

# THURSDAY, 17 JUNE 2010

IN THE CHAIR: Rodi KRATSA-TSAGAROPOULOU

*Vice-President*

## 1. Opening of the sitting

*(The sitting was opened at 09:00)*

## 2. Composition of the special committee on the policy challenges and budgetary resources for a sustainable European Union after 2013: see Minutes

## 3. Ban on commercial whaling (debate)

**President.** – The next item is the Commission statement on the ban on commercial whaling.

**Maria Damanaki**, *Member of the Commission.* – Madam President, let me thank the European Parliament for recalling the importance of the effective conservation of whales ahead of the annual meeting of the International Whaling Commission taking place next week in Agadir, Morocco. The priority issue in relation to this forthcoming meeting of the International Whaling Commission is to find a solution for the future of the IWC.

The stated objectives of the IWC are to conserve whales and to manage whaling operations. Following years of over-harvesting, the IWC adopted a moratorium on commercial whaling in 1982. Since then, years of unresolved debate over the proper means to conserve, utilise and study whales have made members of the IWC concerned about the bodies of future relevance. Therefore, a process was started to resolve this deadlock situation.

As you know the European Union is very committed to the protection of whales and has put in place legislation that ensures a high level of protection in this regard. Commercial whaling is not allowed in the European Union. Based on this strong will to conserve whales, last year the Council adopted a decision on the EU position for the next three annual meetings of the International Whaling Commission. The overarching objective of the decision was, I quote, ‘to ensure an effective, international regulatory framework for the conservation and management of whales guaranteeing a significant improvement in the status of whales in the long term and bringing all whaling operations under the control of the International Whaling Commission’.

So the EU calls for effective protection of whales worldwide, and in this respect we still view the IWC as an instrument to achieve this objective at global level. The European Union is encouraged by the current efforts to break the long-standing deadlock within the IWC. However, we cannot accept a final compromise unless this paves the way for a truly effective regulatory framework of the conservation and management of whales, a framework that would guarantee a significant improvement in their status in the long term.

We need to maintain the moratorium on commercial whaling and put all whaling operations under IWC control. The EU is assessing proposals such as the current IWC Chair’s compromise, and Commissioner Potočnik, who is in charge of the assessment, will inform you accordingly in due course. We will also need to maximise the European Union’s influence in the International Whaling Commission. This means ensuring unity in external representation and sincere cooperation among the Member States of the European Union.

Madam President, honourable Members, I can assure you that the European Union will work constructively in the International Whaling Commission – and elsewhere, of course – towards obtaining a good universal agreement for the conservation of whales as highlighted in the resolution of the European Parliament of 2009. With a solid European Union position we can contribute to a constructive solution that will ensure the most effective protection of whales worldwide.

**Richard Seeber**, *on behalf of the PPE Group.* – (DE) Madam President, ladies and gentlemen, I am pleased that we are here today in this House under Greek leadership, so to speak, and this subject – the prohibition of whaling – is in good hands with you. However, I would like to point out that, at EU level, we unfortunately have very little competence in these international negotiations and the position that individual Member States have taken has, as yet, not always quite corresponded to what we actually envisage at EU level.

We have drawn up a lot of resolutions on this subject, and whaling is, of course, prohibited in our waters. However, overall on a global scale the situation is unsatisfactory, as this international agreement provides many opportunities for exemption, and many whaling nations – I would like to mention Japan here – make excessive use of scientific whaling or killing for scientific purposes. That is not the purpose of this agreement. Unfortunately, many inhumane killing methods are also still in use.

Overall, therefore, the situation is very unsatisfactory and we ought now to consider what we should do about it. First, we need to consider how we can approach this issue now. It is important for us to act in a united way. In this regard, we call on the European Commission in particular to get the Member States on board and to speak with one voice in the international negotiations, not with 27 as was previously the case.

We need accurate basic data, which have been lacking up to now. We know that whales are a strongly migratory species. We therefore need to collect these data, because there are large differences between the northern and the southern hemispheres. There are also large differences between the individual species. Not all of the species are as endangered as many of them are. Accurate basic data could give us more weight in the negotiations.

Thirdly, we need a clear definition of our goals: What do we actually want? That brings us to the 'what', so to speak. Firstly, it is important that we maintain the whaling ban in the EU. Secondly, we should consider how we can promote humane killing methods. That is also a key point, because we will achieve a lot more overall if we have a realistic definition of our goals than if we approach this issue in too naïve a manner. Thirdly, we also need a clear delimitation of the oceans with the establishment of areas in which whaling is absolutely prohibited, but combined with clear controls and a monitoring system that works. As the EU, we can contribute a great deal to this.

If we follow all of this, we will reach a situation in which the agreement might not look as nice on paper, but, in realistic terms, a lot more will be done for the whales.

**Jo Leinen**, *on behalf of the S&D Group*. – (DE) Madam President, Commissioner, ladies and gentlemen, our group welcomes the statement by the Commission that we will fight to maintain the moratorium on commercial whaling. Now it is up to the Council to confirm this statement and, above all, to ensure that the 27 Member States speak with one voice. We cannot afford to delay this. We know from the meeting of the environment ministers that we do not have agreement here. There are some individual Member States that are pursuing different interests to the vast majority. Now that we have the Treaty of Lisbon, we ought to get used to the fact that we also speak with one voice in our foreign policy and in the representation of our values and interests in international organisations and not, as was the case in the past, each Member State for itself, which ultimately resulted in the weakening of Europe. We have seen this already at the CITES Conference. Here, our lack of agreement was ultimately a kind of powerlessness. We did not achieve what we wanted. I would not like this to continue in the International Whaling Commission.

2010 is the International Year of Biodiversity; in other words, the protection of ecosystems and threatened animal and plant species will be right at the centre of our efforts during these months. It would be a very bad sign if, in the Whaling Commission of all places, the moratorium was lifted and commercial whaling was permitted once again. We know that this animal species remains vulnerable. Our seas are becoming increasingly polluted and climate change will place yet another new strain on them. We therefore need to be very careful in our approach to this subject. The commercial interests of Japan, Iceland and Norway cannot take precedence here. Protection of this species and its ecosystems must determine our path.

We are seeing the abuse of the concept of 'scientific hunting'. Japan is clearly killing 900 whales a year in the Antarctic Ocean under the concept of 'scientific whaling'. That is blatant abuse and I fully support the concerns of the Australian Government, which also no longer wants to permit this.

We should do what the Commission has proposed in this regard. We call on the Council to create unity here so that we will speak with one voice at the forthcoming meeting of the International Whaling Commission.

**Isabella Lövin**, *on behalf of the Verts/ALE Group*. – Madam President, if we can imagine a horse having two or three explosive spears stuck in its stomach and being made to pull a butcher's truck through the streets of London while it pours blood into the gutter we shall have an idea of the method of killing.

'The gunners themselves admit that if whales could scream the industry would stop, for nobody would be able to stand it.' These are the words of Dr Harry Lillie, a ship's physician on an Antarctic whaling trip in the

1940s. Recent studies show that it still takes on average between two minutes and over one hour for a harpooned whale to die.

In 1982 the world agreed on an international moratorium on the commercial whale hunt because stocks were acutely depleted, and ever since three countries have persisted in continuing the hunt – Japan, Iceland and Norway.

Next week the International Whaling Commission will meet in Agadir and the EU has to take a decision on the Chair's Proposal. I must stress that I am appalled that my own home country, Sweden, has been pushing for this compromise, and I want to bring to your attention the fatal weaknesses of any of the compromises that have been discussed.

Any quotas that can be set by the scientific committee must be set in line with a 'tuning level'. This tuning level is 0.72 and it means that we accept that the stock should be at 72% of its virgin state. It is very important to keep this in mind should we agree to any compromise, and not to go below that tuning level. No hunting should be allowed in the Southern Ocean whale sanctuary. Threatened species are included in this compromise. We should not break the principles of protecting threatened species in the UN's International Year of Biodiversity.

**Charles Tannock**, *on behalf of the ECR Group*. – Madam President, throughout my career as a Member of this House I have been a staunch defender of animal welfare. I have no enthusiasm for whaling, and I would like to see the moratorium on commercial whaling retained for as long as the species, or some of the species, are endangered.

However, I recognise that for some European countries including Denmark and Iceland – and Iceland is hoping to be a candidate to join our Union shortly – whaling is so much more than a mere commercial activity. It is central to these countries' identity, culture and heritage. Bull-fighting continues lawfully in the European Union, and this is a so-called sport. At least no one can say that whaling is pursued as a sport.

If whaling is to resume officially, or continue for scientific research or so-called scientific research outside of the moratorium, we should at least insist on strict regulation and on the type of whale being hunted, because obviously some are more abundant in the oceans than others, and catch limits must be strictly enforced. We must also insist on whaling vessels using more rapid, more humane and efficient ways of killing that minimise the distress of these magnificent cetaceans.

As a member of a reformist group, the ECR, I am inclined to respect the right of sovereign states to hunt whales for food, although this should not prevent me and others who care about animal welfare from lobbying those countries to stop it.

**Mike Nattrass**, *on behalf of the EFD Group*. – Madam President, the British public are aggressively against whaling. If Britain's hands are tied to one harmonised EU abstention on whaling, it will guarantee a return to slaughter.

The inhumane Japanese are giving incentives to Third World countries to stop: and look at the return to whaling. It is murder. The Japanese Government should be regarded as socially unacceptable for doing this in a modern world. The British were once heavily involved but have consigned the mistake to a previous century.

If the UK is stopped by the EU from voting against this, while the Japanese and others murder these beautiful, sensitive and intelligent mammals, the UK public will vote to leave the EU in uncontrollable anger. It will be the kiss of death for Britain's membership of the EU.

**Sirpa Pietikäinen (PPE)**. - Madam President, first of all I would like to thank the Commissioner for the promise that the Commission will work towards an effective instrument that would save whales, a better framework and a permanent moratorium.

Secondly, I think that this is, as mentioned here already, one of the crucial cornerstones in environmental politics and international negotiations where we have to strive for a better united policy within the European Union. The Commission, together with Parliament, should have a better-coordinated position and role in these negotiations.

When it comes to the proposal itself, I really would like to hear strong and affirmative comments by the Commission and the Council that they will take these points up in the negotiations. Firstly, to strongly oppose

any moves to legitimise commercial whaling or introduce any new form of whaling: only limited whaling operations should be allowed for indigenous people for subsistence purposes and for local use only.

Secondly, to ensure that any whaling has a sound scientific basis and is based on the precautionary principle – haphazard, negotiated quotas are no basis for sustainable whaling; that restrictions on the trading of all whale products are maintained and strengthened; that the reduction in the number of whales taken for non-indigenous purposes from current levels is strengthened and phased out to zero; that scientific whaling outside IWC control comes to an end; and, last but not least, that any additional cost for monitoring, control and enhancement are met by whaling nations.

I think that whales are great symbols of our environmental consciousness and a signal for how we are treating our environment in general. I do not think that any other issues such as human rights would be put aside, to be regarded as an issue of national sovereignty and interest and a matter of cultural taste, and neither should environmental issues or animal welfare. Hunting whales is cruel, it is not necessary for food, and it is threatening our biodiversity.

**Linda McAvan (S&D).** - Madam President, what the Commissioner said is quite encouraging about the emerging EU position, because the EU will have an important role in the IWC – a quarter of the membership – and with the potential to get allies we could be a major player there. However, I want to clarify a number of points.

Madam Commissioner, you said that Commissioner Potočnik was studying the Chair's compromise, but from what I have seen of the compromise it would legitimise commercial whaling in Japan, Norway and Iceland. That, I think, undermines the idea of a moratorium on commercial whaling. It legitimises whaling in an established IWC sanctuary in the Southern Ocean, which was mentioned by my colleague over there, and it would allow whaling to continue involving endangered species. I hope that when we consider the compromise we look very carefully at what the compromise is.

I would like some clarity on media reports about the Council's position. The British media are reporting, as one or two colleagues have touched upon, that the Commission lawyers are saying that if they cannot get a consensus in the EU, the 25 Member States must abstain. Could you clarify the exact position and tell us how close we are to having a common position for these crucial negotiations? As MEPS we have all had a letter from the Australian Government looking for support for a progressive position at the IWC.

It would be a terrible shame if the EU could not find a common position. If we cannot find a common position on whaling, how on earth are we going to find common positions on other major international issues? We already have a problem in the mercury negotiations, and I think we have to resolve these problems in time. It is not good enough to see the EU abstaining like this. It does not do much for our credibility if that is the case. So, please could you clarify that crucial point?

**Ulrike Rodust (S&D).** – (DE) Madam President, Commissioner, ladies and gentlemen, the so-called compromise proposal that will be tabled next week in Agadir is, in my view, completely unacceptable. A resumption of commercial whaling is something that the majority of the European public will not understand. I call on the Commission and the Member States to speak out at the meeting in Morocco against the reintroduction of commercial whaling.

Of course, on paper the compromise does not, at first sight, look so bad. Its supporters say that it will permit even fewer whales to be hunted than is currently the case. The compromise proposal provides for the introduction of quotas. Let me tell you something from my own experience of quotas in fisheries policy. Quotas, particularly when they apply worldwide, are systematically circumvented. Just look at bluefin tuna. Here quotas are laid down year after year that are systematically exceeded many times over. There is another reason why the European Union should oppose this compromise. It provides for quotas only for those countries that currently – and I would say 'semi-legally' – carry out whaling. That would reward the systematic violation of the rules. We should not accept this under any circumstances.

Supporters of whaling are hard-nosed in their methods. Japan has allegedly even collected votes from poorer Member States. That is yet another reason why the European Union needs to be united in its rejection of the reintroduction of commercial whaling.

**Catherine Stihler (S&D).** - Madam President, I would also like to thank the Commissioner. I think we, as the EU, have to be strong and robust on maintaining and strengthening the moratorium on commercial whaling. I agree with the Commissioner that we must try and work across the EU and must act together. I

am glad that she mentioned the 2009 report by our former colleague Elspeth Attwooll who wrote and worked a lot on the whaling issue.

However, I would like to press the Commissioner and the Council on what are our specific red lines. As many colleagues have said, the compromise looks as though it gives a lot away. Will we ensure that the Southern Ocean whale sanctuary is just that, a sanctuary for whales, and will we rigorously defend the moratorium on commercial whaling? For example, will we ensure that the endangered species of Fin and Sei whales are actually absolutely protected? So I am interested in the red lines. Can you highlight those?

**Juan Carlos Martín Fragueiro**, *President-in-Office of the Council*. – (ES) Madam President, I am taking this opportunity to say that the Presidency of the European Union supports the working procedure of the International Whaling Commission (IWC), and on behalf of the Member States is working on the mandate adopted in March 2009. Among other important points, this mandate supports the continuation of the moratorium on commercial whale hunting, banning or eliminating scientific hunting outside the IWC regulations, the creation of whale sanctuaries and the continuation of very strict rules to allow aboriginal subsistence hunting.

I would also like to say that the Presidency approves and supports the process of updating and improving the IWC that is being debated at its 62nd meeting of the IWC in Agadir, with the aim of making it more operative and functional.

The Presidency is therefore working, both in Brussels and in Agadir, to coordinate the EU position so that the current mandate can be completed and the policy of protection that many of you also agree with can be clarified and established.

**Maria Damanaki**, *Member of the Commission*. – Madam President, I would like to thank all the Members of Parliament for their remarks. I would like to thank you because I have understood that all the remarks agree we have to keep the moratorium on commercial whaling, and we will do that.

We also have to try to put all whaling operations under IWC control. I would like here to underline that the IWC is a useful instrument for achieving our objectives at global level, and we should not abandon it.

The Commission is working on the IWC Chair's compromise. I have to say here that we have already received a lot of concerns. Some of them are mentioned here. I am referring to the concerns about the future trade in whale products, the scientific basis of the proposed catch quotas, the financial implications, high catch quotas, the future of scientific whaling and a lot of other concerns.

At the same time we have to try to achieve a common EU position and, as you have already mentioned, the Member States do not all have the same position on this issue. We are going on with the assessment and we are trying to reach a compromise, but I can tell you that we will not accept a compromise unless this paves the way for a truly effective regulatory framework for the conservation and management of whales. We will not accept a compromise that cannot secure this option. We cannot accept a framework that would not guarantee a significant improvement of the status of whales in the long term.

As regards our option and our negotiation effort during the IWC meeting next week, it will be very good, and very important, to have an EU common option. I have reluctantly to remind you what happened with the CITES Conference about bluefin tuna: there was an EU common position and two Member States voted against it. We are going to take measures to provide for this situation, but here the situation is different. We have not reached a common position yet and we have to respect the decision of the Council.

I could not be more sincere about this, I am completely open. Mr Potočnik and DG Environment are still working. They are trying to do their best for the whales and for the future of whales, respecting the Council conclusions, and also trying to form a united EU approach.

I would also like to inform you that we have some problems about taking these decisions because the Council's Legal Service argues that we have to take this decision unanimously. The Commission does not agree, but this is still in progress.

This is what I can offer you. I am being completely open about this; this is the whole information. We have to discuss more and we are doing our best. Mr Potočnik and the whole Commission are doing our best to save the future of the whale.

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

### Written statements (Rule 149)

**Luís Paulo Alves (S&D), in writing. – (PT)** The Union is obliged to protect biodiversity and conserve species by defending animal welfare and taking action against cruelty in whaling. It is therefore essential that the EU demonstrate in Agadir that it is against abuses in whaling, particularly as regards commercialisation, and above all in so-called whaling for scientific purposes. We know that the quotas are never observed. We cannot, therefore, make any commitments that continue to give countries room to abuse legality.

It is important for the EU to maximise its presence in the International Convention for the Regulation of Whaling by speaking with a single voice. Whales are migratory species, which is why it is so important to control abuses that are committed by the few but which seriously compromise the interests of all. For many coastal communities, the conservation of whales and their habitats is becoming enormously important, both economically and socially, to the undertaking of related activities, such as whale watching. It has a real impact on the sustainability of communities such as those in my home region of the Azores, where they have switched from the historical practice of commercial whaling to this new activity. Courageous positions are therefore required in Agadir.

**Pavel Poc (S&D), in writing. – (CS)** Global populations of some whale species are now critically endangered, and this is almost entirely due to human activities. No sections of the human population depend for their food on cetaceans. Today there is no justification for the killing of cetaceans: 'whaling for scientific purposes', 'necessary livelihood' and 'traditional hunts' are just excuses to get around the moratorium placed on commercial whale hunting since 1986. Any form of cetacean hunting is highly unethical, inhumane and contrary to the current laws of the European Union, especially Council Directive 92/43/EEC. At the International Whaling Commission talks in Morocco, the EU must therefore make a show of maximum unity and exert its diplomatic influence in order to ensure an effective administrative and legal framework for protecting whales, and uncompromising enforcement, including the use of international diplomatic and legal measures. The EU cannot support a repeal or restriction of the moratorium on commercial whaling. The moratorium should be extended to cover other species of cetacean as well. The existing sea areas where there is a total ban on whaling must be retained and new protected areas must be established. Compliance with the ban on international trading in whale products must be strictly enforced. In the case of Iceland, membership of the EU must be made conditional on putting an end to whaling. Any killing of cetaceans in EU countries must be punished as strictly as possible.

## 4. A new impetus for the Strategy for the Sustainable Development of European Aquaculture (debate)

**President.** – The next item is the report (A7-0150/2010) by Guido Milana, on behalf of the Committee on Fisheries, on a new impetus for the Strategy for the Sustainable Development of European Aquaculture (COM(2009)0162 – 2009/2107(INI)).

**Guido Milana, rapporteur. – (IT)** Madam President, Commissioner, Members of the Council, ladies and gentlemen, on 4 May we in committee unanimously voted in favour of the report on European aquaculture, which is essentially aimed at promoting the sustainable development of the sector.

I would like to begin by thanking everyone who worked on this report over the last few months, providing me with valuable support. This text was, in fact, drafted over many long months of work, consultation and concerted action, and I hope it will provide the foundation on which to promote a suitable aquaculture policy in a serious, practical and effective manner. I also think that, in the light of its technological potential and innovative aspects, the healthy and sustainable development of aquaculture represents an extremely important resource for the European economy.

In adopting the report, the MEPs have first of all demonstrated great awareness, highlighting that they have fully understood the urgent need for legislative clarity in this area. In other words, they have proved that they are indeed aware of the negative consequences caused by the lack of a single regulation on aquaculture, the confusion among operators in the sector, the complex and excessively bureaucratic procedures, the highly discriminatory situations, the market distortions and the low level of competitiveness of European production.

The report maintains that there is a need to provide greater impetus to the sector by establishing a specific aquaculture fund that is either independent or part of the European Fisheries Fund, to be used to support

research and innovation, to further the virtuous coexistence of sustainability and competitiveness, and to focus serious attention on employment issues.

Admittedly, many measures are needed in the short term in order to deal with and resolve all of the problems that currently plague this sector, and they are not easy to implement. I am talking about an integrated maritime development plan, which is essential for making aquaculture facilities in freshwater, sub-coastal and offshore areas compatible with areas for tourism and other activities of financial importance, all within the framework of the regulations on environmental protection. I am talking about the drafting of a regulation that will consider the specific aspects of each type of aquaculture farming, to be introduced above all with the intention of lowering production costs and of guaranteeing environmental protection.

From this perspective I believe that the contribution made by both technological innovation and scientific research is crucial. The task will be to actually establish facilities to reduce the dispersion of feed into the water. To this end it will be necessary to increase the utilisation of plant instead of animal proteins without altering the nutritional value of the catch. With regard, more specifically, to scientific research on feed, we will also have to focus on waste and processing scraps to prevent likely imbalances in the maritime system caused by dangerous overfishing for fish feed.

The use of the European quality label helps us to compete with products imported from third countries and to meet consumers' needs and health requirements. Indeed, I believe that it is now crucial that we introduce product certification and supervision of the sector to enable these products to be identified, and adapt the labelling systems accordingly.

Last but not least, we need to design facilities that take greater account of the wellbeing of fish, farm density and slaughtering methods. Moreover, these are all measures that should be applied to organic products, too, which are in fact the result of production that is on a smaller scale and less damaging to the environment.

The employment aspect must not be underestimated, since the aquaculture sector may also be the best place for fishermen who have lost their jobs.

A full vote by Parliament will certainly be the best incentive for the Commission, after its communication and our reasoned opinion, to go beyond the stage of recommendation to the Member States and actually propose the measures needed in order to develop a European policy and to stop Europe being the producer of 1.2 million tonnes of fish and the consumer of over 5.5 million tonnes. Thank you, and excuse me for running over.

**Juan Carlos Martín Fraguero**, *President-in-Office of the Council*. – (ES) Madam President, the Spanish Presidency would like to thank Parliament for the report drawn up with the aim of giving a new impetus to European aquaculture in view of the need to provide a current response to the needs of a market that is becoming increasingly globalised.

I would also like to say in this respect that the Agriculture and Fisheries Council in April last year had already pointed out a series of difficulties, but also opportunities, many of which are highlighted once again in this report by the European Parliament.

The Presidency agrees with the objectives set out by Parliament, which involve creating a specific Union framework for the aquaculture sector that will enable it to achieve structured development based on sustainability and respect for the environment, on the need for production to have a greater economic value and on providing additional guarantees for consumers.

The need to simplify administrative burdens, promoting research and, above all, the importance of a communication strategy to improve the public image of European aquaculture and its products are other issues that should be taken up at European level without any delay. Moreover, all of this should be done within a framework of simplifying regulations and full integration into the future common fisheries policy.

The report presented by Parliament today is also a wake-up call to the Commission and the Member States, with the aim of achieving a coherent framework and specific proposals to immediately and successfully tackle the problems in the sector

I am therefore delighted that Parliament is echoing the main issues reflected in the Council's conclusions, particularly in relation to simplifying and improving the legislative and administrative framework, supporting research, access to the areas and compliance with the rules in the case of imported products. The Spanish

Presidency therefore shares Parliament's view in asking the Commission to put forward a proposal to consolidate the most relevant rules for the aquaculture sector.

**Maria Damanaki**, *Member of the Commission*. – Madam President, I am very pleased to have the opportunity today to listen to Members' views on our communication on a new strategy for the sustainable development of European aquaculture. I very much welcome the report prepared by Mr Milana and congratulate him for the way in which he has brought together all opinions. I would like to comment briefly on some aspects of this report.

First, I appreciate your support for a greater focus on our aquaculture sector. EU aquaculture is at the forefront of sustainable development. Our industry already benefits from the recognition of its assets, its high quality and its environmental sustainability. In close association with stakeholders, the Commission will pursue its efforts to support research and ecological developments.

Second, EU aquaculture complements our capture sector and is an integral part of the common fisheries policy, but aquaculture activities depend upon a range of EU policies in areas such as environmental protection, animal health and welfare, consumer protection, trade and research. Mr Milana's report proposes to include, within a single regulation, all measures which govern the aquaculture sector. So I would like to inform you that I am willing to consider this for measures which fall under my responsibility. For example, promoting species diversity or helping aquaculture enterprises in the framework of the fisheries structural fund. It must be clear, however, that this regulation cannot cover measures which relate to sanitary issues or trade issues or aquaculture products in general.

What we should do is to give aquaculture a clearer focus in the context of the ongoing reform of the CFP. However, on governance and better legislation we must recognise that a number of measures to address the aquaculture challenges largely depend on decisions taken by national and local authorities. I fully share your call for streamlining administrative procedures, notably on licensing and for developing special planning. I also fully support setting up national or regional aquaculture programmes to allow EU aquaculture to realise its full potential.

I would like also to address some more specific issues which are also raised in Mr Milana's report. The Commission will continue to ensure environmental protection in its policies and actions. Staying with this issue, we all share the view that the responsible production of fish feed is a prerequisite to sustainable aquaculture. This brings me to fish welfare considerations.

The Commission is promoting a species dependent approach when evaluating fish welfare in aquaculture. However, I would like to underline that putting into place too detailed rules for the farming, transportation, killing of different species will add much to the legislative and administration burden applicable to EU operators. We need to help the sector organise itself more efficiently and in particular strengthen its producer organisations to better link production forecasts to market needs and ensure higher value for their products through marketing and labelling.

Similarly, we will have to define which priorities should enjoy specific EU financial support. No decision has been taken so far but my preference would clearly be for a financial instrument in support of the reformed CFP, in which aquaculture would be given a specific place.

Mr Milana, your report contributes relevant and interesting ideas to these considerations. We will continue to involve stakeholders in the development of CFP reform.

**Kartika Tamara Liotard**, *rapporteur for the opinion of the Committee on the Environment, Public Health and Food Safety*. – (NL) I should like to offer the rapporteur sincere thanks for his fine work and for taking on board some of the recommendations of the Committee on the Environment, Public Health and Food Safety. Nevertheless, as rapporteur for the committee's opinion, I should like to make some comments, as aquaculture is likely to increase steadily in the future and with it the pressure on humans, animals and the environment. Very strict measures must be taken to protect them, therefore.

Many forms of aquaculture still have negative impacts, such as destruction of habitats, use of chemicals, depletion and salinisation of drinking water and agricultural land, disturbance of biodiversity through the escape of fish, including farmed fish, and the driving of indigenous inhabitants of third countries from the areas where they live for the benefit of industrial aquaculture. Legislation is needed on this. A sustainable certification system is needed for aquaculture products that provides certification in respect of environmental and social effects, food safety, animal welfare and economic and financial aspects, among other things.



I may come across as being rather negative, but I am convinced that aquaculture has a future. We must just ensure that this aquaculture is sustainable and respectful of animal welfare.

**Ioannis A. Tsoukalas**, *on behalf of the PPE Group*. – (EL) Madam President, I should like to start by congratulating and thanking Mr Milana for his exceptional cooperation and for the integrated proposals which he has presented, bearing in mind the differences of opinion on and perception of the subject. The new enhanced competences of the European Parliament following the application of the Treaty of Lisbon bring with them serious obligations and responsibilities.

The fact that we are today debating a sector such as aquaculture, which has not been given due attention by the European Union, is extremely important. This sector is trying to find its niche between fisheries, agriculture, ecology, tourism and competition from third countries and, despite that, is doing fairly well.

At this point we should mention that, over recent years, the development of this sector has stagnated and the dietary preferences of European citizens are not being adequately met by European fisheries products. Viable aquaculture, with respect for the environment and coastal tourist activities, can satisfy a large proportion of demand, with huge economic, environmental and social benefits.

Let us not forget that two-thirds of aquaculture products consumed in Europe come from third countries and are fish of dubious quality which are often produced with no respect for environmental obligations or the health and welfare standards enacted under European legislation. Clearly European aquaculture, which has to comply with a series of rules under labour, environmental and commercial legislation, is subject to unfair competition.

This specific report calls on the European Commission to propose a single regulation for uniform management of the sector, given that, according to the experts, a suitable legislative framework for most modern aquaculture technologies can be developed and applied much more easily than in commercial fisheries. Fishermen can do little in relation to fish and therefore focus on improving fishing gear and methods, while aquaculture can improve both the organisms farmed and the farming methods.

With production of 1.3 million tonnes in 2007, worth EUR 3 billion and creating approximately 65 000 jobs, the aquaculture sector is an extremely important sector in terms of the competitiveness of and growth in the European Union. We have a chance now to reconsolidate it, so that it sets the standard for viable economic and social development in Europe. It will not be easy, but we must try.

**Ulrike Rodust**, *on behalf of the S&D Group*. – (DE) Madam President, Commissioner, ladies and gentlemen, firstly, I would like to offer my sincere thanks to my fellow Member Mr Milana, who has managed to produce a first-class report.

In view of the dramatic overfishing of our seas and the continually growing demand for fish products, alternatives to wild catches are needed now more than ever. However, aquaculture is only an alternative if ecological interests do not get ignored. For me, ecologically-sound aquaculture means, for example, that efforts need to be made to reduce the proportion of fish meal in the feed. Ultimately, we will help our seas very little if we catch 4 kilograms of wild fish in order to produce 1 kilogram of farmed fish.

It is also important to avoid a negative impact on surrounding waters. In this regard, much needs to be done in the area of research. At the same time, we must ensure that fish farming does not degenerate into a form of animal cruelty as a result of high stocking densities.

In this regard, I would particularly like to stress the fact that we urgently need to establish a maritime development plan. The coexistence of different interests such as aquaculture, fisheries, tourism and, not least, nature conservation must be organised well. All of this has been admirably expressed in our report. Incidentally, a stronger European aquaculture is also valuable from the point of view of employment policy, as it can create jobs in our often disadvantaged coastal regions.

**Pat the Cope Gallagher**, *on behalf of the ALDE Group*. – (GA) Madam President, I would firstly like to thank Mr Milana for preparing this comprehensive report for us.

Certainly, there is a great potential to develop aquaculture in Ireland and in Europe. By supporting sustainable development in the aquaculture sector the European Union could help to achieve two important objectives. Firstly, it could add to the security of the Community's food supply. Secondly, it could support communities on the coast that are highly dependent on fishing and that do not have access to other employment opportunities.

It is accepted that there will be a significant, continuous increase in worldwide demand for seafood, and that wild fish products will not be able to satisfy this demand. It is also accepted that aquaculture could fill the gap between production and demand for fish products. However, Europe is lagging behind in this area; while China – a country where 41% of the world's aquaculture sector is based – is at the forefront.

This sector is worth EUR 118 million per year in Ireland and it employs more than 2 000 workers. Ireland's aquaculture sector is the fifth largest in the European Union. In addition, the Food and Agriculture Organisation of the United Nations estimates that production in this sector will increase by 61% by the year 2030.

There is a perception that aquaculture in all its forms has a negative impact on the environment. While I strongly believe that aquaculture production must be carried out to the highest standards, the sector must be allowed to function within the context of an environmentally friendly regime. It is vitally important that the common fisheries policy allows the sector to substantially develop in harmony with existing EU environmental law. As an economic sector aquaculture is stalled within the European Union. Structural support for the aquaculture sector is essential. In conclusion, Madam President, let me say in an Irish context I would support a special programme of incentives designed to promote the development of off-shore, high-energy fish farming and more economic conditions than currently practised.

**Isabella Lövin**, *on behalf of the Verts/ALE Group.* – (SV) Madam President, thank you very much for the report on aquaculture. We are very pleased that Mr Milana has taken up so many problems in earnest in this report, particularly those dealing with animal health, local environmental problems and the need for an integrated maritime policy. We are especially pleased that the report recognises the problem of farmed piscivorous fish requiring wild fish in order to be reared, and that it states that the EU should prioritise the farming of herbivorous fish.

What we are a little sceptical about in the report is the proposal to introduce a European labelling system – an eco-labelling system – for fish. We believe that neither the individual States nor the EU should operate an eco-labelling system, but that the EU's environmental legislation should be so good that origin labelling would provide a sufficient guarantee of high environmental and animal-welfare standards. Other types of eco-labelling can certainly be provided on a voluntary or private basis and should promote progress.

**Marek Józef Gróbarczyk**, *on behalf of the ECR Group.* – (PL) Madam President, I, too, would like to offer my sincere thanks to the rapporteur for this report, which has been very well prepared. However, I would like to point out that aquaculture is an extremely important factor in employment, particularly in activating coastal areas, as well as in healthy food. It needs to be said that without additional stimulation, by which I mean regionalisation of aquaculture, it has no chance of developing in the respective regions of Europe. I am speaking here, for example, of the Baltic Sea, where aquaculture is a fragmentary phenomenon and there are no opportunities for its development because of the climatic conditions. In Sweden, for example, there are only 200 people employed in aquaculture, and there are even fewer in Poland. Therefore, I draw particular attention to this factor in the common fisheries policy.

**João Ferreira**, *on behalf of the GUE/NGL Group.* – (PT) Madam President, Commissioner, ladies and gentlemen, Mr Milana, aquaculture indisputably constitutes an area of activity with strong potential for contributing to the economic and social development of innumerable regions, especially coastal and rural ones, and for promoting local production and employment. It also encourages other connected activities and so contributes to reducing dependency and to giving various countries and regions more balanced diets. It must be seen as an important complement to the fishing sector, not as an alternative to it.

Aquaculture must therefore be deserving of attention and support from the EU. Enough financial resources must be dedicated to this activity to promote it and the social benefits generated by it, specifically by supporting the sector's small and medium-sized businesses. Nevertheless, we must be careful: since it is an important complement and not an alternative, financial support for aquaculture must not come at the expense of reducing the funds awarded to other sectors, not least those given to fishing by the European Fisheries Fund.

We must also not forget that this activity has a significant environmental impact, which has already been mentioned here. For each case, this impact must be carefully assessed, weighed up and, where applicable, mitigated.

Priority must be given to means of production that are environmentally more sustainable, such as organic aquaculture. There is also a need for determined, strong and persistent support for any research and development in the sector that promotes its environmental and economic sustainability and viability. New techniques and methodologies are needed that make it possible to cultivate indigenous species instead of

exotic ones, thus diversifying production and reducing risks, as well as to fight diseases and promote the health and welfare of both the cultivated species and consumers.

To this end, amongst other possible instruments, it would be important to reorient the priorities of the Framework Programme for Research, so as to enable adequate coverage of this area of research.

I must mention two further issues: certification and quality labels. The procedures are frequently complex, drawn-out and, above all, expensive. If the reason that certification exists is to protect the interests of producers and consumers, then in order to be an effective guarantee of transparency, quality and safety for consumers it must be carried out by public bodies, so as to avoid the profusion of labels and certifications along with the confusion that is inherent to it. Moreover, it must not represent increased costs for producers.

As regards imported products, international trade must be based on the complementarity of the products bought and sold, and not on competition between production units and producers. The need for imported products to comply with basic public-health and food-safety standards must be kept in mind. All this requires the regulation of trade and a halt to the complete liberalisation and deregulation that we have been witnessing.

**Anna Rosbach**, *on behalf of the EFD Group.* – (DA) Madam President, growing demand and fishing equipment that is far too effective have put a number of fish species under threat. A strong European aquaculture is therefore important. We need to export fish instead of importing it. However, aquaculture must be managed in a way that is responsible from the point of view of both the environment and animal welfare. Aquaculture is an extremely polluting activity and destroys the biodiversity of our rivers. At the same time, it is hard on the fish, which grow up with far too little space and are exposed to a lot of medicines. I would therefore urge that we in the EU apply the methods that represent best practice and introduce only minimum requirements, so that countries that want to lay down higher standards have the opportunities to do so. We in Europe can create the framework for an aquaculture that is responsible, sustainable and productive as well as sound from an animal welfare point of view. It will serve as a good example for countries in other parts of the world with a high level of production in this sector.

**Diane Dodds (NI).** - Madam President, I want to thank the rapporteur, Mr Milana, for his report. It represents a significant milestone in recognising the importance of this sector and its potential for future growth.

As I have indicated on a number of occasions in committee, we should not, however, penalise our fishing industry, or indeed the aquaculture sector in Europe, whilst we import so much produce, much of which is produced under much less stringent environmental and social conditions than is expected of the sector here.

In terms of the Northern Ireland fishing industry, aquaculture is a small sector with a value of first-sale fish and shellfish in 2008 of GBP 9.6 million. It gives employment to 91 full-time and 56 part-time men and women. Yet these figures hide what we believe has been a success story. The last 10 years have witnessed a significant expansion in this sector, most notably with the production of mussels, which accounts for much of the 8 500 tonnes of shellfish harvested annually in Northern Ireland. Indeed it is a trait of Northern Ireland's industry that its success with minimal EU interference has attracted investment from other parts of Europe, and particularly from the Netherlands.

Opportunities exist for the continuing sustainable development of the aquaculture sector and SMILE, the Sustainable Mariculture in northern Irish Loch Ecosystems, provides shellfish aquaculture carrying capacity predictions for each of the Northern Ireland sea lochs. It is this kind of initiative that lends itself so well to this report on a strategy for Europe's aquaculture sector and one of the reasons why I am glad to support it.

**Alain Cadec (PPE).** – (FR) Madam President, Commissioner, ladies and gentlemen, I would first like to congratulate Mr Milana on his excellent report. The Committee on Fisheries has proposed this own-initiative report because it is now absolutely vital that we develop European aquaculture, for several reasons.

The European Union accounts for just 2% of world aquaculture production, although it is the primary consumer. The majority of Member States even recorded a decrease in the aquaculture sector between 2001 and 2008, while consumer demand has steadily increased.

Aquaculture in Europe currently has no specific legislative framework, and therefore no long-term development plan. With better organisation, we can keep consumers informed of the environmental and social traceability of European products, which is not the case with some products from third countries. I am thinking of the Vietnamese *Pangasius* in particular, a favourite with our friend Mr Stevenson.

We are all consumers and we want to be well informed about the health and nutritional quality of what we eat. May I also mention my commitment to an EU eco-label for fishery and aquaculture products. We also need to be able to reduce the European Union's dependence on imported aquaculture products.

As you are aware, we currently import 65% of the fishery and aquaculture products consumed on our territory. An organised and responsible European aquaculture sector will enable us not only to create jobs, inform consumers and support the sector within the EU, but also to help supply our Member States with quality products.

Finally, I would add that this report aims to promote a genuine European policy for the sustainable development of aquaculture, and that this development will help to preserve wild species.

### **IN THE CHAIR: Isabelle DURANT**

*Vice-President*

**Josefa Andrés Barea (S&D)** – (ES) Madam President, Mr Fragueiro thank you very much for being here on behalf of the Spanish Presidency for a report such as this, Commissioner.

Mr Milana, congratulations on being capable of reaching a joint agreement, bringing together all the interests and bringing one of the first reports on this initiative to the table.

The spread of aquaculture is important. It is necessary due to the increase in fish consumption and the stagnation of fishing capacity. I do, however, want to highlight the economic importance of fishing, which generates wealth and employment. Health guarantees, sustainability and protecting the marine environment are all important.

We need to improve the image of aquaculture and also of the scientific and research sector. Aquaculture is an opportunity, as Mr Fragueiro said, within the common fisheries policy, as the Commissioner said. We need to give it a coherent coordination framework; we need to give it the opportunity to bring itself into line, because aquaculture can mean sufficiency, sustainability and economic resources, and I think it is important for Europe.

**George Lyon (ALDE)** - Madam President, can I too add my congratulations that others have shown for the report and for the author's good work. Can I start by just saying that Scotland is the third largest aquaculture producer in Europe: we account for GBP 350 million per year of annual output, and aquaculture provides employment for 2 000 people throughout Scotland, with a further 2 000 jobs upstream and downstream. But, most importantly of all, aquaculture provides opportunities for employment in remote and island areas around Scotland where no other jobs are available. It is a fundamental part of the rural and island fabric around Scotland, and therefore it has the potential to grow and provide further employment and underpin the vitality and economic prosperity of many small rural and island areas.

One of the big challenges for the industry is that it is hidebound by over-regulation and conflicting regulation, in many cases preventing its growth. So I welcome the report's call for a proposal to consolidate and simplify regulation. But I would make a plea that, in bringing forward the proposals, it genuinely does simplify and genuinely does reduce bureaucracy, and that we do not end up with a situation where we have another layer of regulation on top of what is already there – that actually does not simplify and reduce the framework.

One other plea I think we should make is to continue investing in research and development. We need to find a substitute for fishmeal – this is absolutely fundamental for the future of the industry. I also think it is worthwhile encouraging the European Union to invest in the industry, to see its potential growth realised and provide jobs in these areas where there is no other alternative employment available.

**Ian Hudghton (Verts/ALE)** - Madam President, Scotland is rightly well known for its production of large quantities of Atlantic salmon. We also farm species of trout and we farm halibut and some Arctic char. In shellfish, too, high-quality oysters and scallops are grown within Scotland. Scotland succeeds at high-quality aquaculture because of our environment and because of our clean waters. They are so well-suited to the activity, and it is self-evident that we must protect that environment.

Aquaculture in Scotland supports many fragile rural and island communities with very substantial numbers of jobs in the processing sector. If we are to develop a new EU strategy – as the report says – for aquaculture, we should be focusing on simplification and streamlining of regulation: I certainly agree with our rapporteur on that. But what we must not do is centralise management and control at European Union level. Let us learn

from the mistakes of the CFP. Scotland has its own strategic framework for aquaculture, which should be supported by European Union input, as and where appropriate.

**Struan Stevenson (ECR).** - Madam President, this is becoming a bit of a Scottish debate, I think! First of all, let me too congratulate Mr Milana for his great cooperation and consultation during the progress of his work. I think it is an excellent report and I really feel that this report heralds a new dawn for European aquaculture. That is also mirrored by the support and enthusiasm for fish farming which we have heard in repeated comments from Commissioner Damanaki herself. So this is good news: it is what we have been demanding for years.

Europe used to lead the world in the production of farmed fish but in recent years we have allowed our eye to go off the ball. We have allowed our non-EU competitors to assume dominance in this sector and we have seen our indigenous industry haemorrhage jobs to countries outside the EU.

We import over 60% of our seafood needs when we are perfectly capable of producing this food ourselves. Aquaculture is the fastest-growing food sector in the world, and in Europe we have the perfect environment for fish farming: we have an almost limitless coastline with ideal bays, fjords and sea conditions; we lead the world in the science and technology necessary for a thriving aquaculture sector. And yet we are in danger of starving in a land of plenty.

Why is this? Well, as we have heard from other speakers, it is because aquaculture has become one of the most heavily regulated sectors in the entire food production industry in Europe, and I am appalled that I have heard speakers this morning calling for even more regulation.

EU fish farmers have to deal with over 400 different pieces of regulation, not to mention additional planning and environmental constraints in their own Member States, before they can reel in a single fish, and this is not simply from DG MARE, it is also DG ENVI, DG TRADE, DG CINCO and a host of other agencies. By tying the hands of our fish farmers with red tape we have simply handed a competitive advantage to countries like China, Japan and Vietnam – just look at the vast quantities of low-quality pangasius we import from the Mekong delta, as Mr Cadec said. So I regard Mr Milana's report as a breakthrough; let us cut the red tape and allow Europe's fish farmers once again to lead the world in aquaculture.

**Jarosław Leszek Wałęsa (PPE).** – (PL) Madam President, firstly, I would like to thank my fellow Member Mr Milana for the report on a new impetus for the Strategy for the Sustainable Development of European Aquaculture. As we all know, it is the latest of many reports written on the subject which aim to regulate this sector in Europe. The basis for success will be presentation by the European Commission of a single solution covering not only all categories of products and environmental aspects of the sector, but also budget lines and market principles, including EU quality labelling.

Europe has a real opportunity to join the world's leaders in this field. We have the right geographical and hydrological potential, and specialist personnel who are the best in the world. In order to make use of this, however, we need to do some hard work and create uniform EU law covering the aquaculture sector. Now is a good time to do this, because work is in progress on reform of the common fisheries policy.

Finally, I would like to say that this is a very good report, and I have no reservations concerning its substance. Many important matters are dealt with in the report, and the suggested courses of action for solving the problems are consistent, in the vast majority of matters, with the views of the Polish sector.

**Iliana Malinova Iotova (S&D).** – (BG) I wish to congratulate Mr Milana for this excellent, professional and timely report. This document has been awaited by many people who make their livelihood from fishing. It will reduce the depletion of fish stocks in European waters, while also providing support to the fishery product market.

We call on the European Commission to draft a proposal for a regulation on aquaculture because greater legislative transparency is needed in this sector. Our serious attitude to the development of aquaculture must be conveyed through specific funding from the existing European Fisheries Fund, which will guarantee its priority development. This funding will boost aquaculture production in the European Union, especially in countries recently admitted to the EU, which offer potential, but whose capacity is still inadequately developed and utilised.

Finally and most importantly, 'reduce red tape and simplify administrative procedures for using resources'. This is what people in the sector want. It is the condition for the positive development of the aquaculture sector.

**Britta Reimers (ALDE).** – (DE) Madam President, Commissioner, President-in-Office of the Council, ladies and gentlemen, I would like to congratulate Mr Milana, the rapporteur, on his report. In a world in which fish stocks are becoming smaller and the demand for fish and fish products is rising, aquaculture is becoming more and more important. The report underlines the important role of European aquaculture in satisfying our needs and our demand.

The growth in European aquaculture has proven to be insufficient. The Community legal framework is responsible, among other things, for development in the European Union coming to a near standstill since 2001, while the rest of the world has seen considerable growth. The Member States could evidently not be persuaded to model the national and Community legal framework in a way that would allow aquaculture in the EU to be developed in a dynamic way. Bureaucratic obstacles and a substantial administrative burden are the consequences of this legal framework.

I therefore call on the Commission to adapt the directives relating to the designated Natura 2000 areas as soon as possible, in such a way as to enable sustainable aquaculture in these areas too, thereby making a positive contribution to their management.

A total ban on aquaculture in these areas is unacceptable. There are always complaints about the excessive requirements involved in impact assessments for the establishment of new farms or for the expansion of existing farms. That should not be the case.

Furthermore, we can see that the damage caused by the voracious cormorants in many areas is jeopardising the existence of traditional fish ponds. To ensure that this is not also the case in the aquaculture that is still to be developed, we need the European Cormorant Management Plan that we have been calling for for a long time to finally be adopted.

My last point concerns aquaculturists in developing countries. These aquaculturists must be made more aware of a policy on quality and higher production standards – particularly as regards environmental protection, hygiene and social standards – in their production.

**James Nicholson (ECR).** - Madam President, I welcome the opportunity this morning to have this debate because aquaculture has not received enough recognition for its importance. I think it has great opportunities for the future.

The one thing I would also make very clear is that I do not want to see it over-regulated. I think most people have made this clear this morning. Yes, there is a great need to ensure that the environment is protected, because if we do not protect the environment we will not have any aquaculture in any of these areas. That is the bottom line.

I do not want to see the same mistakes made with aquaculture as we made with the common fisheries policy. Mind you, that particular policy does not leave an awful lot to be desired, and I am not convinced that we need to do this EU-wide. I think we can maybe handle this better with encouragement at Member State level.

This is one of the fastest-growing areas. It is an area that must be encouraged, because many of our coastal regions are under great pressure, and this has great potential to develop. Assistance to that development would be extremely welcome.

**Lambert van Nistelrooij (PPE).** – (NL) Madam President, this week, both in this House and at the European Council meeting, we are discussing the EU 2020 strategy: a stronger economy, innovation and, primarily, jobs. In my opinion, the Milana report fits in perfectly with this. In the Union, we consume five million tonnes of aquaculture products in total, and only one million tonnes come from the Union itself. This definitely offers opportunities.

I can tell from the words of my fellow Members, notably those from Scotland, that there is a very great deal of experience with this. May I contribute one of our experiences in the Netherlands? We have the 'Blue Port' project in the Oosterschelde estuary in the Zeeland delta region, where we are working on Zeeland sole. This is an excellent example of investment-heavy research and technological development, and it complies with environmental and public-health standards. There is definitely a sustainable cycle: the fish produces manure, which, in turn, provides feed for algae, glasswort and sea lavender. These constitute feed for shellfish and ragworms and, in turn, the ragworms are used as food for the sole. This way, we achieve a sustainable, closed cycle and new economic activity. If done properly, this can be of great economic importance to coastal regions.

Europe has a very great deal of know-how, but this fundamental know-how is not being shared quickly enough, and so I advocate intensive cooperation between the new initiatives and research and development. We have programmes for this. I would draw attention not only to the European Fisheries Fund (EFF) but also to the regional programmes and decentralised cofinancing. To reiterate, this has my wholehearted support. It is possible for us to catch up in this regard. I should like to make one more remark. If we establish a regulation, it should merely provide an outline rather than creating further red tape.

**Luis Manuel Capoulas Santos (S&D).** – (PT) Madam President, Commissioner, Mr Martín Fragueiro, ladies and gentlemen, as we all know, Europe has a huge shortage of aquaculture products, is subject to growing competition from third countries and has enormous, untapped potential for production. With this report, which I am sure will receive broad support from all parts of this House, the European Parliament is sending the Commission a clear message on the issues that are pivotal for aquaculture, which must be worthy of particular emphasis in the future common fisheries policy.

I therefore congratulate my colleague, Mr Milana, on his report's important contribution to putting the issue of aquaculture on the European political agenda at an opportune time. I therefore unreservedly support his report and would urge the Commission to take due note of its principal recommendations. In particular, I would urge the Commission to note the need to give the future common fisheries policy a single, harmonised legislative framework; to establish criteria and requirements that are clear from an environmental point of view; to reduce bureaucratic obstacles to the licensing of new fish farms; to intensify monitoring activities as a guarantee that environmental and product quality standards are being met; and to provide suitable financial incentives from the European Fisheries Fund to cover the increased investment required by innovation and the high technology used in the sector.

**Maria do Céu Patrão Neves (PPE).** – (PT) I welcome the subject of this timely report, and warmly congratulate the rapporteur on carrying out such a comprehensive study. Aquaculture must be taken up as a European priority, for the following reasons.

First, the majority of fish stocks are overexploited and aquaculture can play a significant part in overcoming shortages of fish on the European market.

Second, at global level the agri-food industry has grown 7.6% in recent decades, while in Europe it has grown only 0.5%.

Third, the European Union imports two thirds of what it consumes, but its aquacultural production represents only 2% of world production.

Fourth, aquaculture represents a business worth more than EUR 3.5 billion, employing more than 65 000 people.

It is therefore important to re-launch aquaculture in Europe, correcting the errors of the past. This makes it necessary to invest more in technological research and development, in better land use planning of coastal areas and river basins, in species of greater economic interest and high nutritional value, and in production systems with lower environmental impact, in particular off-shore systems.

It is important to rethink the future of aquaculture when the reform of the common fisheries policy is being debated, increasing support for it and committing to the specific training of professionals and making producers aware of the need for a policy of quality and higher production standards.

**Rareș-Lucian Niculescu (PPE).** – (RO) I too wish to join those who congratulated the rapporteur and all those who have worked on this report for the quality of their work.

Fisheries certainly play an important role in the European economy. In fact, investment in traditional fisheries is vital to the economic development of rural areas. However, I wish to highlight a few issues which, in my view, have not featured in this report.

First of all, we see in the aquaculture sector the same developments which also appear in other sectors concerning the distribution of incomes across the food supply chain. The prices offered to producers from traditional fisheries are incomparably lower than those charged in stores, which is an obstacle preventing the sustainable development of European aquaculture, the topic we are debating today. I believe that this issue will have to be considered and will have to feature in the debates we have on this topic in future.

**Catherine Stihler (S&D).** - Madam President, aquaculture is now a fully recognised part not just of the fisheries sector but of our food industry as a whole and I think it is vitally important that environmental sustainability should be our watch-word.

I completely agree with what Mrs Rodust has said about pollution and I am pleased to see the dramatic improvements which have been made, in particular in the Scottish aquaculture sector.

I have to say I disagree with what Mr Stevenson said about regulation because I think part of the reason improvements were made and quality was retained was because of some of the rules that we actually introduced.

However, I think, for the future of the aquaculture industry, research and development is absolutely pivotal and I would like to ask the Commission to go a little further on what opportunities are available in the new Framework Programme, and to look at the technological developments where we can support our aquaculture industry, because quality has to be our watch-word.

And on third-country issues, I think mandatory country-of-origin labelling is absolutely essential.

**Werner Kuhn (PPE).** - (DE) Madam President, Commissioner, it is very important for us to have this debate in Parliament on the future of aquaculture and, of course, in so doing for us also to see Europe as a large consumer market. With a population of 500 million, we consume 10 million tonnes of fish and fish products and, from our own resources – whether from fisheries or aquaculture – we are, unfortunately, only able to produce two million tonnes ourselves. That means that we import a massive amount, and we need clear standards.

However, we also need to ensure that we keep the natural world in equilibrium. Many speakers have already mentioned the fact that Natura 2000 and surely also the conservation of species play a crucial role in this regard. However, species conservation is of course also based on what, in a state of biological equilibrium, forms the ultimate source of food for the fish in the food chain. The cormorant is crucial in this context.

I would like to make the sincere request that we also discuss this problem together in Parliament. The Cormorant Management Plan is essential. We have a reserve of one million tonnes of fish, which is being devoured by cormorants and grey seals as well as common seals. These are reserves. We need to protect our aquaculture. It was very interesting when the regions from all 27 Member States took the floor. You were also there, Mrs Damanaki, but that is another topic. We need to agree on how we will get to grips with this problem.

**Elisabeth Köstinger (PPE).** - (DE) Madam President, ladies and gentlemen, the fact that the European Parliament is promoting the sustainable development of aquaculture and drawing attention to its importance is very much to be welcomed. In order to enable the successful development of a competitive aquaculture, the right framework conditions are needed for the companies in this sector.

The optimum preconditions for producers lie in uniform and transparent legislation and, for product quality criteria, in access to technologies and research. An intact, financially viable and modern aquaculture is very important for the development of many coastal zones, but also of rural areas.

The breeding of aquatic organisms has a long and great tradition in Europe, and it is associated with a great many jobs and a large store of specialist knowledge. Retaining and safeguarding this for the future is also for me, as an Austrian, a major concern in the area of pond fish culture and fish farming. Pond fish culture and fish farming are already subject to high standards and environmental requirements in a great many Member States. It is important to support and to appropriately reward this quality. I would ask you to include this area in your implementation strategy.

**Mario Pirillo (S&D).** - (IT) Madam President, ladies and gentlemen, my name is Pirillo, but it is still frequently pronounced incorrectly. Thank you in any case, Madam President. I congratulate Mr Milana on his excellent and articulate report. He has done a fine job of linking the various needs of all the Member States.

Aquaculture represents an important sector for Europe where the economy, employment, wholesome production, good nutrition and the protection of the marine environment are concerned. The fundamental points of this initiative are the introduction of strict and transparent product quality and traceability criteria, environmental quality, the control of feedstuffs and other factors too.



I hope that the European Commission will soon present a proposal for a regulation and make the necessary EU resources available for the development of aquaculture facilities, while streamlining bureaucratic procedures.

**Karin Kadenbach (S&D).** – (DE) Madam President, coming from Austria, we – as was mentioned earlier – are of course also affected by pond fish culture and fish farming. Today, however, I would primarily like to take the floor in my role as shadow rapporteur for biodiversity and as a member of the Committee on the Environment, Public Health and Food Safety.

We need the sustainable development of this aquaculture for two reasons, which have already been mentioned several times today: firstly because we want European citizens to eat healthily, and for this we need healthy food from a healthy environment. It is this sustainable development of aquaculture that can meet the requirements of both areas.

I would like to continue to draw attention to the area of research and development and I would also like the appropriate financial framework to be established here so that, in future, we can guarantee this sustainability.

**Andreas Mölzer (NI).** – (DE) Madam President, fish stocks are to be saved through aquaculture – if we are to believe that. If we consider the fact that the feed very often consists of previously caught fish and often the fry are taken from wild stocks, then, on the contrary, we cannot help but get the impression that the pressure on free-living fish stocks could be increased further as a result. If we add the fact that feed residues, faeces and the antibiotics used in breeding the fish will heavily pollute the waters, it becomes clear that aquaculture can be a truly environmentally friendly alternative only if there are clear standards.

Maritime intensive farming and cultivated fish farming must not drive out the indigenous species, nor must it be the case that while foreign investors gain high profits, the residents of the region concerned lose their livelihoods. Worldwide there are a good 170 million jobs connected to the fisheries industry, as we know. We should take heed from the example of Somalia. Overfishing there has robbed the residents of their livelihoods in extensive areas and driven them to piracy. That is not something that we should be aiming for.

**Maria Damanaki, Member of the Commission.** – Madam President, this was really a constructive and very fruitful discussion, with so many interventions from so many Member States. So let me continue in Greek, because I would not like to affirm that this is a Scottish debate.

(EL) I think that we really do need to agree – and I agree with everyone who has supported this view – that we need to do more for aquaculture. We need to do more because, at this time, when there is an increased demand for fish and, at the same time, there is an increase in imports and the whole situation in terms of overfishing in our seas, we must take a serious stand on aquaculture.

Of course we are talking about aquaculture that respects sustainability and proper treatment of animals. So my thought and my intention, in agreement with most of the speakers, is for us to set up an aquaculture fund within the framework of the CFP Reform.

However, I mean a fund that will provide a general framework. I agree with everyone who said that what we need is simple legislation, not heavy burdens with detailed reports which will do more to slow down and hamper the development of aquaculture. I mean a general, single framework. I intend to follow the line taken in Mr Milana's report, so that we have, if possible, at least within the framework of my competence, a unified framework for aquaculture and a separate funding line. These are the two basics that I want.

However, I cannot cover the competences of other directorates, just as the other directorates are not covered in legislation on other types of issues. A particular funding line will mainly help to fund research both into biodiversity and the introduction of new species and into maintaining sustainability, so that aquaculture really is compatible with the environment. Numerous steps have been taken in this direction.

Finally, as far as the issues of labelling and eco-labelling and certification are concerned, we are trying to respect what is already happening. We shall simply lay down certain specifications, on the basis of which the labels and ecolabels which exist in numerous countries will be compatible with the European acquis. On a more general note, I should like to assure you that we shall respect what the Member States and regions are doing in this sector. We have no intention of intervening in these matters.

As regards the call for a European plan to deal with the problem of birds of prey, especially cormorants, I understand the need for us to be more coordinated on this issue, but it is very difficult for us to make a

proposal at the moment. I must tell you that there are huge disagreements between the Member States as to how we can handle this issue and we must continue to work on this.

### IN THE CHAIR: Alejo VIDAL-QUADRAS

*Vice-President*

**Guido Milana**, *rapporteur*. – (IT) Mr President, ladies and gentlemen, thank you for the debate and for your positive comments on this document, which has all the same enjoyed widespread support over the last few months.

Commissioner, you have a historic opportunity. In 2001 Parliament discussed this same subject and published a communication, but there has been no follow-up. However, today I believe that the time is ripe. Since 2001 world aquaculture production has increased by 6% while European production has barely increased by 0.8%. Indeed, with such a broad consensus – which I believe will result in a majority vote by this House in an hour or so – you have the real possibility to put our work to good use. What is more, the Council has also encouraged you in this direction by fully endorsing the stance that Parliament is taking.

I believe, therefore, that this occasion must be fully taken advantage of in two ways. I would have liked to have said this to Mr Stevenson, who is no longer here: delegislation and simplification absolutely do not mean lowering the level of guarantees for operators and consumers. Often, delegislation can mean making the guarantees clearer for both consumers and producers. Therefore we need to make an effort along these lines.

There is only one point on which I too disagree slightly. I believe that you are too resigned to matters to challenge the European framework surrounding the powers of the Directorates-General. Have the courage to do so, Commissioner. Have the courage to do so, because simplification in the interests of Member States and European citizens only helps to strengthen European integration. If there is one thing that is clear to me, it is the specific point that Parliament is making to you today: that one should not always be restricted with regard to the powers of the Directorates-General. There is someone who assigns those powers, I therefore ask you to reflect on them too. This does not mean taking away a duty or function from the authority supervising the environment. It does not mean taking away a function from the authority supervising consumer protection. It means having a Europe in which these functions are fully integrated. That is basically the sole aim of the single regulation: to streamline the regulations in order to make them simpler and more practical for operators.

I have one last comment. After the speech this morning I am tempted to go on holiday to Scotland, and I may just consider doing that, but I would not be against Greece either, if I could change your mind there about the last few points which divide us.

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

The vote will take place today at 12.00.

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

**Petru Constantin Luhan (PPE)**, *in writing*. – (RO) A strong aquaculture sector could promote the development of coastal regions, remote and rural areas in Member States. At the same time, it could help develop local production which, at the moment, is at a much lower level than consumption, thereby necessitating huge volumes of imports from third countries to meet the ever-rising demand. I think that we must support research and development efforts in this area and allocate appropriate resources for aquaculture projects in order to continue developing the knowledge base required to promote sustainable, competitive practices.

Furthermore, particular attention must be focused on the investments made and support given to the businesses in this sector. This will allow us to successfully promote economic activity and employment, while also complying with environmental good practice.

### **5. A catch documentation programme for bluefin tuna (*thunnus thynnus*) (debate)**

**President**. – The next item is the report (A7-0119/2010) by Mr Romeva i Rueda, on behalf of the Committee on Fisheries, on the proposal for a regulation of the European Parliament and of the Council establishing a

catch documentation programme for bluefin tuna (*Thunnus thynnus*) and amending Regulation (EC) No 1984/2003 (COM (2009)0406 – C7-0142/2009 – 2009/0116(COD)).

**Raül Romeva i Rueda**, *rapporteur*. – (ES) Mr President, at this stage I do not think that anyone is unaware – it is no longer a secret – that the value of this animal is extremely high, particularly in some markets such as the Asian ones. In fact it is so highly prized that some operators have been cheating and continue to do so.

Each year the International Commission for the Conservation of Atlantic Tunas (ICCAT) adopts ever more complex and restrictive management measures: recovery plans, documentation schemes and vessel capacity restrictions, and every year the European Commission claims success at ICCAT, that finally the organisation has taken the necessary steps to reduce illegal, unreported and unregulated fishing of bluefin tuna, and that the situation is under control.

Time goes by, however, and the measures that are supposedly meant to ensure the conservation or at least the recovery of bluefin tuna either do not come, or come too late and are insufficient.

The premature closure of the purse seine season only a few days ago due to the fact that the EU quota had been almost exhausted demonstrates that there is still a problem of excess capacity in Europe, which is a huge threat to the survival of the species.

The stocks are not showing the necessary signs of medium-term recovery, in fact the signs are quite the opposite. The depleted status of both stocks of bluefin is well known. The spawning biomass of both stocks has been reduced to less than 15% of the unfished biomass. The combination of this with the very high prices paid for the fish, whether it is caught legally or not, and the obvious difficulties in controlling fishing activities and trade mean that the efforts of ICCAT over the past 20 years are at best insufficient.

Now we need some brave decisions, some of which will be drastic and certainly painful, but it is essential to have a vision for the future and more than ever to apply the precautionary principle, which has been so absent from the management of this fishery so far.

The report that we are voting on today is one more measure that is undoubtedly essential and necessary, but insufficient nonetheless. The aim of this new legislation, which I am pleased to have been able to agree with the various institutions, is to combat illegal fishing of bluefin tuna and improve the monitoring of stocks. The system establishes that every lot of tuna must be accompanied by the required documentation at every stage, from the time it is caught, including landing, transshipping, caging, harvesting, importing, exporting and re-exporting.

The documentation must be validated at each stage by the authorities of the competent State: the flag, trap or cage State and includes a wide range of information such as catch data, information on the exporter or seller, transshipment information, farm details, harvest information and finally trade information.

Following the frustration experienced by many people, myself included, regarding the fact that at its last meeting the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) did not include bluefin tuna on its list of threatened species, the ball is now back in ICCAT's court. In November we have a fresh opportunity in Paris to see how decisive the situation is, and above all to assume that there is no time for more delays, legal trickery or falsely optimistic discourse. In Paris we will see whether this time the contracting parties – of which the European Union is one – are really strictly and scrupulously committed to the scientific recommendations.

I am aware of your personal commitment, Commissioner Damanaki, and you will have our full support to back that position. This is the only opportunity that we have to genuinely and seriously make progress on solving this problem, because if we do not we will have a more drastic and tougher opportunity later to put the issue back on the CITES table.

The next meeting will be in 2013, and we should not forget that in ICCAT in November we did not achieve the necessary solutions and compromise. CITES will continue to be and must be another door that we should knock on when the time is right.

**Juan Carlos Martín Fragueiro**, *President-in-Office of the Council*. – (ES) Mr President, I would first of all like to stress the importance that the Spanish Presidency attaches to the presentation of this proposal for a regulation for your formal agreement in this plenary session of Parliament. There are two reasons for this which I will now set out.

Firstly, this Council regulation establishing a catch documentation programme for bluefin tuna and amending Regulation (EC) No 1984/2003 incorporates the International Commission for the Conservation of Atlantic Tunas (ICCAT) recommendations 07-10 and 08-12 establishing the catch documentation programme for bluefin tuna, and in particular ICCAT Recommendation 09-11, which was adopted at the last meeting held in November last year in Recife and has been in force since 1 June.

All of these recommendations consider catch documentation to be a key and vital element for correctly identifying and fully monitoring catches of bluefin tuna. It ensures traceability of catches and guarantees that the tuna that is being consumed comes from controlled catches that are conducted under conditions that will ensure its sustainability, and under the measures established in the recovery plan adopted for this species.

This control scheme means in practice that at each stage of the chain every lot of bluefin tuna must be accompanied by catch documentation that is duly validated by the authorities of the flag State of the fishing vessel, irrespective of the method, trap or farm. This new proposal also enhances it by taking into account all activities relating to the catching or fattening of bluefin tuna. This means that it covers all the possible scenarios and situations in order to avoid loopholes through which the least responsible actions could evade controls and endanger the efforts that we are making for the recovery of bluefin tuna.

The catch documentation will therefore mean that all sales of bluefin tuna can be monitored from the moment it is caught until it is served, providing a guarantee that the tuna was caught under the control and supervision of the competent authorities of the flag State. The documentation is therefore an extremely important tool for controlling bluefin tuna fishing and combating illegal and unregulated fishing.

I would also like to say that this improvement in traceability in bluefin tuna fishing will also have a clear effect on the scientific evaluation of the stocks, given that we will have higher-quality information on this fishery, which will result in more certain and more reliable scientific assessments of its status.

Aside from the importance of this regulation for improving the tools for controlling bluefin tuna fishing, the Spanish Presidency is also satisfied that it has been possible to reach an agreement on this regulation at first reading. This demonstrates the interest and the will of both institutions – the Council and Parliament – to move forward with legislative proposals on fisheries as quickly as possible. The adoption of the proposal in plenary, which is scheduled to take place today, will enable its final adoption to take place in the Fisheries Council on 29 June in Luxembourg.

I would like to thank you all for your valuable contributions to achieving this text, and I hope that it will be an example to follow for future proposals that will be adopted using the ordinary legislative procedure derived from the Treaty of Lisbon.

**Maria Damanaki**, *Member of the Commission*. – Mr President, first of all I would like to thank the rapporteur, Mr Romeva i Rueda, for his work on this report. I am pleased to see the strong support of the Fisheries Committee on this important proposal. The implementation of the ICCAT bluefin tuna catch documentation programme is indeed a key measure to prevent, deter and eliminate IUU fishing. I am delighted that the report in particular supports all aspects linked to the practical implementation of the catch documentation which must accompany bluefin tuna products from catch to the trade channel. Inspired by the current practices in other regional fisheries management organisations and custom regulations, this catch documentation scheme can only be efficient if applied to all bluefin tuna products, including processed and farmed products. This will ensure the control of traceability of bluefin tuna fishery products landed, farmed, domestically traded, imported or exported from the European Union.

I would like also to inform you that the Commission agrees with nearly all the amendments proposed, most of them resulting from the trilogue between the European Parliament, the Council and the Commission. I would once again like to thank Mr Romeva i Rueda for the report and the Fisheries Committee for the time spent on this important issue. This report is a significant contribution to a truly efficient traceability system for bluefin tuna and an effective fight against IUU activities.

**Carmen Fraga Estévez**, *on behalf of the PPE Group*. – (ES) Mr President, I would first like to congratulate the rapporteur on his work and on how easy he made it for all of us to work with him and produce a good report. We should be pleased because for the first time we are going to adopt a report on fisheries under the ordinary legislative procedure, at first reading and with the agreement of all three institutions.

Parliament's amendments were essentially aimed at incorporating the new recommendations that arose at the meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) in 2009, as the Commission's proposal only included the 2008 recommendations. They were also aimed at clarifying and specifying some definitions and technical specifications in order to ensure that the obligations of all operators and each of the Member States involved in bluefin tuna fishing were crystal clear.

The aim is that the origin of all bluefin tuna that comes to EU markets can be identified so that if this cannot be verified its sale can be banned.

As the rapporteur acknowledges in his report, we have therefore arrived at the most comprehensive documentation programme in existence for any species. This means that we can send a message of confidence, while acknowledging that the international organisation that governs the management of bluefin tuna is very capable of reacting for itself in terms of monitoring its status and responding to networks for the illegal fishing of a species whose trade has reached a level of complexity that surpasses that of any other species.

Despite the criticisms, without the knowledge and experience acquired by ICCAT it is more than doubtful that any other organisation would be able to take the same type of measures as swiftly and with the same knowledge of the facts.

We therefore trust that the entry into force of this regulation will not only help the recovery of the species and the fight against illegal fishing of that species, but also that it will help to reintroduce a minimum level of rationality and objectivity among the public, and especially within some non-governmental organisations.

As the rapporteur said, the ball is back in ICCAT's court, and I would like to add that it never should have left ICCAT's court. I say this on behalf of my group.

**Antolín Sánchez Presedo**, *on behalf of the S&D Group*. – (ES) Mr President, this is a historic debate. For the first time Parliament is exercising its powers through the ordinary legislative procedure in the field of fisheries, as set out in the Treaty of Lisbon. This is particularly significant for those of us who, like me, live in a fishing community or for those who value the fact that this has happened under a Spanish Presidency.

The full participation of the direct representatives of the public in the legislative process strengthens the democratic life of the Union and increases Europe's legitimacy, quality and effectiveness, as well as its fisheries policy. This legislative procedure affects bluefin tuna, a species whose biological situation is a cause for concern because it is in danger of extinction and therefore deserves to be a priority.

The International Commission for the Conservation of Atlantic Tunas is the regional organisation responsible for organising fisheries. Its measures, which are based on scientific reports on the state of the resources, should help the recovery and sustainability of tuna. The provisions that we are adopting today incorporate its recommendations on catch documentation. This is an essential element for protecting and managing resources, and ensuring that they are effective.

Guaranteeing traceability, from catching to the last stage of the trading process, is essential for combating illegal fishing and sales, and consequently for promoting sustainable fishing and responsible trade. Its application will enable better, stricter monitoring by the European Union. The international commitments have been incorporated faithfully, with no changes to distort them.

Moreover, to enable future adaptations to be incorporated in a dynamic way, the new possibilities of the Treaty of Lisbon have been used to delegate powers to the Commission to implement new conservation measures. I am therefore satisfied with the result.

I congratulate the rapporteur, Mr Romeva, and the other Members with whom I jointly signed the text that will be put to the vote today.

**Izaskun Bilbao Barandica**, *on behalf of the ALDE Group*. – (ES) Mr President, I would like to thank the rapporteurs, the rest of the groups, the Council and the Commission for the agreement that we have reached at first reading.

This regulation, improved by the amendments tabled by the various parliamentary groups, transposes all the recommendations of the International Commission for the Conservation of Atlantic Tunas into EU legislation.

It involves establishing a stricter certification system so that we can improve monitoring of catches of bluefin tuna, eliminate illegal fishing, and improve the quality and potential of statistics, which are so necessary for that monitoring.

It aims to control the monitoring of the product from when it is caught to when it is sold: in other words its traceability. This measure is needed in order to provide greater protection for bluefin tuna, taking into account the recovery plans for the species, and also better protection, considering the situation that we are in at the moment.

Finally, I would like to point out that this is the first time that Parliament has used its decision-making powers since the entry into force of the Treaty of Lisbon. I hope that it will not be the last time given the bad experience we have had with other matters.

**Jean-Paul Basset**, *on behalf of the Verts/ALE Group.* – (FR) Mr President, I agree with the content and conclusions in the report by my colleague and friend Mr Romeva i Rueda, and I welcome the collective work that has been done on this report. The report is based on a reality that is now unavoidable. Bluefin tuna is under threat of extinction as a species, and many fishermen, an important economic sector and a vital food resource for mankind are at risk along with it.

I would like to emphasise what this situation will really mean and the shock it will cause in relation to the period in which we currently live. For it is indeed a shock. For the first time, there is a clear threat to a major consumer product that is known to all, available on supermarket shelves and consumed by us all. It is a clear signal: the sign of a change of era. Protecting bluefin tuna is now a major early warning sign from the environment, and the significance of that warning goes far beyond the single issue of bluefin tuna.

The threat to fish stocks and their much-needed protection are now the symbol of humanity's entry into a new era of scarce resources: fish resources, food resources and energy resources. The key words should no longer be waste, overproduction and overconsumption, but saving, sharing and caution.

**Marek Józef Gróbarczyk**, *on behalf of the ECR Group.* – (PL) Mr President, I would like to thank the rapporteur very much for this report. It is an extremely important one, because correct documentation of catches is the foundation of scientific research, and scientific research is mainly what this is about, because it determines the state of stocks and is the basis for realisation of the common fisheries policy. Without the right research there is no basis for proper realisation of the common fisheries policy.

I would like, here, to mention other species. Only a few years ago, cod was extremely scarce in the Baltic. It turns out, today, that the Commission is voting for the limits to be increased. Does this mean our programmes are very good, or that we have less-than-perfect scientific research? I would like to make an earnest request for an increase in funds, and also for greater efforts to be made for scientific research to be given a greater chance and be universally applied in all waters.

**Willy Meyer**, *on behalf of the GUE/NGL Group.* – (ES) Mr President, on behalf of my group I would also like to join in congratulating and thanking Mr Romeva for this report, which does indeed highlight the need to protect tuna. If I am not mistaken only 15% of bluefin tuna stocks remain.

Parliament has been working for many years to prevent the disappearance of bluefin tuna and I think it is a symbol. Would you not agree? It is a symbol that has a great deal to do with what is happening in the European Union and what is happening to all of us as Europeans.

What happens when the market is not regulated? When the market is not regulated, it rides roughshod over jobs, species and the environment. This is a principle, the consequences of which we unfortunately have to suffer. Workers have to suffer the consequences, as do species, and as does the whole of the planet with climate change. When the market is not regulated, it is clearly insatiable until the resources are exhausted.

That is why this report, with the cooperation of the Commission and the Council, is very important. What is its purpose? Its purpose is to put an end once and for all to industrial, predatory techniques that do not take into account the need to sustain and maintain the environment and its species. It is not fair for the innocent to pay for the sins of the guilty.

Mr Romeva is already aware of my position regarding the need to not punish traps. I know that traps are an age-old fishing technique that has never endangered tuna, something which Mr Romeva agrees with. Therefore in November in Paris the European Union needs to take seriously all the technical reports and

recommendations on catch documentation and traceability so that together we can make work compatible with the environment, which is a fundamental principle that should be part of the EU's values.

**Anna Rosbach, on behalf of the EFD Group.** – (DA) Mr President, the fact that the bluefin tuna was not included in Appendix I of the CITES Convention makes this proposal extremely important. Of course, this report is not a miracle cure but a necessary tool to save this species. The size of the stocks in our seas is uncertain, but unfortunately it is much smaller than we thought on account of it being fashionable to eat sushi. The result is that catch certificates are falsified so that illegal catches are sold as legal ones. If we want to eat tuna in future, too, we must tighten controls on catches, and I have my doubts about the method just proposed by the Council, as tuna is often caught from smaller boats far away from any form of control.

Indeed, what we need are rules on how small the fish that are caught can be. It is not good to catch young fish or fry. The weight limit is 6.4 kg and was adopted in 1974. If a particular stock cannot get to the stage where it can reproduce it will go extinct. Likewise, it is not good to fish during the breeding season because, if we do, we will of course leave no fish for the future. Saving the 2-2.5 m long and around 350 kg adult tuna will not be achieved by adopting this report alone. No, as responsible consumers we should check whether or not the fish we buy and eat as sushi comes from a threatened species. That is clearly not something that we can legislate on here and now, but we can simply urge everyone to be vigilant consumers.

**Claudiu Ciprian Tănăsescu (NI).** – (RO) I would like to begin by thanking the rapporteur for the work he has done on this report, which is extremely impartial and detailed, without being verbose. I would also like to urge fellow Members to give their backing to this report and support the Commission's provision for the BCD to be validated by the time the relevant operation is completed – transshipping, landing, caging, harvesting – thereby resulting not only in a rapid validation process, but in the exercising of tighter control over these operations.

Unfortunately, I cannot say that, once the amendments have been made to the BCD regulations, this will put an end to our troubles. In 1992 ICCAT adopted the recommendation on monitoring the trade in bluefin tuna, which turned out, unfortunately, to be a less than effective instrument. In 2007 ICCAT adopted the BCD, a more comprehensive programme which, although it marks a step forward, is not a genuine solution at a time when ICCAT has again been overtaken by a situation, which is confirmed by actual circumstances on the ground.

This is why I believe that in future, the Commission's support for including bluefin tuna in Appendix I, which was a missed opportunity at the CITES Conference in March 2010, ought to become official EU policy as the only and definitive solution for saving this marine species from extinction.

**Alain Cadec (PPE).** – (FR) Mr President, Commissioner, ladies and gentlemen, I have no doubt that the report we will be adopting shortly is a transposition of the new conservation measures adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT) last November in Recife.

Naturally, I am pleased with the content of this report, and I congratulate Mr Romeva i Rueda on the work he has done on this issue. As he has just told us, the new guidelines establish rules on the traceability of bluefin tuna that is caught, landed, transhipped, unloaded and exported within the EU.

The report also lays down rules on the verification and validation of catch documents and presents an extremely clear example of catch documentation. These rules are highly specific, very strict and do not allow room for debate. I believe this is a significant step forward. I think that, with these obligations, we should achieve the necessary transparency with the Commission as regards fish catches, which has not been the case recently.

Furthermore, it has already been said, but I shall repeat, that this is the first report that has gone to the Committee on Fisheries under the ordinary legislative procedure since the Treaty of Lisbon was ratified. This is obviously a symbolic moment for us members of the Committee on Fisheries, particularly if, as we all hope, the report is adopted at first reading – which I have no doubt will be the case.

This speech gives me the opportunity, Commissioner, to mention the recent events that have taken place in the Mediterranean. The abrupt, authoritarian shutdown of bluefin tuna fishing in that area of Europe was an arbitrary decision. The Commission eventually acknowledged that there were 171 tonnes of fish left for French ships to catch.

The fact that the Commission has decided to reallocate these uncaught fishing lots to small-scale and coastal fishermen is a gesture of appeasement but, in my view, it is by no means a satisfactory answer for tuna purse

seiners which, may I remind everyone, employ significant numbers of fishermen, even if, thanks to that decision, it will theoretically be possible to recover the number of catches allowed as a result of the ICCAT agreements made in Recife.

I would also point out that, at the last meeting, ICCAT – the principles of which are reflected in Mr Romeva i Rueda's report – took the important and bold decision to reduce catches of bluefin tuna in the Atlantic and Mediterranean by 40% in order to preserve stocks, which is obviously something we all want. It would be too simple to divide public opinion into 'pro-stocks' and 'anti-stocks'.

An assessment by the Food and Agricultural Organisation now says that the species is not endangered. For my part, I am eagerly awaiting the results of the study to be published in October or November in order to have a clear picture of the stock situation and to form a precise opinion. Depending on the results of that study, ICCAT will have to propose measures for managing and preserving the species, and I insist that those measures be respected come what may.

**Catherine Trautmann (S&D).** – (FR) Mr President, may I congratulate Mr Romeva i Rueda, who has managed to include the technical provisions resulting directly from the International Commission for the Conservation of Atlantic Tunas (ICCAT) meeting in Recife, as has already been said, while leaving open the possibility of adding further rules that might arise from forthcoming negotiations.

This report also includes elements that will enable us to combat the phenomenon of illegal, undeclared and unregulated fishing, and provides guidelines as regards stock regulation. I particularly support the report.

Our vote is taking place at a fairly fraught time, following the European Commission's decision last week to close purse seiner bluefin tuna fishing early. While a common ground appears to have been found – and for that I would like to acknowledge the step taken by Commissioner Damanaki, who reached an agreement with France, allocating additional quotas for small-scale and coastal fishing – there is still some doubt over the situation concerning purse seiners.

The constraints faced by fishermen are very strict, and it is this kind of uncertainty that we must avoid, for our fishermen have to be sure they have a stable and level playing field. It is this objective of predictability that we will pursue in negotiations on the reform of the common fisheries policy. Predictability and sustainability must go together, particularly as regards decisions necessary for safeguarding stocks and the sector's long-term future, as well as fishermen's activity and income in the short term, with the objective being a fisheries sector that respects marine resources.

**Gerben-Jan Gerbrandy (ALDE).** – (NL) Mr President, I should like to thank Mr Romeva i Rueda for his excellent report. It is an important report. We have a saying in Dutch that translates as 'knowledge through measuring': precise data as the basis for further decisions. Let us not pull the political wool over our eyes, though. We have known for a long time what we have to do. We need to temporarily halt fishing for bluefin tuna.

I witnessed in person the CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) debacle in March, where a divided European Union was totally incapable of influencing the end result. Led by Japan, the international community decided against imposing a trade ban on bluefin tuna. The argument was that the place to do that was not CITES but the International Commission for the Conservation of Atlantic Tunas (ICCAT). We shall have the opportunity to take it to that arena in Paris in November.

My question to the Commission is as follows. Is Europe committed – as I would be – to achieving a temporary fishing ban, a zero quota, within the framework of ICCAT? Also, is the Commission prepared to adopt that position very quickly? That way, we would avoid repeating the mistake we made with CITES, namely adopting a position only at the very last minute and no longer being in a position to convince the rest of the world of our stance. I should like to put a very specific question to the Commissioner, therefore. When will you be adopting a position for the ICCAT meeting? Will it involve a zero quota and, if so, will you be launching a strong lobby within the international community to make this zero quota a reality?

**Isabella Lövin (Verts/ALE).** – (SV) Mr President, I welcome Mr Romeva i Rueda's report concerning better ways of determining the origin of bluefin tuna and of preventing illegal fishing. I would like to remind you what it costs to monitor the Mediterranean Sea just for the bluefin tuna operation. This year it is EUR 5 million. There are 24 purse seine operators fishing for bluefin tuna. Ninety per cent of the catch is exported to Japan. The record this year for a single fish at Tokyo's fish auction was over EUR 100 000.



I would like to ask the Commissioner this question. In view of the fact that the three EU institutions have agreed to support the listing of bluefin tuna in Appendix I, that is to say that the 27 Member States agree that this wild fish should be protected, and given that we are also in the midst of an economic crisis, where every public euro should be used in a responsible way, should the EU not stop the fishing and exporting of this general resource as soon as possible until stocks have recovered?

**Ulrike Rodust (S&D).** – (DE) Mr President, the catch documentation programme adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and confirmed by us today is a step in the right direction, but it comes too late. It must not be the case that we only take drastic measures once stocks of a threatened species are decimated to 6%. Illegal fishing is a particular problem here.

I still very much regret the fact that the European Union did not succeed in obtaining a better outcome in the CITES negotiation. The ICCAT and other regional fisheries organisations must act with more foresight in future. It is therefore important that we as the European Parliament get more involved in these bodies to counterbalance the short-sighted national interests. The public interest in the sustainable management of fish stocks is becoming ever greater. It is important to convert this into a responsible policy.

Mrs Damanaki, I can assure you that the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament will support you in any activity that helps to maintain bluefin tuna stocks and to safeguard the livelihoods of the fishermen.

**Guido Milana (S&D).** – (IT) Mr President, ladies and gentlemen, I would just like to highlight two points and also thank Mr Romeva i Rueda for his extraordinary work.

The first point is that this is an important occasion because we are adopting a law at first reading for the first time. The second is that this work has a deadline and that deadline, as Mr Romeva i Rueda already stated at the beginning, is the next Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) meeting, in four years' time.

If what we have written and will adopt today works, then in four years' time we will probably not have the problem of inclusion in the CITES. That is my hope. I do not want this so much for the sake of fishermen, but for the sake of tuna. The effectiveness of our action derives from our ability, over the next four years, to apply the regulation that is adopted today and to develop supervision conditions.

I would like to say a few words on this aspect. We have an extraordinary Control Agency in Vigo, which does a good job of controlling tuna fishing in the Mediterranean. Yet this agency, which has limited funding and needs greater resources, single-handedly coordinates controls, or rather it offers the individual Member States the possibility to do so. I think we need to take a look at this agency and try to create the conditions to grant it direct responsibility for controls and a greater degree of authority that goes beyond simple coordination. Please excuse me for running over.

**Daciana Octavia Sârbu (S&D).** - Mr President, first of all I would like to congratulate our colleague Mr Romeva i Rueda for his efforts in this report. But despite our efforts and international efforts during the past thirty-five years, stocks of bluefin tuna are now critically low.

A large part of the reason is of course illegal fishing, more often than not by vessels which are registered to countries which lack the will or the resources to enforce international agreements. No amount of traceability measures or extra paperwork will address the problem of reducing fish stocks if so many vessels are still operating illegally and with impunity.

The Commission must therefore put pressure on the EU Member States to end the practice which allows foreign vessels to register easily and operate under their flags. It is of no benefit to Member States to turn a blind eye to illegal fishing. The threat to bluefin tuna and to the biodiversity of our oceans as a whole will continue to grow unless we address this crucial point.

**Josefa Andrés Barea (S&D)** – (ES) Mr President, congratulations on uniting everyone, Mr Romeva.

What I really want to talk about is your report, because we always talk about tuna and sustainability criteria, and link it to illegal fishing and fraud. We do not, however, see the positive side, which is the determination of the population and their compliance, which is something that all Member State should be doing. We need to be vigilant about this.

This report, which is fighting illegality, also complements the safety instruments, because it is traceability and control measures that are going to be examined.

This is a transposition of an international decision and the most rigorous way of ensuring commitment. I am delighted, Mr Romeva, that you and the whole of the Committee on Fisheries have worked to ensure that under the Spanish Presidency this document could be adopted at first reading to protect bluefin tuna.

**Chris Davies (ALDE).** - Mr President, if regulations alone could save bluefin tuna then these should do the job but, as the rapporteur has pointed out, the operators will go to extraordinary lengths to cheat, and I fear that these may not curb them. Has the Commissioner received assurances from Member States that they are taking tough measures to prevent black landings and to prevent the falsification of documents?

Can the Commissioner tell us what penalties have been laid down by the Member States in law and whether the courts are actually applying them? Past experience suggests that sometimes these matters go to national courts and they dismiss them as hardly relevant.

Finally, Japan has undermined our efforts in CITES, but can the Commissioner tell us whether she has received any undertakings from Japan, the major importer of bluefin tuna, that they will help us protect the species? I fear not, but I would be delighted if she could prove me wrong.

**Karin Kadenbach (S&D).** - (DE) Mr President, Commissioner, my sincere thanks to the rapporteur and thank you also for the fact that this debate today has been so exciting.

In our group there has rarely been a subject that has polarised us so strongly. We – and I personally – worked hard to try to get the bluefin tuna on the list and to get a trade ban in place. We failed in Doha. It would be nice if, in four years' time, it was no longer necessary to talk about the fact that between 1957 and 2007 stocks of tuna declined by 75% – sometimes it is claimed to be 80% – but that these measures that are being put in place today will on the one hand provide help to the fishing undertakings affected, the people in the regions, and on the other hand also be instrumental in the bluefin tuna not becoming one of the species that we have to consider to be extinct.

I understand everyone who is fighting for jobs – that must be our concern, but at the same time species conservation must not be neglected.

**Maria Damanaki, Member of the Commission.** - Mr President, I would again like to thank the rapporteur and everybody for the very good interventions. I would like to repeat that this report will help us to have very good catch documentation, and I hope we will use it. I hope it will be a very useful instrument in our effort.

The EU has to give the message that IUU fishing is unacceptable and that this applies to our vessels – to EU vessels – but it also applies to vessels under other flags. I would like to say that we will do all we can to persuade everybody that we have to cooperate in order to avoid this IUU fishing. We can do that. We have weapons and we will use them.

Concerning the general discussion on the bluefin tuna issue, I would like to say that we have to face the problem as it is now. We already have a scientists' decision, and we have to respect it, but we also have the ICCAT efforts. We work there, we can use the ICCAT efforts, we can do our best. On behalf of the Commission I can say that you can be sure that we will do our best to protect this species.

I understand that you have a very difficult situation here, and we have the very difficult situation because the price of this fish is very high. We are talking about a lot of money in the international market, so it is not an easy battle. What I can say is that we can use all our weapons. I would like to remind you that underestimating our weapons is not the proper way forward. We have the weapons and we are going to use them. I have already used them, and you need only take notice of what my friend Mr Cadec said in his intervention.

As regards the future, we will see after the scientific advice during November what will happen. We are doing our best to cooperate with Member States and the Council to reach a satisfactory decision.

**Raül Romeva i Rueda, rapporteur.** - (ES) Mr President, I just want to make a few final comments.

Firstly I would like to be very honest and say that this has been what we could call an 'easy' report. We began from a basis of consensus from all the groups – which I think should be acknowledged – in that we all agree that there is a control problem and that more control is needed. Above all we agree that we need to be not only much more transparent but also much stricter with those who do not comply with the rules. This is

because non-compliance is detrimental firstly to tuna and secondly to those who do the right thing and want to do the right thing.

I think that this needs to be acknowledged, and I am delighted that it is the case. It has therefore been relatively easy – I would even say very easy – to reach a consensus on Parliament's report. It was perhaps a little more complex to reach an agreement with the other institutions, but it was possible nonetheless. I am delighted about this: that this document has been transposed and is a benchmark in Europe and – I would say – in the world in terms of marking, traceability and above all transparency, from the point of view of catching activity and the monitoring or sales of bluefin tuna.

It will be another thing – and we will see this over the coming months and years if we have the chance – how we view the other measures that are also necessary. It is obvious that we have some very different points of view here. In any case, I think that the next meeting of the International Commission for the Conservation of Atlantic Tunas will give us a more detailed picture of how serious the situation is. We agree that the situation is serious; what we do not agree on is how serious it is. That is where there appear to be a few slight differences of opinion. How prepared are we to apply the precautionary principle and how many risks are we prepared to continue taking? Especially given that no one can tell us exactly what the stock situation is. We are therefore all clearly working with probabilities.

There is, however, something else that it is important to mention here. I think that what Mr Milana said in relation to the control agency is important. We had the opportunity to visit the agency recently, and there we saw not only how important and vital the work is that they do, but also how essential it is that they have the political support and resources to be able to do their job. I think that it is essential that the governments of the Member States understand the fundamental role that this agency has. We must support its work because it benefits not only tuna and the sector that does things right, but also the environment and provides much greater sustainability than we have now.

I therefore thank all the groups and both the institutions: Commissioner Damanaki and the Council Presidency. We now just need to get to work on applying this report, especially – I stress – given that unfortunately with this report we will have solved part of the problem but not the fundamental problem, and that will require us to have many more discussions and make many more commitments than we have agreed today.

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

The vote will take place in a few moments, at 12.00.

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

**Nessa Childers (S&D), in writing.** – As we are all aware, the over-fishing of Bluefin tuna continues to occur despite repeated warnings from international bodies as to the perilous condition of their stocks. Two years ago, scientists at the International Commission for the Conservation of Atlantic Tuna (ICCAT) recommended an annual fishing quota of 15 000 tonnes. ICCAT instead recommended that 22 000 tonnes should be fished. Despite this, the fishing industry continues to harvest 60 000 tonnes of Bluefin tuna annually. The outcome of this negligent approach is that a species which is labelled as critically endangered is being sold wholesale in supermarkets all over the world. What can the EU do to halt the inevitable slide towards near-extinction for North Atlantic Bluefins? This House could begin by recognising the hollow nature of recommendations coming from the ICCAT – an organisation which ignores the advice of its own scientists and whose own internal audit labelled its fishing policies a 'travesty of fisheries management', and an 'international disgrace'. Instead, this House should recognise the position of the Convention on International Trade in Endangered Species (CITES) and upgrade the initial support expressed by the EU to official Community policy.

*(The sitting was suspended at 11.35 and resumed at 12.00)*

**IN THE CHAIR: Stavros LAMBRINIDIS**

*Vice-President*

## **6. Announcement by the President: see Minutes**

## **7. Voting time**

**President.** – The next item is the vote.

*(For outcome of the vote and other details: see Minutes).*

**7.1. EU policies in favour of human rights defenders (A7-0157/2010, Heidi Hautala) (vote)**

*- Before the vote*

**Heidi Hautala**, *rapporteur*. – Mr President, there seems to be broad agreement between the groups on two oral amendments to this report. One is to combine paragraphs 6 and 22, to bring the trade-related positions to the same paragraph. The second one is on rephrasing and streamlining paragraph 19 on the accountability of human rights defenders. I hope these can be adopted.

*(Parliament agreed to accept the oral amendments)*

**7.2. Securities to be offered to the public and harmonisation of transparency requirements (amendment of Directives 2003/71/EC and 2004/109/EC) (A7-0102/2010, Wolf Klinz) (vote)**

**7.3. A catch documentation programme for bluefin tuna (*thunnus thynnus*) (A7-0119/2010, Raúl Romeva i Rueda) (vote)**

**7.4. Application of the provisions of the Schengen acquis relating to the Schengen Information System in Bulgaria and Romania (A7-0199/2010, Carlos Coelho) (vote)**

**7.5. Quality of statistical data in the Union and enhanced auditing powers by the Commission (Eurostat) (vote)**

**7.6. Gender aspects of the economic downturn and financial crisis (A7-0155/2010, Raúl Romeva i Rueda) (vote)**

**7.7. Assessment of the results of the 2006-2010 Road map for Equality between women and men and forward looking recommendations (A7-0156/2010, Ilda Figueiredo) (vote)**

*- Before the vote*

**Astrid Lulling (PPE)**. – *(FR)* Mr President, I refer to Rule 175(2) of the Rules of Procedure in order to request, on behalf of my group, that this report be referred back to committee.

The fact is that having carefully compared the Romeva i Rueda report, on which we have just voted, with the Figueiredo report, we found that there are absolutely identical passages in both reports: recitals and articles of which the content is identical, even though the wording may not be exactly the same. In addition, this report mostly just repeats what was already included in the Tarabella report on equality between men and women, on which we voted here in February.

I do not know who these uninspired authors are, or who is responsible for this plagiarism. However, to avoid making this Parliament look ridiculous, the report must be referred back to committee, especially since it has also missed its target.

*(Applause)*

Mr President, I do not understand why the secretariat of the Committee on Women's Rights and Gender Equality has failed to notice this situation. This is not good legislative work. Send it back!

*(Applause)*

**Ilda Figueiredo, rapporteur.** – (PT) Mr President, Mrs Lulling and the Group of the European People's Party (Christian Democrats) know that there was intense debate on this report, which included contributions from MEPs of all parties, or almost all; they know that a clear majority in the Committee on Women's Rights and Gender Equality voted in favour of it and that there were only two votes against it, one of which was by Mrs Lulling and the other by another Member. There were no other votes against: the majority voted in favour of it and there was a group that abstained.

That being the case, her opinion is not the opinion of the majority of the committee and I hope that it will not be the view of the majority of this House. As everyone who participated in the debate here on Tuesday evening knows, Commissioner Reding herself pronounced herself in favour of this report during that debate; she believes that it includes very useful proposals for the new equality strategy that is being prepared by the European Commission. I therefore suggest that you vote for it.

*(Parliament decided not to refer the report back to committee)*

### **7.8. Proposals for appointments to the special committee on the policy challenges and budgetary resources for a sustainable European Union after 2013 (vote)**

#### **7.9. Sport, specifically concerning players' agents (vote)**

#### **7.10. Conclusions of the EU/Russia summit (31 May - 1 June) (B7-0293/2010) (vote)**

*- Before the vote on paragraph 2*

**Jacek Saryusz-Wolski (PPE).** - Mr President, I propose that, when we speak in paragraph 2 about the modernisation of Russia, we stipulate our understanding that it is not merely economy and technology, it is also society. So I propose to add, after the words 'Partnership for Modernisation', the words 'which should embrace both economy and society'.

*(Parliament agreed to accept the oral amendment)*

*- Before the vote on paragraph 10*

**Jacek Saryusz-Wolski (PPE).** - Mr President, on paragraph 10, Parliament has always taken the quasi-unanimous position, including in the report on a common European foreign policy on energy, that we always exclude the use of energy as a foreign policy tool. So, at the end of paragraph 10, I propose to add the following words: 'excluding the use of energy as a foreign policy tool'.

*(Parliament agreed to accept the oral amendment)*

#### **7.11. Israeli military operation against the humanitarian flotilla and the Gaza blockade (B7-0345/2010) (vote)**

*- Before the vote*

**Charles Tannock (ECR).** - Mr President, by way of protest, the ECR Group will not be voting for the joint resolution. We are voting against it because the ALDE coordinators organising the joint motion did not bother to invite our ECR Group to participate in the negotiations, on the presumption that we would not sign the joint text.

In all my 11 years as an MEP I have never experienced this before. This is against all the conventions and traditions of this House and must not happen again. Because of the order of voting, we will not even have a chance to vote on our own resolution.

**President.** – Mr Tannock, let me just point out that what you have just said was more appropriately slated for the explanation of votes section of the sitting, but thank you.

**IN THE CHAIR: Stavros LAMBRINIDIS***Vice-President***7.12. Trade in goods used for torture (vote)****7.13. Situation in the Korean Peninsula (B7-0358/2010) (vote)***- Before the vote*

**Jelko Kacin (ALDE).** - Mr President, we propose an oral amendment to paragraph 9 that is factually incorrect. We would like to delete 'world disarmament' in the first line, as the Six-Party Talks are not disarmament talks but denuclearisation talks. The final wording would then be 'Calls on the countries in the Six-Party Talks to continue working together to ensure that the talks on ending the DPRK nuclear programme are resumed'.

*(Parliament agreed to accept the oral amendment)***7.14. Bosnia and Herzegovina (B7-0342/2010) (vote)****7.15. EU-US air agreement (B7-0370/2010) (vote)****7.16. Implementation of the first railway package Directives (B7-0344/2010) (vote)****7.17. Floods in Central European countries, in particular Poland, the Czech Republic, Slovakia and Hungary (B7-0346/2010) (vote)***- Before the vote on Amendment 2*

**Hannes Swoboda (S&D).** - (DE) Mr President, I do not know how we can fit this in at this point, but right now there are terrible floods in France. We should at least add a sentence to the effect that we deeply regret these floods and the victims that these floods have created. It would be terrible if we adopted a resolution today without any reference to the floods in France.

*(Applause)**(Parliament agreed to accept the oral amendment)***7.18. Judicial training (vote)***- After the vote*

**Bruno Gollnisch (NI).** - (FR) Mr President, 15 seconds. In judicial training, the rights of parliamentarians must also be taken into account. I have just been the subject of an arbitrary arrest attempt carried out with complete disregard for my right to parliamentary immunity, which I nonetheless cited in my defence to the Lyon magistrates. Would you please kindly take note of this and ask the President of Parliament to demand that the French authorities provide the explanation that this incident requires?

**7.19. A new impetus for the Strategy for the Sustainable Development of European Aquaculture (A7-0150/2010, Guido Milana) (vote)****8. Explanations of vote**

**Bernd Posselt (PPE).** - (DE) Mr President, I have high regard for you, and your chairmanship was extremely good during this vote. I would just like to ask one thing of all vice-presidents, and that is to stop wishing everyone a nice weekend during the midday vote on Thursdays. This afternoon we have urgent debates and we have votes. These are fully valid votes, even if many people will already be leaving. I would ask you please not to wish us a nice weekend before the end of the sitting - in other words this afternoon at 17.00.

**President.** – I wished everybody a happy weekend because this is my last chance to do so. I did not mean to imply that there was no work to be done – even over the weekend, I should add.

### Oral explanations of vote

#### Report: Heidi Hautala (A7-0157/2010)

**Miroslav Mikolášik (PPE).** – (SK) I consider it extremely regrettable that the work of defenders of human rights is deliberately obstructed in many countries by restrictive laws and administrative barriers, or even completely blocked by arbitrary arrests, imprisonment, persecution and intimidation.

In view of the fact that the European Union acts as a global defender of human rights, I would like to join the call for the Commission to start fully exploiting the new powers acquired through the adoption of the Treaty of Lisbon for the purposes of fulfilling EU regulations relating to human rights, and systematically inserting human rights clauses into all partnership and trade agreements between the EU and third countries. I fully agree with the preventative approach, such as the assessment from a human rights perspective of third countries entering into trade relations with the EU, and in my opinion it would also be useful to involve the commercial sector.

**Filip Kaczmarek (PPE).** – (PL) Mrs Hautala has drafted a very good report, for which I thank her. If the proposals which follow from this report are put into effect, the European Union's protection of human rights defenders will be significantly strengthened. This is an important and legitimate objective, and this is why I voted for adoption of the report. We have the opportunity to save the lives of many human rights defenders around the world. Let us, therefore, do everything we can so that they do not have to die in defence of the universal values which we endeavour to promote.

#### Motion for a resolution (B7-0343/2010)

**Hannu Takkula (ALDE).** – (FI) Mr President, first of all I wish to thank the rapporteur, and the Chair of our Committee, Mrs Pack, for her report on players' agents. This is an excellent start, if we are to speak about agents. I voted in favour of the report.

Throughout Europe, we have to ensure that players' agents act according to certain ethical rules. At present, unfortunately, in many respects such a code of ethics is missing.

This is very important because one of the biggest problems we are facing today is human trafficking. To some extent, and in some regrettable cases, there have been signs that football and other sports clubs have been used as such a tool. We therefore want to ensure that sport is completely unsullied in this respect.

I consider this report to be very welcome. I believe that, together with UEFA and FIFA, we can establish a code of practice to implement and follow in order to ensure high ethical standards in sports and the trade in players as well as agency work.

#### Motion for a resolution (RC-B7-0293/2010)

**Cristian Dan Preda (PPE).** – (RO) I voted differently to my group on two amendments: Amendments 1 and 2 tabled by the Group of the Greens/European Free Alliance as part of our joint motion for a resolution. I supported these amendments because I believe it is of paramount importance, based on the analysis of the summit's outcome, for us to consider in its entirety the state of human rights in Russia.

I think that the brutal suppression of the demonstration organised to mark the summit reminds us, unfortunately, that respect for the freedom of assembly is far from a reality in Russia. I believe that we need to remind the Russian Federation authorities that they must respect this fundamental political right. In my view, we cannot close our eyes either when a violation of the right to a fair trial is involved. We must emphasise the need to have judicial procedures which are devoid of any political influence.

**Tunne Kelam (PPE).** – Mr President, I would like to voice a similar opinion. With regard to the resolution on Russia, I voted for Amendments 1 to 4.

It has been said that it was not the business of the EU-Russia summit to address all the human rights programmes, but they are linked, especially when we take into consideration the fact that there were demonstrations in 40 Russian cities on 31 May – that is just before the summit began – asking for freedom of assembly. We should mention this.

I also support mentioning the death of Sergey Magnitsky and the need to explain the causes of this death, and Amendment 3, which notes widespread impunity for violence against human rights defenders and similar matters.

**Jacek Protasiewicz, (PPE).** – (PL) I, too, would like to congratulate Mrs Hautala and her colleagues from the Group of the Greens/European Free Alliance who tabled amendments referring to the situation of human rights and human rights defenders in Russia.

Even if these questions were not discussed during the summit, I think that thanks to the votes of my group and my own vote in favour of Mrs Hautala's Amendment 3, we will have a resolution which more fully expresses our views on what is happening in Russia itself, and also in relations between the European Union and Russia. The issues of respect for basic and fundamental rights, the right to assembly and the right of citizens to express their views should remain key issues in our external relations, including, too, our relations with the Russian Federation.

#### **Motion for a resolution (RC-B7-0345/2010)**

**Joe Higgins (GUE/NGL).** – (GA) Mr President, I abstained from the vote on the Israeli attack on the Gaza aid flotilla because the resolution does not condemn in strong enough terms the campaign of violence being carried out by the Israeli army against the people of Palestine in Gaza and on the West Bank.

The murder of nine civil rights workers disgusted people all over the world. It was a case of piracy on international waters. Israel's rejection of an independent inquiry cannot be accepted; the government of the United States – under President Obama – must also be condemned as it did not denounce the slaughter. One cannot trust the United Nations to respond to the problems of the Middle East.

We saw international demonstrations against the attack all over the world. It is important to mention that there was a large parade in Tel Aviv, in which both Palestinians and Israelis took part. And in reality, it is through large-scale movements of workers and poor people in Palestine – as well as in Israel – that a solution can be found to the Middle East question and that a new democratic, socialist society can be established in the Middle East as a whole.

**Cristian Dan Preda (PPE).** – (RO) I voted for the motion for a resolution on the situation in Gaza. However, I feel that the text is not entirely satisfactory. It is certainly important for Parliament to make its voice heard in relation to the events which occurred on 31 May. An inquiry is obviously needed, with credible international involvement, in order to shed light on the events which took place on that date.

It is also important for Parliament to demonstrate that it is interested in the humanitarian situation in Gaza, bearing in mind too Israel's legitimate concerns about its own security. However, I do think that it is paradoxical for us to ask for an inquiry, while also describing the events which took place as a breach of international law, as in point 2. I also have a problem with us talking about 'collective punishment', which is the expression used in Recital C.

If the European Union wants to play a role in the Middle East, it is vital for it to be seen as a neutral mediator. In my view, we will not make progress in finding peace by making such statements.

**Tunne Kelam (PPE).** - Mr President, I supported the Gaza resolution. However, I find that, emotionally, it is not very well balanced. While we call for an impartial international inquiry into this incident, we should not rush to conclusions or assessments, and that is why I opposed the second part of paragraph 2, which declares that this was a breach of international law. It is up to the investigators to find that out. I also oppose recital C.

**Eija-Riitta Korhola (PPE).** - (FI) Mr President, I share the opinion of Mr Kelam. Along with the rest of my group, I voted in favour of this resolution on the attack on the ship.

It has to be said, however, that there were important issues in our own resolution that this resolution ignored. To take one example: the Group of the European People's Party (Christian Democrats) wanted to recognise Israel's right to exist within its internationally recognised and secure borders. Since this quite self-evident statement is not in the final resolution, I would like to ask why.

**Hannu Takkula (ALDE).** - (FI) Mr President, I voted against this resolution because to my mind it is not impartial. Unfortunately, the resolution is too anti-Israeli, and does not look at the overall situation.



I think that we, the European Union, also failed inasmuch as we ought to have prevented European Union nationals from getting on those ships, as the objective was obviously just to provoke, to enter a closed-off area where an international sea blockade was in place. We all know what that means under international legislation on sea blockades.

As I watched various television channels, it became apparent that, regrettably, that ship was merely intent on a strike against Israel and raising Hamas's profile. Given that, there is no way we can stand behind this type of action that supports terrorism; instead we have to stand up for democracy, human rights and freedom of opinion and defend the democratic state of Israel and its right to exist.

**Søren Bo Søndergaard (GUE/NGL).** - (DA) Mr President, this resolution contained a justified criticism of the Israeli attack, but I regret the fact that the words have not been converted into action. Let us imagine for a moment that it was Cuba or Venezuela or Iran that had attacked an EU vessel in international waters without a prior declaration of war and had killed a number of people – 9 people killed, 34 injured – the reason being that there had been an attempt to support terrorism in Cuba or something along those lines. Would the EU have maintained a privileged trading relationship with such a country? No, of course not. We would have responded in a completely different way. The problem with this resolution is that it contains some fine words, but it will not lead to action. It does not take up the issue of the privileged partnership. If Parliament is to retain its credibility, I think it is important that our words are accompanied by action.

**Róża, Gräfin von Thun und Hohenstein (PPE).** – (PL) Mr President, I did not take part in the vote at all, because the text contains substantive errors which are so serious that I think it should not have come before us at all. I share the opinion of my colleagues from the Group of the European People's Party (Christian Democrats), as well as that of Mr Takkula, that condemning Israel now, and saying that the country has violated international law, before the international commission has said anything, while at the same time making demands of the commission, is pointless and completely divorced from reality. Besides, those who were in the flotilla and who were transporting the goods to Gaza are addressed in the text in one way, while the authorities and citizens of Israel are addressed in another way, which causes unnecessary and unjustified emotion.

#### **Motion for a resolution (RC-B7-0346/2010)**

**Alajos Mészáros (PPE).** - (HU) The heavy rains of the recent period have created a catastrophic situation in Central Europe. The rivers, which have broken their banks, have covered our streets and homes. Many people have lost almost all their possessions, and therefore it is very important to rapidly assess the situation and provide aid. I am very pleased that the European Parliament has also announced this and has responded rapidly and would like to help the residents of the countries in difficulty. Therefore I consider it important to support the motion for a resolution, and I would like to call on the European Commission to act just as rapidly and provide appropriate financial support to my fellow Central European citizens.

#### **Explanations of vote**

##### **Report: Heidi Hautala (A7-0157/2010)**

**Sophie Auconie (PPE), in writing.** – (FR) This European Parliament own-initiative report enables us to evaluate the current situation and propose further steps for the future with regard to the work of human rights defenders around the world. As highlighted in paragraph 7, the entry into force of the Treaty of Lisbon should enable the EU's presence on the international stage to be strengthened, and aid for human rights defenders to be increased: 'Expects that the appointment of the High Representative for Foreign Affairs and Security Policy, who is at the same time Vice-President of the Commission, and the creation of a common External Action Service, could considerably enhance the coherence and effectiveness of the EU in this field'. As mentioned in paragraph 32, the representatives of the European Union abroad have a real responsibility and, therefore, real duties to fulfil: 'Calls on the High Representative of the European Union for Foreign Affairs and Security Policy and on all Commissioners with responsibilities in the area of External Relations to systematically meet with human rights defenders when they officially travel in third countries'. It is a good report, and I have voted in favour of this important text.

**Vilija Blinkevičiūtė (S&D), in writing.** – (LT) I agree with the objectives laid down in the Treaty of Lisbon, whereby each country should appoint a highly qualified political official with a specific responsibility on human rights and democracy. I agree with the initiative to establish a Focal Point which would be responsible for matters related to human rights defenders and the work they carry out. Furthermore, EU Member States need to develop a holistic approach towards human rights defenders in order to increase the credibility and

efficiency of EU policy amongst EU Member States. Support measures must be applied to secure their activities, as well as preventive and protection measures, while taking into account both the short-term and the long-term needs of human rights defenders. I would like to stress that human rights defenders in third countries will be better protected by making the EU dialogue with third countries on political and human rights issues more effective. It is also very important for the role of the defender to be known to and supported by society because the recognition and visibility of their work can also help improve protection in difficult circumstances, as perpetrators might refrain from action when abuses will not occur unnoticed.

**Maria Da Graça Carvalho (PPE)**, *in writing*. – (PT) The defenders of human rights have pledged to implement one or another right enshrined in the 1948 Universal Declaration of Human Rights and other international agreements pertaining to human rights. In other words, their work aims to protect civil and political rights, as well as promoting, protecting and implementing economic, social and cultural rights.

The Declaration reminds us that it is, above all, up to the States to create a favourable environment for the defenders of human rights, allowing people, groups and associations to develop political activities, with a view to promoting and protecting human rights without any restrictions other than those authorised under the European Convention on Human Rights.

Only a holistic approach towards the defenders of human rights can lend greater effectiveness and credibility to European Union policy. This approach must consequently encompass methods of prevention and protection that allow them to take prompt action. The long- and short-term needs of the defenders of human rights must be duly taken into consideration.

**Proinsias De Rossa (S&D)**, *in writing*. – I welcome this report on EU policies in favour of human rights defenders, who play a priceless role in the advancement of fundamental rights, democracy and the rule of law. The Lisbon Treaty places the protection of human rights at the core of the EU's external action. The structure of the External Action Service should therefore reflect this principle, and each EU delegation to a third country needs to include a human rights envoy, to keep contact with independent civil society in a systematic fashion. If EU support for human rights is to remain effective and credible, the protection of human rights defenders has to be present at all levels and instruments of EU foreign policy. EU guidelines on human rights defenders need to be sensitive to especially vulnerable groups, such as women rights defenders, journalists, economic and social rights defenders and those advocating minority and indigenous rights. In its dialogue with third countries, the EU must do its utmost to ensure that their national laws grant the rights enshrined in the UN Declaration on Human Rights Defenders, not only freedom of association, expression and assembly, but also the right to transparently receive domestic and foreign funding.

**Edite Estrela (S&D)**, *in writing*. – (PT) I voted for this report because it presents credible measures that could contribute to greater protection for human rights defenders. I would stress the importance of the proposals advocating the application of a gender perspective when approaching the issue of human rights defenders. Unfortunately, women human rights defenders continue to face specific risks.

**Diogo Feio (PPE)**, *in writing*. – (PT) Human rights defenders are particularly exposed and vulnerable to the repressive acts of the regimes that they are seeking to change and denounce. There are unfortunately innumerable sad news items reporting the murder, mutilation and torture of people whose only crime was to give their lives, their determination and their dedication to the cause of democracy and liberty.

The European Union has made the defence of human rights one of the pillars of its foreign policy and it must, therefore, be consistently in the front line of defence of those who are generously fighting on the ground for freer, fairer and safer societies. On this subject, I would recall the case of those to whom the European Parliament has awarded its Sakharov Prize and who are still today deprived of fundamental freedoms, such as the right to travel, to express themselves freely or even to live in freedom. Europeans must not only recognise the importance of the values, rights and freedoms that they have, but must also seek to contribute decisively to enabling those who are trying to make the societies in which they are active adopt those same standards to do so in the greatest possible safety.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) I applaud the adoption of this report, which is a pledge to urge the European Union and its Member States to protect and support the defenders of human rights, who play a fundamental role in protecting and promoting basic human rights, often putting their own lives at risk. The EU must strongly support the defence of fundamental rights, the promotion of human rights, the rule of law and democracy. I note that the Treaty of Lisbon, namely Articles 3 and 21, places the promotion and protection of human rights at the centre of the Union's external action. I therefore believe that promoting human rights, as a fundamental and objective value of the Union's external policy, should be duly reflected

in the European External Action Service. The promotion, protection and safety of the defenders of human rights must be deemed to be a priority in the European Union's relations with third countries. I would also highlight the importance of freedom of expression and the role of social communication media as engines for action in defending human rights.

**Sylvie Guillaume (S&D)**, *in writing*. – (FR) I believe that promoting the protection of human rights defenders is a vital task that the European Union must fulfil, and that is why I welcome the adoption of this report. The work carried out by human rights defenders is invaluable, but it is not recognised or valued highly enough. In addition, many suffer harassment, threats and violence by oppressive regimes or within their own country, and therefore granting emergency visas is, in my view, a necessary measure to protect these people who are active every single day and risk their lives to promote human rights around the world. Furthermore, it was essential to emphasize the role – too often forgotten – that businesses play in the repression suffered by human rights defenders by providing surveillance technologies to these regimes, and that is what makes this text so commendable. Finally, I hope that Mrs Ashton and all the Commissioners directly or indirectly involved in these issues will take into account the recommendations of this text, by meeting with human rights defenders when they travel to third countries, so that they can benefit from greater visibility.

**Nuno Melo (PPE)**, *in writing*. – (PT) The various citizens and NGOs that work on defending human rights also often have to be protected against abuse by the authorities in some countries. On the other hand, the Treaty of Lisbon is very clear with regard to increasing its focus on human rights in the Union's external action. It is therefore necessary to develop new mechanisms for protecting the defenders of human rights, as well as for putting into practice the EU Guidelines on Human Rights Defenders.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – Human Rights defenders are in need of our support all around the world. These are courageous people who often put themselves in great danger to defend the rights of others. They deserve our support now. The report is only the beginning of the hard work. Policies must be developed, activities must be monitored and results analyzed to deliver on our promise. I have very supportive of Hautala's report, and, as she is, I am also very pleased to see that the Parliament has now sent a strong signal to the High Representative and all Commissioners working in the field of external relations, telling them to systematically meet with human rights defenders when they officially travel to third countries. We also stress the responsibilities of EU delegations abroad to support them.

**Joanna Senyszyn (S&D)**, *in writing*. – (PL) I endorsed the report on EU policies in favour of human rights defenders.

We are all responsible for upholding human rights. This is a condition of membership of the European Union. Unfortunately, not all the governments of Member States are aware of this. This is why implementation of EU guidelines on human rights defenders is going too slowly and is not effective enough.

EU delegations to third countries should prepare local strategies in this area and present them to the European Parliament as quickly as possible, in order to coordinate a common EU strategy in favour of human rights defenders. I appeal for promotion and protection of human rights defenders at all levels and in all aspects and instruments of European Union foreign policy.

Human rights defenders must feel clearly that they are supported and protected by Union law. In the context of the strategy under discussion, I would also like to stress the need to give consideration to the issue of gender when implementing EU guidelines on human rights defenders.

Female human rights defenders face greater difficulties in carrying out their work. Their gender means that they are exposed to greater risks at work: acts of physical and psychological violence, sexual abuse and ostracism. The increased risk faced by human rights activists also concerns journalists and people working on behalf of the rights of minorities, particularly religious and linguistic minorities, as well as those working on behalf of the rights of lesbians, gays, bisexuals and transsexuals.

**Catherine Stihler (S&D)**, *in writing*. – I fully support the EU's work on supporting and defending human rights activists who face prison or even death for fighting for freedoms we take for granted.

#### **Report: Wolf Klinz (A7-0102/2010)**

**Sophie Auconie (PPE)**, *in writing*. – (FR) This is a modification of guidelines already in place in order to simplify procedures for the publication of securities. The purpose of this update is to reduce the obligations on businesses to an absolute minimum without compromising investor protection or the proper functioning

of the securities market. It seems to me that this report helps to achieve such a balance, so I am supporting it.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) I voted in favour of this resolution as I feel it makes a solid contribution to the consolidation of a just and transparent financial and securities market within the European Union as a result of measures implementing the harmonisation of requirements to ensure greater transparency. I would highlight the concern to ensure the provision of various information methods and media, as well as the European coordination of supervisory services in order to improve the protection of investors.

**Nuno Melo (PPE)**, *in writing*. – (PT) Recently we found various cases of a lack of transparency with regard to public offers of securities. Most of the time the consumers were ill informed and had little understanding of the type and quality of the securities in which they were investing their savings – often their life savings. This directive demands that those operating in these markets show greater transparency of information by harmonising the requirements for transparency, so that in the future the investors, regardless of who they are, can make safer and more informed choices on where to save in order to avoid unnecessary losses of important savings, which are often a source of income for families and the elderly.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – (ES) According to the rapporteur, the current Commission proposal is the result of an extensive and continuing process of dialogue and consultation with all key stakeholders, namely those responsible for securities regulation, the market participants and consumers. It is based on the analyses contained in the reports published by the Committee of European Securities Regulators (CESR) and the European Securities Markets Expert Group (ESME). Consideration has also been given to the findings of a study carried out by the Centre for Strategy and Evaluation Services (CSES) and an open Internet consultation. However, our group considers there to be other important factors that have not been fully revealed which have led us to abstain from voting on this report in the plenary session.

**Catherine Stihler (S&D)**, *in writing*. – The first reading deal is welcomed by the S&D group. This should bring clarity to Prospectus and bring the report in line with better regulation.

#### **Report: Raül Romeva i Rueda (A7-0119/2010)**

**Luís Paulo Alves (S&D)**, *in writing*. – (PT) I voted in favour of this proposal, believing that the sustainability of resources is essential, and a good documentary process can be an important contribution to this. In the case of bluefin tuna, taking into account the changes noted from 1974 to 2009, the latest developments discussed at the ICCAT meeting in Recife are a pivotal point and must be included fully in Community law. The high monetary value of this type of catch justifies rigorous monitoring. However, the complexity of it should be noted in the documentation programme. Both of these reasons have led to a growing trend for operators to escape monitoring, rendering it necessary to work within the EU's INN Regulations and its subsequent measures: bans on imports and the obligation to provide catch certificates. Factors such as the depletion of bluefin tuna, the extremely high prices paid for the fish (whether caught legally or illegally) and the difficulties in controlling fishing activities and business make the measures that are currently in place insufficient for sustainable fishing. We therefore ask the Commission to draft the relevant Community regulatory framework as urgently as possible.

**Mara Bizzotto (EFD)**, *in writing*. – (IT) I am convinced that the defence of cultural identity is mediated by untiring protection of the land and the natural resources that distinguish it and guarantee its uniqueness. I can therefore only support measures that preserve small-scale fisheries while aiming to protect the bluefin tuna, which has been exposed to the serious risk of extinction as a result of indiscriminate fishing by large-scale industries for international export. For this reason, I will vote in favour of the report by Mr Romeva i Rueda.

**Sophie Auconie (PPE)**, *in writing*. – (FR) This regulation aims to implement the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT) regarding a catch documentation programme for bluefin tuna, which have been in force since 11 June 2008. This draft documentation programme establishes rules concerning the traceability of all bluefin tuna caught, transhipped, fattened, slaughtered, landed and exported in the EU, rules on the verification and validation of the catch documents and a bluefin tuna catch document model (BCD). I voted in favour of this report, which seems balanced and which constitutes the first fishing regulation adopted under the ordinary legislative procedure, following the entry into force of the Treaty of Lisbon, which extends the powers of the European Parliament.

**Lara Comi (PPE)**, *in writing*. – (IT) Thank you for this opportunity to explain my reasons for voting in favour of the Bluefin Tuna Catch Documentation Programme.

I believe that within the European Parliament there is a general consensus on the need to protect species at risk of extinction. Biodiversity is truly the world's heritage, and Member States and the entire international community must do everything possible to protect it.

In this sense we are right to be addressing the bluefin tuna situation. If the bluefin tuna stock is constantly declining, then finding a method to safeguard it must be a priority for us. Therefore, the Bluefin Tuna Catch Documentation Programme, which is proposed in this report and is a measure that implements what has already been approved by the International Commission for the Conservation of Atlantic Tunas, is a good idea in my view. I believe that this new programme can truly help resolve the problem of the declining numbers of bluefin tuna, even though it will create some difficulties for small-scale European fishermen. This remains one of the employment categories that has been worst hit by the economic crisis and it needs to be supported in other ways.

**Edite Estrela (S&D), in writing.** – (PT) I voted for the report on the proposal for a regulation of the European Parliament and of the Council establishing a catch documentation programme for bluefin tuna (*Thunnus thynnus*) because it includes measures that will contribute to preventing the over-exploitation of fisheries and improving the monitoring of stocks of this species.

**Diogo Feio (PPE), in writing.** – (PT) Portugal has the third-largest bluefin tuna quota and about 80 Portuguese ships are active in the area of fishing for tuna, which is also a fundamental element of the Portuguese diet. The preservation of this species is therefore crucial for our country, not only because the livelihoods of innumerable families depend on it, but also because it is a fish that is essential to feeding our population.

Therefore, when the rapporteur recalls the possibility of the bluefin's inclusion in the appendix to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, which would prevent it from being traded, I must stress once again the importance of ensuring adequate protection for endangered wild species whilst at the same time not threatening activities that ensure the economic and social viability of various communities or condemning them to disappearance.

**José Manuel Fernandes (PPE), in writing.** – (PT) I applaud the approval of the programme for documenting the capture of bluefin tuna, which prohibits the unloading, transshipment, caging, capture, internal trade, import, export or re-export of bluefin tuna that is not accompanied by a catch document duly filled in and approved. The new regulation establishes a European programme for documenting the capture of bluefin tuna to support the implementation of conservation and management measures approved by the Internal Committee for the Conservation of Atlantic Tuna (ICCAT). The document incorporates the provisions of the ICCAT programme with a view to identifying the origin of all the variants of this species. The programme also aims to reduce illegal fishing of bluefin tuna that is not regulated and not declared and which has contributed to the almost complete disappearance of the respective populations.

**Ian Hudghton (Verts/ALE), in writing.** – Bluefin tuna stocks have been dangerously over-exploited and today's vote is to be welcomed as one step towards rectifying the situation. The implementation of a regime enforcing full traceability will be a valuable tool in bringing about a more sustainable fishery.

**Jean-Luc Mélenchon (GUE/NGL), in writing.** – (FR) The transposition of the measures advocated by the International Commission for the Conservation of Atlantic Tunas regarding bluefin tuna fishing is a positive development. However, it is not enough. It does not allow us to effectively combat illegal fishing and will not, therefore, enable the stocks to be replaced. A period of inactivity must now be provided for urgently. This is unthinkable without acknowledging the efforts made by small-scale fishermen and financially compensating them for their forced inactivity.

**Nuno Melo (PPE), in writing.** – (PT) The EU must be very active, demanding and exemplary with regard to the status of fish populations. This is because the current numbers of various species are alarming. Countries such as Japan continue to show no interest in the drop in some populations of marine species, making their conservation very difficult. I therefore believe it is fundamental to approve the documentation programme for the capture of bluefin tuna, which prohibits the unloading, transshipment, caging, capture, internal trade, import, export or re-export of bluefin tuna without a catch document duly filled in and approved. In question is the planet's sustainability through the preservation of its resources, fauna and flora, all of which deserve greater legislative attention from the EU.

**Willy Meyer (GUE/NGL), in writing.** – (ES) I voted in favour of this report because it is a step forward in defining the documentation that must accompany catches of bluefin tuna. I believe that these control measures make illegal, unreported and unregulated fishing difficult, therefore they are going in the right direction.

Bluefin tuna is a symbol of what is happening in the EU: of what happens when the market is not regulated. What happens is that it rides roughshod over jobs, the environment and species such as bluefin tuna. The market is insatiable and it exhausts the resources. The exhaustion of fishing resources is an environmental problem, but also a social one. The innocent cannot pay for the sins of the guilty. Traps, which are an age-old fishing technique that has never endangered the survival of bluefin tuna, cannot be punished.

The European Union must take seriously the technical reports on bluefin tuna that come out of the next meeting of the International Commission for the Conservation of Atlantic Tunas. We must work to ensure that the EU makes work compatible with the environment, biodiversity and sustainability.

**Andreas Mölzer (NI)**, *in writing*. – (DE) Some fish have traditionally been treated as delicacies. This naturally leads to high demand for these fish, which continues until their stocks are threatened. The waters of the EU are among those that are most overfished. In order, on the one hand, to prevent the extinction of certain fish species and, on the other, to ensure that fishermen do not lose their livelihoods, it is important to combat illegal fishing. In practice, compliance with fish quotas often fails due to difficulties associated with control. The catch documentation programme will hopefully improve this situation, which is why I have given the report my support.

**Maria do Céu Patrão Neves (PPE)**, *in writing*. – (PT) This report relates to the transposition of the ICCAT catch documentation programme into Community law.

Some measures, which are the subject of this report, were adopted on the basis of the ICCAT meetings held in Recife:

- the general requirement to harvest caged fish the year of capture or prior to the beginning of the following year's purse seine season (exceptions are allowed);
- chartered fishing vessels can no longer be used;
- the addition of a new Annex with detailed instructions on the issuing, completion and validation of the documentation programme.

Good quality bluefin tuna has a high commercial value, which is the reason why operators have tried to escape controls, frequently disrespecting legislation.

This report aims to do its best to prevent this situation from taking place and therefore deserves my vote.

**Aldo Patriciello (PPE)**, *in writing*. – (IT) The proposal for a regulation of the European Parliament and of the Council amends the existing regulation on bluefin tuna (*Thunnus thynnus*) catch documentation.

One of the main reasons why the proposed amendment was tabled is the vicissitudes of the International Commission for the Conservation of Atlantic Tunas (ICCAT), which is also responsible for bluefin tuna fishing in the Adriatic Sea. This Commission was set up as an organisation to combat unregulated fishing through the use of alternative measures. These included imposing trade measures on countries whose vessels fished for endangered species in breach of ICCAT regulations.

I mentioned the fact that there is already a catch documentation programme for bluefin tuna, the Bluefin Catch Document (BCD), which is probably the most complex documentation programme in existence for a single fish species. Nonetheless, I am very much in favour of the proposal to extend and improve that programme, enhancing it with new data such as catch data, information on the exporter or seller, transhipment information, farm details, harvest information and trade information.

Lastly, I am very pleased to know that such an initiative, if adopted, would be in accordance with the European Union's much-publicised desire to abolish illegal, undeclared and unregulated fishing.

**Frédérique Ries (ALDE)**, *in writing*. – (FR) The bluefin tuna saga continues. Just as well, I might add, since, despite the firm stance taken by the 27 Member States of the European Union and by the United States – which are in favour of a ban on marketing the species – the call for a ban was blocked in March by Japan, a country that consumes more than 80% of bluefin tuna, and its allies. Yet the facts speak for themselves: 70% of the world's fisheries are in danger of extinction; we are literally plundering the oceans. That is why the message sent out by the European Parliament today is important: we need greater and better quality control. We need to strengthen the powers of the International Commission for the Conservation of Atlantic Tunas which, over the past 20 years, has failed to ensure sustainable fishing and to preserve stocks. The traceability of fish from capture to export must also be improved. Finally, we should welcome the remarks made by

Commissioner Damanaki, who said during the debate that the European Commission would use all its legal and diplomatic authority to save bluefin tuna. These are grave times: stocks have depleted by more than 85% since industrial fishing began.

**Raül Romeva i Rueda (Verts/ALE), in writing.** – I am very glad the EP supported my proposal of report on such an important issue. The new Bluefin Catch Document is a welcome and valuable addition to the system slowly being put in place to regulate the bluefin tuna fishery, but by itself, it is not going to save the species from collapse. After many years of over-exploitation, including large catches taken illegally by EU and other fleets, bluefin tuna is severely depleted. Commissioner Damanaki recognized this by supporting a ban on international trade in bluefin earlier this year at CITES, which would have had the effect of significantly reducing catches, bringing them more in line with scientific advice. If the European Union is to be consistent in its policy on bluefin tuna, then it must behave more responsibly at the next meeting of ICCAT, to take place in Paris from 17-27 November. For many years, the EU used its very considerable influence in ICCAT to push for quotas that were far higher than scientific advice, while at the same time not putting in place strict monitoring of the fishery. As a result, quotas were sometimes exceeded.

**Catherine Stihler (S&D), in writing.** – The collapse of bluefin tuna stocks should have been a wake-up call to us all. The fact that we failed to act quickly has resulted in the situation becoming a disaster. The over-exploitation and over-capacity of the fleet requires urgent action in order to ensure that there is a fisheries stock for the future.

**Nuno Teixeira (PPE), in writing.** – (PT) The preservation of bluefin tuna stocks is an issue that the Group of the European People's Party (Christian Democrats), to which I belong, has always advocated given the alarming threat that this species of fish will be eradicated. Parliament's report, the adoption of which I am supporting today, seeks to find a solution that balances growing environmental concerns at the near disappearance of the bluefin tuna and the economic and social importance of the fishing sector in the European Union by incorporating the conservation and management measures adopted by the International Commission for the Conservation of Atlantic Tunas into EU legislation.

These measures include a new, complex programme of documentation that must accompany the batch of tuna at all stages of the monitoring chain and the banning of the use of chartered fishing boats from now on. It would be desirable for these measures to be applied in a way that is effective and proportional to the objective of preserving the species in question, so as not to compromise the economic and social viability of various coastal communities of the EU, above all those that are most dependent on fishing activities, as is the case with Portugal and its outermost regions, the Azores and Madeira.

#### **Report: Carlos Coelho (A7-0199/2010)**

**Sophie Auconie (PPE), in writing.** – (FR) Although they have been members of the European Union since 1 January 2007, Romania and Bulgaria do not yet participate in the Schengen Information System (SIS), which strengthens cooperation between customs, police and legal authorities in European countries. Having made great progress, however, both Member States now fulfil the conditions required to join this system. I therefore voted in favour of this report enabling Romania and Bulgaria to have access to the SIS, an important step towards full entry to the Schengen area and a future lifting of border checks.

**Edite Estrela (S&D), in writing.** – (PT) I voted for this report as I believe that this draft decision of the Council is a sound method of abolishing EU internal border controls with Bulgaria and Romania. Following the results of recent assessments carried out in these countries, we cannot justify continuing to maintain the current obstacles to the movement of EU citizens on its own territory. The Council should take the decision to do away with the borders as swiftly as possible to end the discrimination that the people from these Member States continue to endure.

**Diogo Feio (PPE), in writing.** – (PT) I share the position of the rapporteur with regard to Bulgaria and Romania's need to notify the Council and the European Parliament of the follow-up to the recommendations made in the evaluation and monitoring reports that are still to be carried out. Only effective fulfilment by all the parties to the Schengen acquis will allow effective abolition of the internal border controls with these Member States.

**José Manuel Fernandes (PPE), in writing.** – (PT) This draft decision of the Council regarding the application of the provisions of the Schengen acquis pertaining to the Schengen Information System in the Republic of Bulgaria and in Romania is a first step towards the abolition of EU internal border checks for Bulgaria and Romania. The abolition of the borders will be the subject of a separate decision of the Council at a later stage,

following new assessments. I support the position of the rapporteur and namely the view that the European Parliament and, in particular, the members of the Committee on Civil Liberties, Justice and Home Affairs, should have access to the evaluation reports and all the other relevant information concerning the implementation of possible recommendations made, before giving a reasoned and motivated opinion. I agree with the need for the European Parliament, as well as the Council, to be informed of Bulgaria and Romania's follow-up to the shortcomings identified by the experts in the course of evaluations on data protection. I also support the rapporteur regarding the need to establish a simple, effective and transparent evaluation mechanism that complements the actual Schengen evaluation and enables the Schengen area to be preserved as an area of free movement.

**Elisabetta Gardini (PPE)**, *in writing*. – (IT) We fought long and hard in the past to have the bluefin tuna included in Appendix I to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and to prevent its fishing and marketing. The recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT) confirmed that we were on the right path and that it would only be possible to combat the depletion of bluefin tuna stocks and at the same time protect our fishermen, who are already hard pressed by the difficult crisis situation, through more responsible management of resources.

Managing resources means fighting illegal fishing, setting up a tough quota control system, proposing innovative measures to manage stocks and monitoring trade flows. For this reason, I voted in favour of these new rules, which guarantee reliable traceability of each stage of the supply chain by imposing the supply of full documentation from catch to sale. If we practice prevention, we will be able to safeguard the bluefin tuna without penalising, and I stress this, honest fishermen who, in their own interests, are the first to wish to prevent the extinction of this fish species.

**Sylvie Guillaume (S&D)**, *in writing*. – (FR) I voted in favour of this report adopting a draft Council decision which states that both Bulgaria and Romania meet the data protection criteria required to join the Schengen Information System (SIS). The Schengen Evaluation Working Group has verified that the branches of the SIS system in Bulgaria and Romania will ensure adequate levels of data protection, and has given a positive report, paving the way for additional tests before the end of the year.

**Jean-Luc Mélenchon (GUE/NGL)**, *in writing*. – (FR) I would not wish for Bulgarians and Romanians something that I would not wish for my own people. The Schengen Information System does not provide the necessary guarantees concerning the protection of personal data. Its expected development towards a second-generation system reinforces its security deficiencies. This will allow it to retain entirely subjective data such as the presumption of terrorist tendencies. Moreover, the possibility that this data might be shared with the United States has not been ruled out. I am therefore voting against this report.

**Nuno Melo (PPE)**, *in writing*. – (PT) It is essential that new countries join the Schengen Information System so that a Europe without borders is achieved. These two countries were subject to various evaluation procedures, namely with regard to data protection, the Schengen Information System, air, land and sea borders, police cooperation and the policy on visas. Although the situation should be improved, an important step was taken with regard to the abolition of internal border controls with Bulgaria and Romania.

**Andreas Mölzer (NI)**, *in writing*. – (DE) In adopting the Schengen acquis with their accession to the EU in 2007, both Romania and Bulgaria submitted themselves to an examination of the necessary conditions for application of the same. The controlling body, the Schengen Evaluation Working Group, has been able to establish that the conditions for the introduction of the Schengen Information System (SIS), with the transfer of real data, have been met by both States. The connection of both States to the SIS is scheduled to take place at the end of the year. I voted in favour of the report, as both Romania and Bulgaria have met the specified goals.

**Georgios Papanikolaou (PPE)**, *in writing*. – (EL) I voted in favour of the report on the application of the provisions of the Schengen acquis relating to the Schengen Information System (SIS) in Bulgaria and Romania in order to support a) the request by Bulgaria and Romania to participate in enhanced Schengen cooperation, provided, of course, that they satisfy all the terms provided for under the Schengen acquis and the evaluation of them is successfully completed, b) the establishment of a simple, effective and transparent evaluation mechanism which will complement the actual Schengen evaluation and enable the Schengen area to be preserved as an area of free movement, c) substantial participation by Parliament in the establishment of the new evaluation system.



**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – (ES) The adoption of this report opens a period of six months for each of the Member States concerned to make a written report to the European Parliament and the Council on how it intends to respond to the recommendations formulated in the evaluation reports and follow-up documents that are outstanding.

#### **Motion for a resolution (B7-0375/2010)**

**Luís Paulo Alves (S&D)**, *in writing*. – (PT) I voted in favour of the resolution as

- I believe it is essential that the Council strengthens the role and independence of Eurostat;
- I believe it is important that the Council and the Member States be asked to accept that Eurostat should be given responsibility to carry out unannounced inspections in the Member States to verify statistical data.
- I regard the Commission's proposal as the minimum needed in the light of the Greece case, emphasising that the reporting obligations need to be enforced in all Member States and that reporting should include details of any previous off-balance sheet activity;
- I believe that the Member States should end the use of off-balance sheet debt structures of any kind;
- I agree with the calls for the Commission to propose binding legal measures to oblige the Member States to end the practice of using off-balance-sheet debt structures of any kind;
- I believe it is very important that attention has been drawn to the tendency among Member States to keep certain liabilities off their balance sheets, in particular in respect of future payments necessitated by public-sector pensions and by long-term contracts with the private sector for the leasing or provision of public facilities (...)

*(Explanation shortened in accordance with Rule 170(1) of the Rules of Procedure)*

**Sophie Auconie (PPE)**, *in writing*. – (FR) As the Greek case clearly reflects the lack of quality budgetary statistics in the EU, it seems to me to be necessary to strengthen the role and independence of Eurostat, and in particular to allow the service to make unannounced inspections in Member States in order to verify statistical data. These are the requests outlined in this resolution, which I have therefore supported.

**Jean-Pierre Audy (PPE)**, *in writing*. – (FR) I voted in favour of the European Parliament resolution of 17 June 2010 on the quality of statistical data in the Union and enhanced auditing powers by the Commission (Eurostat). It establishes that the Commission (Eurostat) has so far lacked the auditing powers needed to improve the quality of European statistics. Recent events have shown that a properly functioning statistical system is essential for obtaining reliable data, given that the political will to comply with common rules and to make real progress towards stronger statistical governance has so far been lacking. Considering that the European Commission is not independent from the Member States that put forward its Commissioners, I suggest that a role should be given to the European Court of Auditors in auditing financial and economic information from Member States, so as to give that information a reasonable guarantee of quality, reliability, authenticity and accuracy.

**Maria Da Graça Carvalho (PPE)**, *in writing*. – (PT) I voted in favour of the resolution as I believe it is fundamental that the Council reinforces the role and independence of Eurostat; I believe it is important the Member States provide Eurostat with public finance data based on a standardised, internationally accepted method of accounting; and I believe in the relevance of implementing the European Statistical Code of Practice, which strengthens the independence, integrity and accountability of national statistical institutes and Eurostat, with the aim of promoting the application of best statistical principles, methods and practices by all producers of European statistics, in order to optimise their quality.

**Edite Estrela (S&D)**, *in writing*. – (PT) I voted for the motion for a resolution on the quality of statistical data in the Union and enhanced auditing powers by the Commission (Eurostat) because I think that it is necessary to strengthen the role and independence of Eurostat and ensure the consistency of the Member States' statistics.

**Diogo Feio (PPE)**, *in writing*. – (PT) The quality and truthfulness of statistics submitted by EU Member States are essential if problems such as those experienced recently are to be avoided. I therefore consider it essential to put into practice greater transparency, coordination between the Member States and the Commission

(Eurostat), and increased application and extent of Eurostat's powers, including that to inspect Member States.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) The credibility of public accounts is fundamental. Preventing deficits from slipping can only be done using a good mechanism for monitoring deficits and public accounts. The commitment should be to prevention, such that it is not necessary to have recourse to sanctions. Nobody should be afraid of preventive and corrective inspections. There should be uniform ideas when defining what counts in terms of the deficit, in order to avoid lack of budgetary discipline. I agree with avoiding the use of off-balance sheet debt structures of any kind. The liabilities must be clear, in particular those that are often off the balance sheets of the Member States, as in the case of future payments for public-sector pensions and long-term contracts with the private sector for the leasing or provision of public facilities. Thus, I agree that the Member States should provide Eurostat with public finance data based on a standardised, internationally-accepted accounting method. I believe that it is important to implement the European Statistical Code of Practice, which strengthens the independence, integrity and accountability of the national statistical institutes and Eurostat, in order to optimise their quality.

**Jean-Luc Mélenchon (GUE/NGL)**, *in writing*. – (FR) As if the Greek crisis were caused by statistical errors alone, the Commission is using it as an excuse to allow Eurostat to lay down the law on the EU's figures. It thus considers that the wisdom of Eurostat experts is the final safeguard against the supposedly rogue Member States that are trying to hide something. Member States should therefore accept that this European Commission body will validate their calculations, oversee their management and inspect their data. Being granted aid from the Structural Funds could even become conditional on the handing-over of these statistics. This text is in the same vein as the one approved by the Council on 7 June 2010, which would force Member States to have their budgets validated by the Commission. It imposes a loss of sovereignty on Member States and a lack of trust in governments that have been democratically elected – unlike the Commission. This goes beyond the powers conferred upon the Commission by the Treaties and is not acceptable. I shall therefore vote against.

**Nuno Melo (PPE)**, *in writing*. – (PT) The quality and reliability of the statistical data on the economic performance of the EU countries are of paramount importance in assessing the actual state of the economies of the Member States. The Greek statistical data which, according to various news reports, is distorted and does not reflect the reality of the economy, was an important warning for us to take measures to prevent such situations occurring in the future. Thus, strengthening Eurostat's powers and technical and human resources is very important, so that in the future the EU is no longer faced with a situation where statistical data is distorted by the Member States.

**Andreas Mölzer (NI)**, *in writing*. – (DE) Statistical data form an important basis for political decisions. For this reason, the data should be of as good a quality and as accurate as possible. However, it must not deteriorate into a situation where businesses have to spend all their time on bureaucratic tasks – which will affect small and medium-sized enterprises in particular – nor must the statistics be abused so as to provide Eurostat or the Commission with additional powers. With regard to the example given of Greece's falsified statistics, the Commission was aware of this for a long time before anything was done about it. As this matter is clearly to be used as an opportunity to extend powers, I have voted against it.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – (ES) With this report, the European Parliament is taking another step forward in terms of transparency by asking the Commission to apply more rigorously the European Statistical Code of Practice, which will strengthen the independence, integrity and accountability of national statistics institutes and of the Commission (Eurostat), in order to promote the application of best international statistical principles, methods and practices by all producers of European statistics in order to optimise their quality. We also ask the Council and Member States to accept unreservedly the need for regular dialogue and in-depth monitoring visits by the Commission (Eurostat), so as to enhance the monitoring of the reported data and provide permanent assurance of its quality. Furthermore, we ask the Council to increase its support for the work of the European Anti-Fraud Office (OLAF), the role of which we consider essential in protecting the financial interests of the European Union and, thereby, its citizens, as well as essential in upholding the reputation of the European institutions.

**Catherine Stihler (S&D)**, *in writing*. – The independence and quality of statistical data is vitally important as we face a sovereign debt crisis in several EU Member States. The need to renew confidence in this area is essential if we are to see our way out of this crisis and into a period of economic growth. After all, the EU 2020 strategy is all about growth, growth and growth.

**Report: Romeva i Rueda (A7-0155/2010)**

**Luís Paulo Alves (S&D)**, *in writing*. – (PT) I voted in favour of the resolution as

- I consider that the equal treatment of men and women is one of the objectives of the European Union and, consequently, one of the key principles in any policy response to the economic and financial crisis and in the transition towards the post-crisis era;

- I agree with the principle that we must ensure that the current economic and financial crisis and future economic issues do not endanger what has been achieved so far in the field of gender equality and that the recession is not used, as is already the case in other Member-States, as an argument for scaling back gender equality measures;

- I consider it unacceptable that the differences in pay between men and women should persist and run the risk of being accentuated by the economic and financial crisis. I also agree with the invitation to the European institutions and the Member States to establish clear objectives and propose binding measures to fight against differences in pay.

**Sophie Auconie (PPE)**, *in writing*. – (FR) I voted in favour of this resolution because I agree with the main points: it reiterates that equality between women and men is one of the objectives of the European Union and must be included as a fundamental principle in our response to the economic and financial crisis. It also calls on EU institutions and Member States to adopt clear objectives and to propose binding measures in order to combat wage disparities between women and men.

**Vilija Blinkevičiūtė (S&D)**, *in writing*. – (LT) I agree with this report because equality between women and men is one of the most important goals of the European Union and therefore it is necessary to take concrete action at EU level in this area so that we do not lose the achievements we have made so far. I would like to draw attention to the fact that the current economic crisis has raised concerns that the achievements in gender equality are at risk, and that the effects of the recession are liable to affect women in particular. It is regrettable that many women have already lost or are expected to lose their jobs, particularly those working in retailing, services and tourism as well as women in part-time and precarious jobs. I would also like to stress that female unemployment can be expected to rise disproportionately as public sector budget cuts are announced, since women are disproportionately employed in education, health and social services. Moreover, given that many women are starting their own businesses, we must strive for a reduction in the administrative burden and create new jobs in the small and medium-sized enterprise sector. Women's integration into the labour market in recent decades means not only a greater direct impact of the crisis on women themselves but also on households, where incomes will be significantly affected by female job losses.

**Vito Bonsignore (PPE)**, *in writing*. – (IT) I did not abstain from voting on the report because I do not recognise the social and human importance of women. Rather I abstained because I consider it reductive to allocate responsibility for the current economic crisis to men, because they are of the male gender. In the text submitted in this Chamber today, I also encountered more than a few elements contained in previous documents and already approved by the Committee on Women's Rights and Gender Equality. I am also convinced that, by their very nature, women are endowed with more pronounced managerial and administrative capacities than we men and in present-day society the roles of effective prestige with which they are entrusted have yet to be acknowledged. Having said this, however, the roots and causes of the economic crisis are quite different and certainly cannot be attributed to the small proportion of women on the boards of directors of banks or rating agencies. One of the most severe consequences of this crisis is the high unemployment rate, which is hitting everyone very alarmingly, particularly young people and women. I believe that the European Union has long been engaged in recognising the role of women in society and the Parliamentary Committee on Women's Rights and Gender Equality is a clear example of this. At the same time, however, I believe that the EU must adopt a very different course of action to ensure women are valued and their true worth is acknowledged.

**Maria Da Graça Carvalho (PPE)**, *in writing*. – (PT) I voted in favour of the resolution as I believe that equal treatment of men and women is one of the objectives of the European Union and therefore one of the key principles of any policy response to the economic and financial crisis and the transition towards the post-crisis era; I believe it is fundamental that the Commission, the Council and the Member States adopt the necessary measures to include views on gender in all EU policies and that they proceed to review the existing legislation to be able to ensure equality between men and women and adopt positive discrimination measures whenever necessary. I agree with the request to the European institutions, the Member States and the local and regional authorities to take concrete measures, namely through legislation, that aim to encourage the balance between

men and women in positions of responsibility in companies and in politics, including on the boards of directors, and in the institutions, administrations and local, regional, national and European public organisations, which must set an example. The resolution therefore encourages the fixing of binding goals with a view to guaranteeing equal representation of men and women.

**Proinsias De Rossa (S&D), in writing.** – I support this report on gender aspects of the economic downturn and financial crisis, which highlights the particularly negative impact of the current economic crisis on women, whose employment status tends to be more precarious, with a higher risk of redundancy and lack of social security coverage. Moreover, 35 years into the implementation of the equal pay directive, the gender pay gap stands at an EU average of 18%, rising as far up as 30% in some Member States. Budgetary cuts are now affecting gender equality measures, work-life reconciliation policies as well as care services for children, the elderly and other dependents. About 95% of decision makers in financial institutions and all central bankers in the EU are men, so women are especially vulnerable to what is a truly man-made crisis. Equal pay legislation at EU level needs to be revised and gender mainstreaming has to be part of the EU 2020 strategy, with specific targets in its employment and macro-economic guidelines. Gender budgeting should be introduced in all policies. We need quality care services and increased participation of women at all levels of decision making in order to help curb the feminisation of poverty.

**Philippe de Villiers (EFD), in writing.** – (FR) The worthy fight against inequality should not lead to a loss of natural differences between men and women. Personal freedom is part of a social framework that we need to protect, of which the family is the keystone. The family, consisting of a man and woman as parents who are equal in dignity and who complement each other, should remain the model, and motherhood must also be encouraged. This is more a moral crisis than an economic one, and it is from that point of view – through education and respect for human nature – that we will achieve equality between men and women.

These own-initiative reports are a further waste of energy for Parliament, which wishes to interfere in everything out of ideological or political interest, but without ever doing anything effectively.

It is not, therefore, possible to support the Figueiredo or Romeva i Rueda reports, especially as the EU is not the appropriate framework in which address these problems.

**Diogo Feio (PPE), in writing.** – (PT) Although I defend the principle of equality and the need to reduce gender differences, particularly in the labour sector, I cannot fail to point out that the current financial crisis is affecting both men and women and the measures taken to combat the crisis must be taken globally, to help States, companies and families as much as possible to overcome this period of austerity.

However, I must recognise that the States need to make an effort, not only on a legislative, but also on a practical level, to try to reduce the differences that persist between men and women in the work place, setting the same pay for the same job, equal access to positions of responsibility or management and legislating to allow women to have an adequate work-life balance, so that the decision to start a family does not place an excessive burden on her career.

**José Manuel Fernandes (PPE), in writing.** – (PT) In the current scenario of the world economic crisis that has been aggravating the social problem, the risk of gender discrimination is a real threat to the consolidation of a developed, fair and equitable Europe. Sexual discrimination is a structural problem that exists in the developed world and in Europe and has serious consequences in terms of equal opportunities and economic and social stability. I understand that the irreplaceable and essential role of women in a family and social context is not duly recognised, valued or protected. The weaker position of women is even more evident in the unacceptable wage discrimination and in terms of access and progress in the workplace, in the private or public sector and even in politics. The European Union should be determined to defend equal opportunities based on valuing professional skills and merit, regardless of gender or colour. However, I regret that this noble cause is exploited to promote various issues that give rise to fundamental differences in their ethical and moral contextualisation, as in the case of abortion and the incentives from the State and regional authorities on this matter. I have, therefore, abstained.

**Sylvie Guillaume (S&D), in writing.** – (FR) We should emphasise the fact that gender equality constitutes one of the answers to the current crisis. In that context, we urgently need to set a binding and ambitious employment objective specifically for women, and to achieve equal pay for male and female workers. A penalty system should be established for Member States that continue to be hesitant in taking action to improve equality between male and female workers. Without such measures, the concept of gender equality will not move beyond the stage of a pious utopia. That was the logic behind my supporting this report.

**Barbara Matera (PPE)**, *in writing*. – (IT) The Romeva i Rueda report contains certain critical areas that prompt us to disagree with the individual paragraphs that comprise it.

The gender aspects of the economic downturn and financial crisis are real and evident and no one wishes to dispute them today. The inclusion of numerous roll calls led the discussion in the direction of an exploitation of gender aspects and of the appellative gender, between men and women, making the entire framework of the report unbalanced and very open to criticism.

The individual votes will defend the positions already identified in the Committee, which have always been defended with conviction due to the creed and principles shared by most of the societies we represent.

**Nuno Melo (PPE)**, *in writing*. – (PT) The politics of equality, aiming at equal treatment, regardless of gender, is a priority receiving ever greater attention on a legislative level. However, this should not invalidate the fundamental principle that people should be chosen on the basis of competence as a criterion and, furthermore, it should not allow more qualified people, regardless of gender, to be overlooked in favour of less qualified people because of a strictly administrative imposition. It should be added that we should always reject the use of camouflaged excuses, the economic crisis or any others, to try surreptitiously to introduce profound changes on controversial matters that are not given justified visibility, namely the policy on abortion.

**Andreas Mölzer (NI)**, *in writing*. – (DE) Women are under-represented on the boards of companies in the financial sector. The proportion of women directors is far too small. In the opinion of the report's author, a better gender balance could possibly have prevented the credit crisis from occurring or at least significantly reduced its impact. According to Michel Ferrary, professor at Ceram in France, women tend to avoid risk and focus more on a long-term perspective. Although I am sceptical about studies of this kind, we must ensure that the proportion of women increases significantly in future.

Women are being harder hit by the crisis than men, as cuts in public spending affect them more directly, in particular in the area of domestic care and motherhood. In addition, the proportion of precarious or part-time work is also much higher. However, I have rejected the report, because it pays too little attention to motherhood from an economic perspective.

**Siiri Oviir (ALDE)**, *in writing*. – (ET) I supported this report, because it is not enough for us, the politicians, to encourage women to take part in elections. The people are watching Parliament; they are looking at what we have actually done for them. The targets we have set are on the right scale of values, and now we must make sure that the decisions made by the Member States are also implemented. It is no secret that today, the serious economic and financial crisis in Europe is having a particularly harmful effect on women, because the crisis is further deepening the current problems that exist in the area of gender mainstreaming, such as inequality and discrimination. As we attempt to resolve the crisis, without doubt one of the main objectives in the new economic environment is to increase the sustainability of the EU's competitiveness – and not only that, but also to increase competitiveness itself. However, when taking action to boost the EU's competitiveness, we should not forget the fact that equal rights between men and women are not an objective in itself, but a precondition for the EU's overall objectives – growth, employment and achievement of social cohesion. On this point, though, it worries me that in the EU 2020 strategy, which sets out Europe's strategic objectives for the next ten years, the gender aspect is lacking in the measures which are soon to be fully outlined. I agree with the point made in the report that equal treatment of women and men is one of the European Union's values, and it must also be one of the central principles in any political measures taken in reaction to the economic and financial crisis.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – (ES) With the adoption of the report on gender aspects of the economic recession and the financial crisis, the EP is ensuring that today will become very important for many millions of women in Europe, because for the first time since the crisis became apparent it is being discussed from a gender perspective. I am pleased that once again it has been the European Parliament that has led the way for the other institutions, in this case, with an own-initiative report that finally includes gender issues in the debate about overcoming the economic crisis. This report shows that gender inequalities are among the causes and consequences of the financial and economic crisis. To begin with, the composition of the decision making bodies of financial institutions is clearly imbalanced. At European level, its three financial institutions (the European Central Bank, the European Investment Bank and the European Investment Fund) are led by men, with only 10% of women present in their higher decision-making bodies. This has generally led to a culture of risk taking with catastrophic consequences.

**Catherine Stihler (S&D)**, *in writing*. – We need an urgent analysis of deficit reduction programmes in Member States. Women and children are disproportionately affected. This issue concerns us all.

**Marina Yannakoudakis (ECR)**, *in writing*. – The ECR Group believes that policy issues relating to childcare, healthcare, family life and employment law are not the responsibility of the EU but rather the responsibility of individual Member States, under the principle of subsidiarity. For this reason we voted against the report as a whole. The ECR Group has demonstrated, through voting in favour of Articles 1, 18, and 28, that we fully support the principle of equality between men and women, including equal pay for equal work, the need for action on violence against women and moving towards a more gender-equal society.

**Proposals for appointments to the special committee on the policy challenges and budgetary resources for a sustainable European Union after 2013**

**Luís Paulo Alves (S&D)**, *in writing*. – (PT) I voted in favour of the resolution as

- I believe it is essential to create a committee that begins to discuss the financial prospects after 2013, namely
  - . the political priorities for the MFF after 2013
  - . to calculate the financial resources that the Union requires in order to achieve its objectives and pursue its policies for the period beginning 1 January 2014
  - . to define the duration of the next MFF
  - . to propose a structure for the future MFF, according to defined objectives and priorities, indicating the main areas of the Union's activity
  - . to specify the link between the reform of the EU budgetary financing system and a review of the expenditure, in order to provide the Committee on Budgets with a sound basis for negotiations on the new MFF.

**Report: Ilda Figueiredo (A7-0156/2010)**

**Luís Paulo Alves (S&D)**, *in writing*. – (PT) I voted in favour of this report because I believe that equality between men and women is an essential requirement for the full enjoyment of fundamental human rights. We should also highlight that, since this is a fundamental principle of the European Union, it is high time to make a real effort in terms of ending existing discrimination between the sexes. However, gender equality is a pivotal instrument for economic development and social cohesion, as it has an unquestionable impact on productivity and economic growth, bringing with it countless social and economic benefits. This being so, and taking into account the complex current crisis, it is essential to seek mechanisms for including women in society. Actions on this scale are therefore extremely useful as they have a positive impact in terms of full inclusion of women in the workplace and in society in general.

To this end, I believe that this report makes an essential contribution in terms of discrimination against women and overcoming serious obstacles relating to gender equality. I believe that this will have a major impact on overcoming secular barriers between genders, creating a society that is fairer and more egalitarian.

**Sophie Auconie (PPE)**, *in writing*. – (FR) The report by Mrs Figueiredo is an own-initiative report on the assessment of the 2006-2010 Road map for Equality between men and women. This road map identifies six priority areas for action in order to bring about greater gender equality: strengthening the economic independence of women; reconciliation of private and professional life; equality of gender representation in decision-making positions; eradicating violence against women; eradicating gender stereotypes; and promoting gender equality in third countries. While I naturally agree with these objectives, Mrs Figueiredo's report, in trying to list certain measures, often appears excessive, which risks being counterproductive to the cause of gender equality. I therefore voted against this resolution.

**Vilija Blinkevičiūtė (S&D)**, *in writing*. – (LT) I voted for this report because we must continue to enhance the situation of women in the labour market and society. Women are often exposed to multiple discrimination because of their sex, age (especially in the case of older women), disability, ethnic/racial background, religion, national origin, migration status and socio-economic status, including women in single-person households, and compound discrimination creates multiple barriers to women's empowerment and social advancement. The reconciliation of work, family and private life also remains an unresolved issue for both women and men. I would like to draw attention to the fact that those living in poverty – more than 85 million in all – are for the most part women, a situation brought about by unemployment, casual and unstable labour and low wages not even sufficient for minimum subsistence. Moreover, in recent years the number of women in poverty has risen disproportionately compared with the number of men. Sadly, the danger of being reduced to poverty is much greater for women, so we must increase the opportunities for women to find work in

the general labour market. Thus in order to improve the situation of women in the future and ensure gender balance in contemporary society, gender equality policies in different fields of activity, including the economic, financial, commercial and social spheres, should be based on an integrated approach.

**Proinsias De Rossa (S&D), in writing.** – I support this assessment of the results of the 2006-2010 road map for equality between women and men, and subscribe to its recommendations. The persistence of gender inequality is a denial of fundamental rights about which much remains to be done in Europe. We need the European Institute for Gender Equality to start its work monitoring relevant gender indicators, which will depend on gender-disaggregated statistics for accurate assessments. While female employment in Europe has risen to almost 60%, we need to work towards the financial emancipation of women without sacrificing quality of employment or redoubling the burden of those women who care for dependents. The persistent gender pay gap needs to be addressed through a review of the equal pay directive. Affordable quality care services are both a demographic and equality imperative. The same goes for state-borne parenthood costs, and the prevention of discriminatory practices in the private sector. The Commission must closely monitor, and act upon, Member State infringements of non-discrimination directives and gender-related measures. It should also come forward with a proposal on a directive to combat violence against women. This Parliament has to be consulted on the drafting of the European Charter of Women's rights.

**Edite Estrela (S&D), in writing.** – (PT) I voted in favour of this report as I believe that sharing family and domestic responsibilities between men and women is an essential condition for promoting and achieving equality between men and women. It is time to move from intentions to concrete policies and actions that may contribute to eradicating violence against women and promoting the rights of women by fighting gender stereotypes and discrimination in society and the family.

**Diogo Feio (PPE), in writing.** – (PT) As the humanist and people-centred person that I am, I have some difficulty in dealing only with women's rights, without understanding them within the general framework of human rights. This does not, however, mean that I am not a firm defender of women's rights. This is why, as I have said before, *men and women must be treated as equals, granting them the same rights, but responding to their particular needs, which in the case of women, is clearly in areas such as protecting maternity, a compromise between professional and family life and very special protection against crimes that are, essentially, committed against women and children, such as sexual exploitation, people trafficking or ill treatment.* Once more, however, I would stress that, without denying the right of women to control their sexual and reproductive rights, no vote of this Parliament could, in any circumstances, try to grant them a *right* to voluntary termination of pregnancy. This subject should remain in the exclusive decision-making sphere of the States.

**Sylvie Guillaume (S&D), in writing.** – (FR) A new strategy for equality between women and men must be established and, for that to happen, we need to draw conclusions from the failures of the last road map, which failed in particular to bring about a reduction in multiple discrimination, from which women suffer too often on account of their sex, age, disability, ethnic background or religion. In particular, I supported an amendment stressing the need to make gender reassignment procedures accessible for transgender persons, and to ensure that they are reimbursed by public health insurance schemes, and an amendment adding that this new strategy should address the fight against discrimination arising from gender reassignment. The rights of transgender people are just as important as those of other citizens, and the European Commission needs to take that into account.

**Nuno Melo (PPE), in writing.** – (PT) A lot has been said about gender equality. There is, however, a lot more to do. The assessment of the road map for equality between men and women is positive. The policy of equality, aiming at equal treatment, regardless of gender, is a priority that is ever more welcome on a legislative level. However, this should not invalidate the fundamental principle that people should be chosen on the basis of a criterion of competence and, furthermore, we should not allow more qualified people, regardless of gender, to be overlooked in favour of less qualified people as a result of a purely administrative imposition. It should be added that we should always reject the use of camouflaged excuses, the economic crisis or any others, to try surreptitiously to introduce profound changes on controversial matters that are not given justified visibility, namely the policy on abortion.

**Andreas Mölzer (NI), in writing.** – (DE) In the world of work, women continue to be in a worse position than men throughout Europe. The problems include everything from salaries – the average pay gap is 17% – to measures to protect mothers. Women are often faced with the choice of having children or continuing to work. Therefore, work and family life must be made more compatible. Furthermore, women are more at risk of poverty than men and this has become clear in particular in our current difficult economic climate.

This hits women who choose to have a family particularly hard, which is unacceptable. We must take measures to enhance the status of housewives and mothers and to guarantee that sufficient resources are available to them. I have voted against the report, because it pays too little attention to the compatibility of work and family life and to the role of women as mothers.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – I am glad this report was adopted, it represents a true milestone for improving the EU record on gender equality for all—including transgender citizens. It states clearly that gender equality strategies must explicitly address issues linked to gender identity, and thus sets a clear position on transgender people's fundamental rights in the future. The European Parliament showed today that the rights of transgender people are of no less importance than other citizens'. It sent a strong signal, and I trust the Commission will follow our lead and start addressing discrimination based on gender identity more explicitly.

**Konrad Szymański (ECR)**, *in writing*. – (PL) I voted against this report, because provisions have been included which recommend wider use of abortion, which is in contravention of the division of competences in the EU.

**Marina Yannakoudakis (ECR)**, *in writing*. – The ECR Group is in favour of the key principle of equality between men and women, the need for action on violence against women and an end to gender-based discrimination in all areas, including pay. The ECR Group abstained, however, on the final vote due to fundamental concerns about the report. The ECR Group strongly and consistently opposes the further creation of any EU/gender agencies, further legislation at EU level on matters of domestic policy, and EU regulation in the areas of health, education, childcare and employment law. We consistently maintain that these policy issues are the sole responsibility of Member States and we oppose action at EU level.

**Anna Záborská (PPE)**, *in writing*. – (SK) This controversial report has already been rejected in the first draft by members of the European Parliament's Committee on Women's Rights and Gender Equality from many different groups. The report rejects the basic human right to freedom of conscience in relation to abortion, and attacks representatives of religious organisations. I cannot agree with this, and neither can the people who voted for me in Slovakia. I am also fundamentally opposed to the fact that the authority of national institutions is being circumvented and opposed in this way. It is social engineering, and it represents an unusual paradox: on the one hand we are privatising national economies under the pretext of free competition, but at the same time we are nationalising relationships between women and men. The Union is in this way repeating the awful experiences we are familiar with from central and eastern Europe.

**Diogo Feio (PPE)**, *in writing*. – (PT) As I mentioned previously, this committee is essential for drafting concrete priorities on the next Community budget, as well as defining and adopting the regulations pertaining to the multi-annual financial framework, especially in the current context of a crisis. I believe that my colleagues who are currently members of this committee will establish a framework made up of concrete and actual measures that, with the lessons of the recent past, will allow us to plan measures that enable us to avoid and face up to similar situations in the future.

#### **Motions for resolutions (B7-0343/2010)**

**Charalampos Angourakis (GUE/NGL)**, *in writing*. – (EL) We voted against the motion for a resolution on football players' agents, as the work of an agent is an integral part of the commercialisation of football. We are talking about a single gang of exploiters which involves listed multinational football clubs, agents companies, the sports press and gaming. The work of agents cannot be seen apart from this commercial banquets. This exploitation does not only afford a profit to agents; it also profits listed football clubs and their sponsors. We are talking about a clear slave trade in players, where all those who are sold and are young are promoted, but when they get old or are injured or do not accept their terms, they are tossed on to the rubbish heap. As far as money laundering is concerned, the whole world knows that it happens and we had no need to wait for the study on agents.

We must also know that numerous agents companies which cooperate with listed clubs own the football players, a phenomenon which is more frequent in African and Latin American countries, where there is a real slave trade. Our position on this issue is clear. We are against any business activity in sport and football, because that is what brings about these consequences in football.

**Sophie Auconie (PPE)**, *in writing*. – (FR) I did not hesitate to support this resolution, which notes the lack of transparency in the activities of players' agents within the European Union. Given its cross-border nature, the activity of players' agents is the subject of national regulations that are diverse and often flawed. It therefore



justifies the adoption of a coherent EU-wide policy in order to avoid loopholes due to unclear regulation and to ensure proper monitoring and control of the agents' activities. Parliament sets out several objectives, including the introduction of an EU-wide 'agents' licensing system' and agents' register, and an efficient monitoring and disciplinary system.

**Jean-Luc Bennahmias (ALDE)**, *in writing*. – (FR) Following on from the report I co-authored in 2007 with Mr Belet on the future of professional football in Europe, I have supported the European Parliament resolution calling on the European Union to take steps towards regulating the activities of professional players' agents.

**Lara Comi (PPE)**, *in writing*. – (IT) I would like to take this opportunity to explain why I voted in favour of this resolution in this debate, which took place during the World Cup in South Africa. As a former football player who even wrote her university thesis on club management, I could not resist taking part today.

I believe that this resolution has managed to strike the right balance between the need to maintain the independent regulation of football, which is also dictated by the cultural and social role it plays, and the need to guarantee legal certainty for its economic aspects.

I also very much welcome the fact that it makes reference to the fight against money laundering, racism and violence in stadiums. I believe that Parliament must use this report to express itself in a unanimous, clear and decisive manner on these issues.

I also think it is good that emphasis has been placed on the employment and social issues linked to professional football. Finding a balanced solution, in particular for regulating agents' activities, will not be easy, and Parliament must work to facilitate dialogue between the Commission, UEFA and FIFA in order to find a solution that takes everyone's interests into account.

**Diogo Feio (PPE)**, *in writing*. – (PT) Concern amongst political decision makers about the clarity of negotiations relating to sport is nothing new and nor is the suspicion that the conduct of many agents of sportspeople is allegedly reprehensible or even against the law and that they put sporting integrity, the health and safety of the sportspeople they represent, and the truth at risk in their commercial transactions. The links of some of these agents with organised crime has also been noted. This worrying situation is worthy of all the attention that the European Union can give it. We urgently need to separate the wheat from the chaff, so as to promote the hard work, transparency and discipline required in performing this activity.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) I voted in favour of this report on players' agents in sports as I support the application to regulate the activity of sports agents, if necessary, in the form of a directive. I would highlight my particular concern about the findings of the Study on sports agents in the European Union, commissioned by the Commission, with regard to criminal activities associated with sports activities, in which these are affected by organised crime with links to players' agents' activities. I believe that this situation is detrimental to the image of sport, its integrity and, ultimately, to its role in society. I highlight in particular the specific vulnerability of young players and the risk of them becoming victims of human trafficking and the specific responsibility of players' agents and clubs in this situation. I therefore subscribe to the activities of sports agents being subject to rules that result in harmonisation and transparency. I believe that it would be good to introduce an EU-wide agents' licensing system, as well as a register of agents.

**Nuno Melo (PPE)**, *in writing*. – (PT) The football industry is expanding greatly and involves ever greater sums of money. The players' agents are one of the protagonists of this industry and are of paramount importance as they are responsible for the negotiations with the clubs when players are transferred. On the other hand, the football players and players of other games with high media profiles take on agents at a younger and younger age and, if they are not given the right advice, it can jeopardise their careers. It is therefore necessary to create well defined rules, so that the role performed by the agents does not lead to unsuitable practices that can harm the players, especially the younger ones.

**Andreas Mölzer (NI)**, *in writing*. – (DE) Sport is a particularly emotionally charged subject, which also arouses patriotism and national pride in the population. As there is a great deal of money to be made in professional sport, there are not only problems with doping, but this area is also abused by clever criminals. It is important to keep sport 'clean', particularly in view of its function of providing role models for young people, but also in order to protect the sportspeople themselves. At large events like the World Cup in particular, young players are more vulnerable to exploitation by sports agents. I have voted in favour of the report in the hope that we can use it, if not to put a stop to this practice completely, at least to limit it.

**Georgios Papanikolaou (PPE)**, *in writing*. – (EL) I voted in favour of the report on football players' agents. This specific initiative by the European Parliament aims to be the first step in an effort to create a credible, possibly pan-European framework for dealing with the link between sports agents' activities and organised crime. It should be noted that agents play a central role in the financial flows in sport, which are often not transparent. I voted against Amendments 1 and 3, as they propose removing crucial points from the report, thereby depriving it of important pro-active and decisive elements which are needed in order to address this particular issue.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – (ES) I welcome the adoption of this resolution, especially as it welcomes the 'Study on sports agents in the European Union' commissioned by the European Commission, the results of which are now available, and is particularly concerned about the findings of the study with regard to criminal activities carried out in connection with sport citing episodes where sport is affected by organised crime with links to players' agents activities; and it believes this development is detrimental to the image of sport, its integrity and ultimately to its role in society.

**Joanna Senyszyn (S&D)**, *in writing*. – (PL) I endorsed the resolution on players' agents in sports.

Only five Member States (Bulgaria, France, Greece, Hungary and Portugal) and four international federations (FIBA, FIFA, IAAF and IRB) have separate legal regulations governing the activities of agents in sports. Therefore, it is essential to prepare a joint Union strategy regulating the activity of players' agents in sports. This strategy will allow us to eliminate legal loopholes in this area and will make it possible to monitor and control the activities of agents. This is extremely important, because – as the European Commission's research shows – sports agents play an important role in the organisation of non-transparent and illegal corrupt activities. Such practices are particularly dangerous for young sports players, who can become the victims of human trafficking.

The current state of affairs is detrimental to the image of sport and its integrity, credibility and role in society. This is why it is so important to resolve the problem quickly and develop a common strategy which will ensure: 1. transparency in agents' transactions, 2. a prohibition for remuneration to agents related to the transfer of minors and 3. the introduction of minimum, harmonised standards for contracts and systems of monitoring and discipline.

I would also like to draw attention to closer coordination of the European Union's activities in the fight against crime in sport: 1. money laundering, 2. match fixing and 3. human trafficking. It is good that this opinion is shared by the bodies and entities which are involved in sport.

**Catherine Stihler (S&D)**, *in writing*. – The need for transparency and to prevent the exploitation of young and vulnerable players requires attention. Often children are involved, where their needs are seen as less important than the profit made from agents and through sponsorship.

#### **Motions for resolution (RC-B7-0293/2010)**

**Mário David (PPE)**, *in writing*. – (PT) I am voting in favour of this joint motion for a resolution. Good neighbourly relations between the EU and Russia are fundamental to the stability, safety and prosperity of the whole of Europe. Aware that we share responsibilities in terms of promoting stability, the EU and Russia have been intensifying negotiations and seeking new partnerships for cooperation that go beyond mere economic cooperation and also include the areas of the rule of law and respect for human rights. A good example of this reinforced cooperation that I would like to highlight is the signing of the joint statement on Gaza by the Vice-President of the Commission and EU High Representative for Foreign Affairs and Security Policy, Catherine Ashton, and the Russian Foreign Minister, Sergei Lavrov. I also consider the progress that Russia has made in order to be able to fulfil the objective of accession to the WTO to be very positive, namely abandoning protectionist measures, which is an essential prerequisite that should continue. Finally, I would like to underline the need to involve Russia in the EU's Baltic Sea Strategy, specifically by improving maritime safety and guaranteeing a high level of environmental protection.

**Diogo Feio (PPE)**, *in writing*. – (PT) Russia is still very far from being a country in which human rights, civil liberties and the rule of law are fully guaranteed. It is therefore unrealistic to hide this fact, pretending that there is full understanding between the two blocs on issues relating to rights, freedoms and guarantees. Having said this, I must welcome the holding of the EU-Russia Summit and I hope that Russia moves towards becoming the credible, reliable, democratic and secure ally that the European Union needs so badly.

I therefore believe that it will be fully to the EU's advantage to support Russian efforts to democratise and strengthen the specific partnerships with the country that are bringing it closer to the other European states with which it shares a history and culture. If the European institutions and the Member States contribute to making possible Peter the Great's dream of a Russia that is fully integrated into the concert of nations and, in particular, the Europe of which it is a part, they will have done a great service to world stability.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) The EU is committed to negotiating a new framework agreement with Russia to continue developing EU-Russia relations. Russia is an important partner of the EU. I support cooperation to deal with common challenges through a balanced, results-oriented approach, based on democracy and the rule of law. We should share not only economic and commercial interests, but also the objective of close cooperation at a global level and in relation to common neighbouring countries, in accordance with international law. Therefore, the EU and Russia must intensify their negotiations on a new partnership and cooperation agreement that is broad, wide-ranging and legally binding. This agreement must go beyond economic cooperation and also integrate the areas of democracy, the rule of law and respect for fundamental human rights. I support the objective of Russian accession to the WTO to help this country to attract more foreign investment and diversify its economy. Russia's establishment of a customs union with Belarus and Kazakhstan may put additional obstacles in the Russian Federation's path towards WTO membership.

**Nuno Melo (PPE)**, *in writing*. – (PT) EU-Russia relations are very important for both parties, but need to be broadened and intensified, no longer as mere economic cooperation but also including the areas of democracy, the rule of law and respect for fundamental human rights. So, the signing of a Strategic Partnership Agreement between the EU and Russia is of paramount importance for further development and intensification of cooperation between the two partners. The current economic and trade relations between the EU and Russia are evidence of a joint effort and commitment.

**Andreas Mölzer (NI)**, *in writing*. – (DE) Although I did not completely agree with some of the wordings and paragraphs in the joint motion for a resolution on the EU-Russia summit, I nevertheless voted in favour of it in the final vote. The deepening of relations between the EU and Russia is something that I consider to be particularly important, not only for reasons relating to energy policy, but also, and especially, for historical and cultural reasons. The EU must formulate its foreign policy on the Caucasus in cooperation with Russia and must not allow itself to be dictated to by the US in this regard. Thus, we should behave in a very fair way in respect of the Georgia conflict and focus on providing support for the people living there. Neither would it be appropriate for the EU to impose large demands or conditions in respect of Russia's accession to the World Trade Organisation. Finally, it has to be said that relations with Russia following the conclusion of the Partnership for Modernisation are on good terms and on the right track.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – As for the resolution on the EU-Russia summit only one of our amendments was adopted, notably the one calling on Russia's authorities to put an end to the ongoing and widespread impunity for violence against human rights defenders in the North Caucasus. In the end most members of our group abstained, being me one of them.

**Czesław Adam Siekierski (PPE)**, *in writing*. – (PL) Every summit usually contributes to a strengthening of relations between its participants. Russia is not only an important strategic partner of the Union, but is also one of our nearest partners geographically. The Union needs big partners who, together with us, will work towards solving problems which have international dimensions and which exceed the competence of individual countries, in areas such as climate change, emergence from the crisis and energy security. Despite the fact that on many questions the Union's position is different from that held by Russia, we must work closely together and mobilise Russia to carry out essential reforms.

The Partnership for Modernisation initiative, which is intended to liberalise the economy and strengthen the democracy of the political system, is very important. In view of the fact that liberalisation of trade favours both sides, and the perspective of membership of the WTO is a driving force for change and reform, I support Russia's membership. We should also look at the question of EU visa policy in the context of the countries of the Eastern Partnership. Why should Russia be treated differently than, for example, Ukraine? Despite the fact that talks are in progress at EU level, Moscow is still pursuing a different policy with particular Member States. It is in our interest that the EU speak with one voice.

**Catherine Stihler (S&D)**, *in writing*. – Our relationship with our Russian neighbours is an important one, but it must be based on mutual respect and understanding. There needs to be openness and transparency.

**Konrad Szymański (ECR)**, *in writing*. – (PL) I endorsed the report because it contains clear statements calling on Russia not to use its natural sources of energy for political purposes.

#### **Motions for resolution (RC-B7-0345/2010)**

**Roberta Angelilli (PPE)**, *in writing*. – (IT) We must show solidarity with the families of the victims. We cannot remain indifferent about the situation in the Gaza Strip, where a military blockade has been imposed on the movement of goods and persons, creating a current humanitarian disaster.

However, we are pleased to learn today that the Israeli Government is going to ease the blockade in order to facilitate the entrance of material goods for civilian use. This is an important sign of responsibility, primarily because in Gaza, let us recall, 80% of the population is living in poverty without food and without the items necessary to meet their most basic human needs, to the detriment of the weakest members of society.

This is why I believe that the European Union's support and assistance is crucial for reviving negotiations between Israel and the Palestinian Authority, not only to put an end to the blockade, but above all to launch a peace process that must result in the creation of two secure, free states. This is a difficult process that must be carried out by means of many small- and large-scale actions, beginning, firstly, with the lifting of the blockade of Gaza and, secondly, with the release of Gilad Shalit, the Israeli soldier who has been held by Hamas since June 2006.

**Kader Arif (S&D)**, *in writing*. – (FR) I voted today in favour of this resolution because it strongly condemns Israel's attack on the humanitarian flotilla bound for Gaza, and demands that an international and impartial inquiry be carried out in order to shed all possible light on this deadly assault. This is a firm stance that demonstrates our common desire to see justice served, and I welcome that. For too long, Europe has been an economic giant, the leading provider of development aid to the region, but a political dwarf, incapable of having a decisive influence in the Israeli-Palestinian conflict so as to enable a peaceful solution to be found.

Today, thanks to the perseverance of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, this House is expressing its clear, strong position in favour of the immediate lifting of the Gaza blockade, which has resulted in a genuine humanitarian disaster. Europe must face up to its responsibilities. It has a duty to play a decisive political role in order to finally achieve concrete results in view of the creation of a viable Palestinian state.

**Sophie Auconie (PPE)**, *in writing*. – (FR) Following the military operation on 31 May 2010 against the humanitarian flotilla bound for Gaza, an operation which killed nine civilians and wounded 38 civilians and seven Israeli soldiers, the European Union, particularly the European Parliament, is duty-bound to strongly condemn this tragic violation of international law and to demand a prompt, international and impartial inquiry into this attack. I therefore voted in favour of this resolution.

**Jean-Luc Bennahmias (ALDE)**, *in writing*. – (FR) I voted in favour of the European Parliament resolution on the Israeli military operation against the humanitarian flotilla and the Gaza blockade because I would like the EU to send a strong message by demanding an end to the blockade on Gaza and condemning the disproportionate use of violence by the Israeli army. Moreover, I felt that it was important that the Members of the European Parliament, as well as the various institutions of the European Union, adopt a unanimous position so as to give weight to that condemnation.

**Maria Da Graça Carvalho (PPE)**, *in writing*. – (PT) I welcome the declaration of the Secretary-General of the United Nations and the High Commission for Human Rights, calling for an immediate international independent investigation on this attack and violation of international law.

It is essential that the Israeli government does not object to this investigation being conducted.

I appeal to HR/VP and the Member States to take measures to guarantee the sustained re-opening of all the crossing points to and from the Gaza Strip, with final and adequate international monitoring, in order to allow the free movement of humanitarian and commercial goods needed for reconstruction and a self-supporting economy, as well as the flow of currency and the free movement of people.

**Mário David (PPE)**, *in writing*. – (PT) I am in general voting in favour of this joint motion for a resolution. I believe that it is time for the European Union to have a much more interventionist and autonomous role in seeking a solution to the Arab-Israeli conflict. The secular relationships of some EU countries with the Arab world, the incomparable and committed support of Europe to give the National Palestinian Authority the means to be able to turn itself into a viable and autonomous state, the unparalleled dimension of

humanitarian aid for the reconstruction of the Palestinian areas and the traditional relationships of friendship and partnership with Israel, make the EU a credible partner and an agent that cannot be replaced. We are living through a period of a dangerous increase in tension and violence in the Middle East. Each tragic event promotes more hatred and lack of understanding, feeding radicalism and inspiring fundamentalism. With the Treaty of Lisbon, the EU finally has institutional bases to project a foreign, security and defence policy that is compatible with its demographic dimension and economic importance. Without presumption, while being aware of the magnitude of the problem and without being either naive or masochistic, it is time for Europe to take on this challenge!

**Edite Estrela (S&D)**, *in writing*. – (PT) I voted for the joint motion for a resolution on the Israeli military operation against the humanitarian flotilla and the Gaza blockade because I condemn the attack on the humanitarian aid flotilla, which took place in international waters and constitutes a violation of international law. I believe that Israel must end the blockade of the Gaza Strip, which has resulted in a growing humanitarian crisis and increased radicalisation, increasing insecurity in the region.

**Göran Färm, Olle Ludvigsson and Marita Ulvskog (S&D)**, *in writing*. – (SV) We Swedish Social Democrats support the European Parliament's joint resolution, RC-B7-0345/2010, despite the fact that we would have preferred the wording to go further than it did. We believe that it is important for the EU to speak with a single voice and to call on Israel and Palestine to take action. However, we believe that the resolution should have been worded more forcefully. It could have said, for example, that the EU will put on hold the planned upgrade in the relations between the EU and Israel as long as Israel fails to meet its obligations under the EU-Israel Association Agreement and under international law and until it brings about a real change on the ground with regard to respect for human rights, in particular in the occupied territories, and respect for international law.

**Diogo Feio (PPE)**, *in writing*. – (PT) While the deaths of human beings are always to be mourned, supporters of terrorist organisations who refuse to accept peaceful co-existence in the region should also be condemned for using adjectives such as 'peaceful' or 'humanitarian'. Similarly the excessive use of force and disproportionate violence against those who are in a weak position and do not have the same means of warfare is always to be condemned. Furthermore, the attempt to break the naval blockade imposed because of Hamas's violent seizure of power in Gaza can only be considered an act of hostility, regardless of what name it is given. Irrespective of the need to support the most weak and vulnerable among the Palestinians, it must be acknowledged that Hamas, which manipulates and mobilises them, still fails to acknowledge the state of Israel and that several of its most senior militants have repeatedly called for its destruction. All of this reinforces the understanding that a conflict such as the one in the Middle East lacks honesty in its aims, perseverance in action and generosity in forgiveness.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) Israel's military operation, in international waters, on 31 May 2010, against a flotilla of humanitarian aid bound for Gaza resulted in the deaths of nine civilians and the wounding of 38 civilians and seven Israeli soldiers. May I offer my deepest sympathies to the families of the victims. In order to establish the whole truth, I am calling for an immediate and impartial international inquiry to be carried out into this attack. I believe that Israel should immediately end the blockade of the Gaza Strip, which has resulted in a human tragedy and growing radicalisation that translates into a source of insecurity for Israel and the whole region. EU policy towards the Middle East must play a decisive and coherent political role, accompanied by effective diplomatic tools, in favour of peace and security in this neighbouring region of strategic interest to the EU.

**Carlo Fidanza (PPE)**, *in writing*. – (IT) I would have liked to have voted in favour of the joint resolution, which was also supported by my political group. However, the People of Freedom (PdL) delegation wanted to emphasise a subtle distinction and decided to abstain. For this reason I decided not to participate in the vote, despite the fact that I fully support the text of the joint resolution, which I feel is balanced, because it confirms the need for a credible and transparent inquiry into the bloody events of 31 May, the need to overcome the naval blockade in Gaza, the objective to repair relations with Turkey so as to avoid further destabilising the area, the need to release the Israeli sergeant Gilad Shalit, who has been held by Hamas since June 2006, and the prospect of 'two people, two states' as the only solution to the conflicts in the area.

**Ilda Figueiredo (GUE/NGL)**, *in writing*. – (PT) We believe that this resolution sends out a clear message of condemnation of the attack on the humanitarian flotilla carried out in international waters, in blatant violation of international law. It is also a step in the right direction with regard to the immediate need to put an end to the blockade of the Gaza Strip, which is resulting in a human tragedy for the Palestinian people. In spite of that, we are still a long way from what would be required to condemn and protest against the criminal

massacre perpetrated, on the orders of the Israeli Government, against the six vessels that made up the Freedom Fleet, which was carrying approximately 10 000 tonnes of essential items, humanitarian aid for a population imprisoned for years in its own territory: men, women and children who are facing a tragic and disastrous humanitarian situation as a result of the brutality unleashed against them, which has transformed Gaza into a giant concentration camp. We must, once and for all, say enough is enough. We must demand that Israel respect international law. It is necessary to end the connivance of the United States and the European Union with Israel. It is necessary to end the apartheid Israel is imposing on the Palestinian people and defend the right of the Palestinian people to their own state, with the 1967 borders.

**Sylvie Guillaume (S&D)**, *in writing*. – (FR) The European Union, and in particular the European Parliament, had a duty to respond in order to condemn Israel's deadly military operation on 31 May 2010 against the humanitarian flotilla and, to a greater extent, the Gaza blockade. Like many European citizens, I was particularly shocked by the Israeli attack, which has once again violated international law; I therefore voted in favour of this resolution, which, among other things, speaks out in favour of establishing an impartial and independent committee of inquiry into the attack, and encourages the resumption of the peace process between Israel and Palestine, which is important to the stability of the region.

**Jean-Luc Mélenchon (GUE/NGL)**, *in writing*. – (FR) This report demands an immediate end to the Gaza blockade. That is entirely to its credit.

**Nuno Melo (PPE)**, *in writing*. – (PT) The Israeli-Palestinian conflict is tremendously complex and, therefore, also calls for great prudence in analysing it. While it is certain that the loss of human life in this incident in particular is unacceptable and is cause for concern, on the other hand the State of Israel has the right to exist and its people to live in safety. Israel has been the target of various terrorist attacks perpetrated by radical movements, namely Hamas, and it is entitled to take preventative action to stop the supply of arms and equipment used in those terrorist attacks. Of course, the way in which the boarding of the vessel took place is unacceptable, and cannot be acceptable, as it was completely impossible to prevent the loss of human life, thereby further exacerbating all antagonistic impulses. That assessment justifies the way I voted.

**Willy Meyer (GUE/NGL)**, *in writing*. – (ES) I voted in favour of the joint resolution condemning the Israeli military attack on the flotilla transporting humanitarian aid to the Gaza Strip because I condemn state terrorism and the blockade on Gaza. The EU cannot allow the Gaza Strip to continue to be blockaded. We need to call those responsible for this crime against humanity to account. Israel cannot go unpunished and the EU has the political and criminal tools to do this. It is continuing to violate the Annapolis agreements by continuing with the settlements. Israel does not comply with the agreements that it signs. The EU has a partnership agreement with Israel, the second article of which makes it conditional on respect for human rights. Why is the EU not freezing this agreement? Why is it not calling on its representatives in Israel to make enquiries? The fact that more than nine people died and 400 people were detained is reason enough. Terrorist acts can be committed by people with or without uniforms. This is a clear case of state terrorism, which is why I feel that the Israeli Government must be punished in accordance with international law. It has the blood of innocent people on its hands.

**Andreas Mölzer (NI)**, *in writing*. – (DE) I voted in favour of the joint motion for a resolution on the Israeli military operation against the humanitarian flotilla and the Gaza blockade. It represents a balanced view of the situation and calls equally on both sides to resume the peace negotiations. The role of the EU and the responsibility of the High Representative are also discussed in detail. In any case, it would be particularly important for the Gaza Strip borders to be opened immediately in order to be able to supply the people with food and aid.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – (FR) Like my fellow Member Mr Cohn-Bendit, I think we have to find ways to break the blockade – including the psychological blockade – that exists between the EU, the Israelis and the Palestinians. All border crossings must be opened up: the EU can and must request that the Turkish army, for example, control those crossing points. This is irony on my part: the Turkish army could, along with German soldiers, jointly control the entry points into Gaza in order to ensure that food and construction materials get through, and to prevent weapons from entering. We should do what we can to help lift the blockade and provide the tools needed to do so. It is said that many Europeans, particularly Germans, have a guilty conscience with regard to Israel. A guilty conscience, however, does not make for good politics. If we want our conscience to be clear, we must tell the Israelis that what is currently happening goes far beyond the limits of what is acceptable.

**Peter Skinner (S&D)**, *in writing*. – Constituents across the South East of England have contacted me to express grave concern and outrage at the situation which left nine people dead after Israeli Defence Forces soldiers boarded a Turkish ship that was part of the flotilla en route to Gaza.

I can, therefore, vote on behalf of many of these constituents to strongly criticise the military operation which caused these deaths and I call for an international inquiry which will demonstrate where the blame can lie. At the same time, my constituents are aware of the vital difference between the right of Israel to be able to defend itself and the right of Gaza citizens to receive humanitarian aid.

**Catherine Soullie (PPE)**, *in writing*. – (FR) I abstained from voting on the resolution on Israel's boarding of the Mavi Marmara flotilla. I believe the resolution put forward unbalanced claims and an erroneous version of the facts. I think we need to await the results of the inquiry commission before trying to pass judgment on the Mavi Marmara incident. We must, of course, deplore the loss of human lives but, above all, we must analyse objectively and reasonably the decisions, actions and circumstances that led to this tragedy.

Undoubtedly, Israel made political and military errors, but we should nevertheless remember that a naval blockade is a legitimate measure that is recognised by international law in the context of an armed conflict at sea. The blockade, which was put in place to stop arms trafficking in that region at war, was broken through and challenged by the same fleet which is now being presented to the world as the victim of an unjustified Israeli attack. Only a rational dialogue will enable negotiations between Israel and Gaza to move forward. In the framework of that dialogue, Europe is duty-bound to provide a calm, balanced view, without showing any undue partisan fervour.

**Catherine Stihler (S&D)**, *in writing*. – The resolution concerning the tragic deaths of those on the humanitarian flotilla is welcomed. An independent investigation is required. A resolution to the blockade of Gaza and a political resolution to what is a humanitarian tragedy are urgently needed and long overdue.

**Alf Svensson (PPE)**, *in writing*. – (SV) It is highly regrettable that people have lost their lives in this incident and every death is a dreadful loss. However, the resolution that we have been giving our views on is not simply a means of expressing the condolences of the European Parliament. It is specifically intended to represent a political position and, as such, it is unbalanced. It does not take into account the fact that Hamas is a terrorist organisation which aims to obliterate the state of Israel. Hamas is not mentioned in the text of the resolution, which seems rather strange, given that it is one of the parties involved in the conflict. The resolution calls on Israel to take action, but ignores the fact that Hamas is also in a position to take the initiative on an agreement or a peaceful solution. It also seems odd that the resolution firstly makes a strong condemnation of the attack on the Free Gaza ship and then calls for an investigation into it. The result of this is that the condemnation anticipates the conclusions of the investigation which is being called for. Israel is urged to end the blockade on Gaza immediately without any concessions being granted in return, despite the fact that the reasons for Israel introducing the blockade are well known.

**Konrad Szymański (ECR)**, *in writing*. – (PL) I voted against this resolution, because the coordinator of the European Conservatives and Reformists in the Committee on Foreign Affairs was not admitted to the negotiations on the joint motion for a resolution.

**Keith Taylor (Verts/ALE)**, *in writing*. – I welcome the decision of MEPs from across the political spectrum to support this strong resolution condemning Israel for its unprovoked and disproportionate attacks on the Free Gaza humanitarian aid flotilla. I understand that this was the strongest position that Parliament could adopt as a whole, due to differences in position between and within different political groups, and to have such a unified position sends a very clear and unambiguous message to Israel and the international community. Despite voting in favour of the resolution, however, I would have liked it to go even further. Immediately following the attack on the flotilla, I wrote to Commissioner Cathy Ashton, calling for an immediate suspension of the EU Israel Association agreement. Israel has consistently breached the human rights clause of this agreement and its latest move should not be tolerated. I believe that we need actions as well as words from the EU to show that the international community deplores both the siege on Gaza and Israel's attack on the Free Gaza flotilla. I will continue to call for the suspension of this agreement whenever the opportunity arises, until Israel can demonstrate that it is upholding its human rights obligations towards Palestine.

#### **Motions for resolution (RC-B7-0360/2010)**

**Sophie Auconie (PPE)**, *in writing*. – (FR) Naturally I voted in favour of this resolution, which, in particular, calls on all Member States to contribute to the prevention of torture and other cruel, inhuman or degrading treatment or punishment, to monitor technical assistance to third countries in order to prevent this technical

assistance from being misused for the production of goods for the purpose of capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

**Diogo Feio (PPE)**, *in writing*. – (PT) As well as campaigning publicly for human rights, the European Union must aim to prevent them from being violated by creating barriers to stop the trade in goods which could be used for capital punishment, torture or other cruel, inhuman or degrading punishments or treatment. These efforts require the same level of commitment on the part of Member States and vigilance on the part of their civil societies in combating the multiple kinds of torture and the violence that jeopardise the freedom, health and dignity of every individual. Focusing more on this market and stepping-up regulation on the trade in such materials, as well as increasing surveillance regarding their actual use, is fully justified and worthy of my support.

**Sylvie Guillaume (S&D)**, *in writing*. – (FR) It is regrettable that Council Regulation (EC) No 1236/2005, concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment, has not been implemented by all Member States. I even consider it unacceptable that some have not hesitated before authorising the export of items that may be used in acts of torture to countries that do not respect human rights. We urgently needed to call them to order with our vote on this resolution. Indeed, we should encourage Member States to contribute to promoting human rights in the world in a more diligent manner, and to controlling international trade in items used for torture, rather than taking part in it. I even think that sanctions should be used to dissuade them from doing so. Furthermore, this resolution rightly calls on the Commission to update the list of torture items, given that they are constantly changing. I have therefore voted in favour of this text, but I do believe that we need to go even further.

**Nuno Melo (PPE)**, *in writing*. – (PT) Unfortunately, torture is still practised in many countries. The Convention against Torture imposes various obligations on states to prevent torture, to investigate its occurrences, to bring to justice the perpetrators and to provide reparations to the victims. Notwithstanding the above, acts of torture continue to be perpetrated throughout the world, and a wide range of policing and security equipment is used. That is why we need to take measures to prevent this equipment from circulating freely and stop its trade and acquisition by individuals who can then use it to carry out acts of torture and ill-treatment.

**Andreas Mölzer (NI)**, *in writing*. – (DE) The outright ban on torture and ill-treatment within the EU, based on the European Convention for the Protection of Human Rights and Fundamental Freedoms as well as the Charter of Fundamental Rights of the European Union is unquestionably inviolable. Moreover, the EU is taking the right path in criticising, in the sharpest possible terms, countries that still use torture. I have abstained from voting because this resolution does not contain a precise definition of articles used for torture and it is not possible to gauge what impact it might have on legally imported goods that could be misused for a purpose other than that for which they were intended.

**Georgios Papanikolaou (PPE)**, *in writing*. – (EL) In 2006, the EU introduced the first global multilateral agreement on export controls, in order to prevent the international trade in instruments of torture, and it has made an express undertaking in favour of a total ban on them within the framework of its human rights policy. Despite Community funding (totalling approximately EUR 12 million per annum) for programmes to prohibit this sort of equipment, there are still legal loopholes in Regulation (EC) No 1236/2005 which allow companies to continue to trade illegally in goods used for torture. I voted in favour of this specific report, which promotes decisive measures, calls for an annual report to be drafted by the Member States on this specific issue and underlines the need for amendments to the lists of goods subject to a trade ban and export controls to be set in motion immediately.

**Robert Rochefort (ALDE)**, *in writing*. – (FR) I voted in favour of the resolution against the trade in goods used for torture. Indeed, while we can welcome the existence, since 2005, of a European regulation on the international trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment, it is now clear that large gaps exist in terms of both its scope and its implementation: firstly, many Member States have not communicated, or even introduced, penalties for violating this regulation, and do not produce any annual activity reports, even though this is a requirement; secondly, it is time to address the lack of monitoring of the export criteria for the items concerned and to boldly tackle the issue of items currently exempt from the requirement to obtain authorisations for transiting through the European Union; finally, the list of prohibited items should be extended (currently, it does not cover certain items of 'police and security' equipment such as spiked batons, wall and floor restraints, leg restraints, wrist and finger cuffs, or certain body-worn electric-shock stun devices).



**Raül Romeva i Rueda (Verts/ALE), in writing.** – I welcome that the European Parliament, aroused by an NGO report, now calls for concrete measures to implement compliance to the standards of the EU export ban on torture instruments. After all European countries are violating the EU export ban of 2005. German companies for example delivered foot chains to the United Arab Emirates, pepper spray from Germany was exported to Cameroon, China and India, where it was used to torture prisoners. The Czech Republic exported electro-shock devices among others to Pakistan and Moldova. Unfortunately, in the resolution, the responsible countries are not mentioned. Therewith the Parliament has stopped halfway. Since the global fight against torture must not remain a lip service. Those responsible must be identified and held accountable for their actions. The EU Commission must now insist that all Member States comply with the prohibition policy of 2005.

**Catherine Stihler (S&D), in writing.** – The trade in goods used for torture should be investigated and stopped.

#### **Motions for resolution (RC-B7-0358/2010)**

**Maria Da Graça Carvalho (PPE), in writing.** – (PT) Regrettably, the people of North Korea continue to be the target of human rights violations by the Government of the Democratic People's Republic of Korea.

I call on the Government of the People's Republic of China to exercise its responsibilities as a permanent member of the United Nations Security Council.

I also call on the Government of the People's Republic of China to use all its influence in favour of the resumption of the negotiation process.

I urge the international community to maintain pressure on the Government of the Democratic People's Republic of Korea to end the human rights violations committed against the people of North Korea.

**Diogo Feio (PPE), in writing.** – (PT) The sinking of the South Korean corvette *Cheonan* by North Korea is a matter of extreme concern and deserves to be unanimously condemned by the international community. The latter must not fail to condemn this further aggression by North Korea's dictatorial regime, which only ostensibly respects the 38th parallel border and is stealthily fuelling and inciting a conflict with the democratic, prosperous and developed country of South Korea. The European Union must lead the protest and develop official and unofficial efforts to help the population of North Korea break free from the totalitarian yoke oppressing it, and lend its support, in particular, to human rights defenders in the country.

**José Manuel Fernandes (PPE), in writing.** – (PT) I deeply regret the tragic loss of life aboard the South Korean corvette *Cheonan* and I offer my condolences to the Government of the Republic of Korea, the families of the deceased and the Korean people. I note that the inquiry carried out by the Joint Civilian-Military Investigation Group showed clear and indisputable evidence that the *Cheonan* was sunk as the result of an external underwater explosion caused by a torpedo manufactured in the Democratic People's Republic of Korea (DPRK), as did an independent assessment by the Neutral Nations Supervisory Committee. I repeat the condemnation of the attack by the High Representative/Vice-President and I praise the restraint shown by the Republic of Korea. I urge the Commission to maintain existing humanitarian aid programmes and to keep communication channels with the DPRK open, since these aid programmes directly affect the living conditions of the population of North Korea.

**Filip Kaczmarek (PPE), in writing.** – (PL) I am glad the North Korean team played well in the match with Brazil. Unfortunately, this good sporting performance does not change the political situation in the Korean Peninsula, which is very tense. As far as I am concerned, there is no doubt that responsibility for the rise in tension lies with North Korea. North Korea's declarations are a classic case of putting the cart before the horse. The European Union should take action to prevent the outbreak of war, and is, indeed, doing so.

I hope it will be possible to prevent the worst-case scenario – armed conflict – from becoming a reality. This is why I endorsed the resolution on the situation in the Korean Peninsula.

**Nuno Melo (PPE), in writing.** – (PT) The incident with the South Korean corvette *Cheonan* is to be condemned on all counts. This situation is creating great instability in the Korean Peninsula and measures have to be taken so that there is no repetition of this kind of incident, with the loss of human life. Despite denying its involvement, the Democratic People's Republic of North Korea is the main suspect for having caused this situation based on the evidence, specifically the remains, found at sea, of a torpedo manufactured in North Korea. This incident needs to be condemned by the international community, in particular by China and Russia, which have not yet condemned that situation in a clear and unequivocal way. It is completely

appropriate for the problem to be referred to the United Nations Security Council for it to take measures to prevent similar incidents in the future.

**Willy Meyer (GUE/NGL), in writing.** – (ES) I voted against the joint resolution on the situation in the Korean peninsula and in particular on the incident of the blowing up of the South Korean corvette *Cheonan*. I have done so because I think this resolution assumes the validity of the results of the unilateral investigation carried out by the South Korean military, along with the military of the United States and other countries. I do not think that these countries could have produced objective conclusions without allowing the participation of North Korea which, according to this investigation, is responsible for blowing up the corvette. For this reason, the Confederal Group of the European United Left – Nordic Green Left asks, in our resolution, for an independent investigation to be carried out under the auspices of the United Nations, in order to clarify the facts. Similarly, we urge that this incident should not trigger a military escalation on the peninsula. Thus, it is necessary for the two Koreas and their allies to refrain from any action or declaration that would lead to this. We insist that the only solution to end the tensions between North and South Korea is a dialogue based on mutual respect.

**Raül Romeva i Rueda (Verts/ALE), in writing.** – Unfortunately, the majority of groups decided to limit the text to the sinking of the vessel and not to say a word about the absolutely dramatic situation of human rights in North Korea, which we learnt more in detail about in the hearing of the Subcommittee Human Rights in April. The argument was that a special report on human rights in North Korea is in the pipeline in the Subcommittee for July, latest September. According to my research after the meeting, such a report can only be expected next year, the subject has not even been decided by the coordinators. Our group regrets that we have now missed out on the chance to raise the issue this session, when we could have discussed it with Ms. Ashtron. Therefore Green/EFA has not signed the compromise, because we believe that the gross human rights violations the North Korean leadership commits against its people on the inside cannot be separated from the aggressive behaviour of the DPRK authorities on the outside.

#### **Motion for a resolution (B7-0342/2010)**

**Mara Bizzotto (EFD), in writing.** – (IT) The resolution we are voting on today critically emphasises the complications encountered in Bosnia and Herzegovina's march toward membership of the European Union.

The credentials of this country are clearly not in order from the viewpoint of guaranteeing a democratic system and of the fight against the corruption that is so rife in Bosnia. Over and above the critical points rightly raised in the report, a belief apparently persists that the European Union would derive some advantage from this country's accession to Europe. I honestly cannot see what benefits could be obtained by the entry of a country that, in the event of its accession, would simply – as other candidate countries have done – dump its internal economic, social and democratic problems on the shoulders of the Member States.

We should also be concerned by the situation of growing disadvantage, discrimination and hostility that the Christian community encounters in Bosnia, a country with a Muslim majority where social and economic rights are judged by a different yardstick according to your religious affiliation.

I do not believe that Bosnia and Herzegovina has any entitlement to aspire to EU accession. Let us therefore consider blocking the accession process in order to avoid certain injury to our citizens.

**Diogo Feio (PPE), in writing.** – (PT) The situation in Bosnia and Herzegovina has a long way to go before it is fully stabilised, even though it no longer occupies our television screens. Ethnic political tension has intensified and there are fears that this will result in another armed conflict. Such antagonism, as deep-seated as it is disguised, has a negative impact on the little governance that exists in the country and on the already inadequate announcement of priority government policies. It is thus clear today that Bosnia and Herzegovina has a long and rocky road ahead of it before it can actually apply for EU membership. Unfortunately, the term 'balkanisation' still means division, fighting over the same land and a conflict that cannot be easily resolved. The European Union must therefore be more alert to the possibilities of another emergence of disputes between the different communities that make up the country and aim to prevent them by intervening effectively with the main political and social actors.

**José Manuel Fernandes (PPE), in writing.** – (PT) The EU has reaffirmed its commitment for EU membership of the Western Balkans countries, including Bosnia and Herzegovina. However, the primary responsibility for accession lies with these countries and depends on their ability and determination to fulfil the Copenhagen criteria. In Bosnia and Herzegovina there is an unstable political climate and there is no common vision shared by all political forces. There has been no progress in the process of inter-ethnic reconciliation and in

the functioning of state structures. I would point out that joining the EU means accepting the values and rules on which the EU is based, namely respect for human rights, including the rights of persons belonging to national minorities, solidarity, tolerance, democracy, the rule of law and, in particular, respect for the independence of the judiciary. The freedom and independence of the media, public and private, are basic democratic requirements. I therefore urge the authorities in Bosnia and Herzegovina to promote the development of independent media. I also condemn the attacks on journalists and I urge the competent authorities to take appropriate measures to avoid such attacks in the future.

**Nuno Melo (PPE)**, *in writing*. – (PT) The process of enlargement of the EU must always be carefully considered and any new membership will always have to respect common points of reference of the countries that make up the EU. The Western Balkan countries are at the head of the queue for future membership, including Bosnia and Herzegovina. However, primary responsibility for membership lies with these countries, specifically in their ability and determination to fulfil the Copenhagen criteria. In that respect, Bosnia and Herzegovina have not made great progress along the road to stabilisation and development. First and foremost, the climate of political instability and the lack of a common vision shared by all political forces should be pointed out, while there is currently increasing use of inflammatory language, which undermines the process of inter-ethnic reconciliation and the functioning of state structures. In addition to this, there is the non-negotiable obligation to respect the Copenhagen criteria, primarily with regard to human rights.

**Willy Meyer (GUE/NGL)**, *in writing*. – (ES) I voted against this report on the situation in Bosnia and Herzegovina because it makes no reference to the root of the problem: the continuation of the international protectorate, with the participation of the European Union, and the failure of the international community to ensure that Bosnian citizens can decide their political future. Furthermore, this report welcomes the significant contribution of Operation Althea to the stability and security of Bosnia and Herzegovina, instead of calling for an end to the international military presence and the European Security and Defence Policy missions. The Confederal Group of the European United Left – Nordic Green Left has always rejected the neo-colonial policy of the European Union in the Balkans in general and in Bosnia and Herzegovina in particular. We believe in giving the citizens of Bosnia the opportunity to choose their own government and we demand an end to the international protectorate. To do this, it is necessary to close the office of UN High Representative and the Special Representative of the European Union, as well as ending the international presence in Bosnia and Herzegovina.

**Hella Ranner and Ernst Strasser (PPE)**, *in writing*. – (DE) We would like to make the following comments about the section of this resolution concerning visa liberalisation. We should, in principle, support visa facilitation for the countries of the Western Balkans, but only if all the conditions in this area are met. This also applies to Bosnia and Herzegovina. The conditions will only be fulfilled if the security interests of the people of Europe and, in particular, the Austrians can be fully protected. Sadly, this has not always been the case in the past, as we are aware. Therefore, a thorough examination of the conditions and an assessment of the consequences of visa exemption in terms of security policy are required. The necessary guarantees have not yet been given in full.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – I am glad that in the final vote of the report on Bosnia all of our 4 amendments were adopted which go along with the other 27 that were adopted by the AFET committee. Big achievement then!

#### **Motions for resolution (RC-B7-0370/2010)**

**Diogo Feio (PPE)**, *in writing*. – (PT) Taking into account the physical reality of airspace (which is both global and shared), I feel that greater cooperation between the European Union and the United States is relevant and necessary in regulating air transport. Issues such as passenger safety are universal and I therefore support the creation of joint EU-US air traffic management programmes, such as the Single European Sky ATM Research (SESAR) and the Next Generation Air Transportation System (NextGen), as well as the need for the United States to share information with the EU on the airline blacklist. Finally, given that airspace is both global and shared, as I mentioned, and taking into account that the ultimate objective of the EU-US air transport agreement is to completely open the market, I support Parliament's request for greater liberalisation of the air transport market and the removal of unbalanced restrictions and discrimination.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) The opening up of the EU-US aviation markets – which, as a whole, represent approximately 60% of the world's air traffic – will benefit consumers on both sides of the Atlantic, will bring substantial economic benefits and will create jobs. I am pleased with the cooperation between the competent authorities in the EU and the US in the area of air safety, repeating the importance

of the European blacklist of substandard carriers and the US system for monitoring carrier standards. In this area, it is important that both parties share information on this matter. It should be noted that the privacy of European and US citizens should be respected when personal passenger data are exchanged between the EU and the US, in accordance with the criteria required by the European Parliament in its resolution of 5 May 2010. The urgency should therefore be stressed of adopting international standards on data protection and the protection of privacy. I am pleased with the agreement to reduce aircraft noise and emissions and the intention to increase technical cooperation between the EU and the US in the areas of climate science, research and technology development.

**João Ferreira (GUE/NGL)**, *in writing*. – (PT) The EU-US air transport agreement is based on the liberalisation of this sector. The document states that the final goal of the EU-US air transport agreement is the complete opening of the market without any restrictions from either side. By setting up this kind of agreement and highlighting the interest of major economic groups in the liberalisation of the single market, the EU, besides shifting the entire sector from the public sphere to the private one, is overriding existing bilateral agreements that have been defined by each Member State. As regards security, and in support of the view that there must always be a high level of security in air transport services, we are faced with serious concerns when safety, minimisation of burdens and liberalisation are mixed together and what prevails is profit and concentration of wealth.

We therefore believe that air transport, as an important sector in terms of mobility both inside and outside the Member States, must be a public service provided by public companies in each country, which guarantees quality and safety in services provided to citizens. We therefore voted against.

**Jean-Luc Mélenchon (GUE/NGL)**, *in writing*. – (FR) Opening up the transatlantic aviation ‘market’ is not in the public interest. It increases competition between airlines, at the expense of employees in the sector. It increases air traffic to the detriment of the environment. It contains no real guarantee as regards the protection of personal (Passenger Name Record) data, which the United States records at will, to the detriment of the rights of European citizens. I am voting against this resolution, this deregulating machine that is characteristic of everything that foreshadows the major transatlantic market of the future.

**Nuno Melo (PPE)**, *in writing*. – (PT) The EU-US air agreement is very important for the future of EU-US relations. In that regard, and following the entry into force of the Treaty of Lisbon, Parliament needs to be fully informed and consulted about the work carried out by the Joint Committee like all relevant stakeholders. Any agreement to be concluded must, as a matter of necessity, be approved by Parliament, which is why it will have to be abreast of all negotiations, and it is important that regular meetings between Members of the European Parliament and members of the US Congress can take place in the future to discuss all relevant issues concerning EU-US aviation policy.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – I am glad the crucial paragraphs for us, specially numbers 17, 18 and 21 concerning environment, as well as 22 regarding social policy, were voted favourably to remain in the text, which motivated our final positive vote to the whole report.

**Brian Simpson (S&D)**, *in writing*. – I will be voting in favour today, even though I still believe that the USA has gained more out of these agreements than the EU.

We still have made no progress on two important issues, namely market access and foreign ownership; and whilst many may believe these are areas that the USA will not move on, it is still right that we continue to pursue these important goals.

I also agree that the setting of a timetable is a right move to make, but I agree with those who have indicated that this agreement still falls short of what Parliament expected.

I accept that progress has been made, but this, and the first stage agreement, have not been equitable; what we now require is for the USA to be more generous in the future on the key issues I have mentioned, before the EU gives away any more concessions in future discussions.

**Catherine Stihler (S&D)**, *in writing*. – I welcome this resolution.

#### **Motion for a resolution (B7-0344/2010)**

**Sophie Auconie (PPE)**, *in writing*. – (FR) The first railway package, which was adopted in 2001 and contains three directives on the development of the Community’s railways, on the licensing of railway undertakings and on the allocation of railway infrastructure capacity and the levying of charges for the use of railway

infrastructure and safety certification, was intended to revitalise the rail industry by acting as a first step towards the creation of an integrated European railway area. However, according to the report of the Commission on monitoring the development of the rail market, the rail share in transport has not increased but only stabilised to the low level of around 10% in the rail freight market and to less than 7% for passenger transport. Therefore, in this resolution that I have supported, Parliament calls on the Member States to properly implement this railway package, and calls on the Commission to better guarantee that proper implementation.

**Diogo Feio (PPE), in writing. – (PT)** During the same session in which we voted for the adoption of the regulation of the European Parliament and of the Council concerning a European rail network for competitive freight, we also discussed the implementation of the first railway package directives, which fell well short of the initial objectives. As investment in railways is a priority, adequate steps urgently need to be taken to ensure the proper implementation of the first railway package, not least with regard to the progressive opening and liberalisation of the markets, in line with the rules on competition.

**José Manuel Fernandes (PPE), in writing. – (PT)** I note that a large majority of 22 Member States have failed to implement properly the three directives of the first railway package, which has prevented the development of rail share in transport in general. I believe that the independence of the infrastructure manager is a precondition for fair, transparent and non-discriminatory treatment of all operators. It is necessary for there to be standards to guarantee the independence of infrastructure managers, especially when they are part of a railway holding that is also involved in rail transport activities. The level of investment in rail infrastructure maintenance is insufficient in a large number of Member States, leading, in several cases, to a deterioration in the quality of the existing infrastructure. It is proposed that the Commission review the first railway package by September 2010, and that it deal as a matter of priority with problems such as the independence of the infrastructure managers and the lack of resources and powers of the regulatory bodies. It is also hoped that it will propose adequate charging principles for access to the infrastructure that stimulate public and private investment in the rail sector. The liberalisation of the rail market should not detract from the quality of rail transport service, and should safeguard public service obligations.

**João Ferreira (GUE/NGL), in writing. – (PT)** The resolution regrets the various Member States' delay in implementing the three first railway package directives, as this delay is preventing fair competition in the railway market. As a result of this, the actual objective of this package is once again condemned: to open up rail transport, especially that of freight, to competition and private interests, as a first step towards the entire liberalisation of the sector at EU level. It is up to the Member States to decide on the areas in which they should perform their social duties through public services, and also on the way in which these public services should be organised. This is a sovereign choice of the people that must be respected. We are therefore opposed to all kinds of antidemocratic enforcement of measures that conflict with the interest of the people, such as the one this resolution clearly embodies.

Liberalisation is the cause of, and not the solution to, the principal problems of the railway sector, particularly of all those relating to the quality and accessibility of the service and the rights of workers. It is vital to put a stop to and reverse the persistent policies that dismantle and shrivel the public transport sector, with a view to surrendering it to the profit logic of the large private interests. In this case it is above all a sector of strategic importance for the future from both an energy and an environmental perspective.

**Carlo Fidanza (PPE), in writing. – (IT)** I welcome the adoption in plenary of the resolution on the implementation of the first railway package directives. I believe that the delay in implementing this package is unacceptable and action by the European Commission must be a priority.

In particular, I believe that attention must be focused on three key concepts. Firstly, the achievement of an unequivocal interpretation of the independence of infrastructure providers. Secondly, completion of true liberalisation of the railway market, an absolute priority for all European Union Member States. For this reason, the European Commission must step up its actions to establish realistic deadlines. Lastly, while we await liberalisation, compliance with the principle of reciprocity must be guaranteed to prevent unfair competition between competing companies in countries with an open market. I submitted a specific amendment on this aspect to the committee and its content was implemented in the final text, which I wholeheartedly support.

**Bruno Gollnisch (NI), in writing. – (FR)** Today's resolution does not take the issue in the right direction. The reason this sector is experiencing difficulties or problems is not because Member States have failed to implement the first railway package properly or fully – quite the contrary. The liberalisation of the rail

network has obviously led to a logic of pure profitability and to the disorganisation of the sector. In France, high-speed railway lines and journeys are given precedence over slower, regional services. Prices have increased. In many cases, however, passengers' needs and expectations are being completely overlooked, to the extent that even the timetables are inadequate.

In any event, they are being adhered to less and less. The network is being maintained accordingly and has deteriorated on many routes – on those that have not closed altogether, that is. In the United Kingdom and Belgium, this approach has been partly responsible for rail crashes. Users of the electricity sector and the postal service are already experiencing difficulties of a similar nature. You have a duty to regulate telephone rates, as there is so much abuse. Do not you think it is time to stop these charges?

**Jean-Luc Mélenchon (GUE/NGL)**, *in writing*. – (FR) The liberalisation of the rail market, imposed on Member States by the 2001 directives, has not resulted in a better service for our citizens. It is worse than that: the infrastructure is deteriorating from a lack of sufficient investment. Yet are we supposed to condemn Member States that have chosen not to dismantle their established operators to the point of rendering them ineffective? This resolution is proof of the ideological doggedness of the liberals, which is so far removed from common sense and reality. I can only vote against it.

**Nuno Melo (PPE)**, *in writing*. – (PT) The effective implementation of the first railway package is fundamental for the future creation of a European railway network. It is necessary to prioritise the resolution of problems such as the independence of the infrastructure managers and the regulatory bodies' lack of resources and powers, and to propose appropriate infrastructure access charging principles. That being the case, the creation of rail corridors that allow for fast and effective connection from one national network to another will enable the infrastructure usage conditions to improve. More competitive rail transport compared with that currently used brings not only economic, but also environmental benefits. That is why I voted as I did.

**Andreas Mölzer (NI)**, *in writing*. – (DE) I have rejected this railway package, which is permeated by the notion of centralism, for several reasons. It is a disgrace for our Europe without frontiers that rail transport within the EU remains impossible. The EU must ensure interoperability, in other words the same technical standards. Using a sledgehammer to smooth the way for European network management will not solve the problems, however. On the contrary, centralising and fragmenting the responsibilities will generate new problems. Not only could this plan have a negative effect on the quality and safety of rail transport, but we can also expect a reduction in service. Those who would lose out the most as a result of the railway package would be those living in rural areas and commuters.

**Raül Romeva i Rueda (Verts/ALE)**, *in writing*. – This Resolution on the 'first railway package implementation', was already supported by us in TRAN Committee vote and yet tabled. Important to remind is the fact that we deplore that a large majority of 22 member states have not yet implemented properly the three directives of the first railway package.

**Czesław Adam Siekierski (PPE)**, *in writing*. – (PL) In recent years, freight transport has developed considerably. However, this trend is not to be seen in rail transport. Despite extensive efforts of the Union intended to increase the competitiveness of rail transport, we are witnessing a gradual decline in the share of the rail market in freight transport. For more than 30 years (1970-2005), a 10% reduction has been noted. It is, therefore, essential to create an effective, environmentally-friendly and safe system of rail transport which will benefit the citizens as well as businesses, making this form of transport more competitive and reversing the current disadvantageous situation in the market. In order to meet this challenge it is essential to consolidate the supranational cooperation of all Member States.

Furthermore, in view of recent events in Europe following the eruption of the volcano in Iceland, which paralysed air traffic, it should be a priority to create a trans-European rail transport network in as short a time as possible. It should also be said that rail transport is safe for the environment, and is faster and does not need such extensive infrastructure as road transport. The opening of European freight transport corridors seems to be a good step towards initiating fruitful international cooperation in the area of rail transport. I am convinced that this will contribute to the establishment of an efficient European internal transport market. Creation of a competitive supranational system will contribute to an increase in the cohesion of the European Union's economic development. I would like to state my profound conviction that establishing this system will bring economic, environmental and administrative effects.

**Nuno Teixeira (PPE)**, *in writing*. – (PT) The first railway package adopted in 2001 contained elements that, in my opinion, can serve to integrate the European rail network, both passengers and freight, and thus take

advantage of synergies and further consolidate the internal market and territorial cohesion. The three directives of this package, however, which concerned the development of the rail network, the licensing of railway undertakings and the allocation of railway infrastructure capacity and the charging of infrastructure fees, and which aimed to modernise this method of transport, have yet to be transposed by the majority of Member States, especially Portugal. That being the case, I agree that it makes sense for the European Commission to revise the first package and in particular the most problematic issues such as the independence of infrastructure managers, the legal framework for the regulatory bodies and track access charging methods.

Any changes in the rail transport sector must safeguard the main aspects that underpin the provision of public services, especially insofar as its quality and security and the affordability of fares for both citizens and companies are concerned. Good governance of these infrastructures and their interoperability will be crucial if a genuinely integrated European rail network is to be established.

#### **Motions for resolution (RC-B7-0346/2010)**

**Edite Estrela (S&D)**, *in writing*. – (PT) I voted in favour of the joint motion for a resolution on the floods in central European countries, in particular Poland, the Czech Republic, Slovakia and Hungary. As one of the motion's signatories, I should like to reiterate the need for the European Council to resume work on revising the European Union Solidarity Fund, with a view to creating a more solid and flexible instrument that will facilitate an effective response to the new challenges posed by climate change.

**Diogo Feio (PPE)**, *in writing*. – (PT) The floods that struck Central Europe have again forced the Agency to call into question the capabilities of the European Union Solidarity Fund in responding to the actual needs of Member States affected by natural or manmade disasters. Such circumstances are dramatic and, worryingly, have been occurring more and more often, requiring governments to focus more on water and soil policies. As I said before, I believe that the Fund's structure and availability must be improved and its mobilisation needs to be evaluated on a regular basis so as to make this mechanism better able to play a part in reducing the impact on Member States and promoting the reconstruction of the most devastated areas in a flexible, timely and appropriate manner.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) I would like to express my solidarity with the regions affected by the disaster, and offer my deepest condolences to the families of the victims and I take note of the serious economic impact on the region. In these situations the European Union Solidarity Fund must be quick and flexible. Therefore, I regret that the Council has blocked a proposal in that regard, which Parliament had approved by an overwhelming majority at first reading in May 2006. I also advocate the need for Member States to comply with the requirements stipulated in the Floods Directive, and to review the planning, land use policies and best practices in the light of the increased risks of flooding stemming from the way land, habitats and drainage are managed, and to increase the capacity of flood-control and drainage infrastructure in order to limit the damage caused by extreme rainfall. The Member States and the regions affected by the natural disaster must pay special attention to the sustainability of the respective reconstruction plans.

**João Ferreira (GUE/NGL)**, *in writing*. – (PT) The floods in Central Europe again demonstrate the relevance of concerns and proposals that have already been discussed by Parliament on more than one occasion and that are contained in the adopted resolution, not least: the need to support, as quickly as possible, the areas affected by the economic and social consequences of this natural disaster; the need to revise the Solidarity Fund regulation, adapting the eligibility criteria to cover needs that are not currently included and allowing for more flexible and timely mobilisation; and the need to focus more on disaster prevention.

With regard to the last point, cooperation should be strengthened, whether on a regional or a European scale, and should be based on a complementarity of actions and on the principle of solidarity between Member States. In specific terms, EU special aid should be granted to Member States, among other things, for preventative measures to eliminate potentially dangerous situations: for renaturalising river beds; for restoring and protecting river basins, wetlands and related ecosystems; for increasing the flow capacity of bridges and culverts; for protecting or redesigning inhabited areas, not least urban ones that are particularly vulnerable to certain types of disasters; and for maintaining and monitoring the safety of large existing infrastructures.

**Sylvie Guillaume (S&D)**, *in writing*. – (FR) First of all, I would like to thank my colleague from the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, Mr Swoboda, for his proposal to include France within the scope of this resolution, following the floods that have taken place this week in the south of the country and which have claimed the lives of more than 25 people. Given the extent of the material and human cost of these floods in central Europe and France, it seems logical to make

the European Union Solidarity Fund (EUSF) available as quickly as possible, and to use it effectively in order to help rebuild the damaged areas; this is my reason for voting in favour of this resolution. In order for that to happen, however, a new regulation on the EUSF is also needed, because the process required to access the funds is currently too drawn-out and complicated. I also believe that a large share of other European funds should be devoted to preventing risks and natural disasters, with a view to the sustainable development, use and management of land and housing, and in order to meet the new climate challenges effectively.

**Barbara Matera (PPE), in writing.** – (IT) I would like to offer my condolences and pledge my heartfelt support to those affected by the recent flooding in Poland, Hungary, Slovakia and the Czech Republic.

As permanent rapporteur for the European Solidarity Fund, I ask the Commission to act quickly and with maximum flexibility to enact the procedures aimed at mobilising the Fund as soon as the Member States have presented their requests. I believe it is also fundamental to implement the action of the European Solidarity Fund.

I therefore urge the Spanish Presidency and the Commission to act on Parliament's suggestions. Back in May 2006 a majority in this House had already recognised the need to make this support instrument, which is so important and of the utmost urgency, more flexible and powerful.

**Nuno Melo (PPE), in writing.** – (PT) As the EU is a space for solidarity between its Member States, it cannot remain indifferent to the disasters that have devastated several countries in the form of flooding, specifically Poland, the Czech Republic, Slovakia and Hungary. That being the case, it is very important that the European Union Solidarity Fund (EUSF) is mobilised quickly so that the countries devastated by this disaster can quickly use the aid they need to bring infrastructure back into operation, thereby minimising the suffering of the populations affected by the rain.

**Raül Romeva i Rueda (Verts/ALE), in writing.** – After the impact of the floods also in some regions of the southwest of France, many of us suggested France should also be included among the countries mentioned in the resolution to receive particular attention. Despite the resolution did not mention some of our amendments concerning the Kyoto Protocol references, we, Greens, strongly supported the final text.

**Nuno Teixeira (PPE), in writing.** – (PT) The document adopted by Parliament today expresses the solidarity of this institution towards the people in those Member States devastated by the floods, who were badly affected by these natural disasters. I support the initiative for the need to assist the communities affected by this disaster to be included in a joint motion drawn up by the various political groups represented in Parliament. I know the degree of devastation caused by the impact of a natural disaster and I am aware of the various risks and serious difficulties that the public is faced with on an economic, social and human scale.

I therefore feel that it is of the utmost importance to call for support to be provided more swiftly at European level. This will only be achieved through greater flexibility of the conditions under which the Solidarity Fund is granted. As the motion for a resolution states, an urgent debate on this issue is absolutely necessary. It is only in this way that we can really talk of European solidarity. For the reasons I have mentioned, I clearly and unequivocally voted in favour of the adopted resolution.

#### **Motion for a resolution (B7-0294/2010)**

**Diogo Feio (PPE), in writing.** – (PT) I am aware that the kind of justice that is both effective and capable of responding in a timely and appropriate fashion to citizens' problems requires suitably trained operators (judges, lawyers and other legal professionals). I warmly welcome the European Commission's decision to draw up an action plan on European training for all legal professions in 2011 and to launch Erasmus-type pilot projects, namely exchange programmes for judicial authorities and legal professionals, in 2010-2012. I will be following the progress of this proposal with interest.

**José Manuel Fernandes (PPE), in writing.** – (PT) Adequate judicial training for judges and the creation of a European judicial culture speed up legal proceedings, particularly in cross-border cases. We will thus obtain a significant contribution towards improving the functioning of the internal market, both for companies and for citizens. Despite the Member States having primary responsibility for judicial training, it is essential to have EU funding for such judicial training courses designed to foster a European judicial culture. I believe that the proposed pilot projects should not be restricted, as far as the members of the judiciary are concerned, to Erasmus-style exchange programmes. The Commission, in cooperation with the Member States, will have to submit proposals for the creation of a network of legal training bodies across the Union, accredited to



provide familiarisation courses in national, comparative and European law for members of the judiciary on a stable and ongoing basis.

**Iosif Matula (PPE), in writing. – (RO)** I voted for the motion for a resolution on judicial training as I believe that we must support lawyers and the judicial system as their operation is important to the whole of society. I welcome the development of a network of legal (not only judicial) training institutions throughout the European Union, which will be authorised to provide on an ongoing basis training courses in international, national and comparative law. I feel it is necessary to set up Erasmus-style programmes using European funding for judicial authorities and legal professionals. Such cross-border mobility may help establish communication channels between participants and develop a higher-level European judicial culture, thereby strengthening the trust on which the system of mutual recognition of judgments is based at EU level.

High-quality judicial training and the creation of a European judicial culture can expedite legal proceedings in cross-border cases and, therefore, help improve the operation of the free movement of persons, goods, services and capital in the single European market. This will provide companies and citizens with new benefits within the EU. I have indications that many Romanian lawyers are looking forward to the opportunity to participate in such European training and cross-border mobility programmes.

**Jean-Luc Mélenchon (GUE/NGL), in writing. – (FR)** This report states the desire to create a common European judicial culture. However, such a culture cannot be imposed from the top, as part of the non-separation of powers. One would have to be blinded by the prevailing Eurocratism to think that it can be created without an independent legislative power. Until Parliament is one of those powers, advocating a common judicial culture is a total denial of democracy. What Europe needs is a socially responsible restructuring of its European institutions.

**Nuno Melo (PPE), in writing. – (PT)** Judicial training, which seeks to train members of the judiciary in all Member States, is very important for achieving a European judicial culture based on mutual understanding. As the training of members of the judiciary is also the obligation of each Member State, they must, in spite of the current crisis, make an effort to continue to invest in the training of these legal professionals.

**Andreas Mölzer (NI), in writing. – (DE)** The Stockholm Programme is intended to define a common policy for the protection of basic rights, the protection of privacy, the protection of minorities and groups in particular need of protection and for European citizenship. The development of Eurojust and Europol is essential for this. Training and common training courses in the judicial as well as executive field are necessary for smooth implementation. I abstained from the vote, as there is still no concrete financing plan for the training and advanced training measures.

**Paulo Rangel (PPE), in writing. – (PT)** As an MEP, a member of the Group of the European People's Party (Christian Democrats), but also as a law professor, lawyer and former Secretary of State for Justice, it is with great interest that I have been following this initiative on the creation of a European judiciary culture, with a view to promoting effective and swift justice, capable of responding promptly to citizens' problems. This can only happen with properly trained judges, lawyers, and other legal professionals. I therefore confidently voted in favour and I will follow closely and with complete interest the action plan on European training for all legal professions in 2011 and the Erasmus-style pilot project exchange programmes for judicial authorities and legal professionals planned for 2010-2012, which the European Commission has just announced.

**Raül Romeva i Rueda (Verts/ALE), in writing. –** I have supported this report which includes, among others, the following requests. First, it urges the Commission, with the cooperation of the Member States in the Council, to produce proposals as soon as possible for the creation of a network of legal training bodies across the Union accredited to provide familiarisation courses in national, comparative and European law for members of the judiciary on a stable, ongoing basis; And second, calls on the Commission to consult Parliament on separate plans for the creation of an institution building upon existing structures and networks, in particular the European Judicial Training Network and the Academy of European Law.

#### **Report: Guido Milana (A7-0150/2010)**

**Luís Paulo Alves (S&D), in writing. – (PT)** I voted in favour of this report because I believe we urgently need to adopt an EU aquaculture strategy. The situation as it stands is characterised by a whole range of Community legislation from a number of origins and sources that vary in each Member State, and renders it impossible to achieve the objectives that contribute to the growth of an innovative and potentially high-technology economic sector that is capable of promoting regional development in various maritime, coastal and island regions, as well as throughout the EU as a whole. I must mention research potential and the use of cutting-edge

technology that foster the employment and retraining of traditional fishermen and provide a catalyst for associated economic activities.

I must also mention that a single legislative framework and both appropriate labelling and certification are necessary for the development of such a strategy. It is necessary, moreover, to empower this sector through necessary investment – without jeopardising other sectors or overlooking the most diverse environmental impacts – since aquaculture, as a supplementary activity for our coastal communities, can also play a part in overcoming the shortage of fish that is usually present in our diet.

**Sophie Auconie (PPE)**, *in writing*. – (FR) I voted in favour of this report, which calls on the European Commission to bring forward swiftly a proposal for a regulation on the legislative, administrative and financial framework of the European aquaculture sector, in order to consolidate in a single text all the EU legislation governing the aquaculture sector.

**Mara Bizzotto (EFD)**, *in writing*. – (IT) Aquaculture represents a strategic sector that directly and indirectly employs some 64 000 people. Its role in sustainable development is therefore as strategic as the part it plays in the employment dynamics of coastal and lake economies, where European aquaculture accounts for only 2% of world aquaculture. For this reason, two thirds of the internal requirements and consumption must be covered each year by products imported from third countries.

I therefore have no hesitation in voting in favour of the report by Mr Milana that brings together and draws up a series of suggestions for a future regulatory proposal with a view to increasing the general efficiency of the sector.

**Edite Estrela (S&D)**, *in writing*. – (PT) I voted in favour of the Milana report as it supports the need for the sustainable development of a European aquaculture that is efficient, economically viable and environmentally friendly, in both the medium and the long term.

**Göran Färm, Olle Ludvigsson and Marita Ulvskog (S&D)**, *in writing*. – (SV) We Swedish Social Democrats voted in favour of this report, but we would like to emphasise that we do not support the part of the report which calls for increased budget funding for the fisheries policy.

**Diogo Feio (PPE)**, *in writing*. – (PT) According to data contained in the report, the European aquaculture sector has more than 16 500 companies and a total global annual turnover of more than EUR 3.5 billion and employs approximately 64 000 people both directly and indirectly. That is exactly why it is a vital sector that cannot continue to be the poor relation in fisheries policy, with no appropriate, harmonised and investment-promoting legislation.

At a time when we are discussing the future of the common fisheries policy, it is vital to consider the potential of aquaculture to supply high-quality fish with a lower environmental impact, since in that way catches of endangered species at sea can be reduced.

**José Manuel Fernandes (PPE)**, *in writing*. – (PT) The European aquaculture industry consists of more than 16 500 companies, with a total annual turnover of more than EUR 3.5 billion, generating some 64 000 direct and indirect jobs. European aquaculture production doubled to 1.3 million tonnes between 1981 and 2001, but more or less stagnated (+0.5%) until 2008, whereas world production grew very rapidly (+7.6% a year) over the same period. There is currently no specific and harmonised EU legislative framework for the aquaculture sector. On the contrary, it is governed by a variety of EU legislative texts in different areas (environment, public health, etc.) and national legislation which varies considerably from one Member State to another, thereby creating confusion among operators in the sector, in addition to causing discrimination and distortions of the market. I am therefore in favour of a proposed regulation that consolidates all the Community provisions regulating the aquaculture sector into a single text, which will result in a clear, stable legislative framework and legal certainty. I therefore voted in favour of this report.

**João Ferreira (GUE/NGL)**, *in writing*. – (PT) We share the view expressed in the report that the aquaculture sector has great potential to contribute to economic and social development in a large number of regions, especially in coastal and rural regions, as well as to promote local production and employment. We welcome the simplification and streamlining measures that are to be adopted by the Member States at legislative level as a means of regulating and monitoring the sector.

The impact of aquaculture on the environment is currently one of the main restrictions on the development of the sector. The amount of animal protein used in feeding the cultivated species is still disproportionately

high with respect to the yield obtained, particularly in saltwater aquaculture. In many cases there are still problems concerning the discharge of effluents containing high pollution loads into natural habitats.

The report acknowledges these problems along with others and points out – rightly so – the importance of investing in research and development in order to resolve them, thus improving environmental and economic sustainability and viability in the sector. Despite the fair criticism of the ‘proliferation of private certifications’, we believe that the report should have gone further in this area and firmly backed the importance of a public certification system for the food and environmental quality of aquaculture products. There is also a need for greater regulation of trade.

**Elisabeth Köstinger (PPE), in writing.** – (DE) I support the sustainable development of European aquaculture, fish farming and natural fish ponds, as well as the establishment of better basic conditions which would lead to an improvement in competitiveness in these areas. The European fisheries industry has high quality standards and a great deal of specialist knowledge and we must continue to support it. One important aspect of this is to promote research and development. Together with the upstream and downstream production and processing sectors, the European fisheries industry is responsible for thousands of jobs within the EU and these jobs must be protected. For these reasons, I support European Parliament resolution P7\_TA(2010)0243 for the sustainable development of European aquaculture.

**Nuno Melo (PPE), in writing.** – (PT) The aquaculture sector has not had a harmonious development strategy throughout the EU. It is an important sector for the EU’s economic development and for guaranteeing the food supply of quality fish products, thereby also helping to reduce pressure on wild species, many of them in danger of extinction. This industry is also important in terms of food security, economic activities and employment, especially in rural and coastal areas.

**Andreas Mölzer (NI), in writing.** – (DE) Particularly in view of the possible negative impact of aquaculture, it is all the more important for there to be clear standards here. However, clear standards must not mean that the EU lays down regulations in this regard, because when we harmonise our regulations we naturally always settle on the lowest common denominator. Firstly, this is not acceptable in the name of environmental protection and nature conservation. Secondly, this matter must not be used to further ambitions towards more centralisation, and thirdly, absolutely no consideration has been given to the situation of the local fishermen – after all, there are 170 million jobs connected to the fisheries industry worldwide. For the aforementioned reasons, I have no option but to reject this report.

**Raül Romeva i Rueda (Verts/ALE), in writing.** – Environmental problems with aquaculture are multitude. It can cause local pollution if farms are placed in poor sites or in too great a density; escaped fish can interfere with reproduction of local stocks (genetic pollution); high densities favour diseases and parasites that must be fought with antibiotics, vaccines, etc; there are animal welfare concerns over the conditions of the animals. Probably the most important problem, though, is that for many species of farmed fish, including the most popular ones such as salmon, the farmed animals must be fed with fish - so we have the absurd situation of fishing to feed fish that are reared in cages. Herbivorous species such as carp do not have this problem, though. FISH accepted a number of our amendments that were intended to counter these points - to insist that European aquaculture must concentrate on herbivorous species, that depletion of wild fish stocks to feed farmed fish is not sustainable, that subsidies for aquaculture must be based upon environmental impact assessments.

**Daciana Octavia Sârbu (S&D), in writing.** – Fish is a healthy food, and we should do everything possible to promote a sustainable fish sector to provide it. This includes developing a legislative framework which helps the aquaculture sector to deliver a secure supply of high-quality, healthy food and better protection for the environment. Over-fishing of wild stocks has devastating impacts on delicate coastal and river environments, as well as on local communities.

Aquaculture has the potential to address all these concerns – by reducing pressure on wild stocks and biodiversity, and by creating jobs in coastal and rural regions. As co-legislators, we must take the opportunity to shape future legislation in the right way.

We should pay particular attention to animal welfare in any future legislation. High standards of animal welfare vastly improve the productivity of farmed fish – and therefore the competitiveness of the sector – as well as ensuring better product quality for consumers and a better product for the industry to market.

Whilst developing legislation to facilitate these aims, we must also ensure that imports are closely monitored and comply with the EU’s own high standards, to protect both our industry and consumers.

**Catherine Stihler (S&D)**, *in writing*. – The Milana report is a step in the right direction for the future of aquaculture. The need for greater access to research and development money is essential for the industry to remain at the cutting edge on sustainability and quality. The requirement for all imports from third countries to have mandatory country-of-origin labelling is important, but so too should all aquaculture products within the EU have mandatory country-of-origin labelling.

**Nuno Teixeira (PPE)**, *in writing*. – (PT) Although the EU is the largest world market for aquaculture products, there is still no harmonised Community law in this area. This has given rise to legislative distortion and has led to confusion for market operators. Aquaculture products are part of the European diet and this report demonstrates the importance of, and urgent need for, a new European strategy to address the expansion and potential of the sector.

This is a crucial issue in Madeira and, at the time the Plan for Economic and Social Development of the Autonomous Region of Madeira 2007-2013 was being prepared, the fisheries sector, and particularly aquaculture, was identified as one of the thematic priorities. This highlighted the need, among other things, to promote the sustainable management of resources, taking into account conservation and enhancement, while also encouraging greater transparency in the markets for aquaculture products.

It should be noted that the only way to achieve structured and sustainable development in the sector that is environmentally balanced and promotes competition between its operators, and in turn offers consumers greater quality assurance, is through adequate funding, especially from the European Fisheries Fund, and investment in new technologies and experimental research.

## 9. Corrections to votes and voting intentions: see Minutes

*(The sitting was suspended at 13.10 and resumed at 15.00)*

**IN THE CHAIR: Rainer WIELAND**

*Vice-President*

## 10. Approval of the minutes of the previous sitting : see Minutes

## 11. Debates on cases of breaches of human rights, democracy and the rule of law

### 11.1. Democratic Republic of Congo: the case of Floribert Chebeya Bahizire

**President**. – The next item is the debate on the Democratic Republic of Congo: the case of Floribert Chebeya Bahizire.

**Isabelle Durant**, *author*. – (FR) Mr President, on the eve of the celebrations marking the 50th anniversary of the independence of the Democratic Republic of Congo, we thought it was important for the European Parliament to give its opinion on the murder of Mr Chebeya Bahizire.

Mr Chebeya Bahizire was a human rights defender and the director of the NGO 'Voice of the Voiceless'. He was a famous Congolese activist. He was found dead in his car in a suburb of Kinshasa on 2 June this year, and his driver, Fidèle Bazana, has not been located or found since.

My questions are: why was he killed? Who killed him? I think that, as is emphasised in the resolution, an independent, credible, thorough and transparent committee of inquiry should be set up to establish the truth about the death of Mr Chebeya Bahizire and to shed light on the disappearance of his driver.

We are all aware that the general deterioration of the situation of human rights defenders in the Democratic Republic of Congo is particularly worrying. Cases involving many human rights defenders, including Pascal Kabungulu Kibembi in 2005, and several journalists, have still not been solved. Investigations led by the Congolese military authorities have been characterised by serious irregularities.

I therefore consider it essential to identify those responsible for these murders, to bring them to justice, in accordance with Congolese law and with international provisions on the protection of human rights, in order to put an end to the impunity. Punishing those responsible for murdering human rights defenders and journalists is an essential part of democracy. We said so again this morning, in Mrs Hautala's report. The

resolution therefore calls on the European Union and on the Democratic Republic of Congo, as signatories to the Cotonou Agreement, which explicitly refers to respect for human rights, democracy and the rule of law, to pay particular attention to these matters when evaluating the Agreement.

I therefore think that Parliament should encourage the Congolese authorities to comply fully with the declaration on human rights defenders adopted by the United Nations General Assembly in 1998 and to implement the recommendations of the United Nations 2009 Universal Periodic Review, which are measures designed to protect the rights of human rights defenders. That is the message I will be taking to Kinshasa for the 30 June celebrations. I think it is important to inform people of this.

**Filip Kaczmarek**, *author.* – (PL) Yesterday, in this Chamber, we talked about the protection of human rights defenders around the world in a general way. Today, we are talking about the very specific case of Floribert Chebeya Bahizire, who died because he was a defender of human rights. All the indications are that he was killed precisely because of who he was and what he was doing. Those who were behind this murder certainly had some objectives of their own. We do not fully know what those objectives were, but there is one thing of which we are certain: those objectives were absolutely opposed to our objectives, by which I mean a consistent upholding of human rights. Human rights and those who defend them are opposed because their activity leads to increased social awareness, and citizens who know their rights are an enormous threat to the abuses of the authorities.

Congo is a large and important country. The murder of Floribert Chebeya Bahizire must be solved. The perpetrators must be lawfully punished, so the investigation must be independent, credible, scrupulous and thorough. This is what we insist on in our resolution.

**Marie-Christine Vergiat**, *author.* – (FR) Mr President, the murder of Floribert Chebeya Bahizire, executive director of the human rights organisation 'Voice of the Voiceless', when he had just been summoned by the police, and the disappearance of his driver, are unfortunately quite symbolic of the human rights situation in the Democratic Republic of Congo.

We might also wonder why Mr Chebeya's family is not even allowed to see his body. Mr Chebeya was known for his stance against the Congolese leaders. He regularly reported the dramatic developments in the situation in the Democratic Republic of Congo to NGOs and the media. It is no longer possible to keep track of the number of journalists and human rights activists who are threatened, arrested, tortured and murdered in that country.

Pascal Kabungulu, in 2005, Franck Ngycke, his wife H el ene Mpaka, and Serge Maheshe in 2007, and Didace Namujimbo in 2008, are just a few of the many victims. The icing on the cake, if I may describe it as such, was when the International Criminal Court issued a warrant for the arrest of Bosco Ntaganda, and the Congolese Government rewarded him with a promotion.

Meanwhile, the economic and social situation in the country continues to deteriorate. A climate of civil war prevails in one part of the country: massacres, mass rape and the recruitment of child soldiers are now, dare I say, part of the landscape.

Unless I am mistaken, Mr President, I have two minutes.

Excuse me, Mr President, but I have two minutes of speaking time ....

*(The President cut off the speaker)*

**Ryszard Czarnecki**, *author.* – (PL) Mr President, I speak as co-author of our joint motion for a resolution. In November, in only a few months' time, representatives of our Parliament will be in this very country – the Democratic Republic of Congo. It is there that the next session of the ACP-EU Joint Parliamentary Assembly is to be held. What are we to do? What should we do, when we are face-to-face with our hosts? We must not remain silent about this. This is extremely important. The defence of human rights must not be just a slogan, a motto or something which is very easy for politicians to say. It is a reality, and people pay for it with their lives, including in the country of which we are talking. The European Parliament must not only speak on this issue, it must thunder.

**Bernd Posselt**, *on behalf of the PPE Group.* – (DE) Mr President, Floribert Chebeya Bahizire and his horrific fate is, unfortunately, not an isolated case. On the contrary, it is the tip of an iceberg, not only in the Democratic Republic of Congo, but in Africa as a whole.

Congo is a fascinating country. The waters there could make the whole continent fertile. Its raw materials could make the whole continent rich. Its energy resources could supply the whole continent and a reasonably functional rule of law would help the whole of Africa to establish a stable order.

Unfortunately, however, the opposite is happening. Congo is a huge hotbed of destabilisation, which is continually being exported to other countries, but which is then also brought into Congo from outside. As the EU, we therefore need to make Congo one of the focus points of our development policy, our policy for promoting the rule of law and our peace policy, as it is there that the fate of Africa will be decided. It is therefore right that our next big conference should take place there.

**Corina Crețu**, *on behalf of the S&D Group*. – (RO) I too wish to condemn this heinous crime against one of the most respected Africans on account of his courageous struggle for democracy and respect for human rights. The name of the NGO which Floribert Chebeya Bahizire led aptly defines what he did: 'The Voice of the Voiceless'. Bahizire devoted his life to these people and, unfortunately, his death as well.

This man, who had been arrested and harassed down the years, including for stirring up trouble by denouncing corruption in the army, met with a bloody end. The barbaric nature of his murder speaks volumes for the state of human rights in Congo, a country which is seeing an upsurge in the incidence of acts of torture, maltreatment, arbitrary arrests, acts of social violence and other brutal actions.

This is why I believe that European Union diplomacy must urge the Congolese authorities to carry out an independent, credible and transparent inquiry, which will identify and bring to justice the culprits. The Congolese Government's first responsibility is to combat the culture of impunity which is conducive to human rights violations in a country where civil war is used as a justification for massacres, mass rape and other atrocities. In this situation, I think that the UN peacekeeping mission in Congo can play an effective role in monitoring the course of the inquiry.

**Paweł Robert Kowal**, *on behalf of the ECR Group*. – (PL) I think that in situations where Africa asks for support, and African states want to start cooperation of one kind or another with the European Union, we try to support these ideas and help Africa. In situations such as the one we are dealing with now, where we are talking about a certain standard for human rights and a standard for explaining tragic situations such as the death of a human rights defender, we must be just as radical and just as determined.

I would like to stress just one thing: a crucial element in this matter is the part of the resolution which talks about setting up an independent, credible and thorough commission of inquiry which will explain this tragic murder.

**Tunne Kelam (PPE)**. - Mr President, sadly the killing of Mr Bahizire 15 days ago is not an isolated tragedy. As the UN Special Rapporteur has said, this killing strongly suggests official responsibility. We notice that politically motivated killings are part of a growing trend of intimidation and harassment of human rights defenders, political opponents, victims and witnesses in the Democratic Republic of Congo during the past five years.

We express our deep sorrow and sympathy to the family of Mr Bahizire and we call on the Council and the Commission to put pressure on the authorities of the Democratic Republic of Congo to provide for normal conditions for human rights defenders and to bring those responsible to justice.

**Eija-Riitta Korhola (PPE)**. - (FI) Mr President, I am pleased that we have been able to include the case of Mr Chebeya Bahizire in our plenary so promptly. I first want to express my condolences to the family of that brave man who risked his own life in the name of democracy and human rights. Mr Chebeya Bahizire frequently reported that he was being spied on and watched by the authorities. The international community, which admired his work, was nevertheless unable to protect him.

Similar murders are part of a growing trend in harassment and oppression targeted at human rights defenders, journalists and representatives of the political opposition in the Democratic Republic of Congo. Several reporters and human rights activists have been killed in the country over the last five years.

As our resolution points out, it is important that the authorities agree to the request made by Mr Chebeya Bahizire's family to have an autopsy carried out by completely independent experts. In addition, it is essential to appoint an independent and impartial committee to investigate Mr Chebeya Bahizire's death and the fate of his driver, who disappeared. Thirdly, let me stress that Congo must fight against corruption and bring the perpetrators of human rights crimes to justice, starting with the crimes that its own army and police forces are guilty of.

**Cristian Dan Preda (PPE).** – (RO) I would like to begin by expressing my condolences to the family of Floribert Chebeya Bahizire. The murder of this respected defender of human rights in the Democratic Republic of Congo is unacceptable and must, as my fellow Members have also said, be condemned.

I think that an independent, credible and transparent inquiry is required to clarify the circumstances in which this act took place. In this situation, I feel that the involvement of the UN would be useful because, as the UN Special Rapporteur on extrajudicial, summary or arbitrary executions emphasised, there are clues that ‘suggest official responsibility in carrying out the murder’.

I also wish to mention that this murder highlights a worrying trend in the Democratic Republic of Congo during recent years because a number of human rights activists have been murdered there, including journalists. The authorities in the Democratic Republic of Congo must fight resolutely against the culture of impunity.

**Catherine Stihler (S&D).** - Mr President, I would like to thank the authors of this resolution. The murder of Floribert Chebeya Bahizire on 2 June has led to more than 50 organisations, and Ban Ki-moon himself, calling for an independent investigation. His work defending human rights led to threats to his life including repeated threats from the police, and it is my understanding that he was actually visiting an inspector at a police station on 1 June; we know that on 2 June his body was found.

I would like to seek reassurances that the Commission and the Council will press for an independent investigation, and also that his family will be kept safe. I think that this is a reminder to us all that we take many of our human rights for granted. He defended human rights and he defended them to his death. He needs our respect.

**Charles Tannock (ECR).** - Mr President, this horrific case recalls the worst abuses that one of Africa’s most noted kleptocrats, the late Mobutu Sese Seko of Zaire, a country that eventually became the DRC. The change of name has sadly not changed the political culture in this country.

Human rights defenders still face grave dangers in doing their job. Journalists are routinely threatened and sometimes killed. Indeed, the name of Floribert Chebeya Bahizire is the latest in a long line of courageous human rights defenders who paid the ultimate price for their convictions.

I sincerely hope that this case will result in a conviction of another kind, and that in the longer term the EU will redouble its efforts to strengthen civil society in the DRC. I am also convinced that the climate of political violence and impunity in the DRC – and in other parts of Africa sometimes – is linked to the control of resources, especially minerals. I have previously urged the Commission to consider extending the Kimberley Process of certification beyond diamonds – the blood diamond story, as it were – to other minerals. I believe this would be a significant step forward in helping to address the lawlessness that continues to claim the lives of brave men such as this man in particular.

**John Dalli, Member of the Commission.** – Mr President, the Commission learned about the death of Floribert Chebeya Bahizire with deep sadness. Floribert was one of the most well-known active and vocal human rights defenders in the DRC, leader of the organisation *La Voix des Sans-Voix*, with whom the Commission works regularly and which is one of the most respected human rights organisations in the DRC. The circumstances of his death strongly suggest that such a loss might indeed be a murder that could implicate DRC officials.

Accordingly, the death of Floribert gave rise to strong reactions not only in the DRC but also from the international community. The EU and a number of our Member States, but also the United Nations and the United States, have all expressed their concerns and urged a serious investigation in order to establish the facts and avoid impunity. The facts should be properly investigated and the perpetrators should be effectively prosecuted. President Kabila has already expressed his wish to clarify the events; some suspects from the national police forces have been arrested and the Head of the National Police has been suspended until further notice.

The DRC authorities have also accepted a Dutch offer of cooperation. A Dutch medical team examined Mr Chebeya and should be able in the coming weeks to provide further clarification of the circumstances of his death. The DRC’s initial response does indeed indicate that the authorities understand the need to promote an impartial, credible and transparent investigation. The European Union, together with Member States with a presence in Kinshasa, will nevertheless follow up closely the developments on this issue with a view to encouraging the authorities to achieve rapid and concrete results.

On a more general note, the EU would welcome the DRC Government stepping up its efforts to fight against impunity and is ready to support such efforts by helping the DRC to uphold its human rights obligations and its commitment to the rule of law.

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

The vote will take place at the end of the debates.

## 11.2. Nepal

**President.** – The next item is the debate on Nepal.

**Lidia Joanna Geringer de Oedenberg, author.** – (PL) Benjamin Franklin once said that ‘the US Constitution does not guarantee happiness, only the pursuit of it’. Today, the citizens of Nepal cannot even count on being able to pursue happiness.

Work on the constitution continues to drag on, and the main actors on the political stage, including the Maoist Unified Communist Party of Nepal, are not ready for compromise, while the army is still surrounded by an atmosphere of secrecy regarding how it is financed and the way it recruits. Meanwhile, at the opposite pole and far from the structures of the state, 30 million citizens are exposed to extreme poverty and illiteracy, and do not have access to electricity or communications. Nepal is stuck in a trap of poverty, and is squandering the natural potential of its strategic geographical location and exceptional natural features. Therefore, we appeal to the Nepalese authorities not to squander the 2008 peace agreement, but to strive consistently for promulgation of the new constitution, which would not only define the rights and responsibilities of citizens, but could become a symbol of a new democratic page in the history of the Federal Democratic Republic of Nepal.

As a Member from a country scarred by historical divisions, I understand what a difficult period is currently being experienced by Nepal. A constitution and international appeals will not guarantee the citizens of Nepal happiness, but may help them to pursue it.

**Charles Tannock, author.** – Mr President, Nepal’s political instability is hardly surprising given the tumultuous changes that have taken place in that country over the last two decades. The palace massacres of 2001 fatally undermined the monarchy, and King Gyanendra’s attempts to impose absolute rule to combat Maoist insurgents failed dismally. The Maoists took power and abolished the monarchy two years ago, but were quickly displaced by a coalition of their opponents.

It would appear now that the advent of republican democracy has been a bit of a false dawn. Certainly the ordinary people of Nepal continue to suffer from high rates of unemployment, disease, malnutrition and, as this resolution makes clear, violence and even possibly torture. The rapid political changes in Nepal were not accompanied, regrettably, by measures to promote reconciliation and good transitional justice.

I hope the EU will concentrate its efforts now in this field in particular as well as providing essential humanitarian aid. Nepal risks becoming a failing state and that is a risk we can ill afford with so many other security challenges in South Asia.

**Raül Romeva i Rueda, author.** – Mr President, I am speaking on behalf of my colleague, Jean Lambert, who is not able to be here with us. She is the Chair of the Delegation for relations with South Asia, which covers Nepal. She wanted us to say the following.

It is clear that in the last few years Nepal has made many positive changes, as outlined in the joint resolution, under difficult circumstances. However, not surprisingly, in this developing situation we have seen both setbacks in implementation of the peace agreement and a failure to meet the deadline of 28 May this year for the delivery of the new draft constitution which would permanently entrench the principles of democracy and human rights.

The Constitutional Assembly has now been extended for one year under a three-point plan agreed between the three major parties at the last minute to deliver on both the peace agreement and the Constitution. We consider it very important that this opportunity rooted in the elected body is not lost.



There is a need for a constitutional and political civil society in order for greater development to take place. There are possibilities for the significant development of renewable energies, but investment will be difficult without stability, democracy and the rule of law firmly in place.

Integration of the former Maoist combatants is urgent both for those individuals themselves and as a signal of real progress for the democratic process.

We consider that the international committee, including the European Union, is willing to assist with practical measures if necessary, but regret the withdrawal of UNMIN in a few weeks' time if progress has not been made.

As has been said, Nepal has made significant progress towards embedding a democracy in the new republic and we would urge all parties involved to move forward on the three-point plan. Failure to do this would risk losing the trust of the Nepali people. Their opportunity for real development is closely linked to political progress.

**Cristian Dan Preda, author.** – (RO) The situation in Nepal is worrying as the violence in this country has exploded recently.

A new constitution definitely needs to be adopted to be able to consolidate the process of national reconciliation in the wake of the civil war which lasted 10 years and produced roughly 13 000 victims until it ended in 2006. This will be able to provide a legal framework for conducting political life in Nepal if democracy and human rights are promoted. In this regard, I think that the parties must hold negotiations without any preconditions with a view to creating a Constituent Assembly which will move the situation in this direction.

As is also highlighted in the reports from the international organisations for the protection of human rights, the judicial system also needs to be strengthened to be able to resolve conflict situations peacefully.

Last but not least, I wish to emphasise that the political instability is having an adverse impact on the social and economic situation in Nepal, which is already one of the poorest countries in the world. As you are well aware, no stability means no prosperity.

**Joe Higgins, author.** – Mr President, the overthrow of the feudalist monarchy in 2006 was a massive step forward for the people of Nepal. It was mass action by the working class, the peasants and the middle strata of society that achieved this victory with mass mobilisations of people power.

However, it is quite clear that now a capitalist establishment and the right-wing political parties do not want this revolution to go any further as it would threaten their economic control and privileged position in Nepalese society. A shameful 50% of Nepal's 29 million people live in abject poverty, 16% of whom are severely malnourished. Millions of landless exist with high illiteracy rates.

With extensive support in Nepalese society, the Communist parties have made serious political errors in going into coalition government after 2006 with parties of the right whose wish was to achieve political power while maintaining economic relations, which simply means a continuation of poverty and deprivation because of the Maoists' mistaken theory that a capitalist democracy is needed to pave the way for socialism.

However, the mass movement of 2006, and again a mass general strike in May of this year, clearly demonstrate that the working class and the poor want a socialist transformation and a system that will give them a future free of poverty and repression. The approach that is needed now by the parties genuinely representing the masses and wanting to transform Nepalese society is to give a clear lead independent of the establishment parties. That means breaking from coalitionism, and advancing a programme to take the main sources of wealth into public ownership and to be developed in democratic control of workers and peasants.

Such a democratic socialist programme would allow for an economic and social transformation in Nepal and would also be a beacon to the tens of millions of poor in India and also working people in China. It is critical as well that there is full independence for the various national groups in Nepal, whose rights must be respected.

**Marietje Schaake, author.** – Mr President, after a decade of civil war a peace deal was struck in Nepal in 2006, but unfortunately the country has become less peaceful despite the deal. Political fights are resulting in political instability and hamper important reforms such as a constitution for the republic, the deadline for which has recently had to be extended for one year.

It also hampers the reintegration and rehabilitation of former PLA combatants. Nepal has such enormous potential to develop economically and to limit the prevailing poverty, but stability is essential in making that happen.

Firstly, accountability for the systematic abuse of laws of war needs to urgently happen, including among members of the PLA and the state security forces. The UN should play a role in this process, especially when it comes to participation in international armed forces. In Nepal itself the work of the Commission on Disappearances, the Truth and Reconciliation Commission and the Commission on National Peace and Rehabilitation should result not only in a sense of responsibility for the past but a stake in a shared future as well.

The parties – but also the Government – should end political interference in criminal proceedings to create a politically independent judiciary within the constitutional process and, in the same connection, to plan the ratification of the Statute of the International Criminal Court.

We call on the EU and the Member States to support all the efforts of the Nepalese Government and the parties to find a solution to the integration of former Maoist combatants into the national army or other security forces and to find viable alternative solutions for those who cannot be integrated. The EU itself should also strictly adhere to a ban on exporting lethal weapons to Nepal as well as the export of any tools which can be used for torture or inhumane treatment, as was stated in the resolution which was adopted by this House today.

**Elena Băsescu, on behalf of the PPE Group.** – (RO) Although the civil war, which lasted 10 years, ended in 2006, Nepal's economic and social situation continues to remain extremely dire. The lack of stability means that Nepal is unable to develop in the same way as its neighbours, China and India, countries with emerging economies. The alliance of 22 anti-Maoist parties failed to achieve the objective of adopting a constitution by the final deadline of 28 May 2010.

In this respect, I welcome the decision to extend the Constituent Assembly's mandate by one year. It is of paramount importance that Nepal adopts a constitution which will guarantee the proper functioning of the rule of law and respect for citizens' freedoms. Finally, I wish to stress that the greatest threats to stability in Nepal are extremism and resorting to violence to resolve political differences.

**Zbigniew Ziobro, on behalf of the ECR Group.** – (PL) Mr President, the situation in Nepal has been causing constant concern to observers for many years. It is true that the first reasonably democratic elections were held there in 1959, but those democratic measures were very unstable and were rent asunder by acts of aggression. In recent years, it seemed we were witnessing a certain amount of progress in terms of security. First, in 2006, the Complex Peace Agreement was made, ending a civil war which had wasted the country for a decade. Later, in 2008, elections to the Constituent Assembly were held, which international observers deemed to have met a number of international standards.

Now, however, it is with regret that we have to note a deterioration of the situation in Nepal. The recent decision made by the political parties on the necessity for action to extend the mandate of the Constituent Assembly may be a significant step towards a return to peaceful government in the country. The European Union and the Member States should support every effort intended to establish understanding and stability in Nepal. We should also draw attention to the need to respect human rights and the rights of Christians, because, unfortunately, these too are being violated in Nepal.

**Ryszard Czarnecki (ECR).** – (PL) I am not going to read, I am going to speak, but I promise I will speak slowly, although it goes against my nature.

The situation in Nepal is, paradoxically, improving, and this is thanks to recent decisions and the increased authority – let us call it that – of Parliament, although Nepal does stand at the head of a very long road. The 10-year civil war has left a great mark on the country and, quite honestly, only now can a certain light be seen at the end of the tunnel.

What can the European Parliament do? It can certainly support the democratic changes in Nepal, remembering, however, that the political parties which operate there have their own specific proposals, plans for reform and visions for the development of Nepal. However, these are Maoist proposals, Communist proposals, and so by definition are very controversial.

**Eija-Riitta Korhola (PPE).** – (FI) Mr President, a civil war lasting almost 10 years between Maoist fighters and the Royal Nepalese Army, as it was then, ended in a peace settlement in 2006. No winners or losers were

declared. It was a unique situation, because the army, which had been under the monarch's control and had fought against the Maoists, did not reach the settlement with them: it was the other political parties that did so.

Nepal is still trying to solve the problems connected with promoting the peace process. Many things that were agreed are awaiting implementation and people are growing restless. The main issue with regard to the incomplete peace process probably relates to the national army, its size and its leadership. The army needs to be democratically controlled. Nepal needs to be offered assistance, as former Maoists are integrated into its national army, security forces and other positions of responsibility. The UN should swiftly investigate the human rights crimes that have occurred among Nepalese peacekeeping forces.

The National Human Rights Commission of Nepal deserves praise for its valuable work. The international community must endeavour to participate consistently in the resolution of critical problems. The future of the peace agreement, however, lies in the hands of the Nepalese decision-makers.

**Corina Crețu (S&D).** – (RO) In addition to the comments made by my fellow Members concerning the tensions and violence in this country, I too wish to highlight one of the most painful aspects of the current situation facing Nepalese society: poverty. The population is suffering due to parlous living conditions, exacerbated by political instability, which is having an impact on Nepal's potential for economic growth. As has already been mentioned in this Chamber, this country is situated geographically between two of the economies with the fastest growth rate in the world, China and India. However, Nepal is unable to utilise its potential due to the situation it is facing.

With a third of its population living below the absolute poverty line, a sixth of the population suffering from undernourishment, the highest rate of illiteracy in southern Asia and faced with an energy crisis and inflation, affecting food prices in particular, Nepal is not only a hotbed of tension, but also a serious humanitarian problem. This is why I believe that we not only need to focus political attention on the country, but also provide concrete support to help the development of the Nepalese economy and the Nepalese people.

**Nirj Deva (ECR).** – Mr President, I was very fortunate to have returned from Nepal recently. The thing that we have to understand is that the Nepalese political process is very fragile, but progressing. However, it is very unreasonable, I think, for the political process to continue without disarmament on the side of the Maoists, because the Maoists have refused to take part in the political process. They want a change of government but are refusing to disarm.

You cannot have a political process where there is an armed group of people who will not give up their arms to the authorities. Until this is secured by everybody concerned, we have to very gently persuade both sides in Nepal that it is in the longer-term interests of all the people of Nepal and the assistance of the European Union that they all disarm and come together to form whatever unity government they can.

**Róża, Gräfin von Thun und Hohenstein (PPE).** – (PL) It so happens that I lived in Nepal for several years. This was just at the time when the Nepalese people, with great effort, had begun trying to bring about change and improve their political system. At the time, nearly 20 years ago, I viewed this with great optimism. It has turned out that this process is much more difficult than any of us would have imagined. Nepal is, after all, a country with great cultural riches and history. The Nepalese people are profound and serious in their religion. They are a people of peace, and have a peaceful outlook on the world. We are talking, here, about Nepal's huge economic potential. There is no economic potential in Nepal. It is a dramatic country which has practically no natural resources. In addition, it is subject to droughts and earthquakes. It is trying hard. It is in such a difficult situation, too, because it is, after all, crushed between two huge and very difficult neighbours. If we do not give Nepal all the help it needs, both political and material, it may end up like Tibet, and that would be an enormous and tragic loss for us all.

**John Dalli, Member of the Commission.** – Mr President, the drawn out stalemate in Nepali politics is a cause of serious concern, and the Commission is following the situation very closely.

28 May 2010 was the deadline for the promulgation of the new post-civil-war constitution. It is positive to note that the constitutional crisis has been diverted by extending the deadline by another year. However, many contentious issues continue to impede the drafting process, such as the nature of the federal structure, the integration of ex-Maoist combatants and the integration of the two armies. There is still a strong risk that the country could descend into a vicious circle of disorder and insecurity.

Two issues – the writing of the constitution and the integration of the PLA – are becoming increasingly complicated. Unless there is a genuine desire for give and take, even one year will not be sufficient.

Where the human rights situation in the country is concerned, it is positive to note that the mandate of the office of the High Commissioner for Human Rights' official in Nepal has been extended for another 12 months. The OHCHR has monitored and reported on human rights and provided training and technical assistance to state institutions and civil society since it was established in Nepal in 2005.

With the recent death of former prime minister and former Nepali congress chairman G.P. Koirala, the high-level political mechanism's fate seems uncertain, as it now lacks a consensus leader who could resolve disputes among the major political parties and drive the peace process forward. The EU has a key role to play in helping Nepal through this difficult process. A number of heads of missions' statements, as well as a statement by the High Representative's spokesperson, have been issued recently calling for all parties to come back to the negotiating table. The EU stands ready to support the Government of Nepal and help it rise to the challenges ahead. The EU should be prepared to assist in any process leading to a durable peace process. Collectively the EU and its Member States represent over 50% of the development aid received by Nepal. The Commission is contributing to the peace process by supporting the Nepal Peace Trust Fund. EUR 6 million were committed last year and EUR 22 million are planned for early 2011. So far the funds have been allocated for the maintenance of the Maoist cantonments, including salaries for ex-combatants. It is becoming increasingly important to ensure that the people of Nepal, whose expectations were raised after the 2006 peace movement, will receive the peace dividends they have been waiting for.

Working closely with the European Union Member States, the Commission remains committed to pursuing all efforts, whether they are diplomatic, political or developmental, that may contribute towards a stable, democratic and peaceful Nepal.

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

The vote will take place at the end of the debates.

#### **Written Statements (Rule 149)**

**Alexander Mirsky (S&D), in writing.** – (LV) I fully share my fellow Members' concerns over the political situation in Nepal. As Members of the European Parliament, we have a constant duty to remind those contravening human rights of their obligations to the world at large. We must take an active part in establishing democracy and political stability in Nepal. However, for our criticism and recommendations to sound convincing, it is essential for us to provide a good example and put our own house – here in the European Union – in order. It is well known that in Latvia, over 20% of the population does not have the right to vote in elections. When joining the EU, Latvia promised to solve this problem, but it remains unsolved to this day. As a result, for 20 years now, more than 350 000 people in Latvia are stateless. The majority of these people have lived in Latvian territory for the whole of their lives, but they have no right to vote, work in the public sector or use their native tongue in governmental institutions. I consider that our announcements and wishes with respect to third countries will be considerably more powerful when the human rights of people in the EU will have ceased to be cynically disregarded on EU territory. People in glass houses should not throw stones.

### **11.3. Executions in Libya**

**President.** – The next item is the debate on executions in Libya.

**Charles Tannock, author.** – Mr President, personally I have never taken an absolutist stance with regard to the death penalty, but surely it should only ever be countenanced in a handful of the most extreme and egregious criminal cases where the conviction is by due process and beyond all doubt.

However, I have very little confidence in the Libyan judicial system under the arbitrary and dictatorial nature of Muammar al-Gaddafi's regime. He remains a dictator who controls his people through coercion and is intolerant of any dissent; that makes a mockery of Libya's recent election to the UN Human Rights Council.

Nevertheless he exercises leverage over the EU and the West in general through his control of Libya's vast oil reserves. This important economic relationship notwithstanding, I do hope that the Commission will continue to raise at every opportunity the grave concerns we have in this House about human rights and fundamental freedoms in Libya.

We all remember the infamous case of the Bulgarian nurses in Libya who were at one point sentenced to death before being finally released after much pleading from this House and the French President's wife. We have a duty to do all we can to protect EU citizens from ever facing a similar situation in the future.

**Raül Romeva i Rueda**, *author.* – (FR) Mr President, we should welcome this resolution on the 18 executions that have taken place in Libya, and obviously condemn the death penalty in that country while urging the Libyans to make progress towards a moratorium; we should also ask for transparency and statistics. We should remember, however, that the names of those executed have not been disclosed and that those 18 people included some non-Libyan nationals.

We must welcome this resolution, which addresses the issue of refugees, Libya's flawed policy regarding the protection of migrants, and the responsibility of Member States with regard to migration policy. It is unthinkable to consider a migratory agreement with Libya until Libya ratifies the Geneva Convention on Refugees. The reference to return, which is contrary to that Convention and to the fundamental principles of the European Union and of the Charter of Fundamental Rights, particularly Articles 18 and 19 thereof, is key.

Might I also mention the idea of using the current negotiations on the conclusion of a framework agreement with Libya as potential leverage to move towards compliance with international conventions on human rights and the ratification of the Geneva Convention on Refugees. The Treaty of Lisbon, and particularly Article 218 thereof, grants Parliament more rights, including the right to have the Commission provide it with the same information as the Council on the status of the negotiations on this agreement. That is why the European Parliament will be firm on this issue.

**Marie-Christine Vergiat**, *author.* – (FR) Mr President, I apologise for earlier; I was really convinced I had two minutes. Last week the European Union and Libya signed a memorandum of understanding called a 'national indicative programme' (NIP) covering the period 2011-2013, with EUR 60 million earmarked for the development of human resources, of the health sector, and for common action in the fight against the illegal immigration situation, according to the text distributed to journalists.

This memorandum of understanding has been signed on the fringes of the seventh round of negotiations with Libya in which, I am sorry to say, the EU is making a fool of itself in front of the international press, particularly in Europe and Africa. We all know that Libya is a hub of immigration to Europe, but everyone knows what terrible fate is in store for those men and women who are fleeing poverty and persecution, hoping to find refuge in Europe.

Hundreds of them are imprisoned, executed, or suffer the worst possible abuse. Worse still, hundreds of them have simply been left in the middle of the Sahara desert without any food, dying of hunger and thirst.

In response to a question raised on this subject last week by one of my fellow Members, Mr Füle said – and I am quoting him here – that he would go there, with the Libyan interior minister, to see what was happening. Personally, I find such a response unacceptable. We know just how capable Mr Gaddafi is of deceiving the Western democracies. Our Swiss friends have just paid dearly for it. The most recent provocation was the closure of the office of the United Nations High Commissioner for Refugees on the eve of the seventh round of negotiations.

The Libyans are doing the dirty work for the European governments, most recently in Italian territorial waters.

Commissioner, how far will we go in our negotiations with Libya? Mr Barrot told us that no agreement on migration would be concluded until Libya had ratified the Geneva Convention. Commissioner, can you tell us what exactly is happening with the negotiating mandate given ...

*(The President cut off the speaker)*

**Martin Kastler**, *author.* – (DE) Mr President, in 2007 and 2008, Libya voted against the United Nations General Assembly resolution calling for a moratorium on executions, and the repeated questioning by human rights organisations elicited no official statements either. It is therefore very important to us that the names of the people who have been executed are now officially revealed at last. Any execution is one too many. We condemn the use of executions and the death penalty. They are inhumane and cruel, and any execution is one too many.

In our resolution, therefore, we clearly ask that we change this situation and bring it to light and that we now work together to bring about a change here. No more underreporting. Instead we want transparent information on what happens here and a humane penalty for genuine criminals, but no excessive punishment for those who criticise the regime in Tripoli.

**Marietje Schaake**, *author*. – Mr President, Europe as a community of values is also a union where the death penalty is entirely banned and I am very proud of that.

Libya not only resists abolishing the death penalty, it also widely executes it, such as happened recently, on 30 May, when 18 people of different nationalities were executed, according to the *Cerene* newspaper, which is a paper close to the Government. This leads to all kinds of questions about free media, but it does lead us to believe that this is a credible source in this matter.

The most serious punishment, the death penalty, is not only used in cases of serious crimes; freedom of association and expression have also led to the death penalty in Libya. We believe in more engagement of Libya with the international community and welcome this at any time over self-isolation of the people in the hands of their authoritarian regime.

In 2003 the EU lifted sanctions against the country and in 2007 negotiations on the framework agreement started. I very much hope we can continue to work together with Libya. However, this is only possible when the Libyan Government commits to respect for human rights and fundamental freedoms for all its people. The recent closing of the UNHCR offices in Tripoli is another regrettable move which causes a further drifting-off of Libya from the international community.

In the light of this, the United Nations should seriously rethink Libya's place in its organisation. Given the continuing breaches of human rights, it is deplorable and highly inappropriate that Libya has a seat on the UN Human Rights Council. Membership of this Council should be granted only to those countries that respect human rights themselves. Otherwise the entire body loses its credibility, such as when Iran was a member of the Women's Rights Council in the UN, which is equally regrettable and tarnishes the credibility of the entire organisation.

The European Parliament urges Libya to end death penalties and to ensure fair trials in line with international standards. Member States in Europe should be aware of their responsibilities when extraditing refugees and others to Libya, as there is a serious risk that these people will be subject to inhumane treatment.

**Monica Luisa Macovei**, *on behalf of the PPE Group*. – Mr President, I join my colleagues in deploring the execution of 18 people in Libya on 30 May 2010 and in calling for the abolition of capital punishment. Libya uses the death penalty as a tool for curbing free expression and association in the country. Documentation of such cases is made difficult by the government. However, Human Rights Watch interviewed one prisoner who said that the authorities had commuted his death sentence at the last moment to life in prison. According to Mr al-Sharif, the People's Court convicted him and two other men of organising a political group which opposed the principles of the al-Fateh revolution. The Supreme Court confirmed the death sentences but the Supreme Council for Judicial Authority spared the prisoners' lives at the last moment in February 2002 after they had spent one hour blindfolded and bound to a wooden stake awaiting execution.

According to Mr al-Sharif, one of the three men committed suicide in December 2004. Reportedly, more than 200 people are currently on death row in Libya. I call on the Commission and the Council to raise these issues as a priority in their dialogue with Libya.

**Corina Crețu**, *on behalf of the S&D Group*. – (RO) The death penalty is the most cruel and inhumane punishment possible. Libya is, in fact, one of the 12 countries which have already applied capital punishment in 2010, even though it is disapproved of by the UN and the majority of countries in the world.

I believe that it is the European Union's duty to adopt a more robust approach to the task of calling for the abolition of the death penalty. At the same time, it is our duty to step up the pressure for having these sentences commuted and the rights of foreign nationals respected. Capital punishment is resorted to in the case of this group on a disproportionate scale because of the difficulties they face. They need to have a translator, contact diplomatic representatives from their governments and they cannot get the sentence commuted due to a lack of finances and family members who will negotiate financial compensation, according to local custom, with a view to obtaining forgiveness from the victim's family.

In these circumstances, I think that a strong signal must be sent to the Libyan authorities to respect international norms on legal fairness. They must also allow the UN's refugee agency to resume its activities for the benefit of refugees and asylum seekers.

**Bogusław Sonik (PPE).** – (PL) Mr President, at the end of May, 18 people were executed in Libya. It is reported that 200 people, including citizens of other countries, are currently in prison awaiting execution. That figure may, in fact, be higher, because there are no officially available statistics or data. Libya is applying a double standard. On the one hand, it has been elected to the UN Human Rights Council, which commits it to greater responsibility in the area of human rights. On the other hand, we are dealing with the fact that numerous people continue to be executed.

Article 6 of the International Covenant on Civil and Political Rights, to which Libya is a party, requires parties that have not abolished the death penalty to apply it 'only for the most serious crimes'. In fact, Libyan courts usually hand down sentences of death for murder and drugs-related crimes, but also even for crimes related to peaceful activity and fundamental rights, such as the right to freedom of speech and association. I appeal for cooperation and agreement between the European Union and Libya to be conditional on the ratification and implementation by Libya of the Geneva Convention on Refugees and other major human rights conventions and protocols.

**Joanna Senyszyn (S&D).** – (PL) The right to life and the protection of dignity are fundamental human rights. This is why most countries in the world, which account for over two-thirds of the world's population, have already abolished capital punishment completely or have introduced a moratorium on its use. Reintroduction of use of the death penalty in any country represents a step back into the darkness of the Middle Ages.

The execution of 18 people in Libya is a egregious violation of human rights. The closure of the UNHCR office in Libya and the expulsion from Libya of its 26 staff is an act intended to hit at the 12 000 refugees whom they were helping.

A condition of entering into an agreement on immigration with Libya must be that Libya sign the Geneva Convention on Refugees and other major human rights conventions and protocols. In the European Union, human rights are a fundamental value. The rights of refugees must be guaranteed.

**Eija-Riitta Korhola (PPE).** – (FI) Mr President, the EU is holding unofficial talks with Libya aimed at a cooperation agreement that would also extend to matters of immigration. It is very problematic and worrying given the current circumstances, because Libya has not demonstrated any obvious desire to respect international human rights agreements. Nor has it ratified the Geneva Convention, besides which it has no national asylum system in place.

As we have heard, on 30 May a total of 18 people were executed in Libya, and estimates suggest that more than 200 people are awaiting execution. Among those executed in May and those awaiting execution there are also foreigners.

When we negotiate the cooperation agreement between the EU and Libya, we must make it a condition that Libya ratifies and implements the Geneva Convention relating to the status and rights of refugees and respects the other main human rights agreements it has entered into. I appeal to the Libyan Government to allow the UN Refugee Agency to coordinate and help establish a national asylum system for refugees in the country.

**Cristian Dan Preda (PPE).** – (RO) We Europeans find the death penalty outrageous because, as you are all aware, it was abolished from our political culture, and what is happening at the moment in Libya is a disgrace.

What is even more outrageous is that we need to realise that this penalty is being applied, in very many cases, to foreigners in Libya. Information about the recent execution of 18 people indicates that they included Egyptians, Nigerians and Chadians. Why is the punishment much harsher for these people? The reason for this, unfortunately, is that their basic rights are not respected during trials, by which I mean in terms of having access to translators and also consular assistance, which is an absolute must according to international norms.

I would also like to say that we need to discuss this matter next week when, as part of the Maghreb Delegation, we are going to have visitors from Libya. I think that we need to spell out these matters as part of our dialogue with this country.

**President.** – Before I hand the floor to the Commissioner, I would like to repeat that I did not want to address anyone personally and explicitly.

Around half of the Members are reading their speeches. Unfortunately, I am not yet expert enough to be able to see when the 'slow down' light is showing here. Would those Members who read something out please not read faster than they can think, or they will frequently also read faster than the interpreters can think. Incidentally, those who have written something down are welcome to give the interpreters their text in advance. That would also make their job easier.

I would now like to give the floor to Commissioner Dalli.

**John Dalli**, *Member of the Commission*. – Mr President, the Commission subscribes to the views expressed by honourable Members in the various motions regarding the recent executions of 18 people in Libya.

The Commission condemns executions as they are in contradiction with our values. We consider capital punishment to be cruel and inhumane, failing to deter criminal behaviour and representing an unacceptable denial of human dignity and integrity.

The Commission is particularly disturbed by the fact that these executions have taken place just weeks after Libya was elected to be a member of the United Nations Human Rights Council. In this context, the EU, in conformity with the EU guidelines on the death penalty, has made a démarche towards the Libyan authorities to express our condemnation and to remind Libya of its legal obligation – contained in Article 14 of the International Covenant on Civil and Political Rights, ratified by Libya on 15 May 1970 – to provide all possible safeguards to ensure a fair trial.

In this démarche the EU has also encouraged Libya to establish a moratorium with a view to considering the abolition of the death penalty for all crimes. The Commission is committed to continuing the policy of engagement with Libya that the Council has decided. In this context, the conclusion of the framework agreement between the EU and Libya will provide the legal basis for establishing a regular dialogue and cooperation on all human rights issues.

Negotiations on the framework agreement are progressing well. The seventh round of negotiations took place last week in Tripoli and the Commission can report that good progress has been made, especially regarding political issues.

In conclusion let me stress that the Commission is fully aware that certain topics are problematic in relations with Libya. Nonetheless, the Commission is committed to developing the EU-Libya dialogue further on the basis of mutual trust in order to be able to address all issues in an open and constructive manner, including very sensitive ones as in this case.

Libya has shown its strong will to deepen relations with the EU. While considering this very positive, the Commission intends to put these relations on the basis of a growing respect for fundamental values and rights.

#### IN THE CHAIR: Libor ROUČEK

*Vice-President*

**President**. – The debate is closed. The vote will take place at the end of the debate. **Written statements (Rule 149)**

**Dominique Vlasto (PPE)**, *in writing*. – (FR) Since the dialogue with the Libyan authorities was resumed in 2003, Libya has continued to send worrying signals to the European Union and the international community. Our resolution lists the recent moves made by an authoritarian regime that has made no significant progress with regard to respect for human rights, the democratisation of the state or the modernisation of the judicial system. The execution of 18 people on 30 May 2010 is another sad demonstration of the Libyan authorities' refusal to respect the rights and values to which the EU is firmly attached and on which it was founded. The closure of the office of the United Nations High Commissioner for Refugees, ordered arbitrarily by those same authorities, is confirmation of their disdain for international institutions. We therefore need to say clearly to Libya that the EU will not support the kind of foreign policy that seeks to discredit international law and use the international democratic arena solely for propaganda purposes. In this context, the European Parliament must be fully informed of the status of negotiations between the EU and Libya so that we can evaluate the acceptable level of cooperation with Libya and demand the change and progress that will restore mutual trust.



## 12. Voting time

**President.** - The next item is the vote.

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

### 12.1. Democratic Republic of Congo: the case of Floribert Chebeya Bahizire (RC-B7-0376/2010)

### 12.2. Nepal (RC-B7-0383/2010)

*(before the vote)*

**Raül Romeva i Rueda, author.** – Mr President, I have several oral amendments. I can read them out together and then we can vote them all together.

In recitals A and C, replace the words ‘civil war’ with ‘armed conflict’.

In recital N, replace the word ‘PLA’ with ‘former Maoist combatants’, and in paragraph 7 add ‘former’ to ‘Maoist combatants’.

In recital D, replace the word ‘terminate’ with ‘abolish’ (the monarchy).

In paragraph 12 replace the word ‘demise’ with ‘abolish’ (the monarchy again).

In paragraph 9, replace ‘CPN/N’ with ‘UCPN/N’.

In recital K, replace the word ‘over’ with ‘close to’, and adding as well the 30%, and add ‘one of’ to ‘the highest literacy rate’.

In paragraph 1, add ‘a permanent constitution’.

In paragraph 15, remove the last part of the sentence ‘regrets, however, that its status as an independent body has not been enshrined by law’.

In paragraph 20, take out the word ‘revolutionary’ before ‘land reform commission’.

These are all the oral amendments. I have the feeling that everybody agrees with them so this is simply for the record.

*(The oral amendments were incorporated)*

### 12.3. Executions in Libya (RC-B7-0391/2010)

**13. Corrections to votes and voting intentions: see Minutes**

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

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

**16. Council position at first reading: see Minutes**

**17. Oral questions (submission): see Minutes**

**18. Written declarations included in the register (Rule 123): see Minutes**

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

**20. Dates of forthcoming sittings: see Minutes**

## **21. Adjournment of the session**

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

*(The sitting was closed at 16.15)*

## ANNEX (Written answers)

### QUESTIONS TO THE COUNCIL (The Presidency-in-Office of the Council of the European Union bears sole responsibility for these answers)

#### Question no 1 by Bernd Posselt(H-0241/10)

##### Subject: Prison conditions in Serbia for prisoners from the Preševo Valley

What information does the Council have concerning the fate of Serbian nationals Agush Memishi, Faton Hajdari, Samet Hajdari, Ferat Hajdari, Kamber Sahiti, Nazif Hasani, Ahmet Hasani, Sulejman Sadiku and Burim Fazliu, members of the Albanian minority in the Preševo Valley in southern Serbia who were arrested on 26 December 2008? Is due legal process being followed in this case? Is it certain that the prisoners are not being ill treated? Do their family members have full visiting rights? And might it be possible, in the Council's opinion, to bring about the immediate release of these prisoners?

#### Answer

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The case referred to by the Honourable Member of Parliament concerns a high-profile trial involving the so-called Gnjilane group. This trial is ongoing in front of the war crimes chamber of the Belgrade High Court. The group was indicted by the war crimes prosecutor in August 2009 for crimes against civilians committed in their capacity as Kosovo Liberation Army members after the conflict in Kosovo in 1999. Out of 17 indictees, 8 are tried in absentia, because they remain at large. The remaining 9 have been in detention. Their arrest in 2008 triggered wide protests by Albanians in south Serbia, who assessed the accusations as politically motivated. They also alleged ill-treatment and torture of the detainees in detention.

According to the OSCE, which is monitoring individual cases, families are able to visit the detainees mentioned by the Honourable Member of Parliament and families are allowed to attend the open parts of the trial. There are apparently no more allegations of mistreatment.

The Council has neither pronounced itself on the fate of the persons, nor on the other issues raised by the Member of the European Parliament in his oral question.

The Council draws attention to the fact that the annual progress report of the European Commission on Serbia deals with the prison system in Serbia. However, individual cases are not raised. The progress report says:

"Some progress was made with reform of the prison system. Initial steps were taken in November 2008 to introduce a system of alternative sanctions. Progress was made on developing programmes and capacity for individual treatment of prisoners and providing better medical services. However, the effects of these measures remained limited pending revision of the legislation. The problem of overcrowding in prisons continues, due to ineffective implementation of alternative sanctions and the lack of decriminalisation of minor offences or of reintegration programmes. Moreover, the lack of training is hampering prevention of discrimination and protection of human rights. Increased levels of drug use and corruption in prisons were reported following independent monitoring by NGOs."

The Council discussed the Commission's progress report on Serbia in its December 2009 meeting and broadly shared the assessments made by the Commission.

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#### Question no 2 by Marian Harkin(H-0250/10)

##### Subject: Human rights in Columbia

Bearing in mind the report of the UN Special Rapporteur on extrajudicial executions and the March 2010 report by the UN High Commissioner for Human Rights on the situation in Colombia, which demonstrated

that alleged executions in Colombia were not isolated acts and that it is necessary to allocate sufficient human, technical and financial resources to ensure that such cases do not go unpunished, will the Council ask the Colombian Government to take the necessary steps to put a total and permanent stop to extrajudicial killings in Colombia?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The Council is aware of the human rights situation generally in Colombia and is following closely developments related to the issues raised by the Honourable Member. However, the report of the UN High Commissioner for Human Rights in Colombia of March 2010 has not been discussed within the Council.

The Council has several instruments at its disposal to follow these developments on the spot and specifically in Bogotá. The EU participates in a EU-Colombia Human Rights Dialogue with the highest authorities of this country on a regular basis. The third and most recent of these regular meetings took place in Bogotá on 12 May 2010. The specific issue of extrajudicial killings was the subject of a detailed discussion at the second of these regular meetings on 21 October 2009 in Bogotá. This dialogue has generally been intense, since in addition to those regular meetings, two additional meetings were organised to deal with a range of issues.

In addition to these meetings, local EU embassies also hold regular, monthly meetings with the Colombian authorities in Bogotá. In this case as well, the issue of human rights is a regular item for discussion on the agenda. The EU delegation, as well as the Member States' missions, report regularly on these meetings and these reports are discussed from time to time in particular at Council level.

The Council will continue to follow closely the situation and will pay specific attention to the issues raised by the Honourable Representative.

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**Question no 3 by Justas Vincas Paleckis(H-0252/10)**

**Subject: The EU's targets**

The European Union is looking into the possibilities of moving towards the target of a 30% cut in CO<sub>2</sub> emissions (the Commission is currently carrying out an impact assessment in respect of the issue), thereby setting an example for the rest of the world. This will be very expensive and could make EU Member States less competitive. One of the targets of the 'Europe 2020' strategy is to make the EU's economy the most competitive social economy in the world. This also involves a huge contribution from the Member States.

Both targets are very important, but are they compatible? Has the European Union learned anything from the implementation of the Lisbon Strategy (or rather the failure to implement it)? At the same time, is it not setting itself too many ambitious targets? Bearing in mind the varying levels of development in the EU Member States and the economic crisis, will we be able to bear this burden?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) Based on the Commission's communication "Europe 2020: a strategy for smart, sustainable and inclusive growth", the European Council has placed the EU's climate objectives at the heart of the European Strategy for Jobs and Growth. A more resource-efficient, climate-resilient and greener economy will boost Europe's potential for a more competitive economy, exploiting its leadership in key areas to develop new processes and technologies.

In the framework of the climate and energy package adopted on 23 April 2009, the European Parliament and the Council have set out the parameters to be assessed by the Commission with a view to a possible step-up in the EU's 2020 emission reduction commitment. To this effect, the European Parliament and the Council will decide jointly on the basis of a legislative proposal from the Commission on the possible adjustments to the current EU legislation.

In its Communication "Analysis of options to move beyond 20% greenhouse gas emission reductions and assessing the risk of carbon leakage" of 26 May 2010, the Commission sets out the result of analysis into the implications of the 20% and 30% targets, in order to facilitate a more informed debate.

In its meeting of 11 June 2010, the Council took note of this communication and stressed that it covered a wide range of issues which need to be discussed in-depth in order to prepare the EU for the medium- and longer-term climate change challenges, and more specifically for the next steps in the international climate negotiations. The Council agreed to revert to these issues as soon as possible and in any case no later than at its October 2010 session, and welcomed the intention by the Commission to conduct more detailed analysis on the policy options and costs and benefits, including at Member State level, as appropriate.

It should be noted that, by virtue of Article 28 (2) (2) of Directive 2003/87/EC of the European Parliament and of the Council, as amended by Directive 2009/29/EC and by virtue of Article 8 (2) of Decision 406/2009/EC of the European Parliament and of the Council, a possible proposal for a Directive implementing further emission reduction shall be based upon the principles of transparency, economic efficiency and cost-effectiveness, as well as fairness and solidarity in the distribution of efforts between Member States.

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#### **Question no 4 by Seán Kelly(H-0258/10)**

##### **Subject: Sport Forum 2010**

Following on from the recent informal meeting of Sports Ministers in Madrid, can the Council comment on how it foresees the elaboration of a sports policy for the EU under Lisbon? Can the Council also comment on its position vis-à-vis adequate resourcing of an effective sports policy?

##### **Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The Lisbon Treaty has established a specific EU competence for cooperation on sport issues. Member States' Sports ministers met formally within the Council for the first time on 10 May 2010 in Brussels as part of the Education Youth and Culture Council. The centre piece of the meeting was a debate about the priorities for EU action in the field of sport following the entry into force of the Lisbon Treaty.

There were no formal conclusions from the debate and the Council has not yet a position on the issues raised by the Honourable Member.

During the discussions delegations welcomed this new EU competence for coordinating sports policies and underlined that EU action needed to have clear added value compared to national plans, respecting the subsidiarity principle and the specific nature of sport. The following areas were among those mentioned for possible EU action:

Social and educational functions of sport, e.g. social inclusion through sport and health-enhancing physical activity, dual careers for athletes;

Sport structures, in particular those based on voluntary activity;

Fairness and openness in sport, including the fight against racism, discrimination and violence;

Physical and moral integrity of sportsmen and sportswomen, especially the fight against doping and the protection of minors;

Dialogue and close cooperation with the sports movement.

Regarding a possible EU funding programme supporting sports activities, the Council awaits with interest any proposal that may be forthcoming from the Commission.

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**Question no 5 by Vilija Blinkevičiūtė(H-0260/10)****Subject: Improving education levels and reducing early school-leaving**

Improving education levels, reducing early school-leaving and increasing the share of the population having completed tertiary or equivalent education are among the most important objectives set out in the Europe 2020 strategy.

At its meeting of 25-26 March 2010, the European Council took account of these objectives set by the Commission but did not present any indicators or set any quantifiable targets. How, and taking what into account, is the Council preparing to set specific figures and to prepare appropriate indicators in this area? What specific action will the Council take to improve education levels and reduce early school-leaving?

Is the Council preparing to draw up a dedicated strategy of action on improving education levels and increasing the share of the population having completed tertiary or equivalent education? There needs to be investment in young people, particularly through education, professional training and youth exchange programmes, if the EU is to attain its objectives on employment, social integration and active citizenship.

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The Council consistently emphasises the benefits of investing in education and training as a means of promoting competitiveness and employment whilst fostering social cohesion and active citizenship. Successive Presidencies have focused attention - and will no doubt continue to do so in future - on areas of common concern such as the need to reduce early school leaving rates and to raise tertiary attainment levels. As a specific example of the kind of "dedicated strategy of action" it has in mind, the Council would refer the Honourable Member to the strategic framework for European cooperation in education and training which it adopted in May 2009<sup>(1)</sup>, which consists of four key objectives to be achieved over the next ten years, namely:

- Making lifelong learning and mobility a reality;
- Improving the quality and efficiency of education and training;
- Promoting equity, social cohesion and active citizenship; and
- Enhancing creativity and innovation.

Moreover, the fact that objectives such as reducing the number of early school leavers and increasing the share of the population having completed tertiary or equivalent education are to feature prominently in the new Europe 2020 strategy clearly demonstrates the importance attached to these areas at the highest level of the Union.

While it is true that the European Council in March did not set precise numerical rates for the two education targets under the new strategy, it made it clear that it would do so at its meeting in June 2010<sup>(2)</sup>. As a contribution to preparations for the June summit, it should be noted that the Council debated the issue of the numerical rates for the headline targets when it met on 10 and 11 May 2010. At the end of that debate, the Presidency concluded that the Council had agreed<sup>(3)</sup> to propose to the European Council that the numerical rates should build on the two corresponding levels of European average performance ("European benchmarks") which were approved last year under the abovementioned strategic framework, namely that - by 2020 - the school drop-out rate should be less than 10% and the share of population having completed tertiary or equivalent education should be at least 40%.

The Honourable Member will however appreciate that the final decision on specific figures in the context of the Europe 2020 strategy rests solely with the European Council.

(1) OJ C 119, 28.5.2009.

(2) Council doc. EUCO 7/10 of 26 March 2010, page 2, paragraph 5(b), fourth indent.

(3) With the exception of UK, which was unable to agree the targets pending the formation of a new government after its election on 6 May 2010.

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### **Question no 6 by Gay Mitchell(H-0268/10)**

#### **Subject: EU-Japan trade**

The relationship between the European Union and Japan is one of the most important to both parties. Japan is the third largest economy in the world and the EU's fifth largest trading partner. Despite this, a lot of the economic potential between us remains untapped; much of this is down to trade restrictions on both sides.

In the EU-Japan summit of 28 April the EU seemed to dampen prospects of a free trade agreement. Would the Council now outline the reasons for this stance and the actions both parties need to take to open the door to such an agreement that would bolster prosperity for all?

#### **Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) As the Honourable Member mentions in his question, the economic and commercial importance of Japan cannot be contested. According to the latest available figures, with a share of 3.3% of EU exports (2009), Japan is the EU's seventh largest export market and the six largest source of imports (4.6%) into the EU. Conversely, in 2008 the EU was the third trade partner for Japan's regarding imports and exports. Regarding investments, Japan is also a major source of foreign direct investment (FDI) into the EU (4.51% of the stock of EU inward FDI at the end of 2008) and recipient of 1.7% of EU outflow. In general, FDI to Japan remains very low (around 4.1% of GDP).

Trade relations between EU and Japan have been traditionally characterised by a strong trade surplus in favour of Japan. In recent years, both partners have created a number of informal instruments/dialogues in several areas in order to enhance bilateral trade and investment relations. The Summit in 2004 in particular reiterated the need to strengthen trade and bilateral investment links; to that end, a Cooperation Framework was established aimed at promoting two-way investment through specific initiatives in areas such as regulatory transparency, standards and conformity assessment, facilitation of conditions for foreign residents. In addition, discussions have been conducted on a range of issues, including intellectual property rights (IPR), government procurement and financial matters.

Since 1995, both partners have participated in a Regulatory Reform Dialogue aimed at reducing the number of unnecessary and obstructive regulations which may hamper trade and foreign investment. Two agreements have been concluded: a Mutual recognition agreement which entered into force in 2002, and an agreement on cooperation on anticompetitive activities adopted in 2003.

More recently, at the 2009 Summit, both sides agreed to cooperate in strengthening the integration of their economies with a view to making fuller use of the potential of their economic relationship. To that end, in order to tackle existing trade restrictive barriers, and to increase market access opportunities and promote bilateral investment flows, the EU and Japan together underlined the importance of focusing on a few specific non-tariff issues through existing dialogues, and agreed to take stock of progress at the 2010 Summit.

In the run-up to the Summit, the Japanese side did not hide its interest in entering into negotiations with the EU on a Free Trade Area (FTA), and suggested the launching of a joint study to identify the economic benefits and the possible scope of such an agreement. From the EU side, it was considered that, while some tangible results had been achieved, the suggestion was premature and that more progress would be needed in the bilateral cooperation in areas such non-tariff barriers, government procurement, protection of intellectual property rights, in particular geographical indications, and investment before engaging in such an exercise.

At the 2010 Summit, the EU suggestion to establish a joint High Level Group to identify options for the comprehensive strengthening of all aspects of Japan-EU relations was eventually endorsed. The joint High Level Group will address issues such as tariffs, non-tariff measures, services, investment in services and non-services sectors, IPR and government procurement. The joint High Level Group will report to the 2011 Summit, which will decide on appropriate next steps based on the outcome and the options identified by the High Level Group.

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**Question no 7 by Nikolaos Chountis(H-0270/10)**

**Subject: Greece-Turkey protocol on civil protection and combating illegal immigration, organised crime and drug trafficking**

During the recent visit to Athens by the Prime Minister of Turkey a protocol was signed between Greece and Turkey on civil protection and combating illegal immigration, organised crime and drug trafficking.

Does the Council think that the Greece-Turkey protocol can replace the EU-Turkey agreement described at point 3 of the Joint Declaration of 5 November 2009 by the Commission, Council and Turkey in Ankara? Are negotiations on this EU-Turkey agreement continuing normally?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The document to which the Honourable Member refers covers issues regarding illegal immigration, asylum, organised crime, drug trafficking and civil protection. It was signed by Greece and Turkey in May 2010. The document takes form of a bilateral Joint Declaration; it cannot, in any sense, replace the EU-Turkey readmission agreement currently under negotiation.

The mandate to negotiate the readmission agreement was given to the Commission by the Council in November 2002. Those negotiations are ongoing and significant progress has been made during the course of recent rounds of negotiation. These are expected to lead in due course to the signature and conclusion of the agreement. The Commission informed the Council on the state-of-play of the negotiations at the Council meeting of 3 and 4 June 2010.

The readmission agreement under negotiation provides that it will take precedence over the provisions of any other relevant legally binding instrument insofar as the provisions of the latter are incompatible with those of the Agreement.

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**Question no 8 by Zigmantas Balčytis(H-0275/10)**

**Subject: Different standards for ship fuels**

From 2015, it will be a European Union requirement that vessels berthing at EU ports use fuels containing not more than 0.1% sulphur. For the time being, these rules are intended to apply only to ports on the North and Baltic Seas, whereas throughout the world ships are allowed to use fuel oil containing 4.5% sulphur. This tightening of fuel quality requirements will make life harder for sea carriers because fuel prices and freight rates will rise as a result. The amount of freight shipped by sea may therefore decline sharply, and more freight may be conveyed by road, in the whole of northern and eastern Europe.

Does the Council not think that having different standards for ship fuels in Baltic and North Sea countries will pave the way for unequal competition, not only with other EU regions, but also with non-Member States?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The 0.1% sulphur limit for the Baltic and North Seas is a requirement of international law, set out in the revised version of Regulation 14 of Annex VI of the International Convention for the Prevention of Pollution from Ships (MARPOL), which is deemed to enter into force on 1 July 2010. This Regulation designates the Baltic and North Seas as sulphur emission control areas (SECAs), within which stricter sulphur limits apply, decreasing progressively from 1.5% now down to 0.1% by 2015. These rules apply throughout the Baltic and North seas area, not just to EU Member States.



Outside these SECAs, the same Regulation also provides for decreasing sulphur limits, from 4.5% applicable at the moment down to 3.5% from 1 January 2012 and then progressively down to 0.5% by 1 January 2020.

Furthermore, it should be noted that already under the current Annex VI of the MARPOL Convention, which entered into force in 2005, the Baltic and North Seas were defined as sulphur emission control area and stricter limits than for other areas were imposed, i.e. 1.5% instead of 4.5%. Therefore, the revised Annex will diminish the difference between the global limit and the stricter limit for SECAs.

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**Question no 9 by Rodi Kratsa-Tsagaropoulou(H-0276/10)**

**Subject: Impact on the European Social Model of fiscal adjustment by the European governments**

The postwar European development model was based on the establishment of social rights and the creation of a welfare state, with impressive results in terms of individual affluence and social cohesion, leading to what has become known as the 'European Social Model'. Today, however, European governments are in a difficult position because of the need for fiscal adjustments which are placing heavy strain on the European Social Model. In view of this, can the Council provide the following information:

What impact is fiscal adjustment having on social policy in the Member States and how is the European Social Model being brought into line with it?

What European strategy, if any, is being envisaged to protect vested social rights and respond to major social problems and over what period of time?

How do the socioeconomic and structural disparities between the States concerned affect strategic planning and coordinated action at European level?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The Council considers the objective of providing a high level of social protection, in particular with regard to those groups which are at risk of poverty and social exclusion, as one of the cornerstones of the European social objectives.

Indeed, the economic recession has led to a considerably increased number of unemployed in Europe, to a drop in income in many households and to a great number of people exposed to poverty and over indebtedness.

Against this background, the Council agreed at its session of 7 June 2010 to propose to the European Council a target of promoting social inclusion, in particular through the reduction of poverty, which would aim at lifting at least 20 million people from the risk of poverty and exclusion by 2020.

Moreover, on 8 June 2010, the Council agreed that the core of the new Europe 2020 Strategy for growth and jobs is a framework for enhanced co-ordination of Member States' economic policies building on widened country surveillance which covers all relevant macroeconomic and structural policy areas in an integrated fashion.

The Council also reached an agreement on a general approach to the Employment Guidelines which form together with the Broad Economic Policy Guidelines the integrated guidelines for implementing the Europe 2020 Strategy. Those guidelines should represent the basis for any country-specific recommendations that the Council may address to the Member States. In particular, Guideline 10 on Promoting social inclusion and combating poverty sets out "that the extension of employment opportunities is an essential aspect of Member States' integrated strategies to prevent and reduce poverty and to promote full participation in society and economy".

The June European Council is expected to adopt the Europe 2020 strategy, whose shared objectives include the targets aiming to bring to 75% the employment rate for women and men aged 20-64 and improving education level, in particular by aiming to reduce school drop-out rates and thus contribute to boost Europe's competitiveness, productivity and growth potential and to reduce the social impact of the crisis.

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**Question no 10 by Richard Howitt(H-0278/10)**

**Subject: The role of Regional Development Agencies in securing the recovery**

What discussion has taken place in the Ecofin Council regarding the role of Regional Development Agencies (RDAs) in promoting Europe's recovery plan?

Bearing in mind the importance of the RDA in my own East of England region, have Member State governments indicated how far they are increasing or cutting resources to the RDAs, given the importance of the direct financial support to business which they provide?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The Council acknowledges the important role of all national, regional and local development authorities in tackling the economic crisis and promoting the European Economic Recovery Plan. It goes without saying that the financial support that can be channelled through various development agencies can contribute to the economic activities, creation of jobs and securing a sustainable economic development.

The ECOFIN Council has not discussed as such the role of the Regional Development Agencies in this respect, nor has there been any discussion on Member State specific measures in relation to these agencies.

However, it is worth underlining that on 14 June the General Affairs Council had a general discussion on cohesion policy, based on the Commission's Strategic Report on the subject, and in this context the Council also adopted a set of Conclusions, in which - among other things invites all stakeholders to continue discussions with regard to economic, social and territorial cohesion, especially with regard to simplification and with the aim of securing the necessary public financial resources at national, regional or local level in addition to the available EU budgetary resources, and to ensure that effective management systems are employed.

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**Question no 11 by Liam Aylward(H-0280/10)**

**Subject: Future of the European Social Agenda**

At the start of its Presidency, the Council claimed that it would work hand in hand with the Commission in developing the new European Social Agenda. Can the Council comment on the extent of this cooperation and progress made?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) In its legislative work, the Council works very closely with the Commission, including in the area of Employment and Social Policy. In the past ten years, this co-operation was based on the so called European Social Agenda. This agenda was closely related to the objectives of the Lisbon Strategy and set the main priorities and initiatives in the social policy area. In 2008, a Renewed Social Agenda was launched by the Commission to take stock of Europe's changing social reality. In this framework the Commission adopted a set of legislative and non-legislative initiatives, such as Works Councils Directive, Anti-discrimination Directive etc.

The intensive co-operation of the two institutions was recently demonstrated in the context of the launching of a new EU 2020 Strategy. This Strategy has been proposed by the Commission in order to boost Europe's competitiveness, productivity and growth potential and to reduce the social impact of the crisis. Among its five shared objectives are the targets aiming to bring to 75% the employment rate for women and men aged 20-64 and improving education level, in particular by aiming to reduce school drop-out rates. Moreover,

the Council agreed at its meeting on 7 June 2010 to propose to the European Council: that the quantified target of the Europe 2020 Strategy to promote social inclusion, in particular through the reduction of poverty, be formulated in such a way that it would aim at lifting at least 20 million people from the risk of poverty and exclusion by 2020; to accept the three set up indicators established by the Social Protection Committee. This will be submitted to the European Council as a contribution to the overall EU 2020 Strategy on jobs and growth, to be adopted at the European Council in June 2010.

The Council also reached an agreement on a general approach to the Employment Guidelines which form together with the Economic guidelines the integrated guidelines for implementing the EU 2020 Strategy. According to Article 121(4) and 148(4) TFEU, these guidelines should represent the basis for country-specific recommendations that the Council may address to the Member States. Based on the EU headline targets of the new Strategy, Member States should also set their national targets and draw up National Reform Programmes setting out in detail the actions they will undertake to implement the Strategy.

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#### **Question no 12 by Pat the Cope Gallagher(H-0285/10)**

##### **Subject: Oil spill in the Gulf of Mexico**

Can the Council specify the assistance measures which the European Union is providing to the USA in their efforts to control the oil spill in the Gulf of Mexico?

##### **Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The Council has not discussed the question of assistance measures to be provided to the USA to control the oil spill in the Gulf of Mexico. It is clear however that any incident of this scale, which is having such a negative effect on the environment, is of concern to all of us.

Clearly the issue of controlling the oil spill is primarily an issue for the US authorities. However, the EU has been able to provide some assistance and stands ready to continue to offer any support where that might be necessary and in response to specific requests. The Council understands that the Monitoring and Information Centre (MIC) has received a number of requests from the US authorities for sets of equipment, in particular sweeping arms to assist in the offshore oil recovery efforts, and has received and forwarded offers to the US authorities in response to these requests.

The Council also understands that the MIC is ready to look into any further request for assistance to be provided by the Member States, and has suggested organising a joint MIC/EMSA experts' mission to the USA in order to discuss with the US administration further possibilities for assistance. The Commission would be ready to provide further detailed information on these assistance measures.

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#### **Question no 13 by Brian Crowley(H-0287/10)**

##### **Subject: Research and development in the European Union**

What specific measures is the Council putting in place so as to improve the coordination and effectiveness of research and development initiatives across the European Union?

##### **Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The improvement of coordination and effectiveness of research and development (R&D) initiatives at national, regional and EU levels has been in the heart of the "Ljubljana Process" of enhanced governance of the European Research Area (ERA), part of which is the ERA 2020 Vision, a long-term vision the main goals of which are fully in line with the Europe 2020 Strategy.

The Council has recently taken various measures with a view to contributing to the improvement of coordination and effectiveness of R&D initiatives and programmes, in particular as regards the following:

– Enhanced European Research Area (ERA) governance

In its resolution on the "enhanced governance of the ERA"<sup>(4)</sup>, the Council underlined that the new governance should aim at facilitating cooperation and coordination of ERA related activities, programmes and policies at all levels. In its resolution on the developments in the governance of the ERA<sup>(5)</sup> the Council renamed the "Scientific and Technical Research Committee" (CREST) to "European Research Area Committee" (ERAC) and strengthened its roles and responsibilities in order to make it a strategic policy advisory body to the Council, the Commission and the Member States. Among its core missions is to monitor the progress of ERA with specific attention to the efficiency, accessibility, transparency and coherence of its different instruments and initiatives, and to contribute to promoting the coordination of national research and innovation policies.

– Europe 2020 Strategy

In the context of the flagship initiative "Innovation Union" of the Europe 2020 Strategy, the Council awaits the proposal on the European Plan for Research and Innovation, to be presented by the Commission in September. To this end, the Council adopted conclusions on "creating an innovative Europe"<sup>(6)</sup> in which it stressed the need for action in areas such as financial, markets, governance, the regional aspects and people. Furthermore, the Council agreed that the European innovation policy should ensure that adequate support for innovation actors, including small and medium-sized enterprises, is provided also at regional level.

In its conclusions on the various issues related to the development of the ERA<sup>(7)</sup>, the Council also invited Member States and the Commission to continue improving the articulation between their efforts in programming of and support for research, development and innovation, with a view to making further progress in realising the ERA 2020 Vision and the Europe 2020 Strategy

– Joint Programming

Since the adoption of Council conclusions on Joint Programming in December<sup>(8)</sup> there has been an important progress made in this area. The Council is currently examining the Commission recommendations for the Joint Programming Initiatives (JPIs) "Agriculture, Food security and Climate Change"<sup>(9)</sup>, "Cultural Heritage and Global Change – A new challenge for Europe"<sup>(10)</sup> and "A healthy diet for a healthy life"<sup>(11)</sup>. In addition, at its meeting of 25 and 26 May 2010, the Council welcomed the progress made in the High Level Group on Joint Programming (GPC), at its meeting on 4 May 2010, by identifying and substantiating new themes for JPIs.

– Simplification of programmes supporting European research and innovation

On the basis of Commission communication on "Simplifying the implementation of the Research Framework Programmes" the Council adopted on 26 May 2010<sup>(12)</sup> conclusions on simplified and more efficient Programmes supporting European Research and Innovation which recalled the need to simplify and streamline all research, development and innovation-related policies and programmes in terms of their design, implementation and reporting. The Council identified the principles for the design and implementation of such programmes. These are: simplicity, consistency, stability and legal certainty, trust-based approach, result oriented funding, general acceptance of usual accounting practices, interoperability and flexibility.

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In addition, the Council agreed on the general orientations for future Commission proposals: reducing complexity; reducing the need for audit intensity; improving quality, accessibility, transparency and procedures; interoperability programmes and instruments.

The Council will continue to pursue this issue.

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**Question no 14 by Laima Liucija Andrikiénė(H-0290/10)**

**Subject: Results of EU - Latin America and Caribbean Summit in Madrid**

The Spanish Presidency held a high-level EU - Latin America and Caribbean Summit (EU-LAC) in Madrid on 18 May 2010. Could the Presidency outline the main achievements of the summit? What impact will this summit have on the future of EU-LAC relations? What initiatives will the Spanish Presidency pass on to the upcoming Belgian Presidency that will require continuous support and special political attention?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The VIth EU-Latin America and Caribbean Summit (EU-LAC) in Madrid was particularly positive. The Summit welcomed the advances made in light of the EU-LAC Strategic Partnership, and expressed a commitment to further strengthening the partnership, with the goals of deepening political dialogue and regional integration, promoting social inclusion and cohesion, as well as intensifying bilateral relations with individual countries.

In particular, leaders expressed their satisfaction with at the conclusion of the Multi-Party Trade Agreement with Colombia and Peru, and the conclusion of the negotiations for an Association Agreement with Central America. The VIth EU-LAC Summit also announced the resumption of negotiations on an Association Agreement with MERCOSUR, after a gap of 6 years.

The Summit also witnessed the creation of the EU-LAC Foundation, as a useful tool for enhancing the visibility and strengthening the bi-regional partnership and a means of triggering debate on common strategies and actions, and the official launch of the Latin America Investment Facility, the main objective of which is to serve as a leverage to mobilize additional financing to support investment in Latin America in areas such as transport, telecommunications, energy and environment.

Leaders welcomed the adoption, in the framework of the first Summit held under the EU-Mexico Strategic Partnership, of a Joint Executive Plan to support implementation of the Partnership, and the establishment of the EU-Chile Association for Development and Innovation (ADI), which is intended to exploit fully the potential of the EU-Chile Association Agreement.

Finally, the Summit welcomed the adoption of various documents, such as the Joint Declaration and the 2010-2012 Action Plan, which proposes enhanced dialogues and new initiatives in priority areas with the objective of achieving concrete results between summit meetings.

The outcome of the VIth EU-LAC Summit will contribute to a strengthening and deepening of future EU-LAC relations. It will be important to continue the high-level political dialogue in order to strengthen the network of EU-LAC Agreements, to shape bilateral relations according to the specificities of each country, and to cooperate in new areas.

In the short and medium term, the main focus will be on the EU-LAC Summit Declaration and implementation of the 2010-2012 Action Plan. A specific objective will be to reach a final decision on the EU-LAC Foundation headquarters and the actual setting-up of the Foundation, as well as taking forward negotiations for an Association Agreement with MERCOSUR.

The EU, will also explore ways of re-launching negotiations for a Multi-Party Trade Agreement with Ecuador, and of further developing the Strategic Partnerships with Brazil and Mexico, in particular through the implementation of their respective action/executive plans. The Council will also work towards the signature, ratification and entry into force of the Association Agreement with Central America and of the Multi-Party Trade Agreement with Colombia and Peru. The initiation of the implementation process of the Memorandum

of Understanding concluded with Peru and Colombia with a view to deepening political dialogue and cooperation, and the implementation of the Association for Development and Innovation with Chile are other important initiatives. Finally, the EU will also be looking to strengthen dialogue and cooperation on issues of regional security with Central America, and explore the possibility of developing appropriate frameworks for managing bilateral relations with new countries of the region.

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**Question no 15 by Bendt Bendtsen(H-0294/10)**

**Subject: EU trade relations with Brazil**

Brazil is currently a large potential market for the EU, but continues to be protected by a number of barriers. On 17 May, the President of the European Council and the Spanish Presidency met with the Mercosur countries at a summit in Madrid with a view to resuming the negotiations on an association agreement.

Can the Council make a statement on its future expectations regarding trade relations with Brazil? How have the conditions for establishing a free-trade area between the EU and Brazil/Mercosur improved since the negotiations reached an impasse in 2004?

Can the Council say to what extent the successful conclusion of the FTA negotiations with South Korea, and the continued stalemate in the Doha round of negotiations, will influence the EU's trade strategy in seeking a number of individual free trade agreements rather than multilateral free trade agreements?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) As the honourable member mentions in his question, Brazil is currently a large potential market for the EU. According to the latest available figures, Brazil is the EU's tenth largest trading partner and the EU is Brazil's biggest trading partner, accounting for 22.5% of global trade. In goods, the EU runs an overall trade deficit with Brazil, although it has a surplus in services. The EU is also the biggest foreign investor in Brazil. Trade relations with Brazil are addressed in particular within the framework of the negotiations over a bi-regional Association Agreement with Mercosur.

Negotiations between the EU and Mercosur had been effectively stalled for more than six years. However informal contacts at technical level resumed in 2009. Taking into account the results of this informal dialogue, in particular the most recent meetings in Buenos Aires on 18-19 March and in Brussels on 26-27 April 2010, the Commission decided on 4 May to resume negotiations with Mercosur. At the IV EU-Latin America Summit in Madrid the Heads of State and Government of the European Union and Latin America "recalled the importance of the negotiations recently re-launched".

The Council will closely monitor the progress of these negotiations to ensure that they respect the conditions established in the negotiating directives. A successful EU-Mercosur negotiation must be ambitious and address all aspects of the talks, particularly the core areas of industrial goods, services and agriculture, as well as protection of intellectual property rights and government procurement.

On the EU's trade strategy in relation to bilateral and multilateral free trade agreements, it must be said that the EU is, as it is well known, deeply committed to multilateralism in general and to the WTO and the DDA negotiations in particular. Bilateral trade agreements should be established as a complementary platform to the WTO and the multilateral negotiations. In this context the Council, in its conclusions on "Global Europe: Competing in the world", stated that :

[...] the EU should aim at a new generation of WTO-compatible FTAs that extend beyond present agreements and build towards future multilateral negotiations. [...] The agreements, which should be part of a coherent framework of the EU's relations with each partner, should include far-reaching liberalisation of services and investment and should place special emphasis on the elimination of non-tariff barriers and on regulatory issues.

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**Question no 16 by Mairead McGuinness(H-0297/10)****Subject: EU preparedness in the event of a major oil spill**

Can the Council reassure this House that the EU has contingency plans in the event of a major oil spill in its waters? Can it confirm who would be responsible for the containment and clean-up operation, and how that would be funded? In the light of the US oil spill in the Gulf of Mexico, what steps is the Council taking in relation to the European offshore oil industry?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) The Council is aware that, following the tragic accident at a drilling rig in the Gulf of Mexico on April 20, resulting in a major oil spill, the risks associated with off-shore oil and gas operations have become of increased concern not only in the US but also in Europe.

In the EU there are specific bodies and mechanisms which can quickly respond to a possible accident. With a fleet of oil recovery vessels under contract across the EU, the European Maritime Safety Agency has the means to complement Member States' capacity to deal with sea pollutions. The Civil Protection Mechanism of the EU provides support to Member States in the event of a major emergency and facilitates co-ordination of intervention.

The Council has addressed the question of EU preparedness at its meeting on 31 May 2010. It was informed that the Commission services, as the gravity of the situation in the Gulf of Mexico became clearer, launched a review of applicable EU legislation to make sure that it is adequate to minimize the risk of a disaster of similar nature. Given that Member States are responsible for the adoption of the most of the applicable legislation on safety of operations and health protection this review will be carried out in liaison with national regulatory bodies.

To guarantee safety, beyond the regulators' diligence the attitude and practices of the industry are essential. Politics and business need to work together to ensure that the environment in the European Union is as safe as possible. In this context, the Council was informed that the Commission is launching dedicated discussions with industry and stakeholders and that, at a first meeting on 11 May, the industry was asked to make a commitment that all possible efforts are made to avoid a similar accident near EU shores. A second meeting is scheduled for July.

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**Question no 17 by Gilles Pargneaux(H-0298/10)****Subject: Assistance for the victims of dimethyl fumarate**

In France, sofas and armchairs manufactured by the Chinese firm Linkwise and containing dimethyl fumarate have been sold by the furniture chain Conforama. It is now being claimed that these sofas and armchairs have caused serious allergic reactions in at least 128 people. Despite getting rid of the items of furniture in question, the victims are continuing to suffer from ailments such as persistent back pain, breathing problems, skin rashes and permanent tiredness.

Can the Council state what action these victims can take to seek redress? Would the establishment of a link between these ailments and dimethyl fumarate by a European body clear the way for the provision of moral and financial support to the victims?

**Answer**

The present answer, which has been drawn up by the Presidency and is not binding on either the Council or its members as such, was not presented orally at Question Time to the Council during the June 2010 part-session of the European Parliament in Strasbourg.

(EN) In application of the Rapid Alert System for non-food consumer products (RAPEX) established by Directive 2001/95/EC of the European Parliament and the Council of 3 December 2001 on general product

safety<sup>(13)</sup>, the Commission and all Member States have been informed about the concerned products which were withdrawn from the French market in December 2008.

Concerning the action which could be taken by the victims to seek redress, Article 17 of the afore mentioned Directive on general product safety clarifies that Council Directive 85/374/EEC of 25 July 1985 concerning liability for defective products<sup>(14)</sup> applies. This Directive sets out the conditions under which the victims can seek redress and receive support. In particular, according to its Article 4, the injured person is required to prove the damage, the defect and the causal relationship between defect and damage.

Thus, without changing this Directive, it is not for the Council to establish a link between the elements reported by the Honourable member and the use of dimethyl fumarate.

In accordance with Article 21 of Directive 85/374/EEC, the Commission has to present every five years a report to the Council on the application of this Directive and, if necessary, can submit appropriate proposals for its modification. No such proposal has yet been received by the Council.

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## QUESTIONS TO THE COMMISSION

### Question no 29 by Georgios Papastamkos(H-0245/10)

#### Subject: Support for electronic commerce

Electronic commerce is conducted in the form of transactions from business to business, business to consumer, or consumer to consumer. Commercial transactions via Internet platforms have significantly altered the way in which people buy products and services, creating new opportunities, particularly for SMEs, to reach new customers across borders. Nevertheless, the Internet economy continues to run up against problems of substance and the mistrust of consumers. Given that technology and the economy constantly require new formulations of law and that the fragmented nature of existing legislation causes confusion and uncertainty, will the Commission take fresh legislative initiatives to support the Internet economy?

#### Answer

(EN) The Commission shares the view that the digital society requires a continuous effort to monitor the developments of the digital infrastructure and the e-commerce services, which can significantly contribute to economic growth in the years to come. EU digital markets are still separated by multiple barriers which hamper access to pan-European, online services and digital content. As is also highlighted in Mr Monti's report "A new strategy for the Single Market", urgent action is necessary to remove the bottlenecks and boost trust in the digital economy, enabling citizens to enjoy online commercial services across borders. The Commission's Proposal for a Consumer Rights Directive<sup>(15)</sup> is part of the legislative answers as it proposes to simplify and consolidate the existing legislation in the area of consumer contract law, on the basis of a fully harmonised set of key internal market aspects of consumer contract law. However, even if adopted as proposed, it would not eliminate all the differences between national contract laws.

The Commission has recently adopted the Digital Agenda for Europe, the first flagship initiative under the Europe 2020 strategy. The Digital Agenda sets out seven priority areas for actions. The focus on the digital single market represents one of the pillars of this strategy which aims to deliver the benefits of the digital era to all EU citizens.

By way of examples, in terms of concrete actions, the Commission:

will adopt by end of 2010 a Communication on e-commerce which will both evaluate the impact of the e-commerce Directive and assess the remaining obstacles to the development of e-commerce. A report on retail market monitoring, which includes electronic commerce, to be adopted before the summer stresses the slow development of e-commerce in Europe, as it still represents less than 4% of retail sales in Member

<sup>(13)</sup> OJ L 11, 15.1.2002, p. 4-17.

<sup>(14)</sup> OJ L 210, 7.8.1985, p. 29.

<sup>(15)</sup> COM (2008) 614 final



States. Among the obstacles, particular attention will be given to cross border postal delivery issues. A study commissioned by the Internal Market and Services Directorate-General (DG MARKET) will deal with this specific aspect;

make a proposal to simplify copyright clearance, management and cross-border licensing;

ensure the completion of the Single Euro Payment Area with the definition of a target date for migration;

propose by 2011 a revision of the e-Signature Directive;

explore initiatives for online redress, including for an EU-wide Online Dispute Resolution.

These actions will also be part of the Commission's wide-ranging initiative on the re-launch of the single market which is expected to be taken during the autumn. This work will involve a number of Commissioners who will work closely together with the European Parliament, other EU institutions and stakeholders to make the digital internal market a reality.

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### **Question no 30 by Marian Harkin(H-0251/10)**

#### **Subject: Patient safety**

The Commission recently launched an EU-wide databank for medical devices in order to boost market surveillance; the Member States will be obliged to use this web-based portal for information exchange as of May 2011. The overall aim of the databank is to ensure patient safety by guaranteeing rapid access to critical data for national authorities across the EU. In this context, would the Commission consider building on that initiative by launching a similar databank allowing national regulatory authorities to share information on healthcare professionals who cross borders?

Directive 2005/36/EC<sup>(16)</sup> allows the movement of professionals, including health professionals, between Member States. Would the Commission agree that, in order to ensure patient safety, it is necessary to establish a system for monitoring the professional competence and accountability of healthcare professionals who cross borders? Such an initiative would allow the Member States easy access to vital information such as lists of registered professionals, fitness to practise and competence assurance, including notifications of any disciplinary hearings or disciplinary action, thus further ensuring patient safety across the EU.

### **Question no 31 by Richard Howitt(H-0279/10)**

#### **Subject: Ensuring that doctors travelling across borders have the proper professional competences and language skills**

What consultation has the Commission's DG for Health and Consumer Policy had with the British Medical Association concerning the case of my Cambridgeshire constituent who tragically died following an intervention from a German locum for whom local checks had not been made?

Could the Commission clarify that European law does not prevent such checks taking place within Member States for in-migrating EU nationals on professional competence, including language competence?

### **Question no 32 by Constance Le Grip(H-0293/10)**

#### **Subject: Recognition of professional qualifications**

Alain Lamassoure's report on European citizens and the application of Community law, which was submitted to the French authorities on 27 June 2008, and Professor Mario Monti's report on a new strategy for the single market, submitted to the President of the Commission on 9 May 2010, both highlight the importance of better recognition for professional qualifications and the need to improve the way in which academic qualifications and skills are recognised so as to make it easier for people to move around within the Union. Professor Monti's report includes a call for the automatic recognition of qualifications to be applied more widely and for a classification scheme for skills and qualifications to be introduced to increase comparability.

<sup>(16)</sup> OJ L 255, 30.9.2005, p. 22.

A think-tank devoted to these issues has now been set up within the Committee on the Internal Market and Consumer Protection. With this in mind, what new initiatives might the Commission propose to make it easier for Europeans – particularly students and professionals – to move around within the internal market?

**Joint answer**

(FR) Mrs Le Grip is asking what new initiatives the Commission might propose to make it easier for Europeans – particularly students and professionals – to move around within the internal market.

In October 2010 the Commission will present a Communication on the relaunch of the internal market, which will focus in particular on the mobility of professionals, which is one of the cornerstones of the internal market.

In that context, the Commission has begun the process of evaluating the 2005 Directive on the recognition of professional qualifications<sup>(17)</sup>. Until September 2010, the competent authorities are invited to share their experiences of implementing the directive. The Commission's services will publish a report on the transposition of the directive and the first lessons to be learned. At the end of 2010, the Commission plans to launch a broad consultation process in order to gather feedback from citizens. An evaluation report should be published in 2011. Based on this report, the Commission will decide whether or not it will be necessary to propose reforms in that area.

Furthermore, the Commission continues to support student mobility through European programmes, particularly Erasmus and Erasmus Mundus. In July 2009, the Commission presented a Green Paper entitled 'Promoting the learning mobility of young people', which has initiated a broad public consultation. In March 2010, in its Europe 2020 strategy, the Commission announced a new flagship initiative called 'Youth on the Move'. The main objective of this initiative is to strengthen the performance and the international appeal of European higher education institutions, to promote the mobility of students and apprentices, and to improve young people's employment situation. In the autumn the Commission plans to present a Communication on this issue.

The questions tabled by Mrs Harkin and Mr Howitt concern the scope of the automatic recognition of diplomas and the rights and obligations of the host Member State as established by the Directive on the recognition of professional qualifications.

The directive is intended to enable the automatic recognition of diplomas of certain health professionals such as doctors. Under this arrangement, the host Member State allows doctors to practise professionally on the basis of the training they received in the Member State of origin.

However, automatic recognition does not allow a person who is no longer permitted to practise the profession in his home country to do so in another Member State. The existing *acquis* already provides safeguards for the host Member State in order to avoid such a situation. It may, for example, ask doctors to produce a certificate of good conduct or a certificate proving that they have not been excluded from practising their profession in the Member State of origin.

The EUDAMED database on medical devices could be a possible model for a system to improve and update the accessibility of this information. Another option would be to rely on the Internal Market Information System – IMI – which is already widely used in this field. It could become mandatory to use the system, thereby strengthening information requirements between Member States by an alert mechanism. An alert mechanism already exists under the Services Directive<sup>(18)</sup>.

Mrs Harkin also proposes that the extent to which the professional competence of a doctor might be better verified by the host Member State should be considered. One option might be to look at the extent to which doctors' post-qualification training could play a greater role in the process of recognising professional qualifications.

The Commission intends to consider these different options as part of the review of the aforementioned Directive on the recognition of professional qualifications.

<sup>(17)</sup> Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (Text with EEA relevance), OJ L 255, 30.9.2005.

<sup>(18)</sup> Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, OJ L 376, 27.12.2006.

Finally, in response to the question tabled by Mr Howitt, it should be noted that the Directive on professional qualifications does not prohibit the testing of a doctor's knowledge of languages. As soon as the medical degree is recognised by the host Member State, such a test can be set on a case by case basis and the required knowledge of the language must be in proportion to the activities that the doctor will pursue.

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### **Question no 33 by Vilija Blinkevičiūtė(H-0261/10)**

#### **Subject: Creation of European financial supervisory bodies**

The Commission is planning to create a European System of Financial Supervisors (ESFS) consisting of national supervisory bodies and three new European supervisory bodies responsible for the banking, securities, and insurance and occupational pensions sectors.

It is very important that the accessibility and comparability of information be improved through the creation of a reference data system that seeks to make such data accessible to policymakers, supervisory bodies, financial markets and the general public via an international public infrastructure.

How is the Commission planning to ensure that all the information provided by these bodies will be clear and easily accessible to the general public? How is the Commission planning to increase the confidence in the single market of those planning to invest in pension funds?

#### **Answer**

(EN) The proposals establishing three European Supervisory Authorities (ESAs) for banking, insurance and occupational pensions, and securities markets, are a key element of the EU framework for financial stability and the strategy for preventing future financial crises. They will have a major role, inter alia, by developing technical standards, promoting the consistent application of Community law, settling disagreements between national supervisors, and dealing with emergencies on the financial markets. The planned date for the creation of the ESAs is 1 January 2011.

The ESAs will, in legal terms, be EU Regulatory Agencies, and therefore subject to the same rules on openness of information, professional secrecy and data protection as other EU agencies, in addition to rules arising out of the sectoral financial legislation which they will apply. As always with public supervisory bodies which have access to confidential information of private companies, a balance must be struck between these various objectives. According to the Commission's proposal, the ESAs will have access to confidential information on individual financial institutions originating in national financial supervisors, and they will not be able to divulge such information outside of supervisory authorities forming part of the European System of Financial Supervisors. This is necessary, in the Commission's view, in order to maintain confidence between supervisors and supervised entities and to prevent the disclosure of commercially sensitive information, which would also distort competition. Aggregated information will however be publicly accessible for policymakers and the general public. Regulation 1049/2001 on access to documents will apply to the ESAs.

As regards Pensions Funds, as defined by Directive 2003/41/EC on the activities and supervision of institutions for occupational retirement provision (IORP Directive), the Commission has proposed in the so-called Omnibus I Directive (amending sectoral financial legislation to the new supervisory framework) concrete measures to enhance transparency among Member States on national provision of prudential nature relevant to the field of occupational pension schemes, which are not covered by the reference to national social and labour law. Relevant information shall be regularly updated by Member States and shall be made available by the new European Authority for insurance and occupational pensions on its website. This shall enable, e.g. potential sponsoring undertakings to have relevant information easily available before deciding to pay contributions to an institution for occupational retirement provision. Moreover, various services of the Commission, the ECB and others are making efforts to create a homogenous database on comparable statistics in the field of pensions.

The Commission is also preparing the publication of a Green Paper on pensions. As part of this consultation, the Commission will seek to launch a rigorous debate about the need to review the internal market regulation for pension funds aiming to deliver safe and efficient retirement income for EU citizens.

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**Question no 34 by Gay Mitchell(H-0269/10)****Subject: Patent reform**

There is urgent need for reform of the European patent system in order for the European Union to fulfil the Lisbon Agenda. An efficient and coherent patent system will encourage researchers, entrepreneurs and businesses toward innovation. This will in turn promote job creation and a robust modern economy and ensure that Europe leads the world in creativity and commerce into the 21st century.

Would the Commission outline its plans for patent reform and identify the stumbling blocks and its charted course around these obstacles?

**Answer**

(EN) The Commission shares the view of the Honourable Member that there is an urgent need for final adoption of the EU patent reform package in order to improve innovation, growth, job creation and competitiveness in the EU. As has been pointed out in the [http://ec.europa.eu/internal\\_market/strategy/index\\_en.htm](http://ec.europa.eu/internal_market/strategy/index_en.htm) "l'monti#monti" a EU patent is the test ground on which to measure the seriousness of the commitment to a re-launch the Single Market. Business and innovators need a single patent regime – and a single jurisdiction system – across Europe, which is attractive and cost effective for users.

The Commission supports the Council's conclusions on an enhanced patent system in Europe which were adopted on 4 December 2009. It is understood that these conclusions should form part of an overall final agreement on a package of measures for an Enhanced Patent System in Europe comprising the creation of a European and EU Patents Court (EEUPC), an EU patent, including the separate regulation on the translation arrangements, an Enhanced Partnership between the European Patent Office and central industrial property offices of Member States and, to the extent necessary, amendments to the European Patent Convention.

Towards this end the Commission is working on a Council Regulation establishing translation arrangements for the EU patent in accordance with Article 118 (2) TFEU on which Parliament would be consulted.

On 4 December 2009 the Council also adopted a general approach on the draft Regulation establishing the EU patent pursuant to Article 118 (1) TFEU. Further to Parliament's resolution of 5 May 2010 it is expected that the Council will now further proceed with the draft Regulation before it will be re-submitted to Parliament for a second reading.

The Honourable Member will be aware that the European Court's opinion on the compatibility of the envisaged agreement creating the EEUPC with the TFEU (opinion 1/09) is still outstanding.

The main stumbling block for the patent reform file remains the translation issue, on which the Commission is determined to find a solution, together with all relevant parties.

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**Question no 35 by Bendt Bendtsen(H-0295/10)****Subject: Negotiations on China's accession to the WTO Government Procurement Act**

China's National Indigenous Innovation Products Accreditation Programme is an example of how China has deliberately sought to protect Chinese companies. This programme could not have been carried out if China - like a number of other countries - had acceded to the GPA, as it has expressly promised to do.

What is the status of the negotiations on China's accession to the GPA and what is the EU's strategy for these negotiations? It should clearly be a priority for Europe that China accede to the agreement.

What was the outcome of the recent visit to China by President Barroso, Commissioner De Gucht and Baroness Ashton, amongst others, as regards market access and the negotiations on the GPA?

What is the Commission's position on the statement made by Joerg Wuttke in the Financial Times of 7 April that non-Chinese companies are contemplating leaving the country - not because they cannot compete, but because of a business environment where the odds seem deliberately stacked against them.

**Answer**

(EN) The Chinese authorities issued in 2009 a circular in which they announced measures for creating a system in 'innovative' sectors where access to public procurement takes place on the basis of a pre-qualification system (accreditation). Since then the Commission has repeatedly raised the issue in numerous bilateral contacts at all levels with the Chinese Government to express its concerns about these measures and to invite the Chinese Government to give explanations. The Commission also sent the Chinese Government written comments before a public hearing deadline on 10 May 2010 on these measures. In parallel, a number of international partners as well as a significant number of national and international business organisations have done the same. During this period, the Commission has been in close contact with European business in China and in the EU as well as with international partners to assess the impact of this circular. From ongoing contacts to the Chinese authorities, it appears that the Chinese Government is now studying business and international reactions to the draft measures and is reflecting on the possible ways forward.

During the various discussions with the Chinese Government, it has been the view of the Commission - and of many of its international partners - that the Chinese authorities have not provided satisfactory explanations for all aspects of the intended new measures and that important questions remain unanswered. Accordingly, the Commission has endeavoured to pursue the issue with the Chinese authorities at all levels to both clarify the situation and to ensure that the interests of European businesses in the Chinese procurement market are defended.

The points raised by Joerg Wuttke, the President of the European Chamber of Commerce (EUCCC) in China are very important. They have been part of the basis for the Commission's discussions with the Chinese Government. A meeting was held on 29 April 2010 in Beijing to discuss concerns on the business climate in China directly with the Chinese leadership. This meeting took place between the President of the Commission, the Member of the Commission responsible for Trade, a number of other Members of the Commission, as well as representatives from 32 European companies in China, including EUCCC President Joerg Wuttke, with Premier Wen Jiabao, Commerce Minister Chen Deming and a number of Chinese Ministers and Vice-Ministers on the Chinese side. This was the opportunity to stress messages on the importance of economic reform and openness, market access, non-discrimination, a level playing for foreign and foreign invested companies in China and other issues related to the business climate in China. On indigenous innovation, the Chinese Premier stressed that all legally registered entities in China, including foreign-invested companies, will be treated on an equal footing.

China is not party to the WTO agreement on government procurement (GPA), although negotiations are ongoing. Once China will join the GPA, it will have to abide by internationally agreed disciplines which will be instrumental in addressing such issues. It appears that China is now preparing to put forward a renewed offer in the GPA negotiations. This is a result of strong and sustained pressure from the EU and other WTO partners in the GPA negotiations. It has been stressed vis-a-vis the Chinese Government that the Commission finds that the indigenous innovation measures - in the versions that have been known so far - go in a direction that would not be expected from a partner that has the stated objective of wanting to accede to the WTO Government Procurement Agreement. It should be noted that other international partners have also raised such concerns with China.

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**Question no 36 by Anni Podimata(H-0299/10)****Subject: The role of the sovereign credit default swaps (CDS) market**

The emergence of the fiscal deficit problem in Greece, Portugal and Spain and the overall fiscal crisis in the eurozone have highlighted significant inefficiencies in supervision and a complete lack of transparency in the sovereign credit default swaps (CDS) market. According to market participants and the international press, the role of sovereign CDS has been transformed: from being a means of risk transfer, allowing investors to hedge their position in a national debt, it has become a potential tool of speculation, provoking spill-over risks and influencing price dynamics in ways that do not necessarily reflect a country's actual fiscal situation.

In view of the anticipated Commission proposals on regulation of the over-the-counter (OTC) market, will there be concrete proposals in relation to the CDS market and is there an intention to restrict sovereign credit default swaps that are not hedging already assumed risks and positions?

In the light of the debate on a new approach to economic governance and the new financial supervision package, and given the significant threat of systemic contagion posed by uncertainty over market participants' risk exposure, is the long-term financial and fiscal stability of the eurozone being undermined by the lack of information on the position of CDS participants in the underlying market and on the end beneficiaries?

**Answer**

(FR) The Commission is working very actively on the CDS issue.

Firstly, the Commission's services are examining the problems linked to the sovereign CDS market as part of an internal study mission.

Furthermore, the Commission is preparing a legislative proposal on the short selling of financial securities. A public consultation will be launched in June 2010 to ensure that all interested parties are able to voice their opinion on this important matter.

The legislative proposal will be presented this summer and will cover the issue of sovereign CDS, on the basis, in particular, of the conclusions of the study mission. The aim is to strengthen transparency, the applicable rules and European coordination in relation to short selling.

Moving on from the CDS issue, in summer 2010 the Commission will also present a legislative proposal on the regulation of derivatives markets.

Lastly, the requirements in terms of transparency will be strengthened still further by the revision of the Directive on markets in financial instruments (MiFI)<sup>(19)</sup> scheduled for the beginning of next year.

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**Question no 37 by Bernd Posselt(H-0242/10)**

**Subject: Smoking in bars and restaurants**

Is the Commission planning to ban smoking completely in bars and restaurants across the EU, which would be contrary to reason and the principle of subsidiarity, or will it respect the laboriously negotiated compromises in place in many Länder of Germany and in many EU countries?

**Answer**

(EN) The Commission would like to reassure the Honourable Member that it has no intention to propose banning smoking in bars and restaurants as such a measure would not be compatible with the division of competences between the European Union and the Member States in the field of health protection.

The Commission's intends, however, in response to the Council Recommendation on smoke-free environments<sup>(20)</sup> to cooperate closely with the Member States. The first meeting with the designated National Focal Points will take place in autumn 2010 in this area to support their efforts at national level.

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**Question no 38 by Marc Tarabella(H-0243/10)**

**Subject: Negative impact of the liberalisation of public services on consumers**

Many studies carried out by national regulatory bodies, consumer organisations, ombudsmen etc. have shown the serious shortcomings and extremely negative impact on consumers of the liberalisation of the markets in gas, electricity, post and rail services, in terms of rising prices, a lack of transparency in charging practices and a reduction in service quality – completely contrary to the aims of liberalisation in the users' interests.

<sup>(19)</sup> Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments

<sup>(20)</sup> Council Recommendation of 30 November 2009 on smoke-free environments (OJ C296, 5.12.2009, p. 4.).

Does the Commission not consider it an extremely urgent priority to carry out a large-scale, fully objective study to analyse the impact of the liberalisation of public services on consumers and to take the necessary initiatives to ensure that consumers really are the ones to benefit from liberalisation?

**Answer**

(EN) As part of its commitment to evidence-based policies, the Commission carries out regular market monitoring exercises.

The Commission publishes a yearly benchmarking report, in which it reviews the functioning of the internal energy market. This report is supplemented by studies from energy regulators and industry, which provide an analysis of various aspects of the market such as the quality of supply. The Citizens' Energy Forum also meets each year to consider the operation of the retail energy market and consumer protection.

In addition, the Consumer Markets Scoreboard monitors consumer outcomes in the Internal Market. Since 2010, this report is published twice a year. In the spring edition, it investigates national consumer environments and the level of integration of the Internal Market at retail level. The autumn edition focuses on the performance of a wide range of consumer markets.

In 2009, the Scoreboard revealed that electricity is one of the sectors which appear to be failing consumer expectations. The publication of data on prices, complaints, switching and satisfaction created a significant debate on energy and consumer issues in the EU. As a result, an in-depth study was launched. The electricity market study will analyse the consumer situation in retail electricity markets. It will focus on problems consumers face and will yield relevant insights to help the Commission and national authorities formulate policies. Specifically, the study will address whether and to what extent consumers can benefit from a well-functioning market in terms of choice, price and quality. It will seek consumers' views and will also test whether consumers are able to make informed, rational and empowered choices and how easy or difficult it is for them to participate in the market and exercise choice. The results will be available by the end of 2010.

In October 2010, the Scoreboard will analyse 50 markets and will rank them based on their performance from the perspective of consumers. Electricity, network gas, railways and postal services will feature amongst those services. In-depth studies will be launched on the sectors which present the largest signs of malfunctioning.

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**Question no 39 by Jim Higgins(H-0249/10)**

**Subject: Trans-EU consumer policy on trans-fats**

Given the clear health risks associated with the human consumption of trans-fatty acids, which have already prompted Denmark and Switzerland to limit the content in food of trans-fatty acids to a maximum level of 2%, will the Commission please outline how it intends to tackle this public health and food safety issue?

**Answer**

(EN) Consumption of trans fatty acids is, along with overall fat intake and the intake of saturated fatty acids, known to be a risk factor for the development of cardiovascular disease.

In the regulatory context, the Commission proposal for a regulation on the provision of food information to consumers<sup>(21)</sup> provides the possibility for manufacturers to indicate the trans fatty acids content on products on a voluntary basis. The Commission did not oblige the declaration of trans fatty acids as it was considered important to focus on the nutrients that are important in public health terms across the EU.

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(21) Commission proposal for a regulation of the European Parliament and the Council on the provision of food information to consumers (COM (2008) 40 final).

According to the European Food Safety Authority<sup>(22)</sup> (EFSA) the intake of trans fatty acids in the EU has decreased considerably over recent years. EFSA notes that more recent reported intakes in some Member States are within or close to the recommended maximum intake levels of 1 or 2 percent of energy intake.

The Commission is encouraging self-regulatory action in order to further decrease the content of trans fatty acids in food products. There are commitments in the EU Platform for Action on Diet, Physical Activity and Health that concern the reformulation of products to reduce the content of trans fatty acids. It is expected that these commitments will contribute to the further reduction of the intake of trans fatty acids in Europe. Studies<sup>(23)(24)</sup> indicate that voluntary approaches undertaken in European countries have resulted in reductions of trans fatty acid consumption in those countries.

The Commission believes that dietary habits depend on many different factors and influencing them is a very complex exercise that requires a variety of actions. These should be proportionate and take into account the respective competence and responsibilities of the European Union and its Member States.

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#### **Question no 40 by Justas Vincas Paleckis(H-0253/10)**

##### **Subject: Electronic cigarettes**

Parents in a number of EU Member States are concerned that electronic cigarettes, also known as electronic nicotine inhalers, are apparently becoming increasingly available among schoolchildren. These cigarettes are particularly dangerous for children, who become addicted more quickly than adults do. Large doses of nicotine can be highly poisonous.

Children can easily get hold of these electronic cigarettes, which are sold online. On ordinary cigarette packets there are warnings about the health dangers of smoking and it is clearly stated that cigarettes can only be purchased by those over the age of 18. Other restrictions also apply, and this is not the case for electronic cigarettes.

Does the Commission think it is about time steps were taken to put an end to the distribution of these electronic cigarettes on the internet, and does it think other action should be taken to protect the health of minors?

##### **Answer**

(EN) Electronic cigarettes (e-cigarettes) are regulated differently in the Member States.

At the one end of the spectrum, they are regulated as medicinal products. At the other end, they are marketed as normal consumer products covered by the General Product Safety Directive<sup>(25)</sup>.

Some Member States regulate e-cigarettes the same way as tobacco products, with the same requirements for sale, labelling and advertising. The issue is complicated because some e-cigarettes do not contain nicotine.

The Commission is currently considering a possible revision of the Tobacco Products Directive<sup>(26)</sup>, and e-cigarettes are a possible issue for reflection, including their means of distribution in this context.

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<sup>(22)</sup> EFSA: Dietary Reference Values for fats, including saturated fatty acids, polyunsaturated fatty acids, monounsaturated fatty acids, trans fatty acids, and cholesterol, scientific opinion of the Panel on Dietetic Products, Nutrition and Allergies, adopted on 4 December 2009, EFSA Journal 2010; 8(3):1461.

<sup>(23)</sup> Johansson Lars, et al.: Trans fatty acids in the Norwegian diet. Tidsskr Nor Lægeforen nr. 6, 2006; 126: 760-3.

<sup>(24)</sup> Survey carried out on behalf of the Food Standards Agency and the Department of Health: National Diet and Nutrition Survey Headline results from Year 1 of the Rolling Programme, 2008/2009

<sup>(25)</sup> Directive 2001/95/EC of Parliament and of the Council of 3 December 2001 on general product safety (Text with EEA relevance), OJ L 11, 15.1.2002.

<sup>(26)</sup> Directive 2001/37/EC of Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products - Commission statement, OJ L 194, 18.7.2001.



**Question no 41 by Malcolm Harbour(H-0259/10)****Subject: Window blind cords**

It is estimated that some 20 children have lost their lives in the past 10 years as a result of strangulation by looped blind cords in the UK alone. There is already a European Safety Standard (EN 13120) for internal blinds, but the continued fatalities have highlighted its deficiencies and an update is long overdue.

Why has the Commission failed to address this problem when both the US and Australia have already developed an appropriate standard, covering many of the hazards of all types of window blind cord?

Given that a significant amount of research and evidence has already been collected on this subject both in the UK, by the British Standards Institute, and by other relevant consumer safety authorities outside the EU, can the Commission confirm that it is building on the existing work in this area and exchanging best practices, rather than starting the process from the beginning, which would stand in the way of a swift and cost-effective solution to the problem?

**Answer**

(EN) The Commission is aware of the risks posed to children by cords in blinds. In 2006, the Commission requested the European Committee for Standardisation (CEN) to revise the relevant standard EN 13120. The revision was completed in 2009 and more stringent requirements against strangulation risks were included in the standard.

According to these new requirements, manufacturers are obliged to add a warning on the product in a conspicuous position. In addition, the blind shall be designed in such a way as to keep the cords out of reach of children. Alternatively, a safety device shall be supplied.

This revision represents a step ahead for the safety of blinds but there are still some loopholes that have to be addressed.

Some models of blinds operated by a cord are not included in the scope of standard EN 13120. Design requirements that limit the use of cords in blinds are needed as well as requirements for blinds made-to-measure, as these are not subject to the specifications of the European standard EN 13120.

The Commission is working with the Member States and consumer safety stakeholders to set new standards for the safety of consumers in line with the procedures and timing laid down in Directive 2001/95 of the Parliament and of the Council<sup>(27)</sup>. Each option must be assessed scrupulously so as to identify the solutions that can stand the test of time and be implemented effectively by economic operators and market surveillance authorities.

In this process the Commission is assessing existing work and working in close contact with the consumer safety authorities in the US and Canada. Despite their existing standards, these countries have been recently confronted with tragic accidents.

Both the US and Canada are therefore revising their relevant standards and legislation to improve the safety of blinds. The Commission is exchanging with these countries technical information and best practices with the aims of fostering a harmonized and coordinated standard development, promoting European values and quality rules and achieving a swift, cost-effective, globally relevant solution that ensures the highest level of safety for children.

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**Question no 42 by Zigmantas Balčytis(H-0274/10)****Subject: Regulation of the labelling and control of GMOs on EU territory**

A survey on GMOs conducted recently in Lithuania made the alarming finding that as many as 42% of people did not know that they had bought food products containing GMOs until after they had taken them home. This shows that GMO labelling is inadequate and that consumers are not being provided with necessary and comprehensive information on food products.

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<sup>(27)</sup> OJ L 11, 15.1.2002

How is the issue of the labelling of products made with or containing GMOs and of public information on the matter currently regulated?

How does the Commission intend to tackle the problem of the labelling and control of products containing GMOs, which should be obligatory in all Member States?

**Answer**

(EN) According to the European Union legislation, all products that contain or consist of GMOs must be labelled as such. The same obligation exists for all food or feed products which are derived from GMOs, whether or not the GM origin can be detected by laboratory tests (for instance, oils derived from GM soya must be labelled as GM even if the oil composition is not different from oil from conventional soya). This obligation does not exist for foods and feeds containing material which consists of or is produced from GMOs in a proportion lower than 0.9%.

The labelling requirements that are set out in the EU legislation provide that for pre-packaged food, ingredients containing or produced from GMOs are indicated on the label. By contrast, products (such as eggs, milk or meat) of animals fed with GM feed do not have to be labelled as genetically modified. This is because the animals from which these foods are obtained are not GMOs. This is consistent with other labelling rules that are of major interest for consumers.

The application of the current rules regarding GM labelling and their control by Member States is satisfactory and there is no need for particular action on this matter. However, it seems that due to market choices, only a very limited number of GM foods are available to EU consumers.

The Commission has asked an independent contractor to carry out an evaluation on the GM food and feed legislation, including its existing labelling provisions. Once this work is finalised - expected for this summer - the Commission will make the evaluation report available to the public, and it would be happy to discuss its results further with the Honourable Member.

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**Question no 43 by Liam Aylward(H-0284/10)**

**Subject: Health and safety standards of produce imported into the EU**

European agriculture and its food production system operate to the highest standards of quality and are considered to be among the best in the world. European consumers appreciate the safe, high-quality food that is produced by European farmers. Reports by the EU Food and Veterinary Office have raised several concerns about the traceability, safety and hygiene standards of exports to the EU from some Brazilian holdings.

Given that these breaches in standards exist, what action can the Commission take to ensure that European consumers are guaranteed safe and hygienic products produced to European standards at all times? Will the Commission consider allocating further funding and resources to the Food and Veterinary office in order to strengthen its activities, increase its vigilance and enable it to further protect the interests of European consumers?

**Question no 44 by Pat the Cope Gallagher(H-0286/10)**

**Subject: Monitoring and testing of Brazilian beef**

What monitoring and testing procedures are being carried out by the Commission in Brazil so as to ensure beef imports originating from Brazil comply with EU food safety standards? Are the monitoring and testing procedures conducted by the Commission as extensive as the procedures used by the USDA?

**Joint answer**

(EN) For imports of meat, the EU has put in place a cascade of risk-mitigating measures with requirements at several levels of the production chain. These include the territory of origin, which must be recognised as free of Foot and Mouth Disease (FMD), the holding of origin, the animals, the controls on animal movements, the conditions at slaughter during meat production and storage.

The European Food Safety Authority (EFSA) recognised in 2006 that the measures in place are very effective at reducing the risk of introducing FMD into the EU.

EU requirements for imported meat are fully consistent with the principles of the Sanitary and Phytosanitary agreement of the World Trade Organization (WTO).

As the Honourable Members have rightly mentioned, the Commission's inspection service of the Directorate-General for Health and Consumer Policy (FVO – Food and Veterinary Office located in Grange, Ireland) carries out inspections in order to verify the performance of the third country's official control systems and to verify compliance or equivalence with EU standards. They also carry out inspections at the EU Border Inspection Posts to verify that their controls are carried out in accordance with the EU requirements.

Based on the findings of the FVO missions, the Commission takes the appropriate measures, on a proportionate, non-discriminatory and transparent basis.

Since January 2007, nine such missions have taken place in Brazil which concerned beef destined for the EU. A total of 32 FVO inspectors were involved in these missions. The current funding and resources allocated to the FVO have allowed us to carry out these frequent inspections.

The latest of these missions took place in March 2010. The findings of that inspection which focussed on FMD confirmed that the situation has improved and indicated that the official supervision and audit of EU eligible holdings provides the guarantees required by EU legislation.

Regarding the control of residues of veterinary medicinal products, Brazil has an EU-approved residues monitoring programme for, inter alia, beef. The most recent FVO inspection in Brazil focussing on residues took place in 2008 with a satisfactory outcome.

In addition to the guarantees given by the third countries, Member States carry out appropriate controls to ensure that beef imported in the EU complies with the requirements of the EU legislation. In the framework of the national plans for controls of residues, Member States carry out additional checks for residues of veterinary medicinal products on samples drawn at the point of importation into the EU. This system is similar to the one in place in the United States of America (USA). These checks have not brought to light any new concerns which would justify corrective measures.

As a result of these missions, and of the controls carried out at EU points of entry, the Commission is confident that the EU's strict safety standards are being met so far, and that beef from Brazil can therefore be safely placed on the EU market. The Commission nonetheless continues to maintain a high level of vigilance in relation to these imports to ensure that there is no slippage in the effectiveness of controls.

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#### **Question no 45 by Brian Crowley(H-0288/10)**

##### **Subject: EU health promotion strategies for the prevention of cancer**

Can the Commission outline the specific measures it is undertaking so as to strengthen health promotion strategies across the European Union in order to address the pressing issue of cancer?

##### **Answer**

(EN) Addressing Health promotion and cancer prevention are longstanding priorities of the Commission. The Commission have undertaken a wide range of actions in recent years in the areas of alcohol, nutrition and physical activity, as well as legislation in areas such as tobacco control.

A cancer-specific instrument is the European Code Against Cancer. The code is primarily a prevention tool, conveys two clear messages: that certain cancers can be avoided and health in general can be improved by adopting a healthier lifestyle; and that cancers may be cured, or the prospects of cure greatly increased, if they are detected at an early stage.

One of the major causes of cancer is tobacco. EU legislation on tobacco aims, inter alia, at any citizen aware of the risks of smoking, through textual and pictorial warnings<sup>(28)</sup>. The Commission meets regularly with representatives from Member States to discuss tobacco control matters as well as to ensure that the legislation in this area is implemented effectively and takes account of new developments. The Commission is currently considering presenting a proposal to review the Tobacco Products Directive.

Health promotion will be one of key working areas of the recently initiated European Partnership for Action Against Cancer. Among other things we expect the Partnership to promote the European Code by raising awareness of its important messages within the European population.

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#### **Question no 46 by Sarah Ludford(H-0302/10)**

##### **Subject: Diabetes**

Non-communicable diseases, of which diabetes is one, are the leading cause of death in the world.

When does the Commission intend to coordinate European action on chronic/non-communicable diseases, including diabetes which is a major and growing cause of ill health and premature death?

Will the Commission develop a targeted EU strategy to deal with the growing epidemic of diabetes (type 1 and type 2) in the Union – addressing research into causes and cure, primary prevention, screening, management and the care of people living with this condition, which also imposes a severe and growing burden on national health systems?

##### **Answer**

(EN) The Commission fully shares the Honourable Member's concern about the need to prevent chronic diseases. Europe must step up efforts to promote good health and prevent diseases such as diabetes. In this context, the Commission is convinced EU action needs to focus on the causes of such diseases, in particular nutrition and obesity, physical activity and smoking.

In addition, in 2010 the Commission has pointed to the need for information and data on diabetes, which one of the project areas for financing under the Health Programme.

Finally, the Commission also supports Member States by providing an evidence base at European level on diseases such as diabetes and by fostering the development of best practices on therapeutic strategies and research.

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#### **Question no 47 by Konrad Szymański(H-0247/10)**

##### **Subject: Expiry of Regulation MV-BER 1400/2002**

In connection with the forthcoming expiry of Regulation MV-BER 1400/2002<sup>(29)</sup>, the Commission has published a new draft Motor Vehicle Block Exemption Regulation with accompanying guidelines.

How does the Commission intend to guarantee the protection of independent manufacturers and motor vehicle repairers?

What will the Commission do to ensure that if the block exemption agreement is adopted, the parties to that agreement will be required to comply with the provisions on access to technical information for all independent market participants?

<sup>(28)</sup> Directive 2001/37/EC of the European Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products - Commission statement; Available at: [http://eur-lex.europa.eu/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32001L0037&model=guichett](http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32001L0037&model=guichett)

<sup>(29)</sup> OJ L 203, 1.8.2002, p. 30.

How does the Commission intend to ensure compliance with the ban on making the vehicle warranty subject to having all servicing, maintenance and repairs done exclusively by a repairer in the manufacturer's network of authorised repairers?

### Answer

(EN) The Commission adopted a new block exemption and guidelines for the motor vehicle sector on 27 May 2010<sup>(30)</sup>. These two texts are the result of a multi-stage review that lasted three-and-a-half-years, with input from all categories of stakeholder. The analysis revealed that the markets for the distribution of new motor vehicles are very competitive, and that there was no reason to treat them any differently to other sectors. The Commission therefore decided that the general vertical block exemption Regulation 330/2010<sup>(31)</sup> will apply to dealership agreements from 2013.

The situation in the markets for the distribution of spare parts and for the provision of repair and maintenance services is different. These are markets where one player – the owner of the brand network – often has a market share of over 50%. Independent garages provide the only competition, and are vulnerable to behaviour that shuts them out of the market, such as failures to grant access to technical information, or refusals to honour warranties if consumers use their services. Behaviour of this type harms consumers notably by pushing up the cost of repair. As the Honourable Member may be aware, it is expensive to keep a car on the road – repair bills account for 40% of the total cost of ownership. Unlike car prices, the cost of the average repair and maintenance job has risen over the past years. There is also a danger that if prices are too high, motorists will delay maintenance work, and their cars may become dangerous or pollute the environment.

In the markets for the distribution of spare parts and for the provision of repair and maintenance services the Commission has decided to reduce the scope of the exemption and to align it with the general vertical block exemption Regulation 330/2010 so that it can enforce the Treaty rules directly against typically anticompetitive arrangements. This means that certain vertical agreements that restrict the sales of spare parts or repair tools will no longer benefit from the block exemption. Guidelines for the motor vehicle sector provide for an interpretation of the general vertical block exemption Regulation that makes it easier for the Commission to act if technical information is withheld. In these guidelines it is stated that when assessing the competitive impact of vertical agreements on the motor vehicle aftermarket the Commission will take account of the need for access to technical information in order to preserve competition both between the members of authorised repair networks and between those members and independent repairers.

Moreover, the repair markets are intrinsically linked to the markets for spare parts, which account for a major part of most repair bills. By accessing cheaper competing brands of spare parts, independent repairers are often able to offer consumers a cost-effective alternative to the carmakers' networks. To this end, in addition to the above mentioned improvements, the new framework contains specific rules to ensure that parts suppliers' own brands can reach the market, and can be purchased by both independent and authorised repairers. In some cases there is no alternative to the carmaker's own brand, which is why the new framework makes it clear that independent garages should be able to get hold of these parts.

The Commission believes that this new framework will bring tangible benefits for consumers. The Commission will monitor the sector carefully, and will enforce the competition rules should any infringements be identified.

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### Question no 48 by Salvatore Iacolino(H-0254/10)

#### Subject: Health services for multiple drug and alcohol abusers

The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) in Lisbon has estimated that, in 2008, 22.5 million people in Europe used cannabis, 2 million used amphetamines or Ecstasy, and 4 million used cocaine. About 4% of all deaths of European citizens aged between 15 and 39 were linked to heroin abuse. Furthermore, there is currently a trend towards polysubstance abuse, involving the taking of narcotics in combination with other psychoactive substances or alcohol. Could the Commission explain what common guidelines it intends to lay down to ensure that the Member States provide health services to deal with multiple drug and alcohol abuse?

<sup>(30)</sup> IP/10/619

<sup>(31)</sup> OJ L 102, 23.4.2010

Secondly, how does the Commission intend to coordinate the activities of the different Commissioners responsible for the health-related aspects of the prevention and treatment of drug dependency on the one hand, and for combating drug trafficking by international organised crime on the other hand?

#### Answer

(EN) According to the EU Drugs Action Plan for 2009-2012, drug prevention should also cover poly-drug use<sup>(32)</sup>. The Action Plan also calls for increasing the effectiveness and spread of evidence-based drug treatment, including relevant treatment adapted to new drugs or types of use. Specific high risk groups, including poly-drug users, should be offered low-threshold access to counselling, problem-behaviour management and outreach work.

Problems related to poly-drug use and responses to it were discussed in the EU National drug coordinators meeting in Madrid on 28 April 2010. According to the conclusions of this meeting, the possibility of adopting a common policy to all psychoactive substances at EU level is an issue that should be studied further, from now until the completion in 2012 of both the Strategy and Action Plan on Drugs and the EU strategy on alcohol<sup>(33)</sup>. The EMCDDA, whose mandate also covers poly-drug use, has produced a publication, "Poly-drug use: patterns and responses", that outlines a framework for evidence based prevention, treatment, rehabilitation and harm reduction on different forms of poly-drug use<sup>(34)</sup>.

Concerning the second question, the EU Drugs Action Plan calls for a balanced and integrated approach to tackle drug problems, where drug demand reduction and supply reduction are seen as equally important. Apart from regular contacts between Members of the Commission responsible for different aspects of the drugs phenomenon, the Commission has set up an Interservice Group on Drugs that meets regularly to ensure a coordinated Commission approach both internally and externally, e.g. in the Horizontal Working Party on Drugs (HDG) in the Council and on international fora like the United Nations.

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#### Question no 50 by Nikolaos Chountis(H-0272/10)

##### Subject: Construction of nuclear plant at Akkuyu in Turkey

On 12 May 2010, Russia and Turkey concluded an agreement in Ankara regarding the construction of the Akkuyu nuclear reactor, similar projects having been shelved in the past. Realisation of the project will place Turkey and the Mediterranean at risk, seismologists having expressed grave concern regarding the chosen site of the reactor, which is prone to earthquakes. Furthermore, it is expected that systematic use will be made of the Mediterranean for the transport of nuclear waste.

What view does the Commission take of this agreement? With regard to these negotiations, what are its views regarding compliance to date by Turkey with basic Community tenets in the field of nuclear safety? Has Turkey aligned itself with international agreements in respect of basic safety requirements and with EU radioactive waste management procedures? Is Turkey a party to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management? What steps has the Commission taken to discourage Turkey from proceeding with such a hazardous project?

#### Answer

(EN) On 12 May 2010 Russia and Turkey signed a cooperation agreement for the establishment and operation of a nuclear power plant in Akkuyu.

In the Commission's view the national decision on using nuclear energy as a source of the electricity generation should be based on the country's capacity to ensure a high level of safety, security and safeguards throughout the entire lifecycle of a nuclear installation, in line with international conventions and best practices.

The Commission is closely monitoring the development of the legislation, the practices and administrative capacities of Turkey in the field of nuclear safety. Turkey is in the process of aligning its legislation with the

<sup>(32)</sup> OJ C 326, 20.12.2008, objective five

<sup>(33)</sup> Cordroge 51, 19 May 2010, Council document 9929/10

<sup>(34)</sup> Available at <http://www.emcdda.europa.eu/publications/selected-issues/polydrug-use>

acquis: it has adopted a framework law on establishment and operation of nuclear power plants and energy sales as well as implementing regulations, e.g. on nuclear power plant sites and on special principles and design principles for the safety of nuclear power plants. Legislation aimed at transposing the acquis on control of high-activity sealed radioactive sources and orphan sources has been transposed. However, the Turkish Atomic Energy Agency (TAEK) continues to perform both the regulatory functions and its operational tasks. Turkey is not participating in the Community programme on nuclear safety and radiation protection. Nor is it a party to the Joint Convention on the Safety of Spent Fuel Management and Radioactive Waste Management. This issue is regularly underlined in our progress reports.

During all relevant contacts with Turkey, the Commission signals its interest in receiving comprehensive information regarding the country's plans in the area of nuclear energy. At the same time, the Commission also stresses that any initiative needs to meet the level of nuclear safety that is required from a candidate country. Furthermore, the Commission underlines its availability for advice and assistance, especially under the Instrument for Pre-accession Assistance.

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### **Question no 51 by Nessa Childers (H-0273/10)**

#### **Subject: Former Irish Commissioner takes up Ryanair post**

Former Irish Minister for Finance and European Commissioner for the Internal Market Charlie McCreevy recently took up a position on the board of Ryanair, a company which was affected by many of the laws he made at a European level, a position which he stepped down from less than six months ago. It hardly seems appropriate that Mr McCreevy takes up this position so soon after leaving his post in the Commission.

What process and criteria did the Commission use to permit the former Irish Commissioner to take up a senior position within the Ryanair company less than a year since he stepped down from the Commission?

Does the Commission believe that a longer 'cooling off' period is required for former Commissioners before they can take up duties in the private sector in order to avoid possible conflicts of interest?

#### **Answer**

(EN) The former Commissioner referred to in the question informed the Commission about his intention to join the board of Ryanair Holdings as a Non Executive Director. After having consulted the Ad-hoc Ethical Committee established in accordance with the Code of Conduct for Commissioners, the Commission decided, on 4 May 2010, that the envisaged activity was compatible with Article 245(2) of the TFEU. The Commission noted however that the former Commissioner should abstain from providing advice to the board and to the management of Ryanair where such advice would relate to a case involving Ryanair about which he might have been consulted during his term of office.

The criteria applicable to the assessment of the compatibility of an activity envisaged by a former Commissioner are defined in Article 245(2) of the Treaty, namely the duty to behave with integrity and discretion as regards the acceptance of certain appointments or benefits after the Members of the Commission cease to hold office.

As concerns the process, the Code of Conduct for Commissioners set up a two-tier obligation: (1) former Commissioners must notify their envisaged activities during the year after they have ceased to hold office; (2) the Commission shall examine the nature of the planned occupation. The Commission shall seek the opinion of an Ad hoc Ethical Committee whenever the envisaged activity is related to the content of the former Commissioner's portfolio and will decide on the compatibility of the envisaged activity with the Treaty.

In the current case, the Ad-hoc Ethical Committee<sup>(35)</sup> was consulted, although the former Commissioner's envisaged post-office activity was not directly related to the responsibilities he held during his mandate. The Commission's decision took into account the Ad-hoc Ethical Committee's opinion and the fact that that

<sup>(35)</sup> Ad-hoc Ethical Committee composed of Mr Terry Wynn, former Member of the European Parliament, Mr Rafael Garcia-Valdecasas Y Fernandez, former Judge of the Court of First Instance, and by Mr Michel Petite, former Director-General of the Legal Service of the Commission.



none of the files which Mr McCreevy handled, or was occasionally reallocated from the competition portfolio of the former Commissioner responsible for Competition, concerned Ryanair.

As for the idea of setting a mandatory cooling-off period, a measure of this kind to be applied as an absolute rule in all cases would be disproportionate when no conflict of interest is at stake and the obligations of professional secrecy and integrity are duly respected. Only where in a specific case, after a detailed analysis of the situation, the Commission took the view that there were sufficiently compelling reasons requiring a more restrictive measure, such a measure could be applied.

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**Question no 52 by Ivo Belet(H-0282/10)**

**Subject: Offshore oil drilling in EU waters**

The disaster with the oil rig in the Gulf of Mexico compels the EU to take action.

Does the Commission agree that the Member States should agree on and comply with minimum standards for the exploration and exploitation of oil in EU waters, and in particular deep sea drilling?

Will the Commission take an initiative in the near future?

Is the Commission prepared to also place such minimum standards for oil drilling on the agenda of the G20 meeting?

**Answer**

(EN) The EU legislation already contains a number of standards and requirements that are binding for the Member States and applicable to offshore drilling and oil production facilities. Standards for equipment and protective systems intended for use in potentially explosive atmospheres or for pressure equipment may serve as an example (Directive 94/9/EC on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres<sup>(36)</sup> and Directive 97/23/EC on the approximation of the laws of the Member States concerning pressure equipment<sup>(37)</sup>). The legislation on safety of work place also sets additional requirements on the safety of operations (The general Council Directive 89/391/EEC<sup>(38)</sup> on the introduction of measures to encourage improvements in the safety and health of workers at work in connection with special directives such as Council Directive 92/91/EEC concerning the minimum requirements for improving the safety and health protection of workers in the mineral- extracting industries through drilling<sup>(39)</sup>). In addition, the Member States have enacted rather extensive national legislation to maintain a high level of safety of offshore operations in Europe. The information and response systems in place to avoid or mitigate incidents also include the European Maritime Safety Agency (EMSA) created in 2002. These activities focus on prevention of pollution and response to pollution. EMSA operates 24 hours a day a state-of-the-art maritime traffic monitoring centre in Lisbon linked to all EU Member States. Its tools include a fleet of oil recovery vessels under contract across the EU and available at all times to Member States at their request via the Monitoring and Information Centre (MIC).

As regards new initiatives, the Commission has launched a thorough review of the applicable legislation and is reinforcing its dialogue with the offshore industry on their safety measures. The industry has been given a set of detailed questions which will allow for a more complete assessment of their practices. A second high level meeting is planned for 14 July to review the available information. Should there eventually be a need for new measures to improve safety, both on legislative and non-legislative level, the Commission would be ready to take action. In parallel, the Commission is closely following developments in the USA.

The Commission is already including the issue of offshore safety on the agenda of our multilateral and bilateral dialogues, particularly with partners having significant offshore operations and/or operations in the vicinity of Europe. This includes for the time being multilateral contacts with OPEC and Gulf Cooperation Council as well as bilateral contacts with the US, Norway and countries with production in the Mediterranean.

<sup>(36)</sup> OJ L 100, 19.4.1994, p. 1–29

<sup>(37)</sup> OJ L 181, 9.7.1997, p. 1–55

<sup>(38)</sup> OJ L 183, 29.6.1989, p. 1–8

<sup>(39)</sup> OJ L 348, 28.11.1992, p. 9–24



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**Question no 53 by Nadezhda Neynsky(H-0292/10)**

**Subject: Extension of the period of eligibility of expenditure for certain environmental projects under the ISPA Programme in Bulgaria**

The Commission will be aware of the difficult conditions facing many of the water and waste management projects being implemented under the 'Environment' operational programme in Bulgaria, which has been endeavouring to take all the necessary measures to comply with the EU directives on the environment and to meet its obligations under the ISPA Programme.

In this connection, will the Commission grant Bulgaria's request for an extension of the period of eligibility of expenditure for certain environmental protection projects under the ISPA Programme, approved in the period 2000-2006 and implemented in accordance with Cohesion Fund rules?

**Answer**

(EN) On 19 April 2010 the Commission published a communication amending the "Guidelines on the closure of Cohesion Fund and ex-ISPA projects 2000-2006" (SEC/2008/415 of 4 April 2008) concerning the extension of the final date of eligibility of expenditure for the ex-ISPA projects.

According to this communication, the Commission may under justified circumstances extend the final date of eligibility beyond 31 December 2010 for projects first adopted from 2004 onwards. Therefore, for projects first approved after 1 January 2004 the Commission may decide, on the basis of a duly justified request, to extend the final date of eligibility to 31 December 2011. Moreover, for projects with a Cohesion Fund (CF) contribution of at least EUR 100 million, the final date of eligibility may be extended to 31 December 2012.

In the light of this communication, the ex-ISPA environment projects in Bulgaria corresponding to the above conditions may, in principle, be considered for an extension until 31 December 2011 (all ex-ISPA environment projects in Bulgaria have a CF contribution below EUR 100 million, so no project is eligible for a 2 years extension until 31 December 2012).

So far no request for extension of the final date of eligibility of an ex-ISPA environment project has been submitted by the Bulgarian competent authorities.

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**Question no 54 by Elisabeth Köstinger(H-0296/10)**

**Subject: Making greater use of renewable energy sources**

The Deepwater Horizon oil rig explosion has caused the largest oil spill in history. So far, millions of litres of crude oil have poured into the Gulf of Mexico, killing countless aquatic and terrestrial organisms. The global implications for the ecosystem are devastating.

Making greater use of renewable energy sources, which will also play an important role in the future of the CAP and thus make a vital contribution to sustainable agriculture and to environmental and climate protection, can provide a solution to the problem of increasing energy consumption worldwide. In particular, careful consideration should be given to fuels for use in the transport sector.

Will the proportion of biofuels in diesel and petrol be gradually increased in the EU in order to reduce dependence on fossil fuels?

**Answer**

(EN) In 2008, biofuels accounted for about 3.4 % of transport fuel consumption – up from 0.5% five years earlier. Under the Renewable Energy Directive<sup>(40)</sup>, each Member State is required to ensure that its share of energy from renewable sources in all forms of transport in 2020 will rise to at least 10%. The choice of fuel

<sup>(40)</sup> Directive 2009/28/EC of Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC Text with EEA relevance, OJ L 140, 5.6.2009.

mix and whether to use high or low blend biofuels will remain to be determined by each Member State. Moreover, Member States will have the choice to aim at a higher share of renewable energy in transport if they wish.

The Renewable Energy Directive also requires each Member State to work out a National Renewable Energy Action Plan and to submit it to the Commission by 30 June 2010. In these plans, Member States shall indicate how they plan to reach the share of the renewable energy in transport and what measures will be taken to that end.

The Commission will publish the plans on its Renewable Energy Transparency Platform as soon as it receives them and will send them to Parliament in accordance with Article 4 (6) of the above Directive.

In order to enable the EU target for increased use of renewable energy in transport to be reached, the revised Fuel Quality Directive<sup>(41)</sup> (2009/30 EC) now allows Member States to increase the bioethanol share in petrol from previously 5% to 10%. For diesel, blends of up to 7% are possible under current CEN standards.

Implementation of these two EU legislative acts should increase the proportion of renewable energy in the transport fuels and lead to a gradual reduction in the EU's dependence on fossil fuels.

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### **Question no 55 by Gilles Pargneaux(H-0300/10)**

#### **Subject: Status of SNCF**

In a letter to the French Government sent on 11 February 2010 and published by les Echos on 31 May, the Commission has again called on France to reform the status of its national rail company, SNCF. The Commission wants France to turn SNCF into a public limited company in order to 'end the public guarantee implicitly enjoyed by the rail company, notably with regard to its financial commitments and specifically the repayment of loans'.

Can the Commission tell me why I learned of this proposal through the press? Surely it is a matter that ought to have been discussed, and on which a decision ought to have been taken, in the Committee on Transport and Tourism? Can the Commission explain precisely why it is bent on calling into question public services in Europe, and specifically French services such as SNCF and RATP (the Paris metro service)?

#### **Answer**

(FR) The 2008 Community guidelines on State aid for railway undertakings<sup>(42)</sup> state that unlimited State guarantees in a sector open to competition are incompatible with EU law. These guidelines require Member States to inform the Commission, by 22 July 2009, of the measures planned for the removal of the unlimited guarantees. The Commission reiterated this requirement to France regarding the EPIC status of SNCF. In addition, Member States are obliged to remove the unlimited guarantees no later than 22 July 2010.

The Commission is not requesting that France change the status of SNCF into a public limited company or any other particular legal form, but only to end the unlimited guarantees.

With particular regard to services of general economic interest, the Community texts on State aid guarantee full coverage of the specific costs borne by companies involved. Member States therefore have every chance to develop services of general economic interest that are efficient and affordable for citizens.

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<sup>(41)</sup> Directive 2009/30/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC Text with EEA relevance, OJ L 140, 5.6.2009.

<sup>(42)</sup> OJ C 184, 22.07.2008