

# MONDAY, 17 MAY 2010

IN THE CHAIR: MR BUZEK

*President*

*(The sitting was opened at 17.05)*

## 1. Resumption of the session

**President.** – I declare resumed the session of the European Parliament adjourned on Thursday, 6 May 2010.

## 2. Statements by the President

**President.** – To begin with, I would like to give you some information. Firstly, the Sixth International Day Against Homophobia is being observed in the European Union, today. Exactly 20 years ago, the World Health Organisation removed homosexuality from the International Classification of Diseases. The European Union is fighting discrimination on all fronts. This also includes homophobia. The obligation to protect the discriminated is embodied in our most important legal acts – in the treaty and in the Charter of Fundamental Rights, which is referred to in the treaty.

Secondly, this month, we celebrated the 60th anniversary of the Schuman Declaration, and on 8 and 9 May, our Parliament held Open Days in Brussels and Strasbourg. Visitors were able to see the work of Parliament close up and learn about our everyday work. The buildings were open to all citizens. In all, over 33 000 citizens of the European Union visited Parliament in Brussels and Strasbourg. We also had a meeting in this Chamber with 800 young people from all the countries of the European Union. There were 11 Members of the European Parliament with me. We talked with them, we sat together and discussed matters related to the Union.

The third piece of information. Last week, on Tuesday 11 May, I had the great honour to present the Charlemagne Youth Prize in Aachen. First prize was won by the ‘Train for Europe’ project from Germany. Second place was won by a project from Ireland and third place by a project from Bulgaria. Young people from all countries of the Union entered the competition. The German project brought together representatives from 21 European countries, and 24 vocational schools worked together to design and build a train. The main Charlemagne Prize was presented on 13 May two days after the Youth Prize, also in Aachen, to the Prime Minister of Poland, Donald Tusk.

Fourthly, last week, I took part in the Conference of Speakers of the European Union Parliaments in Stockholm. The speakers of all 40 national parliaments were represented. We spoke about future cooperation and also about the coming Belgian Presidency. The conference was organised by our friends from the Swedish Parliament, and also from the Spanish Parliament, which currently holds the presidency of the European Union. We are going to have regular meetings of parliamentary committees, amongst other things, and also joint sittings of European national parliaments.

I would also like to express my good wishes and congratulations. Two European Union Member States, the United Kingdom and Hungary, have new governments. We wish them stability. In the European Union, we have a great need for stable governments. They are needed, amongst other things, to enable decisions to be made quickly. We represent the Community method of the European Union, but cooperation with governments is, to us, of fundamental significance for the efficiency of the European Union’s activity and its effectiveness for the citizens.

## 3. Approval of the minutes of the previous sitting

*(The Minutes of the previous sitting were approved)*

**Mario Mauro (PPE).** – *(IT)* Mr President, ladies and gentlemen, this is just to remind you that this morning in Afghanistan, two soldiers of the Taurinense Brigade were killed in an attack.

The European Union plays a difficult role on the stage of peace and war, and I ask, as the session opens, that Parliament should join in offering condolences and support to the families of the victims at this very difficult time.

**Gianni Pittella (S&D).** – (IT) Mr President, ladies and gentlemen, I had actually asked to be allowed to speak for a minute to say the same thing as my fellow Member, Mr Mauro, and so I join Mr Mauro in offering my condolences. I believe the entire Chamber is united in remembering the two Italian soldiers who were killed this morning.

I believe that our sorrow must be tempered by indignation, solidarity with the families, support for the wounded and rejection of all forms of terrorism. However, there must also be renewed action by Europe along with individual nation states to ensure that the peace mission is even more effective and can occur under safer conditions.

**President.** – Thank you, gentlemen, for pointing this out to me. It is very important that we always express solidarity with the soldiers who, on our behalf, are fighting terrorism as well as various other forms of abuse in Afghanistan and other countries. We should express solidarity with their great commitment to our common cause, a cause which continues to be important throughout the world. This is our custom in the European Parliament. Thank you once again to both Members for drawing my attention to this.

**Geoffrey Van Orden (ECR).** – Mr President, while we are remembering the tragic losses in Afghanistan, we should also remember that, almost on a daily basis, we are losing British soldiers who are giving their lives in the NATO mission taking place in that country. We should recognise the tragic losses, and feel particular sympathy for the families of all our service personnel, from whichever country, who are serving under the auspices of NATO.

**President.** – I agree with you entirely. I think we all have the same view on this. They are Europeans who represent all of us in the fight against terrorism and all forms of violence around the world. They are our representatives.

**Jacky Hénin (GUE/NGL).** – (FR) Mr President, I believe that it is in fact only right to pay tribute, as you have just done, to those who die in action. It is only right, too, that we spare a thought for all those workers who die each day at work because their employers do not provide them with the resources necessary to work in good conditions.

**4. Calendar of part-sessions for 2011: see Minutes**

**5. Composition of committees and delegations: see Minutes**

**6. Composition of Parliament: see Minutes**

**7. Signature of acts adopted under the ordinary legislative procedure: see Minutes**

**8. Documents received: see Minutes**

**9. Lapsed written declarations: see Minutes**

**10. Texts of agreements forwarded by the Council: see Minutes**

**11. Petitions: see Minutes**

**12. Oral questions and written declarations (submission): see Minutes**

**13. Order of business**

**President.** – We will now proceed to the order of business. The final version of the draft order of business as adopted by the Conference of Presidents on 12 May 2010 pursuant to Rule 140 has been distributed.

Monday - no changes.

Tuesday - no changes.

Wednesday:

I have received a letter from Mr Casini, Chair of the Committee on Constitutional Affairs, in which the Committee requests that the European Parliament consult the European Economic and Social Committee and the Committee of the Regions on the proposal for a regulation on the Citizens' Initiative under Articles 304 and 307 of the Treaty on the Functioning of the European Union. I anticipate that voting on these proposals on consultation will take place on Wednesday at 12.00.

*(Parliament agreed to the request)*

We will now proceed to the final establishment of the order of business. Concerning Monday and Tuesday, there have been no requests or submissions about amendments to the order of business. There is, however, one proposal about Wednesday. The Group of the European Peoples' Party (Christian Democrats) has requested taking a vote on Mr Czarnecki's report on discharge in respect of the implementation of the European Union general budget for the financial year 2008, Section II – Council. Mrs Gräßle will move the request on behalf of the PPE Group.

**Ingeborg Gräßle**, *on behalf of the PPE Group.* – (DE) Mr President, this morning the Council answered the outstanding questions via the Spanish Presidency. One of the main conditions for a vote on the report is thereby met. Moreover, through the Spanish Presidency, it has raised the prospect of joint discussion and elaboration of a proper discharge procedure, thereby meeting the second main condition.

In so doing, the Council is subjecting itself to the scrutiny of Parliament – and that is a milestone that we should recognise. I am therefore recommending to all groups that they vote in favour of including the decision on discharge on the agenda. However, the resolution itself will be dealt with during the June part-session.

**Hannes Swoboda**, *on behalf of the S&D Group.* – (DE) Mr President, I will be brief. We are able to support this motion for the reasons stated. An official letter is on its way to Parliament. I, too, see this as a good sign that the Council – or at least, so I hope – is prepared to demonstrate the transparency and willingness for consensus that it has demonstrated here, including in respect of the External Action Service. To this extent, I agree with Mrs Gräßle.

**Bart Staes**, *on behalf of the Verts/ALE Group.* – (NL) Ladies and gentlemen, I must say that I am surprised that the two large groups are now promising to vote on this report. A coordinators' meeting was held in the Committee on Budgetary Control that I myself chaired. This morning, documents were indeed received from the Council, and I scrutinised them. They include an annex that is identical to the annex to the document we received on 10 March.

In actual fact, then, nothing has changed, and so I should like to recommend that we vote against placing the Czarnecki report on the agenda for this part-session. In my opinion – and I want to be very firm about this – the Council is simply taking us for a ride.

*(Parliament agreed to the request)*

**President.** – Voting on the Czarnecki report will take place on Wednesday. The deadline for tabling amendments is Tuesday, 18 May at 12.00.

The Group of the European Peoples' Party (Christian Democrats) has requested postponement of the debate on Mrs Bauer's report on working time of persons performing mobile road transport activities until the next part-session. The request will be moved by the rapporteur, Mrs Bauer.

**Edit Bauer**, *rapporteur.* – (HU) Mr President, on 22 March, I received a reply from the Committee on Employment and Social Affairs to my request that this report be tabled at the May plenary. The Committee stated in its reply that since there was less than a month, which is the normal cooling-off period, between 28 April, when the Committee voted on this report, and this plenary, this report could therefore not be tabled at the May plenary. However, without anyone asking, the Council of Ministers – presumably at the recommendation of the socialist political group – decided that it should nevertheless be tabled at this plenary, irrespective of whether or not a month had passed. As a result, the political groups simply have not had time to formulate their positions on or to discuss this report. Therefore, I ask that we postpone this until the June plenary.

**Hannes Swoboda**, *on behalf of the S&D Group*. – (DE) Mr President, I find it strange that Mrs Bauer – whom I otherwise hold in very high esteem – failed to mention that the report has been rejected. I find it just as strange that Mrs Bauer forgot to mention that she has been in contact with the Council about a report that has been rejected. That is not usual parliamentary procedure. It is therefore absolutely right to put this on the agenda.

*(Applause)*

**Corien Wortmann-Kool**, *on behalf of the PPE Group*. – (NL) It is true that this Commission legislative proposal was rejected in the Committee on Employment and Social Affairs.

However, this House has the good custom of a subsequent one-month cooling-off period to ensure we are well-prepared for the plenary session. Contrary to the wishes of the rapporteur, this customary law of Parliament's has been violated in this case. It is a very complicated proposal, and the groups, too, need time to prepare, which is impossible in two days.

For this reason, I would ask you to support the rapporteur's suggestion that the vote on this proposal be postponed until the June plenary.

*(Parliament agreed to the request)*

**President**. – The debate on the Bauer report will be postponed until the next part-session.

*Thursday*

As for Thursday, there is the following proposal: the Group of the European People's Party (Christian Democrats) has requested replacement of the debate on the arrest of journalist Ernest Vardanyan in Transnistria, which is scheduled for Thursday afternoon, by a debate on the situation in Thailand. So, instead of the debate on the arrest of the journalist Ernest Vardanyan in Transnistria, a debate on the situation in Thailand. The request will be explained further by Mr Preda.

**Cristian Dan Preda (PPE)**. – (RO) We asked for the debate on the situation of the journalist arrested illegally in Transnistria on worrying charges to be replaced by the debate on Thailand at a time when the situation in Thailand has worsened dramatically during recent days. We urge fellow Members from all political groups to ensure that we focus our attention on this situation in Thailand.

**President**. – We have heard an explanation of the request. Who would like to speak in favour of the request?

**Ioannis Kasoulides**, *on behalf of the PPE Group*. – Mr President, the situation in Thailand is deteriorating by the hour; human lives are at stake; it appears to be a much more important item for an urgency debate for this Parliament to deal with on Thursday. At the same time, there are some developments to the case of Mr Ernest Vardanyan in the break-away so-called state of Transnistria, which the initiators would like to examine. Therefore, I move for this to be replaced with a discussion on Thailand.

**Francesco Enrico Speroni (EFD)**. – (IT) Mr President, ladies and gentlemen, it seems to me that whatever we discuss and decide here will not change anything, either in Thailand or in Transnistria, so it is pointless to change things around.

**President**. – The debate on the arrest of journalist Ernest Vardanyan in Transnistria will be replaced by a debate on the situation in Thailand. These are urgent matters, which are discussed on Thursday afternoon.

The order of business for our plenary sitting has been established.

*(Parliament agreed to the request)*

*(The order of business was thus established)*

## 14. One-minute speeches on matters of political importance

**President**. – The next item is the one-minute speeches on matters of political importance (*Rule 150 of the Rules of Procedure*).

**Georgios Papastamkos (PPE)**. – (EL) Mr President, apart from the pressure from financial quanta, the insecurity in the euro area ...

*(The President cut off the speaker and asked for order in the House)*

**President.** – Ladies and gentlemen, please do not talk in the Chamber during the plenary sitting unless you can do so quietly. Colleagues on both sides of the European Parliament and in the centre, Chairs of political groups, dear colleague from Luxembourg, please sit down and stop talking. Colleagues, this is a plenary sitting, so please stop talking and give us the opportunity to carry on with our one-minute speeches.

**Georgios Papastamkos (PPE).** – *(EL)* Mr President, apart from the pressure from financial quanta, the insecurity in the euro area is also the result of copious political rhetoric on the part of European institutions and politicians. Flawed European economic governance reacted, in my opinion, too late. Of course we need financial equilibrium in Europe.

At the same time, now is the time for European political union to direct economic union via a global crisis exit strategy and to introduce a more effective regulatory framework for operating the financial markets and for protecting the euro against speculative pressures. I refer, for example, to the need to revise the directive on market abuse. By the same token, I repeat my proposal to create a European credit rating authority.

**Teresa Jiménez-Becerril Barrio (PPE).** – *(ES)* Mr President, I would like to take the opportunity in this House today, as I was unable to do so on the ‘European Day for the Victims of Terrorism’ on 11 March, to pay a well-deserved tribute to these victims in recognition of the enormous sacrifice made by those who have paid the ultimate price in the name of freedom.

We urgently need to start to work on a directive to protect the rights of the victims of terrorism, who are always the ones who are overlooked and who suffer the humiliation of being unjustly equated with their murderers.

It is high time that we within these European institutions recognise the dignity of the victims of terrorism, and help to defend their right to protection and justice. This right should soon be embodied in a law that honours all those who make this possible, whose first article should state that support to victims of terrorism entails recognition of their right to justice and that no government should ever pay a price for this.

I call on all those in a position to defend the victims never to forget that true peace is a peace born of justice, and that is the only peace that those of us who believe in freedom and democracy in Europe and anywhere else in the world should defend.

**Rosa Estaràs Ferragut (PPE).** – *(ES)* Mr President, the closure of a large part of European airspace over recent weeks following the eruption of the Icelandic volcano has had serious consequences for the entire European economy. This is clearly the case for the passengers, airlines and airports of the aviation sector, but it is also true for the tourism sector.

That is what I wanted to talk to you about. In Spain, this is our second-largest industry. In the islands I hail from, it is the main industry. There is huge concern for the effects of the volcanic cloud on the tourist industry. There is talk of losses of EUR 42 million a day. It has dealt a serious blow to the tourism sector, which is still concerned about what the future repercussions may be.

Mr Tajani, the Commissioner for Industry and Entrepreneurship, has committed himself to study the losses in this sector. My request today would be for an urgent relief package both for these airlines and for the other businesses in the tourism sector, and for the tourism sector to be treated as a priority.

**Henri Weber (S&D).** – *(FR)* Mr President, the European Union has many tools to make it a global leader in the manufacture of clean cars and, in particular, of electric cars.

The Commission must ensure that this project is a major European objective by encouraging the large car companies on our continent to cooperate with one another, with such cooperation extending from research and development to marketing. It must encourage the widespread installation of accessible and interoperable charging points in Europe, starting with urban areas. It must draft and enforce common rules and standards – if possible, at international level, but certainly at European level – and it must do so without delay. Lastly, it must encourage the Member States to gradually replace their fleet of combustion vehicles with electric cars.

**Tanja Fajon (S&D).** – *(SL)* Today, we are marking the International Day Against Homophobia. I cannot comprehend that there are still many people who turn a blind eye to violence based on sexual orientation

and identity. I strongly condemn it, just as I condemn any form of violence based on race or ethnicity, religion or belief, age or disability.

I am very concerned by the misleading, offensive and even hate-fuelled statements which can still be heard. I am shocked, time and again, by acts of violence, both verbal and physical, committed against people of same-sex orientation or members of various minorities.

Today, most Europeans say that the burkha should be banned. While I agree that no one should force women to wear such clothing, I am concerned that a ban might result in an outcome the exact opposite of that intended: women who are prepared to wear the burkha going to prison. We cannot permit religious arguments to fuel discrimination and violence. Finally, we are all human beings, so we need to take a long hard look at whether it is that we really are unable to show greater tolerance to those who are different from us or that we simply do not want to.

**Teresa Riera Madurell (S&D).** – (ES) Mr President, ladies and gentlemen, I should like to draw your attention to the ‘Science and Innovation Citizens Agenda’ initiative, launched by the Spanish Presidency of the Council through the Ministry of Science and Innovation.

The European public is invited to go to the website ‘www.reto2030.eu’ and select which challenges in science and innovation, from those put forward by fourteen European personalities, should be solved by 2030. The results can be seen online and on a scoreboard in the hall of the European Council building in Brussels until 26 May. The Competitiveness Council will be informed of the result on that date.

I call on you all to vote for one of these challenges and to disseminate information about this initiative in your respective countries so that, as Jean Monnet would say, our personal participation enables us to progress towards a European Union for individuals, towards a European Union for the public.

**Filiz Hakaeva Hyusmenova (ALDE).** – (BG) Mr President, ladies and gentlemen, democracy requires institutions whose task is to monitor civil rights to be independent of state and party authorities. The requirements in EU directives concerning regulatory bodies are identical with regard to complete independence and strong powers, impartiality and transparency.

Unfortunately, in Bulgaria, changes are being made to some of the confirmed successes of our democratic system, such as extending the period of office beyond five years, the possibility of re-election and a rotation system for changing personnel – all measures which guarantee independence. Change is being brought about without any analysis or perspective, while distancing from good European practice.

A reduction in expenditure is the only argument used for undermining the institutions which are combating discrimination, regulating the media and protecting competition. There is already the tendency for actions to be targeted at financial and audit institutions.

I am warning the European Parliament and European Commission of this as I hope that this will help deter such intentions.

**Luigi de Magistris (ALDE).** – (IT) Mr President, ladies and gentlemen, I would once again like to highlight the importance of the written declaration on corruption that I proposed together with four other MEPs, and which half of the European Parliament, plus one, approved, with the aim of committing the Council and Commission to legislation that is truly effective in fighting corruption.

I have returned from a visit to Greece on behalf of the Committee on Budgetary Control and one of the reasons behind the Greek structural crisis is certainly the squandering of public money, something which also occurs in Italy: Italy is eaten away by corruption, as we have recently seen. This corruption mainly hinges on the illegal management of public money, and the relationship between one political faction and a faction of businessmen and white-collar organised crime.

It is important for the European Parliament to make its full pressure felt on the Commission and on Member States – Member States that do not conform should be penalised – and for the European institutions responsible for controlling corruption and the fight against organised crime to be strengthened.

**Elisabeth Schroedter (Verts/ALE).** – (DE) Mr President, ladies and gentlemen, today, on the International Day Against Homophobia, I would like to ask you all to remember all those who have been victims of violence and personal insults as well as mental and physical abuse in the past year in our EU Member States on account of their sexual identity.

Under the EU Treaty, discrimination on the grounds of sexual orientation is banned, yet this ban is not being consistently implemented by the Member States. In Member States such as Lithuania, the authorities are attempting to ban the Diversity Parade, thereby inciting an atmosphere of homophobia. In my country, Germany, an attempt is being made not to fight homophobia in schools. Mr President, it must be ensured that protection from discrimination on grounds of sexual orientation is respected as a human right.

**Valdemar Tomaševski (ECR).** – (LT) On 24 February, together with representatives from Latvia and Poland, I submitted a written declaration on equal treatment for farmers in the European Union, which draws attention to the unequal subsidising of farmers in EU Member States. In some Member States, subsidies are 7 times higher than the minimum, on average 4 times, and many new Member States are below the EU average. Such a situation falls foul of one of the Community's most important principles – the principle of solidarity. I call on the Council, the Commission and Parliament to equalise direct payments or at least reduce the disparities and, at the same time, end the unequal treatment of Member State farmers. I call on my fellow MEPs to support written declaration number 11 referred to on equal treatment for farmers in the European Union.

**Kyriacos Triantaphyllides (GUE/NGL).** – (EL) Mr President, I wish to draw your attention to the question of chiropractic. This is an independent health profession that focuses on the diagnosis, treatment and prevention of mechanical disorders of the musculoskeletal system and their effect on the nervous system and general health using manual therapy.

Although chiropractic is taught on independent, harmonised university courses throughout the European Union, it has yet to be recognised uniformly in the European Union. In order to safeguard access to the same care and treatment for patients throughout the European Union, I call on you to sign the written statement which I have drafted, with the assistance and support of other members, to get chiropractic recognised at European Union level.

**John Bufton (EFD).** – Mr President, British taxpayers will end up contributing some GBP 10 billion to prop up the euro – a currency we resolutely rejected – as part of the GBP 21 5 billion hand-out from the International Monetary Fund. This is in addition to the GBP 8 billion if Greece defaults on its debts, and GBP 5 billion in loan guarantees to Latvia and Hungary. Britain may end up giving a total of GBP 23 billion to bolster the euro.

But, if the shoe was on the other foot, I can only imagine that the Commission would rub their hands in delight at the prospect of a failing pound and a weakened London. The recent onerous legislation on hedge funds is the clear signal of this. The invocation of Article 122 of the Lisbon Treaty is the loosest interpretation of legislation I have ever witnessed and, in my opinion, demonstrates a sort of political hoodwinking that proves that every paragraph of every article of every treaty is not even worth the paper it is printed on.

I would suggest the justification of exceptional occurrences fails to take into account the fiscal irresponsibility that created this mess. The latest move robs Britain of vital veto powers by allowing qualified majority voting on future bail-outs.

*(The President cut off the speaker)*

**Andrew Henry William Brons (NI).** – Mr President, it is essential to the operation of the rule of law that institutions are subject to their own laws and rules. Rule 24(2) of the Rules of Procedure states quite clearly: 'the non-attached Members shall delegate one of their number to attend meetings of the Conference of Presidents'. It does not say that the delegates shall be chosen by vote, but by what other method are joint decisions to be taken? Telepathic signals, possibly?

The administration for the non-attached has said that the delegates should be chosen by consensus. However, it has not attempted to define how consensus might be established and has not attempted to arrange for a delegate to be chosen by this method. When attempts have been made to choose the delegate by election, these attempts have been declared to be invalid.

What has been the response of Parliament to all of this? They are going to change the rules so that the delegates – so-called – can be chosen by the President of the Parliament rather than the delegators. How long before the President of Parliament excises our right to vote in the plenary session?

**President.** – I would like to remind you that the European Parliament's Committee on Constitutional Affairs interprets this kind of situation and is certainly going to continue working on this.

**Slavi Binev (NI).** – (BG) Mr President, ladies and gentlemen, the volcanic ash in the air above Europe has held up proceedings in Europe's institutions. It has, in particular, stymied the European Parliament's plenary session in Strasbourg as almost half of MEPs have failed to get here.

Strasbourg is presumably a difficult destination to reach, and downright impossible in exceptional circumstances. On this point, I would like to ask the following question: is this not yet another sign that the European Parliament needs to make a decision about having just one main site, and that to be in Brussels? I assume you will all agree that against the backdrop of a financial crisis, establishing a single main site for Parliament will save millions of taxpayers' euros. It will also make the travelling circus, as our once-monthly move is often described, a thing of the past.

**Eduard Kukan (PPE).** – (SK) The protection of people belonging to ethnic minorities is, quite rightly, an important component of international development and relations between states. We also discuss it here on the floor of the European Parliament, and we emphasise European values and the duty of governments to adhere to these values.

In this context, I would like to talk about the political sensitivity of the issue, as there is a great possibility of abuse in this regard, particularly now, as governments are acting unilaterally in pursuing these issues, without consulting those that are affected.

I consider it undesirable and unacceptable for these issues to be pursued in an insensitive manner with the aim of influencing the domestic political situation in another country, sometimes just before elections, as this would ordinarily be considered arrogance. In case anyone has not understood me, I have been talking about the current problems in Slovak-Hungarian relations.

**Monica Luisa Macovei (PPE).** – Mr President, corruption has been an important cause of the crisis, with powerful companies and powerful individuals misusing policies, institutions and funds for their private benefit. The challenges of corruption do not disappear with development: it only becomes more sophisticated. So far, domestic efforts have not been effective in all Member States. We should not ignore this reality; we should recognise it. We have reached the moment when the Commission and the Council must establish, as a matter of urgency, a solid anti-corruption mechanism in the Union and the Member States. Any delay will hurt the interests of European citizens.

**Zoran Thaler (S&D).** – (SL) Slovenia and Croatia are two neighbouring countries, nations which, for centuries, coexisted without any serious problems. That is the case today, as well, and the majority of Slovenes are in favour of Croatia gaining membership of the European Union at the earliest possible opportunity. After 18 years of negotiations, in 2009, the two governments succeeded in resolving their border dispute and, in particular, the disagreement about the northern Adriatic sea border, which was an issue of legitimate concern for Slovenia.

An international arbitration agreement designed to solve this problem equitably was signed in Stockholm, in the presence of the Swedish Presidency. The process of the agreement's ratification has effectively entered its closing stages. We, in Slovenia, still have to vote on this, in a referendum scheduled for 6 June this year.

I call on European political forces, especially the European People's Party, to familiarise themselves with the campaign taking place in my country this month, and to contribute to a positive outcome, which will reinforce good neighbourly relations and enable the unstable Balkans to have a European future.

**Ramon Tremosa i Balcells (ALDE).** – Mr President, the eurozone came extremely close to meltdown 10 days ago, but the European rescue package has given our common future a chance. I believe the crisis has more to do with deep-rooted problems in some eurozone Member States than with speculators: Member States with fiscal indiscipline, inefficient labour markets and massive debts in the private sector.

To save the eurozone, we have to reform its governance. Last week's governance proposal from the European Commission contained some good ideas: for instance, much more emphasis on fiscal policy and a clear coordination in fiscal policies between Member States. These proposals should also take into account a common programme of structural reforms. In Spain last week, Mr Zapatero chose the austerity programme so that he could avoid the electorally riskier labour-market reform.

Finally, do not worry about the value of the euro: the common currency's fall is good for the eurozone economy.



**Marie-Christine Vergiat (GUE/NGL).** – (FR) Mr President, we in Parliament have been dismayed to learn of the creation of a working group tasked with discussing an ‘advanced status’ for Tunisia.

Why are we dismayed? We are dismayed because not a day goes by without reports reaching us from that country illustrating the increase in threats and acts of intimidation against all those men and women who still dare to criticise the methods of that regime.

Without going back over the most recent results of the municipal elections – 90% of the votes were in favour of those close to the seat of power – I shall cite a few examples. On 6 May, the journalist, Zouhair Makhoulouf, was arrested and manhandled by the police while on his way to a dinner with the former president of the Bar of Paris. On 18 May, the journalist, Fahem Boukadous, will no doubt be sentenced to four years’ imprisonment. What was his crime? To report on the social unrest in the Gafsa Basin and on the repression that followed it. The lawyers Abderraouf Ayadi, Ayachi Hammami, Mohamed Abbou and Radhia Nasraoui are the victims of constant intimidation.

The Internet is increasingly being censored. I shall give one example, Mr President, if I may: my blog is now censored ...

*(The President cut off the speaker)*

**Martin Ehrenhauser (NI).** – (DE) Mr President, at present, practically every political debate on the economic and financial crisis is concerned only with how many billions of euro are required to plug the next black hole. In general, these debates are still being conducted clinging onto the skirts of Mr Ackermann and co.

What we really need, however, is a fundamental debate on the current monetary system. We should at long last be debating matters such as how to rid our system of its growth imperative. What can we do to check the banks’ urge to provide credit? Should we abolish interest? How can we arrive at a distinction between value and monetary value? We should use money to create value for our society, not to create monetary value! Before we are overtaken by events, we should use such a debate to attempt to reform the monetary system from inside. This will only be possible, however, if we have strong and, above all, independent policies.

**Gerard Batten (EFD).** – Mr President, as I am sure everyone is aware, we now have a new government in the United Kingdom, which we can call the Lib-Dem/Con coalition. In the agreement reached between the Conservative Party and the Liberal Democratic Party, it says that: ‘We agree that there shall be no further transfer of sovereignty or powers over the course of the next Parliament’ – i.e. to the European Union. Of course, anyone who knows anything about this at all knows that there will not be any more transfers of sovereignty requiring a referendum because this has all been done under the Lisbon Treaty. So there will be no need to ask the people of Britain, or of any other country in the Europe Union; it will all happen anyway.

However, if Mr Cameron is really genuine about what he is saying, then he has a golden opportunity to actually keep to that pledge because, as my colleague, Trevor Coleman, pointed out a few weeks ago in this Chamber, the addition of new Members to the European Parliament means that the Lisbon Treaty will have to be re-ratified by all the Member States. So, in Britain’s case, Mr Cameron now has a golden opportunity either not to re-ratify the treaty or to put it to a referendum of the British people. Let us hope he keeps to his word and does that.

**Ivo Vajgl (ALDE).** – (SL) Last Saturday saw the celebration, at the Belvedere Palace in Vienna, of the 55th Anniversary of the signing of the Austrian State Treaty. This is, without a doubt, an important date in Austria’s history, as it effectively signified the establishment of Austria’s statehood and dignity.

Acting through its ambassador, the Slovene Ministry of Foreign Affairs informed the Austrian Government on this occasion, or rather called its attention to the fact, that the provisions of the Austrian State Treaty concerning the rights of the Slovene minority in Austria have still to be implemented. Bilingual road signs in Carinthia are still a taboo topic, so to speak, and the government in Vienna has time and again yielded to the extremist views of the Carinthian nationalists.

At the same time as congratulating the Austrians on this anniversary, I call on them to adopt a more amicable policy towards their minorities.

**Sylvie Guillaume (S&D).** – (FR) Mr President, today, the International Day Against Homophobia, must be an opportunity for us to restate our commitment to universal respect for human rights throughout the world, at a time when provisions or practices involving discrimination on the basis of sexual orientation or gender identity still exist in a number of countries.

We must also condemn even more strongly the increasing number of physical assaults and the repetition of homophobic statements. The code of silence must end here. Teaching tolerance is one part of the solution, because attitudes still need to change, including in our European countries. We must not overlook the matter of teaching tolerance; quite the contrary.

Lastly, European diplomacy must be harnessed to ensure that legislation decreeing that homosexuality is a crime is abolished in those countries in which it remains in force. I wish to take advantage of this opportunity to launch an appeal in this regard to Baroness Ashton.

**Andrey Kovatchev (PPE).** – (BG) Mr President, I wish to express my view on the comments made by certain fellow Members from the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament and the Group of the Alliance of Liberals and Democrats for Europe, who made unfounded attacks against the Bulgarian Government.

For the first time since the start of its post-Communist transition, Bulgaria has demonstrated political will, not only in words, but in actions, too, by combating corruption and organised crime. The tangible results achieved in this respect are being applauded both by Bulgaria's international partners and civil society within the country. The support ratings for the prime minister and interior minister are 56% and 60% respectively.

However, the question remains as to why Bulgaria has lagged behind so much and is bottom in terms of living standards in the European Union. The answer to this question still needs to be found in the self-seeking ambitions of the Communist elite from the late 1980s. They have managed, during the 20-year transition period, using the repressive State Security system and its tentacles in the state economy of that period, to turn their political power into economic power too and hand it over to their sons and grandsons, as well as retain their agents in key ministries, banks and industrial sectors in the country.

The present government is combating the unregulated binding relationship between politics and economics, using every legal instrument permitted in a European constitutional state.

I would simply like to end by making an appeal to fellow Members in the S&D Group to learn from the experience of their fellow German Members regarding the successors of the former communist party in the GDR. The BSP (Bulgarian Socialist Party) is the direct successor to the Communist Party in Bulgaria, in the same way as the Left Party in Germany. The difficulties in forming a government in North Rhine-Westphalia highlight how current this issue is even at the moment in Europe.

**Cătălin Sorin Ivan (S&D).** – (RO) Last week, I paid a working visit to see the communities of seasonal workers in the Huelva region in southern Spain. I saw some excellent things there and the Spanish authorities deserve to be congratulated on this. However, there are also numerous problems related to legal and illegal immigration, to work contracts which need to be signed in future in the native language of those who will be going to work in foreign countries, not to mention a huge number of problems related to working and accommodation conditions. I believe that the European Union directive concerning the seasonal workers scheme must reach Parliament as soon as possible so that we can deal with the problems in as helpful and efficient manner as possible.

**Metin Kazak (ALDE).** – (BG) Mr President, on the evening of Thursday 14 May, I was handed in the town of Kardzhali in southern Bulgaria 54 000 signatures collected from citizens who want normal working conditions and strong local government. This petition has been collected from the seven Kardzhali municipalities in just 10 days. People support the fight against corruption at every level of government. However, they are against the strong-arm methods and actions carried out for show, which are used by the executive to relieve courts and the prosecutor's office of their duties, as well as curtail the authority of local government and repress it.

For example, the Mayor of Kardzhali himself has been investigated 138 times during the last year, 13 times alone for the same project. More than 700 checks have been carried out on the 30 municipalities with DPS (Movement for Rights and Freedoms) mayors in less than a year, whereas municipalities with GERB (Citizens for European Development of Bulgaria) mayors have been spared such checks. In addition, the provincial governor of Kardzhali did not even allow us to hand in the petition in the actual administrative building and we were forced to meet out in the open. I made a commitment to inform Europe's institutions about this civil protest.

**President.** – Mr Kazak, you spoke too quickly for our interpreters. It was not possible for them to interpret your speech precisely.

That concludes the item.

#### IN THE CHAIR: MRS KRATSA-TSAGAROPOULOU

*Vice-President*

### 15. Equal treatment between men and women engaged in a self-employed capacity (debate)

**President.** – The next item is the report by Astrid Lulling, on behalf of the Committee on Women's Rights and Gender Equality, on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Directive 86/631/EEC (17279/3/2009 – C7-0075/2010 – 2008/0192(COD)) (A7-0146/2010).

**Astrid Lulling, rapporteur.** – (FR) Madam President, ladies and gentlemen, at a time when circumstances dictate the need for exceptionally responsive policies, the subject on which I am going to speak to you shows that perseverance is also a virtue.

Since the early 1980s, I have been continually calling for a reform of the 1986 directive, because it did not achieve its main objective, which was to improve the status of assisting spouses in family businesses in the areas of social security and maternity protection.

By adopting my 1997 report, Parliament had already called for the amendment of that directive, the wording of which was too timid, even though the Council of Ministers had not even endorsed the more ambitious European Commission proposal of 1984. In spite of numerous reminders, the Commission needed a great deal of persuading up until October 2008, when it finally proposed repealing the watered-down 1986 directive in order to replace it with a text with a more solid legal basis.

Parliament adopted its amendments at first reading on 4 May 2009. In order to improve the Commission proposal, we felt, in particular, that it should be mandatory for spouses and recognised partners to become members of the social protection scheme of self-employed workers so as to ensure, among other things, that they are personally entitled to an old age pension.

Indeed, if membership is voluntary, too many spouses tend to turn down the opportunity to create rights for themselves and find themselves – for example, after a divorce – without social protection, even if they have worked for decades in the family business and contributed to its prosperity.

Unfortunately, this principle of mandatory membership did not obtain a majority in the Council of Ministers. What is more, the latter took nine months to come up with a common position. It was finally issued by the Spanish Presidency, which has demonstrated exceptional tact and perseverance. I should like to thank the Presidency and Mrs Reding's staff, with whom I have been negotiating since January. Thanks to their understanding and their diligence, we were able to reach an agreement with the Council that will enable the new directive to enter into force after our vote tomorrow.

Of course, we had to make concessions, but we have the satisfaction of having served the interests of self-employed workers well. Accounting as they do for 16% of the labour force, with a third of this percentage being women, they represent a considerable force in Europe. Their spouses – women mainly – who actually help to run the family business, whether in the agricultural, craft trade, commercial or professional sector, are still too often, in some Member States, invisible workers who, if affiliated, would increase the activity rate and would also help to achieve the objectives of the 2020 strategy more quickly.

Since I have recalled the long and difficult birth of this directive, I must mention the progress made as regards maternity protection for self-employed women and the spouses of self-employed workers. At their request, the new directive enables them to take 14 weeks' leave. As the German saying goes, *Politik ist die Kunst des Erreichbaren*, or politics is the art of the possible. I know that there are some Members in this House – fortunately they are in the minority – who believe that self-employed workers and their spouses should sort out their social security for themselves. I am very familiar with this argument, having heard it 20, 30 years ago in my own country, when it was made compulsory for farmers' spouses to join the agricultural pension fund.

Today, these people are happy. I would also like to stress that the progress that I described upholds the principle of subsidiarity because it leaves the Member States free to decide how they arrange the social

protection of spouses, in accordance with their national law, and whether they implement it on a mandatory or a voluntary basis.

As you can see, Madam President, I do not have the time to tell you here about everything else that I like in the directive, but you can see that we are still capable of producing European directives that serve the interests of Europeans, in the social sphere, and which even have the effect of reducing distortions of competition within the single market. I am grateful to everyone, including my colleagues from the Committee on Women's Rights and Gender Equality, who contributed to the directive.

(Applause)

**President.** – Mrs Lulling, I did not want to interrupt you, but you are entitled to four minutes now and two minutes at the end. You therefore have one minute left for the end.

**Günther Oettinger**, *Member of the Commission.* – Madam President, I am pleased to be here for Parliament's debate on the draft recommendation put forward by Ms Lulling on the Commission's proposal concerning application of the principle of equal treatment between men and women in self-employed activities.

Our proposal sends a strong signal that we cannot stand by while women fall into poverty through a lack of social protection. It also takes a big step forward in terms of promoting female entrepreneurship. I hardly need to stress the importance of both those points in the current situation.

I wish to pay tribute to the efforts of the rapporteur, Ms Lulling, to reach an agreement with the Spanish Presidency on this technically complex and politically sensitive matter. The Commission fully supports the text which the committee approved by an overwhelming majority on 3 May, and I urge Parliament to do so too. Adopting the text as it stands would send a clear message to the Council and pave the way for the final adoption of the proposal. More importantly, this would make a real difference on the ground at a time when it is very much needed.

**Anna Záborská**, *on behalf of the PPE Group.* – (SK) I would like to begin by thanking our fellow member, Astrid Lulling, for the long and systematic effort she has put into the amendment of this directive. In connection with the submitted opinion, I would like to emphasise three points which I consider to be important.

In the European Union today, there is insufficient protection for self-employed women who are mothers, and there are insufficient improvements in the situation of spouses of self-employed people. I trust that the adopted text will apply to all sectors and not just to agriculture.

The creation of favourable conditions for the development of family firms involves supporting small and medium-sized enterprises. It involves creating a space for private initiative and new jobs. One component of such an environment is social protection for those deciding to assist in the business activities of their spouses. Their work is of just as much benefit to the economy as the work of an employee. They therefore have the same right to social protection as the state accords to employees.

However, in looking for suitable mechanisms for this protection, we must fully respect the principle of subsidiarity. The choice of instruments must remain in the hands of the Member States.

Finally, children need their mother more than anything else in the first months of life, regardless of whether they were born in France, Germany or Slovakia. I trust that the newly-drafted directive on maternity leave will soon extend maternity benefits to 18 weeks for all working mothers without exception.

**Rovana Plumb**, *on behalf of the S&D Group.* – (RO) Thank you, Madam President. I wish to express my thanks to the Commissioner, the representatives of the Council and, last but not least, to Mrs Lulling, with whom I have enjoyed excellent cooperation, and also to all my colleagues in the Committee on Women's Rights and Gender Equality.

In actual fact, we are at an important juncture in the European Union, which is going through a crisis, but this directive supports female entrepreneurship. The European Union must develop and support entrepreneurship among women in order to help create jobs and guarantee equal opportunities on the labour market, especially at the current time.

I wish to say that we have supported within this proposal for a directive the position that self-employed women, spouses and life partners of self-employed workers who decide to have children should enjoy social protection and paid leave. We support the need to ensure protection for workers' spouses in order to remove

the obstacles preventing entrepreneurship among women. We also support the granting of clear powers to national bodies for promoting equal opportunities and treatment between men and women.

Breaks in their involvement in the labour market during maternity leave should not be a handicap to mothers. In fact, Member States must find suitable means of support to help them maintain their professional role in society, with a view to balancing their family and working life. At the same time, I welcome the importance of finding ways in which these mothers can become reintegrated into the business environment, thereby actively contributing to supporting their own family.

The enforcement and protection of economic, social and cultural rights and the improvement of both professional and family life are fundamental objectives which must be promoted by this new directive.

**Antonyia Parvanova**, *on behalf of the ALDE Group*. – (BG) Madam President, ladies and gentlemen, I would first of all like to thank Mrs Lulling for the endless hours she has spent achieving a good compromise and agreement with the Council. Regardless of the variety of opinions on the individual key issues in the directive and bearing in mind that it is still being considered at second reading, I wish to confidently state that the Group of the Alliance of Liberals and Democrats for Europe concurs with the compromise decision reached so that this legislation can be introduced as quickly as possible by Member States.

Updating this legislation enables us to guarantee equal treatment for men and women, with particular attention focused on the issue of social protection, especially protection for self-employed women. This new legislative framework will allow us to ensure the same degree of protection in both cases when women are self-employed and when they are only spouses and partners of self-employed workers.

As a result of this amendment to the directive, Member States will provide standard social security entitlements, including 14 weeks' paid maternity leave for self-employed women and for the spouses or life partners of self-employed workers.

The amendment to the directive is a sufficiently current and positive decision which will give self-employed women and the spouses or life partners of self-employed workers the opportunity to enjoy the same social security entitlements as employees do. The spouses and partners are not employees. However, it must be taken into consideration that they usually assist the self-employed worker – a practice which is widespread in my country in the agricultural sector, in small firms and in the liberal professions.

This update to the legislation will allow Member States to decide and give self-employed women and spouses assisting self-employed workers the opportunity to join a social security scheme on a voluntary or mandatory basis. This should guarantee equally well social protection and rights for women when they are employed in a family agricultural business. Along with dealing with market risks, production and the financial crisis, they must also provide for the best scheme for their own social and health insurance.

This is the only way to improve in real terms the situation of both self-employed women and their spouses and of female life partners, mainly with regard to their social and economic protection, independent of that of their spouse and partner.

I believe that this comprehensive legislative text marks a small step which is, all the same, exceptionally important in terms of equal treatment for men and women. This is the path towards achieving the strategic aim of equality of rights for men and women and towards the programme which we recently updated – Beijing +15 Platform for Action.

By making this small, but vital step, I believe that we will continue progressing towards better reproductive health programmes, a general market for European health care and insurance services and towards maternity protection and a good quality of life, regardless of geographical, social, cultural and ethnic differences. Moving in this direction provides us with the freedom to prioritise and with a helpful way of combining a career with family life, thereby establishing the sound, harmonious basis for sharing equality and responsibility between the sexes.

**Raül Romeva i Rueda**, *on behalf of the Verts/ALE Group*. – (ES) Madam President, I too should, naturally, like to congratulate Mrs Lulling, as well as all those members of the Council and the Commission who have worked on this directive.

Nonetheless, I should like to make the same point as Mrs Lulling. I believe that it is a matter of concern that some Member States place so many obstacles in the way of the standardisation of non-discrimination and equal treatment at European level. This is not the only occasion when we have witnessed this: we are also

witnessing it in the case of the directive on multiple discrimination and equality of treatment in other domains, and I believe it is something which should give us pause for thought.

We cannot appeal to subsidiarity when we have such an important and basic issue, that of the clear, fundamental rights of everyone living in the European Union. I believe that this can never be an excuse for allowing any person to suffer from discrimination inside the European Union.

I believe that the directive that is about to be adopted – and I hope it will be – will now resolve part of this problem. I think that that is a good thing, that it is important. It guarantees greater equality of treatment for those individuals who are currently seeking opportunities for self-employment and, logically, for their dependents too: the wives or husbands of these self-employed persons.

Nonetheless, there is another important issue, and this is something I think we need to stress. Some have called increasing maternity leave to 14 weeks progress, and indeed it is. However, let us not forget that there is another directive on the table which also highlights the need to extend this leave – and I insist that it is leave and not absence due to sickness – on the grounds of equality.

This also means necessarily that there cannot be discrimination, not just between Member States, but also between the types of activity that those who wish to apply for this leave wish to carry out. Consequently, this need to ensure equal rights, as much between Member States as in relation to the type of activity and the type of social security coverage we have today, is – and I insist on this – a priority which goes beyond the directive which we about to adopt today.

**Marina Yannakoudakis**, *on behalf of the ECR Group*. – Madam President, firstly, I would like to congratulate Ms Lulling on this report: she made a valiant effort.

When I first heard of this report, I wondered how it would work logistically. The aim of the report is admirable and supports the principle of equal treatment for self-employed women and men workers and their spouses.

But then I thought how this report would be greeted by, for example, a self-employed sole trader, such as a plumber or an electrician. For argument's sake, let us say his wife would be helping him in the evenings with the paperwork and answering the phone from home. How does the report fit in here?

Would he be expected to pay social contributions to cover his spouse, thus enabling her to qualify for maternity leave if needed? Could this sole trader, who in today's economic climate is struggling, afford to pay this indirect tax, and indeed would he and his wife want this extra burden? If they didn't see it as a benefit, would they just not pay the contributions – after all, no one really knows she is helping her husband – and is this not what married people do, help each other?

Then I took this scenario a step further: a few years down the line, they get divorced, as happens often enough, what happens then? This poor guy will be skinned in the courts by his wife for not paying the contributions. Interesting times, and an interesting side-effect to our report.

The number of self-employed workers in the United Kingdom has risen to 1.7 million. One reason for this rise is that employment opportunities are fewer these days, so people look towards starting their own work. Should the state not, in these circumstances, support their effort?

I have studied Ms Lulling's amendments and feel that she has made a valiant effort to improve what was originally a heavy-handed report on self-employment. However, I am still concerned about legislation in matters of employment being made in Brussels. I believe that this work is best left to national governments, who are best geared to evaluate the needs of their citizens – as, indeed, the report says.

I support Ms Lulling's recommendations that the national systems should recognise the importance of protecting self-employed workers, and we should stand against all forms of discrimination, but I am still not convinced that this House is best placed to work on employment matters.

**Eva-Britt Svensson**, *on behalf of the GUE/NGL Group*. – (SV) Madam President, I would like to thank the Council and the Commission. I would also like to give my sincere thanks to Mrs Lulling, as it is thanks to her great commitment and excellent work on this matter we have now reached the second reading. We have an agreement on the right of those in self-employment and their life partners to equal treatment and the Confederal Group of the European United Left – Nordic Green Left supports the proposal.

The workforce that we are talking about is mostly made up of women and they have previously been invisible. This necessary revision of the earlier directive removes the discrimination that had previously put the self-employed and their life partners at a disadvantage.

Women in self-employment and the partners of the self-employed clearly must be covered by the Member States' social insurance systems. Another important point in the directive that has been negotiated is that, in the event of a future directive on longer parental leave for employees, the Commission must inform Parliament and the Council in order to enable us to provide those in self-employment with equal rights to employees if appropriate.

I would also like to add that, in view of the EU 2020 strategy and the efforts to increase growth within the EU, discrimination against female entrepreneurs must cease. They must also be entitled to parental leave and the ability to combine working life and family life – something that we discuss so often.

**Mara Bizzotto**, *on behalf of the EFD Group*. – (IT) Mr President, ladies and gentlemen, if any difference still exists between men and women in the employment market, we are only too well aware that this difference is even more marked among the self-employed. In fact, women are too often forced to sacrifice their own career ambitions for the sake of taking on a role and a workload arising out of the absurd presumption of dedication to their families.

To resolve this problem, I believe we must implement measures – such as those contained in the directive we are discussing – whilst keeping our eyes firmly fixed on the family as our guiding star, as this is the only way that these measures will be meaningful and have a hope of success!

Freeing women from the agonising dilemma of choosing between the role of mother, wife, entrepreneur, means lightening the family workload and going straight to the heart of the matter, through specific positive measures to support the family. Unless it puts the family at the centre, any package of measures will be a ragbag of strategies that will ultimately prove fruitless.

**Christa Klauß** (PPE). – (DE) Madam President, Commissioner, ladies and gentlemen, after 24 years, it is time to update and adapt the directive on the principle of equal treatment between men and women engaged in an activity in a self-employed capacity.

Two years after the Commission presented its proposal, the Spanish Presidency has now negotiated a workable and acceptable compromise with our rapporteur, Mrs Lulling. Naturally, it is not everything we could have wished. More regulation and more insurance obligations were a matter of debate. We had to resolve the matter of how strict the constraints should be or can be as regards the necessary social protection for women in self-employment and, in particular, assisting spouses, most of whom are women. If women are assisting in small and medium-sized enterprises, then they must at least have their own protection. This must also come from the enterprises themselves, however.

As we know, self-employment represents an opportunity, but also a risk – particularly as regards the level of income, which often fluctuates. However, it is not only by private means that the risk of basic social protection can be covered. Each person in society should take responsibility for their own protection – to the best of their ability – in order not to become a burden on society and to be covered for all the situations that arise in life. I am pleased that the proposal covers all those in self-employment and is not limited in scope to those engaged in farming. The Member States can decide which path to take – whether they want to make this cover mandatory or voluntary. That is subsidiarity.

The 14 weeks' maternity leave for self-employed women is a good decision; it will place these women on an equal footing with those in employment, and provides sufficient time for the healthy recovery of mother and child. This new directive is a major step towards equality and represents an important reduction in risk for men and women who take on the challenge of self-employment. I would like to thank everyone who contributed to it.

**Britta Thomsen** (S&D). – (DA) Madam President, Commissioner, ladies and gentlemen, this directive on the equal treatment of men and women engaged in an activity in a self-employed capacity is of crucial importance, as it secures social conditions comparable to those of employed women for millions of European women who are self-employed, entrepreneurs or who assist their spouses.

The most important and key element of the directive is the right to a minimum of 14 weeks' maternity leave. The need to secure better conditions for self-employed women becomes apparent when we look at how few women, relatively speaking, currently become self-employed. In the EU, only 8% of the female workforce is

self-employed, whereas the figure is 16% for men. We must motivate more women to become self-employed and, in this respect, the directive marks a step in the right direction. Many women would like to become self-employed but lack the courage on account of the uncertain social conditions. In my opinion, this directive should be viewed in the light of the important work on a general maternity directive being carried out by the Committee on Women's Rights and Gender Equality. Securing the right for all European women to take maternity leave without this diminishing their position in the labour market is a cornerstone of equality in Europe.

If we in the EU are to achieve our goal of ensuring the welfare of our citizens, we need to give the women of the EU a proper opportunity to take maternity leave. If we in the EU are to achieve our goal of ensuring the welfare of our citizens we also need to increase the birth rate. I hope that this directive will merely be the first of two steps to achieving this. We are now ensuring that all European women have the right to maternity leave. The next step must be to provide paternity leave, too, so that we can ensure genuine equality.

**Riikka Manner (ALDE).** – (FI) Madam President, first of all, I want to thank the rapporteur for what is an excellent compromise. Recently, we in Europe have been speaking about competitiveness, especially within the framework of Europe 2020, and how we could establish this sort of competitiveness, in particular, by increasing the number of small and medium-sized enterprises.

If we want to encourage entrepreneurship, these issues now being considered regarding the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity are of key importance and are a part of this debate. We need to establish a genuine alternative with regard to entrepreneurship for people, both men and women. Furthermore, there should be support for academic entrepreneurship, making it a component of study programmes. In this respect, we are a long way behind the United States of America, among others.

When we speak of equality, we have to remember that one of the indicators that describe the situation with regard to equality is specifically the matter of entrepreneurship and the opportunities to be an entrepreneur, regardless of gender. If we compare the figures in Europe, we find that most entrepreneurs are still actually men. If we consider the matter of growth entrepreneurship and how we could support it, it grieves me to say that at the moment, the statistics show that the desire for growth among female entrepreneurs lags far behind that for men.

Of course, there are many reasons for these figures, but the fact remains that at present, the social security systems for entrepreneurs, for example, are so unsatisfactory that they pose challenges specifically for female entrepreneurs, as we have heard in this discussion. Moreover, if we are to bring together issues of maternity, parenthood and entrepreneurship, it is going to take special action, because the work of a self-employed person is often erratic in nature, the working day is long and one's livelihood is uncertain. This legislative text is an excellent step forward towards a more motivating and equal approach to entrepreneurship.

**Ilda Figueiredo (GUE/NGL).** – (PT) Madam President, it is important that this process is drawing to a close, despite its limitations. It is time to ensure that all women who work – including the millions of self-employed women, and the spouses and *de facto* partners of self-employed workers – have the same rights, notably in terms of maternity leave.

Although this directive is along the right lines, it does not go all the way in fighting discrimination and guaranteeing equal treatment. It is a positive step, which we support. However, we do not want to stop at 14 weeks of maternity leave, and we intend for the new directive on maternity and paternity leave to also apply to these situations in the future.

This, of course, will be an ongoing struggle, although we welcome the progress that has been made so far and congratulate the rapporteur on her dedication throughout the process as a whole.

**Pascale Gruny (PPE).** – (FR) Madam President, ladies and gentlemen, today, the European Parliament is sending out a strong message to women who assist their spouses in their self-employed work. From now on, their social rights will be considerably enhanced, and I would like to congratulate our rapporteur, Mrs Lulling, on the work she has done.

Europe must protect. Under the new definition of 'assisting spouse', spouses and partners will be eligible for social protection in the event of sickness or retirement. Bakers' spouses will now be able to benefit from social rights.



It is regrettable, however, that the Council did not agree to compulsory membership, but simply adopted the system of voluntary membership.

Maternity leave is also provided for all women. The new text provides for a minimum period of maternity leave for self-employed women and wives of self-employed workers throughout the European Union. The duration of this leave is currently set at 14 weeks. I am the shadow rapporteur for the Group of the European People's Party (Christian Democrats) for the directive on the health and safety at work of pregnant workers. I sincerely hope that, with the adoption of this text, the duration of maternity leave will be increased; and why not subsequently increase it for self-employed women?

To conclude, Europe has proposed some creative and pragmatic solutions to help couples to reconcile professional and family life. It is now time to switch to taking action and to implement the proposals as quickly as possible. Europe's campaign to protect women is making headway with this text. However, we MEPs must continue to eliminate the inequalities between men and women.

**Edite Estrela (S&D).** – (PT) Madam President, this directive needs to be reviewed urgently. This report is important because it is going to resolve the unjust and discriminatory situation of self-employed workers and, at the same time, promote entrepreneurship amongst women.

From now on, self-employed women and the spouses and *de facto* partners of self-employed workers have the right to maternity pay, identical in duration and remuneration to that of salaried workers. There is, however, a prerequisite to contribute to social security. It is right and only fair that this should be the case, as salaried workers also make social security contributions.

It is also considered fundamentally fair that the right to maternity leave should not be reduced for the agricultural sector and that it should be extended to all self-employed workers who I recall represented 10.5% of all workers in the European Union in 2007. This, I would say, is why it should apply to all self-employed workers, irrespective of their field of activity; be it in the craft industry, in commerce, in the liberal professions or in small and medium-sized enterprises.

We have to promote equality, so I hope that the European Parliament will adopt the proposals that have already been adopted by the Committee on Women's Rights and Gender Equality.

**Lena Kolarska-Bobińska (PPE).** – (PL) Adoption of the current measures is very important from the economic and social point of view, but also because of the values represented by protection of the family and equal opportunities.

The current crisis and the rise in unemployment it has caused are affecting weaker groups in particular. One of these groups are women. Therefore, legal measures which provide for an equal position for the self-employed will make it easier for women to start up in business on their own. This is important, therefore, in view of the need to speed up economic development in Europe and reduce unemployment, but it is also important because increasing numbers of women are deciding to start up on their own. It is they who make the decisions, they who are in charge of their own firms, they who decide what to do and how to spend the money and they should not suffer discrimination.

Small businesses are, therefore, a place where women can fulfil their ambitions – women who want to be professionally active but who do not want to give up their family life. Indeed, these measures will also allow Member States which are thinking seriously about family policy to take the opportunity to improve their own legislation. I would also like to draw attention to a certain group which requires further protection and needs us to give consideration to its situation. I am talking about women who work in the home. Working in the home is not treated as work, although in fact, this involves the performance of around 200 tasks every day. Women working in the home are often not protected by retirement pension or health care arrangements and are not entitled to any holidays. In relation to this, I think regulations should be brought into force which will make it easier for these women to benefit from all forms of social protection.

**Iratxe García Pérez (S&D).** – (ES) Madam President, I just wanted to reiterate my thanks both to Mrs Lulling and the Spanish Presidency. To Mrs Lulling for her persistence, tenacity and hard work in getting to the point we are at today, and to the Spanish Presidency for allowing different and opposing points of view to be expressed within the Council, which has allowed us to have this agreement on the table today.

In this debate, we are confronted with the amendment to Directive 86/613/EEC, which has clearly indicated that it does not comply with the objectives set for it. I think that it is essential to highlight the crucial

importance of this agreement at a time of crisis and uncertainty in Europe, a time which has not hindered progress regarding the social protection of female, self-employed workers in the Union.

I should like to remind you that in 2007, more than 10% of workers in the European Union were self-employed. The agreement we have reached may not be the best solution, but it does provide the opportunity for further progress to be made in the future.

The main objective of this directive is for social protection to be extended to the partners of all self-employed workers, including unmarried couples, and for all self-employed workers or self-employed couples to be covered by social security, which is not offered today by all Member States.

At this time, we are actively engaged in the design of the EU 2020 strategy where we shall define the future of the European model. This future cannot neglect the principle of equality of treatment, and it is therefore essential to move forward with the type of measure that guarantees this principle. My hope is that the step we take today, with the adoption of this proposal, is the first of many future ones.

**Joanna Katarzyna Skrzydlewska (PPE).** – (PL) I am delighted at the near unanimous adoption of Mrs Lulling's report by the Committee on Women's Rights and Gender Equality. The report concerns the introduction of amendments to the directive on the application of the principle of equal treatment between women and men engaged in activity in a self-employed capacity.

It is very important that a compromise has been reached and an improvement made to the situation of self-employed people, who make up about 10% of all people in the labour market. Among the amendments introduced, the most important is the possibility for self-employed people and their spouses or life partners to receive social benefits, including, most importantly, the possibility to pay contributions towards their own retirement pension, and also to have paid maternity leave analogous to that which is given to women who work for an employer. These entitlements are to be provided for by legislation at EU level.

They are measures which will not only help to improve the situation of women, but will also reduce the significant inequalities that exist between the self-employed and people who work for an employer. Millions of people who work in family businesses will at last gain the ability to benefit from voluntary social protection based on affiliation to a system of social insurance, without which they have been in a worse situation. This is an important step forward, all the more so because the compromise reached this year had, for many years, been impossible to achieve.

I encourage all fellow Members to endorse this report. I would like, at this point, to thank Mrs Lulling very sincerely, because thanks to this report, many self-employed women will find life easier.

**Marc Tarabella (S&D).** – (FR) Madam President, Commissioner, ladies and gentlemen, with this excellent report by Mrs Lulling, the European Parliament is trying to reduce still further the differences in treatment between men and women in the workplace, and I welcome this move. It is another step on what is still a very long road.

Indeed, I believe it is vital to stress the importance of social protection for the assisting spouses or recognised life partners of self-employed workers. Let us not forget that, in many European countries, assisting spouses still do not have a status in their own right, that their work is not recognised, and that they are not covered by social security for self-employed workers. We are in the year 2010, and women in some Member States are still suffering a lack of recognition of their rights and are entirely dependent on their spouse's insurance.

In these times of economic crisis, we cannot allow these assisting spouses to depend on a system that could plunge them into poverty, from one day to the next, in the event of divorce or separation, for example. That is why we cannot agree to the possibility of Member States maintaining national provisions limiting access to specific social protection schemes or to a certain level of funding. Assisting spouses must be covered as regards pensions, family allowance, health care, incapacity benefit and maternity benefits.

Lastly, at this stage in the negotiations, it is the Member States that will decide whether this social protection should be implemented on a mandatory or voluntary basis. That is why I strongly urge all the Member States to do their utmost to ensure that this protection is mandatory. We must all combat job insecurity and the failure to recognise rights, especially in times of economic crisis.

**Zuzana Roithová (PPE).** – (CS) I, too, would like to thank the rapporteur, Astrid Lulling, for the work she has done. I also share her view – as do other Members – that the greater maternity protection for self-employed women and the improvements for spouses of self-employed people should not be limited by this directive

just to people working in agriculture, but must, of course, also apply to other areas, including the liberal professions. Assisting spouses do not have their own legal statute everywhere, so their work is not always recognised and they do not have independent social security arrangements. It is absolutely necessary to recognise their professional status and to define their rights. I am pleased that the Council has recognised Parliament's opinion from the first reading that maternity payments should make it possible to take a break of at least three months, the minimum necessary for a normal course of pregnancy and for the physical recuperation of the mother after a normal birth, although for the healthy development of the child, it is optimal to have at least two years of individual care at home. I am sorry that the Council does not regard these three months as the absolute minimum standard that the Member States' social systems should provide automatically, and that only additional payments could be provided on a voluntary basis.

**Antigoni Papadopoulou (S&D).** – (EL) Madam President, I, too, would like to endorse and welcome the present compromise, because it raises the question of democratic deficits which women in particular have had to face for years, when they help their self-employed husbands in trade, in handicrafts, in small and medium-sized enterprises and in the liberal professions, without any recognition over the years for their work.

Self-employed persons and their partners, the majority of whom are women, have rights. They are not invisible workers; they have rights to social security, to health care, to a pension, to maternity leave, to parental leave and to paternity leave. Women have sacrificed themselves for years for their husbands, for their professional development, for their children and their family, by providing cheap, unpaid labour. Often, after divorce or the death of their husband, they are left with no insurance, with no benefits or compensation.

The present compromise addresses some of the existing inequalities. However, the need is indisputably looming for further support for women, to promote the equality of female entrepreneurship, especially at a time of economic crisis and when the European Union is defining its policy for tomorrow, for the European Union in 2020.

**Franz Obermayr (NI).** – (DE) Madam President, thank you very much for allowing me to speak on this subject. Around 30% of all those in self-employment in the EU are women. They are particularly highly represented in small and medium-sized enterprises, especially in the service sector, and, in this capacity, make a significant economic contribution to our society.

These women should be given the same opportunities as their male colleagues without having to resort to quotas and the like. Self-employed women often have to grapple with the problem that becoming a mother could endanger their livelihood. In view of the increasingly ageing population, it is now more important than ever to ensure effective maternity provision and to give priority to families.

Family firms where the women assist in the business also play an important part – whether in the professions, in the trades, in retail or particularly in farming. In all these areas, it is necessary to ensure appropriate social and legal protection.

Nonetheless, the Member States should always retain competence in respect of social legislation and this should never be transferred to the EU. It is a matter of using compromises and options to take into account divergent social policy traditions, such as whether to make insurance for assisting spouses mandatory or voluntary.

**Angelika Werthmann (NI).** – (DE) Madam President, ladies and gentlemen, I should like to join in congratulating Mrs Lulling. I welcome the fact that this report takes a further step towards realising the principle of equal treatment of men and women, including in the area of self-employment. One important cornerstone – and quite rightly so – is that it covers not just spouses, but also life partners. At long last, assisting partners can enjoy an equal level of social protection, and this also applies to maternity provision.

**Paul Rübzig (PPE).** – (DE) Madam President, I, too, should very much like to congratulate Mrs Lulling. It gives women in particular completely new opportunities in the area of self-employment in small and medium-sized enterprises. In a time of crisis such as this, we should bear in mind that self-employment is fit for the future, that new jobs can be created here, and that it also allows us to develop completely new sectors. We have developed Girls' Day, for example, to encourage young women to take up technical occupations, because it is in these technical occupations that brand new opportunities are arising and in our present society, people are not really aware of the full spectrum of occupations available to women. Finally, it is also women who, time and again, ensure stability in the area of finances. I believe that in times of crisis, it is particularly important to ensure that the equity and venture capital in enterprises can be exploited equally by women.

**Günther Oettinger**, *Member of the Commission*. – Madam President, today we have made progress in the fight against poverty and for the promotion of female self-employment. This is not the end of the process, but it is a huge step forward. Subject to the Council's endorsement, for the first time ever, self-employed women will have the right to maternity leave. The Member States will also have a clear obligation to grant social protection to assisting spouses, on request.

I want to thank the Committee on Women's Rights and Gender Equality, and Parliament as a whole, for all the work that has been done to achieve this success.

Lastly, I want to say a word on Ms Lulling who, for many years, has fought personally for this issue. That fight has now been won, and I am deeply grateful for her commitment, which has led to this remarkable achievement.

**Astrid Lulling**, *rapporteur*. – (DE) Madam President, I would first like to thank Mr Oettinger for representing his colleague, Mrs Reding, in such excellent English.

(FR) Ladies and gentlemen, I am satisfied. I am grateful to all the Members who took the floor because they support the position held by the overwhelming majority of the Committee on Women's Rights and Gender Equality, which will enable this text to be adopted tomorrow.

I should like to reassure Mr Romeva i Rueda. This text is not perfect. It still falls short of my requirements. We have not yet won the war, but we have won an important battle. This is a step in the right direction.

I should also like to say to Mr Romeva i Rueda and Mrs Figueiredo that they should not worry about maternity protection; what they want is provided for in Recital 17a. Read it; I do not have the time to read it out. There is just one amendment. Were we to vote for it, it would not be possible to adopt the directive under the Spanish Presidency, and we would risk losing months, if not years, and all for nothing, because – I should like to reassure the authors – what they are proposing in their amendment is proposed, in different terms, in Amendment 4, which was adopted at first reading and taken up in its entirety by the Council. I therefore believe that these Members could, in good conscience, vote for the other amendments.

**President**. - The debate is closed.

The vote will take place on Tuesday, 18 May 2010.

#### **Written statements (Rule 149)**

**Robert Dušek (S&D)**, *in writing*. – (CS) The directive on equal treatment for self-employed men and women has the aim of unifying the applicable European legislation and replacing a number of directives which address this policy on a piecemeal basis. Social conditions for self-employed people and employed people vary widely in the Member States, and social security provision in the event of long-term or permanent exclusion from work is practically non-existent in some cases. Self-employed people often do not have sickness insurance. They work when they are sick, because it is financially more advantageous. Women return to work after giving birth, and do not take maternity leave. Assisting spouses do not have their own social security arrangements. Self-employed people are essential to the functioning of the economy and they have an irreplaceable role in society. These people provide for themselves and their families financially, pay taxes into state coffers and pay social and health insurance. The state does not have to contribute to their maintenance. Their role is particularly irreplaceable in regions where, for various reasons, there is a shortage of jobs with so-called 'large' employers, and also in agriculture. It is therefore necessary to unify minimum standards that will help ensure an equal status for self-employed people as compared with employed people, and equality between self-employed men and women. The aim should be greater protection during maternity, recognition of leave for the purposes of caring for family members and recognition of the contribution of an assisting spouse.

**Zita Gurmai (S&D)**, *in writing*. – The proposal we are debating this week is not a technical one. It's a matter of justice and common sense – in two ways. It's not only morally, but also economically clear that we need to grant the social protection and the maternity benefits to pregnant self-employed women and self-employed men's pregnant spouses or life partners. We cannot discriminate against those women or the partners of those men who chose to dedicate themselves to this type of work, especially when we all agree that we do need to encourage more women to enter the world of business. While we are trying to find our way out of the crisis, we encourage creation of work, including that of independent workers. This is also why we need to make sure that there is an incentive for women to start such work opportunities. Secondly, we cannot discriminate against the new-born children in these families. It is unacceptable when a child has the right to

have her mother or father around (without jeopardising the living of the family) for the first weeks of his or her life, because the parent is classically employed, while the other child hasn't got this right, because the parent is self-employed.

## 16. Energy performance of buildings (recast) (debate)

**President.** – The next item is the recommendation for second reading by Silvia-Adriana Țicău, on behalf of the Committee on Industry, Research and Energy, on the Council's position at first reading for adopting a directive of the European Parliament and of the Council on the energy performance of buildings (recast) (05386/3/2010 – C7-0095/2010 – 2008/0223(COD)) (A7-0124/2010).

**Silvia-Adriana Țicău, rapporteur.** – (RO) In 2008, the EU undertook to cut energy consumption by 20%, as well as to ensure that 20% of the energy consumed comes from renewable sources by 2020. As part of the European Council meeting held on 25 and 26 March 2010, European Union leaders set a common target of a 20% increase in energy efficiency by 2020.

Buildings are responsible for 40% of the total consumption of energy, as well as for 35% of polluting emissions. Improving the energy performance of buildings will have a major impact on European citizens' lives. Across the EU, families spend, on average, 33% of their incomes on water, electricity, gas and maintenance. In fact, this figure can even reach 54% in the case of families with very low incomes. Investments in improving energy efficiency will result not only in lower energy bills, but also in creating 2.7 million jobs in the EU by 2030.

In November 2008, the Commission tabled a legislative proposal for reforming Directive 91/2002 concerning the energy performance of buildings. In April 2009, the European Parliament adopted by a huge majority its position at first reading as part of the codecision procedure. Subsequently, Parliament and the Council conducted intense negotiations during the Swedish Presidency of the Council of the European Union. In November 2009, a political agreement was reached on the technical aspects of the legislative proposal.

This agreement has the following main achievements.

A separate article was introduced, along with several recitals and provisions concerning funding-related aspects. The Commission must identify the existing financial instruments and fiscal measures and table new proposals by 30 June 2011. These provisions are also supplemented by a declaration from the Commission.

All new buildings must have a net energy consumption of close to zero by 31 December 2020, while the majority of energy must also come from renewable sources. This deadline has been brought forward by two years for the public sector. In the case of buildings with a net energy consumption close to zero, Member States will set clear objectives and devise action plans, which will also feature support measures.

The energy performance of buildings which undergo major renovation or of the renovated parts of these buildings must meet the minimum energy performance requirements also applicable to the buildings' technical systems and components which have a significant impact on the building's energy performance.

New provisions about certificates were introduced. A minimum amount of information must be specified in a certificate, including funding options. Provisions were introduced on issuing and displaying energy performance certificates.

The energy performance indicator from the building's energy performance certificate must be included in adverts for selling or renting the building or part of it.

There must be more information provided and greater transparency regarding the accreditation and training of experts and the provision of information to owners and tenants.

Consultations must be held with the local authorities and they must provide support in enforcing recommendations, introducing new provisions aimed at local town planners and architects to ensure the buildings' energy efficiency is taken into consideration.

Smart metering systems and active control systems have been introduced, such as automation, control and monitoring systems designed to save energy.

No common methodology will be devised but, by 30 June 2011, the Commission will produce a comparative methodology framework for calculating the optimum level in terms of costs and minimum energy

performance requirements. The directive will be reviewed by 1 January 2017. The Council's common position is based on the agreement signed in November 2009 between the European Parliament and Council. This is why I recommend its adoption.

### IN THE CHAIR: MR LAMBRINIDIS

*Vice-President*

**Günther Oettinger**, *Member of the Commission*. – (DE) Mr President, honourable Members, it is rare in politics to have an opportunity to present proposals and measures as a win-win situation. Today, we have just such an opportunity: the forthcoming adoption of the recast version of the directive on the energy performance of buildings.

Buildings are responsible for 40% of energy consumption and for 36% of carbon dioxide emissions in the EU. Implementing economic measures to reduce energy consumption in the residential sector can make a significant contribution towards achieving our 2020 goals for greenhouse gas reductions and energy saving. In so doing, we will, at the same time, bolster our energy security and create growth and jobs in the construction industry. The recast directive on the energy performance of buildings will also encourage a raising of standards in the national codes on energy efficiency in house building and will help consumers to reduce their utility bills. Energy efficiency is the cheapest way to combat climate change.

I would like to highlight three elements of the recast directive which, from our point of view, represent substantial progress compared with the situation to date.

Firstly, national requirements of new builds and renovations will result in buildings that save considerably more energy. This directive also covers small buildings with a useable area of less than 1 000 m<sup>2</sup> as well as minor energy-relevant renovation work, and also the replacement of boilers and windows.

Secondly, the recast version means our citizens will be provided with better information. Homeowners and tenants will be well-informed, with specific details of the energy consumption and potential energy savings of a building. This should provide an incentive to the market to realise low-energy houses and carry out renovations on a broad front.

Thirdly, with effect from 2020, all new builds must meet the extremely stringent near-zero energy building standard. In addition, Member States should draw up national action plans to raise the standard of existing buildings closer to the level of near-zero energy buildings.

For all these reasons, the new directive is a successful achievement of European energy policy. I would like to thank the Members of Parliament and you, Mrs Țicău, for your good cooperation in recent months and also for the unusually quick adoption of the directive.

You have already emphasised that the recast version will only be able to realise its full energy-saving potential if it is transposed effectively and quickly and if there are also supporting instruments. To this end, we need to make better use of existing financing instruments, such as the European Regional Development Fund, which allows 4% of the budget to be used for energy efficiency measures – an opportunity that has barely been utilised by the Member States to date.

In addition, we would like to provide the Member States with financial support for their efforts to transform the building stock. We are currently preparing – as announced previously in the Committee on Industry, Research and Energy – the reallocation of at least EUR 150 million of unused funds from the European Economic Recovery Plan for projects in the area of renewable energy and energy efficiency.

I am sure that Parliament's support today represents an important step. I would like to thank you all for your good cooperation.

**Paul Rübiger**, *on behalf of the PPE Group*. – (DE) Mr President, Commissioner, Mrs Țicău, I would like to congratulate you on this report. I believe it to be a great step in the right direction. There are more than 160 million buildings in Europe, and these buildings need to be renovated in respect of their thermal efficiency in order to minimise energy consumption, thereby bringing about a corresponding reduction in overall energy consumption.

Forty per cent of energy is used for heating and cooling buildings. We hope that renovation measures will allow us to achieve our goal of a 5% reduction in total energy consumption by 2020. However, we are also concerned with creating new jobs. There is no doubt that we need new training schemes for the tradesmen

who will not only be renovating these existing buildings, but also building new ones. We need small and medium-sized enterprises that specialise in this segment and we must make it possible for them to make a profit in this area and to pay higher net wages. I believe that is the best way out of the crisis, because not only will it, of course, raise new tax revenue but, moreover, energy from fossil fuels will be replaced by renewable energy – thereby reducing fossil fuel consumption.

I believe that substituting fossil fuels in consumption and production is the way ahead and naturally will also result in a noticeable reduction in household expenses. I also believe that these investments will pay off and that we should not continue with the levels of consumption that we have seen in recent decades. We should take this opportunity to start investing again. Investment is particularly essential in times of crisis, to enable us to overcome the crisis – and overcome it with as little bureaucracy as possible.

**Zigmantas Balčytis**, *on behalf of the S&D Group*. – (LT) First of all, I would like to congratulate my colleague, Mrs Silvia Țicău, for the immense work she has done in preparing this important report. In my opinion, the agreement reached with the Council is very ambitious and represents a new qualitative leap throughout the entire sector. Therefore, it is now very important for Member States to implement the provisions of the directive properly and on time. The issue of the energy consumption of buildings is particularly relevant in the overall context of the internal energy market. The buildings sector in the European Union is one of the sectors with the most opportunities for energy saving. That is particularly true for the populations of the new European Union Member States, because those countries have the largest number of old and energy inefficient residential buildings, while inhabitants living in them and on the very lowest incomes are forced to pay the most for communal services. The movement towards nearly zero energy cost in buildings means that the bar has been raised even higher for builders than hitherto planned when discussing passive house technologies. Commissioner, ladies and gentlemen, I would like to repeat that this is really very important and very ambitious, and hopefully it will also be put into practice.

**Fiona Hall**, *on behalf of the ALDE Group*. – Mr President, I, too, would like to congratulate Mrs Țicău, who has worked with tremendous dedication on this dossier. We have had a big delay because of the legal adjustments that were necessary because of the Lisbon Treaty, and that has meant that there has been a lot more CO<sub>2</sub> emitted than would have been if we had been able to do this sooner.

In this long gestation, it is easy to forget that some of the things in this recast were actually considered quite radical when they were first raised. In particular, the dropping of the 1 000 m<sup>2</sup> threshold which was proposed initially by Parliament in its report on the Action Plan for Energy Efficiency, and also the step of bringing in near-zero energy buildings by 2021. Unfortunately, this new requirement for new buildings will not help us with the 20-20-20 targets, especially because, increasingly, we realise that we need to be looking at at least a 30% greenhouse gas emission reduction. To have any effect on meeting our climate change targets, it is existing buildings that we need to concentrate on and the energy efficiency requirements there.

I would suggest three key actions that we need to see in place if we are going to realise the potential for energy saving in existing buildings.

Firstly, it is very important that the Commission comes forward with a robust cost-optimal methodology for renovation. The timetable is quite tight, but necessarily so because so much time has already been wasted, and it is going to be 2014 before the cost-optimal methodology will apply.

Secondly, all Member States need to consider adopting national annual targets for improving a certain percentage of their existing buildings. If we had a European 'binding' target on energy efficiency, I am sure that we would see that kind of action being taken in Member States very quickly, because they would realise that one of the easiest ways to achieve an energy efficiency target is by systematically upgrading existing buildings.

Thirdly, and vitally, Member States need to put in place upfront funding for energy-efficiency improvements and, despite all the work of the rapporteur and the shadows' best efforts, we did not get as far on this in the recast as we would have wished from Parliament's point of view. Therefore, it is particularly important that we now get money for energy efficiency into the economic recovery programme, and I hope the Commission will not delay with its proposal on this.

Finally, given the comments made in the state-of-play document about the weakness of implementation of energy-efficiency legislation in the past, I would ask the Commission whether it can ensure that this directive is implemented fully and on time.

**Claude Turmes**, *on behalf of the Verts/ALE Group*. – (DE) Mr President, Commissioner, ladies and gentlemen, many congratulations to Mrs Țicău and the whole team of shadow reporters. This directive would not have turned out so successfully without a strong European Parliament.

In my two and a half minutes, I will talk less about the directive and more about what needs to be done in the future to deal with the weaknesses of the directive, particularly as regards the existing building stock. What could be more appropriate at a time of crisis than to improve the way Europe's resources are exploited and increase energy productivity? What we really need now from the Commission is a European buildings initiative with four central pillars.

Firstly, assistance for national governments with transposing the directive. The last directive was not properly transposed. In your Directorate-General, Mr Oettinger, you have one full-time official – and he will be leaving in July. How are you going to ensure – in terms of personnel, among other things – that the directive is correctly transposed?

Secondly, as you have mentioned, financing models. What can be done in the Commission to improve the way that resources from the European Regional Development Fund are used for buildings? Perhaps you could give us a few details regarding the funds left over from the European Economic Recovery Plan that you mentioned.

Thirdly, we need greater labour productivity in construction, and for that we need more training. Better trained workers will increase productivity, but naturally, will also raise issues in respect of the prevailing working and pay conditions in the European construction industry. Consequently, we would also need an initiative from the Commission for social dialogue at European level between the construction industry and the trade unions.

Finally, in the area of research and development, there urgently needs to be a greater focus on buildings, on the building of low-cost net zero energy or near-zero energy housing and – most importantly of all – new ways of organising building renovation. We will only be able to build or renovate more cheaply if the entire renovation process is better designed. This is another area in which European research funds could be used to provide real and substantial assistance to both the national governments and the construction industry.

**Vicky Ford**, *on behalf of the ECR Group*. – Mr President, I would also like to start by thanking Ms Țicău and the other rapporteurs for the way that this directive has been negotiated. It has been with great warmth amongst the groups and it is very encouraging to hear that the debate on the next steps has already started.

I do welcome this report. As many have mentioned, 40% of our energy is consumed in buildings. We need more sustainable living, not only because of the carbon challenge but also because of the concerns we all share about rising energy prices and energy security.

Some Member States are already much more ambitious in their national codes for energy efficiency, and I hope that this directive will encourage others to follow suit. Energy performance certificates help to raise awareness of where energy and costs can be saved, and encouraging new buildings and newly refurbished buildings to have smart meters give consumers more control over their energy-related decisions. This is all good progress.

This recast was born because the original directive was being poorly implemented. Going forward, Parliament and the Commission must always keep an eye on how Member States are implementing this one. The Commission must help: please, facilitate the transfer of best practice among Member States and also ensure that minimum energy-performance standards are compatible whilst reflecting regional differences.

We all know that, to rise to the challenge of energy saving, it is important that consumers both in the public and private sectors acknowledge and see the benefits which directly engaging with energy-saving initiatives can bring both in environmental and economic terms, but I will give you a warning because there has been an example in my own Member State of gold-plating the directive, particularly in the requirements for energy performance certificates in public buildings, and this has added, in some cases, extra bureaucratic costs with little perceived energy saving and led to a loss of public support; that is regrettable.

As a final point, all those who fear that the EU is facing an identity crisis at the moment should take heart from this report. There has been a unity of purpose and conviction from the beginning of my involvement – and I know that that goes back many years before I joined this Parliament last summer. Let us heed the lesson that the EU is strongest when we focus on core areas where value can be achieved by working together in a common interest.



**Marisa Matias**, *on behalf of the GUE/NGL Group.* – (PT) Mr President, I would also like to begin by congratulating Mrs Țicău on all the hard work and dedication she has put into such a significant report, and on the work that she has done towards improving the energy performance of buildings and in support of a more sustainable Europe. As we know, energy use in the European Union is well above acceptable levels, and that is why it is so important to move forward with proposals of this nature.

It is high time that we had a policy that is ambitious in European terms, and that we added further measures to this ambitious policy, especially amidst the crisis situation that we are experiencing. The construction sector is considered one of the sectors or markets with the greatest potential in terms of energy savings and other matters, which is why it is the sector of excellence for supporting public policies. I would like to finish on this, Mr President.

We therefore anticipate taking advantage of the opportunity that is being given to invest in improving the energy efficiency of buildings and the potential to create millions of jobs in the next few years. Moreover, it is not just about new buildings, but also the restoration and refurbishment of existing buildings that have deteriorated or become derelict.

So let us take the opportunity to use this legislation as an essential contribution to reviving the European economy; we must start making the most of investment, which can and must be strategic, to recover from the crisis. Let us also hope that there is investment from the Commission and that the Member States know how to make the most of it.

**Jaroslav Paška**, *on behalf of the EFD Group.* – (SK) First, I would like to say how pleased I am that the European Union has seen the potential for significant energy savings in the way that buildings are operated. Energy savings can be achieved relatively rapidly and efficiently by improving the heat insulation capabilities of building envelopes, even with the additional heating of older buildings.

However, heat losses related to the heating of buildings do not represent the only waste of energy in buildings. From the perspective of energy consumption, water heating for personal hygiene and air-conditioning in enclosed spaces are a significant item in developed societies. In these areas, however, energy saving methods will be rather more difficult and more complicated. They will involve improving the efficiency of relatively complicated, sophisticated systems securing the regulation and exchange of energy between different media in the building itself.

Since most buildings are, from the perspective of unification, unique entities, the internal energy regime of every building must also be adequately planned and implemented on a more or less individual basis for the workplace or household in question. Our objectives must therefore include a significant expansion of claims in relation to the complexity and difficulty of engineering and planning work aimed at correctly specifying intelligent energy solutions for individual buildings.

We must therefore, Commissioner, also look for ways to encourage people working in this area to become better trained. Personally, I will be delighted if the aims of this directive are well implemented. However, I think that will be difficult in some areas.

**Maria da Graça Carvalho (PPE).** – (PT) Mr President, Commissioner, the construction sector is responsible for 40% of the EU's energy consumption and 35% of its emissions. This legislation stipulates that by 2020, new buildings must be nearly zero energy and that renovated existing buildings must meet minimum energy performance requirements.

This legislation will therefore contribute to reduced energy dependency in Europe, decreased CO<sub>2</sub> emissions, improved internal and external air quality, and increased well-being in cities. The incentive to improve the energy performance of buildings also signifies a chance to reclassify our cities, contributing to tourism, job creation and sustainable economic growth in the EU.

However, reclassification requires increased public and private investment. We are talking about direct public investment, with an immediate effect on job creation and the involvement of small and medium-sized enterprises. A programme involving the reclassification of our cities will be a safe one that is well suited to our economic recovery.

I therefore call on the Commission and the Member States to use the Structural Funds to reclassify buildings in environmental and energy terms, with this financing used as a catalyst for private funding. I also call on them to work together to find the appropriate financing model for renovating existing buildings.

**Ivari Padar (S&D).** – (ET) Mrs Țicău's report is one of the most significant energy and climate policy instruments that we have adopted in recent years. I would like to offer my congratulations to everyone who was involved with this report, but particularly to the rapporteur, Mrs Țicău. I will not repeat what has been said before, but I will focus on two points.

First, the directive offers many new business opportunities to entrepreneurs. In addition to new technologies for improving the energy efficiency of buildings, in the future, there will also be increased demand for environmentally friendly building materials, a reduction in the consumption of materials and waste in the building sector, the recycling of building waste, and the development of intelligent houses. Therefore, European entrepreneurs, in cooperation with the European Union and the Member States, should invest today in technologies which will reduce the large effect that buildings have on the environment, because at the moment, buildings consume around 40% of the European Union's energy, emit 38% of the European Union's CO<sub>2</sub> emissions and, in addition to this, the building sector is the most resource-heavy sector of the economy in the European Union.

Second, the directive offers only a partial answer to the question of who will pay for all this. For example, the directive contains proposals saying that the European Commission should direct more of the resources in the European Union Structural Funds into financing the energy efficiency of buildings. I consider it extremely important, when revising the current financial perspective, not to let the opportunity slip and to find resources to increase financing for the energy efficiency of buildings. Energy saving is the cheapest way of producing energy, so let us use it.

**Karima Delli (Verts/ALE).** – (FR) Mr President, ladies and gentlemen, I welcome the positive progress that this directive represents in the face of the urgent need to combat climate change.

2010 is the year of the fight against poverty and social exclusion. The European Partnership for Energy and the Environment (EPEE) estimates that between 50 and 125 million Europeans suffer from energy poverty. However, this new legislation concerns only new buildings and will affect only 2.7 million new homes per year, when there are 200 million old homes in the European Union. The fact is, at least 150 million homes will have to be renovated by 2050 in order to attain factor 4.

Commissioner, since 2007, 4% of the European Regional Development Fund (ERDF) has been set aside to improve the energy performance of buildings, but has been used only to a very limited extent. How, then, are you going to put pressure on the Member States to really use these funds, because if they go unused, they are liable to disappear from 2013, when some of them will actually have to be increased?

**Algirdas Saudargas (PPE).** – (LT) As many of you have mentioned, energy saving is the most economical way to ensure energy security and limit the amount of carbon dioxide emissions. I would also like to congratulate all of our colleagues, above all, the rapporteur and all our other fellow Members, for this successful review of the directive. This area, the buildings sector, has great unused potential, not just in the area of energy saving, but in the creation of new jobs and the implementation of new technologies as well. For example, in my country of Lithuania, over 80% of the buildings were built more than 20 years ago and they are very uneconomical. Therefore, the review of this directive on the energy performance of buildings is really very timely and necessary during the current crisis. The agreement reached with the Council on the wording of the new directive is well balanced and fully reflects the principle of subsidiarity. The directive provides for minimum requirements for buildings, both new and renovated, and will create suitable conditions to optimise the consumption of energy resources and save inhabitants' and the state's money. At the same time, more stringent rules on building certification and the provision of information will encourage inhabitants to change their consumption habits. Mr President, although it has been said several times, I would still like to underline again that the success of the directive will depend on its speedy implementation in the Member States. To that end, provision must be made for effective financial support measures both at Member State and EU level. Energy efficiency, one of the European Union's priorities, should also become a policy priority for all Member States.

**Marian-Jean Marinescu (PPE).** – (RO) The Energy Performance of Buildings Directive will have a direct influence on the new types of investment made in the construction sector. Investment in new technologies, which will be aimed at cutting energy consumption, will have a significant impact on the national and regional labour market and improve the European Union's energy security.

Financial instruments are required. Europe's citizens cannot bear the costs alone for modernising energy systems. The maximum amount of resources which can be allocated for this from the European Regional Development Fund is not sufficient and must be increased to the highest possible level. The Commission

must provide additional support by setting up the Energy Efficiency Fund by 2014, which could be cofinanced by the European Union, the European Investment Bank and Member States.

I encourage the European Commission to continue with the development of the Smart Cities Initiative and to examine the current mechanisms being used in Member States to spread best practice in the European Union and the exchange of knowledge and technical assistance in order to generate new financial resources for improving energy efficiency in housing.

**Csaba Sándor Tabajdi (S&D).** – (HU) I congratulate Mrs Țicău on her report and on the directive. However, this directive is not worth the paper it is written on if there is no money for it. I wish to draw Commissioner Oettinger's attention to the fact that funding sources must be guaranteed in the budget for the period after 2013 and in the Cohesion Funds. It is clear that in addition to European Union sources, we need funds from Member States, private capital and contributions from the population, in other words, a distinctive form of cofinancing. Mr Marinescu has already mentioned that we need to identify the sorts of cutting-edge practices that certain Member States have introduced using direct subsidies, credit facilities or other methods. In Hungary, 250 000 tower block apartments were renovated, since the condition of the old ones in the new Member States, as my Estonian and Latvian fellow members have already mentioned, is particularly dire. In my view, this building renovation programme must be continued and extended to the poor inhabitants of rural areas as well, as my fellow Member from the Group of the Greens/European Free Alliance has also stated.

**Andreas Mölzer (NI).** – (DE) Mr President, Commissioner, there are a few things that I think we should bear in mind in the forthcoming debate. Firstly, the potential for energy savings in residential buildings in the coming years is disputed. What can be done easily has, in part, already been done. In contrast, renovations – particularly of listed buildings – could be very expensive. There is little point in renovating a building so that it is fantastically energy efficient if it then stands empty because the rent has soared. Even in the interests of protecting the climate, I do not believe that we should interfere with the ownership rights of citizens where renovations are concerned. There must be no obligation to install solar panels when building a house, carrying out reroofing works, building an extension or replacing a heating system, such as is the case in the Marburg model.

A further point concerns zero energy buildings. As we know, it is only possible for a household to satisfy its electricity requirements using photovoltaics if the electricity grid remains available for periods when there is less sun. In other words, for the electricity grid operator, the costs will remain the same. Combined heat and power facilities also involve expensive dual structures. Even with optimal power management, many questions remain unanswered and dramatic price peaks could occur – quite apart from the fact that in most cases, we do not yet have the corresponding intelligent appliances.

**Seán Kelly (PPE).** – (GA) Mr President, I welcome this report and, in particular, the excellent points and recommendations made by my fellow Members. Without a doubt, it is clear that the majority of buildings and private houses which exist currently will still be there not only in 2020, but in 2050 as well. As such, we should focus on these buildings and houses immediately.

In my own country, there are many people who are currently unemployed building houses and so on. However, thousands and thousands of houses are empty with no one living in them. As such, there is no need to build new houses. Therefore, as has been stated by my fellow Members, we should focus on the houses that are there currently. I agree with the Commissioner – the governments should use the structural funds, and so on, to deal with this work immediately. It is extremely important, and I also recommend that the plan be implemented.

**Elena Băsescu (PPE).** – (RO) I would like to congratulate the rapporteur, Mrs Țicău, for all her efforts on this report. The construction sector offers great potential for energy savings. It is vital to improve the energy performance of buildings in order to achieve the EU 2020 strategy objectives. Energy certificates are required primarily for informing purchasers about a house's energy performance.

Romania was intending to introduce energy certificates for property transactions starting this year, but the decision to approve the draft regulatory act has been postponed. The main reasons for this were the insufficient number of energy auditors and the risk of increasing the price of old houses. They will be introduced in Romania, according to government representatives, by 1 January 2011 at the latest. The main benefit derived by ordinary citizens from the renovation of heating systems in residential buildings is that their maintenance costs will be reduced. The Ministry of Regional Development and Tourism has this year allocated RON 150 million for this purpose.

**Zuzana Roithová (PPE).** – (CS) There can be no doubt that increased energy saving in buildings – thanks in part to this directive – makes a lot of sense politically. It is a small piece in the mosaic of responsibility for sustainable living, while also contributing to the political independence of Europe from energy resources in third countries. Like you, I hope we can actually reduce emissions in ten years and, at the same time, slow down our growing dependency on the energy resources of third countries, particularly oil and gas. I warmly welcome this directive, which will provide a new impulse for innovation in the area of heating not just new, but also old buildings. Buildings account for as much as a third of greenhouse gas emissions, so our objective naturally includes active financial assistance from Member States as well. I also welcome the proposal from my colleague, Mr Marinescu, to set up a special fund. The fund would, of course, support not only heating for blocks of flats, but also for all buildings in the EU.

**Angelika Werthmann (NI).** – (DE) Mr President, ladies and gentlemen, in 2008, the EU committed to a 20% reduction in energy consumption by 2020. Improving the energy efficiency of buildings – with the goal of achieving near-zero energy houses – will not only reduce energy consumption. This directive will also help us to overcome the crisis. Its realisation requires experts and specialists, thereby creating jobs. Moreover, in the long term, it will reduce the household expenses of European citizens. Finally, I would like to mention the energy situation in the existing stock of houses and other buildings and the necessity of bringing about a corresponding improvement in their energy situation.

**Günther Oettinger, Member of the Commission.** – (DE) Mr President, honourable Members, we are in agreement as to the important role played by the building stock, the renovation of existing buildings and the construction of new buildings in achieving our common goals of energy efficiency and reducing CO<sub>2</sub> emissions. In other areas that we have to address – power stations, the energy mix in general or the automotive sector – there are relatively few players to approach: energy companies or the 12 to 15 car-producing enterprises of Europe. This means that the number of partners to be won over is manageable.

In the area of buildings, there are a huge number of players. Homeowners, tenants, users, the municipalities with their town planning and urban development in general, those drawing up regional building legislation – generally the provinces or national states; in short, no other area is so important for reaching our percentage targets for energy and the climate as the construction sector, and no sector has so many millions of partners to bring on board – both horizontally and vertically. That is why this directive is an important step, but no doubt it is not the last word on the matter.

I am pleased to have your suggestions and contributions, which we have been following closely. Believe me when I say that I consider the enforcement of this directive to be just as important as its elaboration. At present, the directive is on paper. Its value will come with its transposition. For that we need everyone on board – the Member States, but also the municipal administrations and the owners and users of our building stock.

We want our energy saving measures to be implemented not just in new builds, but also in renovation work. In the coming weeks, we will be making a proposal for how the EUR 115 million or more can be used in specific terms in the near future. We are working intensively on the preparations for this. We want to present it as late as possible in order to know whether there is more than EUR 115 million available, but in good time to ensure that no funds are lost because of time constraints. We would be happy to have further discussions about this programme for renewable energy and energy efficiency in July and September with Members who are interested.

We are currently in talks with Commissioner Hahn concerning how regional programmes can be oriented more towards energy goals in the current financial period – he has given his express support to this idea – and how we can use the forthcoming funding programmes to give greater priority to the subject of energy and buildings in the next financial period. I need your help in this. We have long been making preparations for the next financial period. You are familiar with the main programmes in the budget of the European Union. I suspect that the Member States will not want to give us more money. In this time of crisis and budgetary consolidation, I suspect that we will have to make do with what we already have – this percentage of GDP.

This makes it all the more important to give priority to energy, energy research and energy saving programmes for the players on the ground and, as a supplement to this, also to infrastructure. In the run-up to the next financial period, I hope to debate with you how we can link local, regional and national programmes for building renovation with our goals and, where appropriate, also with a supplementary European financing programme. As I said, it is an important step – but not the last. Consequently, I welcome your suggestions.

I am sure that you will keep a check on us to ensure that the directive can also be successfully implemented in practice. I would like to thank all the Members of this House, particularly the lead rapporteur. May I point out that this framework directive is being watched with interest in other regions of the world such as China and the US. Europe is at least a significant step ahead of other continents in this respect.

**Silvia-Adriana Țicău**, *rapporteur*. – (RO) I would first of all like to thank the shadow rapporteurs for the support they gave. This is only the start of a process aimed at increasing energy efficiency in buildings, one which will involve the European Parliament as a permanent, ambitious partner and which will also require transparency when adopting delegated acts. Admittedly, we have indeed made a clear differentiation between new and existing buildings, taking into account both the property type, which varies from one country to another, and the current stock of buildings.

I believe that Member States and the Commission must use the half-term review of the financial outlook, due to take place in 2010, to review the operational programmes and allocate more funds to the energy efficiency of buildings. Member States can use a rate of 4% of the ERDF allocation and, where they see fit, a reduced VAT rate, but this must not be less than 5% for work relating to energy efficiency in buildings.

I would like to stress that all the funds allocated to energy efficiency in buildings will feature in jobs and in taxes and charges paid locally, regionally or nationally, bearing in mind the local nature of this work. Only if we increase the absorption level of the 4% ERDF allocation earmarked for energy efficiency in buildings during the 2010-2013 period will we be able to ask later on for a significant increase in this rate for the 2014-2020 financial period. I would suggest somewhere between 8 and 12%.

In addition, I ask the European Commission to allow the EUR 115 million left over unspent from the European Economic Recovery Plan to be allocated to the Smart Cities Initiative. I believe that, especially when planning the 2014-2020 financial period, energy efficiency must be our top priority, along with programmes targeted at rural areas.

The European Parliament has also requested at first reading for a fund to be created specifically for energy efficiency, starting in 2014. Commissioner, we will give you our support in creating this fund.

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

The vote will take place on Tuesday, 18 May 2010.

#### **Written statements (Rule 149)**

**Ivo Belet (PPE)**, *in writing*. – (NL) With this package of legislative action, we are taking a quantum leap towards an environmentally friendly society. After all, buildings are responsible for approximately 40% of CO<sub>2</sub> emissions. In the next few years, we are going to gradually drive back these emissions to zero. This is both great for the pockets of all consumers and, of course, good for employment, as investment in environmentally friendly buildings is labour-intensive. Now, in the short term, we must pull out all the stops to accelerate the renovation of existing buildings in particular, and we must help private individuals to do this. Special attention must be paid to the tenants of social housing in this connection. Social housing associations must receive encouragement and a substantial boost to ensure that they renovate the older buildings in the short term, so that the most disadvantaged tenants, too, can derive the maximum benefit from them.

**Véronique Mathieu (PPE)**, *in writing*. – (FR) The energy performance of buildings is an area with strong potential for the European Union. The fall in energy consumption facilitated by the measures introduced in this text will contribute to increasing the energy independence of the EU, and takes us towards a European energy efficiency policy. The success of this policy also depends on the Member States, who must use financial measures such as reducing VAT, allocating the maximum authorised proportion of European funds to energy performance, and so on. At the level of the citizens, these advances will also benefit European households, who will notice a reduction in their energy spending. On average, this represents 33% of a household's income, and can be as much as 54% for households with more modest incomes. In practice, therefore, I would like the improvements in the energy performance of buildings mainly to benefit this last category of citizens. We must be mindful of the costs incurred by introducing new norms. If the costs of construction and renovation have repercussions for rents, this could make the benefits of the energy performance of buildings inaccessible to those who would need them most.

**Alajos Mészáros (PPE), in writing.** – (HU) With regard to energy-efficient buildings, I consider it very important for us to address the question of energy-efficient buildings. We need to treat this issue as a priority because Europe is seeing the emergence of an energy crisis. The European Union has committed itself to reducing its energy consumption by 20% by 2020 and to ensuring that 20% of the energy used will come from renewable energy sources. In addition, however, attention must also be paid to the question of energy efficiency, particularly in the construction industry, since this sector is one of the biggest energy consumers (40%), as well one of the biggest emitters of carbon dioxide. This focus on the construction sector is especially important in the countries of Central Europe, where the outmoded buildings inherited from the former regime means that we are wasteful in our use of available energy. Modernising residential buildings offers particularly important opportunities. Replacing doors and windows and fitting state-of-the-art insulation can help keep household energy spending down. In Western Europe, the construction of energy-efficient buildings is already on the upswing, their popularity being due largely to state subsidies. Unfortunately, in Central Europe, there is no system yet for providing greater incentives for investment in passive houses, even though such technology could help reduce the ever-increasing dependency on gas. This is why I consider it important to support the report, which is why I have voted in favour.

**Zbigniew Ziobro (ECR), in writing.** – (PL) The energy used by buildings represents almost one third of the total energy used in the European Union. For precisely this reason, there is significant potential in this sector for reducing energy use – not only because of obligations undertaken concerning reductions in greenhouse gas emissions, but also because of the question of energy security. Among the more important provisions of the directive we are working on is the concept of ‘nearly zero energy buildings’. Let us recall that by the end of 2020, all new buildings are to be nearly zero energy buildings, and this is to be achieved two years before that for the public sector, which should be leading by example. However, two features of the directive under discussion deserve a positive response. Firstly, the establishment by 2020 of the Energy Efficiency Fund, an instrument which will help increase private and public investment in projects intended to improve the energy efficiency of buildings. This kind of structural support affords an opportunity for the achievement of our objectives. Secondly, inclusion in the draft directive of a provision on the introduction of intelligent metering and active control systems (smart metering) that aim to save energy. Introduction of these systems on a large scale can bring benefits for consumers in terms of price, efficiency of use and energy security.

## 17. Textile names and related labelling of textile products (debate)

**President.** – The next item is the report by Toine Manders, on behalf of the Committee on the Internal Market and Consumer Protection, on the proposal for a regulation of the European Parliament and of the Council on textile names and related labelling of textile products (COM(2009)0031 – C6-0048/2009 – 2009/0006(COD)) (A7-0122/2010).

**Toine Manders, rapporteur.** – (NL) I should like to start by thanking everyone for the enormously constructive cooperation we have enjoyed. I hope that, after tomorrow’s vote, we shall be able to proceed on an equal footing, since Parliament is speaking almost with one voice to the Commission and the Council; with the ultimate aim of reaching an agreement for the benefit of European consumers, European citizens.

In my opinion, the Commission’s proposal to cast the labelling of textile products in the form of a regulation is better than incorporating this into existing directives. I refer, in this connection, to Mr Monti’s report, which states that the problems in Europe are actually caused by the transposition of directives, which then end up with 12 or 27 different levels. I have always been an advocate of regulations, and I hope that the Commission will produce more proposals for regulations in future.

The objective of this regulation is to enable new textile fibres to be placed on the market more quickly. This also enjoys broad support within the Committee on the Internal Market and Consumer Protection, as we are seeking to optimise the internal market as far as possible.

There is something else we have sought to do, and this is also something that concerns the European public. In this report, we have sought to simplify the labelling of clothing, which is also a textile product, for example, by introducing European standardisation. We now know that this is no longer so easy, and so we have requested a study, an impact assessment, to look into whether less can also be more; less consumer information, that is. Consumers can consult a website or other source for additional information if required.

Labels must simply be shorter, so that manufacturers can target a single market and do not need to sew whole newspapers into items of clothing, thus confusing the consumer; food labelling has already shown us how far this can go. This is what we want to prevent.

We have made a number of proposals asking the Commission to allow simpler labels to be affixed to textile products. The fact is that consumers are entitled to certain basic information, for example, 'what am I buying?', 'what is it made of?' and 'where does it come from?'. We believe that consumers are entitled to this information when they buy an item, and it should not be concealed. Thus, we find ourselves once more in the area of unfair commercial practices. Monitoring and enforcement are very difficult in this area, which is why we have made proposals in this regard.

Hence, we are talking about providing very simple information and, if consumers want to know more, they can obtain information on request; if this goes well, the Commission will choose the best way to be of service to the consumer.

We have made a number of proposals. If toys have a textile component in excess of 85%, we consider that they must comply with this. Some people say that this is all well and good but that we already have a directive on toy safety. Yet that specifically concerns safety rather than consumer information about what the product is made of, which is something I can imagine consumers want to know.

Then, for example, there is an amendment along the following lines: consumers are entitled to know whether a product is made of animal-derived materials, and they need look no further: the manufacturer must indicate whether the product incorporates any animal products. We are talking not about the fibre but about other materials, such as pieces of fur.

Finally, there is the famous 'Made in' issue, on which the Commission made proposals back in 2005. We have actually copied these word for word and hope that, with the support of the Commission and Parliament, the Council will change its mind and see things in a positive light. Therefore, I call on the Council to agree a compromise with the Commission and Parliament that will lead to an improvement in this regulation in the interests of consumers and of better information.

**Antonio Tajani**, *Vice-President of the Commission*. – (IT) Mr President, before speaking, may I be allowed to join in the grief that this Chamber has already expressed for the death of the two European soldiers killed this morning in Afghanistan, following a terrorist attack.

Ladies and gentlemen, the Commission has begun to revise standards on textile names, as part of the 'Better Regulation' campaign. The main aim of this proposal is to improve the existing legal framework, and to simplify the procedure for adopting new textile names. The proposal therefore aims to promote innovation within the textile sector.

The aim of the new regulation is therefore to allow manufacturers, users and consumers quicker access to innovative products containing new fibres; a subject close to the hearts of European consumers, sector enterprises – including both textile and clothing businesses – and also national administrations.

I would like firstly to thank the Committee on the Internal Market and Consumer Protection for approving the report on 8 April. I would particularly like to thank the rapporteur, Mr Manders, and the shadow rapporteurs, for their in-depth and detailed work on this proposal, which has sparked such a lively and constructive debate on the labelling of textile products. Since this is a proposal to simplify the law, the Commission strayed from the provisions laid down by the directive in its original text, which must now be replaced by the regulation under discussion.

This said, the Commission agrees with the vast majority of the amendments proposed in the report adopted by the Committee on the Internal Market and Consumer Protection. We are aware that some amendments, especially those that propose widening the scope of the regulation, will be subject to Council discussion. We will do our best to facilitate the debate between institutions, and will work hard to achieve acceptable compromises.

One of these amendments concerns the origin marking, the 'made in' label, which was not covered by the Commission's initial proposal: Parliament has always actively devoted great attention to this matter, which is of such great importance for consumers.

The amendments proposed in this area relate to the proposal tabled in 2005 by the Commission, concerning the origin marking of many important product categories, including textile products. I will support these amendments, as I have already emphasised during a meeting with the Committee on the Internal Market and Consumer Protection. I will adopt the same approach for the amendment that proposes labelling non-textile parts of animal origin.

I would also like to make some observations about other amendments. With regard to Amendment 19, the Commission's proposal had already established that traditional tailors were exempt from labelling. Extending this exemption to all textile products offered to consumers as one-off products would, however, mean that an arguably excessive number of clothing products would be exempt from labelling. This sector effectively represents one of the main lines of development for European clothing products. Such products would thus be exempt from labelling, and the number of exemptions could risk becoming excessive.

Regarding Amendment 63, which aims to remove toys from the list of products excluded from the obligation of labelling, I would like to remind you that the key issue as far as toys are concerned is safety. The relevant standard is sufficiently detailed and was re-examined in depth in 2009, with extended debates within the Council and the European Parliament.

Since the question of safety has already been dealt with in the ad hoc standard on toys, our worry is that this additional burden on manufacturers risks becoming disproportionate. With regard to the request to examine other labelling options for textile and clothing products, I am committed to setting up a wide-ranging and open debate with interested parties on all the other issues that have been raised during discussions in the European Parliament and the Council.

I thank you for your attention, and will listen carefully to your comments during this debate.

**Lara Comi**, *on behalf of the PPE Group.* – (IT) Mr President, ladies and gentlemen, textiles constitute one of the key sectors in our European market. The proposal tabled by the European Commission is already an excellent starting point for improving and simplifying the regulatory framework that is currently in force within Member States, especially in terms of the transparency and flexibility of the law on technological developments in the textile industry.

The work that we have carried out in Parliament to date has certainly allowed us to broaden the original scope, introducing standards for other labelling requirements that we consider absolutely indispensable. I would particularly like to bring your attention to standards relating to the indication of origin.

We have proposed two different labelling systems in this case: one obligatory system for products from third countries, as already provided for in the 2005 regulation, which is currently blocked by the Council as you know; and one optional system for products made in Member States.

In general, the systems serve a twofold purpose, though the more important of the two is undoubtedly to state the product's actual country of origin. Consumers must be able to make an informed choice when buying textile products. By using the proposed criteria for the attribution of origin, we intend to avoid labels that may contain false or misleading information, which would certainly be detrimental to consumers.

Moreover, with these new regulations, we are also aiming to protect small and medium-sized enterprises that have decided to keep their businesses within the Member States.

The decision to hold a plenary vote was determined by the European Parliament's desire to take a strong stance on these issues, especially taking into account the political consensus that has been reached between the three largest groups. I should really like to say that working with the rapporteur and the other shadow rapporteurs has been a truly excellent experience.

Despite our different political outlooks, we have managed to find real common ground that we hope represents the best way of protecting the interests of European citizens and of the European Union itself. I therefore hope that tomorrow, we will have a united vote on this report, giving the Council a strong political signal for the tasks ahead of us in the second reading. My sincere thanks to all of you for your cooperation.

#### IN THE CHAIR: MR ROUČEK

*Vice-President*

**Christel Schaldemose**, *on behalf of the S&D Group.* – (DA) Mr President, I would like to begin by thanking Mr Manders and our fellow Members for their very constructive cooperation in connection with this proposal. This Textile Regulation is a sound proposal and a necessary one. In fact, it makes perfect sense to harmonise the rules for how we approve new fibres for the internal market. We in the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament therefore support the proposal as a whole.

However, we also believe that a proposal should not benefit one side only. It must not benefit industry alone. It is also very important for us to focus on what is good for consumers. Therefore, in our work on this



proposal, we felt it was vital to ensure that consumers receive clear information on the fibres and textiles that they purchase. We therefore also wanted it to contain a 100% fibre composition list.

However, we did not want to stop there. We are, of course, also in favour of a study being carried out of how we generally label textiles in the EU and we have been involved in putting forward proposals to this effect. I believe that it is quite important for consumers to know the contents of what they are buying, where the clothing was produced, whether it contains substances that could cause an allergic reaction or whatever else they may need to know. I believe that many of these things – including the conditions under which they are manufactured – are quite important to consumers and will be increasingly so in future. It was therefore important for us to say that we believe it to be important for a more detailed investigation to be carried out into how we can create a proper labelling system for textiles that benefits consumers. This is also one of the reasons why we have given this proposal such clear support. Personally, I also believe that it is quite important for us to take a closer look at clothes sizes. I believe that it could generate increased trade within the internal market if we could be certain that the clothes sizes specified are the same irrespective of the country in which the clothes are bought.

We Social Democrats fully support the proposal and believe that it could benefit the industry, but, most importantly, that it could benefit consumers, too.

**Niccolò Rinaldi**, *on behalf of the ALDE Group*. – (IT) Mr President, Commissioner, ladies and gentlemen, we should congratulate Mr Manders on this resolution and report, which seeks to bring a little order to the growing clamour of the global market.

I am particularly interested in the issue of obligatory origin marking, which I am working on in the Committee on International Trade, my own Committee, as a shadow rapporteur for the Group of the Alliance of Liberals and Democrats for Europe, with the rapporteur Cristiana Muscardini, and which is anticipated in some small part by the Manders report.

In fact, in the global market within which we operate, regulations for obligatory origin marking exist in the United States, China, Australia, Mexico, Japan and many other countries. This creates an imbalance that greatly affects both manufacturers and consumers on our continent, leading to anomalies that must be corrected.

This is even more true for textile products, which have a safety problem that we have already been reminded of; but they also hint in some way at their country of origin, I should say in an almost poetic way, which is particularly significant.

Today, the situation we find ourselves in is shrouded in some confusion, because the origin marking is shown on some products because it suits the manufacturer, yet in other cases, it is not included because it does not suit the manufacturer; in other cases, it is included but under the regulations of other countries, because the products are also exported to the United States and to Japan and so they are made with these markets also in mind. We clearly need our own European standards on this subject.

To this end, the European Parliament is trying, both through the report by Mr Manders that we have just heard, and by means of the work we are doing in the Committee on International Trade, to weave our web, so to speak, in order to achieve greater clarity for consumers and manufacturers alike.

**Heide Rühle**, *on behalf of the Verts/ALE Group*. – (DE) Mr President, I would particularly like to agree with the words of the previous speaker. We, too, are pleased that the Committee on International Trade is working in this area. I should also like to add my thanks to the rapporteur. Nonetheless, ultimately, I do not share his position and we will not be able to support him tomorrow on certain points.

Allow me to reemphasise what the issue is here. We would all like to see clear country-of-origin marking. We all share the view that pressure must be brought to bear on the Council and we all find it regrettable that the Council has now been blocking clear country-of-origin marking for some years. However, this directive is a directive, not a symbolic resolution in which something like that can be stated. I myself, for example, have lent my support to a written declaration which expressly calls once again for action and I consider it important that we continue to work in this area.

This directive has a different aim and purpose, however, and that is to ensure transparency and offer consumers certainty in the naming of novel fibres and novel materials. We now fear that if the scope of this directive is expanded, the directive will suffer exactly the same fate as the last attempt at introducing 'Made in' origin marking – in other words, that it will once again be blocked by the Council. We would find that regrettable,

because we genuinely believe that action needs to be taken relatively quickly here. We support all the other actions in the area of 'Made in' origin marking – that is beyond question, we will always be allies in this – but we consider it wrong to misuse the present regulation to achieve this end.

**Malcolm Harbour**, *on behalf of the ECR Group*. – Mr President, I am speaking this evening on behalf of the shadow rapporteur for my group, Mrs McClarkin, who has also been much engaged in following this dossier.

I want to take us back, in line with what Mrs Rühle was saying. I completely agree with her on how the question of country-of-origin marking is going to be handled. In the proposals here, there have been some significant improvements about the straightforward core of the proposal: about how fibres are labelled, about how composition is labelled and about clarity of labelling.

However, I notice that the rapporteur conspicuously failed to mention that this is actually a crucial internal market directive as well as a consumer protection directive, with the whole objective of simplifying the legislation, making it easier to get new names recognised and to get new textiles on the market – something like 12 months more quickly – and also, in connection with the work we are about to do on standardisation, giving a significant improvement there by bringing regulations under the basis of the European Committee for Standardisation, all of which will achieve significant savings to the industry as well as improve consumer benefits.

The real question for the rapporteur is whether we want to put all those positive benefits at risk by attaching to this proposal an issue about country-of-origin marking, which – as Mrs Rühle quite rightly points out – has already been proposed by the Commission on a whole range of products. I think that we should be very careful not to hold up the benefits. I agree we should make the political point and we should also be asking for some of the other things that he is asking for, but I think there are a number of aspects here where he has exceeded his role as rapporteur for this committee and it has become rather a Christmas tree of some of his own ideas. I hope that he will take that on board in the vote tomorrow so that we can deliver the benefits for consumers and for manufacturers. Make some political statements, but let us not hold this up unnecessarily.

**Eva-Britt Svensson**, *on behalf of the GUE/NGL Group*. – (SV) Mr President, if consumers are to be able to make the right choices and bring their might to bear, they must have access to information about products. This report is a first step and means that textiles are to be labelled with their country of origin; in other words, information on where the goods were manufactured. As consumers, we have the right to know that.

Now we also have the opportunity to request that the Commission goes further in providing consumers with greater power. I am thinking, among other things, of care instructions and health and safety warnings. Those with allergies must not have to be exposed to goods containing traces of allergenic substances.

Our citizens often feel that the rules of the internal market give priority to companies and industry. The Confederal Group of the European United Left – Nordic Green Left, me included, considers that it is high time that consumers' requirements were put first. This would benefit not only consumers, but also serious companies.

**William (The Earl of) Dartmouth**, *on behalf of the EFD Group*. – Mr President, the report describes itself, and I quote, as 'essentially a technical exercise without major political implications'. The European Commission never wastes a good crisis. Likewise, the European Parliament has also been adept in using technical reports to bring about a harmonised European superstate. It follows that the UK Independence Party regards this report with suspicion.

However, the first part of the report brings three directives into a single regulation which would simplify. Later, there is even a hint of a repeal. Nevertheless, we strongly oppose the second part, in particular Amendment 58, which intends new labelling requirements to be introduced at Union level. I note especially the proposal for, and I quote, 'an EU-wide uniform size labelling system for clothing and footwear'. We have a completely effective system for sizing in the UK. It is wholly different from the system which exists in most of continental Europe. UK citizens know and understand it and it should not be changed for an EU-wide system.

Once again, a European Parliament rapporteur intends to use a straightforward technical exercise to advance the wholly undemocratic goal of a European superstate.

**Hans-Peter Martin (NI)**. – (DE) Mr President, in the thousands of debates on globalisation that we have had in recent decades, we keep coming back to the point where those following the debate ask what they can do. This always results in mention of the power of consumers. However, in the area where they can exercise

this power – namely when buying products – unnecessary obstacles are placed in their path. There is a certain amount of standardisation in the area of textiles, but I feel that courage is lacking.

Commission, ladies and gentlemen, I am surprised that I am the first to mention this. Why have we not been much more ambitious as regards social labelling? Why do we still not have it? Why are we not using this ideal instrument to create transparency concerning where, how and under what conditions such products are actually being produced? Why are we constantly bemoaning the loss of jobs, yet not doing what is of most interest to consumers – namely allowing them to find out what they are actually buying by providing the evidence?

**Evelyne Gebhardt (S&D).** – (DE) Mr President, Commissioner, Mr Manders, thank you very much for the good work that you have put into this regulation. I would also like to give particular thanks to my shadow rapporteur, since although this is indeed a technical report – as has been mentioned a number of times – it has many wide-ranging consequences for our citizens. After all, what we are concerned with here is allowing novel fibres to be placed on the market in the European Union.

That is something we want to make possible. The European Commission is right in that. Not just anyhow, however; the fibres must be tested if citizens are genuinely to enjoy the consumer protection that we are always talking about. It is important, for example, to test whether the fibres are allergenic. They must also be clearly labelled, so that our citizens – who are always being described as responsible citizens – can also act accordingly.

In this context, I must contradict the Members who have said that we should leave out country-of-origin marking. It is very important and absolutely right. Many citizens want to know where the fibres and textiles come from. What is their background? Their background includes the way in which they were manufactured. It is deplorable, but in many states, child labour or even slave labour are still used. There are citizens who want to know this information so that they can make a responsible choice when buying products.

It may not be the job of this regulation, but it is the job of us Members to remind the Council of this and exert pressure to ensure that the text on origin marking that has been on the table since 2005 is at last put to good use. It is an opportunity to turn up this pressure and we should really seize it to achieve a good regulation about which our citizens say: yes, we can certainly live with that – that is the sort of thing we expect of our representatives in Parliament.

**Jacky Hénin (GUE/NGL).** – (FR) Mr President, if there is one industrial sector in Europe in which employment has been the victim of ruthless relocations, the free movement of capital, a strong euro, and dumping, it is the textile sector. As far as production and employment are concerned, today, there remain only a few niches in the mid-range/high-end, luxury and high-technology sectors. However, all that remains fragile and at the mercy of the counterfeiting and technological advances of emerging countries, which are too often financed by the capital of European firms.

That is why anything that can help to protect jobs and know-how in the European textile sector is positive. Therefore, I am also in favour of the social labelling of textile goods in order to help consumers to choose goods on the basis of ethical criteria such as the health, safety, rights, welfare, working conditions and pay of workers.

I am also in favour of labelling as a means of combating counterfeiting, so long as we actually provide ourselves with the human resources to combat fraud. We should then go further by establishing real Community preference. However, we can have all the labelling measures in the world, but they will be of little use without the political will to redevelop a textile industry that creates jobs in Europe.

**Anna Rosbach (EFD).** – (DA) Mr President, the textile industry is going through a period of dramatic change. New fibres and fabrics are entering the market and it is difficult for consumers to understand what it is they are buying. Unfortunately, a large proportion of the goods are produced in countries with no form of product control whatsoever. For decades, we have informed consumers of the content of foods and medicines, but not of what is contained in the clothes that they wear. Therefore, in this 'nano' age, it is a good thing that we are starting to focus on this subject and I agree with both the Commission and the rapporteur that we need a uniform size labelling system for clothing and footwear.

The Internet opens up totally new opportunities for both traders and purchasers to find information on a particular product using an identification number. However, it is particularly important to inform consumers about allergenic and hazardous substances. In addition, care advice, the country of manufacture, flammability

and the use of chemicals in manufacture are also important. However, in the day-to-day handling of products, it is the use of language-independent symbols that is crucial for consumers.

**Zuzana Roithová (PPE).** – (CS) Fair competition for European trade and industry, in the same way as protection for European consumers, cannot be established in globalised commerce without defining certain standards of production, and also consumer information on producers. This regulation will undoubtedly do better than the old directive in bringing further improvements to the area of textile labelling, reducing the marketing of new fibres by a year and, at the same time, abolishing consumer labels.

However, a number of conflicts persist between Parliament and the Council, for example, over combining the names of fibres with linguistically neutral symbols or the markings for non-textile animal constituents of textile products or problematic allergy tests, which is a pity. I am pleased, however, that there is less of a dispute over country-of-origin labelling for products and their conditions of use. These are mandatory for textiles imported from third countries, but no longer mandatory for textiles produced in Member States. This is a good sign, and European producers and consumers who care about quality have been calling for it for years. I hope we will soon extend this principle to products made from glass and porcelain and other commodities as well, and that we will manage to do so before European products completely disappear from our market under pressure from cheap low-quality products.

I would like to express my opposition to those who describe this as protectionism. After all, information on where a substantial part of a product was produced, and under what conditions, is not worthy of concealment; on the contrary, this information will give consumers a better orientation in the globalised marketplace. It will reinforce the promotion of high-quality European brands, and will perhaps rightly inspire pride in citizens for what Europeans still manage to produce, despite competition from cheap labour. The main added value which consumers expect is the hope that it will be easier to avoid purchasing hazardous products, of which there are still very many, despite improved controls. I welcome the support of the Commission and I believe that a compromise will also be found with the Council.

**Alan Kelly (S&D).** – Mr President, firstly, I want to congratulate the rapporteur and shadow rapporteurs, who displayed a positive and pro-consumer attitude to this subject at all stages of the committee. I feel the work is again a demonstration of the ability of this House to be among the most flexible and consensus-building institutions of the European Union. This is maybe the second or, possibly, third issue I have seen since joining the Committee on the Internal Market and Consumer Protection, whereby this House can be more progressive than the Council and I welcome more examples of this coming to fruition in the future.

As for the issue itself, attempting to harmonise rules when it comes to textile labelling and designating names is a very positive example of how the internal market can help the consumer and the manufacturer. This proposal is equally important for both the industry and the consumers. It is important to remember this, and sometimes I think the consumer side is not getting as much attention as is necessary.

This proposal started off as mainly technical and non-political and was just a means to bring three directives together. However, considering that we rarely revisit these types of issues as a House, it makes sense that we try and make any proposals on this as comprehensive as possible.

Consumers are entitled to accurate, relevant, understandable and comparable information on the composition of textile products. They are also entitled to a complete – and I mean complete – list of the fibres that are in products; this is necessary in the prevention of allergies, etc.

I personally feel it is very important that there is transparency in production methods and conditions and that there is accurate evidence of place of origin. This will allow social decisions on purchasing choices to be made. I believe this is becoming increasingly necessary in the world we live in, given child and slave labour, etc.

This is why I support many of the Commission's ideas but also support the calls for a more general scheme for the labelling of textile products. We should view this as an opportunity to have the best legislation which will deepen and enhance the internal market.

**Regina Bastos (PPE).** – (PT) Mr President, Commissioner, ladies and gentlemen, I would like to begin by congratulating Mr Manders on his work on this report, as well as thank the other fellow Members who worked with him on it. In truth, it is only because this proposal simplifies and improves the legislative

framework that is in force by bringing together all the existing legislation – three basic directives on naming and labelling textile products – that it is important.

However, in addition to that, this proposal will have a positive impact on private actors and on the public authorities, and will also allow newly developed fibres to be developed, so encouraging innovation in the textile and clothing sector. This revision will also make the process of adding new fibres to the list of harmonised fibre names more transparent. There no longer seem to be any doubts that this regulation will be to the advantage of the actors involved.

Consider the textile industry, which will benefit from reduced administrative costs and the possibility of bringing new fibres to the marketplace earlier. For their part, the authorities in the Member States will not need to transpose the alterations to national legislation, which will enable them to significantly reduce their costs. Moreover, consumers will receive a guarantee that named fibres meet specific characteristics, and will also benefit from the fact that new fibres will reach the market earlier. The introduction of these fibres is important for European industry as a way of promoting innovation, which will mean that more information will reach consumers.

In the current context of a globalised world and emerging economies with ever-larger markets in which millions of products produced by millions of companies are in circulation, a commitment to innovation and the speed with which this innovation reaches consumers is absolutely crucial for companies, particularly small and medium-sized enterprises (SMEs). The application of this regulation could see an increase in the competitiveness of SMEs. This new regulation will definitely mean that these SMEs increase their market share and it will, in this way, contribute to employment in Europe.

**Sylvana Rapti (S&D).** – (EL) Mr President, there is an expression that says ‘a man’s life hangs by a thread’. Just imagine if the thread is not strong, if it is not made from the right material; that life would be lost. I say that to illustrate how important thread and fabric are.

This is not just a technical issue. We are not debating a technical report here. I consider that the excellent report drafted by Mr Manders, and I thank him for that, has a political dimension, a dimension that affects the trader and the manufacturer: with this regulation, their work will be easier and quicker.

It has a political dimension which affects consumers and, by extension, the internal market; a political dimension that raises ethical issues. We need to know where a product comes from, where it was made. The ‘made in’ label is not a technical issue. It is, I think, above all, a highly political issue. When we know which country a product comes from, we have information on how it was manufactured, on the type of labour used there, on labour rights and if they are being respected.

We here, as citizens of the European Union, are not technocrats walking around with our eyes closed. We are people who think, legislate and act on behalf of other people. Thus, the ‘made in’ issue is possibly a technocratic procedure with a serious political dimension and we must consolidate it. I think that our contribution will play a major role here.

**Daniel Caspary (PPE).** – (DE) Mr President, ladies and gentlemen, I have always been very fond of Mrs Rühle, but this is the first time in six years that she has expressed my own thoughts on a subject. I, too, fear that we are in the regrettable process of amalgamating two dossiers in a way which does no favours to the citizens of the European Union, to Parliament, the Commission or the Council.

We all agree that the labelling of textile products is a topic that is high on consumers’ agendas and that we need to find a solution urgently. However, we really must take care not to mix up two different things here. I have never known anything quite like this here in Parliament before: the Committee on International Trade is currently consulting on a draft regulation from the Commission, and then we slip exactly the same matter into another dossier.

I am speaking specifically about ‘Made in’ origin marking. I will not go into detail concerning all the matters on which we will be consulting in the Committee in the coming weeks and months in the context of the ‘Made in’ regulation, such as what is the country of origin of a product that was designed in Italy, made with leather worked in Argentina and cotton from Turkmenistan which was woven into fabric in China, where the product is stitched together in Vietnam and then ironed and packed as a complete shirt back in Italy? Where does this product come from? Can we succeed in arriving at a rule for consumers?

I am absolutely convinced that if we are able to do so, it will not be in the context of the regulation that we are debating today, but rather under the auspices of the project for which Mrs Muscardini is responsible. I

would be very grateful if the two matters could be rapidly disentangled again in the second reading. I really feel that in mixing these matters up and linking them together, we are doing no favours to consumers, to Parliament, the Commission or the Council. It would certainly please me if we could find a solution here that genuinely prevents the regulation from being blocked.

**Gianluca Susta (S&D).** – (IT) Mr President, ladies and gentlemen, thank you to the rapporteur, and also to the shadow rapporteurs, and to Commissioner Tajani, or should I say Vice-President Tajani, for the precise and accurate answers you have given us on key points.

Eighteen years ago, the University of Barcelona carried out a study that concluded that the textile industry would have disappeared from Europe by the year 2000. It is now 2010 and this gloomy prophecy has not come true, and it has not come true for one simple reason: namely that the research and innovation developed in Europe and in countries that have maintained their manufacturing base – because they have not just acted as research centres, but as centres of applied research and industry – have ensured the production of new innovative fibres. Hence, the need for these regulations instead of a directive, to guarantee flexibility, protect consumers where labelling is concerned, and also to vouch for the country of origin.

I believe, Vice-President Tajani, that it is worth imagining a future where we also have a European Monitoring Unit to protect health and safety, in other words, an authority to safeguard this originality. I believe that we must all agree on this positive aspect that has emerged from this report.

**Elisabetta Gardini (PPE).** – (IT) Mr President, ladies and gentlemen, I think we all agree on the approach of the proposal for a regulation under discussion today, especially the aspects concerned with cutting down on bureaucracy, with promoting a more innovative industry, with clarity and, above all, with the consumer – and I must emphasise this last aspect.

For this reason, I would like to emphasise the point about country of origin, because I believe it to be an indispensable feature: consumers today want to be informed, and surely country of origin is one of the most sensitive items of information that we can offer consumers. If we look at any market in any European city, I believe we will see that people are interested in what they are buying: in knowing what they are buying, what the product is made from and where that product comes from. It is definitely an extremely sensitive and important piece of information, and it is important because the European Union has become an added value, the European Union guarantees safety and protection for consumers.

We know, and consumers know, that countries outside the EU have – it pains us to say it, but we know it is true, and there is no point trying to hide it, ladies and gentlemen – less stringent rules, less stringent laws that are less sensitive to many of the aspects that many of my fellow Members have already reminded us about: working conditions, protection of minors, protection of women, protection of workers, but also awareness of standards, and of substances that are used.

All too often, newspaper stories have drawn our attention to cases of allergies in children and women. We speak to doctors, we speak to paediatricians, we speak to gynaecologists, and we know that the use of products and substances that are hazardous to health is unfortunately widespread. I would like to remind you of one more thing: this is not a matter of protectionism, rather it is a question of creating a level playing field in the global market, since so many of our partners have already adopted this type of labelling, including the United States, Canada and Japan.

**Andreas Schwab (PPE).** – (DE) Mr President, Commissioner, I have listened to the whole of the debate on the Textile Labelling Directive and the first thing I must state is that it is important to the Group of the European People's Party (Christian Democrats) that consumers who want to have this information when purchasing textiles are indeed given it.

The proposal by the rapporteur to make greater recourse to technology and have only an identification number in the product itself – rather than a label that becomes increasingly long – with the information being accessible in other documents, possibly via the Internet, would certainly help those looking for very detailed information. It would also help those who do not want this information, because they would no longer have to read all this information on the item of clothing itself.

Secondly, the study proposed by the rapporteur and shadow rapporteurs – whom I would like to take this opportunity to thank expressly once again – raises a number of questions which are individually worth looking at, but which taken as a whole are likely to result in this proposal facing great opposition in the Council. This is all the more regrettable since this proposal could be of particular importance to the European

textile industry, as highly innovative fibres could provide us with an advantage in this fiercely competitive global market. If this regulation does not come about, then we will all be disadvantaged somewhat.

We should not push aside the justified concerns adopted in the amendments in committee, but right now, we should concentrate instead on getting this proposal through in the Commission's original version. Perhaps we should return to the matters of origin marking and uniform sizing, as mentioned by Mr Caspary, at a later date.

I hope that we will be able to arrive at a solution in this dossier, and do so as early as possible in the second reading. I also hope that we will settle the important matters in this second reading rather than spending too long looking at peripherals.

**Marco Scurria (PPE).** – (IT) Mr President, ladies and gentlemen, I am keen to contribute to this debate because we are preparing to vote for what I believe to be an extremely important measure: it is important to rationalise the work of our enterprises, but especially to protect consumers. Those who buy must know what they are buying, and those who seek quality must find quality! However, it is also important to have an idea of the social sustainability of what we are buying.

Someone has already said this – but I want to stress it again because I think that this is a specific point that must emerge from this discussion in the European Parliament – I want to know whether a given product is made in a place where workers are protected; I want to know whether that product involves the exploitation of children; I want to know whether that product is the result of unfair competition.

So here we have a measure that I hope will soon be extended to other manufacturing and craft sectors, because I believe and conclude that this measure will bring Europe much closer to its citizens, and for this I thank the rapporteurs who have brought this measure into being, and the Commission and Commissioner Tajani for being a driving force behind it.

**Mairead McGuinness (PPE).** – Mr President, much of this debate on textiles is echoed in debates we have about food, the origins of food and how we label food. It is interesting that a pizza produced, for example, in Ireland could contain ingredients that come from 60 different countries. It is very complex to get our labelling correct.

One of the issues which has been mentioned is consumer concerns about how things are produced, about workers' welfare and environmental standards. I watched a very disturbing report on CNN about the state of the Pearl River in China. The denim capital of Europe is on the banks of that river, which is highly polluted because they export their cheap products to the EU, the US and other markets – and consumers buy them. So, although we say consumers want information to make informed choices, many consumers seem to ignore the information that they have and make choices based on price. I do think we need to talk more about sustainable production and sustainable consumption across all of our lines – food and, indeed, textiles.

**Sergio Paolo Francesco Silvestris (PPE).** – (IT) Mr President, ladies and gentlemen, in thanking the rapporteur, Mr Manders, and the shadow rapporteur, Mrs Comi, I would like, with all due respect, to disagree slightly with Mrs Rühle.

She says that it is mistaken to include 'made in' standards as part of this regulation; but where else should we put these standards that consumers and small businesses operating in Europe have been eagerly anticipating for years, too many years? According to her, the aim of this regulation is to open the market to new fibres, to innovation, to a faster coding system, but hide the country of origin, because the Europe of fear, the Europe of concealment, the Europe of obfuscation, the Europe that does not say where things are produced, must rightly speed up the marketing of new fibres, but must not tell consumers where textile products are made.

What is the sense of this dual track system? Why do we still need to keep alive the idea of a Europe that is bureaucratic, unclear and, even worse, incites fear, and evades clarity? We want 'made in' standards and we want them soon for one simple reason – I am about to finish, Mr President – which is that, if a textile product has 'Made in Europe' written on it, this means that that product, with that label, has not been created using solvents that are toxic or harmful to the environment, that it has not been made by children reduced to virtual slavery, or by exploited women, that it has not been created by exploited workers, with gruelling working days and without any guarantee of health and safety, benefits and salaries.

The statement 'Made in Europe' is a guarantee for the consumer, and also a guarantee about how the product has been created. We must be proud of this statement, and must ensure that it is introduced straight away.

This is why we support the proposal, just as it was tabled by the relevant committee, and we can already thank Commissioner Tajani for the significant reassurance he has given this Chamber on this point.

**Seán Kelly (PPE).** – Mr President, I think it is good that we have a discussion on a topic which affects every citizen, because almost every citizen becomes a consumer and a purchaser of textile products.

The labelling is also very important. I remember being bemused several times in my own country years ago to pick up a product and see written on it 'Deantús na hÉireann' – 'Produce of Ireland', then you could peel off the label and underneath it was 'Made in China'; in other words, consumers had been conned.

Now we have come a long way since then, but we need to go further. The points made particularly by Lara Comi regarding products from third countries are very important. We have been far too stringent regarding our own countries, and not so with third countries. This also refers to the agricultural sector, and the upcoming Mercosur proposals, in particular, bear that out. So I welcome that.

Finally, the suggestion about having the same sizes right across the European Union is a very good one. It will make it much easier for people to purchase and also create a sense of European union without creating the superstate that the good Earl is somewhat concerned about.

**Ilda Figueiredo (GUE/NGL).** – (PT) Mr President, this discussion concerning the designation of origin on the labelling and packaging of textiles and clothing is very important in protecting consumer rights, but also in protecting the workforce and production of our countries' textile and clothing industries.

We want to fight against social dumping and child labour, and protect social rights and the environment. Labelling must allow consumers a clear choice and involvement in a future that is better for all, whether here in the European Union or in other countries. It is through this process of clearly marking the origin and contents of products that we will be able to make more conscious choices; it will contribute to a better future.

**Antonio Tajani, Vice-President of the Commission.** – (IT) Mr President, I share the opinion of those who say that this proposal for a regulation has definite technical connotations, but it is also politically important: it is politically important in that it concerns the interests of European citizens, because we are simplifying standards, and this means making work easier for citizens, making work easier for all businesses that operate in the sector.

We are delivering a service to citizens because Parliament now overwhelmingly favours labelling and we are therefore making it possible for citizens to know what kind of product they are buying. This means that we are guaranteeing their health, and inalienable rights – I agree with the ideas put forward by Mrs Gebhardt during her speech, but also with those of Mrs Figueiredo.

We are also committed to defending the European textile industry: we cannot forget that this sector has had many job losses, sometimes because of unfair competition. It is our duty to defend the competitiveness of our businesses on the world market, and we must prevent dumping within the European Union. Defending the textile sector means defending thousands and thousands of jobs and, at the same time, defending citizens' rights.

By approving this text, we will be safeguarding a whole set of interests, interests which, to my mind, still respect the values of our European Union. I believe that Mr Kelly is right, and I would like to offer some reassurance to Lord Dartmouth, even if he has left the Chamber, who voiced fears about a superstate.

I do not think that the European Union is the modern version of Hobbes's Leviathan; it is simply an institution that embodies principles of solidarity and of subsidiarity, defends human rights, and is committed to safeguarding the social market economy, and the market itself is an instrument for creating social policy; so there is nothing here that is trying to limit anybody's freedom, we are simply defending the rights of half a billion European citizens who live within our Union.

### **Commission's position on amendments by Parliament**

*Manders report (A7-0122/2010)*

The Commission can accept Amendments 1, 2, 3, 4, 5, 6, 7, 10, 15, 17, 18, 20, 22, 23, 26, 29, 33, 34, 35, 39, 41, 42, 43, 44, 46, 52 and 61.

The Commission can accept Amendments 8, 9, 11, 12, 13, 14, 16, 21, 24, 25, 27, 28, 30, 31, 32, 36, 40, 45, 47, 48, 49, 50, 51, 53, 54, 55, 56, 57, 58, 59, 60, 62, 64, 65, 66, 67, 69, 70 and 72 in principle.



The Commission cannot accept Amendments 19, 37, 38, 63, 68 and 71.

**Toine Manders, rapporteur.** – (NL) I am honoured that such a huge number of speakers are present on this Monday evening to discuss a technical report, and also that there is broad support for this report.

Some of my fellow Members have expressed criticism, saying that the scope of the report should not be abused, should not be broadened. I understand this, but I should like to underline the words of my fellow Member, Mrs Gebhardt, in this connection. In some situations, it is necessary to make use of the situation in order to bring something about, and I take the view that it is eminently possible to proceed like this.

It is important to have very broad support tomorrow, and I sense this support from many people's reactions. This will give this House an excellent point of departure, particularly for the negotiations with the Council, as I believe that, together with the Commission – and I thank the Commissioner for his clear position – Parliament will be able to create a situation tomorrow that will ultimately produce a successful conclusion to the negotiations with the Council.

The objective of this proposal is to create better legislation for the future, as people are buying more and more over the Internet, and so we need an internal market that works, one in which 500 million consumers can obtain the information they desire in a fair manner. We are starting with textiles, and I hope that this is eventually extended to all products for sale on the internal market. The intention is to provide not more information, but clear information with a single European basis; and, if that succeeds, I shall be very pleased.

By way of conclusion, Mr President, I should just like to mention that I made a conscious decision not to reach agreement with the Council in a single reading. I take the view that we should go down this ordinary path much more often and that Parliament, plenary, should pass judgment on the report tabled by the Committee on the Internal Market and Consumer Protection before entering into negotiations with the Council and the Commission with a view to reaching a conclusion. I think that it erodes democracy if we reach an agreement even before the discussion in plenary. Thus, I hope that many will follow this example and that all dossiers will be dealt with ordinarily in a first and second reading.

I hope for a good result tomorrow, and with our point of departure – one of broad support – we shall be excellently placed to win the final against the Council, to put it in football terms.

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

The vote will take place tomorrow (Tuesday, 18 May 2010).

#### **Written statements (Rule 149)**

**Sergio Berlato (PPE), in writing.** – (IT) The textile industry of the European Union has embarked upon a long process of restructuring and technological innovation in response to the significant economic challenges that this sector has had to face in recent years. In my opinion, in allowing the harmonisation and standardisation of aspects of textile-product labelling, the report under discussion both facilitates the free movement of these products in the internal market and ensures a high and uniform level of protection for consumers within the European Union. I therefore support the invitation addressed to the Commission to submit a report to the European Parliament and the Council on any new labelling requirements within two years of implementing the new regulation. This will serve the twofold aim of simplifying the labelling of textile products and of providing consumers with accurate and comparable information about the ownership, origin and size of textile products. In achieving these objectives, I believe it is necessary to make sure that extending obligatory labelling does not involve an additional burden on business, in particular, for small and medium-sized enterprises. At the moment, there are no satisfactory tests showing how allergenic or hazardous substances used in the manufacturing/processing of textile products affect human health. I therefore urge the Commission to carry out a study to evaluate their effects.

**Andreas Mölzer (NI), in writing.** – (DE) Once again, ecological labelling promises something quite different to what it actually delivers – one only has to think of the 'Organic Cotton' scandal or the recent bio-chemicals pantomime. Firstly, yet another confusion of labels and marks is emerging in this organic market – which the EU could sensibly simplify once and for all, something which it usually loves doing; and secondly, it is time that the EU accepted genetically modified cotton. If we are still awaiting studies of the possible effects of harmful substances, then in the meantime, genetically modified cotton should at least be stated on the label. It is also high time that the EU did something about 'radio-frequency identification'. We cannot have electronic labels being applied to textiles without the knowledge of those concerned whilst we are still waiting for the requisite labelling regulations. If pedestrians are to be made visible by means of RFID clothing, it will

be possible to monitor people's every step. In view of the pressure to conform to political correctness, people would soon have to be extremely careful as to the institutions they visited when wearing RFID clothing. Perhaps in future, however, people will simply need to delete their RFID number from Google Street View. Alternatively, the chips might set off security alerts at airports. George Orwell could not have imagined it; we have long overtaken his vision of a surveillance society.

## 18. New developments in public procurement (short presentation)

**President.** – The next item is the short presentation of the report by Heide Rühle, on behalf of the Committee on the Internal Market and Consumer Protection, on new developments in public procurement [2009/2175 (INI)] -(A7-0151/2010).

**Heide Rühle, rapporteur.** – (DE) Mr President, I would like to include in my thanks all the shadow rapporteurs for their constructive cooperation and for the good results achieved in committee so far. Allow me to reiterate and highlight the main points of my report.

Firstly, we need greater legal certainty for all those involved – contracting authorities and contractors – with a view to better regulation. My report stresses the particularly great significance that public procurement has in times of crisis. However, my report also criticises the fact that the complex interaction of European legislation and national transposition has not resulted in a simplification and debureaucratisation of public procurement, as was, in fact, the aim of the 2004 revision, but rather in more work, high external costs for legal advice and protracted procedures. Unfortunately, this is at the expense of innovation and quality. Numerous studies show this to be the case. Far too often, the lack of legal clarity results in the cheapest offer being selected, rather than the best tender.

Whilst the Commission now provides assistance in the area of green procurement, there is no such assistance in the areas of socially responsible procurement, fair trade or the promotion of innovation through procurement. The Commission has some urgent reworking to do here.

Better coordination within the Commission is also urgently needed. The European Court of Justice has removed a number of legal uncertainties in recent judgments and strengthened the role of public procurers, for example, by indicating that the scope of the directives should not be extended into areas such as urban planning. These judgments do not give contracting authorities a blank cheque, but rather provide them with a clear framework. This, too, was something I sought to reiterate in my report.

One final point remains: the matter of the service concessions, on which opinions differed greatly within the committee. My position on the matter has not changed. The service concessions were deliberately removed from the directives on procurement in order to ensure greater flexibility in these areas and to take account of cultural differences. This position is also supported by all the stakeholders that I have spoken to, whether they be municipal umbrella organisations, public enterprises – particularly in the water industry, industrial associations, trade unions or, not least, NGOs. That is also something that I wanted clearly reiterated in my report.

I have one further point to mention that is also very important to me: public procurement must not result in the institutions selected losing their democratic rights. If we find that many municipalities are now including fair trade as an important criterion in public procurement decisions – whether when buying coffee or for other products – then I think it is important to bolster this. In this event, it would be very important for the Commission to help the municipalities and, if they make a mistake, to be there to advise them. Instead, the Commission has instituted new legal proceedings against the Netherlands in respect of precisely such mistakes. I consider this sort of thing counterproductive because it runs counter to the political decisions made by the political bodies.

**President.** – I notice that several speakers would like to express their opinions. Remember that you each have one minute.

**Frank Engel (PPE).** – (FR) Mr President, I should like to begin by congratulating the rapporteur and thanking her for her in-depth work and receptiveness. It was a pleasure to work with her on this report. I believe that the result of this work is a balanced report of which the focal point is the increase in legal certainty. Therefore, the aim now is not to propose more legislation at any price but to make the existing legislation more accessible and intelligible.

One specific point to be raised – Mrs Rühle has already raised it – is that of service concessions. This is a sensitive point that has also caused some controversy within the Commission. I should like to insist once again that, insofar as we know that the Commission intends to propose new items of legislation to us on this subject, it should do so by bearing in mind the need to improve the functioning of the single market. At this moment in time, nothing else could justify major legislative initiatives on this matter.

**Evelyne Gebhardt (S&D).** – (DE) Mr President, ladies and gentlemen, my group would actually have liked to support Mrs Rühle's report, because it contains a great many very positive elements.

Unfortunately, there are three points that we consider lacking or that we are unable to accept as they stand in the report. Firstly, Mrs Rühle was unable to accept that we genuinely have need of a legal framework for services in the general economic interest, and secondly, she also failed to state clearly that it is a matter of greater legal certainty in the area of social services in particular. This is a shortcoming of the report that we naturally find very regrettable.

One point that we are absolutely unable to accept is the rejection of service concessions. We cannot simply say that it is something we do not want. The Court of Justice has already ruled on all this. It is highly unpolitical. It is very important that we say quite clearly what we want if we know that the European Commission is preparing a legal text. It is important that we call upon the European Commission actually to go along with the very positive position taken by the Court of Justice on this matter, thereby also ensuring legal certainty. That is our demand and consequently, we have submitted an alternative resolution. We ask our fellow Members to support this alternative resolution.

**Cristian Silviu Buşoi (ALDE).** – (RO) I would like to congratulate the rapporteur for all her efforts on this report. I totally concur with the need to simplify European public procurement legislation and increase transparency. I am concerned by the large number of disputes over public procurement in numerous Member States.

For example, in Romania, the particularly complex legislative framework leads to procedural errors, while the misapplication of public procurement regulations can impede the use of the Structural Funds. This is why we need a simpler, clearer legislative framework to facilitate matters on both sides.

I would also like to comment on the problem of the lowest price. I agree that a public procurement contract should not be awarded simply on the basis of offering the lowest price. I also agree with the rapporteur that the tender's quality/price ratio and economic benefit must be the most important factors, not only the price. The legislative review must therefore take into account this fact and introduce far greater flexibility for public procurers. However, we must do this with great caution because, if we fail to establish clear criteria, we will open up a real Pandora's Box, with the risk of us triggering legal uncertainty again and even corruption.

**Malcolm Harbour (ECR).** – Mr President, as the shadow rapporteur for my group, but also as the chairman of the committee responsible, I want also to join in thanks to Heide Rühle for what is a really important report. Indeed, it is a shame that under the rather strange rules of this Parliament, such an important report about a key element of the single market and indeed public policy is confined only to one-minute interventions.

I think it is welcome that Mr Tajani is here because I want to say to him that public procurement is a key instrument for encouraging innovative enterprise across the European Union. Mr Barnier, we know, is now going to have a look at strategy and I hope will pick up many of these things.

But the core of the problem, colleagues, is that we have a regime which, as this report says, is confusing and complex and indeed which many public authorities regard as a bureaucratic imposition instead of an opportunity. We can use public procurement to drive forward areas like small and medium-sized enterprises, Commissioner, and opportunities for innovation and green products and services – and, indeed, for supporting the whole of the innovation agenda. That is what we have to achieve, but it will need a concerted effort by all arms of the Commission to deliver the recommendations in this report.

**Jaroslav Paška (EFD).** – (SK) Public procurement appears to be an effective way of purchasing goods and services for the public sector, making it possible to achieve reasonable prices while reducing the suspicion of corruption. In future, however, it would be good to work on simplifying the mechanisms of the public procurement process, and also to try and shorten the time it takes to make decisions.

In my opinion, we should support the basic principle of that aim. However, experience shows that it is also a good thing to publish contracts on the Internet, as this makes it possible to familiarise the broader public with these contracts and to convince them of the advantages of the contracts. Experience bears this out

particularly in local authorities, where handling the assets of the community was very often under the watchful eye of citizens, and when all contracts began to be published on the Internet, people were more satisfied and trusted the local authorities more.

**Zuzana Roithová (PPE).** – (CS) I believe that this report on public procurement, which was adopted by the Committee on the Internal Market and Consumer Protection with an absolute majority, will provide a good guideline for the work of the Commission in revising the directive. Our aim is to make public procurement much more accessible to small and medium-sized businesses, and for tenders to be less bureaucratic and, at the same time, easier to monitor. The greatest volume of public procurement from EU funds relates to buildings, where there is often a suspicion – and sometimes more than that – of corruption.

I am sorry that we will not be voting in this report on my proposal for the Commission to set up a public portal where it would be possible to monitor price differences between the successful contracts and the actual costs of construction following implementation. The portal should monitor and thereby also detect suspicious price differences, for example, relating to the construction of one kilometre of motorway between Member States. I firmly believe that access to genuinely open public procurement will only open up for SMEs once corruption has been rooted out.

**Silvia-Adriana Țicău (S&D).** – (RO) The public procurement market at EU level is worth 16% of the EU's GDP. The internal market assumes that any European company can access acquisitions made in any Member State. The Services Directive guarantees that any European company can provide services in any other Member State, including via electronic means.

The internal market needs to ensure interoperability between e-Government systems, therefore, also between digital signature systems and tender systems operated electronically. I welcome the PEPPOL pilot project launched by the Commission for online public procurement, as well as the decision about the list of accredited certification service providers and the European plan for setting up a digital signature validation service.

I wish to draw attention to the fact that in 2005, Member State governments committed to carrying out 50% of public procurement transactions in Europe electronically by 2015. Romania implemented the online public procurement system back in 2002, which led to a reduction in public expenditure, a greater degree of transparency and an increase in access to the public procurement market for SMEs.

**Andreas Schwab (PPE).** – (DE) Mr President, Commissioner, I, too, would like to thank Mrs Rühle and the shadow rapporteurs for this sterling report. The Group of the European People's Party (Christian Democrats) is happy with a great deal of what is contained in this report. We have also agreed to compromise on one or two points, because you can never have everything in a House such as this. Overall, the report provides a good basis for further discussion with the European Commission on a number of topics.

Mrs Rühle has already addressed the question of how one can enable the contracting bodies, institutions and authorities to take social criteria into consideration in procurement without compromising the principles of the internal market. Secondly – and this has been addressed by Mr Engel – how can we design the service concessions so as to comply with the internal market in the long term?

I completely agree with Mr Engel and Mrs Rühle that we can only accept new legislation on the proviso that it offers a clear and recognisable advantage for the internal market. In view of this, we have achieved a good compromise and naturally, I would be pleased if, ultimately, the Social Democrats were also able to support it.

**Elena Băsescu (PPE).** – (RO) Against the backdrop of the global economic and financial crisis, my country's government has had to reduce the salaries of state employees, pensions and unemployment benefit, as well as cut subsidies. Bearing in mind these particularly tough measures, public procurement must be carried out in the most transparent and quickest way possible so as to ensure that public money is spent properly and effectively.

In addition, the use of online tender systems must be encouraged, which will help eradicate corruption and fraud in the public procurement system. Current administrative procedures, the confusing and complicated legal system, along with the need to clarify the process for appeals relating to the awarding of procurement contracts, have blocked the progress of some important contracts. Following consultations with the IMF, the Romanian Government amended its public procurement act, which is due to come into force by 1 June.

**Lara Comi (PPE).** – (IT) Mr President, Commissioner, ladies and gentlemen, the economic and financial markets crisis has shown the key role of public procurement, which is aimed at developing large-scale works, at stimulating innovation and, of course, at encouraging internal and external competition at European level.

We consider it essential to simplify standards and achieve greater legal certainty. This would definitely increase transparency over the composition and the work of the consultative committee on public procurement, for which the Commission is responsible.

We welcome the part played by an institutionalised public-private partnership in facilitating access for the small and medium-sized enterprises that form the basis of our economy. We need to step up our efforts to prevent discrimination, which often hits small and medium-sized businesses within Europe. I congratulate my fellow Members for the work they have carried out, and they can count on my support tomorrow.

**Seán Kelly (PPE).** – Mr President, I think, in finding reasons for the economic recession we find ourselves in, the finger is pointed – and rightly so – at bankers, builders, regulators, speculators, etc. I think, however, the area of public procurement has led to a lot of the problems as well, where there was an element of ‘jobs for the boys’, a lack of transparency and a lack of integrity. The contracts went inevitably to the same people all the time who, of course, time and time again, went over time and over budget but were never penalised.

I welcome these new developments that will allow us to have the greatest possible transparency in the process. However, we also need to ensure that those who are sitting in judgment on these contracts have the greatest expertise and the greatest independence and are not appointees of the parties in power.

Finally I want to say that simplification is, of course, vital, because there is no point in having too much time and too much money taken up in a very important but, after all, a preliminary exercise.

**Antonio Tajani, Vice-President of the Commission.** – (FR) Mr President, ladies and gentlemen, the Commission and, in particular, Commissioner Barnier, for whom I am standing in this evening, have monitored very closely the preparation of Parliament’s own-initiative report on new developments in public procurement and the debate concerning the amendments.

As Mrs Tic Mrs Comi and Mr Harbour said, good discipline in the field of public procurement is fundamental to ensuring that best use is made of public money for the welfare of the citizens and of small and medium-sized enterprises, especially in the current tight budgetary situation.

The comments made in the report will be duly taken into account in the preparation of new initiatives. Work has already begun on some initiatives, which are in response to those comments. The Commission services have begun an ex post evaluation of the public procurement directives. A communication to clarify the way in which to use public procurement to promote sustainable development, social inclusion and innovation is currently being drafted. An analysis of the case-law of the Court is also under way on public-public cooperation, and it will enable us to define the scope of public-public cooperation that is included or not within the scope of European public procurement law.

As regards a possible initiative on concessions, the Commission assumes the burden of proof and is working on an impact study, which will be finalised in 2010. This evaluation is a prerequisite for any legislative initiative on the matter. If it reveals that the current legal framework is curbing economic development or the development of a new, better quality service of general interest, then we will undoubtedly have to remedy it by ensuring greater transparency, legal certainty and clarity with regard to the applicable rules.

At international level, we are doing everything we can to open up the public procurement markets of the world’s major economies. In order to ensure the competitiveness of European industry, reciprocity is at the heart of all our negotiations. We want to work in close cooperation with Parliament, and we invite you to maintain a constructive and open approach to the discussion.

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

The vote will take place tomorrow (Tuesday, 18 May 2010).

## 19. The EU Policy Coherence for Development and the 'Official Development Assistance plus concept' (short presentation)

**President.** – The next item is the short presentation of the report by Franziska Keller, on behalf of the Committee on Development, on EU policy coherence for development and the 'Official Development Assistance plus' concept [2009/2218(INI)] (A7-0140/2010).

**Franziska Keller, rapporteur.** – (DE) Mr President, Policy Coherence for Development means not giving with one hand and taking away with the other. It makes no sense, for example, to provide funding to support agriculture in developing countries if, at the same time, we destroy the local markets through direct or indirect export subsidies.

Similarly, we may be continuing with great efforts to promote health provision yet, at the same time, we are preventing the trade in generic medicines or pushing up the prices of medicines to prohibitive levels by extending patent protection. Agrofuels may possibly reduce CO<sub>2</sub> emissions in the EU a little, but result in deforestation and land grabbing in developing countries, thereby leading to more climate change – which is precisely what we wanted to avoid, not to mention the displacement of indigenous populations and the loss of biodiversity and farm land for growing food. At the moment, we – that is, the EU *per se* – are not particularly coherent.

The EU has long recognised in theory that political measures must not be contradictory. Policy Coherence for Development is laid down in the Treaty of Lisbon. Article 208 states: 'The Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries.' Let us be judged by this requirement.

This year, we are reviewing the progress made towards achieving the Millennium Development Goals. It is obvious that we will not be able to keep our promises unless our policies are coherent. We – all of us that adopt and transpose legislation – need to be aware of this responsibility. Before we decide on a measure, we need to assess the consequences, so that we can recognise the negative effects that European legislation may have on developing countries. We need expertise in the Council, the Commission and in Parliament that can recognise incoherent aspects. The Commission's work programme on policy coherence is a good step in this direction. It is now a matter of how this plan is implemented.

Policy Coherence for Development means giving greater consideration to the interests of local people in our reform of fisheries policy and not allowing these interests to be subsumed by the interests of European fisheries concerns. It means that we must dry up streams of money that flow from developing countries into tax havens. It means that we cannot adopt ACTA if there remains a suspicion that this agreement could disrupt the supply of medicines or technologies in developing countries. So far, the Commission has not been able to eliminate this suspicion. Policy coherence also means that development policy must remain a strong, independent policy area in the creation of the European External Action Service and that the field of competence of the Commissioner for Development must be expanded, not restricted. It also includes allowing municipalities to take fair trade, for example, into consideration as a procurement criterion, as proposed by Mrs Rühle.

In many cases, we Members of Parliament need to keep a close eye on the Commission and the Council to ensure that policies are coherent. In many cases, however, it is up to us – the Members of Parliament – to provide coherence for development. We need the committees to be more joined up and we need a permanent rapporteur.

The report – which was unanimously adopted by the Committee on Development – contains many good proposals and takes us a good step forward. I would like to thank all the shadow rapporteurs, the ombudsman and all the NGOs for their cooperation and assistance, and I hope that our joint report will be able to be adopted in plenary tomorrow.

**Mairead McGuinness (PPE).** – Mr President, I hate to strike a note of discontent about the report at this early stage in the debate, but I should like to refer in particular to recital I and paragraphs 44 and 45. There is much that I welcome in this report, but I believe that the content of those paragraphs is partly based on a historical view of agriculture policy and certainly not based on the real situation on the ground at the moment.

Before I deal in detail with that in the moments I have, let me just say that paragraph 15 is a very key paragraph in the report and perhaps should have been dealt with in more detail. It states that only four per cent of

overseas development aid is dedicated to agriculture. That is quite a shocking figure and it is a figure that I mentioned in a report I drew up in the previous mandate of this Parliament.

I think there is, perhaps unfortunately, an attack on European farmers in this report. I do not think that is appropriate. I will certainly not be supporting this report on that basis, and I regret that situation. I would urge colleagues to note those paragraphs carefully.

**Enrique Guerrero Salom (S&D).** – (ES) Mr President, the report that we are debating today, Mrs Keller's report, highlights a matter crucial to the effectiveness of development policies. Coherence always lends effectiveness; when it comes to developing countries, incoherence is tantamount to ineffectiveness, and also to injustice.

I am talking about development policy, not just official development assistance. Coherence means that all sectoral policies – trade policy, agricultural policy, all external actions – must come together in one single policy; a policy which is coherent with the global objectives we are pursuing.

Only in this way can we create greater synergies and only in this way can we capitalise on the benefits of global public goods. This is why I supported and continue to support, in Mrs Keller's report, the demand for Parliament to appoint a speaker to evaluate and monitor the development policies on which this House expresses a view.

**João Ferreira (GUE/NGL).** – (PT) The European Union's policies and actions in several areas frequently contradict stated development aid objectives. The liberalisation and deregulation of world trade – which the European Union has been advocating and pursuing – threatens the weakest production systems of developing countries. We must not ignore the fact that a significant proportion of the resources directed to these countries as public development aid ends up returning to the countries of origin in the form of the acquisition of goods and services.

We cannot ignore the serious constraint that the enormous foreign debt represents; it has already been paid several times over, making its cancellation imperative. It is unacceptable that various developing countries are being blackmailed by making their public aid dependent on signing up to the so-called 'Economic Partnership Agreements', despite the resistance of many of these countries and the concerns they have expressed. Instead of being imposed, the European Development Fund's priorities must be revised, taking into account the opinion, the priorities and the real needs of developing countries.

**Antonio Tajani, Vice-President of the Commission.** – (FR) Mr President, ladies and gentlemen, the Commission and, in particular, Commissioner Piebalgs, for whom I am standing in, congratulate the rapporteur on her motion for a resolution on policy coherence for development, which is excellent and exhaustive.

The Commission fully shares her view on the importance of this ambitious task and fully supports the various proposals contained in the resolution to enhance the European Parliament's work on the matter. This resolution comes at just the right time. As you know, the Commission has proposed a 12-point action plan to support the Millennium Development Goals. Policy coherence for development is one of the priorities of this plan, which is currently being discussed in the Council. The main areas of concern appearing in Parliament's motions for resolutions coincide to a large extent with the priorities listed in the Commission's work programmes on future policy coherence for development, even though we do not agree with all the comments contained in the resolution.

These two documents constitute a solid foundation for the EU institutions to make progress and to work on ensuring the greatest possible coherence of EU policies with the development goals. Policy coherence is not just about recording any negative impact that EU policies may have on the development goals. It is also about combining our efforts with those of our partners in order to come up with winning solutions that will refocus EU policies on development goals.

That is why the Commission has adopted a new and improved approach to policy coherence for development. This approach links all the EU policies on the matter to five international challenges. It does not limit the scope of our efforts. It links the evaluation of policies to real strategic objectives.

Furthermore, the work programme is based on objectives and indicators, and impact studies will more often than not be used to assess the coherence of policies.

I have one thing to say about official development assistance: the Commission's position on the matter is very clear. The European Union and the Member States must fulfil their commitments in this area.

To that end, the Commission has proposed to establish a responsibility mechanism within the Union. This proposal is currently being examined by the Member States.

At the same time, public financial resources other than official development assistance are going to be provided to developing countries, in order to help them, among other things, to combat climate change. Therefore, we must endeavour to find a way of monitoring those resources and ensuring that they are used for development purposes.

If we are to make our policies more coherent, we must involve our partners. Article 12 of the Cotonou Agreement provides for a means of communication, a forum to enable the ACP countries to voice their concerns regarding EU policies. That option must be used far more systematically. We shall therefore strengthen our dialogue on policy coherence for development within other international bodies such as the Asia-Europe conference on development, which is currently taking place, and the United Nations high-level meeting on the Millennium Development Goals, which will take place in September.

I have one final comment to make: if we examine the various strategic areas concerned – trade, agriculture, fisheries and others – we cannot fail to see that only a joint and cooperative effort by all the major economic powers, and not just by the European Union, will help to create an environment that is favourable to development. Now and in the future, policy coherence for development must be a high priority at European and international level.

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

The vote will take place tomorrow (Tuesday, 18 May 2010).

#### **Written statements (Rule 149)**

**Elisabeth Köstinger (PPE), in writing.** – (DE) I would like to go into more detail concerning recital I and paragraphs 44 and 45 of the present report, the wording of which is highly unfortunate and does not reflect the actual situation. Firstly, it must be made clear that export restitution is a European Union instrument of market control that is used very cautiously by the European Commission and applied only in a few exceptional cases. Export restitutions, which were designed as a kind of safety net, cannot therefore be held responsible for major damage to the agricultural sector in developing countries – as suggested in the recital. Moreover, it must be pointed out that the EU is the world's biggest importer of agricultural produce from developing countries. The EU is thus not weakening development and the establishment of a viable agricultural sector in developing countries; quite the contrary. The EU undoubtedly has a great responsibility in the area of international trade in the agricultural sector, particularly in respect of developing countries. That is not in question and the Union is fully aware of it. In view of this, I must protest against blanket judgments that have nothing to do with a differentiated and objective approach. I object to recital I as well as to paragraphs 44 and 45, and thus also to the report as a whole.

**Proinsias De Rossa (S&D), in writing.** – I support this resolution on Policy Coherence for Development. As the Lisbon Treaty clearly states, the European Union has to take account of development cooperation objectives when implementing policies that might impact developing countries. At a time when multiple crises seriously threaten the achievement of the Millennium Development Goals, it is all the more important to ensure that our development policies are not undermined by action in other policy fields. While the eradication of poverty is the primary development policy objective of the EU, many policy initiatives undercut this purpose. EU agricultural export subsidies gravely undermine food security elsewhere, and we have yet to assess the ecological and social impact of our fisheries agreements with developing countries. Policy Coherence for Development cannot be sidelined when negotiating bilateral and regional trade agreements, and has a key role to play if we are to ensure that the outcome of the Doha Round is not detrimental to development. European Investment Bank external lending to developing countries must be focused on investments which contribute to eradicating poverty, and has to turn away from tax haven-based companies. Human rights, labour and environmental standards and tax governance must guide EU negotiations with developing countries.



## 20. Penalties for serious infringements against the social rules in road transport (short presentation)

**President.** – The next item is the short presentation of the report by Hella Ranner, on behalf of the Committee on Transport and Tourism, on penalties for serious infringements against the social rules in road transport [2009/2154(INI)] (A7-0130/2010).

**Hella Ranner, rapporteur.** – (DE) Mr President, Commissioner, ladies and gentlemen, I would firstly like to thank all the members of the committee for their constructive cooperation. This report concerns an important matter. It affects everyone who travels on Europe's roads. It concerns compliance with driving hours and rest periods in goods transport, which needs to be considerably improved.

Our discussions in committee – along with the many discussions held with a wide range of stakeholders from all sides, as well as discussions with representatives of Member States – showed that it is imperative that the implementation of the rules on driving hours and rest periods is urgently improved.

The rules on tachographs also need to be improved. In May 2009, the Commission submitted a report analysing the implementation of the social rules relating to road transport in the Member States. It has to be said that the results were sobering. The penalty for the same offence in different Member States varied from EUR 500 to EUR 5 000. In consequence, as far as is possible – which is mainly in border areas – drivers naturally flee to states where the penalties are lower. This situation cannot continue. Differences in the frequency of checks also result in great uncertainty among drivers and undertakings.

Not only are there differences in the level of fines, but there is also wide variation in the types of sanctions available and in how individual offences are categorised. This situation cannot continue, because the aim of such rules is not just road safety and the protection of employees, but also – and this should not be forgotten – fair competition. In times of crisis, undertakings come under increasing pressure. There is pressure on prices. The safety of all those on the roads and, of course, not least of those drivers directly involved, must therefore be absolutely ensured.

As we are all aware, this can only be achieved if we have an effective penal system. The penalties must be clear, transparent and, above all, comparable. If we want the regulation on driving hours and rest periods to be successful, then the regulations also have to be sensibly transposed in the Member States – and that is the most important point in this report. In any event, we need more frequent and better controls as well as information on the rules, not just for drivers from our Member States but also for drivers from third countries. Naturally, they are not always familiar with our systems.

It is therefore essential to bring about an exchange of information, and this be based in the Commission. An agency with general competence for road transport could be responsible for this. In this context, I consider it irrelevant which office deals with bringing together checks and results. One thing is clear, however: such an office must exist. Article 83(2) of the Treaty of Lisbon allows us to intervene in the rules of the individual Member States and to check whether the legal provisions are being harmonised accordingly. There was no question in the committee – it was entirely undisputed – that it is in all our interests, and the interests of our safety, to utilise this possibility.

There is one further significant factor to mention before I conclude my comments. If we want drivers to comply with rest periods, then we must provide them with the necessary infrastructure. In many Member States, there are not really sufficient safe parking areas. It is up to the Member States to provide these, because only then can the rules genuinely have the desired effect.

I very much hope that the Commission will continue to take this problem seriously and I am convinced that Parliament must and indeed will go along with this. This report must not be the end of this work. Perhaps it is only the beginning. It is a matter of genuinely joining forces to achieve better control and harmonisation, and I expect the Commission to submit a report within the coming year on the possible harmonisation measures, including those under the new rule in the Treaty of Lisbon.

**Georgios Papanikolaou (PPE).** – (EL) Mr President, I really must congratulate the rapporteur on her excellent report. It is a fact that penalties, the types of penalties, fines and how they are classified – and that is what I wish to emphasise – differ hugely from one Member State to another. That is precisely why the report places a great deal of emphasis and the rapporteur quite rightly states at the end of her report that we need specific harmonisation measures from the Commission.

In Greece, accidents are many and often, there are a lot of infringements and, obviously, if we do not manage to coordinate legislation at European level, if we do not manage to harmonise practices and to ultimately ensure that controls are carried out in a more specific and coordinated manner at European level, then unfortunately, we shall not be able to limit this massive problem.

For Greece in particular, this is a very sensitive issue, which is why we believe that this report will constitute an excellent starting point for further action.

**Antonio Tajani**, *Vice-President of the Commission*. – (FR) Mr President, ladies and gentlemen, I should like first to thank – both personally and on behalf of my colleague, Mr Kallas, for whom I am standing in – Mrs Ranner for her report on a particularly important aspect of the social rules in road transport.

The Commission's initial report underlined the very significant differences between the penalties applicable in the Member States for serious infringements against the social rules in road transport. The penalties vary with regard to their type and category of seriousness and with regard to the level of fines. For example, a driver who exceeds the maximum daily driving time risks a fine, which can be 10 times higher in Spain than in Greece.

The Commission welcomes Parliament's decision to follow up the report it drafted. Parliament is emphasising just how unsatisfactory the current situation is, insofar as drivers and hauliers may wrongly believe that committing an infringement is less serious in one Member State than it is in another. Clearly, this is potentially detrimental to road safety and to competition. Parliament's report therefore makes a valuable contribution to the Commission's efforts to coordinate the harmonised implementation of the rules in force.

Parliament's report suggests, among other things, setting minimum and maximum penalties for each infringement against the social rules and stresses that Article 83 of the Treaty of Lisbon provides for the possibility of establishing minimum rules with regard to penalties, as the rapporteur said. The Commission will shortly scrutinise the extent to which and the way in which these new provisions of the treaty can be used to improve the implementation of the social rules in road transport.

I am grateful to you for this particularly constructive report, and I can assure you that the issues raised and the suggestions made by the European Parliament will be scrutinised by the Commission.

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

The vote will take place tomorrow (Tuesday, 18 May 2010).

#### **Written statements (Rule 149)**

**Artur Zasada (PPE)**, *in writing*. – (PL) Today's discussion has made us aware of the significant variations in the penalties for serious infringements of social rules in road transport as provided for in the legislation of the 27 EU Member States. Therefore, I think it is a particularly valuable idea to prepare a multilingual brochure which would give drivers and undertakings clear information about social rules in different Member States. The brochure should contain a list of estimates of penalties which can be imposed on a driver for infringement of a particular rule. Another interesting point is the use of RDS-TMC technology instead of GPS to keep drivers informed in real time about penalties in force in the country in which the driver is currently located.

### **21. Agenda of the next sitting: see Minutes**

### **22. Closure of the sitting:**

*(The sitting was closed at 21.40)*