all-inclusive dialogue involving all the parties present in Somalia, through a political dialogue with members of the Transitional Federal Institutions, moderate members of the opposition and civil society. With this in mind, the Council fully supports the agreement made in Djibouti on 9 June between the Transitional Federal Government and the Alliance for the Re-Liberation of Somalia and will continue to provide political and financial support for the efforts made by the UN.

The Council is deeply troubled by the extremely serious humanitarian situation in Somalia. It has welcomed the intention expressed by the Transitional Federal Government to create a focal point for the humanitarian crisis.

The Council supports the Office of the United Nations High Commissioner for Human Rights, including the Independent Expert for Somalia, and has encouraged them to undertake an independent fact-finding and assessment mission to address the human rights situation.

In response to the request in the Council conclusions on Somalia of 16 June, the Secretariat General of the Council and the Commission are examining the possibilities for implementing Resolution 1816 regarding combating piracy and armed robbery in the waters off the coast of Somalia.

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Question no 13 by Jim Higgins (H-0449/08)

Subject: Road safety priorities

Could the Council indicate what measures it hopes to push forward to ensure that the EU meets its target of halving road deaths by 2010, and what other measures it will look to introduce during the lifetime of the current Presidency?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

With regard to the measures to be promoted over the next six months with a view to reducing the number of road accident victims in the EU, the French Presidency of the Council will ensure the adoption of the proposal for a Directive of the European Parliament and of the Council on road infrastructure safety management⁽⁴⁾, on which the Council and the European Parliament have just reached an agreement at first reading.

The aim of this proposal is to ensure that safety is integrated in all phases of planning, design and operation of road infrastructure in the Trans-European Network. Along with economic and environmental considerations, safety will be paramount in the design of new infrastructures. The proposed directive will also provide managers of road infrastructure with access to the guidelines, training and information required to ensure safety in the road network.

The French Presidency also attaches particular importance to the proposal for a Directive of the European Parliament and of the Council facilitating cross-border enforcement in the field of road safety⁽⁵⁾. This legislative proposal has already undergone an initial examination phase under the Slovenian Presidency, and this work will continue under the French Presidency, which has made it one of its priorities for transport. The aim of this text is to enable the enforcement of sanctions against drivers who commit an offence in another Member State than the one where their vehicle is registered. Its aim is to improve safety on European roads whilst putting an end to discrimination against resident drivers.

This proposal for a directive will complement the legislation established by the Council Framework Decision on the application of the principle of mutual recognition to financial penalties. This Framework Decision, adopted in February 2005, will help ensure that individuals and companies no longer avoid paying fines. It will enable a judicial or administrative authority to transmit a financial penalty direct to an authority in another Member State and have that penalty recognised and executed without further formalities.

Finally, it should be noted that on 11 and 12 September in Paris, the French Presidency is organising a seminar on coordinating the improvement of road safety, focused on the issue of monitoring and penalties. It will also host a conference in Paris on 13 October on 'Road Safety in our Cities' organised by the Commission as part of European Road Safety Day.

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Question no 14 by Mairead McGuinness (H-0451/08)**Subject: Global food security**

Has the Council addressed the new but very serious concern about global food security? Does the Council accept that part of the reason for the problem of food insecurity is the years of neglect in terms of spending on research and development in agriculture and food production? What steps does the Council regard as essential in order to address the crisis?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

Regarding the steps to be taken in order to provide a long-term political response to the global food crisis, the Council refers the Honourable Member to the answer to oral question H-0358/08 asked by Dimitrios Papadimoulis.

(4) COM(2006)0569

(5) COM(2008)0151

In addition, as the Honourable Member is surely aware, at its last meeting on 20 June, the European Council examined the political consequences of the rise in food and oil prices. I refer her to the Presidency conclusions on this point.

In the agricultural sector, the Union has already acted to moderate the pressure on food prices by selling intervention stocks, reducing export refunds, removing the set-aside requirement for 2008, increasing milk quotas and suspending import duties on cereals, thus improving supply and helping to stabilise agricultural markets.

The Council also underlines that in the EU and globally there is a need to pursue work on innovation, research and development relating to agricultural production. These activities will be particularly important because of climate change, which will require the agricultural sector to make considerable efforts to adapt. This issue was examined informally on 19 May 2008 by the Agriculture Ministers, with the participation of Commissioners Janez Potočnik and Mariann Fischer Boel, in particular with the aim of defining future research and development priorities.

Finally, the Honourable Member is surely aware that on 3 July, in partnership with the Commission and the European Parliament, the French Presidency organised a conference on the theme 'Who will feed the world?'. The aim of this conference was to discuss the challenges that agriculture must take up today, including the future of agriculture in developing countries.

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Question no 15 by Gay Mitchell (H-0453/08)

Subject: Union of the Mediterranean

The project of a Union of the Mediterranean is a welcome development in relations between the EU and countries bordering the Mediterranean. What plans does the Council have at this preliminary stage to ensure that this Union strengthens and furthers the Barcelona Process? Is it clear that this Union will not be set up in competition with the Barcelona Process? Have there been any discussions on what role the European Parliament would play in a Union for the Mediterranean?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

At its meeting on 13 and 14 March 2008, the European Council invited the European Commission to present the necessary proposals for defining the modalities of the 'Barcelona Process: Union for the Mediterranean'. The link between the 'Barcelona acquis' and the next phase of the Euro-Mediterranean partnership is therefore guaranteed. It goes without saying that they are absolutely not rival structures.

The partners in the process are currently discussing the text of a statement, with a view to the Paris Summit, which will take place on 13 July. It is envisaged that this statement will clearly welcome the important role that the Euro-Mediterranean Parliamentary Assembly is playing and will continue to play in this partnership. In this respect, the Resolution adopted by the European Parliament on 5 June 2008 is a very positive element.

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Question no 16 by Marie Panayotopoulos-Cassiotou (H-0456/08)

Subject: European Alliance for Families

What measures does the new Presidency intend to take to ensure that the European Alliance for Families is promoted and applied as widely as possible so as to meet the special needs of vulnerable categories of family (large families, single-parent families etc.), to ensure that they find employment and safeguard their income and to help achieve a better balance between professional and family life in EU Member States? Will the Council also say whether, in drawing up family-friendly policies, it intends to propose a reduction in VAT rates for children's goods, specifically in cases where similar products are already covered by derogation?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Honourable Member raised the important issue of family policy, and she is right to point out that we need to support the most vulnerable families. The Council is also resolved to take strong measures in this field.

In the conclusions that it adopted in May 2007, the Council gave its support to the creation of the European Alliance for the Family and called on the Member States 'to make intensive use of the opportunities for exchanges of opinion and experience offered by the Alliance for Families'.⁽⁶⁾

As the Honourable Member is well aware, the Council regularly re-examines the issues relating to employment policy in the context of the Lisbon strategy. In February this year, the EPSCO Council adopted a set of key messages that it forwarded to the Spring European Council⁽⁷⁾, in which it called for more and better jobs and pointed out that it was important to have inclusive labour markets and for the gender equality dimension to be taken into account. These key messages were adopted by the European Council in March 2008.

With regard to the balance between family and working life, it should be recalled that in 2000 the Council adopted a resolution on the balanced participation of women and men in family and working life⁽⁸⁾. This issue remains among the Council's priorities, and it recently adopted conclusions entitled 'Balanced roles of women and men for jobs, growth and social cohesion', in which it called on the Member States 'to promote effective policies to reconcile work, family and private life that do not compel women and men to choose between family and work or to prioritise one to the detriment of the other'.⁽⁹⁾

With regard to the Council's future work in this field, I am pleased to announce that the French Presidency will present its programme to the European Parliament's Committee on Women's Rights and Gender Equality on 15 July 2008. The French Presidency also presented its programme to the Committee on Employment and Social Affairs on 25 June 2008.

Finally, I am happy to note that the Council and the European Parliament have agreed to make the issue of families, in particular large families and single parents, one of the priorities of the European Year for Combating Poverty and Social Exclusion (2010), which will soon be announced by a decision that both institutions will adopt together. I would like to thank the Honourable Member, who was the rapporteur for this matter, for her constructive cooperation during the negotiations.

With regard to VAT rates, the Honourable Member is aware that the Council acts on the basis of proposals from the Commission; so far it has not presented any proposals of the type suggested by the Honourable Member.

A discussion on VAT rates should take place soon, but it would be premature for the Council to prejudge the results of the forthcoming discussions.

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Question no 17 by Bernd Posselt (H-0459/08)

Subject: Strasbourg as the seat of Parliament

In the Treaty of Amsterdam, Strasbourg is specifically named as the sole seat – not, as is often thought, the second seat – of the European Parliament. This makes it the seat of Europe's Parliament, symbolising a democratic, decentralised, political-cultural concept of Europe which is close to citizens and is characterised by understanding among peoples. What is the Council's view of the above definition in the Treaty, and what measures are planned to reinforce the position of Strasbourg in an organisational, political and legal context?

⁽⁶⁾ See doc. 9317/1/07/ rev 1.

⁽⁷⁾ See doc. 7171/08.

⁽⁸⁾ O.J. C 218, 31.7.2000, p. 5.

⁽⁹⁾ See doc. 14136/07 + COR 1.

Does the Council share my opinion that better concentration of Parliament's work in the city, for example by means of part-session weeks (which would revert to five days' duration) and a reduction in the expensive mini-sessions in Brussels, would enable large amounts of money to be saved and improved efficiency and visibility to be achieved?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

By virtue of Article 289 of the Treaty establishing the European Community and Article 189 of the Treaty establishing the European Atomic Energy Community, 'The seat of the institutions of the Community shall be determined by common accord of the governments of the Member States.' In accordance with paragraph (a) of the sole article of the eighth protocol, on the location of the seats of the institutions, annexed to the Treaty on European Union and to the Treaties establishing the European Communities, 'The European Parliament shall have its seat in Strasbourg where the 12 periods of monthly plenary sessions, including the budget session, shall be held. The periods of additional plenary sessions shall be held in Brussels. The committees of the European Parliament shall meet in Brussels. The General Secretariat of the European Parliament and its departments shall remain in Luxembourg.'

It is not for the Council to express an opinion on the internal organisation of the other institutions.

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Question no 18 by Wolfgang Bulfon (H-0461/08)

Subject: Broadening the scope of the Solidarity Fund

In 2006 the Council was invited by the Commission to review Regulation (EC) No 2012/2002⁽¹⁰⁾ establishing the European Union Solidarity Fund. In the two years since then, there has been intense discussion in the Council on such issues as the scope of the fund. Disasters such as industrial accidents or terrorist attacks, in particular, should also qualify for assistance from the Solidarity Fund in future. Has the Council reached agreement on this and, if so, what amendments to the Regulation on the Solidarity Fund can be expected?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Court of Auditors has drawn up a Special Report (No 3/2008) on the application of the European Union Solidarity Fund.

In the report, the Court of Auditors concluded, inter alia, that:

management by the Commission had proved to be efficient;

there were no cases where the Fund showed a lack of flexibility in its treatment of applications;

all applicants who had replied to the survey were satisfied with the Fund and that the Fund had therefore achieved its underlying objective, which was to demonstrate solidarity with Member States in disaster situations.

The Council intends to adopt conclusions on this special report, in which it will state that it does not consider it necessary at this stage to review Regulation (EC) No 2012/2002.

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⁽¹⁰⁾ OJ L 311, 14.11.2002, p. 3.

Question no 19 by Zdzisław Kazimierz Chmielewski (H-0462/08)**Subject: Latest ICES recommendation on Baltic cod**

Compared to previous ones, the latest ICES recommendation on Baltic cod for 2009 takes a substantially different approach to the evaluation of stocks in this fishing ground. For the first time the ICES explicitly recognises that the forecasting method using reference points was based on dubious (possibly false) data. According to the new assessment, cod fishing possibilities are much higher than in recent years.

What then are we to interpret from the provision contained in recital 6 of the most recent proposal for a Council regulation of 2nd April [2008/0063(CNS)], which states that 'provisions should be established to ensure that a TAC can be set in a consistent manner even under data poor conditions'? This could result in a further reduction in Baltic cod catch quotas for Polish fishermen.

The Council may be guided by the noble aim of ensuring the recovery of cod stocks at all costs, but, in the light of the latest ICES findings, can the unfair restrictions imposed on Polish fishermen be justified?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council would like to point out that it is for the Commission to present a proposal on the possibilities for cod fishing in the Baltic in 2009, in the light of the recommendations made by the International Council for the Exploration of the Sea (ICES) and on the basis of the scientific opinions issued by the Scientific, Technical and Economic Committee for Fisheries (STECF). The Council will then examine the proposal.

Recital 6 of the proposal for a Council Regulation amending Regulation (EC) No 423/2004⁽¹¹⁾ as regards the recovery of cod stocks in the Kattegat, the North Sea, the Skagerrak and the eastern Channel, as well as to the west of Scotland, in the Irish Sea and the Celtic Sea, provides for a total allowable catch (TAC) to be set in a consistent manner even under data poor conditions. This recital is linked to Article 6a, which establishes the procedure to follow for setting TACs in data poor conditions, and to Article 7, which establishes an evaluation clause allowing changes to be made based on new information and scientific opinions.

The Council would also like to point out that Council Regulation (EC) No 1098/2007⁽¹²⁾ establishing a multiannual plan for the cod stocks in the Baltic Sea does not contain any equivalent articles.

Finally, the Council would like to remind the Honourable Member that it is for the Court of Justice, at last resort, to interpret legal acts.

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Question no 20 by David Martin (H-0465/08)**Subject: Palestinian unity government**

Former US President Jimmy Carter recently criticised the Middle East Quartet's continued embargo on Gaza. In the view of the Council, can the continued embargo help resolve Palestine's internal difficulties peacefully? Would the Council consider the formation of a unity government involving Hamas as an acceptable step towards a solution?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The EU has expressed its serious concern on several occasions regarding the continued deterioration of the humanitarian situation in Gaza. The Quartet, meeting at the highest level, in its statement of 2 May and then

(11) Council doc. No 7676/08 PECHÉ 63.

(12) OJ L 248, 22.9.2007, p. 1.

in its statement of 24 June, called for continued emergency and humanitarian assistance and the provision of essential services to Gaza without obstruction. It also strongly encouraged Israel, the Palestinian Authority, and Egypt to work together to formulate a new approach on Gaza that would provide security to all Gazans, end all acts of terror and provide for the controlled and sustained opening of the Gaza crossings for humanitarian reasons and commercial flows. The Egypt-brokered truce that entered into force on 19 June is a positive step in that direction. The EU Presidency welcomed this truce in its statement of 18 June 2008. It is important for it to be respected by all the parties.

With regard to 'the formation of a unity government involving Hamas as an acceptable step towards a solution', in its conclusions of 23 and 24 April 2007, the Council said that it was ready to work with a Palestinian Government whose policies and actions reflected the Quartet principles. In 2007, the EU initiated cooperation with members of the National Unity Government who had accepted these principles. The EU has noted the inter-Palestinian reconciliation initiative begun last month by President Mahmoud Abbas. We support any step that could strengthen the peace efforts of the Palestinian President. The aim is still the creation of an independent, democratic and viable Palestinian state in the West Bank and Gaza that will unite all Palestinians, living side by side in peace and security with Israel and its neighbours.

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Question no 21 by Sarah Ludford (H-0467/08)

Subject: Fingerprinting children to combat child trafficking

The theory is put forward that it is essential to fingerprint children from the age of six (or lower) since this would be useful in the fight against child trafficking. The same argument is used to support the proposal that children under 12 should have a separate passport.

There is, however, a lack of objective data to substantiate these assertions. Is the Council aware of any studies that confirm the link between the taking of fingerprints at an early age and a decreased risk of child trafficking?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council is not currently aware of any studies that confirm the link between the taking of fingerprints at an early age and a decreased risk of child trafficking.

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Question no 22 by Johan Van Hecke (H-0469/08)

Subject: Multilateral talks on Africa

During the Strasbourg part-session in April, the European Parliament adopted a report advocating dialogue with China concerning Africa. In the report, the European Parliament points out that China is guilty of corruption and violates environmental standards. It therefore calls upon the EU to enter into talks with China with a view to outlining a sustainable future for the continent, together with Africa itself. In addition to China's growing presence in Africa, such countries as India and Brazil are also taking an interest in the continent. At present, Brazil is increasing its agricultural aid to Africa, with the focus on biofuels. In the light of rising food prices, however, many questions arise concerning the use of land for bioenergy in developing countries.

Will the Council, at the next summit, take steps to initiate such dialogue? What form will this dialogue take? Does the Council believe that dialogue with the other new players is likewise desirable?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council has taken note of the European Parliament's report on China's policy and its effects on Africa. Among the issues the report tackles, it sets out the challenges that the EU will have to take up as a player on the world stage. At the last summit, held in June, some of the issues of global interest mentioned by the Honourable Member were debated, and are mentioned in the Presidency's conclusions.

In recent years, both the EU and China have reviewed and strengthened their political, economic and development partnership with Africa. The EU thus adopted a Joint EU-Africa Strategy at the Lisbon Summit in 2007. China and Africa signed a joint declaration at the China-Africa Cooperation Forum, at the Summit held in Beijing in 2006.

Since 2005, Africa has been on the agendas of the meetings that the EU has held with China as part of the bilateral dialogue. The Council has also, through an initial official meeting of the Troika held in Beijing last year, begun a regular dialogue with top-level Chinese officials, which is solely focused on issues of mutual interest in Africa.

In this context, the Commission has further stepped up its activities and has stated that it is going to adopt a communication on China and Africa in October this year with the aim of possible trilateral cooperation between Africa, China and the EU. Subject to further consultations and an agreement with China and Africa, it will also be proposed that cooperation be established in important fields such as sustainable development of natural resources, infrastructures, peace and security. China has said that it is not opposed to this type of trilateral cooperation, provided that Africa agrees to this approach.

With regard to the other new players, such as Brazil and India, the Council considers that the major global problems can only be dealt with in a multilateral framework based on a strong UN. We need to ensure that the third countries that have an interest in Africa also support the principle of effective multilateralism, which is the best way of preserving peace and security at international level and meeting the challenges, safeguarding against the risks and taking advantage of the opportunities offered by the interdependent world that we know today. Some initial steps have been taken towards India, where the general development of the situation in Africa is already among the concerns. Discussions are under way with Brazil with the aim of adopting an action plan, one of the chapters of which should be devoted to Africa.

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Question no 23 by Koenraad Dillen (H-0471/08)

Subject: Freedom of religion in Algeria

In Algeria on 3 June 2008, suspended prison sentences were handed down to four people who had converted to Christianity for 'the illegal practice of a non-Islamic religion'. More particularly, they were punished in this way because they had not practised their religion within the framework laid down by the Law of 28 February 2006. This law provides, in particular, that the place where a religion is practised must be approved by the Minister for Religious Affairs. The sentenced persons had installed a prayer area in their flat ('Quatre chrétiens condamnés en Algérie', *Le Figaro.fr*, 3 June 2008; Ryma Achoura, 'De la prison avec sursis pour des chrétiens d'Algérie', *Libération.fr*, 4 June 2008).

Article 2 of the Association Agreement of 22 April 2002 between the European Communities and the Member States, of the one part, and Algeria of the other part⁽¹³⁾, lays down that respect for democratic principles and fundamental human rights is an 'essential element' of the Agreement.

Does the Council consider that the prosecution and conviction of the four converted Christians constitutes a violation of freedom of religion? If not, why not? If so, what further steps will the Council take under the Association Agreement?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

⁽¹³⁾ OJ L 265, 10.10.2005, p. 2.

With regard to freedom of religion in Algeria, the Council notes with regret the events mentioned by the Honourable Member, which are among a series of cases that have taken place recently.

Having already expressed its concern at the last EU-Algeria Association Council on 10 March 2008, the Council is continuing to monitor these developments closely. The Council therefore considers that the application of the existing laws governing the practice of all religions in Algeria should remain compatible with the standards that Algeria has agreed to in international law, in particular with regard to combating all discrimination and promoting tolerance in the areas of culture, religious worship, minorities and fundamental rights.

The Council will continue to call on the Algerian authorities to do this, in particular in the context of the political dialogue provided for in the Association Agreement.

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Question no 24 by Dimitrios Papadimoulis (H-0472/08)

Subject: Proposal for drawing up a list of violent offenders under the Schengen Information System (SIS)

A Member State has submitted to the SIS Working Party a proposal (Working Document 8204/08) that a list be drawn up under the Schengen Information System of 'violent offenders' who take part in international demonstrations. Apart from the vagueness of its content, this proposal is at odds with the guarantees on human rights and freedoms enshrined in Community law.

The national delegation in question proposes that the SIS should record the names of persons who, it is believed on the basis of certain events, will commit serious crimes involving violence or the threat of violence. It is thought that possible grounds on which this negative projection will be based are whether a person has been suspected of, charged with or sentenced for carrying out a serious crime.

How does the Council view the above proposal? Does the French Presidency intend to pursue this initiative which is being justifiably criticised by organisations for the protection of human rights and freedoms?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

In its Conclusions of 13 July 2001⁽¹⁴⁾, the Council acknowledged the need to use all the legal and technical possibilities for stepping up and promoting rapid, more structured exchanges of data on violent troublemakers on the basis of national files. In its conclusions of 5 and 6 June 2003 on the second generation of the SIS⁽¹⁵⁾, the Council noted that a certain interest existed on the proposal to include violent troublemakers in the SIS II, but that there needed to be more study on the feasibility, usefulness and practical implementation, and invited the relevant working groups to discuss this. In Decision 2007/533/JHA on the establishment, operation and use⁽¹⁶⁾ of the SIS II the Council did not take up this proposal.

A discussion is still in progress in the relevant working groups, in particular with a view to defining the concept of 'violent troublemaker'. In its discussions, the Council is obviously taking into account the guarantees offered to citizens by Community law on human rights and fundamental freedoms.

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⁽¹⁴⁾ Doc. 10916/01

⁽¹⁵⁾ Doc. 9808/03

⁽¹⁶⁾ OJ L 205, 7.8.2007, p. 63.

Question no 25 by Mogens Camre (H-0474/08)**Subject: Terror list, PMOI**

The British Court of Appeal, on 7 May 2008, rejected an appeal from the UK Government and ordered the Home Secretary to remove the Iranian resistance movement, People's Mojahedin Organisation of Iran (PMOI), from its list of proscribed organisations.

A decision to include PMOI on the European black list was annulled by the European Court of First Instance in December 2006. The EU, however, included the PMOI in the new update of the black list in June 2007, explaining that this was based on a 'decision of a competent authority' within EU – the British Home Secretary. Now the UK Home Secretary's decision has been declared unlawful by the highest legal authority and can no longer be appealed.

Is the EU going to ask for respect for the rule of law in the upcoming Council meetings and endorse the removal of the PMOI from the EU list of terrorist organisations?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council has noted the judgment issued on 7 May by the United Kingdom Court of Appeal in the case of the People's Mojahedin Organisation of Iran (PMOI).

As stated in the Council's working methods for implementing Common Position 2001/931/CFSP on the application of specific measures to combat terrorism, any new facts relating to previous listings are duly taken into account when assessing whether the grounds for those listings are still valid.

In this context, the Council is currently considering the implications and consequences of the judgment issued in the United Kingdom with a view to taking a decision at EU level as quickly as possible.

With regard to the judgment of the Court of First Instance of the European Communities of December 2006 that the Honourable Member refers to, it should be noted that it concerns the procedure for the adoption of the decision to include the PMOI on the list of persons and entities involved in terrorist acts, rather than its content. Following the judgment of the Court of First Instance, during the first six months of 2007 the Council conducted a detailed examination and consolidated its procedures for including persons, groups and entities on the aforementioned list and removing them from it under Council Regulation (EC) No 2580/2001⁽¹⁷⁾. Following this examination, clear and transparent procedures were put in place. In particular, a statement of reasons is now provided for each person entity subject to a freezing of assets.

The persons, groups and entities listed may:

- ask the Council to re-examine their listing, on the basis of supporting evidence;
- challenge the decision of the competent national authority, in accordance with the national procedures;
- if they are subject to restrictive measures under Council Regulation (EC) No 2580/2001, challenge the Council's decision before the Court of First Instance, in accordance with the conditions laid down in Article 230(4) and (5) of the Treaty establishing the European Community;
- if they are subject to restrictive measures under Council Regulation (EC) No 2580/2001, ask for exemptions to be applied on humanitarian grounds in order for their essential needs to be met.

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⁽¹⁷⁾ OJ L 344, 28.12.2001, p. 70-75.

Question no 26 by Jana Hybášková (H-0476/08)**Subject: Terrorist media Al-Aqsa broadcasts via European satellite provider**

Hamas, which the European Union recognized as a terrorist organisation in September 2003, has launched a television station called 'Al-Aqsa', modelled on Hezbollah's television station 'Al-Manar'. As the press frequently reports, Al-Aqsa-TV's children's programming uses Disney-like characters to encourage children to aspire to be suicide bombers.

Is the Council aware that the European satellite provider Eutelsat, broadcasts 'Al-Aqsa' on Atlantic Bird 4, which it leases to the Jordanian satellite provider Noorsat? What steps has the Council taken to stop Eutelsat from broadcasting Al-Aqsa TV? Has the Council raised the matter with the Conseil Supérieur de l'Audiovisuel (CSA) in France?

Question no 27 by Frédérique Ries (H-0484/08)**Subject: European satellite capacity for terrorist media Al-Aqsa**

In its reply to question E 1666/08, the Commission pointed out that it 'shares ... concern with regard to incitement to hatred broadcast under the jurisdiction of one of the Member States.' Hamas' TV station Al-Aqsa uses European satellite capacity of the French company Eutelsat's Atlantic Bird 4, which Eutelsat leases to the Jordanian satellite provider Noorsat, to incite violence and hatred and justify terrorism in Europe and beyond. As on Hezbollah's TV station Al-Manar, on Al-Aqsa programming children dress up as suicide bombers and are presented as heroes. In one segment, Assud, a popular bunny character, advocates martyrdom and suicide bombings as the ideal goal for every child who phones into the show. In another segment the cartoon character says that he will 'bite and eat up' the Danes because a Danish newspaper published political cartoons they did not like. Assud the bunny accepts a phone call on the show from someone who says that 'we will manage to kill, to assassinate' the cartoonist, to which Assud wholeheartedly agrees.

What is the Council planning to prevent Al-Aqsa broadcasting on European satellite capacity? Given the similarities between Al-Manar and the incitement to violence and terrorism broadcast on Al Aqsa, does this not amount to a violation of Article 3b ('Incitement to hatred') of the revised Audiovisual Without Frontiers Directive (Directive 2007/65/EC⁽¹⁸⁾), as was the case with 'Al-Manar'?

Joint answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The broadcasting of television programmes containing incitement to racial or religious hatred is incompatible with the values that are the basis of our democracies, and is totally intolerable.

Article 2(4) and (6) of the Directive on audiovisual media services (Directive 89/552/EEC last amended by Directive 2007/65/EC) states that service providers established in third countries may, in certain cases, fall under the jurisdiction of a Member State.

Member States, to which the Directive in question is addressed, must apply it under the supervision of the Commission. Under the aforementioned Directive it is up to the national authorities concerned to carefully consider the issue raised by the Honourable Members.

In addition, the European Union rejects all public provocation to commit a terrorist offence, as demonstrated by the amendment recently made to the Council Framework Decision on combating terrorism (2002/475/JHA), which includes three new offences: public provocation to commit a terrorist offence, recruitment for terrorism and training for terrorism. It is also envisaged that all the Member States will ratify the Council of Europe Convention for the Prevention of Terrorism (2006), which obliges the parties to criminalise public provocation to commit a terrorist offence.

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⁽¹⁸⁾ OJ L 332, 18.12.2007, p. 27.

Question no 28 by Paulo Casaca (H-0478/08)**Subject: European citizens sentenced to death by the Iranian regime**

According to the e-newsletter 'Hands off Cain' (No 105, 4 June 2008), the Iranian regime is about to execute (or may already have executed) Foroud Fouladvand, a European citizen with a British passport, Alexander Valizadeh, a European citizen with a German passport, and Nazem Schmidt, a US citizen.

Dr Foroud Fouladvand is an academic and Koranic scholar who has publicly condemned the Iranian regime and its tyrannical rule.

Is the Council aware of these sentences and planned executions? Can it state what measures it has taken to protect the European citizens concerned?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council is aware that these three people disappeared in Yüksekova, a district of the province of Hakkari in Turkey, near the border with Iran. In Tehran, the embassies of the EU Member States are currently collecting additional information and are closely monitoring this case, but are not in a position to confirm that these people have been detained by the Iranian authorities.

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Question no 29 by Charles Tannock (H-0483/08)**Subject: EU travel ban on President Robert Mugabe**

The Council has instituted an EU travel ban on a number of Zimbabwean officials and politicians including President Robert Mugabe. However, President Mugabe has in the past been able to flout this ban by travelling to Italy and exercising his right under the Italian government's headquarters agreement with the Food and Agriculture Organisation of the United Nations (FAO) to attend FAO meetings in Rome.

Generally, what efforts will the Council make to tighten the travel ban in the light of the most recent events? In the specific case of Mugabe and FAO, what efforts can the Council make to encourage the Italian government to renegotiate its headquarters agreement with FAO so as to allow Italy to implement the EU travel ban in full and deny Mugabe the chance to exploit this loophole? What is the Council's view of the worth and effectiveness of such a ban if it can be breached with such ease?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council has not considered the issue of tightening the travel ban in the light of the most recent events, but in the Presidency conclusions of the European Council of 19 and 20 June, the European Council reiterated its readiness to take additional measures against those responsible for violence.

It is for each Member State to implement the travel ban, in accordance with its national legislation. Italy is not the only country to conclude headquarters agreements, which have on several occasions allowed Zimbabwean leaders to enter various EU Member States.

Since 2002, the Council has renewed the travel ban imposed on the members of the Zimbabwean Government each year.

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Question no 30 by Yiannakis Matsis (H-0486/08)**Subject: Measures to curb price increases**

Soaring price increases (inflation), the continuing rapid increase in oil and wheat prices and a failure to take adequate measures to assist European citizens, the economies of Member States or the EU itself are extremely alarming developments. What are the EU's policy guidelines for tackling the soaring prices of oil, wheat and the cost of living generally in conjunction with Member States? Do any plans for specific measures exist? If so, what are they exactly and what exactly do they consist of?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The significant issues raised in this question have been discussed within the Council on several occasions, in particular on the basis of the Communications from the Commission 'Tackling the challenge of rising food prices'⁽¹⁹⁾ and 'Facing the challenge of higher oil prices'⁽²⁰⁾.

The European Council of 19 and 20 June 2008 discussed this subject on the basis of a report by the Ecofin Council on 'Recent developments in food prices – main drivers and policy responses'⁽²¹⁾. The Presidency Conclusions therefore establish a series of specific measures to be carried out, the majority of which must be implemented before December 2008.

In its conclusions the Presidency also notes the specific measures already taken by the European Union, in particular in the agriculture sector, in order to moderate the pressure on food prices by selling intervention stocks, reducing export refunds, removing the set-aside requirement for 2008, increasing milk quotas and suspending import duties on cereals, thus improving supply and helping to stabilise agricultural markets. In addition, the successive reforms of the common agricultural policy have contributed to increased efficiency in the agricultural sector in Europe. The Council will examine other measures for tackling these issues in the context of the CAP health check.

With regard to the measures to be taken, the European Council has highlighted the importance of ensuring the sustainability of bio-fuel policies, by setting sustainability criteria for the production of first-generation bio-fuels and by encouraging the development of the second-generation bio-fuels made from by-products, as well as the need to assess without delay possible impacts on agricultural products for food and to take action, if necessary, to deal with any problems.

The European Council has also declared its determination to continue to strive for a comprehensive, ambitious and balanced conclusion of the Doha Round and to discourage third countries from imposing food export restrictions and export bans. The European Union will raise this issue in the WTO and other relevant international fora.

The European Council has welcomed the Commission's initiative to examine the issue of restrictive regulations in the retail sector and the Commission's intention to closely monitor activities in commodity-related financial markets, including speculative trade, and their impact on price movements as well as any policy implications. It has invited the Commission to report back on this issue in advance of the December 2008 European Council and to consider proposing adequate policy responses, including measures aimed at improving market transparency.

With regard to oil and gas prices, the Presidency has been invited, in cooperation with the Commission, to examine the feasibility and impact of measures to smooth the effects of sudden oil and gas price increases and report before the October 2008 European Council. The European Council has also invited Member States, the Commission and the European Investment Bank to support measures aimed at facilitating investments by households and industry in energy efficiency and use of renewable energy sources as well as a more environmentally-friendly use of fossil fuels. It has called on the Member States and the Commission

⁽¹⁹⁾ Doc. 9923/08

⁽²⁰⁾ Doc. 10824/08

⁽²¹⁾ Doc. 10326/08

to expedite the implementation of the 2006 Action Plan on energy efficiency and consider its possible revision.

These same conclusions encouraged the Commission to monitor, in addition to food and oil prices, developments in other commodity-related markets, and invited the General Affairs and External Relations Council to follow closely the work conducted in the other relevant Council configurations on the issues linked to food and oil prices and to report to the European Council by October 2008.

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Question no 31 by Helmuth Markov (H-0489/08)

Subject: Colombia, Government supported by paramilitary forces

In Colombia the Supreme Court is establishing that 64 parliamentarians supporting President Uribe's Government are linked to paramilitary groups (death squads). The President asked his close parliamentarians to impede the National Congress's adoption of a law to reform the congress in order to impede political parties from replacing parliamentarians linked to paramilitary forces by substitutes. The logical conclusion is that this Government is relying on politicians linked to paramilitary groups and that the re-election of the President depends on those parliamentarians.

Will the Council continue to negotiate an Association Agreement with a government supported by paramilitary forces? If there is a human rights clause in the new agreement, is it reasonable to sign such an agreement with a government that is violating human rights even before signing?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council has taken note of information reporting possible links between political figures and members of Colombian paramilitary groups, and will closely monitor the development of the situation. The Association Agreement that is under negotiation with the Andean Community will obviously include the standard clause on human rights and democratic principles. In this case, it is appropriate to point out that in its conclusions on Colombia adopted at the end of 2007:

'The Council [...] expresses the EU's total solidarity with the Colombian people, its full support for the Colombian Government in its search for a negotiated solution to the internal armed conflict, and underlines the importance the EU attaches to the ongoing implementation of the Justice and Peace Law (JPL) and its related legal framework and the development of the demobilisation, disarmament and reintegration (DDR) process under the JPL.

The Council reconfirms the readiness of the EU and its Member States to assist the Colombian Government, state institutions, civil society and international organisations in providing support for activities that promote peace, truth, justice, reparation and reconciliation and in providing support for activities that advance DDR processes.

The Council welcomes the steps that have been taken by the Colombian Government and Colombian authorities to implement the JPL in a transparent and effective manner, the work of the National Reconciliation and Reparation Commission and the role played by the Constitutional Court. It also welcomes the appointment and the work of the High Commissioner for the Social and Economic Integration of Armed Individuals and Groups.

While recognising what has been achieved, the Council also takes note that the implementation of the JPL is far from complete. It urges the Colombian government to support and resource the quick and efficient implementation of all aspects of the JPL – including by providing adequate staffing to the Justice and Peace Law unit within the Office of the Attorney General – in a manner that gives priority to victims' rights to truth, justice and reparation.'

The Council also encouraged 'the Colombian Government's determination to improve the armed forces' respect for human rights and welcomes the progress which has been made in this respect. However, it note[d]

with real concern the persisting problem of human rights violations by some members of the security forces, including extra-judicial killings.'

Finally, the Council said it was 'concerned by the emergence of new paramilitary and other armed criminal groups. It takes note of the efforts already taken by the authorities to fight these emerging groups and calls on the Colombian Government to increase its ongoing efforts and step up the measures it is taking to fight these groups.'

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Question no 32 by Philip Claeys (H-0490/08)

Subject: Lifting of sanctions against Cuba

There have been a number of reports in the media suggesting that the EU Member States are seriously considering lifting their sanctions against Cuba, regardless of the fundamental objections raised by Human Rights Watch and other human rights organisations.

Can Cuban citizens invoke all the provisions of the UN Convention on Civil and Political Rights and the UN Convention on Economic, Social and Cultural Rights? According to the Council, what significant, tangible and proven progress has been made in Cuba in the areas of freedom of expression, freedom of association, freedom of movement, press freedom and the reform of the judicial system since sanctions were first imposed in 2003?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

On 28 February 2008, Cuba signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which the EU Presidency welcomed in its statement of 4 March 2008.

Until these covenants have been ratified, Cuban citizens cannot invoke their provisions. However, the Council points out that, by signing them, Cuba has already declared its intention to respect the civil and political rights listed in these covenants, in the Universal Declaration of Human Rights and other human rights agreements that Cuba has ratified.

In its conclusions of 23 June 2008 on Cuba, the Council called upon the Cuban authorities to ratify and implement these covenants and once again called on the Cuban Government to make real the commitment to human rights that it has demonstrated through the signing of these two human rights covenants.

In the same conclusions, the Council noted the changes undertaken so far by the Cuban Government. It said that it supported liberalising changes in Cuba and encouraged the Government to introduce them.

The Council called upon the Cuban Government to improve effectively the human rights situation by, inter alia, releasing unconditionally all political prisoners, including those who were detained and sentenced in 2003. This remains a key priority for the EU. The Council also called upon the Cuban Government to facilitate access for international humanitarian organisations to Cuban prisons.

The Council indicated that it remained committed to the common position of 1996, which was still entirely relevant, and reaffirmed its determination to pursue a dialogue with the Cuban authorities as well as with representatives of civil society and the democratic opposition, in accordance with EU policies, in order to promote respect for human rights and real progress towards a pluralist democracy. The Council underlined that the EU would continue to offer to all sectors of society practical support towards peaceful change in Cuba. The EU also reiterated its call on the Cuban Government to grant freedom of information and expression, including access to the Internet, and invited the Cuban Government to cooperate on this matter.

The EU reiterated the right of Cuban citizens to decide independently about their future and said that it remained ready to contribute positively to the future development of all sectors of Cuban society including through development cooperation instruments.

The Council added that the EU was ready to resume a comprehensive and open dialogue with the Cuban authorities on all topics of mutual interest. Since June 2007, preliminary discussions on the possibility to launch such a dialogue have taken place at Ministerial level between the EU and Cuba and bilaterally. This dialogue should include the whole range of potential fields of cooperation including the human rights sphere as well as the political, economic, scientific and cultural spheres, and should take place on a reciprocal, unconditional, non-discriminatory and result-oriented basis. Within the framework of this dialogue, the EU will outline to the Cuban Government its views on democracy, universal human rights and fundamental freedoms. The Council reaffirmed that its policy for EU contacts with the democratic opposition remains valid. During high level visits, human rights issues should always be addressed; when appropriate, meetings with the democratic opposition will be part of high level visits.

The Council therefore agreed to pursue the above mentioned comprehensive political dialogue with the Cuban Government. In this context, the Council agreed to the lifting of the already suspended 2003 measures as a means to facilitate the political dialogue process and enable the full use of the instruments of the 1996 Common Position.

On the occasion of the annual review of the Common Position, the Council will proceed in June 2009 to an evaluation of its relations with Cuba, including the effectiveness of the political dialogue process. Following that date, the dialogue will continue if the Council decides that it has been effective, taking into account in particular the elements contained in paragraph 2 of the conclusions.

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Question no 33 by Christopher Heaton-Harris (H-0493/08)

Subject: Sport in the Lisbon Treaty

Does the Council intend to pursue, through any available means, the legal competence in the area of sport envisaged in Article 149 of the Lisbon Treaty, now that the Treaty can no longer be implemented in its own right after the 'No' vote in the Irish referendum?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

By law, the Union has only the competence conferred on it by the Treaties. It is not therefore possible for the Council itself to confer new competences on the Union.

Regarding legal competence in the area of sport envisaged in Article 149 of the Lisbon Treaty, it should be pointed out that the European Council on 19 and 20 June noted the outcome of the referendum in Ireland and agreed that more time was needed to analyse the situation. It also recalled that the purpose of the Lisbon Treaty is to help an enlarged Union to act more effectively and more democratically and stated that the parliaments of 19 Member States had ratified the Treaty and that the ratification process was continuing in the other Member States⁽²²⁾.

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Question no 34 by Georgios Toussas (H-0500/08)

Subject: Persecution of judiciary by dictatorship in Pakistan

In November 2007, the US-backed military regime of the dictator Musharraf of Pakistan imposed martial law, made numerous arrests and inflicted brutal violence on the Pakistani people. The dictatorship also had its sights trained on the country's legal profession who had opposed it, imprisoning thousands of lawyers, whilst dismissing 45 senior members of the judiciary from their posts, including the Chief Justice of the Supreme Court, Iftikhar Chaudhry, and subjecting them to political persecution. The dismissed judges had

(22) The European Council noted that the Czech Republic could not complete its ratification process until the Constitutional Court had issued a favourable opinion on the conformity of the Lisbon Treaty with the Czech constitution.

also protested against the abduction and imprisonment of their compatriots in various Guantanamo-type punishment camps and the selling off of the country's wealth. Four months after the defeat of Musharraf and the election of a new government, the dismissed judges have yet to be reinstated, while US pressure intensifies on Pakistan to remain a loyal ally of the USA in its hysterical 'war on terror'.

What measures will the Council take to bring about the reinstatement of the judges dismissed on political grounds, and to restore democratic rights and freedoms to the Pakistani people?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The EU is firmly committed to respect for the independence of the judiciary, which is a constituent element of democracy, guarantees the rule of law and protects constitutional order and individual freedoms.

With regard to Pakistan, the EU was deeply concerned at the suspension of the Chief Justice and several other judges, a decision that threatened the fundamental principles of constitutionality and the rule of law.

The EU generally supports human rights defenders, including those who fight for the independence of the judiciary.

In general, the EU encourages the new Pakistani Government to firmly commit itself to respecting human rights and fundamental freedoms and to consolidating the democratic system, re-establishing the independence of the judiciary. These issues are an integral part of the dialogue between the European Union and Pakistan.

The European Union is committed to helping the Pakistani people to build a prosperous and stable society, based on human rights, democracy and the rule of law.

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Question no 35 by Konstantinos Droutsas (H-0502/08)

Subject: Intimidation of Mohammed Barakeh by the Israeli authorities

On 20 May 2008, Mohammed Barakeh, a member of the leadership of the Communist Party of Israel, President of Hadash and leader of the Hadash parliamentary party in the Israeli Parliament, was interrogated by the Israeli police on trumped up charges of allegedly assaulting a police officer during the demonstrations against the war in Lebanon in 2006. Mohammed Barakeh, who took part in the European Parliament hearings on 13-14 May 2008, is known for his views advocating peace and security in the Middle East.

Does the Council condemn these acts by the Israeli authorities, which constitute a direct attack on the policy of Hadash and the Communist Party of Israel to bring about a just settlement of the Palestinian question and the peaceful coexistence of the Israelis and Palestinians?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

Israeli judicial proceedings are in progress and it is not up to the Council to interfere in these proceedings, which are the domestic affair of the State of Israel. However, the Council has expressed an opinion on several occasions in favour of a fair, comprehensive and sustainable settlement of the Israeli-Palestinian conflict.

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Question no 36 by Athanasios Pafilis (H-0509/08)

Subject: New case of anti-communism

On Tuesday, 17 June, the Lithuanian Parliament adopted a new draft law henceforth prohibiting the use in public of communist and fascist symbols.

This is an unacceptable, historically unsound and dangerous case of equating the two movements which, inter alia, is an affront to the memory of millions of communists who gave their lives to crush fascism.

This decision, taken by the sovereign political powers of Lithuania, a country in which the Communist Party is banned, also provides for financial penalties. Once the new law is signed by the President, anyone using the hammer and sickle symbol in public will have to pay a fine of 1 50 to 300 euro.

It is well-known that many communist parties, including the Communist Party of Greece, use the hammer and sickle as a symbol and an election emblem.

What is the Council's position on this unacceptable and historically unsound act? What are the Council's views on the fact that, during elections to the European Parliament, this law will prohibit the activities of communist parties, such as the Communist Party of Greece seeking the votes of Greek citizens living in Lithuania?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council has not discussed this issue, given that it does not fall within its competence.

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Question no 38 by Laima Liucija Andrikiėnė (H-0514/08)

Subject: EU negotiations with Russia on the new Partnership and Cooperation Agreement

Moscow has raised the prospect that the recent Irish 'no' vote on the Lisbon Treaty could affect the talks on a new strategic partnership pact between the European Union and Russia (www.euobserver.com). What is the position of the French Presidency concerning the possible impact of the Lisbon Treaty ratification process on the negotiations on a new Partnership and Cooperation Agreement with Russia? Is Russia ready to start negotiations on the new Partnership and Cooperation Agreement? What was Russia's reaction to the EU negotiating mandate which covers long-standing and still unresolved problems included at Lithuania's instigation?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

There is no direct link between the Lisbon Treaty ratification process and the negotiations to conclude a new agreement with Russia. These negotiations will not therefore be affected by the outcome of the referendum in Ireland and may continue as planned. Russia and the EU are in fact ready to begin negotiations on a new bilateral agreement to replace the current Partnership and Cooperation Agreement. These negotiations were launched at the recent EU-Russia Summit in Khanty-Mansiysk, where a joint statement indicating the following was adopted:

'We agreed that the aim is to conclude a strategic agreement that will provide a comprehensive framework for EU/Russia relations for the foreseeable future and help to develop the potential of our relationship. It should provide for a strengthened legal basis and legally binding commitments covering all main areas of the relationship, as included in the four EU/Russia common spaces and their road maps which were agreed at the Moscow Summit in May 2005.

The New Agreement will build on the international commitments which bind the EU and Russia.'

The first round of negotiations took place in Brussels on 4 July 2008 and an agreement was reached on how to move forward with the negotiation process.

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Question no 39 by Neena Gill (H-0517/08)**Subject: CAP and rising food prices**

French Agriculture Minister Michel Barnier has called for Europe to establish a food security plan and resist further cuts in Europe's agriculture budget. However, such a move could be counterproductive, raise worldwide food prices at a time of crisis and do nothing for the long-term health of European agriculture. Would the Council outline its view on the impact of the CAP on food prices?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council is fully aware of the need to seek relevant, effective responses to rising food prices.

As the Honourable Member knows, the subject was examined by the European Council on 19-20 June⁽²³⁾, on the basis of the Council's work and the Communication presented by the Commission⁽²⁴⁾.

The price surge is a complex phenomenon, with many root causes and consequences.

The reasons cited include, in particular, the climate issue and the recent poor harvests in some countries of the world, largely due to unfavourable climate conditions; the increase in global demand for certain foods, in particular from some emerging countries; the development of biofuels worldwide; the effect of speculation on the financial markets on price volatility and rises, and the increased food production and transport costs due to the rise in oil prices.

Given this complex situation, the European Council stresses the importance of adequate monitoring by all the relevant bodies, and mentions a range of possible avenues. In this context, among other aspects it identifies agriculture as being able to make a useful contribution and being one of the elements of possible responses to the current crisis.

In this respect the European Council states in its conclusions that 'the Union has already acted to moderate the pressure on food prices through the sale of intervention stocks, the reduction in export refunds, the removal of the set-aside requirement for 2008, the increase in milk quotas, and the suspension of import duties for cereals, thus improving supply and helping to stabilise agricultural markets'.

The European Council also states, in substance, that the successive reforms of the common agricultural policy (CAP) 'have enhanced its market orientation [...] and made EU farmers more responsive to price developments'; according to the European Council it is therefore important to continue and improve this orientation, 'while ensuring fair competition and fostering sustainable agriculture across the EU and ensuring an adequate food supply'.

For the future, the European Council points out that, 'In the context of the CAP Health Check, the Council will consider further steps to address these issues'.

Specific measures to assist the poorest people, both in Europe and in the world, are also being prepared in the Commission services, and the Council will examine them when the time comes. We must also continue our efforts to give a higher priority to the agricultural sector in our cooperation policy.

Finally, forecasts of an increased harvest for the next agricultural year should help to reduce pressure on agricultural prices.

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⁽²³⁾ Doc. 11018/08, points 25 to 40.

⁽²⁴⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions:

Tackling the challenge of rising food prices

– Directions for EU action (doc. 9923/08)

Question no 40 by Ryszard Czarnecki (H-0519/08)**Subject: Fighting terrorism**

Europe is determined to fight terrorism in all its forms. Is the Council aware that leading politicians in certain European nations have been known to attend meetings organised by extremist Khalistani leaders with the sole aim of coordinating the activities of all terrorist and secessionist groups in India in order to disrupt the unity and integrity of that democratic, liberal and secular country?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Council has not discussed the issue of the presence of European political figures at meetings organised by extremist Khalistani leaders.

In the context of the fight against terrorism that it is conducting with determination, the European Union has issued a list of persons and entities involved in terrorist acts, which includes the Khalistan Zindabad Force, whose assets are therefore frozen in the whole of the Union.

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Question no 41 by Pedro Guerreiro (H-0521/08)**Subject: Adoption of proposals for directives by the Council**

In view of the decisions by the Council to adopt the directive on common standards and procedures in Member States for returning illegally staying third-country nationals (requiring unanimity), as well as the proposal for amendment of the directive concerning certain aspects of the organisation of working time (requiring QMV), can the Council provide information on how each Member State voted (against/for/abstention) for each of those decisions?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

With regard to the directive on common standards and procedures in Member States for returning illegally staying third-country nationals: the Council would like to point out that the proposal in question is based on Article 63(3)(b) of the EC Treaty. Consequently, the codecision procedure applies and the Council will decide by qualified majority.

At the plenary sitting on 18 June 2008, Parliament adopted amendments to the Commission's proposal. As these amendments correspond to those that the Chairman of Coreper had indicated to the Chairman of the Committee on Civil Liberties, Justice and Home Affairs by letter on 4 June 2008 as being acceptable to the Council, it can be recorded that an agreement has been reached at first reading⁽²⁵⁾. A vote has not therefore yet taken place in the Council, but rather talks during which an informal agreement was reached on the content of that letter.

Currently, a legal and language revision of the text resulting from Parliament's vote is being conducted by experts from the two institutions. Afterwards, the European Parliament and the Council, deciding by qualified majority, will adopt the legislative text.

With regard to the directive concerning certain aspects of the organisation of working time: on 9 June 2008, the Council reached an agreement by qualified majority on an overall compromise proposed by the Presidency regarding this directive. Four delegations (Greek, Hungarian, Maltese and Spanish) were not able to accept the Presidency compromise proposal, and three other delegations (Belgian, Cypriot and Portuguese) abstained. Five delegations (Belgian, Cypriot, Greek, Hungarian and Spanish) made a joint statement to be entered in

⁽²⁵⁾ Doc. 9829/08.

the Council Minutes⁽²⁶⁾, explaining their position. In this statement, the delegations also underlined that they were willing to explore, in a constructive manner, possible alternatives for reaching an overall compromise agreement with the Presidency, the Commission and the European Parliament, at the final adoption stage of the draft Directive.

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Question no 42 by Silvia-Adriana Țicău (H-0523/08)

Subject: Extension of the TEN-T networks

In 2005, the high-level expert group chaired by Loyola de Palacio drew up a report on extending the TEN-T networks with a view to integration in the field of transport between the Union and its neighbours. In early 2008, the Commission published a communication on the matter. That year saw the start of the Union's practice of analysing the state of play regarding the priority TEN-T projects, with the consequent proposals for extending the list of 30 priority projects approved in 2004. 6 May 2008 witnessed an informal meeting in Ljubljana of the EU's transport ministers, whose agenda included extending the TEN-T networks to take account of the requirements of the 27.

Can the Council provide information on the state of the talks and the timetable for extending the TEN-T networks, as well as specifying which of the Union's transport projects (maritime, high-speed rail, rail freight, air or road) will impact positively on the EU's Black Sea outlets?

Answer

This answer, which was drawn up by the Presidency and is not binding on either the Council or its Members, was not given orally during Council Question Time at the July 2008 part-session of the European Parliament in Strasbourg.

The Honourable Member is well aware that the Council cannot examine amendments to be made to legal instruments in force on the basis of a proposal from the Commission. The Commission has not yet presented a proposal to amend Decision No 884/2004/EC of the European Parliament and of the Council of 29 April 2004 on Community guidelines for the development of the trans-European transport network, which contains a list of 30 priority projects. According to the Commission, a proposal to revise these guidelines and the list of priority projects is planned for 2010, in accordance with Article 19(3) of the above decision.

It should be noted that priority project No 7, which is in progress (Motorway axis Igoumenitsa/Patra-Athina-Sofia-Budapest, including a branch towards Bucuresti and Constanța) and priority project No 18 (Rhine/Meuse-Main-Danube inland waterway axis), part of which corresponds to the definition of pan-European corridor VII, contribute to the connection with the Black Sea.

The Council attaches great importance to the need to take into account the changes that have taken place in the EU since the adoption of the guidelines for the trans-European transport network (TEN-T) and to respond to the needs of the growing trade and transport flows, as stated in the conclusions on the extension of the major trans-European transport axes to the neighbouring countries, adopted by the 'Transport, Telecommunications and Energy Council' in June 2007.

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QUESTIONS TO THE COMMISSION

Question no 49 by Jim Higgins (H-0450/08)

Subject: Contract workers in education system

Could the Commission indicate if it has any concerns regarding the practice of hiring staff in primary and secondary level schools on contracts based on the school term which are subsequently renewed at the start of the school year, only to lapse again for summer recess periods, leaving staff such as school secretaries and

⁽²⁶⁾ Doc. 10583/08 ADD 1.

grounds staff without the same rights as permanent staff, even though they provide the same service and often work for a long number of years in this position?

Answer

The main aims of Council Directive 1999/70/EC⁽²⁷⁾ concerning the framework agreement on fixed-term work concluded by ETUC⁽²⁸⁾, UNICE and CEEP are to improve the quality of fixed-term work by ensuring the application of the principle of non-discrimination and to establish a framework to prevent abuse arising from the use of successive fixed-term employment contracts or relationships.

In order to prevent abuse arising from the use of successive fixed-term contracts, Clause 5 of the framework agreement obliges the Member States to introduce one or more of the following measures:

- (a) objective reasons justifying the renewal of such contracts or relationships;
- (b) the maximum total duration of successive, fixed-term employment contracts or relationships;
- (c) the number of renewals of such contracts or relationships.

All Member States have introduced one or more such measures. The result is that fixed-term contracts cannot be renewed more than a certain number of times, or after a certain period of time, or unless there are objective reasons for so doing. The consequences of such transposing legislation should be that fixed-term contracts cannot be renewed or extended indefinitely.

With the exception of Spain, where the legislation was changed to bring teachers of religion within the scope of the Directive, the Commission is not aware of systematic use of repeated fixed-term contracts for staff in primary and secondary schools.

Community law is designed to prevent abuse of repeated fixed-term contracts. The Honourable Member is invited to communicate any relevant information on where and how such practices are taking place to the Commission. On this basis, the Commission will decide on the most appropriate course of action.

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Question no 50 by Evangelia Tzampazi (H-0501/08)

Subject: New proposal for a European directive against discrimination

The EU now has a modern and ambitious anti-discrimination legal framework which is to be bolstered and supplemented by the adoption of a new European directive, which will extend the principle of equal treatment beyond the field of employment. However, as experience of transposing the provisions of the previous two anti-discrimination directives (2000/78/EC⁽²⁹⁾ and 2000/43/EC⁽³⁰⁾) shows, incorporation into national law is not tantamount to achieving equal treatment in practice.

What new practical measures does the Commission put forward in the new proposal for a directive to prevent discrimination, harassment and victimisation, improve the operation of equal opportunity bodies, support the victims of discrimination and strengthen the right to seek legal redress in the event of discrimination with a view to effective enforcement of the law?

Answer

On 2 July 2008, as part of the Renewed Social Agenda⁽³¹⁾ the Commission adopted a proposal⁽³²⁾ for a Directive prohibiting discrimination on grounds of age, disability, sexual orientation and religion or belief

⁽²⁷⁾ OJ L 175, 10.7.1999.

⁽²⁸⁾ European Trade Union Federation.

⁽²⁹⁾ OJ L 303, 2.12.2000, p. 16.

⁽³⁰⁾ OJ L 180, 19.7.2000, p. 22.

⁽³¹⁾ COM(2008)0412 final

⁽³²⁾ COM(2008)0420 final

outside the employment sphere. It also adopted a Communication Non-Discrimination and Equal Opportunities: A Renewed Commitment⁽³³⁾, which sets out its general policy in this area.

The proposed Directive includes provisions against harassment and victimisation as well as a requirement for equal opportunity bodies to be established, in particular to support the victims of discrimination. These provisions are broadly in line with similar provisions in Directive 2000/43/EC⁽³⁴⁾. If properly transposed into national law and implemented, the Commission believes that these provisions would offer adequate guarantees for victims of discrimination seeking redress.

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Question no 51 by Konstantinos Droutsas (H-0503/08)

Subject: High prices and unemployment the scourge of Greek workers

Data produced by the National Statistical Service of Greece show that, in the first quarter of 2008, registered unemployment totalled 8.3%, those primarily affected being first-time job-seekers (33.4%), young people (17.3%) and young women (22.2%). 46.7% (200 000) are long-term unemployed who cease to receive the pittance of an unemployment benefit of 404 euro after 12 months out of work.

What measures will the Commission take, at a time when uncontrolled price rises, poor pay and benefits are plaguing the working classes, to meet the proposals of the trade union movement for effective protection of the unemployed in the Member States, for unemployment benefit amounting to 80% of basic pay and for social security for the unemployed throughout the entire period of unemployment until they find full-time, stable work?

Answer

The Commission is aware of the challenges facing the Member States in tackling rising prices and unemployment.

As the March 2008 European Council confirmed, the fundamentals of the European Union's economy remain sound: public deficits have more than halved since 2005 and public debt has also declined to just under 60%; economic growth reached 2.9% in 2007, but is likely to be lower in 2008; 6.5 million jobs were created in the last two years. Although cyclical factors have played a role, these developments have been aided by the structural reforms undertaken over the last few years under the Lisbon Strategy and the beneficial effects of the euro and the single market. As a result, unemployment and long-term unemployment rates are on the decline and employment of female and old-age workers is progressing.

Nonetheless, further efforts are still needed in the area of inclusive labour markets. The inclusion of people at the margins of the labour market (the low-skilled, the disabled, migrants and disadvantaged youth) needs to be stepped up in order to meet the employment targets set for 2010 and foster the social dimension of the renewed "Growth and Jobs Strategy".

The inclusion of vulnerable groups is one of the priorities of the Open Method of Coordination on social protection and social inclusion. Through this process, the European Union coordinates and encourages the Member States' action to combat poverty and social exclusion and to reform their social protection systems on the basis of exchanges of good practice and mutual learning. To promote the integration of those most disadvantaged, the Commission is promoting a new 'active inclusion' strategy which combines the provision of an adequate level of income support, stronger links to the labour market, and better access to services. As regards the effects of rising food prices and oil prices in particular, the Honourable Member is referred to the Commission's recent Communications on these issues, including the Communication on "Tackling the challenge of rising food prices: directions for EU action"⁽³⁵⁾.

Furthermore, the EU's food distribution programme for the most deprived persons in the Community⁽³⁶⁾, under which food aid has been made available to the most deprived for more than 20 years, is now being

⁽³³⁾ COM(2008)0426 final

⁽³⁴⁾ OJ L 180, 19.7.2000

⁽³⁵⁾ COM(2008)0321 final of 20 May 2008

⁽³⁶⁾ Council Regulation (EC) No 1234/2007

reviewed with a number of potential innovations. The programme seeks to supplement Member State initiatives and the budget has increased from under €100 million in 1987 to over €305 million in 2008.

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Question no 52 by Georgios Toussas (H-0506/08)

Subject: Obstruction of trade union activity at the Schistos Industrial Park Complex

On the evening of 11 June, an offensive on the rights of workers and the freedom of trade unions was launched when employers deliberately removed a mobile container providing the provisional headquarters of five trade unions representing workers at the Schistos Industrial Park in Attiki, Greece. The clear intention behind this move was to create an industrial relations ghetto in which collective agreements and regulations regarding safety and health at work would not apply. Thousands of workers immediately came out in protest demanding the reinstatement of their trade unions in the industrial park.

Does the Commission condemn the action taken by the employers, which constitutes a direct attack on the unrestricted freedom of action and expression of trade unions?

Answer

The Commission would point out that freedom of association should be regarded as a fundamental right. It is therefore to be respected in any situation falling within the scope of application of Community law.

In the Bosman ruling, the Court of Justice stated that ‘freedom of association, [...] enshrined in Article 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and resulting from the constitutional traditions common to the Member States, is one of the fundamental rights [...] which are protected in the Community legal order.’

Furthermore, Article 12 of the Charter of Fundamental Rights of the European Union provides that everyone has the right to freedom of association, in particular in trade union matters. The Community Charter of the Fundamental Social Rights of Workers contains a similar provision (Section 13)⁽³⁷⁾.

However, there is no EC legislation expressly providing for a right of association. Pursuant to Article 137 paragraph 5 of the EC Treaty, the right to adopt measures in the field of social policy does not apply to the right of association.

The Commission would emphasise that the EC Treaty does not empower the Commission to take action against private undertakings which may have infringed the right to freedom of association. In such cases, it is for the national authorities, and in particular the courts, to ensure that that right is respected within their territory on the basis of all the pertinent facts of the specific case and in accordance with national, Community and international law.

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Question no 53 by Justas Vincas Paleckis (H-0512/08)

Subject: Freedom of movement for workers

Earlier than planned, i.e. on the very first day of its EU Presidency, France lifted the restrictions on freedom of movement for workers from the new EU Member States (except Romania and Bulgaria).

In 2006 nationals of the eastern European Member States were granted free access to employment in France, although that right was restricted to certain professional groups, so that only 40% of the French labour market was in fact accessible to the individuals in question. Even before the expiry of the transitional period in 2009, France has now decided to remove all obstacles to the free movement of workers. The fears that the partial opening-up of the labour market would lead to a massive influx of workers from eastern Europe proved unfounded and the embodiment of those fears, the ‘Polish plumber’, did not destroy the French labour market.

⁽³⁷⁾ These two Charters are not legally binding at present.

Restrictions on workers from the eastern European Member States still apply in Germany, Austria, Denmark and Belgium, however.

In the Commission's view, how will this example set by France as one of the largest EU Member States influence the countries in which the restrictions still apply? What impact will the removal of obstacles to freedom of movement have on the French economy?

Answer

The transitional arrangements in the 2003 Treaty of Accession allowing Member States to restrict access to their labour markets are divided into three distinct phases. The current (second) phase will end on 30 April 2009. During this phase, the Member States that still restrict access to their labour markets by workers from eight of the 10 Member States that joined on 1 May 2004 may each decide whether to restrict access until the end of the phase or to lift the restrictions earlier.

In principle all restrictions should end on 30 April 2009; only Member States that experience a serious disturbance of their labour markets, or a threat thereof, may continue — subject to notification to the Commission by 30 April 2009 — to restrict access to their labour markets for a maximum of two more years.

The impact on the French economy of France's decision to open its labour market is likely to be positive as French firms will be able to tap into a bigger labour pool, which will allow them more easily to fill vacancies which cannot be filled with local workers. Experience in all Member States that have opened their labour markets earlier than required indicates that labour migration from the 'new' Member States has eased bottlenecks on the labour market, increased the flexibility of the labour force, reduced inflationary pressures, and contributed to economic growth, without having any significant negative impact on unemployment or wages of local workers.

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Question no 54 by Athanasios Pafilis (H-0513/08)

Subject: New case of savage beating of immigrant workers

The general anti-immigrant policy and the 'immunity' given to companies are creating situations in which workers are subjected to barbaric treatment. A typical example is the clothing manufacturer, 'Lady Fashion', where the employers use terror and brutal violence on workers who protest at unacceptable working conditions. At the same time, they use every means to prevent the intervention of the trade union. Several workers have been attacked by employers' thugs with piping and clubs because they did not turn up for work on Sunday. In response to the workers' protests at the beatings, the company stated that it was firing them all. Similar violence also occurred in the past when an immigrant worker demanded his outstanding pay.

Does the Commission condemn these acts and the obstruction of trade-union activity, which is becoming more widespread as a result of the anti-labour policy being pursued?

Answer

The Commission considers the exploitation of workers and the violation of their fundamental human rights as unacceptable. All persons, regardless of nationality, have a right to respect for their dignity and their integrity, both physical and mental. These rights are enshrined in the Charter of Fundamental Rights of the European Union solemnly proclaimed in Nice in 2000. Moreover, pursuant to Directive 89/391/EEC⁽³⁸⁾, the employer has a general duty to ensure the safety and health of workers in every aspect related to the work.

As concerns immigrants who are illegally resident in the EU, the Commission adopted a proposal for a Directive in May 2007 providing for sanctions against employers of illegally staying third-country nationals⁽³⁹⁾. Under the proposal, employers would be liable to sanctions, including fines and repayment of outstanding wages. In addition, employers would be liable to criminal penalties in the most serious cases, including where

⁽³⁸⁾ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, OJ L 183, 29.6.1989.

⁽³⁹⁾ COM(2007)0249 final

particularly exploitative working conditions are found. Member States would be required to set up effective complaint mechanisms by which relevant third-country nationals could lodge complaints directly or through designated third parties, such as trade unions or other associations.

As regards the Honourable Member's specific question concerning action by employers to hinder the activity of trade unions, the Commission would point out that freedom of association should be regarded as a general principle of Community law. It is therefore to be respected in any situation falling within the scope of application of Community law.

In the *Bosman* ruling, the Court of Justice stated that 'freedom of association, [...] enshrined in Article 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and resulting from the constitutional traditions common to the Member States, is one of the fundamental rights [...] which are protected in the Community legal order. Furthermore, Article 12 of the Charter of Fundamental Rights of the European Union provides that everyone has the right to freedom of association, in particular in trade union matters. The Community Charter of the Fundamental Social Rights of Workers contains a similar provision (Section 13)⁽⁴⁰⁾.

Pursuant to Article 137(5) of the EC Treaty, the right to adopt measures in the field of social policy does not apply to the right of association. Furthermore, the Commission would emphasise that the EC Treaty does not empower the Commission to take action against private undertakings which may have infringed the right to freedom of association. In such cases, it is for the national authorities, in particular the courts, to ensure that that right is respected within their territory on the basis of all the pertinent facts of the specific case and in accordance with the relevant national, Community and international law.

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Question no 58 by Christopher Heaton-Harris (H-0494/08)

Subject: Industry in the European Union

Does the Commission believe that industry in the European Union will be stronger or weaker now that the Lisbon Treaty is unable to be implemented? How does the Commission think industry will be affected by the fall of the Lisbon Treaty, caused by its not being ratified in all 27 Member States?

Answer

The Commission's President has underlined in his speech before the Parliament on 18 June 2008 that the Lisbon Treaty remains essential to help responding to the challenges that the European Union faces today, such as building a more democratic Union, increasing the powers of the Parliament, recognizing the role of national parliaments, enhancing the Union's capacity to act in areas like migration, energy, climate change and internal security as well as increasing its coherence and effectiveness on the global stage.

As regards industrial policy, Article 157 of the current Treaty establishing the European Community already provides for a clear mandate to pursue an industrial policy on the Community level. This policy aims at providing the right framework conditions for the competitiveness and innovation of our industry taking into account that most businesses are small and medium-sized enterprises. It includes horizontal and sectoral initiatives to assist companies in overcoming the challenges of globalisation, fast technological change, and the adaption to climate change in order to improve their competitiveness and to foster growth, innovation and job creation.

The Lisbon Treaty foresees the following modifications in the new Article 173: "The Commission may take any useful initiative to promote such coordination, in particular initiatives aiming at the establishment of guidelines and indicators, the organisation of exchange of best practice, and the preparation of the necessary elements for periodic monitoring and evaluation. The Parliament shall be kept fully informed." The Treaty would make the Commission's role in industrial policy more explicit, especially in coordinating its own work with that of the Member States. It would also strengthen the role of the Parliament in achieving the objectives set out in the Treaty.

⁽⁴⁰⁾ These two Charters are not legally binding at present.

The Lisbon Treaty would not, however, result in any fundamental reorientation of the EU's current industrial policy. The changes of the Lisbon Treaty in the area of industrial policy are not indispensable to permit the Commission to continuously pursue this modern industrial policy.

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Question no 61 by Manuel Medina Ortega (H-0441/08)

Subject: Food crisis and the common agricultural policy

Given the issues raised at the World Food Security Conference which the FAO has just held in Rome, what measures is the Commission intending to put forward to adapt the common agricultural policy to the results of this Conference?

Question no 63 by Mairead McGuinness (H-0452/08)

Subject: EU action in light of concerns about global food security

In the Commission's Communication (COM(2008)0321) on Tackling the Challenge of Rising Food Prices – Directions for EU Action, a number of lines of intervention were outlined to tackle the crisis and mitigate the worse effects of the situation, particularly on countries in the developing world where we have seen food riots and increased hunger and malnutrition. In the Communication, only brief reference was made of the EU's Common Agricultural Policy, pointing out some of the minor changes which have been made in the light of the emerging concerns about food production. Could the Commission make a clear statement on the need for the EU to maintain and expand food production given concerns about global food security? Could the Commission also outline its assessment of the complex interaction between climate change mitigation measures, reduced input use at farm level and food production and the need to put sustainable food production centre-stage?

Question no 64 by Gay Mitchell (H-0454/08)

Subject: Food crisis and unspent farm subsidies

The food crisis, in combination with the sustained rise in the price of oil, is threatening to undo the great development strides of the previous decade and a half. The world food crisis demands strong EU leadership. Against this background, what is the status of the Commissioner's plans to give unspent farm subsidies to developing world farmers to help meet rising prices and to provide much-needed finance for agricultural development?

Question no 68 by Alyn Smith (H-0475/08)

Subject: World food crisis

Is the EU serious about helping to tackle the developing world food crisis? If it is, should it not be doing much more to realise the potential offered by its own farmers and growers?

The Commission still seems reluctant to ask EU farmers and growers to play their full part in helping to secure world food production. There is an obvious move that food production around the world, including the EU, needs to increase.

Serious investment is required in research and development and, accompanied by a genuine attack on the red tape which is holding us back, this would make a huge difference.

How is the European Commission planning to react to this challenge and develop a productive and competitive EU food supply chain that benefits global food security and EU consumers?

Joint answer

The Commission's first general remark partially replies to all four questions concerns the link with the Health Check. This proposal includes policy changes responding to the concerns about food production and the growing food demand: set-aside is proposed to be abolished and the milk quota system will be phased-out. These measures add to the setting to zero of set-aside and the increase of milk quota earlier in 2008, which have already had impacts on this year's production. These production impacts constitute cumulative, important responses to the food security concerns over time. That is why the Common Agricultural Policy (CAP), also in the future, is part of the solution to ease the global pressure on food prices.

Mr. Medina Ortega asked for the follow up on the FAO⁽⁴¹⁾ Conference on Food Security from 3 to 5 June 2008 in Rome. The Commissioner in charge of Agricultural and Rural Development participated in this conference and the Commission has already responded to the declaration, which asks for an "urgent and coordinated action to combat the negative impacts of soaring food prices on the world's most vulnerable countries and populations". The Commission is also actively engaged to a rapid and successful conclusion of the Doha Development Agenda. The Commission's commitment is to reach a deal which will be conducive to improving the food situation in developing countries. In addition, and this issue was also raised by the Commissioner in charge of Development and Humanitarian Aid, the Commission is preparing a proposal for a new fund to support agriculture in developing countries. The EU will support a strong agricultural supply response in developing countries, providing in particular the necessary financing for agricultural inputs and assistance. The Commission is intending to put forward a concrete proposal later in July 2008. This comprehensive package answers also to the questions put forward by Mr. Smith.

Ms. McGuinness asks for the Commission's assesment on climate change and its link to sustainable food production. The Commission considers that its effects on agricultural production in Europe differs widely between regions and sectors, whereby there is no single solution to deal with all the concerns the Union is faced with. As the Commissioner in charge of Agriculture and Rural Development said in her answer to the previous questions, the Commission has proposed in the Health Check to address the increasing concerns related to climate change and sustainable food production through Pillar II measures.

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Question no 66 by Bernd Posselt (H-0460/08)

Subject: Karlsbader Oblaten (Karlsbad Wafers)

Karlsbad Wafers, a world-famous speciality, were made for centuries by Sudeten-German confectioners in the 'Spa Triangle' area of Bohemia (Karlsbad-Marienbad-Franzensbad) and then, in the 19th and 20th centuries, in other parts of Europe and the world. Today one of the top producers of the best quality variety is the Wetzel company in Dillingen an der Donau, Bavaria, where its owner, Marlene Wetzel-Hackspacher, began production again after being expelled from her native Bohemia following the Second World War. Can the Commission guarantee that the Wetzel-Hackspacher family will be able to continue producing and marketing this speciality under the name 'Karlsbader Oblaten'? What is the current situation regarding certain attempts in the Czech Republic to bring this valuable tradition to an end?

Answer

The Commission confirms that the Commission has received objections to the proposal to register "Karlovarské oplatky" as a Protected Geographical Indication (PGI) and that consultations are in train between the parties concerned. While that process is continuing, the Commission cannot intervene, and it would be wrong of it to comment on the merits of the arguments on either side of this case.

Let the Commission point out however, that, if the name "Karlovarské oplatky" were to be registered, then use of that name would be protected against, inter alia, any "misuse, imitation or evocation even if the protected name is translated". In the event of a dispute and again assuming the name "Karlovarské oplatky" were registered, which is not yet decided, then it would be for the national courts, and if necessary in the last resort for the European Court of Justice, to determine whether or not the usage of "Karlsbader Oblaten" referred to by the Honourable Member fell under the scope of this or any other provision of Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽⁴²⁾.

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(41) Food and Agriculture Organisation of the United Nations

(42) OJ L 93, 31.3.2006, p. 12.

Question no 67 by David Martin (H-0466/08)**Subject: WTO Doha Development Agenda - revised Agriculture text**

Following the release of the revised Agriculture text and the support expressed by the majority of Member States for that text, can the Commission outline whether there have been any positive signs from other WTO powers relating to the agriculture negotiations? Does the Commission believe that the conditions now exist for a successful conclusion to the round by the end of this year?

Answer

The current draft modalities text on agriculture is generally considered among World Trade Organisation (WTO) Members as an acceptable basis for further negotiations. However, some issues still remain to be settled. The Commission therefore is working together with other WTO-Members in Geneva to allow the Chair of the agriculture negotiating committee to finalize a text which could constitute a suitable basis for negotiations at Ministerial level.

On the question of whether the conditions now exist for a successful conclusion to the round by the end of 2008, the Commission thinks it is perfectly imaginable that this deal can be done, and it is doing its best to achieve this goal on the basis of the Council mandate. However, a lot of hard work needs to be done first.

WTO Director General Mr Lamy has now made clear that he intends to call a Ministerial meeting to agree on modalities around the 21st of July 2008. Whether the round will be closed before the end of 2008 will very much depend on the outcome of this ministerial meeting, and on the goodwill of all members in pursuing the negotiations thereafter.

In any event, any final deal must be comprehensive and cover issues of clear interest to the EU. In particular, the ambitious result which is contemplated in agriculture must be fully matched in other areas of the negotiations, including NAMA⁽⁴³⁾, Services and Rules, as well as Geographical Indications.

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Question no 69 by Zbigniew Krzysztof Kuźmiuk (H-0510/08)**Subject: Alignment of direct payment amounts per hectare in new and old Member States**

In its written answer of 17 June 2008 (H-0387/08) to my question on the introduction of modulation in the new Member States, the Commission states that in 2012 direct payments will be identical in the old and new Member States (after the introduction of modulation) and will stand at 87% of the full payment rate.

Regrettably, the amount payable per hectare of farm land will not be identical, despite the fact that by 2012 production costs will be much the same in the new and old Member States.

When will per-hectare support amounts in the old and new Member States be brought into line with each other?

Answer

Decoupled support is based on historical or regional production references for EU-15 and most reliable data available at the time for EU-10, agreed in the Accession Treaty. Therefore the level of direct aid payment is differentiated not only between old and new Member States, but between all Member States as well as regions and individual farmers (depending on the model of decoupled payment chosen).

The Impact Assessment of the Health Check has shown that the same flat rate payment for all of the EU-27 would not improve the overall "uneven" distribution of payments among farms, but lead to huge budgetary redistributions between Member States. Moreover, it would distort income relations between the farming sector and other sectors of the economy, as agricultural incomes in the EU-12 have already grown strongly since EU accession.

But the Health Check proposal facilitates a move towards a flatter rate of support within a Member State since the redistribution of support it would imply can be targeted by each Member State with more objective criteria. However any major reallocation of funds between Member States can only be considered in the

⁽⁴³⁾ Non-Agricultural Market Access.

context of the budgetary review and the overall level of fund allocation, not just the one related to direct support.

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Question no 70 by Silvia-Adriana Țicău (H-0524/08)

Subject: Irrigation systems in the EU

Climate change is already impacting on all EU Member States. In the coming years, the Union will have to be able to fight its causes effectively and adapt to new forms of climate. In particular, the southern and eastern Member States will suffer constantly from drought, heatwaves and the desertification of agricultural regions. The results will be devastating for food crops. In addition, scientific studies point to future shortages of water, and especially drinking water.

Can the Commission state what measures it has in mind with a view to developing an efficient irrigation system enabling the above-mentioned Member States to practise an efficient agriculture that will both feed their regions' population and ensure agricultural exports to third countries? Can it explain which Community funds are devoted to such measures, and provide information on future EU policy as regards agricultural irrigation?

Answer

The Common Agricultural Policy already offers financial assistance to encourage change in agricultural practices. This concerns, for example, replacing old irrigation systems by new ones which are less water-consuming, converting arable into grassland, reducing water use in existing crops, and creating ponds or other features. This assistance is provided, in particular, through agri-environmental measures and support for investments.

In addition, the Commission has recently made proposals to review the 2003 reform of the Common Agricultural Policy, the so-called Health Check proposals. Some proposed measures would help meeting water quantity concerns. The proposed new standard of good agricultural and environmental conditions will require the respect of authorisation procedures for using water for irrigation. The proposal to increase compulsory modulation up to 13% by 2013 would provide fresh funding for reinforcing their rural development programmes, inter alia for improving water management. In addition the Commission brings to the attention of the Honourable Member that regarding droughts the Commission adopted a Communication on "Addressing the challenge of water scarcity and droughts in the European Union" in July 2007 which highlights the key policy orientations for future action. This Communication highlights the important water saving potential existing in Europe and the need to exhaust this potential before considering any additional water supply solution. This is valid for agricultural activities and irrigation in particular, where improved irrigation technologies and practices and upgraded irrigation networks can lead to significant amounts of water saved. The Commission is committed to adopt a follow up report of the Communication before the end of 2008.

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Question no 71 by Marian Harkin (H-0429/08)

Subject: European Year of Volunteering

Given that over 100 million Europeans volunteer every year, and that volunteering promotes intergenerational solidarity, intercultural dialogue and social cohesion, which are all part of the EU's values and objectives as laid down in the Treaties, does the Commission agree that a European Year of Volunteering in 2011 would be an ideal way for the Commission to give targeted support to all volunteers throughout the EU?

Answer

The Commission is fully aware of the importance of volunteering in Europe and its valuable contribution to social cohesion, active European citizenship, intergenerational solidarity and intercultural dialogue among many things.

The Commission has closely followed the work of the Parliament, Committee of the Regions and the Economic and Social Committee in the area of volunteering in the past few months.

In particular, the report on the contribution of volunteering to economic and social cohesion presented by the Honourable Member is an important step in supporting volunteering in the European Union and contains very good advice. The importance of volunteering in promoting social inclusion through informal and non-formal learning as highlighted by the report is a view that is entirely shared by the Commission.

The Commission will launch a study on volunteering in the European Union highlighting the state of play, the critical issues and challenges for the EU in this area in order to help policy-makers to determine how best to proceed and what the scope of possible future initiatives at the European level might be.

On the basis of the results of the above mentioned study the Commission will examine what would be the best initiatives to be undertaken in the area of volunteering including a reflection on a future European Year of Volunteering.

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Question no 72 by Avril Doyle (H-0446/08)

Subject: Energy-intensive industries affected by carbon leakage in the EU Emissions Trading System (ETS)

On 23 January 2008 the European Commission put forward a far-reaching package of proposals that will deliver on the European Union's ambitious commitments to fight climate change and promote renewable energy up to 2020 and beyond. Central to the strategy is a strengthening and expansion of the Emissions Trading System (EU ETS), the EU's key tool for cutting emissions cost-effectively.

Under any international agreement, the risk of carbon leakage could well be negligible. However, such an agreement is not yet in place.

More information is needed to determine which energy-intensive industries would be most affected by carbon leakage. To this end, DG Enterprise is currently collecting the results from a questionnaire sent out to various different sectors included in the EU ETS.

Given the level of concern on this issue, could the Commissioner please comment on progress to date and indicate any preliminary results he might be able to share with us?

When can the European Parliament expect a detailed report on the Commission's findings?

Answer

The Commission's overriding priority is to achieve an ambitious and comprehensive international climate agreement for the period post-2012 when the current Kyoto commitments end. In the absence of an international agreement, certain energy-intensive industries risk moving production outside Europe, resulting in increasing global emissions (carbon leakage).

The Commission is currently not in a position to identify precisely the sectors and/or sub-sectors subject to risks of carbon leakage. This task should be performed on the basis of all objective and relevant criteria, notably the ability of the concerned sectors to pass-on increase in costs due to the new rules in the Emissions Trading Scheme (ETS) without losing significant market shares to less carbon efficient installations outside the Community, the ability of these sectors to reduce emissions further and the climate change policies implemented in the countries where competitors are active.

The Commission, therefore, is examining this issue and proposes to determine the sectors or sub-sectors exposed to a significant risk of carbon leakage at the latest by June 2010.

The Commission will assess the situation of these energy-intensive industries based on the outcome of the international climate agreement or any sectoral agreements that may have been concluded. On the basis of that assessment, the Commission will submit a report to Parliament and to the Council at the latest by June 2011 and propose any additional measures if necessary. Such measures could cover an adjustment of free allocations or the inclusion of importers in the ETS, or a combination.

The Commission has already started specific work on the issue of carbon leakage. On the basis of a questionnaire which was sent to associations of European industries, the Commission has received data, which is now subject to a detailed analysis and for which an analytical framework is currently being developed.

The objective of the Commission's work in this area is to assess the risk of carbon leakage, taking into account the criteria included in the Commission's proposal for amending the ETS Directive. The Commission will continue, as was already done at a meeting on 11 April 2008, to inform the stakeholders of the outcome of this work when relevant results are available. One such meeting is provisionally foreseen for the end of September 2008.

The Commission will also keep the Parliament and the Council informed of progress made and results obtained from this work, with the aim of reaching an agreement on the Climate and Energy package by the end of 2008.

At this stage of the work, however, the Commission does not intend to issue an official report on preliminary results of the ongoing work.

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Question no 73 by Manolis Mavrommatis (H-0464/08)

Subject: Success of EuroNews in Commission competition for an international Arabic-language TV channel

According to an interview with a Spanish newspaper on June 2007, given by Philippe Cayla, the President and Executive Director of EuroNews, EuroNews won the Commission competition for an international Arabic-language news channel to be broadcast 24 hours a day, seven days a week.

Will the Commission state which TV companies took part in this competition and what the selection criteria were? Does the Commission intend to continue funding for the creation of a TV news channel in other European languages too? What criteria will govern the order in which the languages will be selected?

Answer

As provided in the Financial Regulation, the tender specifications (including the exclusion, selection and award criteria) for the creation of the Arabic version of an international news TV channel have been published in the Official Journal⁽⁴⁴⁾, as well as the results of the procedure⁽⁴⁵⁾.

There are no plans to create TV news channels in another European language at the moment.

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Question no 74 by Sarah Ludford (H-0468/08)

Subject: Non-recognition of UK civil partnerships in France, and vice versa

According to information received from citizens, UK civil partnerships are not recognised by the French authorities as equivalent to marriage, or even as equivalent to a PACS (French civil partnership). Furthermore, couples registered as civil partners in the UK cannot move to France and enter a PACS, as they need a 'certificat de coutume' stating that the partners are not already in a civil/married/PACS relationship in the UK. In the event of the death of one of the civil partners, the French authorities will tax the surviving partner at 60%, and he or she will have no rights under French law. If a French national wishes to enter into a PACS with a British national at the French embassy in London, the 'certificat de coutume' is not required even though they are already in a civil partnership with each other in the UK. Article 25 of the double taxation treaty between France and the UK also states that nationals in France and the UK should not be treated differently as regards tax if they are in the same situation.

Does the Commission not think that such a situation is an obstacle to free movement of citizens and their families and that these different requirements relating to the 'certificat de coutume' and to tax laws constitute discrimination based on sexual orientation? What will the Commission do to overcome this situation? Will it ask the Member States concerned to practise mutual recognition of such contracts in order to ensure free movement of EU citizens?

(44) Official Journal S 134-163977 of 14 July 2007

(45) Official Journal S 30-039418 of 13 February 2008

Answer

The Honourable Member draws the attention of the Commission to the difficulties on the non-recognition by the French authorities of the United Kingdom civil partnerships, as equivalent to marriage, or to PACS⁽⁴⁶⁾.

Mutual recognition in the area of family law is indeed a priority for the Commission. Currently, Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility⁽⁴⁷⁾ (the Brussels II a Regulation) represents the main legal instrument dealing with mutual recognition in the area of family law. The Brussels II a Regulation provides for the mutual recognition of certain judgments relating to divorce, legal separation or marriage annulment.

However, there is no existing Community legislation providing for the recognition of marriages or same-sex civil partnerships across the European Union. Consequently, the Commission has no competence to examine whether there is discrimination between married couples and couples engaged in a civil partnership.

Differences perceived in some Member States, relating to the way they deal with civil partnerships concluded in other Member States, and their tax effects, are a consequence of a lack of unified rules on the recognition of marriages and civil partnerships in the European Union.

The European Community does not hold any power to adopt legislation on issues linked to civil status, which have a direct impact on the daily life of European citizens. As long as no additional powers are conferred on the Community, the Commission has no legal basis to act in this area.

However, a comparative study on civil status records has been launched by the Commission, to answer the need for mutual recognition of these records, caused by the increasing mobility of citizens within the European Union. This field is currently governed by national law and international conventions. The objective of this comparative study is to provide an overview of the national laws and practices in this field, to identify the practical problems encountered by citizens and indicate possible solutions to these problems. This extensive study is expected to be completed in the course of 2008. It will provide the Commission with a solid basis for assessing possible measures that could be taken at European Union level to improve the mutual recognition of civil status records. In order to redress the fact that the lack of mutual recognition result in adverse personal and financial consequences for the citizens concerned.

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Question no 75 by Dimitrios Papadimoulis (H-0473/08)**Subject: Intrafirm trade - rights of tax authorities**

In the eyes of Greek consumers, the single market has totally failed to harmonise prices, in particular of basic consumer goods. For many years the consumer price index in Greece has been one of the highest in EU-15 and significantly higher than the Community average. Recently the consumer protection centre conducted a price survey of 86 articles of everyday usage in the same supermarket chain in Berlin and in Thessaloniki. This survey showed that the average price overall in the Thessaloniki store was 32.57% higher than in Berlin with many products being 100% more expensive.

In cases of uncontrolled pricing in intrafirm trade, what resources does the Greek government have to bring levels down to EU levels? What means does it have to put an end to uncontrolled pricing in intrafirm trade? Are national tax authorities entitled to treat as false data presented by companies in the case of (a) intrafirm trade and (b) import firms of basic consumer goods when product pricing is obviously out of line with prices in other Member States?

Answer

The primary objective of EC competition policy is to make markets work better for the benefit of consumers in the EU. The Commission cooperates closely with the National Competition Authorities (NCA) of each Member State regarding the application of EC competition rules (within the framework of Council Regulation

⁽⁴⁶⁾ Pacte Civil de Solidarité.

⁽⁴⁷⁾ OJ L 338, 23.12.2003.

1/2003) to ensure that markets work for the benefit of consumers. Investigations arise whenever the alleged anticompetitive practices are backed by legal and economic evidence.

It must, however, be noted that price differences across different Member States are not necessarily linked to a deficiency in the application of competition rules. Indeed, a number of key factors can have a considerable impact on price formation. The observed price differences may result from a combination of supply-side factors at EU and world levels (structural developments, climatic conditions etc) and demand-side drivers (rise in global commodity demand, changes in dietary patterns, emergence of new markets etc.) or from the structure and the functioning of the retail and distribution sector in each Member State. Such factors include for instance consumer preferences in the relevant markets, tradability of certain goods/services and cost components (cost of infrastructure, human resources etc).

NCA's are well placed to address issues pertaining specifically to the functioning of the retail sector and/or food supply chain within their territories. In particular, the impact of rising consumer prices may be mitigated by ensuring sufficient level of competition, as well as by reducing unjustified regulation that is capable of restricting competition to the detriment of consumers, in the retail sector of each Member State.

EC competition rules prohibit arrangements between competing firms designed to limit or eliminate competition between them, by fixing prices, limiting output, sharing markets, allocating customers or territories, bid rigging or a combination of these specific types of competition. To the extent that intrafirm-specific practices are liable to distort competition (and, in particular, retail prices), competition rules prohibit anti-competitive business practices which a dominant firm may use in order to maintain or strengthen its position in the market. In this context, charging a price that is excessive in relation to the economic value of the product(s) concerned (excessive/exploitative pricing) has been established as a form of abusive conduct.

The Commission continues to monitor the development of comparative price levels. The levels and differences of consumer prices between the Member States are also monitored in the annual Consumer Markets Scoreboard. The first edition of the Scoreboard was published in the beginning of 2008 and the exercise will be carried out yearly. Some price differences, especially in the case of non-tradable goods and services, may be due to differences of income between the Member States. Nevertheless, particularly important differences between the Member States may also suggest the need for further scrutiny.

The Commission's Single Market Review has identified retail trade as one of the sectors that warrants in-depth market monitoring given its key role for consumer and supplier markets and its current level of fragmentation. A monitoring report will be prepared for 2009 to analyse the possible reasons for malfunctioning of retail services seen the perspectives of both consumers and suppliers.

The Commission adopted a Communication on "Tackling the challenge of rising food prices. Directions for EU action" on 20 May 2008⁽⁴⁸⁾. This suggests several initiatives to mitigate the impact of the increased food prices in the EU, namely to Monitor price developments; Adjust the Common Agricultural Policy (CAP); Act for the most deprived persons; Investigate the functioning of the food supply chain. The Commission will set up a task force to examine the functioning of the food supply chain, including concentration and market segmentation of the food retail and distribution sectors in the EU.

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Question no 76 by Jana Hybášková (H-0477/08)

Subject: Terrorist media Al-Aqsa broadcasts via European satellite provider

Hamas, which the European Union recognised as a terrorist organisation in September 2003, has launched a television station called 'Al-Aqsa', modelled on Hezbollah's television station 'Al-Manar'. As the press frequently reports, Al-Aqsa-TV's children's programming uses Disney-like characters to encourage children to aspire to be suicide bombers.

Is the Commission aware that the European satellite provider Eutelsat, broadcasts 'Al-Aqsa' on Atlantic Bird 4, which it leases to the Jordanian satellite provider Noorsat? What steps has the Commission taken to stop Eutelsat from broadcasting Al-Aqsa TV? Has the Commission raised the matter with the Conseil Supérieur de l'Audiovisuel (CSA) in France?

⁽⁴⁸⁾ http://ec.europa.eu/commission_barroso/president/pdf/20080521_document_en.pdf

Question no 77 by Frédérique Ries (H-0485/08)**Subject: European satellite capacity for terrorist media Al-Aqsa**

In its reply to question E-1666/08, the Commission pointed out that it 'shares ... concern with regard to incitement to hatred broadcast under the jurisdiction of one of the Member States.' Hamas' TV station Al-Aqsa uses European satellite capacity of the French company Eutelsat's Atlantic Bird 4, which Eutelsat leases to the Jordanian satellite provider Noorsat, to incite violence and hatred and justify terrorism in Europe and beyond. As on Hezbollah's TV station Al-Manar, on Al-Aqsa programming children dress up as suicide bombers and are presented as heroes. In one segment, Assud, a popular bunny character, advocates martyrdom and suicide bombings as the ideal goal for every child who phones into the show. In another segment the cartoon character says that he will 'bite and eat up' the Danes because a Danish newspaper published political cartoons they did not like. Assud the bunny accepts a phone call on the show from someone who says that 'we will manage to kill, to assassinate' the cartoonist, to which Assud wholeheartedly agrees.

What is the Commission planning to prevent Al-Aqsa broadcasting on European satellite capacity? Given the similarities between Al-Manar and the incitement to violence and terrorism broadcast on Al Aqsa, does this not amount to a violation of Article 3b ('Incitement to hatred') of the revised Audiovisual Without Frontiers Directive (Directive 2007/65/EC⁽⁴⁹⁾), as was the case with 'Al-Manar'?

Joint answer

The Commission shares the Honourable Members concerns with regard to programmes containing incitement to hatred falling under the jurisdiction of one Member State. It actively cooperates with, and promotes cooperation between, the Member States in order to ensure the full application of Community law in this particularly sensitive area.

Article 22a of Directive 89/552/EEC prohibits broadcasts inciting to hatred on grounds of race, sex, religion or nationality. It should also be recalled that the right of freedom of expression is a cornerstone of a democratic and pluralist society.

The Commission is aware that Al-Aqsa TV is transmitted via Atlantic Bird 4 belonging to the French based satellite operator Eutelsat. However, the Commission has not received so far any formal complaint regarding the programmes broadcasted by Al-Aqsa TV.

Where a non-EU broadcaster falls under the jurisdiction of a Member State by virtue of the criteria laid down by the Directive, it is, in the first instance, the task of the national authorities in question to ensure that broadcasts by this broadcaster comply with the rules of the Directive, notably the ban on incitement to hatred based on race, sex, religion or nationality. Hence, it is in first instance within the remit of the French regulator, the Conseil Supérieur de l'Audiovisuel (CSA), to monitor whether the programmes broadcast by Al-Aqsa TV contain incitement to hatred and to take the appropriate measures. Contrary to the case of the TV channel Al Manar, according to the assessment made by the CSA, there is not enough evidence to justify a total ban of the channel Al-Aqsa. So far, the Commission has no reason to put into question the assessment carried out by the CSA.

In view notably of the impact that the assessment of the regulatory authority in one Member State may have on other Member States, the Commission has taken steps to ensure a fruitful and efficient cooperation between Member States' regulatory authorities and provides a forum for exchange of information between regulators. The Commission notably refers to the meeting chaired by the Commissioner in charge of Information Society and Media in March 2005 in the context of the prohibition of the broadcast of Al Manar by the French regulatory Authority.

The Commission will raise the issue of Al-Aqsa TV in the context of the next meeting with national regulatory authorities before the summer break in 2008 and will inform the Honourable Member of the outcome of this meeting subsequently.

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⁽⁴⁹⁾ OJ L 332, 18.12.2007, p. 27.

Question no 78 by Nickolay Mladenov (H-0480/08)**Subject: Outcome of EU-Egypt subcommittee meeting on 'Political matters: human rights and democracy' on 2 and 3 June concerning Al-Manar**

The EU-Egypt Action Plan commits Egypt to 'cooperate to combat all forms of discrimination, intolerance, racism and xenophobia and in particular hate or defamatory discourse based on religion, beliefs, race or origin'. Egypt's state-run satellite NileSat continues to broadcast into Europe Hezbollah's satellite channel Al-Manar, thus allowing hate and terrorist messages to reach Europe. The Commission in its reply to question H-0246/08⁽⁵⁰⁾ pointed out that the subcommittee on 'Political Matters: human rights and democracy' is the appropriate mechanism for raising issues related to the fight against racism and xenophobia. The subcommittee met on 2 and 3 June in Brussels.

Can the Commission outline whether and how Al-Manar was raised, and what actions have been agreed with Egypt in relation to Al-Manar and Egypt's commitments to the provisions 'Fight against discrimination, intolerance, racism and intolerance' of the EU-Egypt Action Plan?

Question no 79 by Rumiana Jeleva (H-0491/08)**Subject: Outcome of EU-Egypt subcommittee meeting on 'Political Matters: Human Rights and Democracy' on 2 and 3 June concerning Al-Manar**

Recognising that the hatred and violent content of Hezbollah's TV station Al-Manar is in contrast with Article 3b of the Television Without Frontiers Directive - 2007/65/EC⁽⁵¹⁾ (former Art. 22a), all European satellite providers have stopped carrying this channel. Similarly, the broadcasting of Al-Manar via NileSat is in contradiction with the commitments of Egypt in the EU-Egypt Action Plan, specifically related to the fight against intolerance, discrimination, racism and xenophobia and the promotion of respect for religions and cultures.

To what extent did the Commission raise the issue of Al-Manar during the subcommittee meeting and how does the Commission aim to stop Al-Manar from broadcasting the destructive message of hate and terror to Europe via non-European satellite providers?

Joint answer

Convening the first ever subcommittee on political matters was a major step towards deepening political relations with Egypt and towards building confidence in the process of political dialogue through which the Commission will also raise issues of shared concern in a constructive manner based on mutual trust and respect.

The Commission shares the concern of the Honourable Members that material broadcast by the mentioned television station in question might amount to incitement to hatred. The sub-committee on political matters with Egypt is indeed the appropriate mechanism for raising issues related to the fight against racism, xenophobia and intolerance. This includes the undertaking in the joint EU-Egypt Action Plan to "strengthen the role of media in combating xenophobia and discrimination on the grounds of religious belief or culture" and encouraging the media "to assume its responsibilities in this regard".

However, in light of the many other pressing political and human rights developments that had to be addressed, as well as the EU's agreed priorities for this dialogue, it was decided with the Member States that the issue of incitement to hatred via media would not yet be discussed in this very first sub-committee meeting.

The Commission does of course continue to pay close attention to this issue and may raise it on another occasion under the EU's regular political dialogue with Egypt.

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⁽⁵⁰⁾ Written answer, 22.4.2008.

⁽⁵¹⁾ OJ L 332, 18.12.2007, p. 27.

Question no 80 by Costas Botopoulos (H-0481/08)**Subject: Visit by Eurostat delegation to Greece**

In the first week of June, the PASOK economic affairs spokesman, Mrs Louka Katseli, contacted the office of the Eurostat Director-General seeking to arrange a meeting in Greece between the visiting Eurostat delegation and members of the principal opposition party, so as to bring the latter up to date with Eurostat's assessment of the economic situation in Greece. The Eurostat representative rejected the proposal on the grounds that the visit was of a purely technical nature and indicated that the delegation would be meeting government officials only.

Does the Commission approve Eurostat's refusal to hold a meeting with members of the principal opposition party?

Are the reasons given based on specific Commission rules and practices?

Does the Commission consider that such practices are helping to achieve the objective of actively promoting the principle of transparency and equal access to information for all political parties and, by extension, all European Union citizens?

Answer

The Commission (Eurostat) carries out dialogue and methodological visits to Member States on a regular basis in order to discuss with relevant Member State authorities outstanding issues relating to the quality of notified deficit and debt statistics. These visits take place in the context of the implementation of Council Regulation 3605/93 as last amended by Council Regulation 2103/2005. A report on these discussions is made available on the website of Eurostat in due course, in conformity with the above mentioned Council Regulation.

Concerning the visit to Greece scheduled in 2008, the Commission (Eurostat) can confirm that it was contacted on 3 June 2008 by a representative of Panhellenic Socialist Movement (PASOK) with a request that this political party participate in the dialogue visit meetings with the Greek authorities.

The relevant services of the Commission (Eurostat) informed the above representative that the composition of the Member State delegation attending this kind of meetings is decided by the relevant Member State authorities.

In this context, the Commission (Eurostat) confirms that it is fully committed to the principles of transparency and equal access to information to all EU citizens, according with the existing regulations in force on these matters. The Commission (Eurostat) can ensure that an opportunity is given to all the parties concerned to be listened in an appropriate manner.

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Question no 81 by Bogusław Sonik (H-0482/08)**Subject: Health rules concerning animal by-products**

Who within an EU Member State (Poland) is responsible under European legislation for the designation and operation of plants for the incineration of dangerous category 1 material, e.g. meat and bone meal (when by-products of the treatment of dead animals/cattle, for instance), with reference to Regulation (EC) No 1774/2002⁽⁵²⁾ of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption and Directive 2000/76/EC⁽⁵³⁾ of the European Parliament and of the Council of 4 December 2000 on the incineration of waste?

Can the Commission clarify the term 'competent authority, as used in this legislation?

How does the Commission assess the operation of plants treating meat and bone meal (category 1 waste) in Poland from 2005 to 2007 and what is the current situation in this regard?

⁽⁵²⁾ OJ L 273, 10.10.2002, p. 1.

⁽⁵³⁾ OJ L 332, 28.12.2000, p. 91.

Answer

Regulation (EC) No 1774/2002⁽⁵⁴⁾ establishes a comprehensive framework for the collection and disposal of animal by-products not intended for human consumption. Under the Regulation, the disposal of Category 1 animal by-products may take place in an approved incineration plant which is operating according to the Waste Incineration Directive.

Each Member State must have a disposal system in place which is capable of handling the amount of animal by-products arising on its territory.

Operators of incineration plants have to respect the applicable legal requirements, and they are subject to official controls by the Member States' competent authorities.

The Regulation on animal by-products defines as competent authority the central authority of a Member State or another authority to which the competence to ensure compliance with the Regulation has been delegated.

The Waste Incineration Directive does not define the competent authority but describes some of its tasks. The Directive requires competent authorities to assess the applications for permits to operate waste incineration and co-incineration plants. The competent authorities are responsible for granting permits including measures to ensure that the requirements of the Directive are met and to periodically reconsider and, where necessary, update permit conditions. Competent authorities shall also take action to enforce compliance if the plant does not comply with the permit conditions, in particular with the emission limit values laid down in the Directive.

Therefore, it is for the Member States to determine the authorities which are responsible for the proper implementation of Community law on their territory.

Since 2005, the veterinary inspection services of the Commission have carried out two visits to Poland to assess the measures taken by the Polish authorities for the proper enforcement of the rules on animal by-products. Their second visit in April 2007 concluded that the measures for the proper disposal of Category 1 animal by-products were largely satisfactory.

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Question no 82 by Yiannakis Matsis (H-0487/08)**Subject: Measures to curb price increases**

Soaring price increases (inflation), the continuing rapid increase in oil and wheat prices and a failure to take adequate measures to assist European citizens, the economies of Member States or the EU itself are extremely alarming developments. What are the EU's policy guidelines for tackling the soaring prices of oil, wheat and the cost of living generally in conjunction with Member States? Do any plans for specific measures exist? If so, what are they exactly and what exactly do they consist of?

Question no 83 by Laima Liucija Andrikienė (H-0515/08)**Subject: EU strategy to meet the new challenges of rising fuel and food prices**

The EU and the world as a whole are facing a serious food and fuel crisis. Is the Commission devising a strategy to meet the new challenges of rising fuel and food prices in the EU and in the world? What impact are these developments having on the implementation of the Lisbon Strategy in the EU?

Joint answer

The Commission's response to increases in food prices and increases in oil prices has been set out in two recent Communications that steered the discussion with Member States at the meeting of the European Council on 19 and 20 June 2008. The Commission would like to underline the support that was given to the Commission's approach by the European Council.

Concerning oil, rising prices are largely the result of major structural shifts in the global economy. We are moving away from the era of cheap and easily available oil. This trend is inevitable and generally/globally

⁽⁵⁴⁾ OJ L 273, 10.10.2002.

applicable. This calls for a clear distinction between short term measures to alleviate the hardship on vulnerable sectors of society, and longer term measures to accompany and promote the transition to a low carbon economy.

Governments in consumer countries, and increasingly in producer countries, have little influence on prices in global oil markets in the short term. Political pressure from citizens and companies therefore focuses on subsidies to help vulnerable groups to afford energy at a time of rising prices. A balance is needed to ensure that targeted, time-limited support to the vulnerable does not send the signal to suppliers that taxpayers are prepared to absorb price rises, rather than pass these on to the consumer. It is equally important to ensure that the incentive provided by the high price to save and change our energy consumption is transmitted to all users, while complementing policy measures should focus on energy savings and energy efficiency improvements. It is therefore necessary to avoid fiscal measures or other public interventions that could have distorting effects as they prevent economic actors from undertaking the necessary adjustments.

It is also important to improve cooperation between oil producing and oil consuming countries in order to clarify how the market is functioning and avoid future price volatility. The example of the recent summit in Jeddah should be followed up. At the same time, our existing dialogues with key suppliers such as Russia, Norway and OPEC⁽⁵⁵⁾ will be reinforced. Increased transparency on oil stocks could also help. In this respect, the Commission will continue to study the feasibility of ensuring public availability of data on commercial stocks and will present a proposal for the revision of the existing Community legislation on emergency stocks by the end of the year.

As the European Council confirmed, the appropriate response to high oil prices is a structural shift of the European energy system towards clean forms of energy and a more efficient use of energy. The Commission's proposal from 23rd of January 2008 on the climate and energy package provides for a shift towards a low-carbon economy. This will reduce Europe's energy imports and make it less vulnerable to market fluctuations. With the rising price of energy, the benefits of the climate and energy package are ever more obvious and its adoption is therefore a priority for the Commission and should be shared by Parliament and Member States.

The EU should take the challenge of energy efficiency more seriously if we wish to reach the objective of saving 20% of energy consumption by 2020. The Commission will continue to push for full implementation of the existing energy efficiency action plan with the Member States. Later in 2008, the Commission will present a proposal for the recast of the directive on the energy performance of buildings.

Concerning food prices, the EU has already acted. It temporarily suspended the obligation to set aside 10 percent of arable land for the 2008 harvest, increased milk quotas by 2 percent and temporarily suspended import duties on most cereals. The reformed Common Agricultural Policy (CAP) allows our farmers more and more to base their production decisions on what the market is telling them rather than on where they get the biggest subsidy. That is because subsidies are increasingly delinked from production. The Health Check of the CAP will further remove restrictions on farmers to allow them to react flexibly to growing demand. It will abolish permanently set-aside, further reduce the role of market intervention, and phase out milk quotas gradually between now and 2015. Most remaining production-linked subsidies will be decoupled from production, so that farmers are largely free to produce what the market requires.

Three specific actions should be mentioned in particular. Firstly, the Commission will soon put forward a proposal for a Regulation establishing a rapid response instrument to the food price crisis in developing countries. The Commission foresees a time-limited instrument that would be strictly related to agricultural production in the countries that are hardest hit. This will use unspent resources from the agricultural budget to stimulate home-grown production in developing countries. Secondly, in order to address the concerns of the most vulnerable people inside the EU, the Commission will propose a Regulation for the revision of the food aid programme in order to increase the amount of funding available. The goal is to increase support; to ensure it is targeted to the most needy, and to ensure that the right mix of commodities is covered. Thirdly, the Commission will carry out an examination of the food supply chain, monitor the evolution of prices and further analyse developments in financial markets related to commodities.

Concerning the implementation of the Lisbon strategy, the Commission would recall that its last report on the strategy noted the role of renewable energies and low-carbon and resource-efficient products, services

⁽⁵⁵⁾ Organisation of the Petroleum Exporting Countries

and technologies. Increased oil prices demonstrate that it is in the interest of the European economy to implement the shift towards a low carbon economy.

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Question no 84 by Jens Holm (H-0488/08)

Subject: Opposition activities in Colombia

On Sunday, 31 May President Uribe harshly attacked Senator Alexander López and described him and other politicians working with the social movement as 'politicians who ruined Emcali and are leading terrorist acts in Cali, in conspiracy with the ELN and Farc ...' and as 'party hacks who sow class hatred'.

At the same time the Attorney-General, a former deputy minister in President Uribe's government, is launching legal proceedings against various representatives and senators and recognised opponents of the Colombian government who are alleged to have links with Farc, based on information found on a laptop belonging to the guerrilla leader Raúl Reyes. According to an Interpol report, the laptop had been manipulated by the Colombian intelligence services between 1 and 3 March 2008.

What steps is the Commission taking to ensure that a degree of political opposition and freedom of opinion is still possible in Colombia? What initiatives is the Commission taking following the publication of the declaration by the Slovenian Presidency on Colombia, which refers to the murders of human rights defenders, some of whom were involved in programmes funded by the EU?

Answer

The Commission is following the situation in Colombia closely, and shares the Honourable Member's concerns about the political polarisation in the country and its repercussions for the functioning of the country's democratic system.

Colombia's democracy is one of the oldest and most entrenched in Latin America. Despite President Uribe's very high public approval ratings and his parliamentary majority, the political opposition, represented notably by the Liberal Party and the 'Polo Democrático Alternativo', enjoys a strong representation in the Colombian congress, and is governing a number of departments and municipalities, amongst it the city of Bogotá. Opposition voices are strong also in the media, where they are represented by influential periodicals such as 'El Nuevo Siglo' and 'Semana'.

The Commission considers that links between politicians and officials and Colombia's armed groups strike at the very heart of the country's democracy. It is therefore crucial that such connections, be they with the former paramilitaries, for which over 60 parliamentarians have already been indicted, or with the guerrilla groups, are investigated fully and sanctioned appropriately. This is a task which should be carried out by the Colombian judicial authorities, acting with their constitutionally guaranteed independence and in full impartiality and neutrality.

While freedom of opinion is guaranteed by the Colombian constitution, its exercise in practice is limited by the threats and attacks against journalists and human rights defenders. Despite government efforts and resulting improvements, Colombia remains one of the most dangerous countries in the world for these groups. There has been a new wave of threats and aggressions since the start of 2008, which is very preoccupying, not least since it has i.a. affected a number of persons closely linked to the EU cooperation programme in Colombia, notably to the EC-funded "peace laboratories" active in Magdalena Medio and in other regions.

The Commission has regularly expressed its concerns vis-à-vis the Colombian government. The threats and attacks against human right defenders have been the subject of a recent démarche of EU Troika Ambassadors in Bogotá, as well as of the declaration by the EU Presidency which the Honourable Member refers to, issued on 19 May 2008. They were also raised by the Commission's Director General for External Relations when he visited Colombia in mid-May 2008.

Following the declaration, EU Heads of Mission in Bogotá have carried out a visit to Magdalena Medio, during which they met with human rights defenders, community leaders and civil society representatives and expressed the support of the EU for the work of the persons and organisations concerned, as well as EU solidarity in face of the threats they have received. Similar meetings have also taken place in Bogotá.

In order to help protect persons working at grassroots level, the Commission's Delegation in Bogotá has organised a meeting with representatives of EC-funded projects and the EC's Regional Security Officer, where recommendations related to the security of project workers were provided. The Peace Laboratory in Magdalena Medio has equally taken some preventive measures, including the temporary departure of project leaders and experts from the southern Bolívar region.

The Commission will continue to support human rights defenders through its cooperation programme. It is, amongst others, supporting journalism at regional level through its peace laboratories; at national level, it is co-financing an emblematic alternative TV programme (Contravía, run by the well-known journalist Hollman Morris, who has been among the recipient of recent death threats). The EC is also supporting the work of the judiciary, through some large-scale activities aiming at strengthening the capacity of the Attorney General's office and the Supreme Court, aimed at assisting them to deal with the cases of the victims of Colombia's internal conflict.

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Question no 85 by Dimitar Stoyanov (H-0492/08)

Subject: Political pressure on the Bulgarian judicial system in connection with Decision 2007/848 of the Bulgarian Council of Ministers

On 28 December 2006 the Bulgarian Council of Ministers decided to suspend the tender procedure for the exploration of natural resources in the Black Sea shelf in response to breaches of the law by one of the tendering firms, Melrose Resources SARL, Luxembourg. Almost one year later, on 6 December 2007, the Council of Ministers adopted Decision 2007/848 awarding the exploration contract to that very firm, Melrose Resources. The fact that this decision represented a breach of the official procedure and the illogical actions on the part of the Council of Ministers have given rise to suspicions of corruption at the highest levels of the Bulgarian State, suspicions confirmed by the attitude of Bulgaria's Supreme Administrative Court and the State Prosecutor's Office. The Supreme Administrative Court refused to collect evidence against the Council of Ministers, the likely reason being political pressure. Although information pointing to a criminal offence had been submitted to the State Prosecutor's Office, it halted the legal proceedings without carrying out proper investigations.

What measures will the Commission take to provide the monitoring urgently needed in connection with this scandalous case involving the abuse of administrative power and a refusal to institute proper legal proceedings?

Answer

On the basis of the question of the Honourable Member, it appears that the contract in question concerns exploration of natural resources. According to Article 7 of Directive 2004/17/EC of the Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors, contracts concerning activities relating to the exploitation of a geographical area "for the purpose of exploring for or extracting oil, gas, coal or other solid fuels" are covered by this Directive.

However, it appears from the question of the Honourable Member that the award procedure in question was already on-going in 2006, i.e. before Bulgaria's accession to the European Union. From the information provided, the procedure was merely suspended in December 2006 and there is nothing to indicate that the procedure was officially terminated or ended. The contract was later awarded on 6 December 2007. Therefore, as the procedure was already on-going before Bulgaria's accession to the European Union, the EC public procurement directives do not apply to it.

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Question no 86 by Struan Stevenson (H-0495/08)

Subject: Aviation security and third country airports

Air passengers who are transiting through EU/EEA airports on their way home from 'third countries' are still facing the prospect of having their liquid duty-free purchases confiscated from them.

In July 2007, Regulation (EC) No. 915/2007⁽⁵⁶⁾ was adopted as the means to end this fiasco. A large number of non-EU countries applied under this Regulation to have the security standards at their airports assessed and if they met the required standards to be approved as acceptable to the relevant EU authority.

Why is it that a year after this Regulation being adopted only one country has been approved? Does the Commission intend taking any initiative to facilitate the speedy approval of more countries?

Question no 88 by James Nicholson (H-0497/08)

Subject: Duty-free purchases

The continuing confiscation of duty-free purchases from air passengers transiting through EU/EEA airports on their way home from non-EU countries is doing untold harm to the duty-free sector and those that supply products to it. Air travellers are unwilling to buy duty-free items because of the fear of confiscation.

The introduction of Regulation (EC) No 915/2007⁽⁵⁷⁾ in July 2007 was supposed to resolve this issue. Many third countries have made applications under this regulation to enable passengers to purchase items at their duty-free outlets without fear of having them confiscated.

As many of the third countries which have applied have airport security that is at least as good and in some cases better than that which exists at EU airports, why is it that only one country has been granted such authorisation in the last year?

Joint answer

As was explained in the answer to Parliamentary Question H-0022/08 by Mr Nicholson⁽⁵⁸⁾ the Commission developed, through Commission Regulation (EC) No 915/2007⁽⁵⁹⁾, a means of establishing equivalence for security measures for liquids, aerosols and gels (LAGs) sold at third country airports, which would enable exemptions from confiscation at the security checkpoints of Community airports.

Since the entry into force of Regulation No 915/2007, a number of third countries have expressed an interest in having an exemption from the Community general rules on LAGs.

So far, such an exemption has been granted only to Singapore. The Commission shares the disappointment of the Honourable Members that more third country airports have not been exempted. However, it has thus far been impossible for the Commission to grant any further exemptions to airports in other third countries, since none has yet provided all the information required to satisfy the verification process.

The speed of the process of granting equivalence for the security provisions at third country airports is determined largely by the third country itself. In order to be granted equivalence they must demonstrate that their security standards are equivalent, which includes analysis of the national legislation and other pertinent information. In addition, they shall be applying the recommended security control guidelines of the International Civil Aviation Organisation for screening liquids, gels and aerosols and using tamper-evident bags for liquids sold at the airport. After the analysis of this information the Commission may supplement it by means of an inspection.

Whilst many third countries have expressed an interest in having their airports added to the list of exempted airports few have provided this information to substantiate their case or, in some cases, have regrettably not introduced the use of tamper-evident bags in airport shops.

In order to speed up matters, the Commission has made clear to the third countries concerned that it is of first importance that they provide the necessary information and/or guarantees on the structure of security at their airports that is adversely affecting the speed of progress.

⁽⁵⁶⁾ OJ L 200, 1.8.2007, p. 3.

⁽⁵⁷⁾ OJ L 200, 1.8.2007, p. 3.

⁽⁵⁸⁾ Written answer of 19 February 2008.

⁽⁵⁹⁾ Commission Regulation (EC) No 915/2007 of 31 July 2007 amending Regulation (EC) No 622/2003 laying down measures for the implementation of the common basic standards on aviation security (Text with EEA relevance), OJ L 200, 1.8.2007.

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Question no 87 by Frieda Brepoels (H-0496/08)

Subject: Upgrading of EU-Israel relations

On 16 June 2008, the Association Council took a decision on upgrading EU-Israel relations with a view to bringing about enhanced political dialogue, more economic cooperation, a significant degree of integration into the European internal market and collaboration in the field of justice and home affairs. Commissioner Ferrero-Waldner admitted to the press that the text had been deliberately kept vague. A European Parliament delegation which visited the region at the start of June unanimously took the view that, because of the ongoing conflict, there can be no such upgrading now. Gaza is still an open-air jail. Israel is continuing to build settlements. Construction of the wall is proceeding. The President of the European Parliament wrote to the Commissioner on 29 May 2008 to request that Parliament be informed about, and consulted on, possible EU proposals to the Association Council. To date, this has not taken place in any shape or form.

Does the Commission consider that Parliament should not be consulted in advance? If so, why? When is this likely to take place? Why has the text been intentionally kept vague? What does it contain, precisely, and what is the EU seeking to achieve with this upgrading? In what areas, and in what way, will relations with Israel be upgraded? When will this new agreement come into effect? Does the Commission not think that the EU is giving up significant leverage over the peace negotiations? Why has no linkage whatever been established with the current peace process?

Answer

Let the Commission start by outlining what was decided on 16 June 2008 at the Association Council: A partner country, and one of the most advanced partner countries in our neighbourhood, has sought closer cooperation with the EU.

The Commission, in its Communication on the European Neighbourhood Policy (ENP) to the Parliament and Council of April 2008, had already spelled out its views on the development of more intense and fruitful relations with our ENP partners on the basis of the principle of differentiation, mentioning Israel's as one of the frontrunners in the ENP. Any further development of bilateral relations with Israel will remain in this ENP framework.

Ministers, in their statement of 16 June 2008 – which is a public document – have stated that the development of relations with Israel is to be seen in the context of the Middle East peace process.

The Association Council with Israel, on 16 June 2008, saw the start of a process. This process is not leading to a new form of association, but will be based on our existing Euro-Mediterranean Association Agreement with Israel.

The EU and Israel have identified areas of mutual interest for deepened cooperation which are listed in the EU statement. Discussions on these will take place over the coming months. Negotiations have not started yet. The Commission stands ready to keep the Parliament informed about any progress made in the areas falling under our competence.

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Question no 89 by Ryszard Czarnecki (H-0499/08)

Subject: Exploitation by extremist Khalistani groups

The European Parliament and the Member States of the European Union have always stood for human rights and democracy. Has the European Commission cautioned the Member States that they should not allow themselves to be exploited by extremist Khalistani groups, which are known to have used violence in the past to achieve their aims under the guise of supporting human rights and self-determination?

Question no 90 by Leopold Józef Rutowicz (H-0520/08)**Subject: Extremist activity in Europe**

Is the Commission aware that extremist elements in Europe are seeking to revive the Khalistan movement for a separate Sikh homeland with a view to dismembering India by violent means? If so, what action has the Commission taken, or does it propose to take, to persuade Member States to prevent such activities?

Joint answer

The issue of terrorism associated with the Khalistan movement, seeking independence for a Sikh nation (Khalistan), needs first to be seen in the larger context of Punjab's recent political history. The Indian state of Punjab, marred by violence for over 15 years due to Sikh separatists in the 1980s, returned to normalcy after the movement was successfully handled in the mid-1990s. After years of direct rule from New Delhi, the democratic process was successfully revived with a democratically elected government in 1997. The latest State election in 2007 resulted in putting back the Akali Dal party (representing exclusively the interests of the Sikhs) at the helm.

There have been various press reports indicating that a surviving network of terrorism continues to exist, in particular outside India, which can partly explain how Sikh militants did manage to trigger a bomb blast inside a cinema hall in Ludhiana (seven dead, including a 10-year old child, and 40 injured) on 14 October 2007. The Commission's analysis, however, is that the ideology that inspired a decade and a half of terrorism in Punjab has been rejected by the population.

In reply to the Honourable Members questions, the Commission believes that best way to caution Member States about the risk of being exploited by extremist Khalistani groups is to invite them to follow closely EU-India joint efforts in the fight against terrorism and to support meetings between the EU working group on terrorism and Indian experts as well as Indian requests to increase cooperation with Europol.

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Question no 91 by Wiesław Stefan Kuc (H-0504/08)**Subject: Recycling of manufacturing waste**

Over recent years, an increasing number of state-owned industrial plants have come under private ownership, particularly in the new Member States. Unfortunately, no one has given any thought to what is to be done with the manufacturing waste left behind. That waste poses a serious threat to the environment and public health. In the majority of cases, once they have purchased the plants, the new owners do not have enough money to recycle (destroy) the waste left behind, and no monies are available for this purpose from the state. Owing to a lack of domestic legislation on waste and the huge costs involved in destroying the waste, the owners are simply sitting idly by. Should this state of affairs continue, in a couple of years' time it may be too difficult to bring the situation under control.

Does the Commission intend to take any action in this matter?

Answer

The management of waste, including manufacturing waste, needs to comply with the provisions of the relevant Community legislation, including in particular Directive 2006/12/EC on waste⁽⁶⁰⁾. According to this Directive, Member States shall take all the necessary measures to ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment. In particular, waste recovery and disposal must be carried out without risk to water, air, soil, plants or animals, without causing nuisance through noise or odours, and without adversely affecting the countryside or places of special interest. This Directive specifies that, in accordance with the "polluter pays" principle, the cost of disposing of waste must be borne by (a) the holder who has the waste handled by a waste collector or by a waste disposal undertaking; and/or (b) the previous holder or the producer of the product from which the waste came.

Some manufacturing waste may be hazardous. Hazardous wastes pose a greater risk to the environment and human health than non hazardous wastes and thus require a stricter control regime. In such a case, the

⁽⁶⁰⁾ OJ L 114, 27.4.2006.

provisions of Directive 91/689/EC on hazardous waste⁽⁶¹⁾ would apply, including additional record keeping, monitoring and control obligations from the “cradle to the grave”, from the waste producer to the final disposal or recovery.

Member States should ensure that all the requirements of the abovementioned legislation are transposed into national legislation and complied with. The Commission regularly monitors the transposition of the Community waste legislation by the Member States. In case of non-transposition into national law, incorrect transposition, or non-compliance with the relevant Community legislation, the Commission can and does take legal steps against the Member State concerned.

As regards the costs of implementing the Community waste legislation, these should be decided on a case-by-case basis by the national competent authorities. Member States can financially contribute to the recovery or disposal of industrial waste, especially where it is no longer possible to identify the current or previous holder or producer of the waste. To this end, Member States can use their own resources or Community funding in line with the applicable procedures.

Community financing of environmental priorities is planned under the major operational programme Infrastructure and Environment of the Cohesion Policy 2007-2013 and 16 regional operational programmes in Poland. For example, there will be approximately € 8.8 billion (about 13.5% of overall funding for 2007-13 programming period) available for the environment and risk prevention projects in Poland, out of which € 1.3 billion is allocated to the waste sector (2% of overall funding) under the category “Management of household and industrial waste”. Each new Member State will have its own allocation. Despite these resources, there will be still a significant financial gap for the implementation of the EU legislation, including waste directives, which have transitional periods set up by the Accession Treaty.

As concerns waste management, support from the Infrastructure and Environment Operational Programme will be given to initiatives preventing or limiting the production of municipal waste, introducing recycling technologies and technologies for neutralising municipal waste, as well as eliminating danger of waste disposal, in accordance with national and regional waste management plans, as well as initiatives in the field of rehabilitation of post-industrial and post-military land. As regards land rehabilitation, support is available for large area projects in non-urbanized areas and only in situations when the current land owner is not responsible for the occurrence of pollution or degradation of the environment.

Within this Operational Programme, large enterprises and small and medium-sized enterprises (SMEs) will be also eligible for support to comply with environmental requirements. The assistance will aim, inter alia, to reduce the amount of generated waste other than municipal waste and increase the level of waste reclamation and recycling, as well as to increase the recovery of post-production and dangerous waste.

The funding to the Infrastructure and Environment Operational Programme will be provided by regional operational programmes which can support waste management projects, provided that they are included in the regional waste management plans. Regional operational programmes will also co-finance assistance to SMEs in the area of waste management. For example, they can support systems for environmental management, rationalization of resources and waste management, industrial waste management and dangerous waste management, as well as the implementation of the Best Available Techniques (BAT).

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Question no 92 by Karin Riis-Jørgensen (H-0505/08)

Subject: Sale of a section of the port of Aalborg

In 2006 the local authority-owned company of Aalborg Havn sold the Østre Havn port area to the private firm of A. Enggaard. The site, 75 000 m² in area, was sold for DKK 44 million. Experts estimate that this price was far below the market value. Furthermore, the transaction was not put out to tender, and no impartial expert estimate of the sale price was obtained.

Does the Commission consider that this sale infringes the EU's competition rules? Can it be regarded as illegal state aid? Does the Commission propose to take any action in this matter?

⁽⁶¹⁾ OJ L 377, 31.12.1991.

Answer

With the Communication of State Aid elements in sales of land and buildings by public authorities⁽⁶²⁾, the Commission has drawn up general guidance to Member States in order to make its general approach with regard to the problem of State aid through sales of land and buildings by public authorities transparent. This Communication states that when a public authority does not intend to use an unconditional bidding procedure for the sale, an independent evaluation should be carried out by one or more independent asset valuers prior to the sale negotiations in order to establish the market value on the basis of generally accepted market indicators and valuation standards. The market price thus established is the minimum purchase price that can be agreed without granting State Aid.

The case brought forward by the Honourable Member is not known to the Commission. Should the Commission receive more detailed information on the alleged State Aid concerning the sale of a section of the port of Aalborg it could possibly make a more specific assessment and take action in this matter if appropriate. To facilitate State Aid complaints and provide guidance to potential complainants, a complaints form is available on the website of Directorate General for Competition.

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Question no 93 by Frank Vanhecke (H-0507/08)**Subject: Repatriation agreement between Greece and Turkey**

According to Greece's Minister of the Interior, Mr Prokopis Pavlopoulos, Turkey is not by any stretch of the imagination complying with its commitments under the repatriation agreement with Greece: indeed, by means of the policy which the country is pursuing, it is even encouraging a massive increase in illegal immigration in Greece. Meanwhile the most recent round of negotiations on a repatriation agreement between the EC and Turkey is said to have been held in December 2006. Apparently, no fundamental progress was made in the negotiations.

How does the Commission assess the implementation of the repatriation agreement between Greece and Turkey and the statements by Greece's Minister of the Interior? How does the Commission explain the fact that there is still no repatriation agreement between the EC and Turkey? What are the obstacles? What influence is Turkey's refusal to conclude a repatriation agreement with the EC and/or to comply with the repatriation agreement with Greece having on the negotiations?

Answer

Issues relating to bilateral readmission agreements between Member States and third countries fall into the remit of the specific countries concerned. However, in the regular JLS⁽⁶³⁾ sub-Committee meetings with Turkey, the Commission will always insist on the need for conclusion of readmission agreements with neighbouring countries and the proper implementation of existing readmission agreements.

As to the EC-Turkey readmission negotiations, the last formal round of negotiations took place in December 2006. Contacts between the Commission and the Turkish authorities have taken place since then but have to date not led to further progress. Signing a readmission agreement with Turkey remains a priority for the EU and that is why the EU is currently reflecting on ways to unblock the impasse.

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Question no 94 by Ivo Belet (H-0508/08)**Subject: Low-energy light bulbs manufactured by European producers**

The Commission is considering a proposal to phase out the use and production of traditional light bulbs in favour of environmentally friendly low-energy light bulbs.

When will the Commission submit its proposal?

(62) OJ C 209, 10.7.97.

(63) Justice, Libert , S curit .

What measures will the Commission take to support European producers in switching efficiently to the environmentally friendly technology of low-energy light bulbs?

What impact will this measure, in its most ambitious form, have on European employment, and what accompanying measures are planned for it?

In connection with the timing of the phasing-out of the use of light bulbs: when does the Commission intend to revise the Eco-design directive (in general, but also specifically for light bulbs) and to revise Directive 98/11/EC⁽⁶⁴⁾ with regard to energy labelling of household lamps?

Answer

The Commission is currently working on a possible implementing measure under the Ecodesign Framework Directive⁽⁶⁵⁾ for general lighting equipment. The main purpose is to set minimum energy efficiency requirements that lamps used for general lighting (including incandescent lamps) would have to fulfil in order to be placed on the EU market. The proposal is the result of a preparatory technical-economic-environmental study which recommended potential improvement options for the environmental performance of general lighting products, taking into account the life cycle of lamps. An impact assessment is currently carried out that should help evaluating the environmental, social and economic impact of the various policy options.

All the evidence available so far shows that efficiency requirements should be set at levels that would lead in practice to a phase out of traditional incandescent bulbs (GLS) used for general lighting purposes. The impact assessment examines inter alia appropriate timing of the entry into force of the requirements and the effects of the measure on the European lighting industry and employment with a view to preserving the European lighting industry's competitiveness while taking into account the need for rapid action to combat climate change.

The tentative date for adoption of an implementing measure on general lighting by the Commission is spring 2009, after scrutiny of the Parliament. As such, no final decision has been taken yet.

The Commission is to update the Energy Labelling of Household lamps Directive⁽⁶⁶⁾ in 2010 to accompany the setting of the efficiency requirements. The Eco-design Directive does not need revision in order to adopt an implementing measure on lighting.

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Question no 95 by Anne E. Jensen (H-0518/08)

Subject: Commission's management of the digital tachograph

The introduction of the digital tachograph has proved to cause problems in practice, and following the European Ombudsman's decision of 26 May 2008 concerning complaint 284/2006/PB questions may arise on the Commission's administration of this issue.

What does the Commission propose to do to prevent the recurrence of similar situation to the one complained of in that case?

In its answer to Written Question P-1488/08 the Commission concedes that the technical specification of the digital tachograph is no longer up to date and that it intends therefore to adapt the technical specification to technical progress.

What stage has been reached in this re-evaluation process, and what is the timetable for action?

⁽⁶⁴⁾ OJ L 71, 10.3.1998, p. 1.

⁽⁶⁵⁾ Directive 2005/32/EC of the European Parliament and of the Council of 6 July 2005 establishing a framework for the setting of ecodesign requirements for energy-using products, OJ L 191, 22.7.2005.

⁽⁶⁶⁾ Directive 98/11/EC of 27 January 1998 implementing Council Directive 92/75/EEC with regard to energy labelling of household lamps, OJ L 71, 10.3.1998.

Answer

The Commission has taken note of the European Ombudsman's decision concerning the complaint 284/2006/PB, related to the implementation of Community legislation on the introduction of the digital tachograph in commercial vehicles. The Commission has also taken note of the considerations that have been made to support that decision.

The Commission recalls, however, that the uniqueness of the situation called for immediate action in order to prevent the risk of more substantial delay in implementing the digital tachograph that could have led to a negative impact on the proper functioning of the road transport market across the Community.

The Commission considers that this kind of situation can be prevented by appropriate provisions in the legislation for postponing the entry into force of complex technical measures that depend both on industry and effective coordination at EU level.

As set out in answer to the Honourable Member's priority question P-1488/08, the Commission plans to adapt the technical specifications of the tachograph to technical progress in 2009 and has commissioned a study with a view to defining such updated specifications. The consultation of stakeholders, including the road haulage industry, the tachograph manufacturers and enforcers associations is currently conducted in the framework of this project. In the longer term, based on the results of these consultations and further development, notably in the context of the action plan on Intelligent Transport Systems, the Commission may consider submitting a proposal to Parliament and Council to recast Regulation 3821/85 at a later stage.

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Question no 96 by Pedro Guerreiro (H-0522/08)

Subject: Worsening socio-economic crisis in the fisheries sector as a result of the increase in the price of fuel (petrol and diesel)

In the light of the worsening socio-economic crisis in the fisheries sector as a result of the increase in the price of fuel (petrol and diesel) and following the recent demonstrations organised by the sector in various EU countries (including Portugal) in order to demand emergency action designed to provide effective support, will the Commission answer the following question?

What is the situation regarding each of the proposals which were announced on 17 June (in particular in the light of the conclusions reached at the 23-24 June meeting of the Agriculture and Fisheries Council)?

Answer

The Commission is pleased to inform the Honourable Member that it has adopted a legislative package, along the lines of the proposals announced on 17 June 2008 in the College on 8 July 2008. This package has already been transmitted to the Parliament in view of receiving its opinion and has been sent to the Council of Ministers in view of its adoption on 15 July 2008.

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